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# Police Sexual Misconduct: Arrested Officers and Their Victims

Philip M. Stinson

*Bowling Green State University, stinspm@bgsu.edu*

Steven L. Brewer

*Pennsylvania State University - Shenango*

Brooke E. Mathna

*Indiana University of Pennsylvania - Main Campus*

John Liederbach

*Bowling Green State University, jlieder@bgsu.edu*

Christine M. Englebrecht

*Bowling Green State University, cengleb@bgsu.edu*

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## Police Sexual Misconduct: Arrested Officers and Their Victims

### **Abstract**

Police sexual misconduct encompasses a range of acts from less serious noncriminal behaviors to more egregious criminal behaviors including police sexual violence. Victims of sex crimes are often reluctant to report sexual abuse when the offender is a police officer. The study provides empirical data on 771 sex-related arrest cases in years 2005-2008 of 555 sworn officers at 449 nonfederal law enforcement agencies across the United States. The study identifies and describes incidents where officers were arrested for sex crimes through a quantitative content analysis of published newspaper articles and court records. Findings focus on arrested officers and their victims.

*Keywords:* police sexual misconduct, police crime, police sexual violence, sex-related police crime, police crime victims

## Police Sexual Misconduct: Arrested Officers and Their Victims

Media accounts of police officers arrested for sex crimes shock the conscience of newspaper readers across the country largely because the unseemly details tell stories that defy the stereotypical image of the American police officer. Among the narratives, for example, is a police officer in rural Pennsylvania who is now serving a ten to twenty-six year sentence in a state prison having been convicted of sexually assaulting more than a dozen 13 and 14 year-old girls while on duty as a small town police officer (Geers, 2010). In Colorado, a school resource officer volunteering as a middle school coach was convicted of sexually assaulting 18 boys who were members of the school's eighth grade wrestling team, and he is now serving a 70-years-to-life prison sentence (Benzel, 2013). An Illinois police officer responding to a midnight call of a prowler was startled to find that the prowler was an off-duty police sergeant who was later convicted of four rapes and sentenced to a prison term of 375 years (Associated Press, 2011). And, in southern California, a sheriff's deputy was convicted at a jury trial of multiple counts of unlawful sexual intercourse, lewd acts with a child, and child pornography for his off-duty sexual encounters with a 15 year-old girl whom he met while he served as the advisor to the sheriff's Explorers scout program (Brooks, 2014).

When reading the local media accounts of these horrific crimes it is easy to assume that news reports of a local police officer accused of sex crimes is an outlier and not indicative of things that happen in other law enforcement agencies across the country. Indeed, very little is known about the phenomenon of police sexual misconduct. Prior studies of police sexual misconduct have been largely limited to research methods utilizing single agency case studies, small samples of cases using newspaper stories or published court opinions as primary data sources, or self-report surveys that question police officers about their perceptions as to whether

police sexual misconduct is a problem. No known prior research, however, explores characteristics of the victims of police sexual misconduct and sex-related police crime.

The purpose of the current study is to investigate the incidence of police crimes at law enforcement agencies across the country in order to learn more about the offenders and their victims, as well as the criminal case dispositions. The study is important because it provides an unprecedented amount of empirical information for criminal justice policymakers and scholars on the problem of police sexual misconduct. The current research uses a unique dataset of 771 criminal cases involving the arrests of 555 sworn officers for sex crimes during a four-year period, 2005-2008. The arrested officers are employed by 449 nonfederal state and local law enforcement agencies in 349 counties and independent cities across the United States.

### **Criminal Arrests and Prosecutions of Police Officers**

Sworn law enforcement officers are generally exempt from law enforcement (Reiss, 1971). Police do not typically arrest other police officers, and when they do it is often because an officer has lost his or her “exemption” from law enforcement and been arrested specifically “because something about the facts of the case compelled official law enforcement action rather than professional courtesy and non-arrest” (Stinson, Liederbach, Brewer, & Todak, 2013, p. 15). In a study of police arrested for crimes involving officer-involved domestic violence, Stinson and Liederbach (2013) found that the simple odds of the arrested officer being convicted on at least one criminal offense charged are six times greater if the crime is sex-related, or if the crime involved a gun personally-owned by the arrested officer, or if the crime victim suffered a fatal injury. The same study found the officers arrested for crimes involving officer-involved domestic violence are seldom convicted of any criminal offense in cases where the arrested

officer used his hands or fists as a weapon (45.8% convicted) or when the victim suffered minor injuries (36.0%).

### **Police Sexual Misconduct**

Policing is conducive to sexual misconduct, both on- and off-duty (Stinson, Liederbach, & Freiburger, 2012). While on-duty, police officers have unique opportunities to engage in sexual misconduct (Maher, 2003). Police officers typically work with very little direct supervision and can often go wherever they want during their shifts. They possess the coercive power of the state in exercising their law enforcement duties and most often interact with citizens in isolation from other officers and, often, out of view of the general public. Police organizations are largely male-dominated workplaces where violence is often experienced on a daily basis (Crank, 2004). Quite often police violence is required through the use of force continuum in the performance of regular law enforcement duties (Fyfe & Kane, 2006). Sometimes there is work-to-family authoritarian spillover where off-duty police officers treat family members and friends as if they were criminal suspects (Johnson, Todd, & Subramanian, 2005).

There is, however, no bright line that differentiates between the on-duty misconduct of law enforcement officers and their off-duty misconduct, and it is often difficult to determine whether off-duty bad acts, including sexual misconduct, are “police crime” (Fyfe & Kane, 2006). Prior research found that off-duty problems with alcohol intoxication and the misuse of firearms appear to be pervasive among problem officers in many law enforcement agencies (Stinson et al., 2012) and that officer-involved domestic violence is a growing concern (see, e.g., Johnson et al., 2005; Lonsway, 2006; Oehme, Donnelly, & Martin, 2012; Stinson & Liederbach, 2013). Police sexual misconduct is often considered a “hidden” problem that routinely goes unreported and, hence, remains difficult to document and study. The existing line of research does provide,

however, some information in regard to: (a) descriptions of the behavior and types of police-citizen encounters that the phenomenon involves, (b) official reactions to these crimes, and (c) barriers to reporting cases of police sexual misconduct.

Police sexual misconduct is any behavior by a police officer that takes advantage of the position of police officer to misuse his/her power and authority to commit a sexual act or, to initiate or respond to a sexual act initiated by another person (Maher, 2003). This includes any behavior, communication, or gesture that would be deemed as lewd, inappropriate, or unsuitable for an officer in his/her position in law enforcement. The type of cases described as police sexual misconduct within the scholarly literature encompasses a continuum of acts that range from less serious noncriminal behaviors to more egregious criminal behaviors often referred to as cases of police sexual violence.

Some studies focus on on-duty consensual sex acts. Barker (1978) and Maher (2003, 2008) found that consensual acts of police sexual misconduct are quite common, particularly on-duty sexual relations taking place in police cruisers. These on-duty encounters are often initiated by young women who are “police groupies” infatuated with uniformed police officers or by “lonely or mentally disturbed women who seek attention and affection from an officer” (Sapp, 1994, p. 196). In other instances a police-citizen sexual encounter is offered as a *quid pro quo* of sorts to buy leniency, preferential treatment, or even a “get out of jail free card” from an officer (Barker, 1978; Sapp, 1994). That is not to suggest, however, that the majority of on-duty police-citizen sexual encounters involve an absence of coercion and citizens who are willing participants (Vaughn, 1999).

Other research has recognized a phenomenon where some police officers engage in predatory on-duty patterns of sexual misconduct most often directed at adolescent and young

adult women. Kraska and Kappeler (1995) incorporate perspectives from the feminist literature to conceptualize police sexual misconduct as cases of police sexual violence *against* women, thus rejecting the prevailing view that police sexual misconduct “most often involves consensual sex, sexual favors, and rogue officers” (p. 91). Their conceptualization of police sexual violence recognizes the highly masculine occupational structure of police organizations that provides the cultural context and “sexual emphasis of police work” (Niederhoffer, 1967, p. 127) to encourage and promote sexual harassment, discrimination, and violence against women (Christopher Commission, 1991; Kraska & Kappeler, 1995).

Related to the occupational structure of police organizations, Walker and Irlbeck (2002) found that a small number of officers harass and abuse women during traffic stops. Walker and Irlbeck (2002) conceptualized this problem as “driving while female” and parallel it to the problem of racial profiling of African-American motorists often referred to as “driving while black” (see D. A. Harris, 1997, 1999). In the context of a “driving while female” encounter, an officer typically asks for sexual favors in exchange for dropped charges, reduced charges, or in lieu of being taken to jail. In some cases, “driving while female” encounters can escalate into sexual harassment, sexual assault, and, in rare instances, murder. More recently, Rabe-Hemp and Braithwaite (2013) found that (a) police sexual violence is a pattern-prone offense that often involves officers who sexually victimize multiple persons, and (b) many officers accused of committing sex crimes escape serious sanctions and often maintain their police certification/licensure by moving from one law enforcement agency to another.

### **Victims of Police Sexual Misconduct**

The definition of a sex offense can vary across jurisdictions, but in general, there is consensus as to the types of sexual acts that can be considered criminal. These include sexual

acts with contact (e.g., forced sexual intercourse, fondling), the most common category of sexual offenses, followed by sexual acts without contact (e.g., voyeurism, exposure of genitalia), viewing, possessing or producing child pornography, or sexual solicitation or trafficking (Terry, 2013). Victims of sex offenses are most often female, younger in age, (between the ages of 16 and 19), and the offender is more often someone that is known to the victim, either a friend or an acquaintance (Terry, 2013). Further, research highlights the significant consequences that victims experience after a sexual offense. For example, victims of sexual abuse report higher rates of depression and anxiety (MacMillan & Munn, 2001) as well as suicidal thoughts and higher levels of substance abuse (Dube et al., 2005) compared to those who did not experience sexual abuse. Victims of sexual abuse report struggling with the shame of the experience, in addition to self-esteem issues. Many victims also report experiencing self-blame and harbor significant resentment towards others (Terry, 2013). Estimates suggest that approximately 15 percent of women will experience sexual assault or rape at some point in their lifetime (Tjaden & Thoennes, 2006).

While research has found that the reporting of crimes, including sexual assault, has been increasing (Baumer & Lauritsen, 2010), recent estimates suggest that sexual assault victimizations are still underreported to the police (Littleton, Rhatigan, & Axsom, 2007), particularly when the victim is a child (Arata, 1998; Hanson, Resnick, Saunders, Kilpatrick, & Best, 1999). It has been suggested that sex offenses are not reported to the police for a variety of reasons. By nature, a sexual based offense is extremely personal, and victims may be embarrassed, ashamed, or harbor guilt if they feel they did not do enough to prevent the offense (Terry, 2013; Zinzow & Thompson, 2011). Further, research has found that individuals often rely on preconceived ideas about what certain crimes “look like,” and those criteria, often myth-



based, impact how one perceives his/her own victimization. For example, victims of rape are less likely to acknowledge or label a sexual assault as a crime if it does not meet stereotypical criteria of what a “real rape” should look like, including being an extremely violent act perpetrated by a stranger (Bondurant, 2001; Burt, 1991; Estrich, 1987; Hammond & Calhoun, 2007; Haywood & Swank, 2008; Kahn, Mathie, & Torgler, 1994; Ryan, 1988). These perceptions can also influence an individual’s likelihood of reporting a sexual assault to the police (Clay-Warner & McMahon-Howard, 2009; Lizotte, 1985; Weiss, 2009; Williams, 1984), particularly when the offender is known to the victim (Felson & Pare, 2005; Fisher, Daigle, Cullen, & Turner, 2003; Gartner & Macmillan, 1995; Gottfredson & Hindelang, 1979; Skogan, 1976).

When the offender is a police officer, problems related to victim trauma and reporting become even more muddled, and the implications of these offenses can be even greater. The factors that seem to limit the reporting of sex crimes in general—and often contribute to the negative consequences experienced by sex crime victims—seem to be aggravated in cases where the perpetrator is a police officer. Victims may not file a report with a law enforcement agency because they feel humiliated or fear retaliation by the police (Kraska & Kappeler, 1995; Walker & Irlbeck, 2002). Victims may also find that the process of filing a complaint can be an intimidating and unnecessarily difficult experience (Collins, 1998). Walker and Irlbeck (2002), for example, found a pattern of officers using traffic stops to harass and abuse women. These researchers found that many complaints by female victims following incidences were ignored by police supervisors. Likewise, research would suggest that victims of abuse by police officers are likely to suffer significant consequences due to the abuse and are unlikely to report their victimization experience. The inherent trust placed in law enforcement can exacerbate the

trauma a victim experiences, in part because police officers do not fit the stereotypical view of a perpetrator (Goldsmith, Freyd, & DePrince, 2012). Further, victims may blame the institution as well, a consequence that can increase their own psychological distress (Smith & Freyd, 2013).

The current study helps to shed light on the sexual offenses perpetrated by police officers. It is important to explore the nature of sexual offenses of law enforcement to help uncover the crimes committed and offer support to those who have been victimized. Exploring characteristics of offenders as well as their victims will help uncover vulnerable populations in addition to those officers who are at the great risk of abusing their authority. While not all police sexual misconduct is criminal in nature, the current study focuses on the more serious forms of police sexual misconduct involving criminal behavior.

### **Method**

Data for the study were collected as part of a larger study on police crime in the United States. The larger study was designed to locate cases in which sworn law enforcement officers had been arrested for any type of criminal offense(s). Data were derived from published news articles using the Google News<sup>TM</sup> search engine and its Google Alerts<sup>TM</sup> email update service. Google Alerts were conducted 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 news articles in the Google News search engine that matched any of the search terms. The automated alert notices contained a link to the URL for the news article(s). Articles were located, examined for relevancy, printed, and archived in a digital imaging database for subsequent coding and content analyses. Sources were triangulated to ensure reliability and validity of the data. If multiple news articles were available, each were included in the project database. In instances where there were inconsistencies or contradictory information in the news

articles, then efforts were made to secure court records and additional news articles from different sources.

The larger study on police crime identified 3,403 criminal cases that involved the arrests of 2,797 sworn officers during the period January 1, 2005, through December 31, 2008. The arrested officers were employed by 1,506 nonfederal law enforcement agencies located in 848 counties and independent cities in all 50 states and the District of Columbia. The present study focuses on the identification and description of the arrested officers and their victims in the subset of cases in which police officers were arrested for sex-related crimes.

### **Coding and Content Analysis**

Coding and content analysis started with the identification of the sex-related cases within the larger data set on police crime arrests. The nature of police sexual misconduct cases and official responses to the problem complicated the identification of sex-related criminal cases. The criminal charge(s) in some arrest cases did not correspond to the underlying nature of the criminal act(s) described in the news articles, either because the cases involved multiple forms of misconduct and/or crime, or the occurrence of preferential charging decisions presumably filed as a courtesy to the arrested officer. Another issue occurred in cases where police were charged with generic “official misconduct” crimes in lieu of specific sex-related criminal offenses that may constitute an embarrassment to an arrested officer’s employing law enforcement agency. These issues precluded straightforward coding schemes based solely on criminal offenses charged.

The unit of analysis in this study is criminal arrest *case*. A major issue in coding was differentiating between arrest instances with (a) multiple crime victims and (b) officers who were arrested on more than one occasion. Arrest incidents that involved multiple victims (with

corresponding criminal charges against the arrested officer) were assigned a separate *case* for each respective victim. Additionally, officers who were arrested on multiple occasions had an arrest *case* generated in the project database for each respective arrest.

The sex-related cases were identified, instead, using Stinson's (2009) typology of police crime. It includes five broad types of police crime including crimes that are sex-related, alcohol-related, drug-related, violence-related, and/or profit-motivated. Each of the 3,403 cases identified in the larger study were coded according to the typology. The five types of police crime are not mutually exclusive categories in that police crimes often involve more than one of these types of misconduct. In a case where an officer was arrested and charged with the forcible rape of a female motorist during a traffic stop, for example, the case would be coded as both sex-related and violence-related. Cases were also coded for the presence or absence of crimes involving police sexual violence and/or "driving while female" encounters. Police sexual violence is operationalized as "those situations in which a female citizen experiences a sexually degrading, humiliating, violating, damaging, or threatening act committed by a police officer through the use of force or police authority" (Kraska & Kappeler, 1995, p. 93). "Driving while female" is operationalized as instances where a police officer stops a female driver under the pretext of an alleged traffic violation and then abuses the power and authority of his position to take advantage of a vulnerable woman motorist (Walker & Irlbeck, 2002, 2003).

Further content analyses were conducted in order to code the cases in terms of (a) the arrested officer, (b) the employing agency, (c) each of the charged criminal offenses, (d) victim characteristics, (e) organizational adverse employment outcomes, and (f) criminal case dispositions. Each of the charged criminal offenses was coded using the data collection guidelines of the National Incident-Based Reporting System (NIBRS) as coding protocol for

each criminal offense category (see U.S. Department of Justice, 2000). Fifty-seven offenses are included in the NIBRS, consisting of 46 incident-based criminal offenses in one of 22 crime categories as well as 11 additional arrest-based minor crime categories. In each case every offense charged was recorded, 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 (see U.S. Department of Justice, 2004). An additional eight non-NIBRS offense categories were added following an earlier pilot study of the same data set because officers were often arrested for crimes not included in the NIBRS (e.g., indecent exposure, online solicitation of a child).

The relationship of the victim to the arrested officer was coded using the 8-category variable used by Stinson (2009). The category of *stranger or nonstranger acquaintance* within that variable is the same measure as *nonrelative* for relationship utilized by the National Crime Victimization Survey (2002) codebook. The location of violence variable is also adapted from the National Crime Victimization Survey codebook. Location of violence is operationalized in 11 categories within five major locations: (a) residential property – victim (at or in house/apartment, near house/apartment), (b) residential property – friend, relative, or neighbor (at or in house/apartment, near house/apartment), (c) public place (highway/road, parking lot/garage, school/college, other public place), (d) commercial property (bar, nightclub, restaurant, other commercial place), or (e) other place.

Cases were also coded to assess each arrested officer's history of being named as a party defendant in federal civil rights litigation pursuant to 42 U.S.C. §1983 (asserting a civil rights deprivation under the color of law). We accessed the master name index in the federal courts' Public Access to Courts Electronic Records (PACER) system to search and cross-reference the

names of each arrested officer in our database to measure official capacity civil rights lawsuits as a correlate of police misconduct. 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 nine-point rurality scale.

### **Intercoder Reliability**

Analytic procedures were undertaken to ensure the reliability of the data. Additional coders were employed to independently code a random sample of five percent ( $n = 39$ ) of the total number of police sexual misconduct arrest cases in this study ( $N = 771$ ). The overall level of simple agreement between coders across the variables of interest (96%) established a degree of reliability well above what is generally considered to be acceptable (see Riffe, Lacy, & Fico, 2005). Reliability was also computed using Krippendorff's alpha (see A. F. Hayes & Krippendorff, 2007). The Krippendorff's alpha coefficient was strong across the variables of interest (Krippendorff's  $\alpha = .9191$ , 95% CI [.9063, .9314]).

### **Statistical Analysis**

Chi-Square was used to measure the statistical significance of the association between two variables measured at the nominal level. Cramer's  $V$  measured the strength of that relationship with values that range from zero to 1.0 and allowed for an "assessment of the actual importance of the relationship" (Riffe et al., 2005, p. 191). Stepwise binary logistic regression was used to determine which of the predictor variables were statistically significant in multivariate models. Stepwise logistic regression models were appropriate because this study is purely exploratory and predictive (Menard, 2002). This is an exploratory study because little is known empirically about sworn officers arrested for sex-related crimes, their victims, and the

specific factors responsible for criminal conviction subsequent to an officer's arrest. Summary statistics are also reported for evaluation of regression diagnostics and each regression model.

Classification tree analysis—also known as decision trees—was utilized as a statistical technique to uncover the causal pathways between independent predictors and (in separate regression models) child versus adult victims and criminal case disposition. Classification tree analysis moved beyond the simple one-way additive relationships 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). Classification tree analysis has been used to examine police practices including career-ending police misconduct (Kane & White, 2013), police drug corruption arrests (Stinson, Liederbach, Brewer, Schmalzried, et al., 2013), fatal and nonfatal TASER incidents (White & Ready, 2009), and police drunk driving arrests (Stinson, Liederbach, Brewer, & Todak, 2013).

Classification and Regression Trees (CART) was used as a classification procedure to produce a binary decision tree and restrict partitioning at each node to two, thus producing binary splits for each child node (Densio, Mallick, & Smith, 1998). Brieman, Friedman, Olshen, and Stone's (1984) CART algorithm was used as an extensive and exhaustive search of all possible univariate splits to determine the splitting of the data for the classification tree. Partitioning continued until the algorithm was unable to produce mutually exclusive and homogenous groups (De'ath & Fabricius, 2000; Densio et al., 1998). After creating an exhaustive tree, CART pruned nodes that did not significantly contribute to overall prediction. Although there were other tree building algorithmic inducers, we used CART for the current study because it fit our

problem and produced optimal classification tree models by minimizing the generalization error (Rokach & Maimon, 2010).

The predictive power of logistic regression and CART was assessed through the area under the curve (AUC) component of the receiver operating characteristic (ROC). The AUC assessed the predictive accuracy of a statistical model and served as the preferred method for assessing and comparing models (Bewick, Cheek, & Ball, 2004; Dolan & Doyle, 2000). The ROC curve considered the sensitivity versus  $1 - \text{specificity}$ , a representation of the true positive rate versus the false positive rate (TPR vs. FPR). The curve was displayed graphically by plotting the true positive rate (TFP) on the y-axis and the false positive rate (FPR) on the x-axis. ROC curves were interpreted through the AUC, a score that ranges from zero to one. A straight line through a ROC curve was the equivalent of 0.5 and suggested that the model was no better at prediction than flipping a coin. A score of one indicated that the model was able to accurately predict all cases. The AUC was interpreted as a proportional reduction of error (PRE) measure of explained variation by calculating  $R_{ROC}^2 = 2(AUC - .5)$  (Menard, 2010).

### **Strengths and Limitations**

The utilization of the Google News search engine and Google Alerts email update service provides an unparalleled amount of information on police sexual misconduct victimization and arrests of sworn officers at law enforcement agencies across the United States for sex-related crimes. The Google News search engine draws on content from more than 50,000 news sources (Bharat, 2012). The Google News search engine and Google Alerts have been used in recent years to develop innovative methodologies for collecting data on a variety of hard-to-research areas and allows for access to a larger number of police misconduct cases than would be available through other methods (Payne, 2013). Ready, White, and Fisher (2008) found that



news coverage of police misconduct was consistent with official police records of these events. Research has also suggested that law enforcement agencies are not especially effective at controlling media accounts of officer misconduct (Chermak, McGarrell, & Gruenewald, 2006).

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 varies, and data for several variables of interest are missing for some of the cases. This is especially true for victim-related variables in this study as news publications generally shield the identity of sex crime complainants (Denno, 1993; Siegal & Connolly, 1999). Second, the data are limited to cases that involve an official arrest for one or more sex-related crimes. We do not have any data on police officers who engage in police sexual misconduct if their behavior has not resulted in a criminal arrest. Finally, 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 news covered and the nature of the news content devoted to particular news reports (Carlson, 2007).

## Results

The Google News searches resulted in the identification of 771 cases in which sworn law enforcement officers were arrested for sex-related crimes. The cases involved the arrests of 555 sworn officers employed by 449 nonfederal state, local, and special (e.g., school district police, college/university police, and constables) law enforcement agencies located in 349 counties and independent cities in 44 states and the District of Columbia (all states except Hawaii, Maine, New Hampshire, North Dakota, Vermont, and Wyoming). Of these, 101 of the arrested officers had more than one case (although  $\bar{X} = 1.39$ ,  $SD = 1.215$ ) because they had more than one victim (one criminal case per victim) and/or were arrested on more than one occasion for sex-related

crimes (ranging from one arrested officer with 14 cases to 58 arrested officers each with two cases).

The remainder of this section is organized into three parts. Part one presents data on the arrested officers, employing law enforcement agencies, and the most serious offense charged in each sex-related case. Characteristics of the arrested officers' victims and the locations where the sex-related crimes occurred are described in the second part. The third part identifies, in separate regression models, the predictors of (a) child victims of police sexual misconduct arrest cases, and (b) criminal case conviction of officers arrested for a sex-related crime. These models are important in understanding some of the most basic—and as yet unexplained—issues involved in sex-related police crime, including an understanding of the persons who are victimized and how criminal courts respond to these crimes.

### **Arrested Officers, Employing Agencies, and Criminal Offenses Charged**

Table 1 presents information on the sex-related arrest cases in terms of the arrested officers and their employing law enforcement agencies. Almost all of the cases involved male officers ( $n = 766$ , 99.4%). Most of the cases involved police employed in a patrol or other street-level rank such as nonsupervisory officers, deputies, troopers, and detectives ( $n = 624$ , 80.9%). There were 104 cases that involved police line and field supervisors who were arrested, including corporals ( $n = 20$ , 2.6%), sergeants ( $n = 70$ , 9.1%), and lieutenants ( $n = 14$ , 1.8%). There were 43 cases that involved police managers and executives, including captains ( $n = 4$ , 0.5%), deputy chief or chief deputy ( $n = 1$ , 0.1%), and chiefs, superintendents, and sheriffs ( $n = 38$ , 5.0%). The modal category for known officer age at time of arrest was 36-43 years of age ( $n = 259$ , 33.6%). The modal category for known years of service at time of arrest was zero to five years ( $n = 245$ , 31.8%). Most of the cases involved officers employed by municipal police

departments ( $n = 531, 68.9\%$ ) or sheriff's offices ( $n = 152, 19.7\%$ ). The modal categories for agency size by number of sworn personnel were 0-24 full-time sworn officers ( $n = 217, 28.2\%$ ) and 100-999 full-time sworn officers ( $n = 216, 28.0\%$ ). Most of the arrest cases involved officers employed by law enforcement agencies in metropolitan counties ( $n = 638, 82.7\%$ ) and in the Southern region of the United States ( $n = 348, 45.1\%$ ). Just over half of the sex-related crimes resulting in an officer's arrest occurred while the officer was off-duty ( $n = 404, 52.4\%$ ). The arresting law enforcement agency in well over half of the sex-related arrest cases was a law enforcement agency other than the arrested officer's employer ( $n = 488, 63.3\%$ ). Criminal conviction data were available for over half of the arrest cases ( $n = 477, 61.9\%$ ). In the cases where the criminal case disposition is known, officers were convicted in most of the cases ( $n = 387, 50.2\%$ , valid 81.1%).

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

Table 2 presents the cases in terms of the most serious offense charged. Forcible fondling was the most serious offense charged ( $n = 177, 23.0\%$ ) in the most cases pursuant to the Uniform Crime Report's (UCR) crime seriousness hierarchy, followed by forcible rape ( $n = 174, 22.6\%$ ), statutory rape ( $n = 66, 8.6\%$ ), forcible sodomy ( $n = 62, 8.0\%$ ), other unclassified sex crimes ( $n = 57, 7.4\%$ ) (e.g., institutional sex with a student or inmate, sexual coercion, exhibiting harmful material to a minor with the intent to arouse sexual desire), and child pornography ( $n = 47, 6.1\%$ ). There were 31 separate criminal offenses that made up the most serious offense charged in this sample of sex-related arrest cases, and in some instances the most serious offense charged masked the sexual nature of the underlying criminal conduct that resulted in the arrests of officers. In some of these sex-related criminal cases, for example, the most serious offense

charged was intimidation or harassment ( $n = 36, 4.7\%$ ), aggravated or simple assault ( $n = 23, 2.9\%$ ), or official misconduct ( $n = 17, 2.2\%$ ).

<<<<< Insert Table 2 about here >>>>>

Since the official charges against the arrested officers often masked the nature of the crimes committed, we also examined other variables that explored the character of sex-related police crime. Many of the crimes allegedly committed by the arrested officers were also violence-related ( $n = 537, 69.6\%$ ), although fewer than half of the cases were coded as involving acts of police sexual violence ( $n = 369, 47.9\%$ ). Some of the sex-related crimes were also alcohol-related ( $n = 49, 6.4\%$ ) and/or drug-related ( $n = 21, 2.7\%$ ), and a few cases involved profit-motivated sex crimes ( $n = 4, 0.5\%$ ). More than half of the cases involved crimes that were committed by an officer acting in his official capacity ( $n = 400, 51.9\%$ ).

### **Victims of Sex-related Police Crime**

Table 3 presents information on the characteristics of the victims in the sex-related criminal cases. Most of the known victims were female ( $n = 678, 91.4\%$ ). The known victims were typically young with most being minors under the age of 18 years ( $n = 345, 71.6\%$ ),  $\bar{X} = 17.03$ ,  $Mdn = 15$ , mode = 14,  $SD = 7.903$ . Most of the victims were strangers or nonstranger acquaintances ( $n = 357, 46.3\%$ ) or a child unrelated ( $n = 328, 42.5\%$ ) to the arrested officer. Very few of the victims were the current or former spouse ( $n = 12, 1.5\%$ ) or current/former girlfriend or boyfriend ( $n = 14, 1.8\%$ ) of the officer.

<<<<< Insert Table 3 about here >>>>>

Table 4 presents information on the location of violence where the sex-related crimes were alleged to have occurred. Location of violence information was missing, could not be determined in the coding process, or was irrelevant (in sex-related criminal cases where no

violence occurred) in almost one-third of the cases ( $n = 234, 30.4\%$ ). Cases involving sexual violence occurred most often at a public place ( $n = 243, 45.2\%$ ) or at or near the victim's home or someone else's home ( $n = 242, 45.0\%$ ).

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

Duty status of the officer when his crimes were committed impacted victim demographics. The victims differed depending on whether the officer was on-duty or off-duty when the crimes were committed in terms of victim relationship, where  $\chi^2(7, N = 771) = 261.685, p < .001, V = .583$ , and child versus adult victims, where  $\chi^2(1, N = 771) = 200.459, p < .001, V = .510$ . Most of the cases involving a child victim occurred when the officer was off-duty ( $n = 302, 77.6\%$ ), while most of the cases involving an adult victim occurred when the officer was on-duty ( $n = 280, 73.3\%$ ). We also examined duty status and victims unrelated to the arrested officer. Most of the cases involving a child victim unrelated to the officer occurred when the officer was off-duty ( $n = 244, 74.4\%$ ), whereas most of the cases involving unrelated adult victims (i.e., strangers and nonstranger acquaintances) occurred when the officer was on-duty ( $n = 279, 78.2\%$ ).

Some of the arrest cases stemmed from “driving while female” encounters ( $n = 106, 13.7\%$ ), where an officer targeted an attractive young woman driver under the pretext of a traffic stop for an alleged traffic violation. The victims in the “driving while female” cases (age  $\bar{X} = 25.29, Mdn = 23, mode = 16 \text{ and } 21, SD = 8.594$ ) were older than in the sample at large in this study. Most of the “driving while female” encounters escalated into crimes involving acts of police sexual violence ( $n = 99, 93.4\%$ ), where  $\chi^2(1, N = 771) = 102.120, p < .001, V = .364$ . The sex-related crimes that followed the “driving while female” traffic stop encounters occurred in a variety of locations including, primarily, on public roads or highways ( $n = 49, 51.6\%$ ), at public

parking lots or garages ( $n = 9, 9.5\%$ ), in commercial establishments like bars, nightclubs, and restaurants ( $n = 6, 6.3\%$ ), and at the house or apartment of the victim ( $n = 14, 14.7\%$ ), where  $\chi^2 (10, N = 771) = 80.917, p < .001, V = .388$ . All of the victims in the cases involving “driving while female” encounters were strangers or nonstranger acquaintances to the arrested officer and only a few of the cases involved female drivers under the age of 18 ( $n = 6, 5.7\%$ ), where  $\chi^2 (7, N = 771) = 118.713, p < .001, V = .392$ . Almost all of the “driving while female” cases came to the attention of law enforcement authorities through citizen complaints ( $n = 104, 98.1\%$ ), where  $\chi^2 (1, N = 771) = 9.339, p = .002, V = .110$ .

### **Associations and Predictors of Child Victims and Criminal Conviction**

Bivariate analyses were conducted as part of the regression diagnostics and to assess the associations between various independent outcome variables and dependent variables of interest. Chi-Square associations were statistically significant at the  $p < .05$  level for 52 independent variables, individually, and the dependent variable *adult victim versus child victim*. The strongest bivariate associations of adult or child victim were (a) victim relationship to the arrested officer, where  $\chi^2 (7, N = 771) = 736.003, p < .001, V = .977$ ; (b) age difference between the victim and the arrested officer, where  $\chi^2 (60, N = 472) = 186.061, p < .001, V = .628$ ; (c) the most serious offense charged, where  $\chi^2 (30, N = 771) = 247.001, p < .001, V = .566$ ; (d) the arrested officer’s duty status at time of his sex-related crime, where  $\chi^2 (1, N = 771) = 200.459, p < .001, V = .510$ ; (e) sex-related crimes committed in the arrested officer’s official capacity, where  $\chi^2 (1, N = 771) = 194.809, p < .001, V = .503$ ; (f) police sexual violence, where  $\chi^2 (1, N = 771) = 169.072, p < .001, V = .468$ ; (g) location of violence, where  $\chi^2 (10, N = 537) = 107.056, p < .001, V = .446$ ; (h) official misconduct offenses, where  $\chi^2 (1, N = 771) = 114.015, p < .001, V = .385$ ; (i) violence-related offenses, where  $\chi^2 (1, N = 771) = 113.288, p < .001, V = .383$ ; and (j)

years of service at the time of an officer's arrest, where  $\chi^2 (32, N = 608) = 85.273, p < .001, V = .375$ .

Chi-Square associations were statistically significant at the  $p < .05$  level for 24 independent variables, individually, and the dependent variable *conviction on any criminal offense charged*. The strongest bivariate associations of an officer being convicted of a crime after being arrested for a sex-related crime were (a) age of the victim, where  $\chi^2 (45, N = 299) = 81.577, p < .001, V = .522$ ; (b) the state where the arrested officer was employed, where  $\chi^2 (42, N = 477) = 77.680, p < .001, V = .404$ ; (c) years of service at the time of an officer's arrest, where  $\chi^2 (30, N = 391) = 56.747, p = .002, V = .381$ ; (d) officer's age at time of arrest, where  $\chi^2 (36, N = 461) = 63.255, p = .003, V = .370$ ; and (e) categorical age difference between the victim and the arrested officer, where  $\chi^2 (8, N = 299) = 25.275, p < .001, V = .291$ .

Multivariate analyses were conducted to further investigate the relationship between two outcome variables of interest— adult versus child victims and criminal case disposition, each in separate regression models—and various predictor variables. The specific offense variables with statistically significant bivariate associations at  $p > .05$  were not included as independent variables for multivariate regression model building so as to reduce the possibility of a Type II error. In building logistic regression models for exploratory/predictive research, generally backward stepwise regressions are superior to forward stepwise regressions because of the danger of missing suppression effects. Here, a number of alternate models were built as part of the regression diagnostics process. In one instance, the forward stepwise model produced the best results and that is why forward stepwise regression is reported for one model and backward stepwise regression is reported for the second model.

Table 5 presents a forward stepwise binary logistic regression model predicting child victims. Fourteen independent variables were included in the model at the first step. Bivariate correlations computed for each of the independent variables revealed that none of the variables in the model were highly correlated with each other. Multicollinearity was not a problem in the model as indicated by no tolerance statistics below .606 and no variance inflation factors exceeding 1.651. A Durbin-Watson score of 1.436 indicated that there was no autocorrelation in the model. Regression results indicated that the overall model of seven predictors was statistically reliable in distinguishing between adult victims and child victims in cases where officers were arrested for sex-related criminal offenses. Those predictors were size of the arrested officer's employing agency (as measured categorically by the number of full-time sworn personnel), whether the arresting agency was a law enforcement agency other than where the arrested officer was employed, criminal conviction on any charge, history of being sued for civil rights violations, location of violence, geographic region, and categorical years of service. The model correctly classified 67.1% of the cases ( $AUC = .888$ , 95% CI [.848, .928],  $R^2_{ROC} = .776$ ). Wald statistics indicated that all of the independent variables in the model significantly predicted a child victim versus an adult victim in cases where an officer had been arrested for a sex-related crime.

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

Odd ratio interpretations provided context for prediction of a child victim in police sexual misconduct arrest cases. Three independent variables in this model predicted when a victim was more likely to be a child than an adult in cases where an officer had been arrested for a sex-related crime. The simple odds of the victim being a child were five times greater in cases where an officer was arrested for a sex-related crime by a law enforcement agency other than his



employer, controlling for all other variables. Cases of officers suspected of committing a crime were often referred to an outside law enforcement agency for investigation and prosecution to avoid potential conflicts of interest. It was also common in many areas for police officers to live in communities outside of the jurisdiction where they were employed, and in the present study most of the crimes involving a child victim occurred while the accused officer was off-duty ( $n = 302, 74.8\%$ ). The simple odds of the victim being a child in cases where an officer was arrested for a sex-related crime went up by 16% for each three-year categorical increase in the officer's years of service at time of arrest, controlling for all other variables. This means the victim of a sex-related crime for which an officer was arrested was more likely to be a child if the arrested officer was an experienced law enforcement officer. The disposition of an arrested officer's sex-related criminal case was also impacted by whether the crime victim was a child or adult. The simple odds of the victim being a child were 1.7 times greater if the officer was ultimately convicted of one or more offenses charged, controlling for all other independent variables in the model. Courts treated arrested officers more harshly when they were arrested for sex-related crimes involving a child than in cases where the victim was an adult.

Four independent variables in the model predicted when a victim was less likely to be a child than an adult in cases where an officer had been arrested for a sex-related crime. We were able to predict whether the victim of an officer's sex-related crime was a child based on the location where violence occurred. The simple odds of the victim being a child went down by .325 for every one unit categorical move away from the victim's home being the location of violence. The location of violence variable was coded as 1 = *residential property of the victim: at or in house/apartment*, 2 = *residential property of victim: near house/apartment*, 3 = *residential property of a friend, relative or neighbor: at or in house/apartment*, 4 = *residential*

*property of a friend, relative or neighbor: near house/apartment, 5 = public place: highway/road, 6 = public place: parking lot/garage, 7 = public place: school/college, 8 = public place: other, 9 = commercial property: bar/nightclub/restaurant, 10 = commercial place: other, and 11 = other place.* Children were less likely to be the victim of sex-related crimes by an officer as the location of violence moved further away from the private residential settings to more public and commercial places.

Almost one-third of the sex-related arrest cases ( $n = 235$ , 30.5%) involved an officer who had also been named individually as a party defendant in at least one federal court civil action pursuant to 42 U.S.C. §1983 (asserting an official capacity civil rights deprivation under the color of law) at some point during his law enforcement career. The simple odds of a victim being a child went down by 69.2% if the arrested officer had also been sued in federal court pursuant to 42 U.S.C. §1983 at some point during his law enforcement career for violating someone's federally protected civil rights under the color of law while acting in his official capacity, controlling for all other variables. Child victims rarely sued police officers for violating their civil rights. Most of the cases in the present study involving a child victim occurred while the accused officer was acting in his *individual* capacity ( $n = 284$ , 76.5%), meaning that the crime was unrelated to the officer's job. Conversely, most of the cases in this study involving an adult victim occurred with the accused officer acting in his *official* capacity ( $n = 295$ , 73.8%), meaning that the crime was in some way related to some recognized aspect of the officer's job as a sworn law enforcement officer.

A child was more likely to be victim of a police officer's sex-related crime if an officer was employed by a small law enforcement agency. The simple odds of the victim being a child went down by 21.4% for every one categorical unit increase in agency size as measured by the

number of full-time sworn personnel employed at the law enforcement agency where the arrested officer works, controlling for all other variables. Geographic region of the country where the arrested officer was employed also predicted whether a victim was an adult or child, although the practical interpretation was difficult to specify in a logistic regression model. Here, the geographic regions of the United States were coded as 1 = *Northeastern states*, 2 = *Midwestern states*, 3 = *Southern states*, and 4 = *Western states*. The simple odds of the victim being a child went down by .375 for every one unit increase in geographic region, controlling for all other variables. As you move away from the Northeastern United States and across the country, victims of police sexual misconduct were less likely to be children.

Table 6 presents a backward stepwise binary logistic regression model predicting disposition of the sex-related criminal cases. Twelve independent variables were included in the model at the first step. Bivariate correlations computed for each of the independent variables in the model revealed that none of the variables were highly correlated with each other. Multicollinearity was not a problem in the model. None of the tolerance scores were below .827, and none of the variance inflation factor scores were higher than 1.209. A Durbin-Watson score of 1.791 indicated that there was no autocorrelation in the model. Regression results indicated that the overall model of six predictors was statistically reliable in distinguishing between officers convicted of a criminal offense and those who were not convicted. The predictor variables were categorical years of service, rank by function, the number of part-time sworn personnel employed by the agency where the arrested officer was employed, forcible sodomy as a charged offense, the existence of a child victim, and job loss as a final adverse employment outcome for the arrested officer. The model correctly classified 86.2% of the cases (AUC =

.898, 95% CI [.864, .931],  $R_{ROC}^2 = .796$ ). Wald statistics indicated that all of the independent variables in the model significantly predicted conviction.

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

Interpretation of the odds ratios provided context for prediction of sex-related criminal case outcomes. All but one of the independent variables in the regression model predicted criminal conviction (versus nonconviction) following an officer's arrest for a sex-related crime. The simple odds of an officer being convicted of any offense charged went up by 95% for each one unit (three-year) categorical increase the arrested officer's years of service as a sworn law enforcement officer at time of arrest, controlling for all other independent variables in the model. Courts treated more experienced officers more harshly than officers who were early in their career when they were arrested for sex-related crimes. Law enforcement agencies with part-time sworn officers may present unique problems. The simple odds of an officer being convicted went up 58% for every one unit categorical increase in the number of part-time sworn personnel employed by the agency where the arrested officer worked, controlling for all other independent variables in the model and without consideration for whether the arrested officer was a part-time or full-time employee. Although more research is needed on this point, it appears that courts treated officers charged with crimes more harshly if the arrested officer was employed by a law enforcement agency that employs part-time officers in addition to or in lieu of full-time officers.

The simple odds that an officer was convicted were 4.4 times greater if the arrested officer was charged with forcible sodomy, controlling for all other independent variables in the model. Courts treated offenders charged with forcible sodomy more harshly than those charged with other sex crimes. The simple odds that an arrested officer was convicted of a crime were 1.6 times greater if the victim was a child and not an adult, controlling for all other independent

variables in the model. Officers charged with sex crimes against child victims were treated more harshly by the courts than officers charged with sex crimes against adult victims. The simple odds that an officer was convicted of a crime were 13.3 times greater if the officer ultimately loses his job as a sworn law enforcement officer (through voluntary resignation or involuntary termination as the final adverse employment outcome) after being arrested for a sex-related crime. The data did not indicate causal/time order, but a felony conviction for any serious sex crime also resulted in termination from employment as a sworn law enforcement officer.

One variable in the model predicted that an officer arrested for a sex-related crime was not convicted of any criminal offense charged. The simple odds of an officer being convicted went down by 75.9% for every one unit increase in the officer's rank by job function, where 1 = *low-level ranks that perform patrol- and street-level functions*, 2 = *mid-level ranks that perform line- and field-supervisor functions*, and 3 = *high-level ranks that perform executive management functions*. Law enforcement officers in mid-level supervisory ranks and high-level management ranks arrested for sex-related crimes may be treated less harshly by prosecutors and criminal courts than nonsupervisory officers arrested for sex-related crimes.

Two classification and regression tree models were created. The first tree (Figure 1) predicted sex-related police crime against children and correctly classified 77.7 % of the cases (AUC = .813, 95% CI [.782, .843],  $R_{ROC}^2 = .626$ ) with location of violence as the splitting criterion. The probability of the victim being a child was 66.3% if the victimization occurred in a house, apartment, school, or college, and 28.8% if the sex-related crime for which the officer was arrested occurred elsewhere. The additional statistically significant variables included years of service, size of police department, case disposition, and geographic location.

<<<<< Insert Figure 1 about here >>>>>

The second tree (Figure 2) predicted criminal case conviction. The regression tree correctly classified 86.4% of the cases (AUC = .804, 95% CI [.748, .860],  $R^2_{ROC} = .608$ ) with age of the victim selected as the splitting criterion. An officer arrested for a sex-related crime had an 87.6% chance of being convicted of a crime in cases where the victim was 19 years of age or younger and a 72.4% chance of being convicted of a crime in cases where the victim was age 20 or older. The additional statistically significant variables for the model included job loss, years of service, and the state variable.

<<<<< Insert Figure 2 about here >>>>>

### **Discussion**

The existing literature on sex-related police misconduct lacks systematic nationwide data in regard to some of the most basic questions concerning the phenomenon in terms of incidence, the police who perpetrate these crimes and their victims, and the manner in which criminal courts respond to these offenses. Our research utilizes published newspaper accounts to gather and analyze data on a topic that has clearly not been subjected to sufficient empirical scrutiny. This study identified an unprecedented number of sex-related police crimes ( $N = 771$ ) that occurred within jurisdictions across the United States including large cities, suburbs, small-towns, and rural places. The sheer number of cases demonstrates that sex-related police crimes are not uncommon, and that these offenses constitute a problem of concern to police administrators, scholars, and citizens. The data permitted analyses on some of the most basic issues in regard to the problem. The findings on offenders, their victims, and the criminal court disposition of these cases merits some further discussion.

In regard to the police who perpetrate these crimes, the data show that sex-related police crimes are as likely to occur while an officer is off-duty as on-duty. Duty status has long been

recognized as an important issue within the line of research on police misconduct (see, e.g., Fyfe & Kane, 2006; Kappeler, Sluder, & Alpert, 1998; Stinson et al., 2012). The sources of police misconduct and crime are occupationally-derived and are largely the product of opportunities that arise within the context of police work that includes low supervision, low public visibility, and face-to-face encounters with citizens who are vulnerable. For example, the data describe how this context promotes on-duty sex-related crimes in cases where police sexually abuse vulnerable citizens they encounter on the job. Evidence of the occupationally-derived context of these events however is not limited to cases that occur on-duty. For example, most of the cases that involved child victims occurred while an officer was off-duty and had been entrusted to supervise and care for the child-victim. Parents and caregivers might be more likely to “let their guard down” and leave their child with a police officer than other types of unrelated adults because their occupational status typically promotes a high degree of trust and authority, whether they are on or off-duty. More broadly, the issue of duty status is clearly integral to the goal of understanding these phenomenon since we now know that roughly one-half of these cases occur when the officer is off-duty, a situation that necessarily complicates the development of organizational strategies to mitigate the problem.

Another concern relates to the victims of these crimes. Children seem to be particularly vulnerable to police who perpetrate sex-related crimes. Our research identified 361 victims who were either the perpetrator’s child or stepchild or a child who was unrelated to the perpetrator. The number of child victims is noteworthy within the context of existing literature that has focused on victims of police perpetrated sex crimes who were adult females, including those cases that involve adult consensual sex, sexual “favors,” or police predators who focus on female drivers (Barker, 1978; Sapp, 1994; Walker & Irlbeck, 2002). As such, we conducted analyses

designed to distinguish the child-victim cases in our study. These analyses for example identified some factors that distinguish these cases from those that involve adult victims in terms of the offenders and the locations of these events. These analyses demonstrated that child-victims were more likely to be victimized by experienced police officers. The finding is important because existing scholarship on police misconduct has traditionally focused on inexperienced officers and has suggested that police will tend to get into trouble earlier in their career rather than later (C. J. Harris, 2009; Niederhoffer, 1967; Van Maanen, 1973). Likewise, cases that involved child-victims were less likely to occur in public or commercial places, thus further complicating their identification, investigation, and ultimate punishment. Cases that involved child-victims were also more likely to involve a criminal conviction on at least one charged offense, suggesting that courts are likely to respond harshly to these cases when they are exposed.

The analyses on disposition provides an opportunity to explore the application of law in cases of sex-related police crime. We are aware of no existing studies focused on the disposition of these cases. There are many cases of sex-related police crime that do not result in an arrest or exposure to the criminal courts. Still, the data on case disposition in our research do provide new information on the official reaction to these crimes. Courts seem to respond harshly to these cases. There was a conviction on at least one criminal charge in 81% of the cases in which the court disposition was known. The rate of conviction on at least one criminal charge is greater in cases of sex-related police crime than other types of police crime including those that involve family violence (Stinson & Liederbach, 2013) and officers who perpetrate off-duty crimes in general (Stinson et al., 2012).



We conducted further analyses designed to distinguish the cases that resulted in at least one criminal conviction so that researchers can begin to discern the factors that seem to promote court-imposed penalties in these cases. We noted above that cases involving child-victims were more likely to include a criminal conviction. These analyses also suggested that official reactions to these crimes may depend in part on the specific type of offense and organizational discipline imposed. Cases of forcible sodomy, for example, seem more likely to evoke official condemnation than other types of sex-related police crime. Likewise, cases that were known to have resulted in the loss of the perpetrator's law enforcement job were more likely to include a conviction. Case dispositions including those involving the criminal courts and the employing police agency are not isolated events. That is, the imposition of organizational discipline in cases of police crime likely influences the actions and decisions of courtroom actors and vice-versa. Police organizations are likely to view a criminal conviction as a confirmation of guilt, and the criminal courts may fail to impose the harshest penalties against officers who are known to have already lost their job. Our data, however, cannot discern the time-order of court-imposed and organizational discipline in many of the cases, and more research is necessary to disentangle the independent effects of various dispositions in cases of sex-related police crime.

### **Strategies to Reduce Police Sexual Misconduct Victimization**

Strategies to reduce sexual misconduct victimization should involve both (a) mechanisms to improve complaint reporting and the identification of problem officers, and (b) the use of technologies that have the potential to enhance deterrence of on-duty misconduct. Citizens in some jurisdictions confront significant obstacles to filing complaints against police, and problems in regard to complaint reporting procedures that discourage complaints are well-documented (Collins, 1998). Police agencies must provide complaint procedures that allow and

encourage citizens to file and pursue complaints against officers who perpetrate sex crimes and other forms of sexual misconduct. Walker and Irlbeck (2003) and the International Association of Chiefs of Police (2011) provide some of the most important characteristics of an open and accessible citizen complaint system, including (a) acceptance of *all* complaints including those filed anonymously and/or by third parties, (b) publication of information that explains the complaint reporting system to potential complainants, (c) complaint intake procedures that do not require a physical trip to the police department, and (d) the establishment of a single point-of-contact that addresses the needs of victims including case information, safety, and referrals to other social service agencies.

Steps to improve complaint reporting must be accompanied by more effective investigation and follow-up, in particular the use of early intervention systems to identify problem officers. Early intervention systems utilize a centralized database on officer performance to identify officers “whose performance records raise concern” (Walker, 2005, p. 101). These may include specific complaints of sexual misconduct, but also, traffic stop data that indicates the tendency to disproportionately stop young females or other vulnerable citizens. Last, improved complaint review and investigation needs to include inter-agency agreements designed to ensure timely notification of sexual misconduct incidents involving employees from other departments (International Association of Chiefs of Police, 2011). These memoranda-of-understanding would document cases of sexual misconduct across jurisdictions to prevent problems associated with what Rabe-Hemp and Braithwaite (2013) refer to as officer shuffle, or cases in which police accused of sex crimes manage to escape appropriate penalties and maintain police certification by moving from one jurisdiction to another.

Technologies including “body-worn video” present another opportunity to reduce police sexual misconduct victimization. These on-officer recording systems include video and audio recording equipment, usually in the form of a small camera that clips onto the uniform or is worn as a head-set (D. A. Harris, 2010; Stanley, 2013). It is estimated that 9% of police departments in the United States are currently using body-worn video cameras with some or all of their patrol officers, although many of the agencies do not have written policies and procedural and technical standards are lacking (Abdollah, 2014; J. Hayes & Ericson, 2012; Police Executive Research Forum, 2013). Body-worn video systems record evidence in real time that provides an independent record of police-citizen encounters. The technology provides police supervisors and others a view of what actually happens on the street between officers and citizens. On-officer recording systems have the potential to increase police accountability and improve police professionalism, particularly if problems associated with the potential for tampering are reduced or eliminated. Some systems, for example, cannot be turned off by the officer and require that officers “dock” the device into a computer that subsequently downloads recordings to an off-site location at the conclusion of each shift (D. A. Harris, 2010, p. 366). Of course, body-worn video recording systems will not reduce the number of sexual misconduct cases that occur while an officer is off-duty; but, the technology would clearly force sworn law enforcement officers to consider how their explanation of on-duty events would compare to the evidence provided by on-officer recording devices.

## **Conclusion**

The current study explores an area—police sexual misconduct—that has largely escaped notice in the empirical scholarly literature. The study provides an unprecedented amount of empirical information for scholars and criminal justice policymakers on sex-related police crime

arrests of sworn law enforcement officers employed by 449 state and local law enforcement agencies across the United States. Almost all of the cases involved male law enforcement officers. The sex-related crimes for which they were each arrested occurred off- and on-duty. Off-duty sex crimes of police officers often involve victims who are children. Many of the crimes for which sworn officers were arrested are serious criminal offenses. Indeed, almost one-third of the police sexual misconduct arrest cases involve forcible or statutory rape (31.4%) as the most serious offense charged, and almost half of the cases involve police sexual violence (47.9%). Crime prevention strategies to reduce the incidence of police sexual misconduct victimization should include mechanisms to improve (a) identification of problem officers and (b) citizen reporting procedures, as well as adoption of emerging and new technologies that have the potential to enhance deterrence of on-duty sexual victimization by sworn law enforcement officers.

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**Table 1. Police Sexual Misconduct Arrest Cases: Arrested Officers and Agencies** (*N* = 771)

	<i>n</i>	(%)		<i>n</i>	(%)
Sex			Agency Type		
Male	766	(99.4)	Primary State Police	37	(4.8)
Female	5	(0.6)	Sheriff's Office	152	(19.7)
Function			County Police Dept.	15	(1.9)
Patrol & Street Level	624	(80.9)	Municipal Police Dept.	531	(68.9)
Line/Field Supervisor	104	(13.5)	Other Dept.	36	(4.7)
Management	43	(5.6)	Full-Time Sworn Officers		
Officer Duty Status			0-24	217	(28.2)
On-Duty	367	(47.6)	25-99	155	(20.1)
Off-Duty	404	(52.4)	100-999	216	(28.0)
Age			1,000 or more	183	(23.7)
20-27	73	(9.5)	Region of Agency		
28-35	224	(29.0)	South	348	(45.1)
36-43	259	(33.6)	Northeast	157	(20.4)
44-51	131	(16.9)	West	158	(20.5)
52 or older	44	(5.7)	Midwest	108	(14.0)
Missing	40	(5.2)	Urban-Rural Code		
Years of Service			Metropolitan County	638	(82.7)
0-5	245	(31.8)	Non-Metro County	133	(17.3)
6-11	160	(26.4)	Arresting Agency		
12-17	103	(16.9)	Employing Agency	283	(36.7)
18 or more years	100	(16.5)	Another Agency	488	(63.3)
Missing	163	(21.1)			



**Table 2. Police Sexual Misconduct Arrest Cases: Most Serious Offense Charged (*N* = 771)**

	<i>n</i>	<i>%</i>
Forcible Fondling	177	(23.0)
Forcible Rape	174	(22.6)
Statutory Rape	66	(8.6)
Forcible Sodomy	62	(8.0)
Other Sex Crime	57	(7.4)
Pornography / Obscene Material	47	(6.1)
Intimidation	36	(4.7)
Online Solicitation of a Child	27	(3.5)
Prostitution	18	(2.3)
Indecent Exposure	17	(2.2)
Official Misconduct / Official Oppression / Violation of Oath	17	(2.2)
Simple Assault	15	(1.9)
Aggravated Assault	8	(1.0)
Kidnapping / Abduction / False Imprisonment	7	(0.9)
Bribery	6	(0.8)
Assisting or Promoting Prostitution	5	(0.6)
Sexual Assault with an Object	5	(0.6)
Burglary	5	(0.6)
Extortion / Blackmail	4	(0.5)
Uncategorized Theft / Larceny	4	(0.5)
Civil Rights Violation	3	(0.4)
All Other Offenses	2	(0.3)
Incest	1	(0.1)
Obstructing Justice	1	(0.1)
Arson	1	(0.1)
Theft from a Building	1	(0.1)
Robbery	1	(0.1)
Credit Card Fraud / ATM Fraud	1	(0.1)
Tampering with or Destroying Evidence	1	(0.1)
False Report / False Statement	1	(0.1)
Disorderly Conduct	1	(0.1)

**Table 3. Police Sexual Misconduct Arrest Cases: Victim Characteristics** (*N* = 771)

	<i>n</i>	(%)	(Valid %)		<i>n</i>	(%)	(Valid %)
<b>Victim's Sex</b>				<b>Victim's Relationship to Arrested Officer</b>			
Female	678	(87.9)	(91.4)	Current Spouse	7	(0.9)	(0.9)
Male	64	(8.3)	(8.6)	Former Spouse	5	(0.6)	(0.6)
Missing	29	(3.8)		Current Girlfriend or Boyfriend	7	(0.9)	(0.9)
<b>Victim's Age</b>				Former Girlfriend or Boyfriend	7	(0.9)	(0.9)
Birth-11	67	(8.7)	(13.9)	Child or Stepchild	33	(4.3)	(4.3)
12-13	63	(8.2)	(13.1)	Some Other Relative	27	(3.5)	(3.5)
14-15	125	(16.2)	(25.9)	Unrelated Child	328	(42.5)	(42.5)
16-17	90	(11.7)	(18.7)	Stranger or Acquaintance	357	(46.3)	(46.3)
18-19	34	(4.4)	(7.1)	<b>Victim's Law Enforcement Status</b>			
20-24	40	(5.2)	(8.3)	Victim is Not a Police Officer	761	(98.7)	(98.7)
25-32	33	(4.3)	(6.8)	Victim is a Police Officer	10	(1.3)	(1.3)
33-41	23	(3.0)	(4.8)	<b>Victim Injury Status</b>			
42 or older	7	(0.9)	(1.5)	No Injuries	80	(10.4)	(14.7)
Missing	289	(37.5)		Minor Injuries	3	(0.4)	(0.6)
<b>Victim Adult or Child</b>				Serious Injuries	461	(59.8)	(84.7)
Adult	382	(49.5)	(49.5)	Missing	227	(29.4)	
Child	389	(50.5)	(50.5)				

**Table 4. Police Sexual Misconduct Arrest Cases: Location of Violence (N = 771)**

	<i>n</i>	(%)	(Valid %)
At or In Victim's House / Apartment	127	(16.5)	(23.6)
Near Victim's House / Apartment	4	(0.5)	(0.7)
At or In Other's House / Apartment	108	(14.0)	(20.1)
Near Other's House / Apartment	3	(0.4)	(0.6)
Public Place: Highway / Road	123	(16.0)	(22.9)
Public Place: Parking Lot / Garage	30	(3.9)	(5.6)
Public Place: School / College	13	(1.7)	(2.4)
Other Public Place	77	(10.0)	(14.3)
Commercial: Bar / Nightclub / Restaurant	17	(2.2)	(3.2)
Other Commercial Place	8	(1.0)	(1.5)
Other Place	27	(3.5)	(5.0)
Missing	234	(30.4)	

**Table 5. Police Sexual Misconduct Arrest Cases: Logistic Regression Model Predicting Child Victims ( $N = 234$ )**

	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(B)	95% CI for Exp(B)	
						<i>LL</i>	<i>UL</i>
Full-Time Sworn Personnel (categorical)	-.241	.073	11.024	.001	0.786	0.681	0.906
Arresting Agency is not Employer	1.803	.441	16.678	<.001	6.068	2.554	14.414
Conviction on any Criminal Charge	1.021	.477	4.585	.032	2.775	1.090	7.061
42 U.S.C. §1983 Defendant at Some Point	-1.177	.418	7.905	.005	0.308	0.136	0.700
Location of Violence	-.392	.075	27.359	<.001	0.675	0.583	0.782
Geographic Region	-.471	.166	8.082	.004	0.625	0.452	0.864
Years of Service (categorical)	.154	.077	3.993	.046	1.167	1.003	1.358
- 2 Log Likelihood	192.675						
Model Chi-Square	122.616			<.001			
Cox & Snell $R^2$	.408						
Nagelkerke $R^2$	.551						
ROC $R^2$	.776						
AUC	.888						
						95% CI for AUC	
						<i>LL</i>	<i>UL</i>
						.848	.928

**Table 6. Police Sexual Misconduct Arrest Cases: Logistic Regression Model Predicting Conviction ( $N = 275$ )**

	<i>B</i>	<i>SE</i>	Wald	<i>p</i>	Exp(B)	95% CI for Exp(B)	
						<i>LL</i>	<i>UL</i>
Years of Service (categorical)	0.670	0.152	19.391	<.001	1.954	1.450	2.632
Rank by Function	-1.423	0.490	8.438	.004	0.241	0.092	0.630
Part-Time Sworn Personnel (categorical)	0.457	0.186	6.030	.014	1.579	1.097	2.275
Forcible Sodomy	1.689	0.823	4.214	.040	5.412	1.079	27.134
Child Victim	0.974	0.496	3.862	.049	2.648	1.003	6.994
Lost Job	2.664	0.511	27.209	<.001	14.350	5.274	39.042
- 2 Log Likelihood	153.129						
Model Chi-Square	67.778			<.001			
Cox & Snell $R^2$	.218						
Nagelkerke $R^2$	.396						
ROC $R^2$	.796						
AUC	.898						
						95% CI for AUC	
						<i>LL</i>	<i>UL</i>
						.864	.931

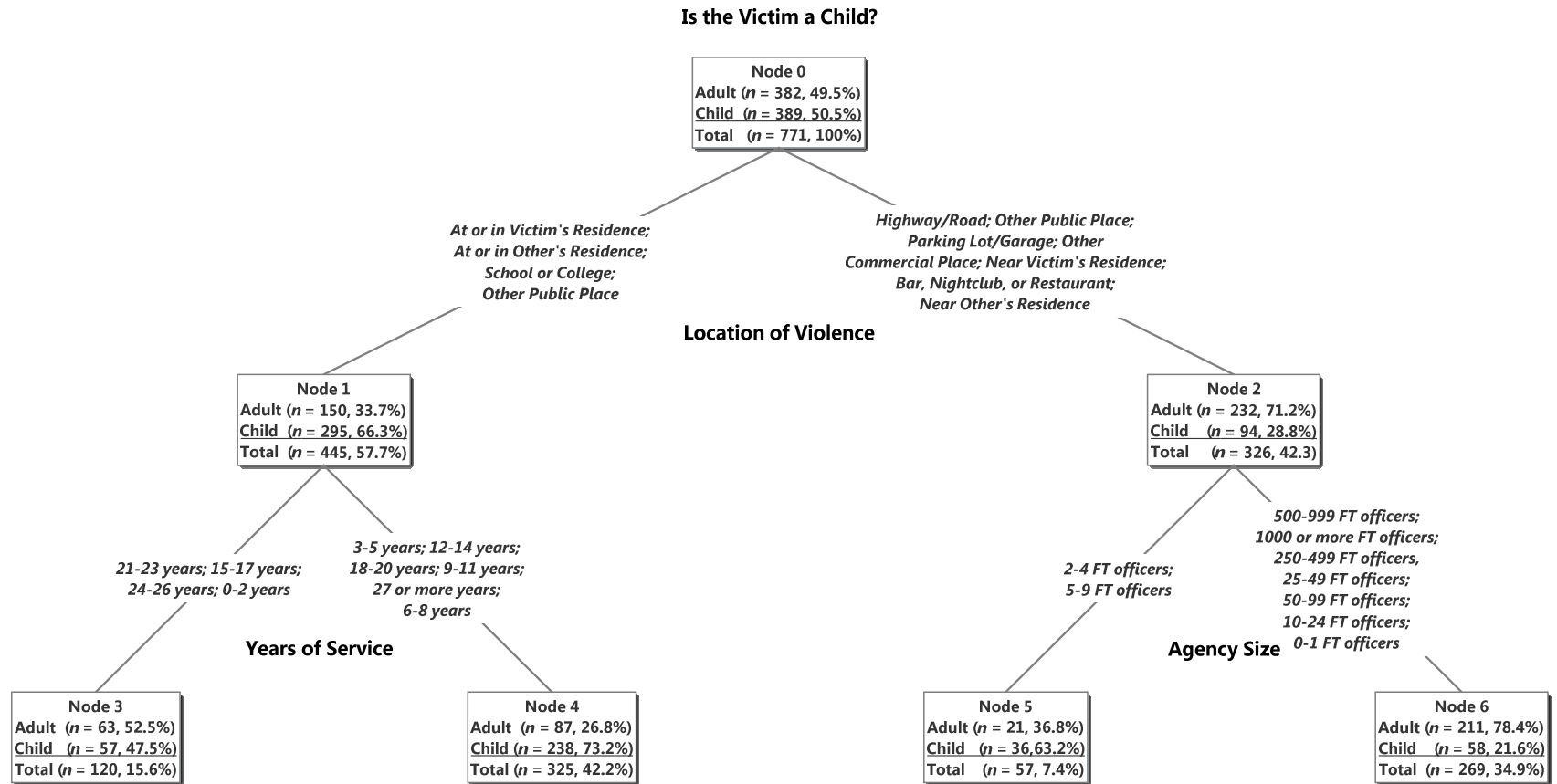


Figure 1. CART Model Predicting Child Victims

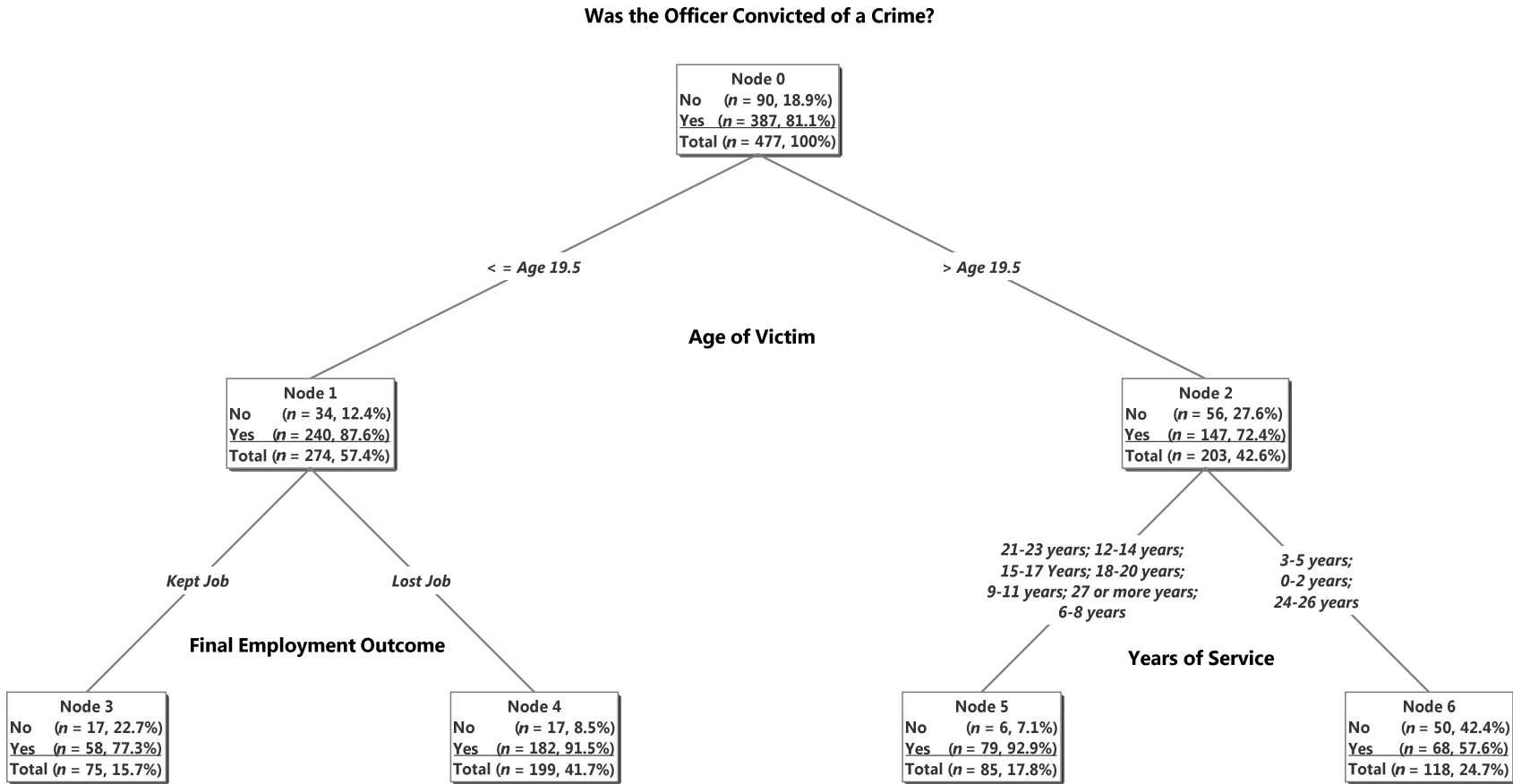


Figure 2. CART Model Predicting Conviction