Rethinking the Definition of Police Crime: The Relationship of Sex, Drugs, Violence and/or Greed to Virtually All Police Crime

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Rethinking the Definition of Police Crime:
The Relationship of Sex, Drugs, Violence and/or Greed to virtually all Police Crime

Philip M. Stinson, Sr.
Indiana University of Pennsylvania

American Society of Criminology
Atlanta, Georgia
November 16, 2007
The Literature: What is known about police criminality?

- Independent Commission Reports:
  - Wickersham Commission (1931)
  - Knapp Commission (1972)
  - Christopher Commission (1991)
  - Mollen Commission (1994)
- Newspaper Investigative Reporting:
  - New York Times (1970s)
  - Boston Globe (1980s)
  - Philadelphia Inquirer (1990s and 2006)
- Research in Criminology / Social Sciences:
  - The Police and the Public (Reiss, 1971)
  - Driving while Female (Walker, 2002, 2003)
  - Bad Cops: A Study of Career-Ending Misconduct Among New NYPD Officers (Fyfe and Kane, 2006)
What is Police Crime?

• Kappeler, Sluder & Alpert (1998):
  – Argued that not all crime committed by police officers can be classified as police crime
  – “The factor which distinguishes police crime is the commission of the crime while on the job or by using some aspect of the occupational position to carry out the illegality” (pp. 20-21).
Examples that are not Police Crime according to Kappeler, et al. (1998)

• A Fairfax, Virginia police officer, Jeffrey Hand, a 23-year veteran on the force, was charged with robbery. He was charged with forcibly taking $71,782 from a bank. [USA Today, 6/6/97, p.10A]

• A Carlisle, Kentucky police officer, Daryl McFarland, was convicted of several burglaries. The charges stemmed from the burglary of a Foodtown grocery store and a car wash. Officials claimed that the officer acted as a lookout for others who stole $300 in change from the store. [Carlisle Mercury, 8/20/92, p. 1]

• A Glendale, California police officer, Victor Felix, broke into his ex-wife’s residence. He shot and killed her and her boyfriend in front of the woman’s three children. The officer later killed himself. [USA Today, 5/14/91, p. 4A]

• A Broward County, Florida sheriff’s deputy was charged with aiding his wife in prostitution. [USA Today, 7/31/91, p. 3A]
Officer Jeffrey Hand
Fairfax County Police Department

• Took $75,000 in 2 bank robberies
• Left work early to commit robberies
• Detectives immediately recognized that the robber was a police officer
• Robber knew banking procedures, used police terminology during robberies, and banks were near police district lines
Officer Victor Felix Ramos
Los Angeles Police Department

- Murder-suicide of self and wife
- Previously his police weapons were taken away after he pointed weapon at wife 3 months earlier
- Weapons were returned to Ramos after 2 months, returned to duty with no psychological evaluation
- City paid $2.15 million to settle 2 lawsuits
Deputy Jeffrey Willets
Broward County Sheriff’s Office

- Charged with aiding wife with prostitution
- Previously fired from other police dept. for misconduct
- Previously arrested for battery on in-laws & dept. sued for inference with custody & visitation
- Was allowed to remain in duty-status working at sheriff’s department whole criminal battery case was pending. The battery case had not yet gone to trial when Willets was arrested for aiding prostitution.
Redefinition: What is Police Crime?

– “It is very difficult in practice to draw a bright line that clearly delineates police crime” (Fyfe & Kane, 2006)
– “The factor which distinguishes police crime is the commission of the crime while on the job or by using some aspect of the occupational position to carry out the illegality” (Kappeler, et al. 1998, pp. 20-21).
– Aspects of the occupational position include, but are not limited to:
  • Police training
  • Police culture/subculture
  • Police Code of Silence
  • Seduction of Crime vs. Slippery Slope
  • Police are immune from law enforcement
– Most crime committed by law enforcement officers is police crime.
Methodology

- Content analysis of newspaper articles about sworn law enforcement officers in the US arrested during the 18 month period from January 1, 2005 and June 30, 2006.
- Convenience sampling primarily using Google News search engine automated daily searches of newspapers published on the Internet.
- Articles were cataloged, coded, and entered into SPSS.
- Coded variables included gender, age, years of service, duty status at time of offense, state, department type and size, victim demographic information, and 64 offense categories (mostly NIBRS categories).
- SPSS runs for frequencies and correlations.
Google News Search Engine
Automated Daily Search Terms

• “deputy was arrested”
• “deputy was charged”
• “deputy was convicted”
• “deputy was indicted”
• “detective was …”
• “detectives were …”
• “officer …”
• “officer was …”

• “police chief was …”
• “police officers were …”
• sheriff “was …”
• “trooper was …”
• police “caption was …”
• police “lieutenant was …”
• police “officer is …”
• police “officer was …”
• police “sergeant was”
Sample

- 695 arrests of 657 individual sworn law enforcement officers (38 of the cases represent officers who were arrested more than once).
- Each one of the 695 arrests is treated as a case.
- These officers were/are employed by 449 agencies (primary state, sheriff, county police, municipal police, special police, and tribal police agencies) in 49 states and DC. Wyoming is not represented in the sample.
- All of the officers were employed as sworn law enforcement officers at the time of commission of the offense for which they were arrested.
# Descriptive Statistics

<table>
<thead>
<tr>
<th></th>
<th>n</th>
<th>M</th>
<th>SD</th>
<th>Min/Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>535</td>
<td>36.43</td>
<td>8.084</td>
<td>20-64</td>
</tr>
<tr>
<td>Yrs Service</td>
<td>414</td>
<td>9.51</td>
<td>7.434</td>
<td>0-36</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td>663 (95.4)</td>
<td>32 (4.6)</td>
</tr>
</tbody>
</table>
# Frequency of Criminal Offenses

for Sworn Officers Arrested

<table>
<thead>
<tr>
<th>Offense</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>all other offenses (unclassified)</td>
<td>114</td>
<td>16.4</td>
</tr>
<tr>
<td>driving under the influence</td>
<td>95</td>
<td>13.7</td>
</tr>
<tr>
<td>simple assault</td>
<td>75</td>
<td>10.8</td>
</tr>
<tr>
<td>aggravated assault</td>
<td>61</td>
<td>8.8</td>
</tr>
<tr>
<td>forcible fondling</td>
<td>59</td>
<td>8.5</td>
</tr>
<tr>
<td>forcible rape</td>
<td>40</td>
<td>5.8</td>
</tr>
<tr>
<td>drug / narcotic violation</td>
<td>38</td>
<td>5.5</td>
</tr>
<tr>
<td>weapons law violation</td>
<td>37</td>
<td>5.3</td>
</tr>
<tr>
<td>intimidation</td>
<td>36</td>
<td>5.2</td>
</tr>
<tr>
<td>all other larceny</td>
<td>35</td>
<td>5.0</td>
</tr>
<tr>
<td>liquor law violation</td>
<td>33</td>
<td>4.7</td>
</tr>
<tr>
<td>statutory rape</td>
<td>33</td>
<td>4.7</td>
</tr>
<tr>
<td>false report / statement</td>
<td>29</td>
<td>4.2</td>
</tr>
<tr>
<td>pornography / obscene material</td>
<td>29</td>
<td>4.2</td>
</tr>
<tr>
<td>other sex crime</td>
<td>28</td>
<td>4.0</td>
</tr>
<tr>
<td>forcible sodomy</td>
<td>26</td>
<td>3.7</td>
</tr>
<tr>
<td>Crime</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>murder &amp; non-negligent manslaughter</td>
<td>22</td>
<td>3.2</td>
</tr>
<tr>
<td>extortion / blackmail</td>
<td>21</td>
<td>3.0</td>
</tr>
<tr>
<td>bribery</td>
<td>19</td>
<td>2.7</td>
</tr>
<tr>
<td>kidnapping / abduction</td>
<td>18</td>
<td>2.6</td>
</tr>
<tr>
<td>on-line solicitation of a child</td>
<td>18</td>
<td>2.6</td>
</tr>
<tr>
<td>disorderly conduct</td>
<td>17</td>
<td>2.4</td>
</tr>
<tr>
<td>indecent exposure</td>
<td>16</td>
<td>2.3</td>
</tr>
<tr>
<td>civil rights violation</td>
<td>11</td>
<td>1.6</td>
</tr>
<tr>
<td>evidence: destroying / tampering</td>
<td>11</td>
<td>1.6</td>
</tr>
<tr>
<td>false pretenses/swindle/confidence game</td>
<td>11</td>
<td>1.6</td>
</tr>
<tr>
<td>robbery</td>
<td>11</td>
<td>1.6</td>
</tr>
<tr>
<td>burglary / breaking and entering</td>
<td>10</td>
<td>1.4</td>
</tr>
<tr>
<td>destruction / damage / vandalism</td>
<td>10</td>
<td>1.4</td>
</tr>
<tr>
<td>sexual assault with an object</td>
<td>9</td>
<td>1.3</td>
</tr>
<tr>
<td>gambling: operating / promoting</td>
<td>8</td>
<td>1.2</td>
</tr>
<tr>
<td>impersonation</td>
<td>8</td>
<td>1.2</td>
</tr>
<tr>
<td>theft from building</td>
<td>8</td>
<td>1.2</td>
</tr>
<tr>
<td>restraining order violation</td>
<td>7</td>
<td>1.0</td>
</tr>
<tr>
<td>drunkenness</td>
<td>6</td>
<td>.9</td>
</tr>
<tr>
<td>Crime</td>
<td>n</td>
<td>%</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>embezzlement</td>
<td>6</td>
<td>.9</td>
</tr>
<tr>
<td>prostitution</td>
<td>6</td>
<td>.9</td>
</tr>
<tr>
<td>arson</td>
<td>5</td>
<td>.7</td>
</tr>
<tr>
<td>negligent manslaughter</td>
<td>5</td>
<td>.7</td>
</tr>
<tr>
<td>counterfeiting / forgery</td>
<td>4</td>
<td>.6</td>
</tr>
<tr>
<td>shoplifting</td>
<td>4</td>
<td>.6</td>
</tr>
<tr>
<td>stolen property offenses</td>
<td>4</td>
<td>.6</td>
</tr>
<tr>
<td>trespass of real property</td>
<td>4</td>
<td>.6</td>
</tr>
<tr>
<td>drug equipment violation</td>
<td>3</td>
<td>.4</td>
</tr>
<tr>
<td>credit card / atm fraud</td>
<td>2</td>
<td>.3</td>
</tr>
<tr>
<td>family offense, non-violent</td>
<td>2</td>
<td>.3</td>
</tr>
<tr>
<td>incest</td>
<td>2</td>
<td>.3</td>
</tr>
<tr>
<td>liquor law violation</td>
<td>2</td>
<td>.3</td>
</tr>
<tr>
<td>motor vehicle theft</td>
<td>2</td>
<td>.3</td>
</tr>
<tr>
<td>pocket-picking</td>
<td>1</td>
<td>.1</td>
</tr>
<tr>
<td>theft from motor vehicle</td>
<td>1</td>
<td>.1</td>
</tr>
<tr>
<td>theft of motor vehicle parts</td>
<td>1</td>
<td>.1</td>
</tr>
<tr>
<td>wire fraud</td>
<td>1</td>
<td>.1</td>
</tr>
<tr>
<td>wiretapping, illegal</td>
<td>1</td>
<td>.1</td>
</tr>
</tbody>
</table>
On-Duty Crimes:
Drug / Narcotic Offenses

Drug / Narcotic Violations (n = 32)

- On-Duty: 44%
- Off-Duty: 56%
## On-Duty Sex Crimes

<table>
<thead>
<tr>
<th>Crime</th>
<th>On-Duty</th>
<th>Off-Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n</td>
<td>(%)</td>
</tr>
<tr>
<td>Sexual assault with an Object</td>
<td>6</td>
<td>(75.0)</td>
</tr>
<tr>
<td>Forcible Fondling</td>
<td>30</td>
<td>(51.7)</td>
</tr>
<tr>
<td>Prostitution</td>
<td>3</td>
<td>(50.0)</td>
</tr>
<tr>
<td>Forcible Sodomy</td>
<td>13</td>
<td>(50.0)</td>
</tr>
<tr>
<td>Forcible Rape</td>
<td>17</td>
<td>(43.6)</td>
</tr>
<tr>
<td>Pornography/Obscene Material</td>
<td>10</td>
<td>(35.7)</td>
</tr>
<tr>
<td>Indecent Exposure</td>
<td>3</td>
<td>(18.8)</td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>5</td>
<td>(17.2)</td>
</tr>
<tr>
<td>On-Line Solicitation of a Child</td>
<td>0</td>
<td>(0.0)</td>
</tr>
</tbody>
</table>
On-Duty Crimes: Driving Under the Influence

On-Duty: 91%
Off-Duty: 9%

DUI / DWI (n = 94)
Agency Type: Extortion / Blackmail

Extortion / Blackmail (n = 21)

- Primary State Police Agencies: 61%
- Sheriff's Departments: 14%
- County Police Departments: 5%
- Municipal Police Departments: 10%
- Special Police Departments: 10%
- Tribal Police Departments: 10%
Agency Type: Driving Under the Influence

DUI / DWI (n = 95)

- Primary State Police Agencies: 76%
- Sheriff's Departments: 1%
- County Police Departments: 3%
- Municipal Police Departments: 3%
- Special Police Departments: 1%
- Tribal Police Departments: 1%
Agency Type: On-Line Solicitation of a Child

On-Line Solicitation of a Child (n = 18)

- 71% Primary State Police Agencies
- 17% Sheriff's Departments
- 6% County Police Departments
- 6% Municipal Police Departments
- 6% Special Police Departments
- 6% Tribal Police Departments
Agency Type: Forcible Rape

Forcible Rape (n = 40)

- Primary State Police Agencies: 79%
- Sheriff's Departments: 10%
- County Police Departments: 8%
- Municipal Police Departments: 3%
- Special Police Departments: 3%
- Tribal Police Departments: 10%
# of Sworn Personnel in Agency: Intimidation & Assault

<table>
<thead>
<tr>
<th># of Sworn Personnel in Agency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Sworn</td>
<td>Intimidation (n = 30)</td>
</tr>
<tr>
<td>2-4 Sworn</td>
<td>Simple Assault (n = 73)</td>
</tr>
<tr>
<td>5-9 Sworn</td>
<td>Aggravated Assault (n = 58)</td>
</tr>
<tr>
<td>10-24 Sworn</td>
<td></td>
</tr>
<tr>
<td>25-49 Sworn</td>
<td></td>
</tr>
<tr>
<td>50-99 Sworn</td>
<td></td>
</tr>
<tr>
<td>100-249 Sworn</td>
<td></td>
</tr>
<tr>
<td>250-499 Sworn</td>
<td></td>
</tr>
<tr>
<td>500-999 Sworn</td>
<td></td>
</tr>
<tr>
<td>1000+ Sworn</td>
<td></td>
</tr>
</tbody>
</table>

Legend:
- Intimidation (n = 30)
- Simple Assault (n = 73)
- Aggravated Assault (n = 58)
Age of Officer at Arrest:
False Reports, Obstructing Justice & Destroying/Tampering with Evidence

<table>
<thead>
<tr>
<th>Age at Arrest</th>
<th>False Report / Statement (n = 19)</th>
<th>Obstructing Justice (n = 22)</th>
<th>Destroying / Tampering Evidence (n = 9)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ages 20-23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 24-27</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 28-31</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 32-35</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 36-39</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 40-43</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 44-47</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 48-51</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 52-55</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ages 56+</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Age of Officer at Arrest: Extortion, Bribery & Embezzlement

![Bar chart showing the age at arrest for officers involved in various offenses, with age groups ranging from 20-23 to 56+ and categories for Extortion / Blackmail (n = 16), Bribery (n = 16), and Embezzlement (n = 5).]
Years of Service at Arrest: Disorderly Conduct, Vandalism & Weapons Law Violations

- Disorderly Conduct (n = 8)
- Vandalism / Destruction of Property (n = 7)
- Weapons Law Violations (n = 21)
Years of Service at Arrest: Intimidation, Assault & Murder

- Intimidation (n = 19)
- Simple Assault (n = 31)
- Aggravated Assault (n = 33)
- Murder & Non-Negligent Manslaughter (n = 15)
Years of Service at Arrest:
Forcible Rape, Sodomy & Fondling

<table>
<thead>
<tr>
<th>Years of Service at Arrest</th>
<th>Forcible Rape (n = 27)</th>
<th>Forcible Sodomy (n = 19)</th>
<th>Forcible Fondling (n = 48)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-2 yrs</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>3-5 yrs</td>
<td>25%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>6-8 yrs</td>
<td>10%</td>
<td>20%</td>
<td>20%</td>
</tr>
<tr>
<td>9-11 yrs</td>
<td>5%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>12-14 yrs</td>
<td>0%</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>15-17 yrs</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>18-20 yrs</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>21-23 yrs</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>24-26 yrs</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>27+ yrs</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>
Years of Service at Arrest: Statutory Rape, On-Line Solicitation of a Child & Pornography

The chart illustrates the distribution of years of service at arrest for individuals arrested for statutory rape, online solicitation of a child, and pornography. The data is presented for different age groups:

- **Statutory Rape (n = 19)**
- **On-Line Child Solicitation (n = 13)**
- **Pornography (n = 22)**

The chart shows the percentage of individuals in each age group for each type of offense.
Gender: Officers charged with Aggravated Assault

- **Aggravated Assault (n = 61)**
  - Female Officers: 8%
  - Male Officers: 92%
Gender: Officers charged with Burglary

Burglary / Breaking & Enter (n = 10)

- 80% Male Officers
- 20% Female Officers

Legend:
- Female Officers
- Male Officers
Gender: Officers charged with Shoplifting

Shoplifting (n = 4)

50% Female Officers
50% Male Officers
Sworn Officers Arrested for Driving Under the Influence

n = 95

Sworn Officers Arrested for Driving Under the Influence

5.3%

8.4%

6.3%

24.2%

21.1%

13.7%

6.3%
Sworn Officers Arrested for Drug / Narcotic Offenses

n = 38

2.6%

2.6%

13.2%

5.3%

18.4%

23.7%

15.8%

15.8%
Sworn Officers Arrested for Burglary / Breaking & Entering

n = 10

- 10%
- 10%
- 10%
- 10%
- 10%
- 10%
- 10%
- 10%
- 10%
- 10%

30%
Sworn Officers Arrested for Extortion / Blackmail

n = 21

9.5%

4.8%

61.9%

14.3%

9.5%
Sworn Officers Arrested for Forcible Fondling

n = 59

- Pacific: 3.4%
- Mountain: 5.1%
- West North Central: 3.4%
- Midwest: 3.4%
- East North Central: 11.9%
- East South Central: 25.4%
- South: 15.3%
- South Atlantic: 3.4%
- Middle Atlantic: 32.2%
- New England: 25.4%
- Northeast: 32.2%
Sworn Officers Arrested for Statutory Rape

n = 33

15.2%

33.3%

30.3%

6.1%

6.1%

15.2%

33.3%

30.3%

6.1%
Sworn Officers Arrested for Kidnapping / Abduction

n = 18

50%

5.6%

5.6%

5.6%

11.1%

22.2%
Sworn Officers Arrested for Robbery

n = 11

36.4%

9.1%
Sworn Officers Arrested for Murder & Non-Negligent Manslaughter

n = 22

9.1%

22.7%

31.8%

4.5%

9.1%

13.6%

9.1%

9.1%
Redefinition: What is Police Crime?

- “It is very difficult in practice to draw a bright line that clearly delineates police crime” (Fyfe & Kane, 2006)
- “The factor which distinguishes police crime is the commission of the crime while on the job or by using some aspect of the occupational position to carry out the illegality” (Kappeler, et al. 1998, pp. 20-21).
- Aspects of the occupational position include, but are not limited to:
  • Police training
  • Police culture/subculture
  • Police Code of Silence
  • Seduction of Crime vs. Slippery Slope
  • Police are immune from law enforcement
- Most crime committed by law enforcement officers is police crime.
Recommendations for Future Research

• Continue data collection for an additional 18 months
  – January, 2005 – December, 2007 (36 months total)
  – Will the patterns hold with more cases?
  – Analyze data on victims

• Gather available data for use as dependent variables in logistic regression analyses
  – CALEA accreditation status
  – Agencies’ hiring, minimum education, and training requirements

• Generate a random sample from the population of cases for in-depth research
  – Qualitative analysis?
  – Review of court case files to develop more data (especially interested in patterns in case dispositions (e.g., convictions, plea bargains, acquittals, dismissals)
  – Are officers keeping their jobs after being arrested?