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## Police crime: The Criminal Behavior of Sworn Law Enforcement Officers

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## Police Crime: The Criminal Behavior of Sworn Law Enforcement Officers

### **Abstract**

This essay examines the criminological conceptualizations and research on police crime, that is, the criminal behavior of sworn law enforcement officers. It starts with an overview of the conceptualization of police crime as it relates to organizational and scholarly perspectives of social deviance. Police deviance is often conceptualized to include various misconduct, corruption, and/or crime committed by police organizations and police officers. This essay focuses on police crime resulting in the arrest of a sworn law enforcement officer and is organized within a conceptual framework that incorporates five types of police crime: sex-related police crime, alcohol-related police crime, drug-related police crime, violence-related police crime, and profit-motivated police crime.

## **Introduction**

Surprisingly little is known about crimes committed by law enforcement officers, in part because there are virtually no official nationwide data collected, maintained, disseminated, and/or available for research analyses. Researchers have utilized other methodologies to study police misconduct and crime in the absence of any substantive official data, including surveys, field studies, quasi-experiments, internal agency records, and the investigative reports of various independent commissions delegated to report on this phenomenon within particular jurisdictions. These methodologies have thus far failed to produce systematic, nationwide data on police crime. The lack of data on police crime is clearly a problem, since the development of strategies to mitigate police crime in the least requires that they be documented and described in some sort of systematic and generalizable manner. From an organizational perspective, more comprehensive data could provide comparisons among agencies on rates of police crime, and subsequently contribute to the development and implementation of policies to deter police crime and lessen damage to police-community relations in their aftermath. From a scholarly perspective, the collection, analysis, and dissemination of more comprehensive police crime data could instigate studies designed to identify significant correlates, explore relationships between police crimes and more general forms of police deviance, and provide information on how police culture and socialization potentially contribute to the problem. Scholars have yet to fully pursue these and other important issues associated with the problem of police crime because we lack any sort of comprehensive data on the types of crime that police commit and how frequently they commit them.

This article demands a conceptual framework that reflects that broad range of criminal offenses committed by sworn law enforcement officers. In the sections that follow the research

is organized within a conceptual framework that incorporates five key types of police crime: sex-related police crime, alcohol-related police crime, drug-related police crime, violence-related police crime, and profit-motivated police crime.

### **Conceptualizing police crime**

The study of police crime has thus far been hampered by a degree of conceptual confusion, mostly due to the tendency of police scholars to consider crimes perpetrated by officers *within* studies focused on the more generalized topics of police corruption, deviance, or misconduct. A quick review identifies the myriad of terms used to define each of these distinct topics. Wilson (1963) defines police criminality as “illegally using public office for private gain without the inducement of a bribe, whereas acts of corruption *do* involve the acceptance of bribes” (p. 190). He further distinguishes police criminality and corruption from brutality, which includes “mistreating civilians or otherwise infringing their civil liberties” (p. 190). Punch (2000) distinguishes “crimes committed by criminals in uniform” from acts of police misconduct, which involve violations of administrative rules that are typically investigated and sanctioned internally by the police organization (pp. 302–303). Ross (2001) provides a multidimensional taxonomy of police crimes based in part on whether the act was (a) violent, (b) motivated by profit, and/or (c) perpetrated on behalf of the individual or the organization. Sherman (1978) focuses on corruption as a form of organizational deviance, and does not distinguish between police corruption and police crime.

Scholars have tended to consider acts of law violation together with other forms of police deviance that do not involve specific violations of the criminal law, as well as those whose legal status as crimes tends to shift over time, such as bribery (see, e.g., Anechiarico and Jacobs 1996, 6–7). Fyfe & Kane (2006) point out that the various forms of police deviance are not mutually

exclusive—some forms of corruption and misconduct are police crime and all forms of police crime constitute misconduct. Crimes, however, that do not involve the misuse of authority cannot be defined as acts of corruption (Fishman 1978). The distinction among the various forms of deviance is that *all* police crimes involve a violation of criminal statutes and are subject to criminal prosecution, but not all acts of police corruption or misconduct violate criminal laws (Wilson 1963). The conceptual confusion stems largely from the failure to distinguish specific violations of the criminal law whether or not they constitute an abuse of authority. Scholarly attention on police crime behaviors have thus far remained invisible to researchers because they have often been lumped together with more general acts of corruption, deviance, and/or misconduct (Box 1983; Jupp, Davies, and Francis 1999; Kutnjak Ivkovic 2005).

Most of what we know about police corruption and other forms of police deviance is from the investigations of independent commissions in the wake of police scandals including the Knapp Commission (1972) report, the Pennsylvania Crime Commission (1974) report, and the Mollen Commission (1994) report. These investigations were not designed to investigate police crimes *per se*, but their findings in regard to corruption and other forms of misconduct shed some light on the crimes committed by officers. The commissions collectively demonstrated a problem that went well beyond the usual claim that police deviance is limited to a few “rotten pockets” of morally deficient officers, but their findings supplied only limited information on the true nature and extent of crimes committed by officers (Sherman 1974, 7; Skogan and Frydl 2004).

The Knapp Commission (1972) acknowledged that bribe-taking and petty thefts were pervasive. The investigation also identified small groups of officers referred to as “meat-eaters” who “spend a good deal of their working hours aggressively seeking out situations they can

exploit for financial gain, including gambling, narcotics, and other serious offenses” (p. 65). Twenty years later, the Mollen Commission recognized a shift in the nature of corruption “primarily characterized by serious criminal activity” closely associated with the drug trade, including wide-scale drug abuse and trafficking among officers (Mollen Commission 1994, 17). The trend was closely tied to an explosion of crime opportunities provided by open-air markets for cocaine that sprouted during the early 1990s.

Researchers have used police agency records to study officer misconduct that in some cases includes specific violations of the criminal law. Fyfe and Kane (2006) studied the career-ending misconduct of a sample of 1,543 New York City Police Department officers employed from 1975 through 1996 (see also Kane and White 2009; Kane and White 2013). They identified eight separate categories of career-ending misconduct, and found that officers commonly engaged in several different types of profit-motivated crime including bribe-taking, grand larceny, insurance fraud, burglary, petit larceny, receiving stolen property and welfare fraud. Officers also engaged in a wide variety of crimes while they were off-duty, including domestic violence, driving while intoxicated, bar fights, and sexual offenses.

### **Sex-related police crime**

Scholarship on sex-related police crime has been comparatively sparse. Early studies focused broadly on behaviors that constituted police sexual misconduct and acts such as on-duty consensual sex between officers and female adult citizens. Barker (1978) surveyed police officers who indicated that consensual sex on-duty was quite prevalent, especially in patrol cruisers. Sapp (1994) provided data derived from in-depth interviews of police. The study included qualitative—sometimes lurid—descriptions of seven different forms of police sexual misconduct, including cases wherein police spent entire shifts seeking opportunities to view

unsuspecting females partially clad or nude, the sexual harassment of crime victims and criminal suspects, and sexual contacts between officers and underage females. Some of the behaviors described within the Sapp study clearly involved sexual coercion rather than consensual sex between police and willing citizens.

Kraska and Kappeler's (1995) exploratory study on police sexual violence incorporates a wide continuum of behaviors that range from comparatively unobtrusive forms of sex-related misconduct (e.g. voyeurism and other invasions of privacy) to obtrusive forms of sexual violence (e.g. sexual assault and rape). Kraska and Kappeler study the phenomenon within the context of existing police scholarship *and* scholarship derived from the feminist literature that more clearly defines police sexual violence as a form of gender bias and the systematic differential treatment of females in the criminal justice system. They identified 124 cases of police sexual violence through both published news reports and federal lawsuits arising under 42 U.S.C. §1983 (civil action for deprivation of rights) involving police accused of sexual misconduct. Close to one-third of the cases (30%) identified involved rape and/or sexual assault. More than one-half of the cases involved strip searches. Published news reports tended to identify more serious forms of police sexual violence, while cases that involved strip searches and less serious acts were more likely to be identified through the federal lawsuit data. Cases of police sexual violence were widely dispersed geographically, and Kraska and Kappeler (1995) suggest that the cases identified in their study were likely the “tip of the iceberg” (p. 97). They indicated that the organizational and occupational culture of policing provides officers ample opportunity to engage in sex-related misconduct and crime, and note the obstacles to reporting these forms of misconduct confronted by victims including the fear of retaliation and forms of secondary

victimization similar to that experienced more generally by victims of sexual assaults (see, e.g., LaFree 1989).

More recently, Maher provided data on police sexual misconduct derived from surveys of both officers (Maher 2003) and police chiefs (Maher 2008). Surveys of officers demonstrate that they believe less serious forms of sexual misconduct occur frequently, and are facilitated by the opportunity structure provided by the job. The majority of officers indicated that they had not been pressured to engage in acts of sexual misconduct, but, they were unlikely to report less serious forms of the phenomenon. Surveyed police chiefs believed that less serious forms of sexual misconduct were common and serious forms of sexual misconduct and crime were rare. The data suggest that most police agencies do not have any written policies that expressly prohibit sexual misconduct (Maher 2008). Walker and Irlbeck (2002) describe cases that they refer to as “driving while female,” wherein police initiate bogus traffic stops to harass, intimidate, and/or sexually assault female motorists.

Rabe-Hemp and Braithwaite (2013) published a study focused on police sexual violence and the problem of officer shuffle, wherein police involved in various forms of sexual misconduct and crime escape punishment and maintain their law enforcement career through employment with another police agency. Data were derived through a content analysis of published newspaper accounts of police sexual violence from 1996-2000. They identified 106 cases of police sexual violence. Close to one-half (41.5%) of the cases involved repeat police perpetrators. Repeat offenders were more likely than first time offenders to victimize juveniles. Similarly, Stinson, Liederbach, Brewer, and Mathna’s (2014) content analysis of news articles reporting 548 arrest cases of 398 sworn officers employed by 328 state and local law



enforcement agencies during the years 2005-2008 found that the most egregious forms of police sexual violence are not isolated events.

### **Alcohol-related police crime**

Alcohol-related police crime is a problem in terms of both the off-duty consumption of alcohol and the phenomenon of police DUI. Virtually all of the existing empirical data on off-duty police misconduct describes the misbehavior of NYPD officers primarily through the reports of the Commission to Combat Police Corruption (1998; 2004). The Commission recommended specific policies designed to mitigate problems associated with off-duty alcohol abuse, including provisions to expand the definition of unfit for duty to include intoxicated off-duty officers and prohibitions against carrying an off-duty weapon while intoxicated (Commission to Combat Police Corruption 1998). Fyfe and Kane's (2006) classification of police misconduct includes driving while intoxicated within the category of off-duty public order crimes, but they do not provide specific data that distinguishes misconduct that includes the abuse of alcohol. Kane and White (2009) provide several descriptions of cases that involved intoxicated off-duty officers engaged in bar fights, drunk driving, and personal disputes.

The lack of existing scholarship on alcohol-related police misconduct and/or crime is even more acute in the specific case of police DUI. Some recent evidence indicates that officers and agencies often minimize or ignore the problem of impaired driving among police. A Bureau of Justice Statistics (BJS) survey reported that over one-third of responding state and local police agencies *would* consider police applicants with a prior DUI conviction (Reaves 2012). Additionally, 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 primary reason that police who drive drunk are not arrested often is because the police are generally exempt from law enforcement. That is, police officers do not typically arrest other police officers, even when a crime has obviously been committed (Reiss 1971). One recent study analyzed news articles and found 782 cases where a police officer was arrested for drunk driving. Most of those cases involved situations where an officer lost his or her “exemption” from law enforcement and was arrested because the specific facts of an officer’s drunk driving (e.g., traffic accidents with injuries, hit-and-run crashes, resisting arrest) compelled official law enforcement action rather than extending a professional courtesy of nonarrest (Stinson, Liederbach, Brewer, and Todak 2013).

Scholars have long recognized the existence of alcohol-related problems in policing and have identified factors that seem to promote excessive drinking among police (Dietrich and Smith 1986; Dishlacoff 1976; Hurrell, Jr. et al. 1984; Violanti, Marshall, and Howe 1985). Violanti et al. (2011) group these factors in terms of (a) officer demographics, (b) stress, and (c) police culture. 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, Langley, and Stephenson 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).

There is an extensive line of research on 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 increased the likelihood of hazardous drinking behavior, especially among male officers. A number of studies attribute excessive alcohol consumption to the failure to properly cope with stress that is related more specifically to the job, including stress derived from a perceived lack of organizational support and problematic encounters with citizens (Anshel 2000; Ayres, Flanagan, and Ayres 1992; 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 general strain theory to explain how anxiety/depression mediate the relationship between work-related strain and drinking prevalence among police officers.

Studies focused on the drinking behavior of police also underscore the impact of police culture. Police culture has been referred to as essentially a drinking culture that often includes frequent social interactions that involve the consumption of alcohol (Violanti, Marshall, and Howe 1985). Various occupational factors have been found to increase the risk of alcohol and drug problems (Fennell, Rodin, and Kantor 1981; Hingson, Mangione, and Barrett 1981). Indeed, Macdonald, Wells, and Wild (1999) specifically found that the existence of a drinking subculture at work was associated with the development of alcohol problems. Lindsey 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).

### **Drug-related police crime**

The research on drug-related police crime covers three relevant issues including (a) the etiology of drug-related misconduct, (b) the classification of drug-related misconduct, and (c) the prevalence of drug use by police. Police scholars typically attribute drug-related corruption to factors associated with the organization of police work and the occupational culture of police. Stoddard (1968) emphasizes the role of police culture and the nature of police work in the causation of what he referred to as blue coat crime. Kraska and Kappeler (1988) underscore the prevalence of on-the-job opportunities for patrol officers to become involved in the drug trade in some fashion, including lack of direct supervision, drug availability, and exposure to drug users and dealers. The report of the General Accounting Office (1998) highlights the influence of deviant police subcultures that both promote drug corruption and protect police who adhere to deviant subcultural norms such as secrecy, loyalty, and cynicism about police work and the criminal justice system. Carter and Stephens (1994) view substance abuse as primarily a “job-related condition” among police, particularly those working undercover vice in drug-infested beats (p. 107).

Carter (1990) provides the most often cited classification scheme for drug-related corruption. His typology identifies two forms of drug corruption. The first type, traditionally-conceptualized drug corruption, involves officers motivated by illegitimate goals including personal profit. This form of drug corruption includes the extortion and robbery of drug dealers

and the acceptance of bribes to protect them. The second type of drug corruption is comprised of officers motivated by organizationally-derived legitimate goals ostensibly tied to the arrest and conviction of dealers and users. This form of drug corruption includes perjury, violations of criminal procedure, and the planting of criminal evidence. Aside from its utility as an organization scheme, Carter's typology demonstrates how the drug trade tends to give rise to many different forms of police crime. The drug trade provides opportunities for personal gain through payoffs, shakedowns, robberies, and opportunistic thefts, as well as types of misconduct tied to drug enforcement goals and violations of the rights of criminal defendants including perjury and the planting of evidence. Officers who are recreational drug users expose themselves to street-level dealers and associated manipulation and coercion (Kappeler, Sluder, and Alpert 1998). Carter's (1990) conclusions about the impact of these markets on the nature of police corruption closely mirror those of the Mollen Commission (1994), "the nature of corruption has changed, particularly with respect to police drug users, the emergence of crack houses as easy targets, and the frustration with drug-law enforcement associated with the extraordinarily high volume of drug traffic" (Carter 1990, 96–97).

Very little is known about the prevalence of drug use among police officers (Mieczkowski 2002). Kraska and Kappeler (1988) provide what is widely-cited as the only empirical description of on-duty drug use by police through their study of one medium-sized police agency. They found that 20% of the officers used marijuana on duty at least two times per month, and that 10% had used other non-prescribed controlled substances while on duty, including hallucinogens, stimulants, and/or barbiturates. The study provides initial evidence to suggest that the problem of on-duty drug use by police is not limited to large urban departments,

although data derived from a much larger sample of agencies is needed to assess the prevalence of drug use among police across various types of jurisdictions.

Official drug tests provide another source of data on the degree to which police use drugs, but most of this evidence describes testing results from a single agency, and no entity collects comprehensive data on the number of police who test positive overall. One journalistic investigation reported a 1.1% failure rate (75 officers) among Boston Police Department police tested from 1999-2006, as well as the failure of 14 Los Angeles Police Department officers drug tested from 2000-2006. Over 81% of the positive tests in Boston involved the use of cocaine, and police executives indicated that they believed cocaine had surpassed marijuana as the drug of choice among police (Smalley 2006). More recent data derived from self-report surveys of officers in a single agency in Australia suggest that police use a wider variety of drugs including marijuana, amphetamines, cocaine, ecstasy, heroine, ketamine, and non-prescribed steroids (Gorta 2009).

Lersch and Mieczkowski (2005a) report results of drug tests conducted in a large police agency in the Eastern United States in which very few officers tested positive. Scholars often point out, however, that official drug tests are likely influenced by (a) “announcement effects” and the fact that officers employed by these agencies are aware of testing protocols (Lersch and Mieczkowski 2005a, 292), and (b) the method of drug testing. Cocaine is the most frequently detected drug based on hair analysis, and marijuana is the most frequently detected drug based on urinalysis (Lersch and Mieczkowski 2005a; Mieczkowski and Lersch 2002; Mieczkowski 2002). More recently, Stinson et al. (2013) found that cocaine is the most prevalent drug in drug-related police corruption arrest cases.

## **Violence-related police crime**

According to Sherman (1980), police use of physical force is synonymous with police violence, defining police violence as behavior by any police officer—acting pursuant to their authority and/or power as a sworn law enforcement officer—that includes any use of physical force (including, but not limited to, the application of deadly force), whether justified or unjustified, against any person. Based on Sherman's definition, explanations for police violence in the existing literature have been quite varied (e.g., Alpert and MacDonald 2001; Garner, Maxwell, and Heraux 2002; Griffin and Bernard 2003; Lersch and Mieczkowski 2005b; Manzoni and Eisner 2006; Terrill and Mastrofski 2002; Terrill, Paoline, and Manning 2003; Terrill and Reisig 2003). Stinson, Reynolds, and Liederbach (2012) analyze data from published news articles to identify and describe cases that involve the criminal misuse of conductive energy devices—purportedly a less-than-lethal alternative to firearms. It would appear studies that describe the factors that influence police use of force more generally during citizen encounters are particularly relevant.

Police scholars have examined the factors that influence the use of force more generally since the 1960s, and quantitative studies have focused on the relationship between police force and a wide range of predictors including situational, individual, organizational, and community-level variables. Overall, virtually all studies that compare situational factors to others such as officer, organizational, and community-level factors have found that situational factors exert the most powerful influence on the decision to use coercive force (Skogan and Frydl 2004). Police are more likely to resort to violence in encounters that include physically aggressive suspects and citizens who resist officer attempts to control the situation. Researchers have most often investigated the influence of situational factors in cases that involve the use of deadly force by

police (e.g., Alpert and Smith 1999; Binder and Scharf 1982; Blumberg 1983; Fyfe 1981). This line of research has primarily emphasized the direct relationship between the level of situational risk faced by an officer and the specific decision to employ deadly force. Situational risk refers to the immediate scenario within which police must decide to shoot or not shoot. Did the suspect assault the police? Was the suspect armed? Did the suspect shoot at police? These situational factors appear to explain the use of deadly force more directly than other variables. Terrell's (2003) research based on observational data suggests that situational factors are also the primary determinants of the use of non-deadly force by police. He examined the relationship between five levels of suspect resistance (none, passive, verbal, defensive, and active), and four levels of non-lethal force (none, verbal, restraint, and impact) and found that force levels were significantly related to levels of suspect resistance.

This type of police crime also incorporate cases that involve police arrested for crimes associated with domestic and/or family violence, a phenomenon increasingly referred to in the research literature as officer-involved domestic violence. There have been very few empirical studies designed to estimate the prevalence of officer-involved domestic violence—all of them based on self-administered surveys of police and/or their spouses. Johnson (1991) reported that 40% of responding officers admitted that they had behaved violently toward their spouse at least once during the previous six months, and 20% of the spouses in a concurrent survey reported that their spouse had abused either them or their children in the previous six months. Neidig, Russell, and Seng (1992) and Neidig, Seng, and Russell (1992) reported that 41% of responding male officers admitted that at least one incident of physical aggression occurred in their marital relationship during the previous year, and 8% of those reported the occurrence of “severe” physical aggression including choking, strangling, and/or the use or threatened use of a knife or



gun (Neidig, Russell, and Seng 1992, 32). Reported rates of officer-involved domestic violence are highest among officers who are currently divorced or separated from their spouses.

The literature on officer-involved domestic violence is filled with anecdotes that underscore the occupationally-derived etiology of violence within police families. Factors associated with police culture and the job that have been discussed within the context of officer-involved domestic violence include: (a) violence exposure, (b) authoritarianism, and (c) problem drinking. Researchers suspect higher rates of domestic violence among police most exposed to work-related violence based on studies that document a relationship between violence exposure and the personal well-being of police officers; and, the research literature on the relationship between work and family and the possibility of spillover effects (Johnson, Todd, and Subramanian 2005; Mullins and McMains 2000). Officer surveys identify violence exposure as one of the most significant work-related stressors for police (Gershon 2000), and studies based on clinical trials describe links between police stress and poor family functioning (Neidig, Russell, and Seng 1992). Police training in authoritarian styles and the regular exercise of coercive force may also influence marital interactions and promote domestic and/or family violence (Greene-Forsythe 2000; Johnson, Todd, and Subramanian 2005; Johnson 1991; Sgambelluri 2000).

Police are trained to exert power and use coercive force to accomplish their goals and gain compliance from citizens (Bittner 1978; Skolnick 1994). The regular exercise of coercion and authoritarianism may spillover to the home in cases where police treat family members as criminal suspects. Johnson (1991) identified a link between authoritarian spillover and high levels of strain in police families; and, Johnson et al.'s (2005) survey of police indicates that authoritarian spillover mediates the relationship between exposure to violence on the job and

domestic violence among police. Problem drinking is another aspect of the work-family spillover that may contribute to the incidence of violence in police families. The research that associates officer-involved domestic violence with problem drinking cite many of the same occupationally-derived factors covered in the previous section on alcohol-related police crime including (a) intra-interpersonal stressors, (b) job-related stressors, and (c) organizational stressors.

Much of the remaining research literature on officer-involved domestic violence focuses on the unique vulnerabilities of domestic violence victims in police families and factors that conspire to discourage exposure of these crimes and contribute to the hidden nature of the problem. While scholars have long demonstrated that victims of domestic and/or family violence are often reluctant to officially report these crimes, the fact that perpetrators of officer-involved domestic violence are police themselves creates particular problems and barriers to reporting. First, they must consider the fact that perpetrators possess and are trained to use lethal weapons. Second, police perpetrators are likely to know the location of domestic violence shelters and have professional experience that can be used to manipulate the system and shift blame to the victim (Gershon 2000; National Center for Women & Policing 2005). Third, decisions to report incidents of officer-involved domestic violence are also likely influenced by the cultural values of secrecy and loyalty, wherein police (and their families) are expected to “never blow the whistle” and expose police perpetrators (Johnson, Todd, and Subramanian 2005; Shernock 1995, 623). Fourth, domestic violence victims in police families also may be concerned about consequences associated with provisions of the Lautenberg Amendment (1996) that prohibit police from owning or using a gun if they are convicted of a misdemeanor crime of domestic violence.

## **Profit-motivated police crime**

The Mollen Commission (1994) found that greed is the primary motive behind police crime that constitutes corruption. This is true if police corruption is conceptualized in the traditional context of acts such as accepting bribes to refrain from law enforcement. It is, however, “less clear whether officers who perform robberies or burglaries, shoplift, sell drugs, or engage in welfare or insurance fraud during their off-duty time are engaging in a variety of police corruption” (Fyfe and Kane 2006, xv). Fyfe and Kane (2006) reconceptualized these actions as “profit-motivated misconduct” and noted that “police corruption is not as easy to define as we formerly may have believed (p. xv). Similarly, Carter (1990, 89–90) conceptualized police corruption as being characterized by a “profit-driven cycle.” The classification of some police crime as profit-motivated is also found in Ross’ (2001) taxonomy of police crime, where the second of four dichotomous distinctions is between “economically-motivated and noneconomically-motivated police behavior” (p. 184).

Using the same data set as Fyfe and Kane (2006), Kane and White (2013) explored the nature of the career-ending police misconduct in the NYPD and found that the profit-motivated cases included bribe-taking, grand larceny, insurance fraud, burglary, petit larceny, receiving stolen property, government fraud, gratuities, gambling, illegal operation, and other profit-motivated misconduct such as extortion, robbery, abusing official resources (p. 73, Table 4.2).

Stinson and colleagues found that profit-motivated police crime is a quantifiable variable that helps explain the nature of police crime across the life course of officers’ law enforcement careers in a variety of contexts at nonfederal law enforcement agencies across the United States. Whereas less experienced police officers are more likely to commit violent crimes, those officers who commit profit-motivated crimes are more likely to be experienced officers late in their

policing career and more likely to be supervisors and/or administrators (Stinson, Liederbach, and Freiburger 2010). Likewise, crime by policewomen is most often profit-motivated (Stinson, Todak, and Dodge 2013). Crime by school resource officers typically is not profit-motivated (Stinson and Watkins 2014). Finally, profit-motivated police crimes are more likely to be committed while on-duty and less likely to be committed while an officer is off-duty (Stinson, Liederbach, and Freiburger 2012).

## **Conclusion**

Problems with conceptualization of police crime has plagued researchers' efforts to study police deviance. In this essay I have argued that a proper conceptualization of police crime must reflect the broad range of criminal offenses committed by sworn law enforcement officers. To the end, most crime committed by law enforcement officers is sex-related, alcohol-related, drug-related, violence-related, and/or profit motivated. These types of police crime are not mutually-exclusive categories. For example, some drug-related crime by police officers is clearly also profit-motivated. Similarly, many acts of sex-related police crime are also violence-related. There are many possibilities within this conceptualization, but the main premise is that police crime is a complicated and multifaceted phenomenon. It occurs in law enforcement agencies of all sizes and without regard for geographic boundaries. Some police crime occurs while off-duty and there is no bright line to distinguish between on- and off-duty crimes by police officers because the training, experiences, stresses, relationships, and culture of policing simply do not end at the end of each work day.

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