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Off-Duty and Under Arrest: An Exploratory Study of the Arrests of Off-Duty Police Officers, 2005-2017

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INTRODUCTION

Research about police crime is often more focused on on-duty crimes compared to off-duty crimes. While the crime rates of on-duty officers and off-duty officers has remained consistent throughout the past years, off-duty crimes are committed at a higher rate than on-duty crimes. This study is a follow-up of Stinson and colleague's (2012) research on "exploring the nature and character of off-duty police crime in the United States." Studying this particular area of police crime will allow the public to observe how often off-duty officers use their individual capacity, what offenses are most often committed, officer demographics, and additional case details.

CURRENT STUDY

This study begins with a comparison of on- and off-duty crimes committed by nonfederal sworn law enforcement officers. Officer demographics and case details are explored for the 9,419 criminal cases of off-duty police officers. We will additionally describe the employment and criminal cases outcomes of these cases. Further methodology can be found on the Henry A. Wallace Police Crime Database website.

Police Crime: Duty Status

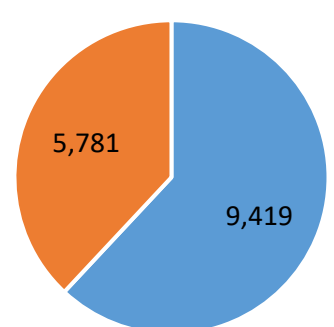


Figure 1

Police Crime: Duty Status by Function

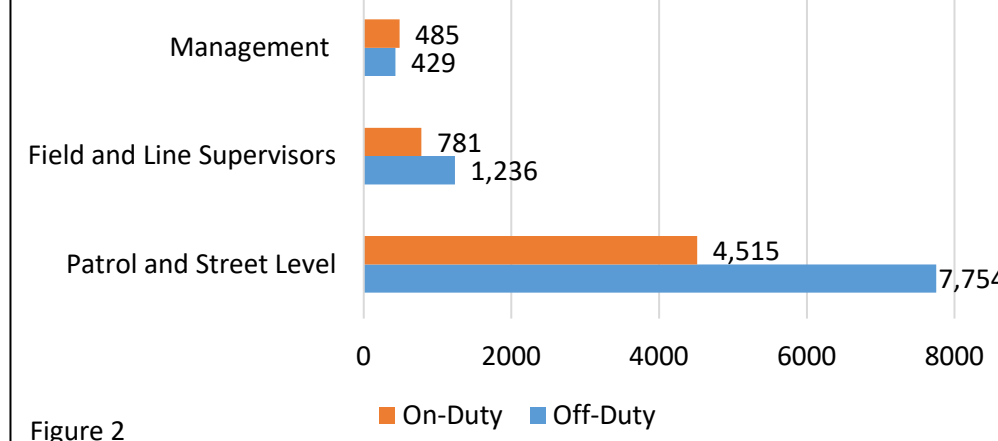


Figure 2

Police Crime: Duty Status, 2005-2017

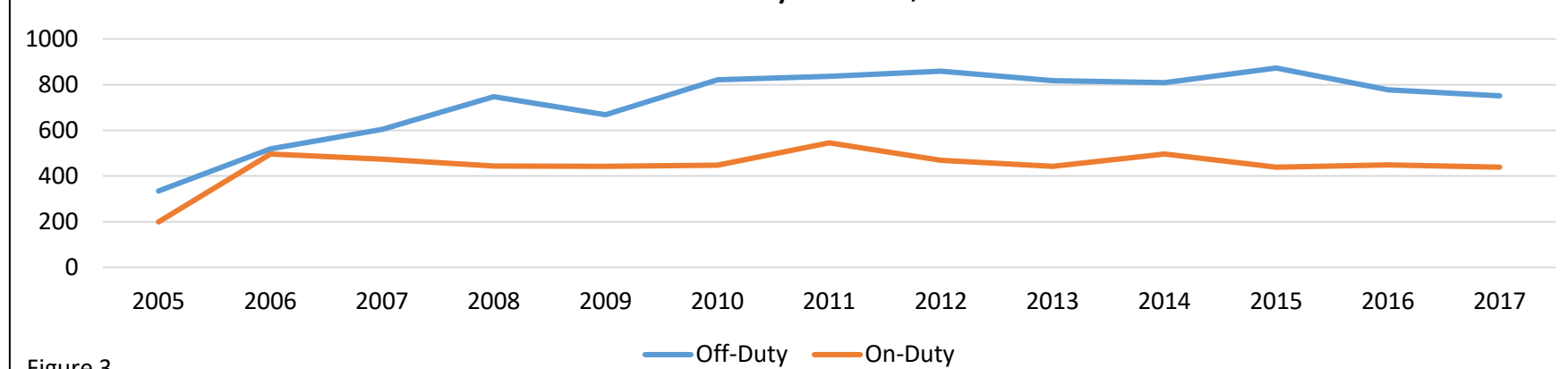


Figure 3

Police Crime: Duty Status by Type of Crime

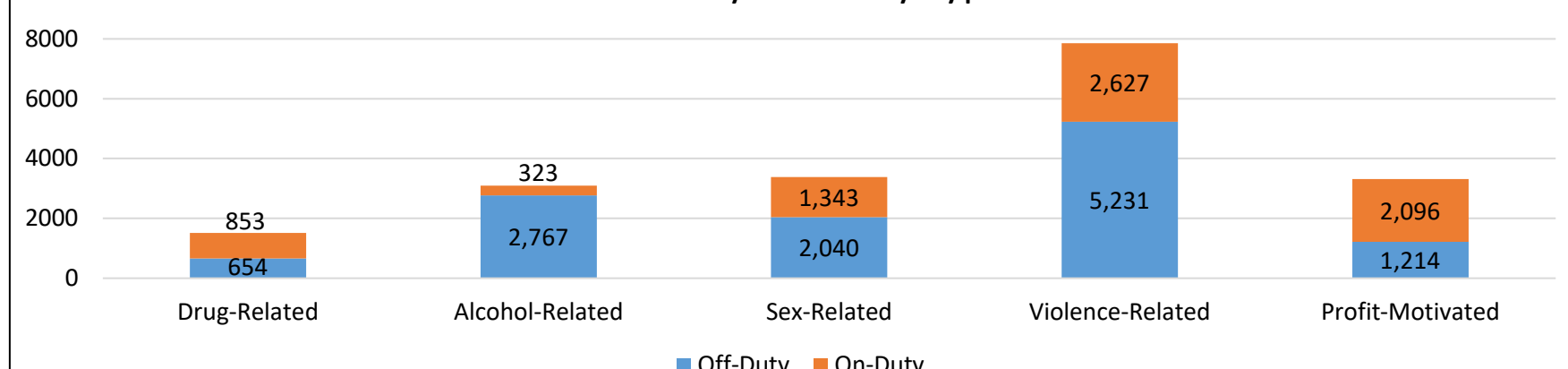


Figure 4

Table 1. Off-Duty Police Crime: Officer Demographics, 2005-2017 (n = 9,419)

	n	(%)		n	(%)
Age			Sex		
19-23	207	(2.2)	Male	8,727	(92.7)
24-27	863	(9.2)	Female	692	(7.3)
28-31	1,152	(12.2)	Function		
32-35	1,303	(13.8)	Patrol and Street Level	7,754	(82.3)
36-39	1,366	(14.5)	Line/Field Supervisor	1,236	(13.1)
40-43	1,350	(14.3)	Management	429	(4.6)
44-47	1,034	(11.0)	Agency Type		
48-51	614	(6.5)	Primary State Police	389	(4.1)
52-55	296	(3.1)	Sheriff's Office	1,742	(18.5)
56 or Older	260	(2.8)	County Police Dept.	356	(3.8)
Missing	974	(10.3)	Municipal Police Dept.	6,581	(69.9)
Years of Service			Special Police Dept.	275	(2.9)
0-2	1,021	(10.8)	Other Police Dept.	76	(0.5)
3-5	1,192	(12.7)	Geographic Region		
6-8	948	(10.1)	Northeastern States	1,980	(21.0)
9-11	866	(9.2)	Midwestern States	1,856	(19.7)
12-14	741	(7.9)	Southern States	4,097	(43.5)
15-17	645	(6.8)	Western States	1,486	(15.8)
18-20	559	(5.9)	Arresting Agency		
21-23	314	(3.3)	Own Employer	2,301	(24.4)
24-26	237	(2.5)	Not Own Employer	7,118	(75.6)
27 or More Years	251	(2.7)			
Missing	2,645	(28.1)			

Official vs. Individual Capacity

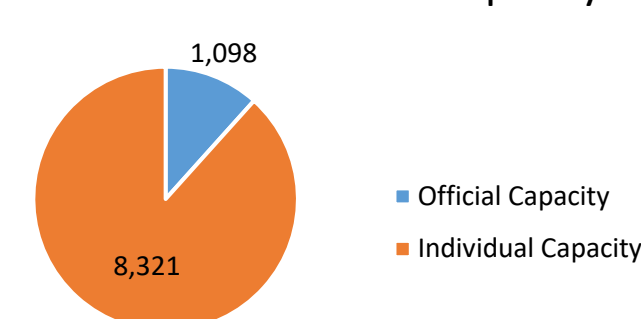


Figure 5

Official Capacity Variables

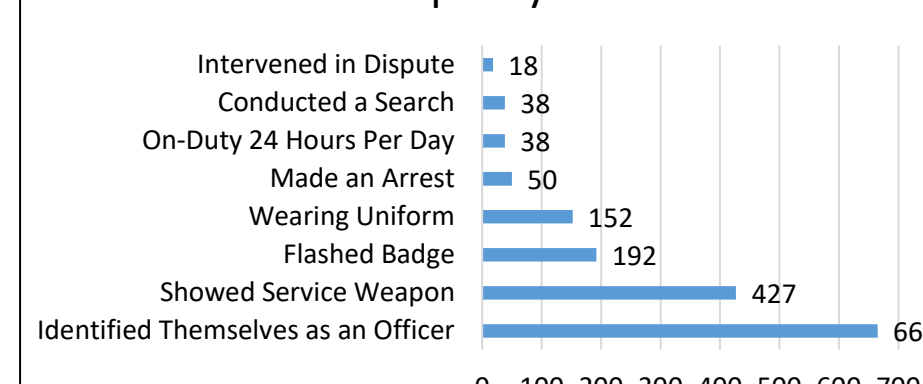


Figure 6

Table 2. Offense Variables

	n	(%)
Driving Under the Influence	1,982	(21.0)
Simple Assault	1,948	(20.7)
Aggravated Assault	1,037	(11.0)
Intimidation	652	(6.9)
Weapons Law Violations	582	(6.2)
Drug/Narcotic Violation	487	(5.2)
Forcible Rape	423	(4.5)
Pornography	344	(3.7)
Official Misconduct	317	(3.4)
Kidnapping/Abduction	277	(2.9)
Statutory Rape	264	(2.8)
Vandalism	253	(2.7)
Hit & Run	249	(2.6)
False Pretenses	225	(2.4)

Employment Outcome

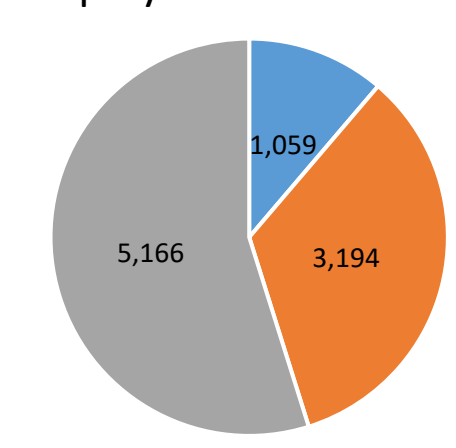


Figure 7

Criminal Case Disposition

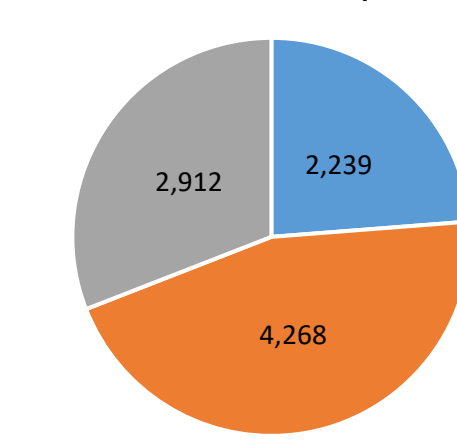


Figure 8

RESULTS

- The majority of criminal arrest cases of nonfederal sworn law enforcement officers are committed off-duty (Figure 1).
- Management level officers are more likely to be arrested for on-duty crimes and the majority of criminal arrest cases involving lower ranking officers are committed while off-duty (Figure 2).
- Off-duty and on-duty police crime rates have remained consistent throughout the past decade (Figure 3).
- Criminal arrest cases of alcohol-, sex-, and violence-related police crimes are more likely to be committed while the officer is off-duty. Drug-related and profit-motivated cases are more likely to be committed while on-duty (Figure 4).
- The officers involved in off-duty police crime cases span a wide array of demographics but the majority are male, street level officers (Table 1).
- We identified 1,098 criminal arrest cases of officers utilizing their police authority to commit their off-duty crimes (Figure 5).
- Of these cases, 665 cases involved the off-duty officer identifying themselves as a law enforcement officer (Figure 6).
- Driving under the influence is the most common crime which officers are arrested for while off-duty, followed by simple and aggravated assaults (Table 2).
- It is known to us that the majority of cases involving the arrest of an off-duty law enforcement officer resulted in them losing their job (n=5,166) (Figure 7) and being convicted of the crime(s) (n=4,268) (Figure 8).

DISCUSSION AND DIRECTIONS FOR FUTURE RESEARCH

- This study revealed that off-duty crimes committed by law enforcement officers are a prominent issue across the United States. We identified many cases of off-duty officers using their official capacity to commit these crimes. This suggests a hidden phenomenon of law enforcement officers recognizing the lack of accountability for their profession. Future research should explore this idea.
- Missing information about criminal case dispositions in off-duty police crime cases may suggest that news media may be less interested in the outcomes of off-duty officers.
- We identified nearly 2,000 criminal arrest cases of off-duty officers driving under the influence. These data suggest there may be underlying alcohol and substance issues within law enforcement. Our findings suggest the need for additional support, coping mechanisms, and resources for police officers.