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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

*Bowling Green State University*, [stinspm@bgsu.edu](mailto:stinspm@bgsu.edu)

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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)
  - Pennsylvania Crime Commission (1974)
  - 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

	<u>n</u>	<u>M</u>	<u>SD</u>	<u>Min/Max</u>
Age	535	36.43	8.084	20-64
Yrs Service	414	9.51	7.434	0-36

	<u>n</u>	<u>Male</u>	<u>Female</u>
Gender	695	663 (95.4)	32 (4.6)

# Frequency of Criminal Offenses for Sworn Officers Arrested

N = 695

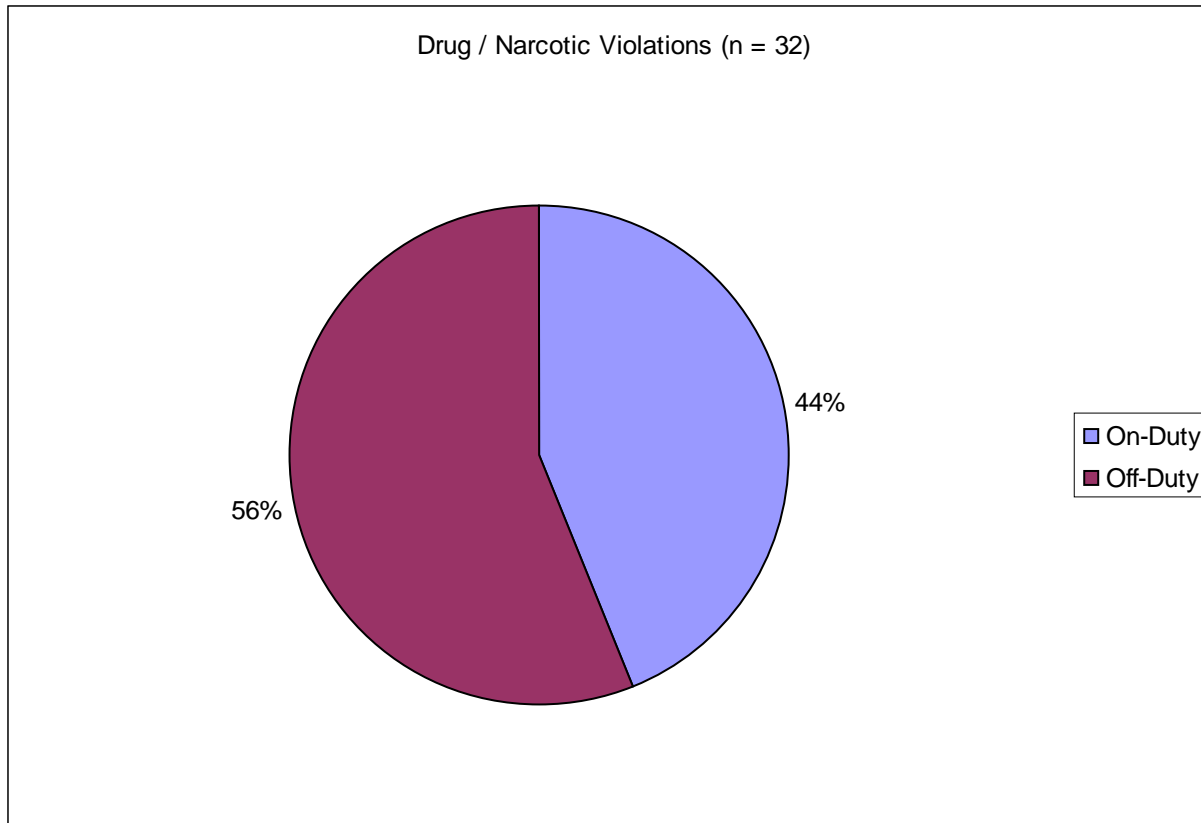
	n	%	
all other offenses (unclassified)	114	16.4	
driving under the influence	95	13.7	D/A
simple assault	75	10.8	V
aggravated assault	61	8.8	V
forcible fondling	59	8.5	S, V
forcible rape	40	5.8	S, V
drug / narcotic violation	38	5.5	D/A
weapons law violation	37	5.3	V
intimidation	36	5.2	V
all other larceny	35	5.0	G
liquor law violation	33	4.7	D/A
statutory rape	33	4.7	S
false report / statement	29	4.2	G
pornography / obscene material	29	4.2	S
other sex crime	28	4.0	S
forcible sodomy	26	3.7	S, V

	n	%	
murder & non-negligent manslaughter	22	3.2	V
extortion / blackmail	21	3.0	G
bribery	19	2.7	G
kidnapping / abduction	18	2.6	V
on-line solicitation of a child	18	2.6	S
disorderly conduct	17	2.4	V
indecent exposure	16	2.3	S
civil rights violation	11	1.6	
evidence: destroying / tampering	11	1.6	
false pretenses/swindle/confidence game	11	1.6	G
robbery	11	1.6	V
burglary / breaking and entering	10	1.4	G
destruction / damage / vandalism	10	1.4	V
sexual assault with an object	9	1.3	S, V
gambling: operating / promoting	8	1.2	G
impersonation	8	1.2	G
theft from building	8	1.2	G
restraining order violation	7	1.0	V
drunkenness	6	.9	D/A

	n	%	
embezzlement	6	.9	G
prostitution	6	.9	S
arson	5	.7	V
negligent manslaughter	5	.7	
counterfeiting / forgery	4	.6	G
shoplifting	4	.6	G
stolen property offenses	4	.6	G
trespass of real property	4	.6	
drug equipment violation	3	.4	D/A
credit card / atm fraud	2	.3	G
family offense, non-violent	2	.3	
incest	2	.3	S
liquor law violation	2	.3	D/A
motor vehicle theft	2	.3	G
pocket-picking	1	.1	G
theft from motor vehicle	1	.1	G
theft of motor vehicle parts	1	.1	G
wire fraud	1	.1	G
wiretapping, illegal	1	.1	



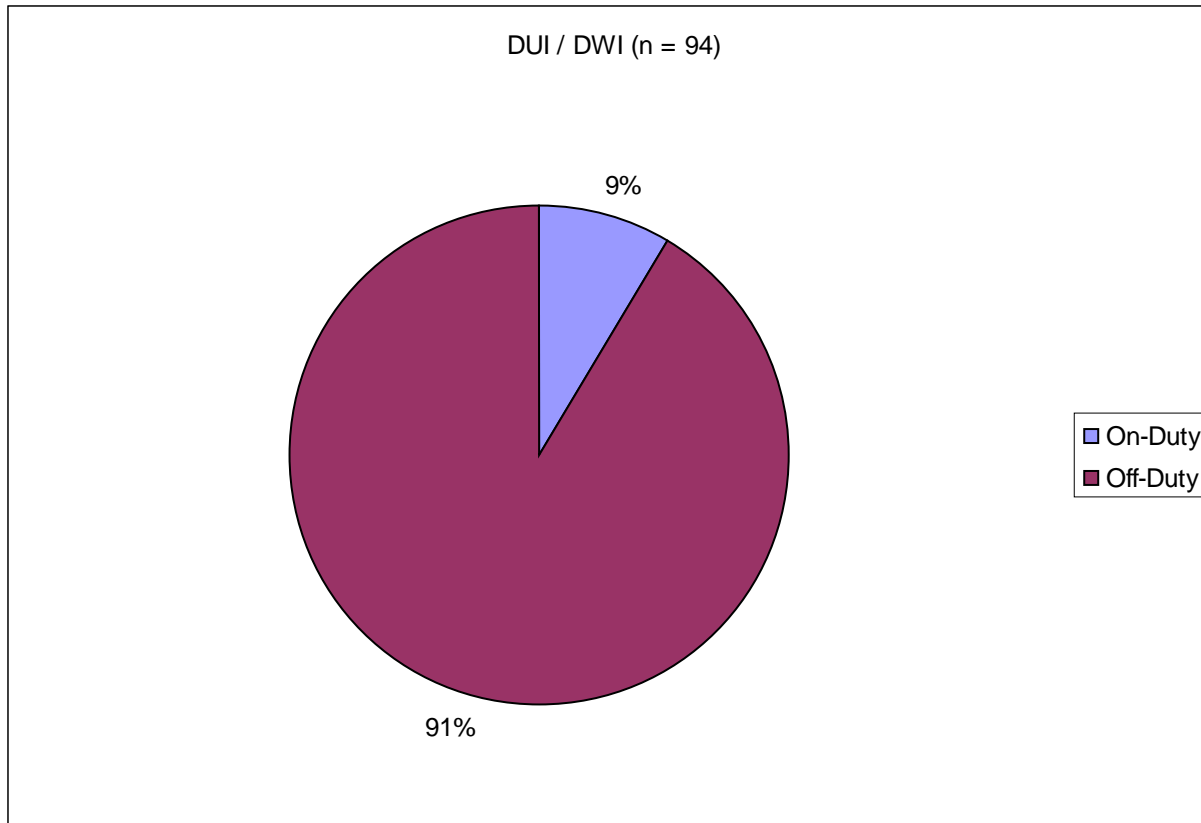
# On-Duty Crimes: Drug / Narcotic Offenses



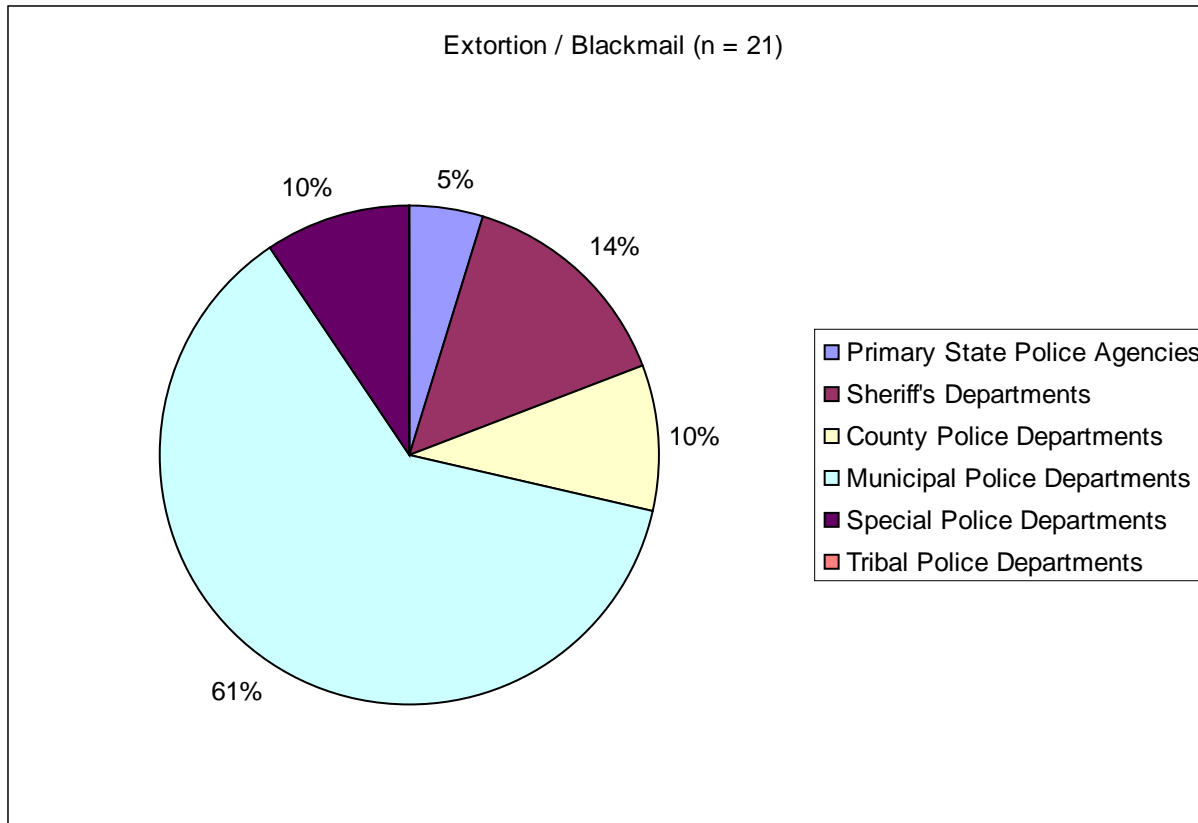
# On-Duty Sex Crimes

	<i>On-Duty</i>		<i>Off-Duty</i>	
	<u>n</u>	<u>(%)</u>	<u>n</u>	<u>(%)</u>
Sexual assault with an Object	6	(75.0)	2	(25.0)
Forcible Fondling	30	(51.7)	28	(48.3)
Prostitution	3	(50.0)	3	(50.0)
Forcible Sodomy	13	(50.0)	13	(50.0)
Forcible Rape	17	(43.6)	22	(56.4)
Pornography/Obscene Material	10	(35.7)	18	(64.3)
Indecent Exposure	3	(18.8)	13	(81.3)
Statutory Rape	5	(17.2)	24	(82.8)
On-Line Solicitation of a Child	0	(0.0)	16	(100)

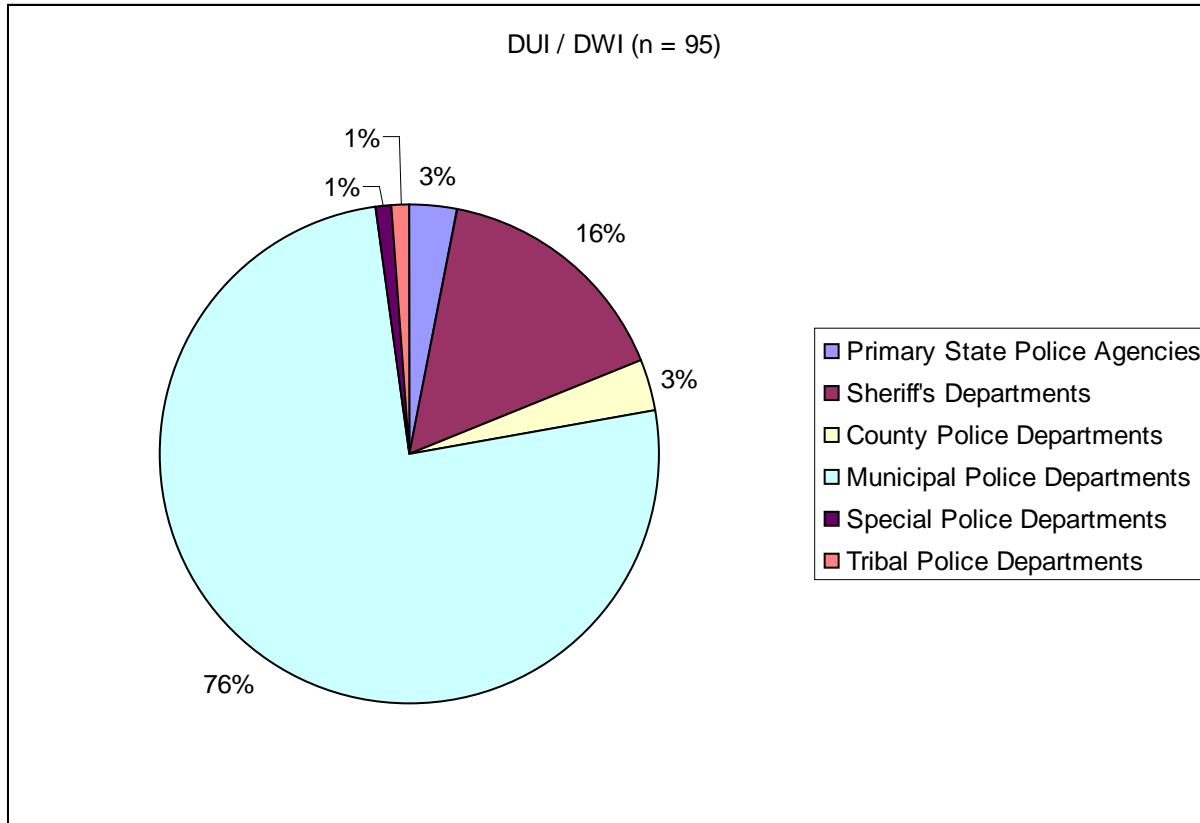
# On-Duty Crimes: Driving Under the Influence



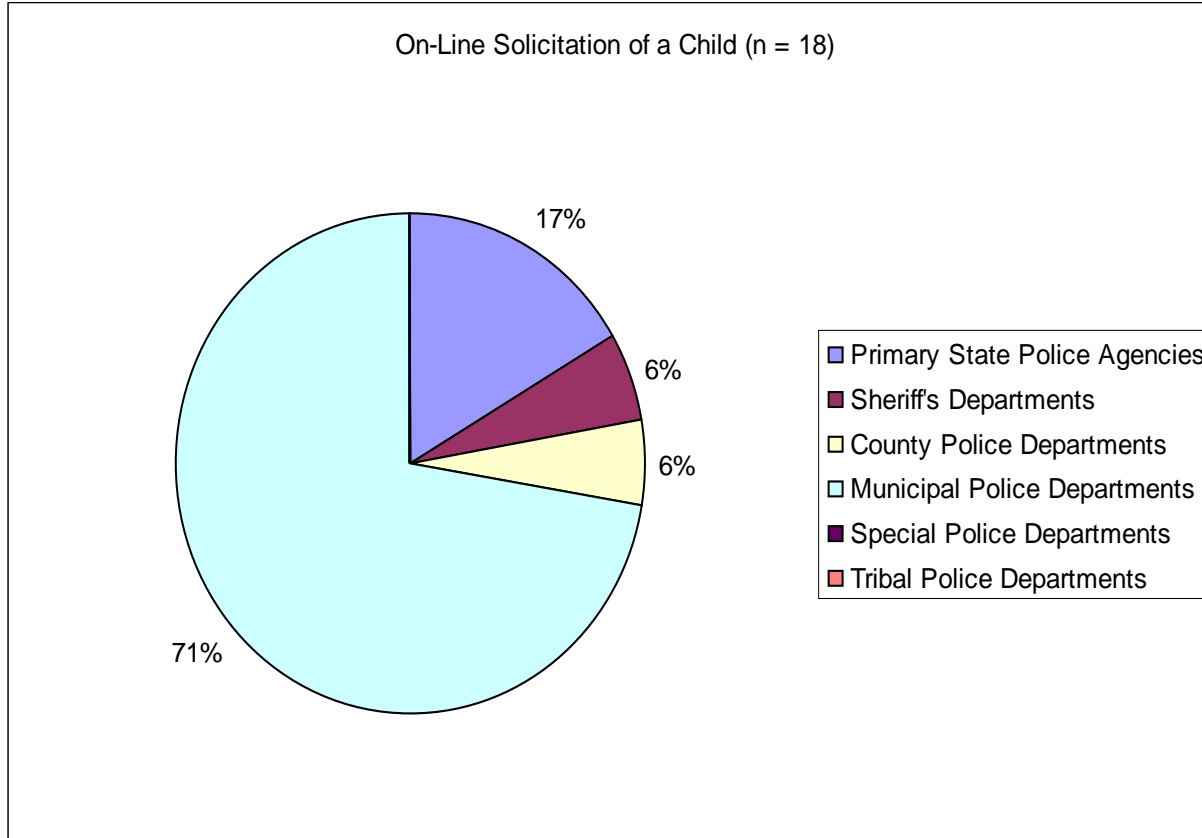
# Agency Type: Extortion / Blackmail



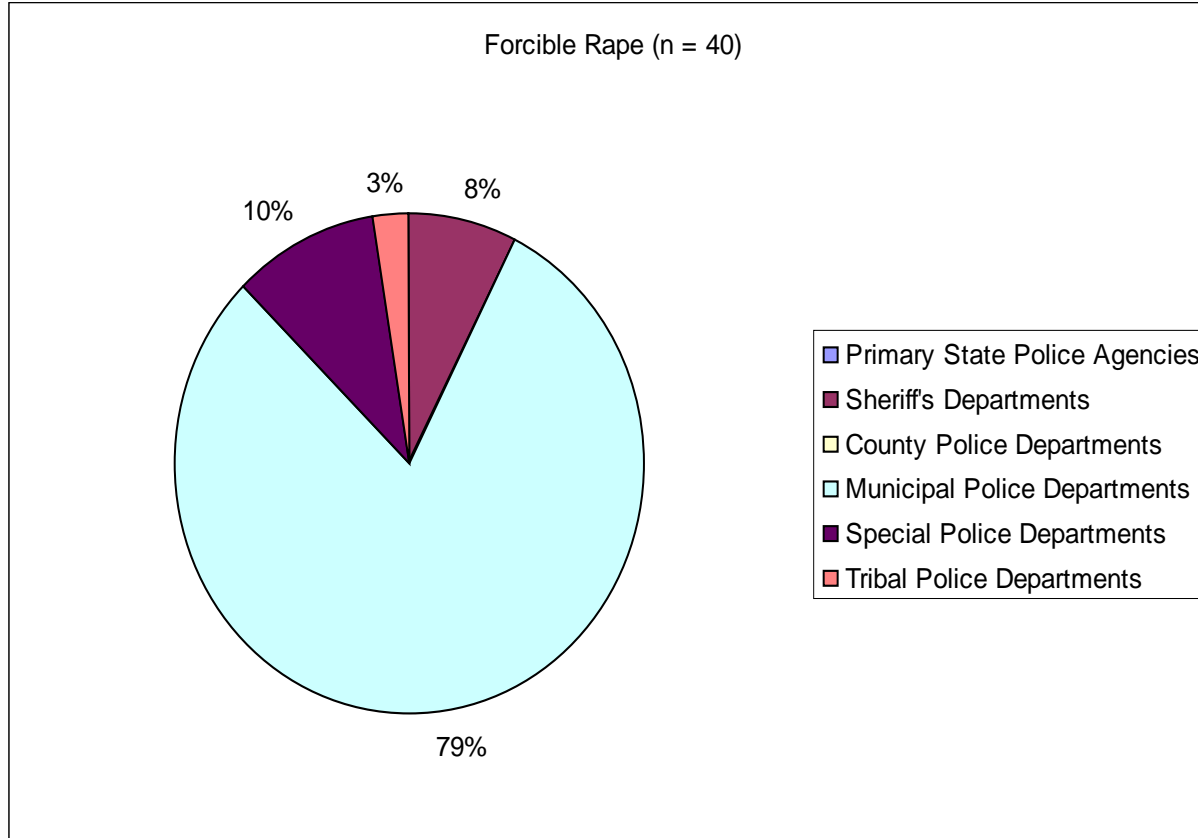
# Agency Type: Driving Under the Influence



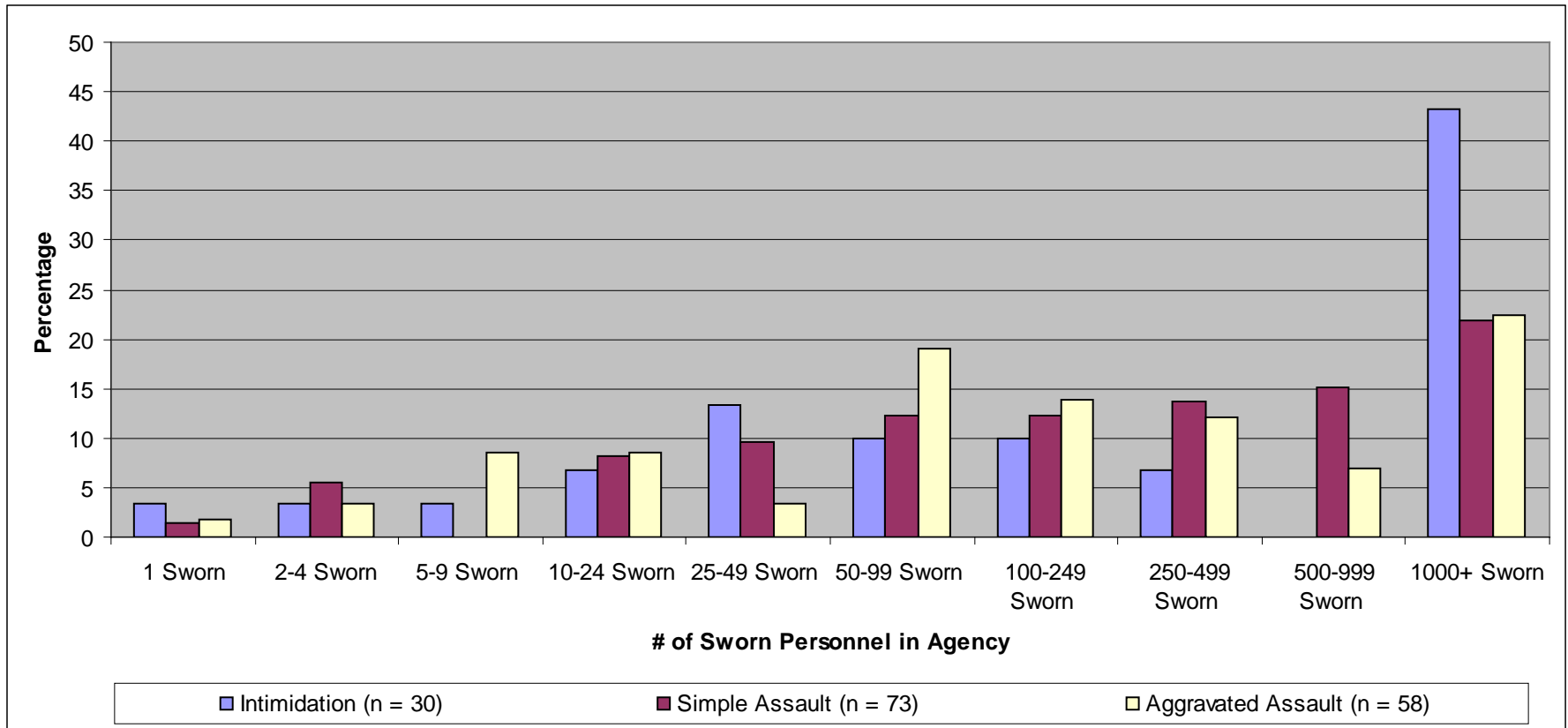
# Agency Type: On-Line Solicitation of a Child



# Agency Type: Forcible Rape

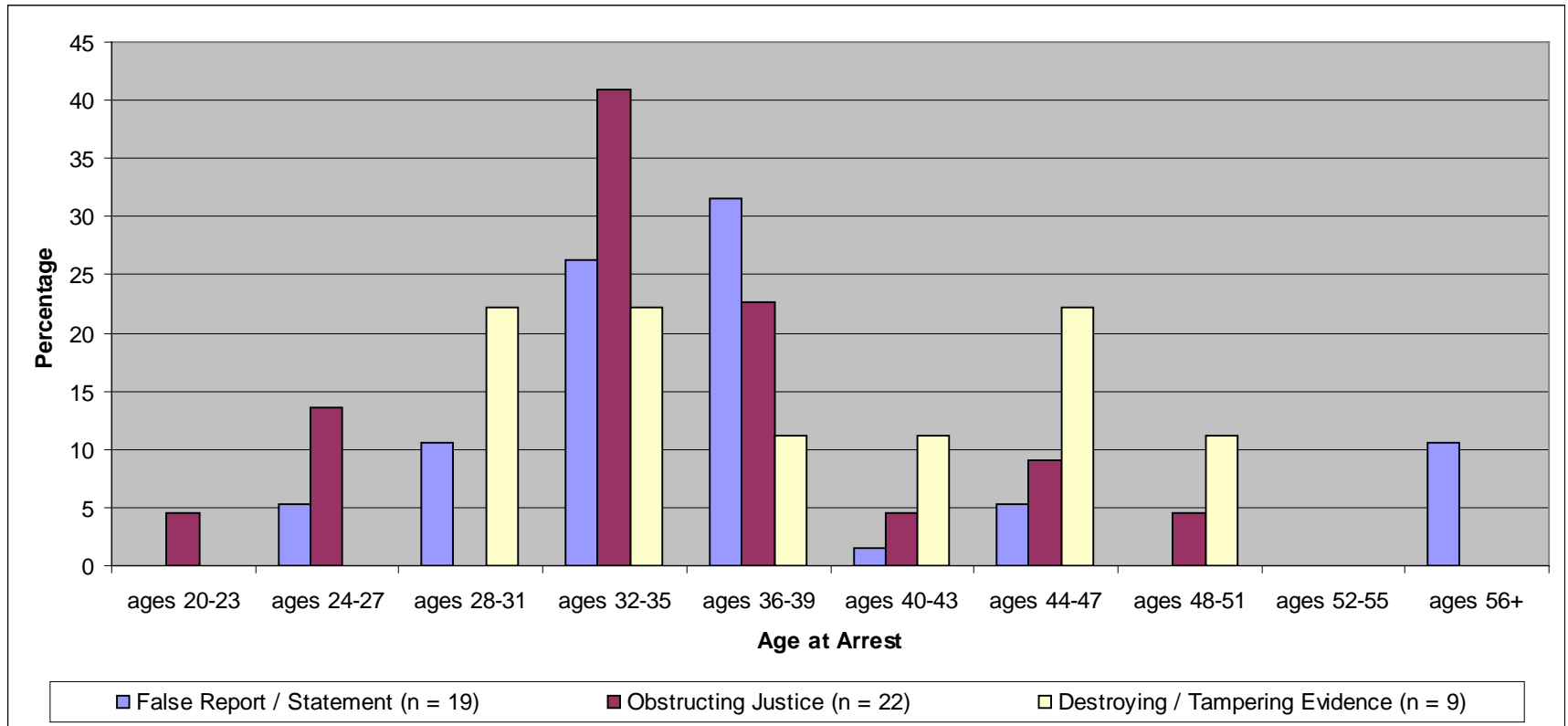


# # of Sworn Personnel in Agency: Intimidation & Assault

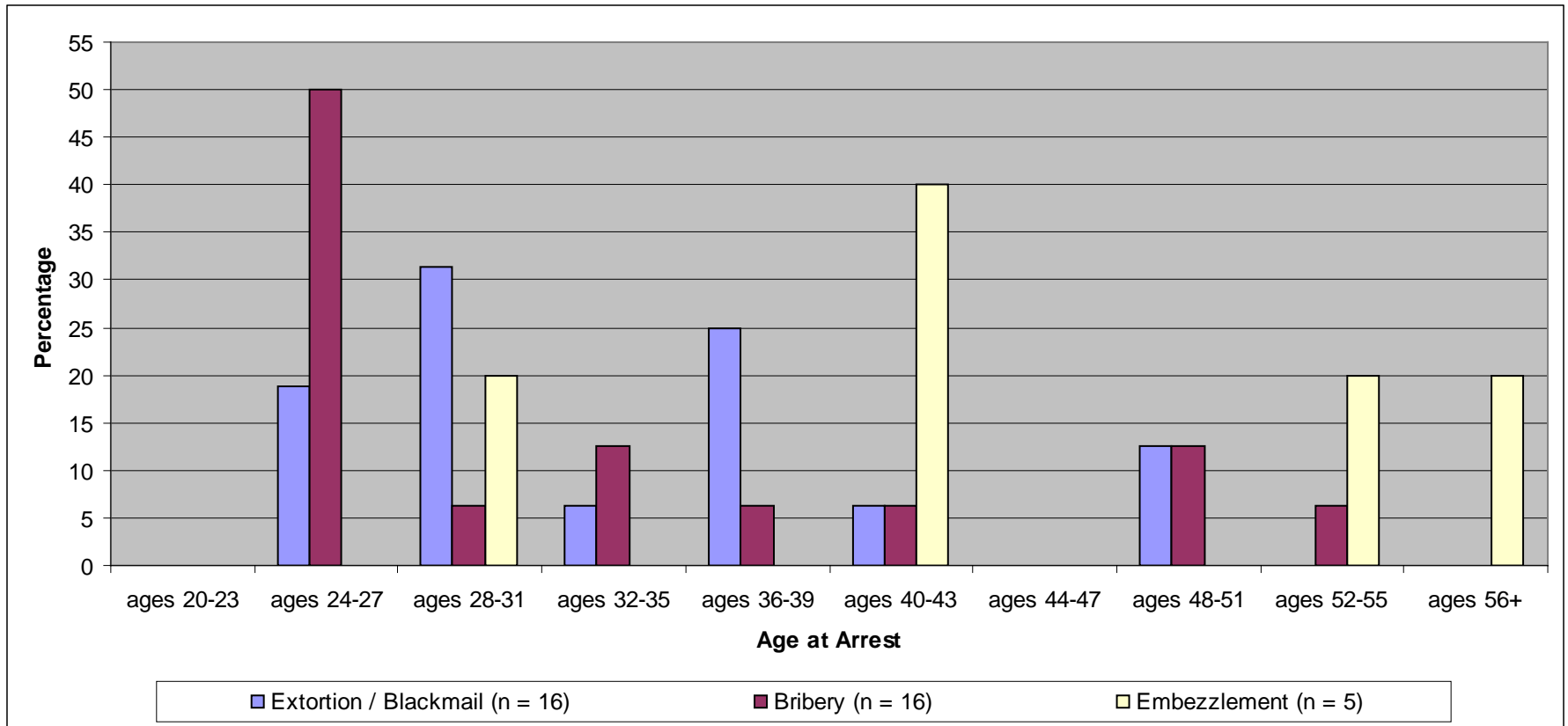




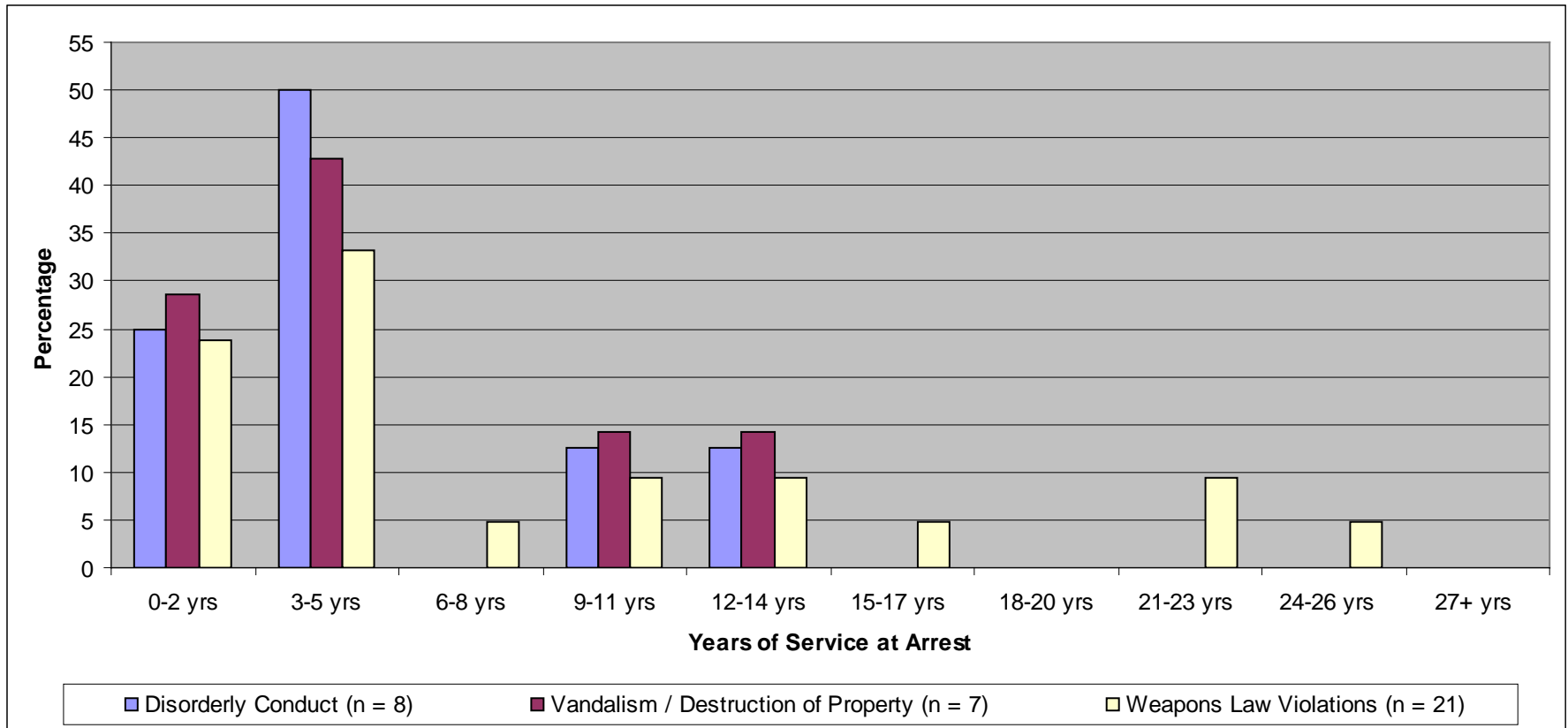
# Age of Officer at Arrest: False Reports, Obstructing Justice & Destroying/Tampering with Evidence



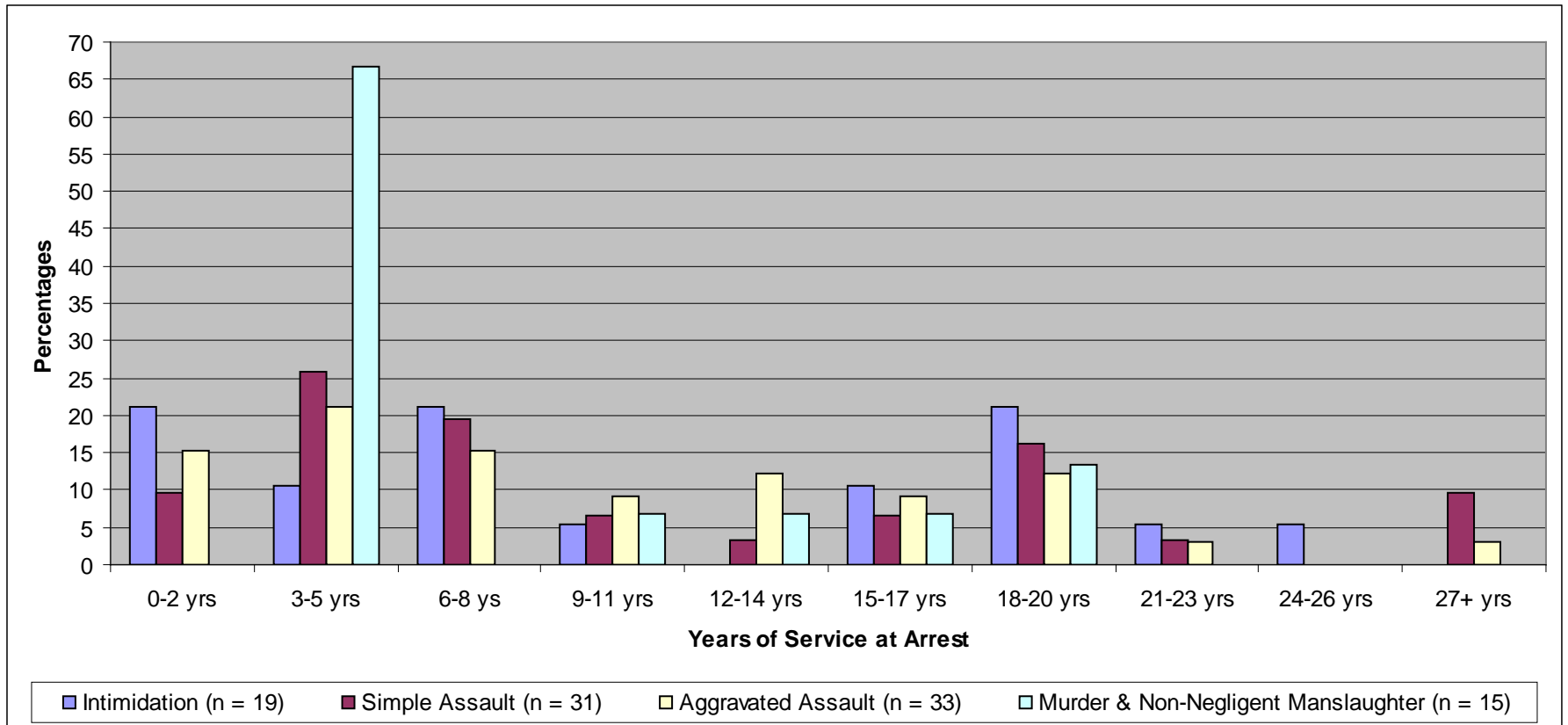
# Age of Officer at Arrest: Extortion, Bribery & Embezzlement



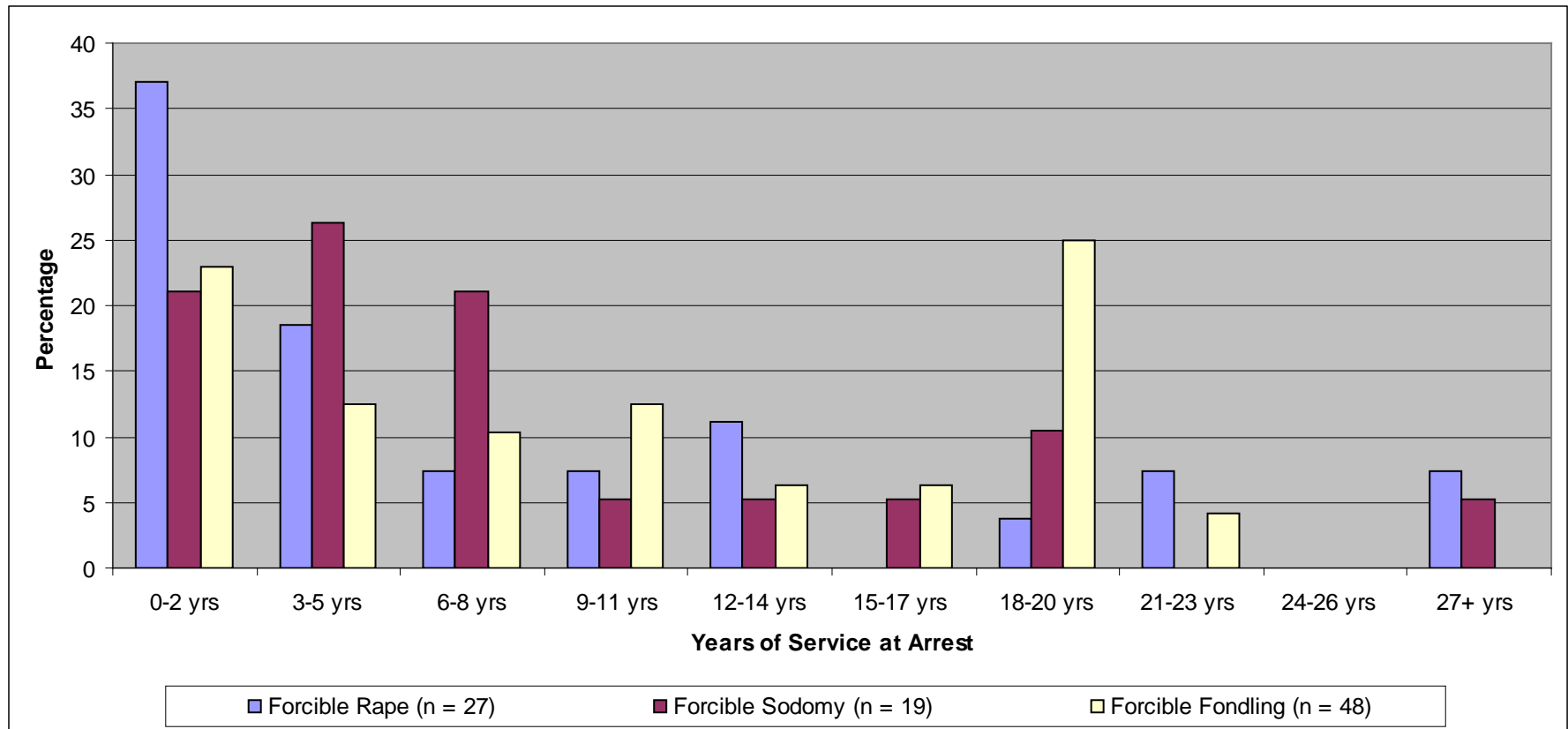
# Years of Service at Arrest: Disorderly Conduct, Vandalism & Weapons Law Violations



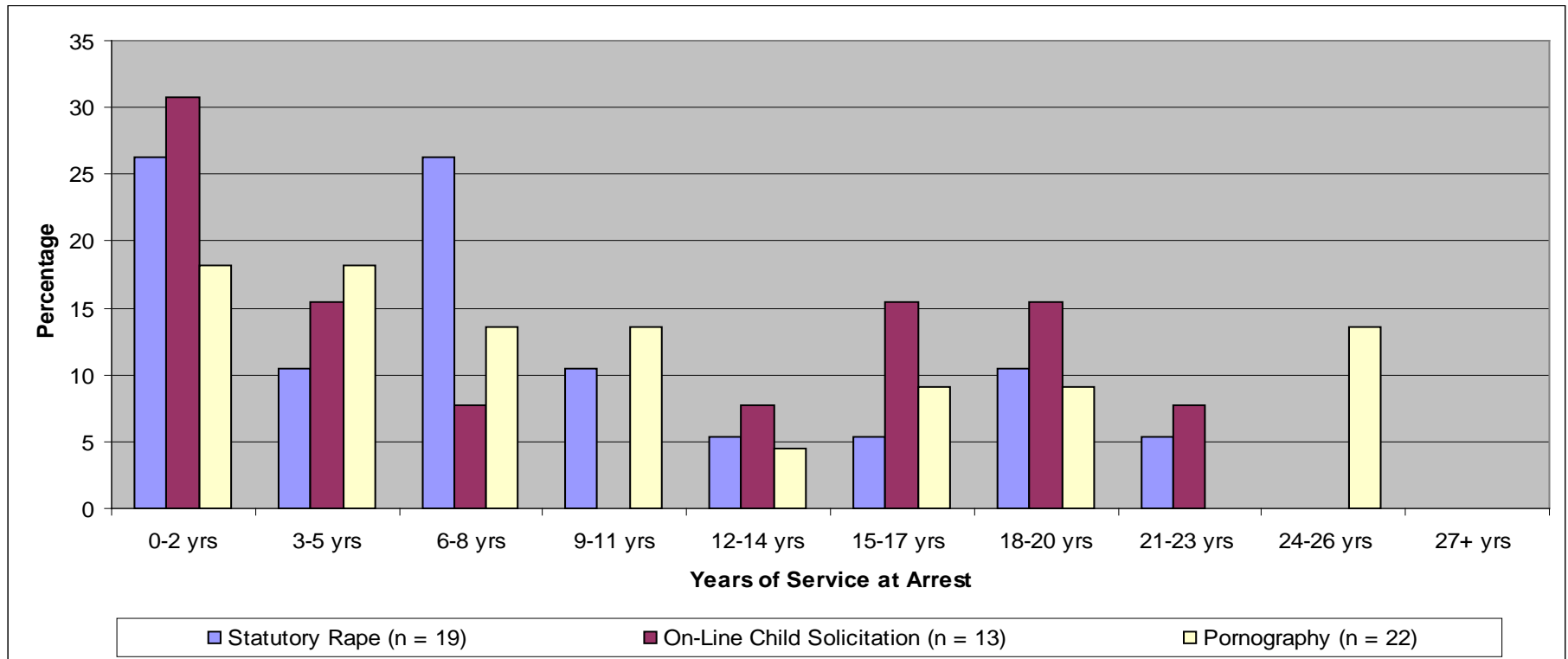
# Years of Service at Arrest: Intimidation, Assault & Murder



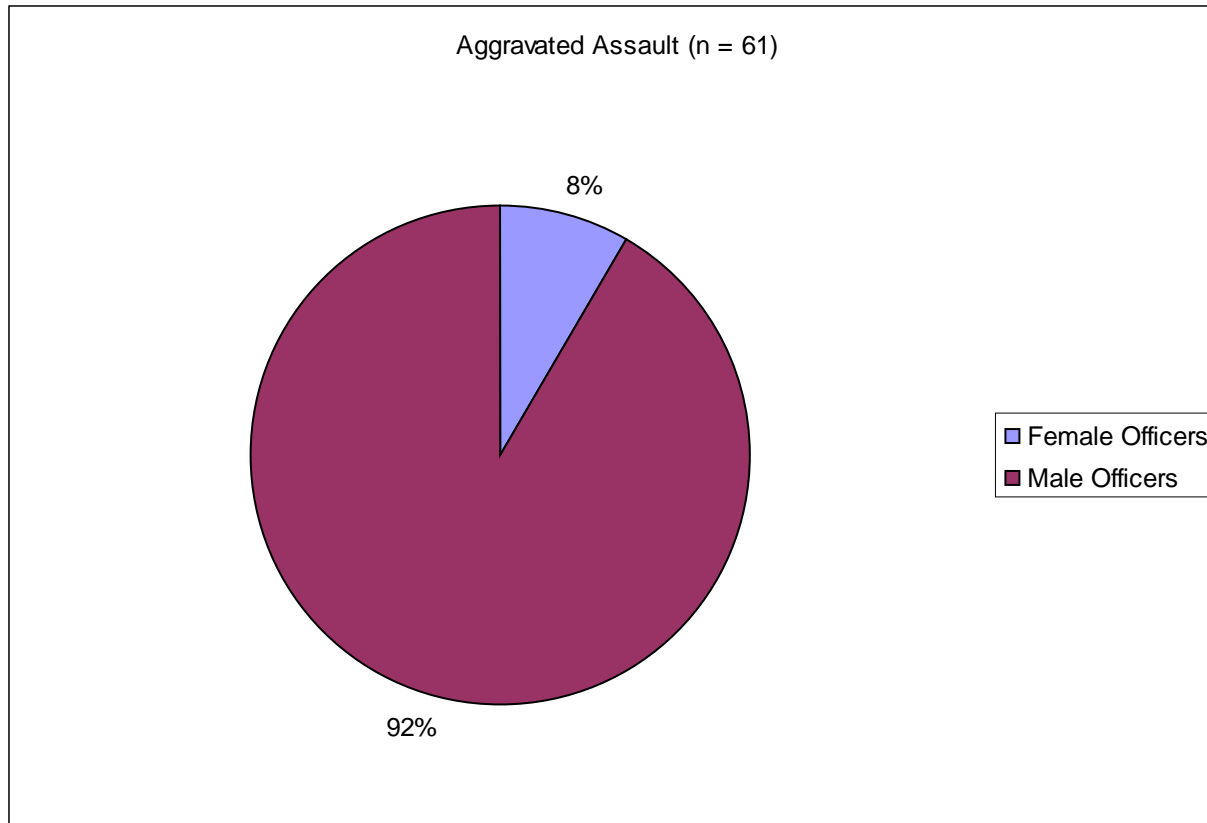
# Years of Service at Arrest: Forcible Rape, Sodomy & Fondling



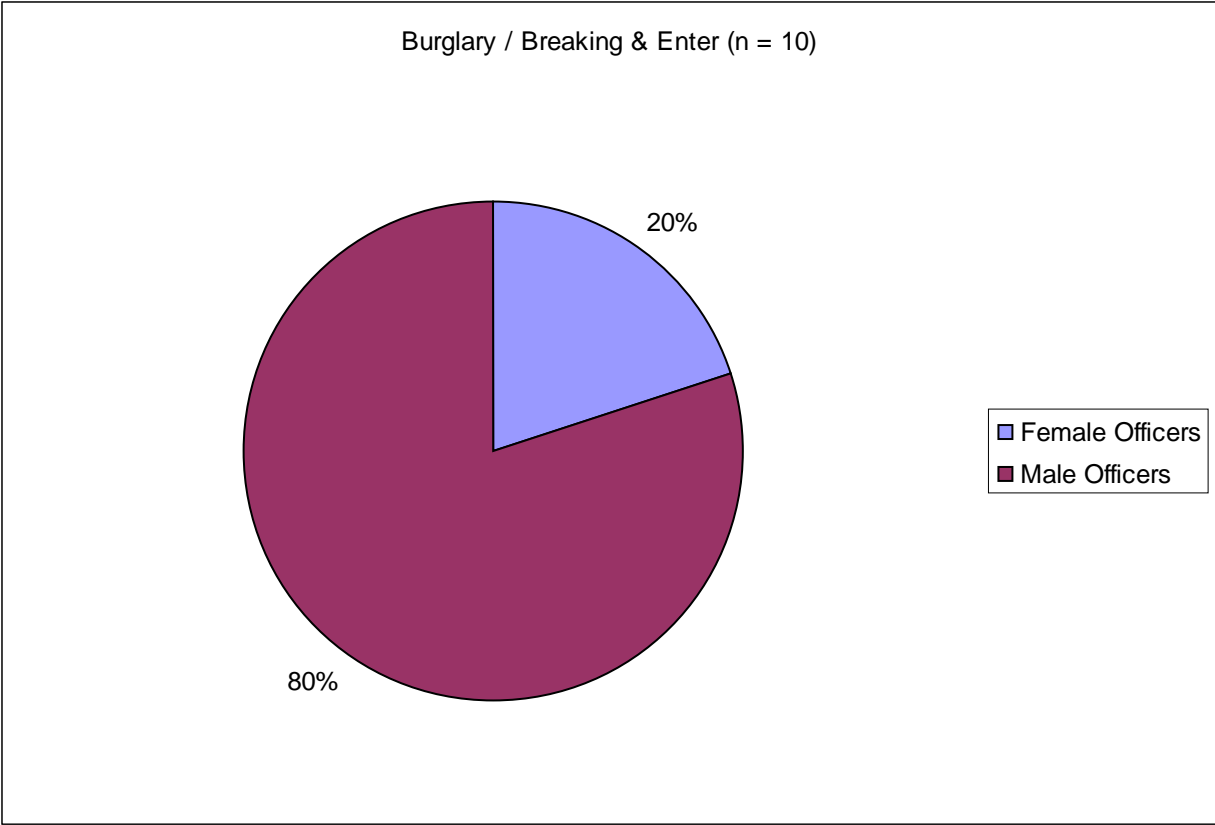
# Years of Service at Arrest: Statutory Rape, On-Line Solicitation of a Child & Pornography



# Gender: Officers charged with Aggravated Assault

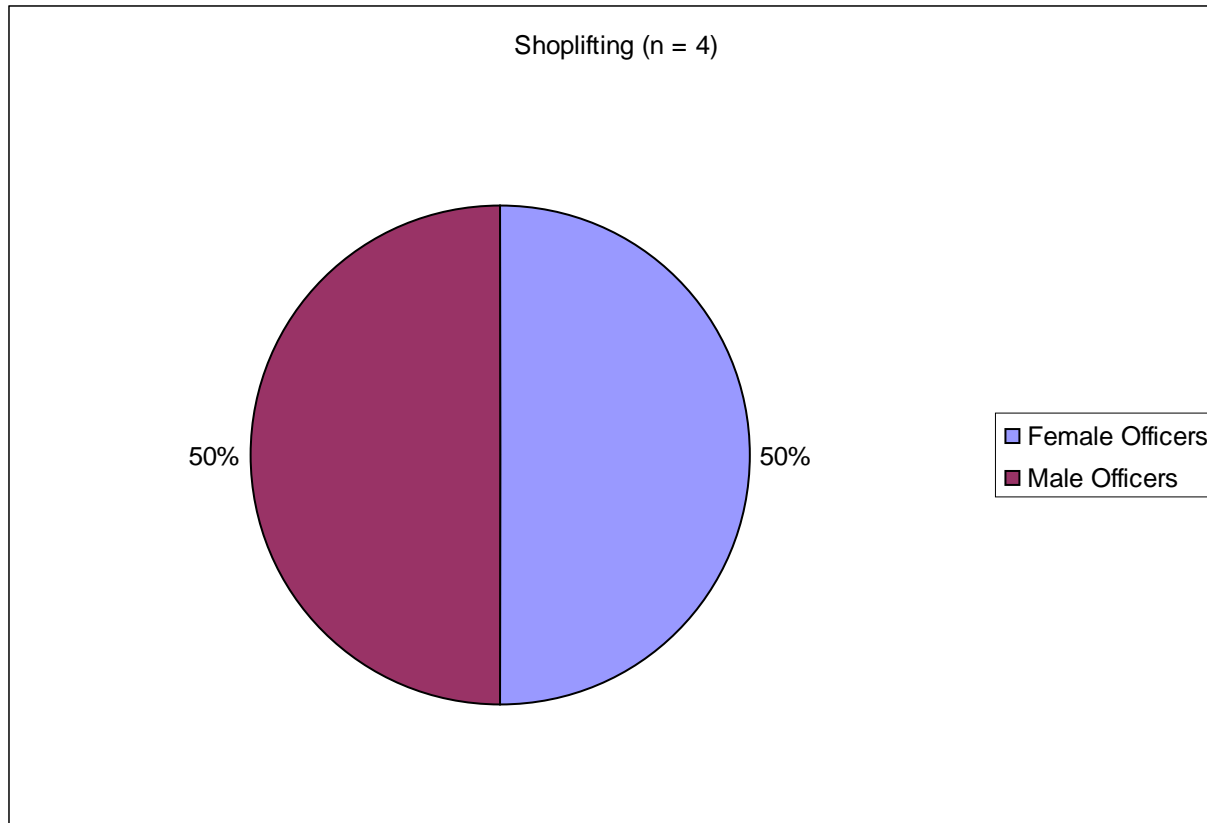


# Gender: Officers charged with Burglary



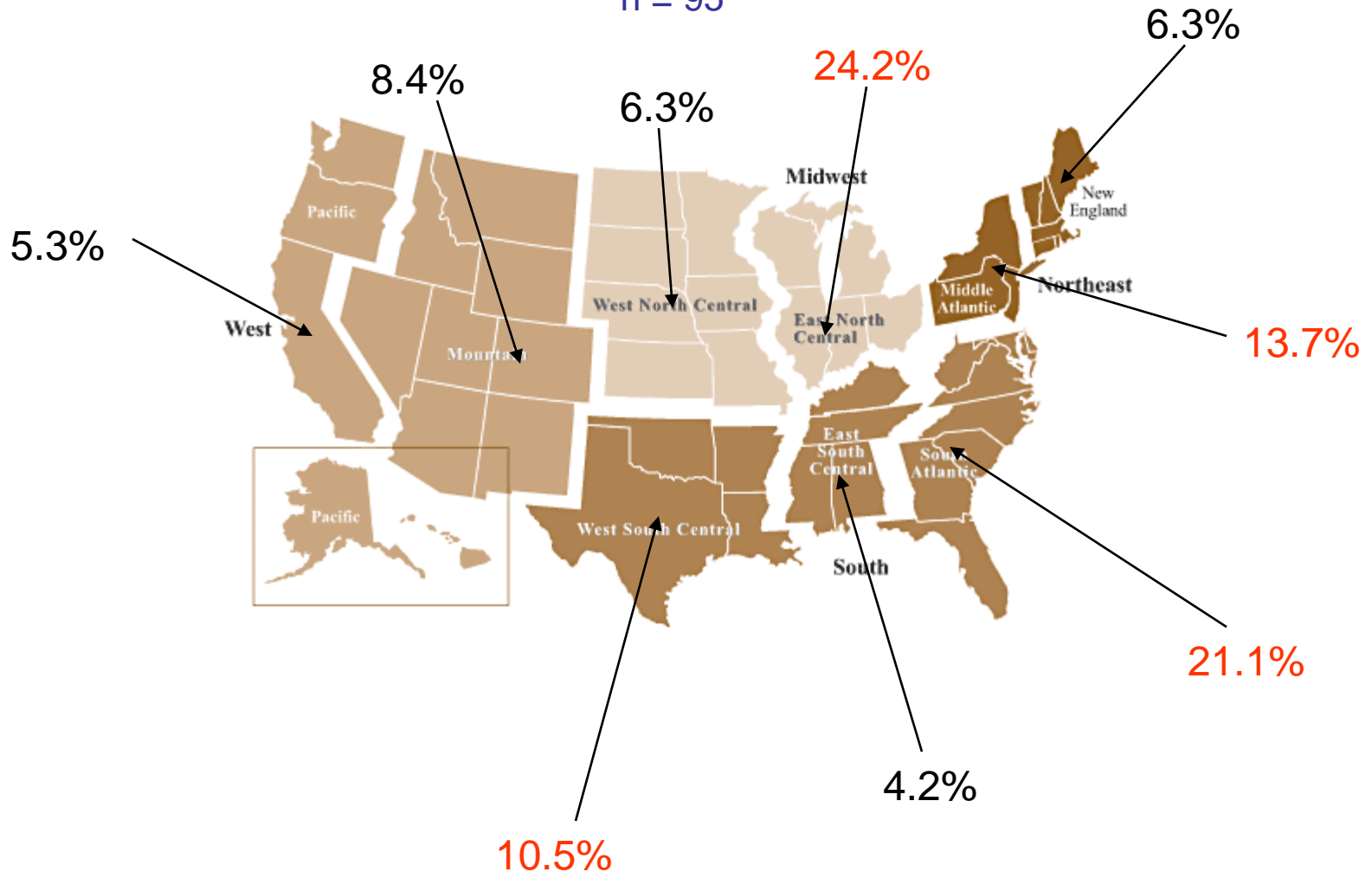


# Gender: Officers charged with Shoplifting



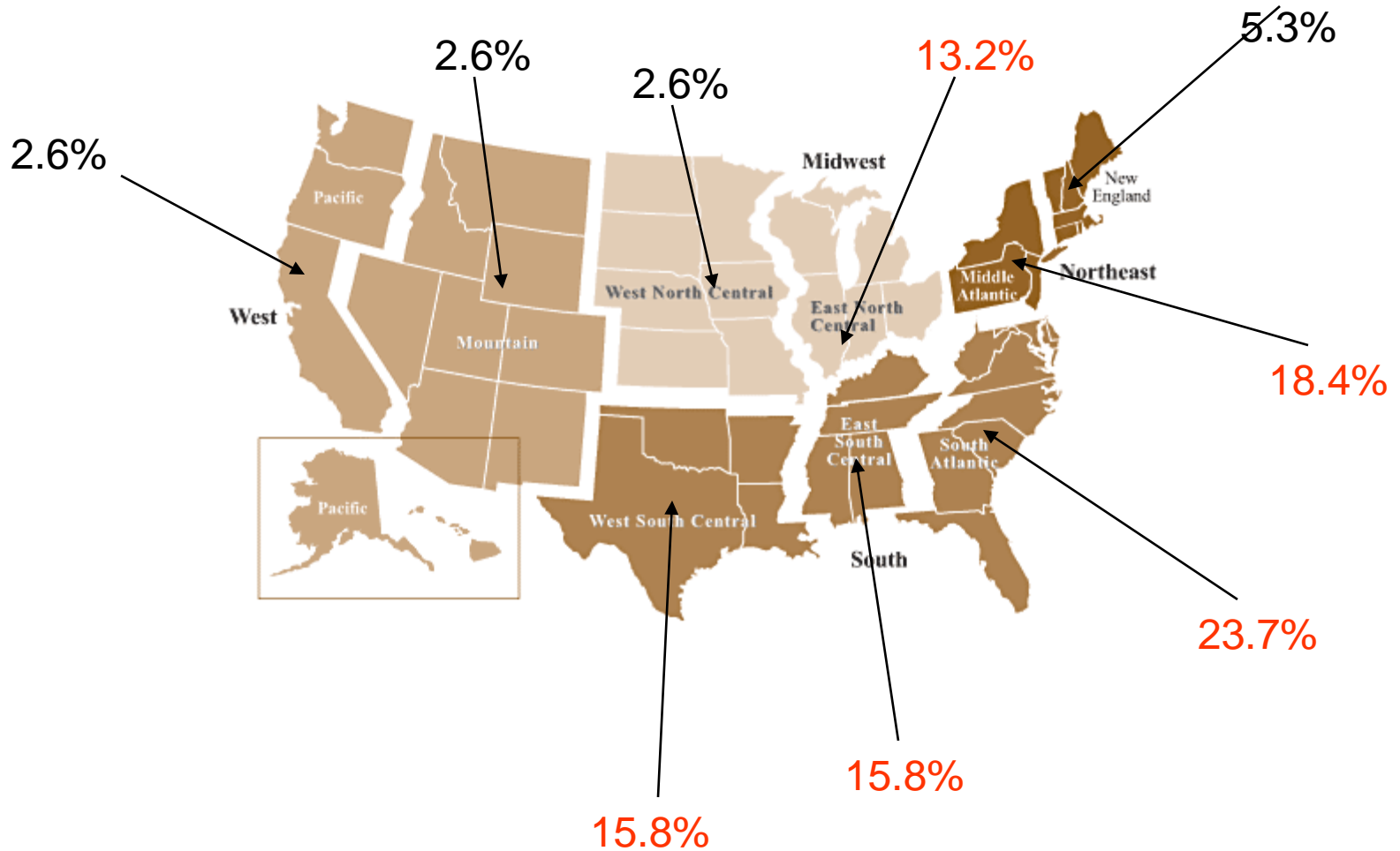
# Sworn Officers Arrested for Driving Under the Influence

n = 95



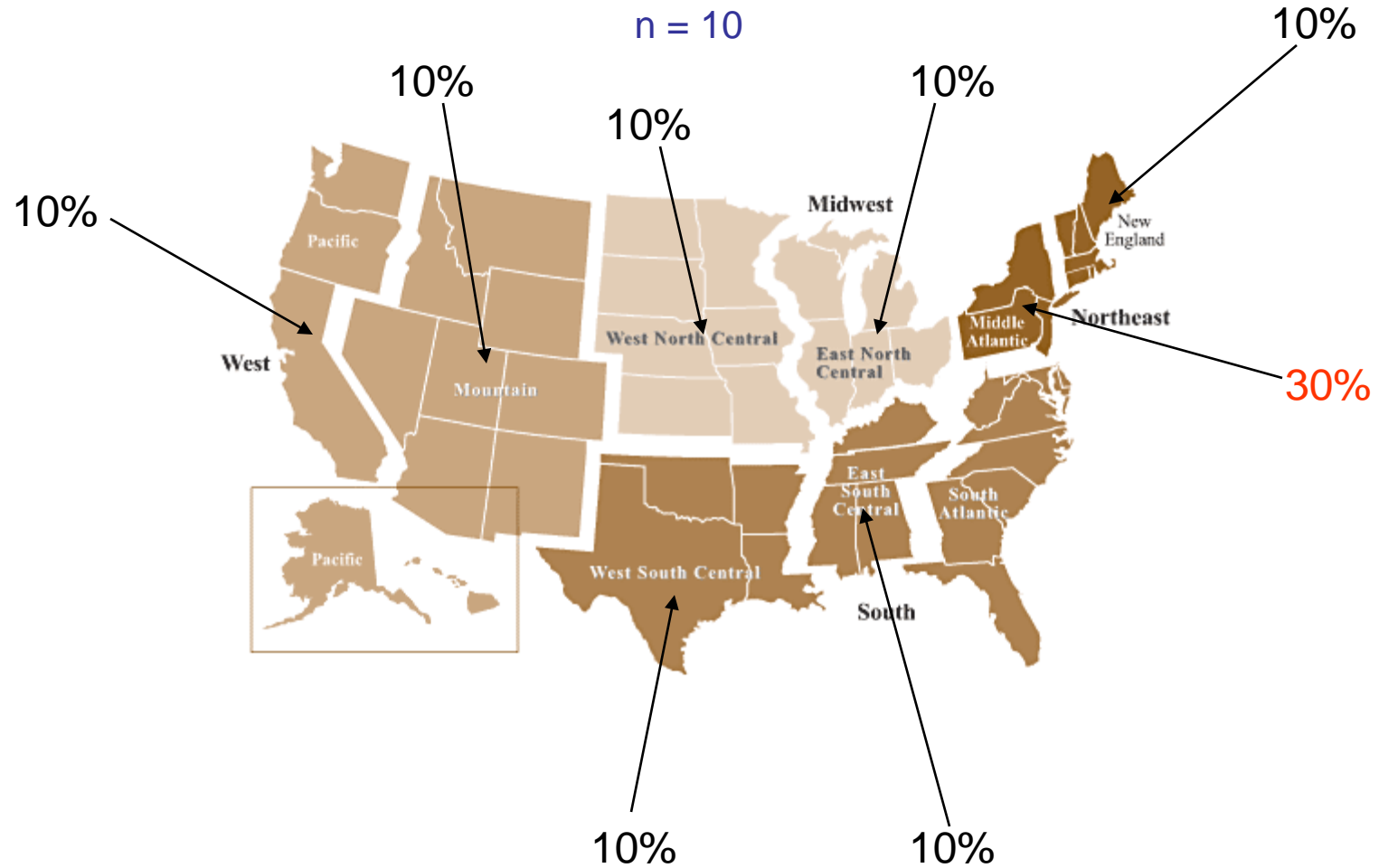
# Sworn Officers Arrested for Drug / Narcotic Offenses

n = 38



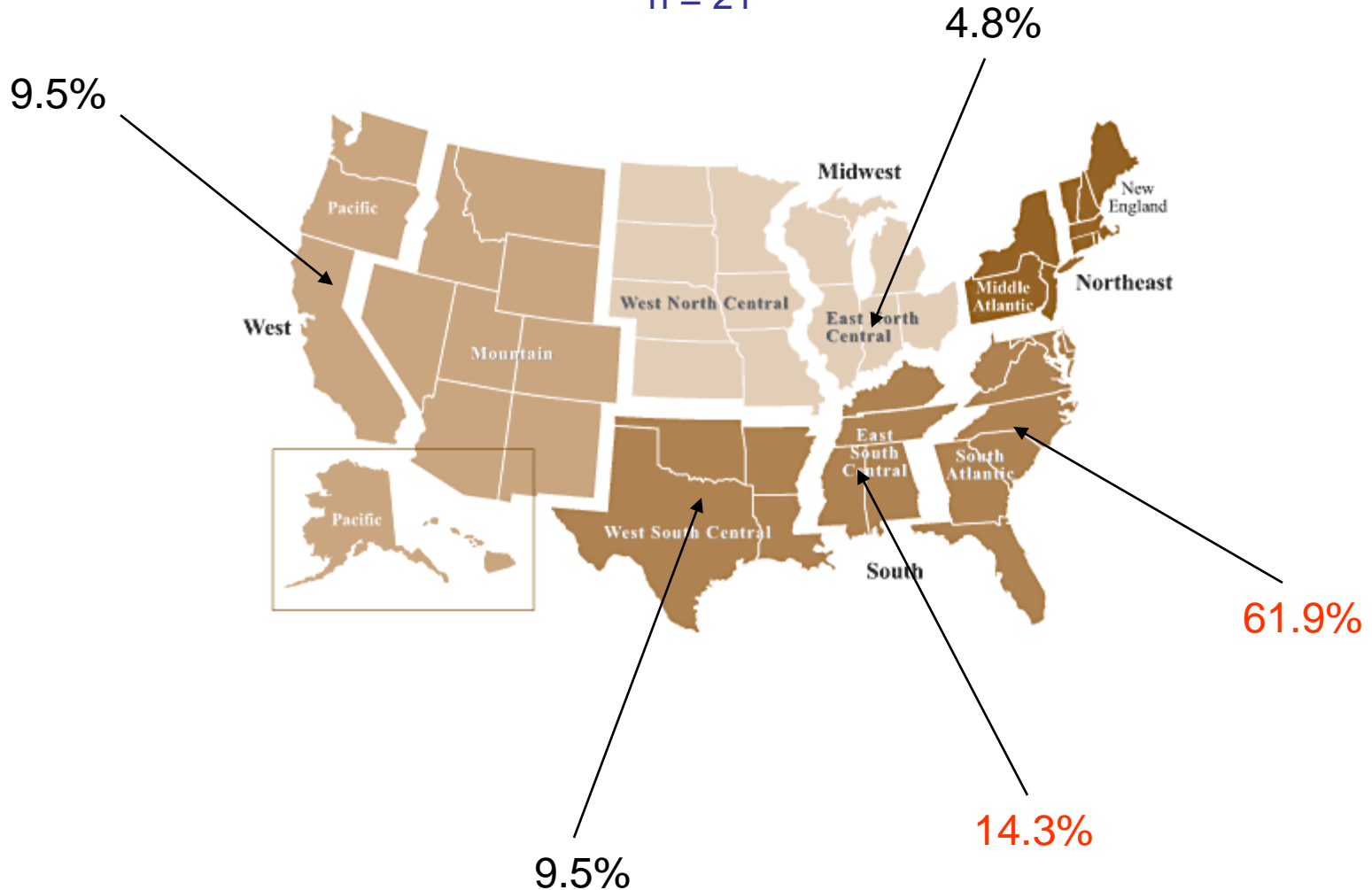
# Sworn Officers Arrested for Burglary / Breaking & Entering

n = 10



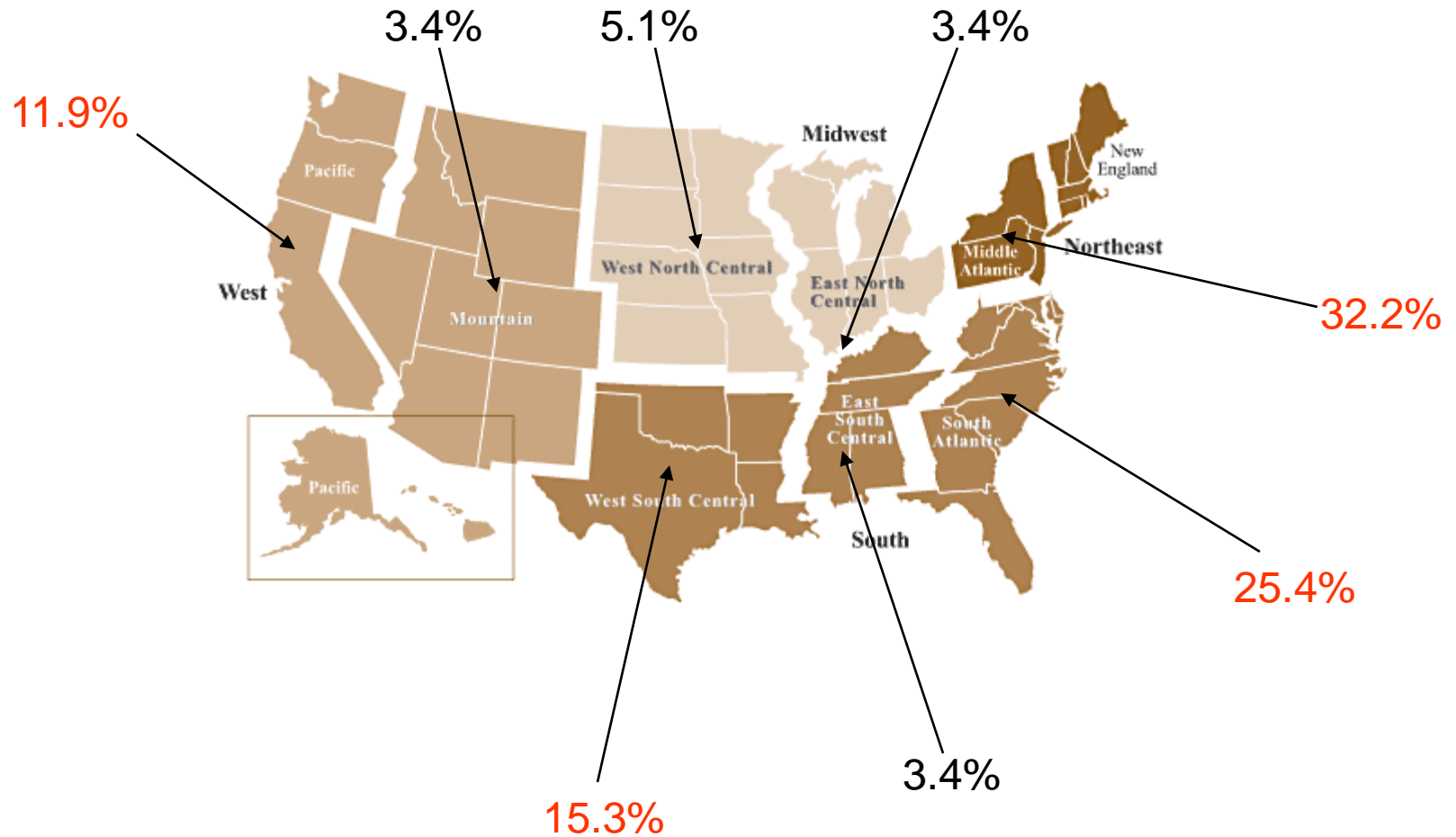
# Sworn Officers Arrested for Extortion / Blackmail

n = 21



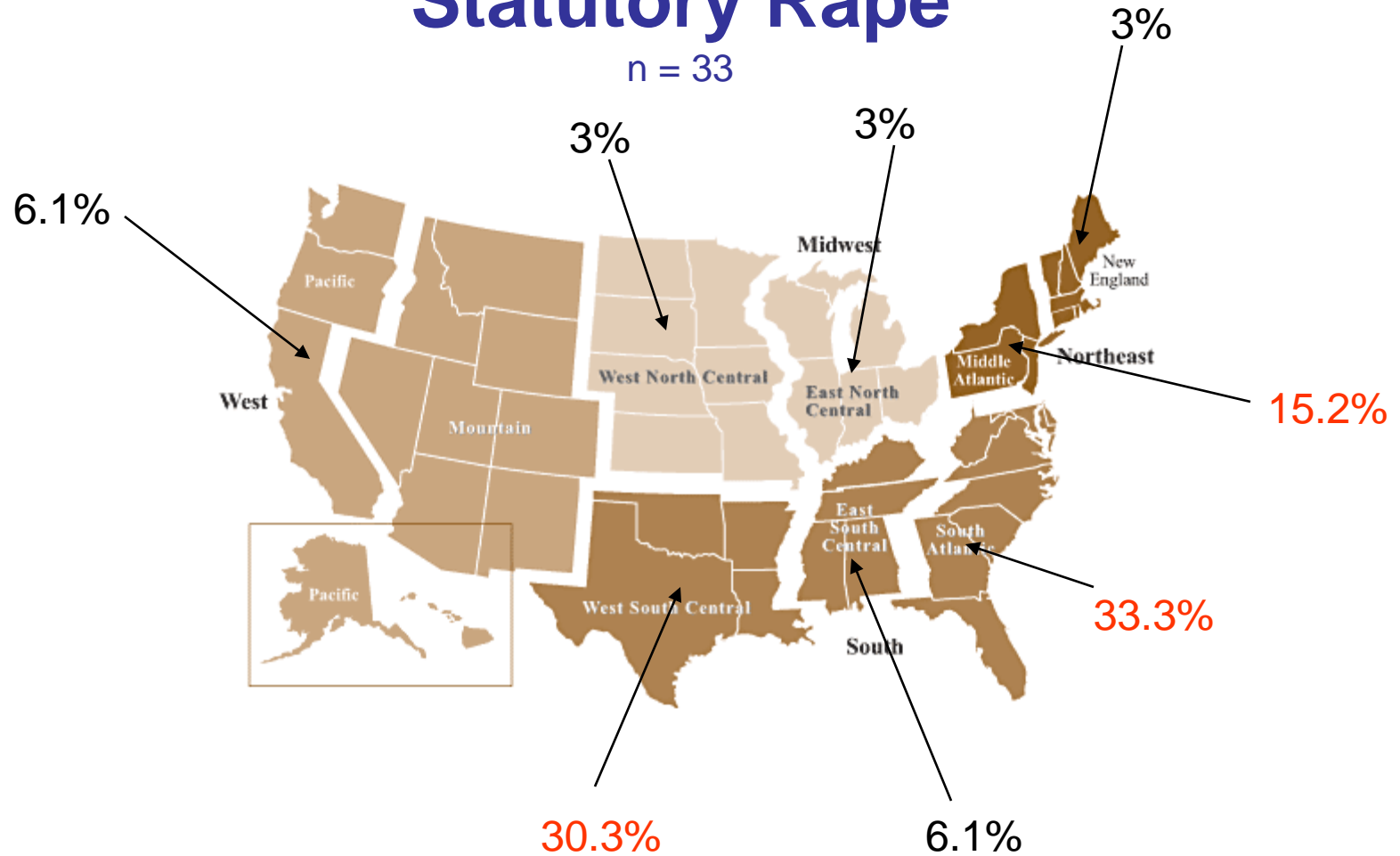
# Sworn Officers Arrested for Forcible Fondling

n = 59



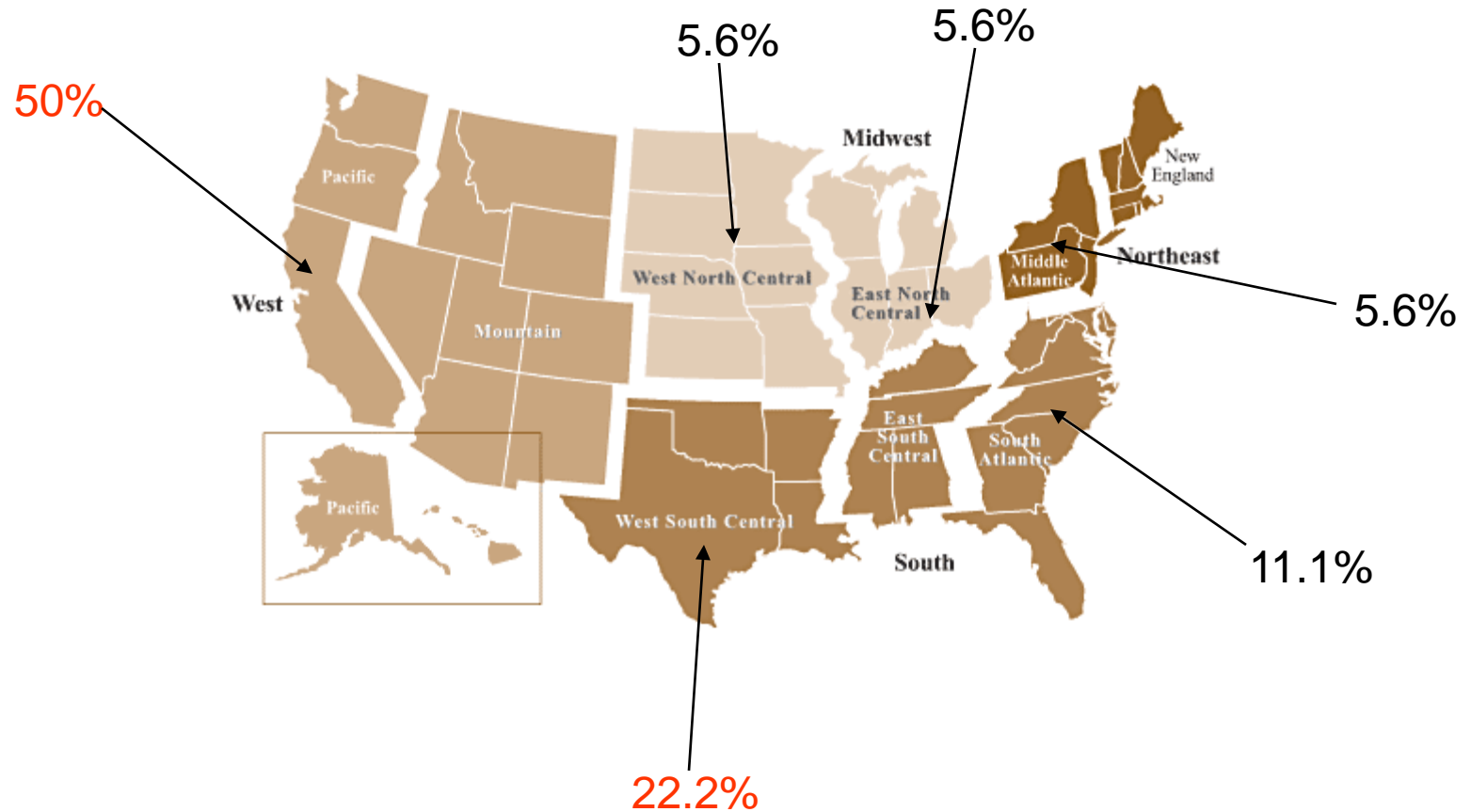
# Sworn Officers Arrested for Statutory Rape

n = 33



# Sworn Officers Arrested for Kidnapping / Abduction

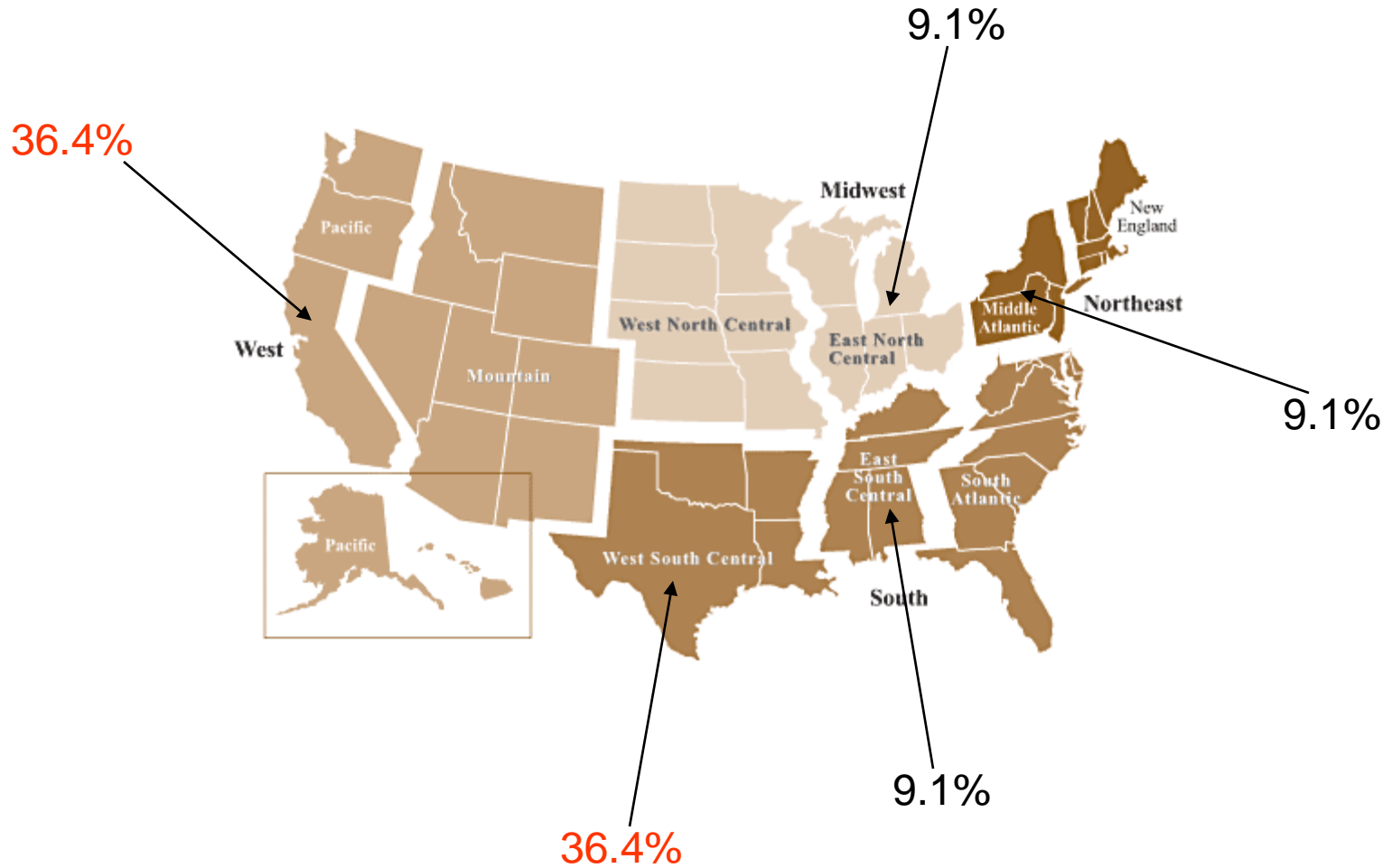
n = 18





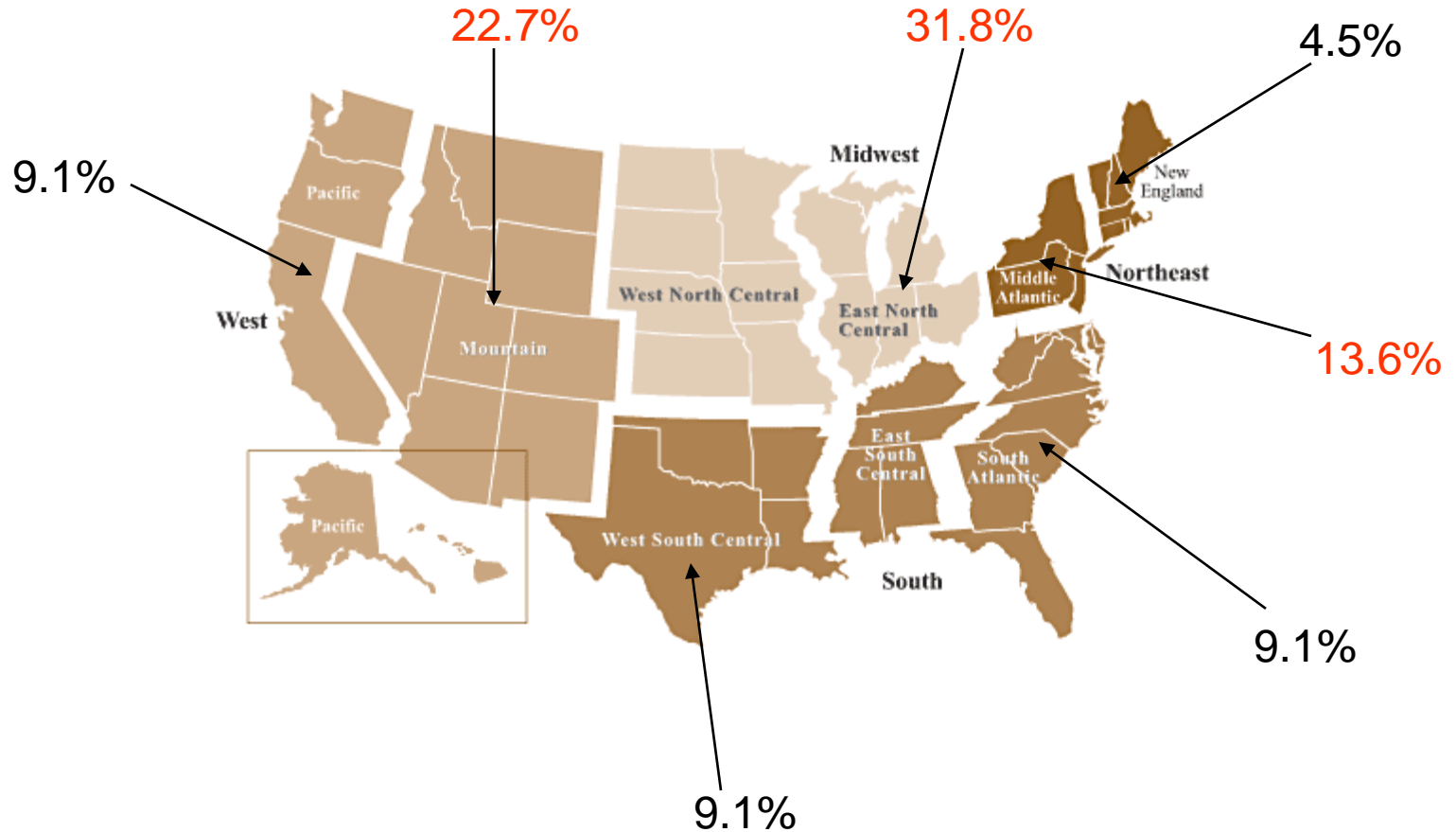
# Sworn Officers Arrested for Robbery

n = 11



# Sworn Officers Arrested for Murder & Non-Negligent Manslaughter

n = 22



# 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:
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  - 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?