

6-3-2013

Drink, Drive, Go to Jail? A Study of Police Officers Arrested for Drunk Driving

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Stinson, Philip M.; Liederbach, John; Brewer, Steven L.; and Todak, Natalie E., "Drink, Drive, Go to Jail? A Study of Police Officers Arrested for Drunk Driving" (2013). *Criminal Justice Faculty Publications*. 8.
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Drink, Drive, Go to Jail? A Study of Police Officers Arrested for Drunk Driving

Abstract

The purpose of the current study is to provide empirical data on cases of police driving under the influence (DUI) of alcohol and/or drugs. It identifies events that may have influenced the decision to arrest, including associated traffic accidents, fatalities, officer resistance, the refusal of field sobriety tests, and the refusal of blood alcohol content (BAC) tests. The study is a quantitative content analysis of news articles identified through the Google News search engine using 48 automated Google Alerts queries. Data are analyzed on 782 DUI arrest cases of officers employed by 511 nonfederal law enforcement agencies throughout the United States. The study is the only study known to describe police officer DUI arrests at many police agencies across the United States.

Keywords: driving under the influence, DUI, police drunk driving, police crime

Drink, Drive, Go to Jail? A Study of Police Officers Arrested for Drunk Driving

Scandals involving law enforcement officers who drive drunk run counter to the widely-recognized slogans of police-sponsored public service campaigns to promote sober driving: "Drive sober or get pulled over," "...Over the limit, under arrest," "...Drink, drive, go to jail" (Governors Highway Safety Association 2012, National Highway Traffic Safety Administration 2012, Texas Department of Transportation 2012). One scandal involved an intoxicated officer who joined a high-speed pursuit and rammed his patrol car into three motorcyclists stopped at a red light. Charges including reckless homicide were eventually dropped in part because of a botched investigation that also ultimately led to the police chief's resignation (Indianapolis Star 2012). Another case involved a drunken police commander who crashed into a second vehicle, left the scene, and then helped to stage a phony accident to cover-up the initial crash. Blood-alcohol tests were not conducted at the scene, even though the commander's speech was slurred, he smelled of alcohol, and he had wet his pants (Fazlollah 2001, Banks 2013). Another scandal involved a police lieutenant arrested—but not convicted—for driving under the influence three separate times over a seven month period. He was finally convicted on a DUI charge that resulted from a fourth arrest that occurred three months later (Castaneda 2008, Davis 2008).

In some ways, cases involving police who drive drunk and/or under the influence of drugs are part of a larger context, and the societal problem of driving under the influence (DUI) that continues to exact enormous costs. The Centers for Disease Control and Prevention report that alcohol-impaired traffic accidents kill over 10,000 people annually, accounting for nearly one-third of all traffic-related deaths in the United States (Centers for Disease Control and Prevention 2011). Research demonstrates a close link between binge drinking and alcohol impaired driving. Over 80% of those who engage in risky driving practices are also binge

drinkers (Chou *et al.* 2006). In 2009, over 1.4 million drivers were arrested for driving under the influence of alcohol or drugs, but the vast majority of those who drive impaired do so with impunity (Centers for Disease Control and Prevention 2011). There are an estimated 147 million episodes of alcohol impaired driving among American adults each year (Centers for Disease Control and Prevention 2011, Shults *et al.* 2011); and, a subset of those cases involve what we refer to as "police DUI's," or incidents in which police themselves drive drunk and/or under the influence of drugs.

These cases represent a slice of the larger drunk driving milieu, but police DUI also should be recognized as a discrete phenomenon that presents unique challenges to police executives, scholars, and the public. Police DUI's have the potential to substantially weaken public trust and the legitimacy of strategies designed to mitigate drunk driving, because the drunk driver in these cases is among those expected to enforce DUI laws and protect society from drivers who are intoxicated. Recent evidence suggests that the problem may be exacerbated by officers and agencies that minimize—and in some cases purposively ignore—the problem of drunk driving among police. A Bureau of Justice Statistics survey reported that over one-third of responding state and local police agencies *would* consider police applicants with a prior DUI conviction (Reaves 2012). Likewise, a majority of officers responding to a survey on police integrity said they *would not* report a fellow officer who had a minor traffic accident while driving under the influence of alcohol (Klockars *et al.* 2000). Recent journalistic investigations in Milwaukee (Barton 2011), Denver (McGhee 2011), and New York City (Paddock and Lesser 2010) reported disturbing cases in which police found to have driven drunk were either not arrested and/or otherwise minimally punished. The tendency of officers and at least some police executives to disregard police DUI's limits the potential for research and the availability of data

on the problem, and also inhibits the development of strategies to identify, punish, and deter drunk driving among police officers.

Drunk and/or impaired driving is unquestionably an enormous societal concern, and evidence from anecdotes and journalistic investigations demonstrate that some police drive while impaired themselves. Aside from anecdotes and the reports of local journalistic investigations however, there are no systematic data on the problem of police DUI's. There are no official statistics on the number of officers arrested for DUI-related offenses, and there are no data that describe cases involving police who drive impaired on a national scale. Reviews of the empirical literature failed to uncover any scholarly research specifically focused on the phenomenon of police DUI. These data are clearly necessary to understand and mitigate the problem.

The purpose of the current study is to provide empirical data on cases of police DUI. Our research identifies and describes incidents in which police were arrested for a criminal offenses associated with drunk driving through a content analysis of published newspaper articles. We present data on these cases in terms of the arrested officer, employing agency, and the offense(s) charged. The study also identifies events that may have influenced the decision to arrest, including associated traffic accidents, fatalities, officer resistance, the refusal of field sobriety tests, and the refusal of blood alcohol content (BAC) tests. The latter part of the results examines case outcomes and the factors associated with conviction and job loss among the arrested officers. The next section presents an overview of research on alcohol-related problems in policing and factors that seem to promote excessive drinking among police. The review provides a framework for understanding the police DUI phenomenon in the absence of existing studies specifically focused on the problem of police DUI.

The Context of Police DUI: Drinking, Culture & Stress

Scholars have recognized excessive drinking as a problem among police officers for over three decades. Studies conducted in the 1970s and 1980s estimated that as many as 25% of officers have serious problems with alcohol (Dishlacoff 1976, Hurrell, Jr. *et al.* 1984, Violanti *et al.* 1985, Dietrich and Smith 1986). Van Raalte (1979) found that 40% of surveyed officers had used alcohol *while on duty* (cf. Barker and Carter 1994, Mieczkowski 2002). Some have recently pointed out the methodological limitations of these early studies (see, e.g., Lindsay and Shelley 2009, Ballenger *et al.* 2011); but, more recent research that involves large samples of officers seems to corroborate the conclusion that excessive alcohol consumption is often "part of the police lifestyle" (Violanti 1999, p. 16).

Richmond et al. (1998) examined the lifestyle behaviors of 852 police officers and found that almost one-half (48%) of male officers and two-fifths (40%) of female officers "consumed alcohol excessively including continuous hazardous or harmful consumption and binge drinking." (p. 1729). Davey, Obst, and Sheehan (2001) found that almost one-third (30%) of 749 responding officers were at risk of harm from excessive alcohol consumption. Ballinger et al. (2011) reported relatively high rates of binge drinking (five-plus drinks on a single occasion) among a large sample of urban police, with 37% of male officers and 36% of female officers reporting at least one episode of binge drinking within the prior 30 day period. Roughly 8% of police reported levels of drinking that indicated "probable lifetime alcohol abuse or dependence" (p. 25), and more than 3% reported consuming more than 28 drinks within the prior week. Alcohol abuse has also been associated with many forms of police misconduct, and recent studies on problem officers provide descriptions of cases that involve intoxicated police engaged

in various forms of misbehavior and crime (Kane and White 2009, Stinson, Liederbach, *et al.* 2012).

The focus of much of the recent research has been the factors that seem to promote excessive drinking among police. Violanti *et al.* (2011) group these factors in terms of: (a) officer demographics, (b) police culture, and (c) stress. Excessive alcohol consumption is certainly due at least in part to demographics and the over-representation of young males among police officers, in particular patrol officers. Men are more likely to have problems with alcohol than women, and alcohol use disorders are most prevalent among 18-24 year-olds (National Institute on Alcohol Abuse and Alcoholism 2008). Age and gender have also been specifically correlated with drinking and driving. Alcohol dependence at the age of 21 has been found to significantly predict persistent driving while drinking episodes (Begg *et al.* 2003); and, young adult males have been found to be significantly more likely to engage in driving while drinking than other cohorts (Chou *et al.* 2006)

Researchers in the fields of substance abuse treatment and public health highlight the influence of demographics on aggregate rates of excessive drinking, but scholarship focused on the drinking behavior of police usually focuses on the impact of police culture and stress. The notion of a unique police culture is common in the academic literature, a concept defined by Crank (2004) as a "collective sense-making" among police that derives in part from shared ideas or knowledge, behaviors, and social and organizational structures (p. 15). Police culture has been referred to as "essentially a drinking culture" that often includes frequent social interactions that involve the consumption of alcohol (Violanti *et al.* 1985). Various occupational factors have been found to increase the risk of alcohol and drug problems (Fennell *et al.* 1981, Hingson *et al.* 1981); and, Macdonald, Wells, and Wild (1999) specifically found that the existence of a

drinking subculture at work was associated with the development of alcohol problems. Lindsay and Shelley (2009) found that police officers most at risk for drinking problems admitted that "fitting in" was the primary reason they engaged in alcohol consumption. Officers may also be discouraged from reporting problem drinking or drunk driving among fellow officers in order to uphold other widely-recognized values shared among police including secrecy and solidarity (Banton 1964, Skolnick 1994).

Scholars have compiled an extensive line of research that explains how stress may influence excessive drinking among police. Abdollahi (2002) provides a comprehensive overview of this literature in terms of factors that include: (a) intra-interpersonal stressors, (b) job-related stressors, and (c) organizational stressors. Violanti et al.'s (2011) survey of police found that stress derived from failed interpersonal relationships (i.e. divorce and/or separation) increased the likelihood of hazardous drinking behavior, especially among male officers. A number of studies attribute excess alcohol consumption among police to the failure to properly cope with stress that is related more specifically to the job, including those derived from a perceived lack of organizational support (especially supervisors) and problematic encounters with citizens (Ayres *et al.* 1992, Anshel 2000, Kohan and O'Connor 2002). Leino et al. (2011) recently explored how job-related exposure to violence and the absence of adequate debriefing procedures may increase levels of drinking among police. Swatt, Gibson, and Piquero (2007) utilize Agnew's (1992) general strain theory to explain how anxiety and depression mediate the relationship between work-related strain and drinking prevalence among police officers.

Researchers have long known that law enforcement officers are generally exempt from law enforcement (Reiss 1971). That is to say, police officers typically do not arrest other police officers (Black 1976). It is especially true when it comes to drunk driving. In many

jurisdictions, it is considered a professional courtesy to not arrest a fellow officer who is found to be driving drunk (Dresser 2011, Spina 2012, Pollock 2013). Even in those rare instances where an officer is arrested and convicted of DUI, in many agencies they rarely lose their jobs as sworn law enforcement officers (Paddock and Lesser 2010, Barton 2011, McGhee 2011, Rubin 2011). The remainder of this paper examines known cases of police officers who were arrested for DUI. We hypothesize that these cases are the unusual instances where an officer has lost their “exemption” from law enforcement and been arrested for DUI because something about the facts of their individual case necessitated official law enforcement action against these drunk officers.

Method

Data for the current study were collected as part of a larger study on police crime. The larger study was designed to locate cases in which nonfederal sworn law enforcement officers had been arrested for any type of criminal offense(s). Data were collected from published news articles using the Google NewsTM search engine and its Google AlertsTM email update service. Google Alerts searches of the Google News search engine were conducted daily using the same 48 search terms developed by Stinson (2009). The Google Alerts email update service sent a message each time one of the automated daily searches identified a news article in the Google News search engine that matched any of the designated search terms. The automated alerts contained a link to the URL for each of the news articles. The articles were located, examined for relevancy, printed, logged-in, scanned, and indexed in an enterprise-level digital imaging database for subsequent coding and content analyses. The larger study on police crime identified 5,230 criminal cases that involved the arrest of 4,445 sworn officers during the period of January 1, 2005 through December 31, 2010. The arrested officers were employed by 1,999 nonfederal law enforcement agencies located in all 50 states and the District of Columbia. The present

study focuses on the identification and description of the subset of cases in which police officers were arrested for driving under the influence (DUI) of alcohol and/or drugs.

Coding and Content Analysis

Coding initially involved the identification of the DUI cases within the larger data set. The case data were coded in terms the: (a) arrested officer, (b) employing agency, (c) each of the charged offenses, (d) the nature of the DUI event, (e) organizational employment outcomes, and (f) criminal case dispositions. Criminal offenses were coded using a two-step process. Each offense charged was initially coded using the data collection guidelines of the National Incident-Based Reporting System (NIBRS) (U.S. Department of Justice 2000, pp. 21–52). Fifty-seven offenses are included in the NIBRS, consisting of 46 incident-based criminal offenses in one of 22 basic crime categories, as well as 11 additional arrest-based minor crime categories including driving under the influence (pp. 9-12). We recorded each offense charged, as well as the most serious offense charged in each case. The most serious offense charged was determined using the Uniform Crime Report's (UCR) crime seriousness hierarchy (U.S. Department of Justice 2004). An additional eight non-NIBRS offense categories were added following a pilot study because officers were often arrested for criminal offenses not included in the NIBRS.

Additional content analyses were conducted in order to ascertain the nature of the DUI cases in terms of (1) DUI-related traffic accidents, (2) injuries in a DUI-related traffic accident, (3) driving an on-duty police vehicle while DUI, (4) driving a take-home police vehicle while DUI, (5) driving a police vehicle outside officer's jurisdiction while DUI, (6) driving a personally-owned vehicle while DUI, (7) refusal to perform field sobriety tests, (8) refusal to provide a BAC test sample, (9) resisting arrest, (10) possession of a firearm while DUI, and (11) sequence of events in DUI-related traffic accidents. Traffic accident events include 51 categories

of (a) non-collision events, (b) collisions with persons, vehicles, or objects not fixed, and (c) collisions with fixed objects listed in the Traffic Crash Report Procedure Manual (Ohio Department of Public Safety 2011). Additional inductive qualitative coding of the news content resulted in identification of ten additional DUI-related accident variables such as whether the officer was driving in the wrong direction, flipped their vehicle, and/or fled the scene. Cases were also coded to assess a measure of official capacity off-duty police crime developed by Stinson, Liederbach, and Freiburger (2012), and secondary data were employed from the Census of State and Local Law Enforcement Agencies (U.S. Department of Justice 2008) to ascertain the number of full-time sworn officers employed by each agency, as well as from the U.S. Department of Agriculture's (2003) county-level urban to rural 9-point rurality scale.

Reliability

Analytic procedures were undertaken to ensure reliability of the data. One of the most widely accepted tests of intercoder reliability for content analyses is the percentage of agreement test, wherein the percentage of agreement between two coders is calculated (Riffe *et al.* 2005). Additional coders were employed to independently code a random sample of five percent of the total number of cases. The overall level of simple agreement between two coders across the variables of interest in this study (97.44%) established a degree of reliability well above what is generally considered "acceptable" (p. 147).

Statistical Analysis

Chi Square is used to measure the statistical significance of the association between two variables measured at the nominal level. Cramer's *V* measures the strength of that relationship with values that range from zero to 1.0 and allows for an "assessment of the actual importance of the relationship" (Riffe *et al.* 2005, p. 191). Stepwise binary logistic regression is used to

determine which of the predictor variables are statistically significant in multivariate models. Stepwise logistic regression models are appropriate where, as here, the study is purely exploratory and predictive (Menard 2002). It is an exploratory study because little is known empirically about police DUIs and the specific factors responsible for conviction and/or job loss subsequent to the arrest of a police officer for DUI. Summary statistics are also reported for evaluation of regression diagnostics and each logistic regression model.

Classification tree analysis—also known as decision trees—is utilized as a statistical technique to uncover the causal pathways between independent predictors, job loss, and conviction. Classification tree analysis examines the entire dataset and produces a graphical output that ranks the variables by statistical importance. This approach moves beyond the simple one-way additive relationship of linear statistical models by identifying the hierarchical interactions between the independent predictors and their compounding impact. Decision tree techniques have received attention due to their ability to handle interaction effects in data without being bound to statistical assumptions (Sonquist 1970). The technique has recently been used to examine criminal justice topics including confessions by sex offenders (Beauregard and Mieczkowski 2012), the criminal networks of delinquents (Bouchard and Nguyen 2010), judicial decisions (Kastellec 2010), and recidivism of homicide offenders (Neuilly *et al.* 2011).

Strengths and Limitations

The news search methodology utilizing the Google News search engine provided an unparalleled amount of information on DUI arrests of police officers employed by law enforcement agencies in every state across the United States. The Google News search engine draws content from more than 50,000 news sources (Bharat 2012). It allows for access to a larger number of police misconduct cases than would be available through other methods (Payne

2011). The Google News search engine and Google Alerts has been used in recent years to develop innovative methodologies for collecting data on a variety of hard-to-research areas including stray bullet shootings (Wintemute *et al.* 2012), police criminal misuse of TASERs (Stinson, Reynolds, *et al.* 2012), and human trafficking (Denton 2010).

There are three primary limitations of the data. First, our research is limited by the content and quality of information provided for each case. The amount of information available on each case varied, and data for several variables of interest were missing for some of the cases. Second, the data are limited to cases that involved an official arrest for DUI. We do not have any data on police officers who drive under the influence of alcohol and/or drugs if their conduct did not result in an arrest. Finally, it should be recognized that these data are the result of a filtering process that includes the exercise of discretion by media sources in terms of both the types of stories covered and the nature of the content devoted to particular stories (Carlson 2007). Ready, White, and Fisher (2008) found that news coverage of officer misconduct is consistent with official police records of these events. Research also suggests that police agencies are not especially effective at controlling media accounts of officer misconduct (Chermak *et al.* 2006).

Results

The news searches resulted in the identification of 782 cases in which police officers were arrested for DUI. The cases involved the arrests of 750 sworn officers employed by 511 nonfederal state and local law enforcement agencies located in 406 counties and independent cities in all 50 states and the District of Columbia.¹ Seven of the officers had multiple criminal cases arising out of a single DUI because of having more than one victim, and 14 police officers were arrested for DUI on more than one occasion. Of the officers arrested more than once for

DUI while still employed as a police officer, 11 officers were arrested twice (including one officer who was arrested twice in the same day), two officers were arrested three times, and one officer was arrested four times. The remainder of this section is organized into three parts. Part one presents data on the arrested officers, their employing agencies, and the most serious offense charged in each DUI case. The nature of the DUI incidents is described in the second part. Part three identifies the predictors of job loss and criminal case conviction subsequent to an arrest for DUI.

Table 1 presents information on the DUI cases in terms of the arrested officers and their employing agencies. Most of the cases involved male officers (92.3%). Most of the cases also involved police employed in a patrol or other street-level function (92.1%) including officers, deputies, and troopers ($n = 573$, 73.3%), detectives ($n = 51$, 6.5%), corporals ($n = 17$, 2.2%), and sergeants ($n = 79$, 10.1%). There were 62 cases that involved police managers and executives, including lieutenants ($n = 24$, 3.1%), captains ($n = 9$, 1.2%), majors ($n = 3$, 0.4%), a colonel ($n = 1$, 0.1%), deputy chiefs and chief deputies ($n = 9$, 1.2%) and chiefs and sheriffs ($n = 16$, 2.0%). The modal category for known officer age at arrest was 36-43 years ($n = 220$, 28.1%). The modal category for known years of service was zero to five years ($n = 208$, 26.6%). Most of the cases involved officers employed by municipal police agencies ($n = 546$, 69.8%). The modal category for agency size was 100-999 full-time sworn officers ($n = 280$, 35.9%). Most of the cases involved officers employed in metropolitan counties ($n = 678$, 86.7%). The DUI arrests most often occurred while an officer was off-duty ($n = 676$, 86.4%), although officers were also arrested for on-duty DUI offenses ($n = 106$, 13.6%).² The arresting agency in most of the DUI cases was a law enforcement agency other than the arrested officer's employer ($n = 561$, 71.7%).

<<<<< Insert Table 1 about here >>>>>

Table 2 presents the cases in terms of the most serious offense charged. DUI was the most serious offense charged in 665 of the cases (85.0%). DUI was not, however, the most serious offense charged in the remaining 15% of the DUI cases. The most serious charge in these cases included violent crimes such as simple assault ($n = 27, 3.5\%$), aggravated assault ($n = 18, 2.3\%$), murder or nonnegligent manslaughter ($n = 16, 2.0\%$), and negligent manslaughter ($n = 11, 1.4\%$).

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Table 3 presents the cases in terms of DUI event incidents and characteristics. Some of the cases involved officers who were DUI while *on-duty* ($n = 37, 4.7\%$), off-duty but driving a take-home police vehicle ($n = 64, 8.2\%$), and/or driving a police vehicle while out-of-jurisdiction ($n = 27, 3.5\%$). Some of the cases involved officers who refused to perform field sobriety tests ($n = 57, 7.3\%$) when stopped for suspicion of DUI and/or refused to consent to a blood-alcohol content (BAC) test ($n = 153, 19.6\%$) subsequent to arrest. Many of the police DUI cases involved vehicle traffic accidents ($n = 416, 53.2\%$), often resulting in victim injuries ($n = 191, 24.4\%$) and fatalities ($n = 40, 5.1\%$). Some of the officers' DUI-related traffic accidents happened when they flipped their own car ($n = 26, 3.3\%$ of cases, 6.2% of traffic accidents) or crashed into another car causing it to flip ($n = 5, 0.6\%$ of cases, 1.2% of traffic accidents). Some officers fled the scene ($n = 91, 11.6\%$ of cases, 21.9% of traffic accidents) after being involved in a DUI-related traffic accident, and more than two-thirds of them were criminally charged with hit-and-run ($n = 65, 8.3\%$). A few were involved in a DUI-related traffic accident while attempting to elude and evade the police ($n = 6, 0.8\%$ of cases, 1.4% of traffic accidents). Other officers were arrested after being involved in a DUI-related traffic accident that resulted because they were driving in the wrong direction in a traffic lane ($n = 11, 1.4\%$ of cases, 2.7% of traffic

accidents). Several of the accidents involved an officer who was drunk while riding a motorcycle ($n = 14$, 1.8% of cases, 3.4% of traffic accidents), and in a few instances officers were involved in a DUI-related traffic accident but denied being the driver ($n = 11$, 1.4% of the cases, 2.6% of traffic accidents).

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Table 4 presents the specific drugs involved in the police DUI arrest cases. Only a small percentage of all of the DUI arrest cases involved an identifiable specific drug ($n = 35$, 4.5%). The specific drugs most often identified in the drug DUI cases are “other depressants”³ ($n = 11$, 31.4% of drug DUI cases), oxycodone ($n = 6$, 17.1% of drug DUI cases), hydrocodone ($n = 4$, 11.4% of drug DUI cases), benzodiazepines ($n = 4$, 11.4% of drug DUI cases), cocaine ($n = 4$, 11.4% of drug DUI cases), and marijuana ($n = 3$, 0.9% of drug DUI cases). In about one-quarter of the police DUI drug arrest cases, the officer was arrested for driving under the influence of an unknown prescription drug ($n = 9$, 25.7% of drug DUI cases), and two-thirds of those cases involved an officer who was arrested for driving under the influence of an unknown prescription drug while on-duty. The most common drug groups were depressants ($n = 15$, 42.9% of drug DUI cases) and narcotics ($n = 15$, 42.9% of drug DUI cases).

<<<<< Insert Table 4 about here >>>>>

Table 5 identifies bivariate relationships between various predictors and final employment outcomes of the officers who were arrested for DUI, as well as bivariate relationships between various predictors and the officers’ DUI criminal case dispositions. All of the Chi-Square associations are statistically significant at $p < .05$. The strength of the statistically significant bivariate associations are all weak, with the exception of the “state where

an arrested officer was employed” is a moderate predictor ($V = .344$) for final employment outcome and is a strong predictor ($V = .487$) for criminal case outcome.

<<<<< Insert Table 5 about here >>>>>

Multivariate analyses were conducted to further investigate the relationship between the two outcome variables of interest, final employment outcome and DUI criminal case disposition in separate regression models, and various predictor variables. The “state where an arrested officer was employed” was removed as an independent variable from all of the binary logistic regression models because it had a confounding effect and lacked any practical interpretation. Table 6 presents a backward stepwise binary logistic regression model predicting loss of job following a police officer’s arrest for DUI. Data screening led to the elimination of 12 outlier cases that were confounding interactions between variables. Bivariate correlations computed for each of the independent variables revealed that none of the variables were highly correlated with each other. Tolerance statistics and variance inflation factors were also examined. None of the tolerance statistics were below .753 and none of the variance inflation factors exceeded 1.329, indicating that multicollinearity is not a problem in the model. The Durbin-Watson score was 1.884, indicating that there is no autocorrelation in the model. Regression results indicate that the overall model of seven predictors (see Table 6) is statistically reliable in distinguishing between officers who were separated from their employment as a sworn law enforcement officer through job loss (that is, termination or resignation) and those who were not known to have lost their job as a result of being arrested for DUI. The model correctly classified 69.7% of the cases and had an AUC of .619. Wald statistics indicate that all of the independent variables in the model significantly predict job loss.

<<<<< Insert Table 6 about here >>>>>

Interpretation of the odds ratios provide context for prediction of job loss. The simple odds of an officer losing their police job as a result of a DUI arrest go up by 87% if the DUI also involved violence-related offenses, controlling for all other independent variables in the model. The simple odds of an officer losing their police job as a result of a DUI arrest go up by 77% if the officer was acting in their official capacity while they were driving under the influence of alcohol and/or drugs, controlling for all other variables in the model. Officers are acting in their official capacity if they are on-duty or, if off-duty, engaged in police business. If an officer is arrested as a result of a DUI-related traffic accident, the simple odds of losing their job go up by 43% when controlling for all other independent variables in the model, while the simple odds of losing their job go up by 86% if the traffic accident resulted in a fatality when controlling for all other independent variables in the model.

The simple odds of a police officer losing their job subsequent to a DUI arrest go up by 22% for every one unit increase in rurality (on the U.S. Department of Agriculture's 9-point urban to rural scale) for the county where they work, controlling for all other independent variables in the model. That means that officers who work in nonmetropolitan counties are more likely to lose their job following a DUI arrest than officers who work at law enforcement agencies in metropolitan areas. As the agency size goes up (on a 10-point categorical scale) in terms of full-time sworn officers employed, the simple odds of an officer losing their job as a result of a DUI arrest goes down by 8.5%, controlling for all other independent variables in the model. Officers who are employed by large law enforcement agencies are less likely to lose their job following a DUI arrest than are officers who are employed at smaller agencies. In some instances news articles reporting an officer's DUI arrest mentioned that the incident resulted in an agency scandal and/or cover up effort. The simple odds of job loss following a DUI arrest go

down by 65% in instances where the news media reported an agency scandal and/or cover up related to an officer's DUI arrest, controlling for all other independent variables in the model.

Table 7 presents a forward stepwise binary logistic regression model predicting officers' DUI criminal case disposition. Bivariate correlations computed for each of the independent variables revealed that none of the variables were highly correlated with each other.

Multicollinearity is not a problem in the model, as indicated by no tolerance statistics below .981 and no variance inflation factors exceeding 1.019. A Durbin-Watson score of 2.052 indicates that there is no autocorrelation in the model. Regression results indicate that the overall model of four predictors—DUI-related traffic accidents, refusal of a BAC test, DUI in a take-home police vehicle, and reassignment to another position within an agency following a DUI arrest—is statistically reliable in distinguishing between officers who are convicted of a criminal offense and those who are not convicted. The model correctly classified 80.4% of the cases and had an AUC of .682. Wald statistics indicate that all of the independent variables in the model significantly predict job loss.

<<<<< Insert Table 7 about here >>>>>

Odds ratio interpretations provide context for prediction of DUI criminal case outcomes. The simple odds of being convicted of any offense are 1.2 times greater if the arrested officer was involved in a DUI-related traffic accident, controlling for all other independent variables in the model. Courts treat officers more harshly when an officer has caused a traffic accident while driving under the influence of alcohol and/or drugs. The simple odds of an officer being convicted of any criminal offense go down by 49.5% if the officer refused to submit to a BAC test immediately following their arrest for DUI, controlling for all other independent variables. It is very difficult to obtain a DUI conviction in court in most states when there is an absence of

physical evidence proving that a driver was under the influence of alcohol at the time of their arrest. Controlling for all other independent variables, the simple odds of an officer being convicted of any offense go down by 65.6% when an officer was arrested for DUI while they were driving a take-home police vehicle. Finally, the simple odds of conviction on any charge go down by 66.4% when an officer is known to have been reassigned to another position within their police department following a DUI arrest, controlling for all other independent variables. Perhaps judges and prosecutors view assignment to a presumably less favorable duty assignment as “punishment enough” for a police officer charged with driving under the influence.

Decision trees were used to derive the casual pathways between independent predictors, job loss, and conviction. Table 8 presents the results of these analyses. Four decision trees were created. The trees included the same independent predictors as the logistic regression models; but, the variable "state where an arrested officer was employed" was introduced in two of the four models to determine whether the state where the officers were employed had any impact on the probability of losing their job or being convicted of a crime.

<<<<< Insert Table 8 about here >>>>>

Two decision trees were created for the prediction of job loss. The tree predicting job loss absent the "state" variable had an overall classification score of 72.4%, an AUC score of .719, 95% CI [.681, .757], and selected the variable "Off-Duty Ordinance" (i.e. the employing agency required officers to be available 24/7) as the splitting criterion. The arrested officers who were employed by an agency that required its officers to be available 24/7 had a higher probability of keeping their job compared to arrested officers who worked for agencies that do not require 24/7 availability of its sworn officers. The additional statistically significant variables include years of service at time of arrest, DUI accident fatality, violent vs. non-violent

crime, metropolitan vs. non-metropolitan counties, size of the police agency, whether the officer was acting in their official capacity while DUI, and whether the officer was reassigned to another position within their police department as a result of being arrested for DUI.

The second tree predicting job loss included the "state" variable in the analysis. The tree had an overall classification score of 76.7%, an AUC score of .798, 95% CI [.766, .832], and selected "state" as the splitting criterion and most influential variable. The tree indicated that "state" had a significant impact on the probability of the officer losing their job. The group of states with the highest rate of job loss (66.7%) includes Georgia, Missouri, New Hampshire, South Dakota, and Vermont. Additional significant variables included, years of service, dui accident fatality, age of the officer, official capacity, officer reassignment, violent vs. nonviolent crime, and metropolitan versus non-metropolitan. No distinctive pattern was present across the states and the predictive patterns for job loss varied by state.⁴

Two decision trees were created for the prediction of conviction. The tree predicting conviction absent the "state" variable had an overall classification score of 82.1%, an AUC score of .870, 95% CI [.830, .910], and selected "officer reassignment" as the splitting criterion. Other significant variables for this model included; injuries in DUI-related traffic accident, years of service, gender, size of the police agency, agency type, arrest date, age, refused BAC test, and the arrested officer's employing agency requires 24/7 availability. In general, male police officers who were (a) younger than 38 at time of their arrest, (b) worked in smaller police departments, (c) had less than 12 years of service at time of arrest, and (d) were involved in a DUI-related traffic accident with injuries had a higher probability of being convicted of a crime.

The second tree predicting conviction included the "state" variable. The tree had an overall classification score of 87.4%, an AUC score of .892, 95% CI [.852, .932], and selected

“state” as the splitting criterion and most influential variable. The group of states including Montana, New Mexico, Oregon, Rhode Island, South Carolina, and Washington had a low conviction rate (27.8%). In contrast, all the other states had conviction rates greater than 71.2%. Additional significant variables for the tree included, refused BAC test, years of service, DUI in take-home vehicle, DUI-related traffic accident, and date of arrest. Regardless of the influence of the “state” variable, a general pattern existed whereby officers who (a) had less than 14 years of service, (b) were involved in a DUI-related traffic accident, (c) while driving a take-home police vehicle had the highest probability of being convicted of a crime.

Discussion

Police scholars have always recognized that law enforcement officers are generally exempt from law enforcement; That is, police do not typically arrest other police officers (Reiss 1971, Black 1976). The adage may be particularly applicable to cases of police DUI. In many jurisdictions, it is considered a professional courtesy to not arrest a fellow officer who is found to be drunk driving (Dresser 2011, Spina 2012, Pollock 2013). We know however that police *do* sometimes drive drunk or otherwise intoxicated through scandals or journalistic investigations of particular (usually horrific) cases; but, there are no systematic studies focused on police DUI nor data that describe the phenomenon on a national scale. Our research identified 782 cases in which police were arrested for DUI using a methodology that capitalizes on the newsworthy character of these events. The arrested officers were employed by over 500 police agencies located in jurisdictions within all 50 states and the District of Columbia. Some points of discussion emerge from the data.

Our data appear to capture instances of police DUI where an officer has lost their "exemption" from law enforcement and been arrested because something about the facts of their

case compelled official law enforcement action rather than professional courtesy and non-arrest. More than one-half of the cases (53.2%) involved a traffic accident and thus required official documentation; and, many of the traffic accident cases involved injuries ($n = 191$) or circumstances that could be described as egregious, including fatalities ($n = 40$), flipped vehicles ($n = 31$), or intoxicated cops who attempted to flee ($n = 91$), or were in possession of a gun ($n = 71$). Likewise, arrested officers in about one-third of all the cases (32.1%) did not cooperate, either through refusals of BAC and/or field sobriety tests and/or resisting arrest. More than two-thirds of the cases (71.1%) involved a law enforcement agency other than the arrested officer's employer, suggesting that professional courtesies and exemptions are much more likely to occur among officers who work together. Collectively, these data describe cases that were impossible to ignore, and the actions of intoxicated police who were perhaps deemed not worthy of the typical professional courtesies.

The study identified 35 cases in which police were found to have been under the influence of drugs other than alcohol or in combination with alcohol. These cases comprised a small percentage of the total number of cases in our study (4.4%); but, the data in this regard raise issues about the nature and extent of the problem of "drugged driving" among police and how they compare to the population of non-police drivers.⁵ There were very few cases of police DUI that involved illicit "recreational" drugs including marijuana and cocaine. Officers were instead more likely to be under the influence of a prescription drug, and depressants were the most prevalent drug category identified in drug-related police DUIs. Future research on police DUI should incorporate measures designed to identify cases in which police drive under the influence of drugs other than alcohol, as well as explore the possibility that the inappropriate use of depressants may be a consequence of some of the previously-identified occupational hazards

of police work, including job stress, shift work, sleep deprivation and fatigue (see, e.g., Vila *et al.* 2002, Amendola *et al.* 2012, Violanti 2012).

The analyses in regard to job loss and criminal case disposition provide data on how both police organizations and the courts respond to known cases of police DUI. Of the cases in which case disposition was known, more than three-fourths resulted in some type of criminal conviction (80.4%). Criminal conviction was significantly less likely in cases where the arrested officer was reassigned, suggesting that courts may interpret reassignment as "punishment enough." The arrested officers' refusal to submit to a BAC test also significantly reduced the likelihood of conviction, presumably because these cases lacked the necessary evidence.

Job loss was known to have occurred much less frequently than criminal conviction, as the arrested officer was known to have lost their job in less than one-third (30.4%) of the cases. Our findings in this regard seem to substantiate the notion that many police agencies and officers minimize or purposively ignore the problem (Klockars *et al.* 2000, Paddock and Lesser 2010, Reaves 2012). The analyses also demonstrated that police DUI cases that involved a traffic accident were significantly more likely to result in job loss and/or criminal conviction. The occurrence of a traffic accident introduced both official documentation and persons harmed by the actions of the intoxicated officer, including other drivers, passengers, property owners and other types of victims. Other factors that were found to significantly predict job loss included those that arguably defined the case as more egregious, such as cases that involved some sort of violence (*e.g.* resisting arrest) and officers who were driving intoxicated while on-duty.

Police DUI case outcomes also seem to be significantly influenced by factors associated with characteristics of both the employing agency and the geographic location of the case. For example, police who are employed by larger agencies and/or those located in metropolitan

counties are significantly less likely to lose their job as a result of a DUI arrest. Police DUIs that occur in large, urban jurisdictions may be less likely to be defined as a "big deal" by police executives and the public, and officers arrested for DUI in these places may in some ways be shielded from the most severe penalties by the complexity of large bureaucratic structures and/or more intricate disciplinary procedures. For example, large organizations tend to have more elaborated organizational hierarchies that can lead to what Skolnick and Fyfe refer to as a "compartmentalization of responsibility" that negatively affects supervision and accountability (Skolnick and Fyfe 1993, pg. 191). Large agencies are also more likely to operate under collective bargaining and a police union. Walker (2008) relates how police unions may play a role in reinforcing the police "code of silence" as well as inhibit misconduct investigations. In contrast, cases of police DUI are likely to be much more conspicuous and difficult to ignore when they occur in rural jurisdictions or small towns—places where individual officer are more likely to be an integral part of the community and quite familiar to residents who read the local newspaper (Liederbach and Frank 2003).

The analyses also examined the degree to which case outcomes significantly varied by state through the introduction of classification tree analysis. State location was the most influential predictor of conviction and had a significant impact on the probability of job loss. State-level legislative reforms and changes to DUI statutes have been found to influence court sentencing practices in DUI cases overall (Kingsnorth and Jungsten 1988, Kingsnorth *et al.* 1989), so it seems likely that state-level legislative reforms also influence the disposition of police DUI cases within particular states. For instance, we found that *every* officer who was arrested after October 28, 2005 who had been employed in California, Michigan, New York, Ohio, or Wisconsin and had 11 or fewer years of service was criminally convicted ($n = 38$).

Every one of these states substantially toughened their drunken driving laws after 2005 (see, e.g., Robinson 2009, Barone 2010, Wisconsin Department of Transportation 2011). Scholars interested in further exploring police DUI need to recognize variations in the disposition of DUI offenders across states and strive to collect data on the phenomenon as it occurs nationwide.

Notes

¹ Cities in the Commonwealth of Virginia are not in counties. Included in our count are officers who were arrested for DUI while employed by law enforcement agencies in nine Virginia independent cities and six Virginia counties. The cities of Baltimore, Maryland, St. Louis, Missouri, and Carson City, Nevada, are also independent cities that are separate from counties, but there are no DUI cases involving officers employed by agencies in those three cities in our sample.

² All cases that involved an officer arrested for DUI while driving a police vehicle were initially coded as “on-duty” because (a) the public generally considers any officer driving a police vehicle to be “on-duty,” and (b) law enforcement agencies often require “off-duty” officers who are driving police vehicles to be available to respond to emergencies (Stinson, Liederbach, *et al.* 2012, p. 158, n. 1).

³ The Drug Enforcement Administration (DEA) classifies certain drugs of abuse as “other depressants.” They are Ambien, Sonata, Meprobamate, Chloral Hydrate, Barbiturates, and Methaqualone (Quaalude). The medical uses for these drugs include antianxiety, sedative, and hypnotic purposes (U.S. Department of Justice 2005).

⁴ In order to shed light on the influence of the state variable, the outcome for the second CHAID tree predicting job loss was compared to the Freedom in the 50 States Index (see Rugar and Sorens 2011). The states were listed by their probability of job loss and then compared to the freedom indexes three categories; overall freedom, economic freedom, and personal freedom. This comparison was created to determine if any relationship existed between the probability of job loss and the states ranking in the Freedom Index. The comparison produced results that were not consistent. Job loss has no direct relationship with each of the freedom indices. The comparison was not made between the Freedom Index and the conviction variable due to the multiple level splits within the decision trees.

⁵ Findings derived from studies on the prevalence of drug use among samples of non-police drunk drivers may be used to suggest comparisons between the two populations of drivers, although direct comparisons are impossible given the different methodologies employed. For example, Neuteboom and Zweipfenning (1984) tested blood samples of suspected drunk drivers and found that 9.7% used drugs in combination with alcohol. Lillsunde *et al.* (1996) tested blood samples taken from drivers suspected of DUI during two separate years and found that 7% and 26.8% used drugs in combination with alcohol (see also Kelly *et al.* 2009, who found in a meta-analysis that drugs were detected in up to 25% of drivers involved in motor vehicle accidents).

References

- Abdollahi, M.K., 2002. Understanding police stress research. *Journal of Forensic Psychology Practice*, 2 (2), 1–24.
- Agnew, R., 1992. Foundation for a general strain theory of crime and delinquency. *Criminology*, 30 (1), 47–88.
- Amendola, K.L., Weisburd, D., Hamilton, E.E., Jones, G., Slipka, M., Heitmann, A., Shane, J., Ortiz, C.W., and Tarkghen, E., 2012. The impact of shift length in policing on performance, health, quality of life, sleep, fatigue, and extra-duty employment. Final Report No. NCJ 237330. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.
- Anshel, M.H., 2000. A Conceptual Model and Implications for Coping with Stressful Events in Police Work. *Criminal Justice and Behavior*, 27 (3), 375–400.
- Ayres, R.M., Flanagan, G.S., and Ayres, M.B., 1992. Preventing law enforcement stress: The organization's role. No. NCJ 141934. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance.
- Ballenger, J.F., Best, S.R., Metzler, T.J., Wasserman, D.A., Mohr, D.C., Liberman, A., Delucchi, K., Weiss, D.S., Fagan, J.A., Waldrop, A.E., and Marmar, C.R., 2011. Patterns and Predictors of Alcohol Use in Male and Female Urban Police Officers. *The American Journal on Addictions*, 20 (1), 21–29.
- Banks, C., 2013. *Criminal justice ethics: Theory and practice*. Thousand Oaks, CA: Sage.
- Banton, 1964. *The policemen in the community*. New York, NY: Basic Books.
- Barker, T. and Carter, D.L., 1994. *Police deviance*. 3rd ed. Cincinnati, OH: Anderson.
- Barone, P.T., 2010. Michigan's new "super drunk" law. *Michigan Bar Journal*, 36–37.
- Barton, G., 2011. Milwaukee police often face minimal punishment for driving drunk. *Journal Sentinel*, 25 Oct.
- Beauregard, E. and Mieczkowski, T., 2012. From police interrogation to prison: Which sex offender characteristics predict confession? *Police Quarterly*, 15 (2), 197–214.
- Begg, D.J., Langley, J.D., and Stephenson, S., 2003. Identifying factors that predict persistent driving after drinking, unsafe driving after drinking, and driving after using cannabis among young adults. *Accident; analysis and prevention*, 35 (5), 669–675.

- Bharat, K., 2012. Google News turns 10. *Google News Blog* [online]. Available from: <http://googlenewsblog.blogspot.com/2012/09/google-news-turns-10.html> [Accessed 23 Sept 2012].
- Black, D.J., 1976. *The behavior of law*. New York, NY: Academic Press.
- Bouchard, M. and Nguyen, H., 2010. Is it who you know, or how many that counts? Criminal networks and cost avoidance in a sample of young offenders. *Justice Quarterly*, 27 (1), 130–158.
- Carlson, M., 2007. Order versus access: News search engines and the challenge to traditional journalistic roles. *Media, Culture & Society*, 29 (6), 1014–1030.
- Castaneda, R., 2008. DUI arrest is officer's 4th this year: Prince George's lieutenant allegedly asleep behind the wheel. *Washington Post*, 17 Dec, p. B1.
- Centers for Disease Control and Prevention, 2011. Impaired Driving: Get the Facts [online]. Available from: http://www.cdc.gov/motorvehiclesafety/Impaired_Driving/impaired-driv_factsheet.html [Accessed 22 Dec 2012].
- Chermak, S.M., McGarrell, E., and Gruenewald, J., 2006. Media coverage of police misconduct and attitudes toward police. *Policing: An International Journal of Police Strategies & Management*, 29 (2), 261–281.
- Chou, S.P., Dawson, D.A., Stinson, F.S., Huang, B., Pickering, R.P., Zhou, Y., and Grant, B.F., 2006. The prevalence of drinking and driving in the United States, 2001–2002: Results from the national epidemiological survey on alcohol and related conditions. *Drug and Alcohol Dependence*, 83 (2), 137–146.
- Crank, J.P., 2004. *Understanding police culture*. 2nd ed. Dayton, OH: Anderson/LexisNexis.
- Davey, J.D., Obst, P.L., and Sheehan, M.C., 2001. It Goes with the Job: Officers' Insights into the Impact of Stress and Culture on Alcohol Consumption Within the Policing Occupation. *Drugs: Education, Prevention, and Policy*, 8 (2), 141–149.
- Davis, A.C., 2008. Officer TASERed in one of four DUI incidents: Prosecutors dropped some charges. *Washington Post*, 20 Dec, p. B3.
- Denton, E., 2010. International News Coverage of Human Trafficking Arrests and Prosecutions: A Content Analysis. *Women & Criminal Justice*, 20, 10–26.
- Dietrich, J.F. and Smith, J., 1986. The nonmedical use of drugs including alcohol among police personnel: A critical literature review. *Journal of Police Science and Administration*, 14 (4), 300–306.
- Dishlacoff, L., 1976. The drinking cop. *Police Chief*, 43 (1), 32–39.

- Dresser, M., 2011. When police let officers skate, respect for traffic law tanks. *The Baltimore Sun*, 6 Feb.
- Fazlollah, M., 2001. How a top cop drank, drove, crashed and covered it up. *The Philadelphia Inquirer*, 25 Mar.
- Fennell, M., Rodin, M.B., and Kantor, G.K., 1981. Problems in the work setting, drinking, and reasons for drinking. *Social Forces*, 60 (1), 114–132.
- Governors Highway Safety Association, 2012. Drive sober or get pulled over: 2012 holiday crackdown. Washington, DC: Governors Highway Safety Association.
- Hingson, R., Mangione, T., and Barrett, J., 1981. Job characteristics and drinking practices in the Boston metropolitan area. *Journal of Studies on Alcohol and Drugs*, 42 (09), 725–738.
- Hurrell, Jr., J.J., Pate, A., Kliesmet, R., Bowers, R.A., Lee, S., and Burg, J.A., 1984. *Stress among police officers*. Cincinnati, OH: US Department of Health and Human Services, Public Health Service, Centers for Disease Control, National Institute for Occupational Safety and Health, Division of Biomedical and Behavioral Science.
- Indianapolis Star, 2012. IMPD officer David Bisard. *Indianapolis Star*, 6 Dec.
- Kane, R.J. and White, M.D., 2009. Bad Cops: A Study of Career-Ending Misconduct Among New York City Police Officers. *Criminology & Public Policy*, 8 (4), 737–769.
- Kastellec, J.P., 2010. The statistical analysis of judicial decisions and legal rules with classification trees. *Journal of Empirical Legal Studies*, 7 (2), 202–230.
- Kelly, E., Darke, S., and Ross, J., 2009. A review of drug use and driving: epidemiology, impairment, risk factors and risk perceptions. *Drug and Alcohol Review*, 23 (3), 319–344.
- Kingsnorth, R., Barnes, C., and Coonley, P., 1989. Driving under the influence: The impact of legislative reform on the role of legal and extralegal variables in court sentencing practices. *Criminal Justice Policy Review*, 3 (4), 344–359.
- Kingsnorth, R. and Jungsten, M., 1988. Driving Under the Influence: The impact of legislative reform on court sentencing practices. *Crime & Delinquency*, 34 (1), 3–27.
- Klockars, C.B., Kutnjak Ivkovic, S., Harver, W.E., and Haberfield, M.R., 2000. The measurement of police integrity. No. NCJ 181465. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.
- Kohan, A. and O'Connor, B.P., 2002. Police officer job satisfaction in relation to mood, well-being, and alcohol consumption. *Journal of Psychology*, 136 (3), 307–319.

- Leino, T., Eskelinen, K., Summala, H., and Virtanen, M., 2011. Work-related violence, debriefing and increased alcohol consumption among police officers. *International Journal of Police Science & Management*, 13 (2), 149–157.
- Liederbach, J. and Frank, J., 2003. Policing Mayberry: The work routines of small-town and rural officers. *American Journal of Criminal Justice*, 28 (1), 53–72.
- Lillsunde, P., Korte, T., Michelson, L., Portman, M., Pikkarainen, J., and Seppälä, T., 1996. Drugs usage of drivers suspected of driving under the influence of alcohol and/or drugs. A study of one week's samples in 1979 and 1993 in Finland. *Forensic Science International*, 77 (1), 119–129.
- Lindsay, V. and Shelley, K., 2009. Social and stress-related influences of police officers' alcohol consumption. *Journal of Police and Criminal Psychology*, 24, 87–92.
- Macdonald, S., Wells, S., and Wild, T.C., 1999. Occupational risk factors associated with alcohol and drug problems. *The American Journal of Drug and Alcohol Abuse*, 25 (2), 351–369.
- McGhee, T., 2011. Denver police chief proposes double-check on DUI stops of public officials. *The Denver Post*, 27 Oct.
- Menard, S., 2002. *Applied logistic regression analysis*. Thousand Oaks, CA: Sage.
- Mieczkowski, T., 2002. Drug abuse, corruption, and officer drug testing: An overview. In: K.M. Lersch, ed. *Policing and misconduct*. Upper Saddle River, NJ: Prentice Hall, 157–192.
- National Highway Traffic Safety Administration, 2012. Drive sober or get pulled over. Washington, DC: U.S. Department of Transportation, National Highway Traffic Safety Administration.
- National Institute on Alcohol Abuse and Alcoholism, 2008. Alcohol and other drugs. No. Alcohol Alert No. 76. Bethesda, MD: U.S. Department of Health and Human Services, National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism.
- Neuilly, M.-A., Zgoba, K.M., Tita, G.E., and Lee, S.S., 2011. Predicting recidivism in homicide offenders using classification tree analysis. *Homicide Studies*, 15 (2), 154–176.
- Neuteboom, W. and Zweipfenning, P.G.M., 1984. Driving and the combined use of drugs and alcohol in The Netherlands. *Forensic Science International*, 25 (2), 93–104.
- Ohio Department of Public Safety, 2011. *Traffic crash report procedure manual*. Columbus, OH: Ohio Department of Public Safety.
- Paddock, B. and Lesser, B., 2010. NYPD cops drive drunk, but no one puts on brakes: Even after messy crashes, police are still on job. *New York Daily News*, 7 Mar.

- Payne, B., 2011. *White-collar crime: A text reader*. Thousand Oaks, CA: Sage.
- Pollock, J.M., 2013. *Ethical dilemmas and decisions in criminal justice*. 8th ed. Belmont, CA: Wadsworth/Cengage.
- Van Raalte, R.C., 1979. Alcoholism as a problem among officers. *Police Chief*, 46 (2), 38–39.
- Ready, J., White, M.D., and Fisher, C., 2008. Shock value: A comparative analysis of news reports and official records on TASER deployments. *Policing: An International Journal of Police Strategies & Management*, 31 (1), 148–170.
- Reaves, B.A., 2012. Hiring and retention of state and local law enforcement officers, 2008 - Statistical tables. No. NCJ 238251. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.
- Reiss, A.J., 1971. *The Police and the Public*. New Haven, CT: Yale University Press.
- Richmond, R.L., Wodak, A., Kehoe, L., and Heather, N., 1998. How healthy are the police? A survey of life-style factors. *Addiction*, 93 (11), 1729–1737.
- Riffe, D., Lacy, S., and Fico, F.G., 2005. *Analyzing media messages: Using quantitative content analysis in research*. 2nd ed. Mahwah, NJ: Lawrence Erlbaum Associates.
- Robinson, C., 2009. New York toughens drunken driving law. *CNN.com*, 19 Nov.
- Rubin, J., 2011. New discipline policy at LAPD results in some officers avoiding punishment. *Los Angeles Times*, 4 Jul.
- Rugar, W.P. and Sorens, J., 2011. Freedom in the 50 states: An index of personal and economic freedom. Arlington, VA: George Mason University, Mercatus Center.
- Shults, R.A., Beck, L.F., and Dellinger, A.M., 2011. Self-reported alcohol-impaired driving among adults in the United States, 2006 and 2008. *Injury Prevention*, 16 (Supplement 1), A72–A73.
- Skolnick, J.H., 1994. *Justice without trial: Law enforcement in democratic society*. New York, NY: Macmillan.
- Skolnick, J.H. and Fyfe, J.J., 1993. *Above the law: Police and the excessive use of force*. New York: The Free Press.
- Sonquist, J.A., 1970. *Multivariate model building: The validation of a search strategy*. Ann Arbor, MI: University of Michigan, Institute for Social Research, Survey Research Center.
- Spina, M., 2012. Blue line protects off-duty cop behind wheel. *The Buffalo News*, 29 Sep.

- Stinson, P.M., 2009. Police crime: A newsmaking criminology study of sworn law enforcement officers arrested, 2005-2007. Thesis (PhD). Indiana University of Pennsylvania.
- Stinson, P.M., Liederbach, J., and Freiburger, T.L., 2012. Off-duty and under arrest: A study of crimes perpetrated by off-duty police. *Criminal Justice Policy Review*, 23, 139–163.
- Stinson, P.M., Reynolds, B.W., and Liederbach, J., 2012. Police crime and less-than-lethal coercive force: A description of the criminal misuse of TASERS. *International Journal of Police Science & Management*, 14 (1), 1–19.
- Swatt, M.L., Gibson, C.L., and Piquero, N.L., 2007. Exploring the utility of general strain theory in explaining problematic alcohol consumption by police officers. *Journal of Criminal Justice*, 35, 596–611.
- Texas Department of Transportation, 2012. Labor Day - Drink. Drive. Go to Jail. Austin, TX: Texas Department of Transportation.
- U.S. Department of Agriculture, 2003. *Measuring rurality: Rural-urban continuum codes*. [Computer file]. Washington, DC: U.S. Department of Agriculture, Economic Research Service.
- U.S. Department of Justice, 2000. National Incident-Based Reporting System: Data Collection Guidelines. Washington, DC: U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Division.
- U.S. Department of Justice, 2004. *Uniform crime reporting handbook*. Washington, DC: U.S. Department of Justice, Federal Bureau of Investigation.
- U.S. Department of Justice, 2005. *Drugs of abuse*. Washington, DC: U.S. Department of Justice, Drug Enforcement Administration.
- U.S. Department of Justice, 2008. Census of state and local enforcement agencies (CSLLEA). [Computer file: ICPSR27681-v1 data set]. Ann Arbor, MI: Inter-university Consortium for Political and Social Research.
- Vila, B., Morrison, G.B., and Kenney, D.J., 2002. Improving shift schedule and work-hour policies and practices to increase police officer performance, health, and safety. *Police Quarterly*, 5 (1), 4–24.
- Violanti, J.M., 1999. Alcohol abuse in policing: Prevention strategies. *FBI Law Enforcement Bulletin*, 68 (1), 16–18.
- Violanti, J.M., 2012. Shifts, extended work hours, and fatigue: An assessment of health and personal risks for police officers. No. NIJ 234964. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

Violanti, J.M., Marshall, J.R., and Howe, B., 1985. Stress, coping, and alcohol use: The police connection. *Journal of Police Science and Administration*, 13 (2), 106–110.

Violanti, J.M., Slaven, J.E., Charles, L.E., Burchfiel, C.M., Andrew, M.E., and Homish, G.G., 2011. Police and Alcohol Use: A Descriptive Analysis and Associations with Stress Outcomes. *American Journal of Criminal Justice*, 36 (4), 344–356.

Walker, S., 2008. The neglect of police unions: Exploring one of the most important areas of American policing. *Police Practice and Research*, 9 (2), 95–112.

Wintemute, G., Claire, B.E., McHenry, V.S., and Wright, M.A., 2012. Epidemiology and clinical aspects of stray bullet shootings in the United States. *The Journal of Trauma and Acute Care Surgery*, 73 (1), 215–223.

Wisconsin Department of Transportation, 2011. Drunk driving law changes [online]. Available from: <http://www.dot.wisconsin.gov/drivers/drivers/enforce/owi.htm> [Accessed 5 Mar 2013].

Table 1. Police DUI Cases: Arrested Officers and Agencies (N = 782)

| | <i>n</i> | (%) | | <i>n</i> | (%) |
|-----------------------|----------|--------|--------------------------|----------|--------|
| Sex | | | Agency Type | | |
| Male | 722 | (92.3) | Primary State Police | 36 | (4.6) |
| Female | 60 | (7.7) | Sheriff's Office | 135 | (17.3) |
| Function | | | County Police Dept. | 42 | (5.4) |
| Patrol & Street Level | 624 | (79.8) | Municipal Police Dept. | 546 | (69.8) |
| Line/Field Supervisor | 120 | (15.3) | Other Dept. | 23 | (2.9) |
| Management | 38 | (4.9) | Full-Time Sworn Officers | | |
| Officer Duty Status | | | 0-24 | 121 | (15.4) |
| On-Duty | 106 | (13.6) | 25-99 | 178 | (22.7) |
| Off-Duty | 676 | (86.4) | 100-999 | 280 | (35.9) |
| Age | | | 1,000 or more | 203 | (26.0) |
| 20-27 | 99 | (12.7) | Region of Agency | | |
| 28-35 | 184 | (23.5) | South | 320 | (40.9) |
| 36-43 | 220 | (28.1) | Midwest | 206 | (26.3) |
| 44-51 | 107 | (13.7) | Northeast | 146 | (18.7) |
| 52 or older | 34 | (4.3) | West | 110 | (14.1) |
| missing | 138 | (17.6) | Urban-Rural Code | | |
| Years of Service | | | Metro County | 678 | (86.7) |
| 0-5 | 208 | (26.6) | Non-Metro County | 104 | (13.3) |
| 6-11 | 143 | (18.3) | Arresting Agency | | |
| 12-17 | 112 | (14.3) | Employing Agency | 221 | (28.3) |
| 18 or more years | 115 | (14.7) | Another Agency | 561 | (71.7) |
| missing | 204 | (26.1) | | | |

Table 2. Police DUI Arrest Cases: Most Serious Offense Charged (*N* = 782)

| | <i>n</i> | % |
|------------------------------------------------|----------|--------|
| Driving Under the Influence | 665 | (85.0) |
| Simple Assault | 27 | (3.5) |
| Weapons Offense | 20 | (2.6) |
| Aggravated Assault | 18 | (2.3) |
| Murder / Nonnegligent Manslaughter | 16 | (2.0) |
| Destruction of Property / Vandalism | 12 | (1.5) |
| Negligent Manslaughter | 11 | (1.4) |
| Drug / Narcotic Offense | 4 | (0.5) |
| Nonviolent Family Offense (Child Endangerment) | 4 | (0.5) |
| Intimidation | 1 | (0.1) |
| Forgery | 1 | (0.1) |
| Impersonation | 1 | (0.1) |
| Prostitution | 1 | (0.1) |
| Indecent Exposure | 1 | (0.1) |

Table 3. Police DUI Arrest Cases: Incident Events (N = 782)

| | <i>n</i> | <i>%</i> |
|-------------------------------------------------------------|----------|----------|
| DUI Traffic Accident | 416 | (53.2) |
| DUI Traffic Accident with Injuries | 191 | (24.4) |
| Refused BAC Test | 153 | (19.6) |
| DUI Traffic Accident: Officer Fled Scene | 91 | (11.6) |
| Officer in Possession of Firearm while DUI | 71 | (9.1) |
| DUI Traffic Accident: Officer Charged with Hit-and-Run | 65 | (8.3) |
| DUI in Take-Home Police Vehicle | 64 | (8.2) |
| Off-Duty: Identified Self as Police Officer | 60 | (7.7) |
| Refused Field Sobriety Tests | 57 | (7.3) |
| Officer Resisted Arrest | 41 | (5.2) |
| DUI Traffic Accident: Fatality Resulting | 40 | (5.1) |
| DUI <i>Actually</i> On-Duty in Police Vehicle | 37 | (4.7) |
| DUI in Police Vehicle while Out of Jurisdiction | 27 | (3.5) |
| DUI Traffic Accident: Flipped their Car | 26 | (3.3) |
| Officer's Employing Agency requires 24/7 Availability | 21 | (2.7) |
| Off-Duty: Flashed Badge | 15 | (1.9) |
| DUI Traffic Accident: Driving a Motorcycle | 14 | (1.8) |
| DUI Traffic Accident: Driving in Wrong Direction | 11 | (1.4) |
| DUI Traffic Accident: Officer Denied Driving | 11 | (1.4) |
| Off-Duty: Displayed Police Weapon | 10 | (1.3) |
| Off-Duty: Family Violence | 8 | (1.0) |
| DUI Traffic Accident: While Evading | 6 | (0.8) |
| DUI Traffic Accident: Flipped Victim's Car | 5 | (0.6) |
| Off-Duty: In Police Uniform | 1 | (0.1) |
| Off-Duty: Made an Arrest | 1 | (0.1) |
| Off-Duty: Intervened in Existing Dispute Pursuant to Policy | 1 | (0.1) |

Note: Categories are not mutually exclusive. Table does not equal 100%.

Table 4. Police DUI Arrest Cases: Drug-Related (*n* = 35)

| | <i>n</i> | % |
|--------------------------------------------|----------|--------|
| Specific Drugs: | | |
| Other Depressants (Depressant) | 11 | (31.4) |
| Unknown Prescription Drug | 9 | (25.7) |
| Oxycodone (Narcotic) | 6 | (17.1) |
| Hydrocodone (Narcotic) | 4 | (11.4) |
| Benzodiazepines (Depressant) | 4 | (11.4) |
| Cocaine (Stimulant) | 4 | (11.4) |
| Marijuana (Cannabis) | 3 | (0.9) |
| Hydromorphone (Narcotic) | 2 | (0.6) |
| Other Narcotics (Narcotic) | 2 | (0.6) |
| Amphetamine/Methamphetamine (Stimulant) | 2 | (0.6) |
| Other Stimulants (Stimulant) | 2 | (0.6) |
| Codeine (Narcotic) | 1 | (0.3) |
| MDMA & Analogs (Hallucinogen) | 1 | (0.3) |
| Other Anabolic Steroids (Anabolic Steroid) | 1 | (0.3) |
| Arrested Officers and Agencies: | | |
| Officer is Male | 33 | (94.3) |
| On-Duty at Time of DUI Offense | 14 | (40.0) |
| Arresting Agency is Not Officer's Employer | 25 | (71.4) |

Note: Categories are not mutually exclusive. Table does not equal 100%.

Table 5. Police DUI Arrest Cases: Bivariate Associations Examining Loss of Job & Conviction

| | Loss of Job (N = 782) | | | | χ^2 | df | p | V |
|------------------------------------------|-----------------------|-------|----------|------|----------|----|-------|-------|
| | Retained Job | | Lost Job | | | | | |
| | n | % | n | % | | | | |
| State where employed (51 categories) | 544 | 69.6 | 238 | 30.4 | 92.598 | 50 | <.001 | 0.344 |
| Age at arrest (6 categories) | 544 | 69.6 | 238 | 30.4 | 27.396 | 5 | <.001 | 0.187 |
| Full-Time Officers (10 categories) | 544 | 69.6 | 238 | 30.4 | 22.924 | 9 | 0.006 | 0.171 |
| Urban to Rural County (9 categories) | 544 | 69.6 | 238 | 30.4 | 21.581 | 8 | 0.006 | 0.166 |
| DUI Accident: Fatality/ies Resulting | 21 | 52.5 | 19 | 47.5 | 10.337 | 3 | 0.016 | 0.158 |
| Years of Service (4 categories) | 544 | 69.6 | 238 | 30.4 | 18.501 | 4 | 0.001 | 0.154 |
| Metropolitan County | 486 | 71.7 | 192 | 28.3 | 10.783 | 1 | 0.001 | 0.117 |
| Ordinance On-Duty 24 hours a day | 21 | 100.0 | 0 | 0.0 | 8.965 | 1 | 0.003 | 0.115 |
| Discussion of Scandal / Cover-up | 45 | 88.2 | 6 | 11.8 | 8.982 | 1 | 0.003 | 0.107 |
| DUI Accident: Victim's vehicle flipped | 1 | 20.0 | 4 | 80.0 | 4.648 | 1 | 0.031 | 0.106 |
| DUI Accident: Driving Wrong Direction | 4 | 36.4 | 7 | 63.6 | 4.26 | 1 | 0.039 | 0.101 |
| Violence-related DUI | 33 | 54.1 | 28 | 45.9 | 7.476 | 1 | 0.006 | 0.098 |
| Injuries in DUI-related Traffic Accident | 118 | 61.8 | 73 | 38.2 | 7.235 | 1 | 0.007 | 0.096 |
| DUI-related Traffic Accident | 273 | 65.4 | 143 | 34.4 | 6.518 | 1 | 0.011 | 0.091 |
| Official Capacity | 64 | 59.8 | 43 | 40.2 | 5.568 | 1 | 0.018 | 0.084 |
| Reassigned to another Position | 83 | 79.0 | 22 | 21.0 | 5.151 | 1 | 0.023 | 0.081 |

| | Conviction (N = 301) | | | | χ^2 | df | p | V |
|------------------------------------------|----------------------|------|-----------|-------|----------|----|-------|-------|
| | Not Convicted | | Convicted | | | | | |
| | n | % | n | % | | | | |
| State Where employed (47 categories) | 59 | 19.6 | 242 | 80.4 | 71.525 | 46 | 0.009 | 0.487 |
| Reassigned to another position | 17 | 34.0 | 33 | 66.0 | 7.888 | 1 | 0.005 | 0.162 |
| DUI-related Traffic Accident | 25 | 14.6 | 146 | 85.4 | 6.234 | 1 | 0.013 | 0.144 |
| Demoted in Rank | 5 | 50.0 | 5 | 50.0 | 6.065 | 1 | 0.014 | 0.142 |
| Officer Refused BAC Test | 18 | 31.0 | 40 | 69.0 | 5.959 | 1 | 0.015 | 0.141 |
| Ordinance On-Duty 24 hours a day | 0 | 0.0 | 21 | 100.0 | 5.121 | 1 | 0.024 | 0.140 |
| DUI in Take-Home Police Vehicle | 10 | 34.5 | 19 | 65.5 | 4.51 | 1 | 0.034 | 0.122 |
| Injuries in DUI-related Traffic Accident | 10 | 11.9 | 74 | 88.1 | 4.38 | 1 | 0.036 | 0.121 |

Table 6. Police DUI Arrest Cases: Logistic Regression Model Predicting Loss of Job (N = 637)

| | <i>B</i> | <i>SE</i> | Wald | <i>p</i> | Exp(B) | 95% CI for Exp(B) | |
|------------------------------------|----------|-----------|-------|----------|--------|-------------------|-----------|
| | | | | | | <i>LL</i> | <i>UL</i> |
| DUI was Violence-Related | .626 | .304 | 4.252 | .039 | 1.870 | 1.031 | 3.390 |
| DUI-related Accident Fatality | .623 | .247 | 6.360 | .012 | 1.865 | 1.149 | 3.027 |
| DUI committed in Official Capacity | .570 | .238 | 5.737 | .017 | 1.769 | 1.109 | 2.820 |
| DUI-related Traffic Accident | .360 | .182 | 3.910 | .048 | 1.433 | 1.003 | 2.047 |
| County Urban-Rural Continuum | .204 | .066 | 9.612 | .002 | 1.226 | 1.078 | 1.395 |
| Full-Time Sworn Personnel | -.089 | .043 | 4.358 | .037 | .915 | .842 | .995 |
| Articles mention Scandal resulted | -1.055 | .522 | 4.082 | .043 | .348 | .125 | .969 |
| - 2 Log Likelihood | 761.593 | | | | | | |
| Model Chi-Square | 50.248 | | | <.001 | | | |
| Cox & Snell R^2 | .076 | | | | | | |
| Nagelkerke R^2 | .105 | | | | | | |
| AUC | .619 | | | | | | |

Table 7. Police DUI Arrest Cases: Logistic Regression Model Predicting Conviction (N = 301)

| | <i>B</i> | <i>SE</i> | Wald | <i>p</i> | Exp(B) | 95% CI for Exp(B) | |
|-----------------------------------|----------|-----------|-------|----------|--------|-------------------|-----------|
| | | | | | | <i>LL</i> | <i>UL</i> |
| DUI-related Traffic Accident | .802 | .310 | 6.678 | .010 | 2.229 | 1.214 | 4.095 |
| Refused BAC Test | -.682 | .347 | 3.875 | .049 | .505 | .256 | .997 |
| DUI in a Take-Home Police Vehicle | -1.068 | .450 | 5.648 | .017 | .344 | .142 | .829 |
| Reassigned after DUI arrest | -1.090 | .359 | 9.236 | .002 | .336 | .167 | .679 |
| - 2 Log Likelihood | 274.256 | | | | | | |
| Model Chi-Square | 23.629 | | | <.001 | | | |
| Cox & Snell R^2 | .075 | | | | | | |
| Nagelkerke R^2 | .120 | | | | | | |
| AUC | .682 | | | | | | |

Table 8. DUI Arrest Cases: CHAID Models Predicting Job Loss and Conviction

| | Splitting Variable | Node 1 Variable(s) | Node 2 Variable(s) | AUC |
|------------------------------|----------------------|----------------------------------|-------------------------------------|-------|
| Jobloss (<i>N</i> = 637) | | | | |
| Model with State | State | DUI Accident: Fatality | Years of Service | 0.798 |
| Model without State | Off-Duty Ordinance | Years of Service | DUI Accident: Fatality/Metropolitan | 0.719 |
| Conviction (<i>N</i> = 301) | | | | |
| Model with State | State | State | Refused BAC | 0.892 |
| Model without State | Officer Reassignment | Injuries in DUI Related Accident | Years of Service | 0.87 |