

# Police Misconduct & Corruption

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## *Abstract*

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Police Officers are often given access into the private lives of the community. The access is given with an expectation of trust on the part of the citizen that the officer will behave in a just and honest manner while carrying out his or her duties. What happens when that trust given by citizens is mishandled by individual officers or even complete law enforcement agencies?

*Edwin Delattre (2002), states in his "Hypotheses about Corruption" that "If greed is simple, the variety of temptations to which police and other public officials succumb is not." Delattre further states that many believe police corruption is caused by society at large, by influences within departments, or by a disposition toward corruption in individuals drawn to police work. This research explores that hypothesis; to illustrate that while one of these causes can lead to misconduct it takes all three to result in complete corruption (p.69)*

## *Misconduct defined*

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There are many levels of behavior and acts committed by law enforcement both on duty and off that can be considered misconduct. These acts can be categorized as ranging from the minor errors in judgement, to the blatant intentional victimization of honest law abiding citizens as well as the

criminal element. No matter whom the victim may be all forms of misconduct and corruption damage the integrity of the profession. The minor incidents, if left unchecked ultimately lead to more serious acts of misconduct that can result in a culture of corruption within an agency and a lack of trust by the community.

Misconduct is defined as the intentional wrongdoing or improper behavior (Merriam-Webster.com, 2015). Some of the acts that are often committed by law enforcement can be those such as; accepting gratuities in exchange for special treatment, accepting bribes, stealing from both citizens and criminals alike, and at its worst, physical harm inflicted on innocent people. Whatever the specific behavior, it undermines the faith given to law enforcement by the communities they serve. In addition, it is a betrayal of the trust that law enforcement officers are supposed to have with each other to ensure their safety.

Misconduct and corruption can permeate throughout many levels of an organization. Sometimes there may only be what's considered a "few bad apples." In other instances there may be small *unorganized* subgroups of officers who engage in misconduct but are not acting together. The most serious involves *organized* misconduct which often signifies the existence of

a leader with a wide span of control throughout the agency. Span of control enables him or her to organize and control the illegal activity of those involved. An agency infested with an organized level of corruption will have a difficult time ridding the organization of this element, resulting in the community suffering and the honest officer's safety being compromised.

### *Character*

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Before you can properly anticipate one's potential for misconduct, an understanding is needed of the types of character that may be vulnerable to this type of activity. According to Edwin Delattre (2002) there are four types of character; the worst is the *bad character* which is someone who will take every opportunity afforded to victimize someone for their personal gain. Next there is the *uncontrolled character*, who is a person that will allow the things they desire to outweigh their sense of right and wrong. There is the *self-controlled character*, a person who has a sense of right and wrong and will resist the temptation to misbehave but will resent the fact that they are held to a higher standard. Finally there is the *excellent character* a person who has a high morale standard that exists in every aspect of their life (pp.9-11). Ultimately it should be the goal of every law enforcement agency to seek to employ this type of employee, unfortunately that is not always the type of individual drawn to law enforcement.

## *In The News*

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### **1. A Tennessee patrolman forced a woman to perform oral sex on him**

*Hamilton County Sheriff's patrol officer Willie Marshay Greer, 33, pulled a woman over for speeding at 1 a.m. and after running her name through a database and discovering she had an open warrant for arrest, offered to "strike a deal."*

*"I could let you go, but you'd owe me," the woman said Greer told her.*

*Greer then forced the woman to perform oral sex on him while handcuffed*

*(Essert, 2014).*

### **2. A Chicago cop sodomized a man they wanted to turn into a drug informant**

*Angel Perez, a 32-year-old Chicago man, is suing the Chicago Police Department after accusing several officers of beating him and sodomizing him with a gun to force him to cooperate as a drug informant in 2012.*

*According to a report in VICE, "One of the officers 'inserted a cold metal object, believed to be one of officer's service revolvers, into the plaintiff's rectum.' The complaint continued: "The two officers laughed hysterically while inserting the object' and Sergeant Cline joked, 'I almost blew your brains out (Essert, 2014).'"*

### **3. King City police officers arrested in corruption scandal**

*The highest ranking officers in the King City Police Department for years targeted the city's most vulnerable residents, essentially stealing their cars for profit, District Attorney Dean Flippo said Tuesday. In what is likely the most widespread case of official corruption in Monterey County history, six King City police officers, including the former and acting chiefs of police, were arrested on felony charges on Tuesday, four of them accused of conspiracy, embezzlement and bribery. The owner of a local tow truck company, the brother of the acting chief, was arrested in the scheme, which*

*involved impounding the cars of mostly unlicensed drivers, then selling them when the cars' owners were unable to pay towing and storage fees (Virginia Hennessey, 2014).*

### *Analysis of Examples*

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In the first incident, beyond being a possible sexual predator, this officer, depending on whether there's a history of similar behavior, could be considered to have an uncontrolled character or bad character, in that his desire for sex outweighed the fact that he knew it was wrong. Worst yet, is that he could just be of bad character and simply felt like victimizing the woman.

In the second incident it is clear that the officers involved in this incident have no integrity or moral sense and are more than likely simply individuals of bad character who receive joy in victimizing someone and have no place in law enforcement.

In the third incident if you read the entire article, you will see that this incident culminated in the arrest of numerous subjects for offenses ranging from assault to theft, and while the citizens of the City complained, nothing was done and the behavior went on for approximately three years before the arrests were made. The news story is an example of the number of officers involved being small but the level of corruption reaching the highest levels of the agency where it was organized and controlled.

## *Rationalization*

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The last example is an illustration of organized corruption, as it involves various officers and was being facilitated by the Chief of Police. In an article written for Police Chief Magazine by Brian D. Fitch a Lieutenant for Los Angeles County, he discussed “Rationalizing Misconduct” where he lists the strategies used by officers to rationalize their behavior (Fitch, 2011).

Strategy	Description
Denial of Victim	Alleging that because there is no legitimate victim, there is no misconduct.
Victim of Circumstance	Behaving improperly because the officer had no other choice, either because of peer pressure or unethical supervision.
Denial of Injury	Because nobody was hurt by the officer’s action, no misconduct actually occurred.
Advantageous Comparisons	Minimizing or excusing one’s own wrongdoing by comparing it to the more egregious behavior of others.
Higher Cause	Breaking the rules because of some higher calling—that is, removing a known felon from the streets.
Blame the Victim	The victim invited any suffering or misconduct by breaking the law in the first place.
Dehumanization	Using euphemistic language to dehumanize people, thereby making them easier to victimize.
Diffusion of Responsibility	Relying on the diffusion of responsibility among the involved parties to excuse misconduct.

(Fitch, 2011)

It is rationalizations such as these that contribute to one of the main catalysts for corrupt behavior within an agency, which is the turning of a blind eye by other officers and/or more importantly supervisors. Officers who may be faced with their first temptation may try and convince

themselves that what they are doing doesn't hurt anyone. An example would be taking drug money from a drug dealer who the officer doesn't consider to be a true victim. Rationalizing the behavior or reasons for the behavior is what is done by the officers who commit the acts, as well as the officers and supervisors who turn a blind eye or attempt to cover it up.

The person that participates in the cover up may rationalize that their actions will help the officer keep his or her job in addition to sparing the agency any embarrassment. If you agree with Edwin Delattre's description of character types, the cover up is just one more example of an *uncontrolled* character in that the person knows their behavior is wrong but their desire outweighs morality.

According to Fitch (2011), "it is important to note that most officers do not jump headfirst into large-scale misconduct instead they weigh in gradually in a process referred to as incrementalism. The strength and ease with which officers can rationalize unethical behavior also depends, at least in part, on how they view their conduct, the people harmed by their actions, and the consequences that flow from their actions. An officer's initial slide down the slippery slope of misconduct can begin with nothing more than simple policy violations that, if left unchecked, generate a mild feeling of

psychological tension or discomfort. However, by learning to rationalize wrongdoing in ways that make it psychologically and morally acceptable, officers are able to relieve any feelings of distress or discomfort, effectively disengaging their moral compasses (Fitch, 2011).”

Lieutenant Fitch’s explanation of the rationalization process and how it eases an officer’s gradual fall into misconduct in my opinion reinforces Delattre’s belief in the types of character that engage in corruption in that they let the beliefs that feed their character outweigh their sense of right and wrong.

### *Spirit of Service*

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Reflecting on my own 28 year career in law enforcement that includes 3 years as a Military Policeman, it seems as though a generational change in the individuals coming into law enforcement has occurred. In the past it was common when asking a person why they became a police officer; frequently you would receive the same response, “because I want to help people.” It now seems as though the purpose for joining the profession these days is more self-serving.

The officers today seem to lack what Delattre (2002), refers to as “a spirit of service” an inherent desire to make sacrifices for others (p. 287).

Today's law enforcement candidate seems to be more focus of the prestige that comes with the position rather than the duties charged to the position.

Unfortunately those individuals seem to desire what the profession can give them more than what they can bring to the profession. In other-words wanting to be a police officer to have an identity, resulting in their sole identity in every aspect of their life validated by their job as a police officer. Often the individual uses the title to right perceived wrongs in their life or to become the person they couldn't prior to becoming a police officer.

In my experience law enforcement has gone in and out of style, so to speak, over the last 25 years. In the 90's there was the Rodney King beating which placed law enforcement on trial resulting in the LA Riots. The 2000's with the occurrence of the terrorist incidents of "911," law enforcement was again celebrated by most in this country as a heroic profession. Fast forward to 2014 and the present, we are now bombarded with reports of police misconduct at a rate that is impossible to ignore. The profession is in a state of turmoil and is trending in the wrong direction.

### ***Possible Solutions***

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Many have their opinions on what the solutions are to law enforcement combating officer misconduct and the potential result of agency

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corruption. There are areas internally within an agency that while 100% elimination of problem personnel is not probable, if vigorously addressed an agency can possibly prevent infestation that leads to complete corruption. It starts with the agencies **administration** and their commitment to focusing on incidents of misconduct and swiftly addressing them through the use of strong departmental **policies** and **disciplinary** practices. It is also important that an agency have an **internal affairs** unit that is fully trained to properly investigate incidents of misconduct. In order for any of the policies put in place to address misconduct to be effective, an agency must have strong command staff and line **supervisors** to insure the policies are being followed. A method that is commonly used by good supervisors to promote professional behavior is the celebration of those officers who exemplify integrity and professionalism in the performance of their job duties.

Ultimately the first internal barrier used to combat misconduct is the selection of quality employment candidates. Candidates with “a spirit of service” are essential to forming a professional police force with a goal of nothing other than service to its community (Delattre, 2002 p. 187). If you fill your agency with quality personnel specifically with what Edwin

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Delattre calls excellent character people, the desire and need to victimize the community for personal gain will be absent.

While one might think it is virtually impossible to determine the true character of an applicant during the hiring process, agencies should search for indications that the person has a “spirit of service.” The candidate should display personal habits in their everyday life that indicates a sense of right and wrong and a desire to be considered trustworthy.

To help deal with those who fall through the crack and the agencies that lack a level of concern, some external barriers are needed. The public needs to arm itself with a protective barrier to protect itself from a corrupt agency. Having officer misconduct investigated externally can be a good practice. Outside investigations can help eliminate the suggestion of a cover-up on the part of the agency being investigated. An agency’s willingness to allow outside authorities to investigate incidents of misconduct can help maintain a level of public trust amidst controversy. In addition, it is important for the local the Prosecutor’s Office to take a strong stance against incidents of misconduct that violate criminal statutes and prosecute them accordingly. Ultimately in order for the public to protect themselves they

must get involved with their local agency and hold them accountable when incidents of misconduct occur.

### ***Conclusion***

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Many different areas regarding the possible causes of misconduct have been discussed from the different human characters susceptible to corruption and how officers and supervisors rationalize the misbehavior. Solutions have been discussed illustrating both internal and external means for combating corruption.

If you agree with Edwin Delattre's views on corruption, not only are the individual officers to blame for their misconduct but law enforcement agencies and society is culpable as well. While each group bears some responsibility, the bulk falls on the officer. As in any service oriented profession the individual must understand for their job to be a success it must be in service to others. Officers need to treat others as they would want themselves or their loved ones to be treated.

### ***Food for thought***

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The profession of police work is giving some officers the belief that they no longer belong to the community? Does the average police officer

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believe once he or she pins on the badge they somehow become different from everyone else because they are now considered a hero? In my opinion, it is the belief of some in law enforcement that once they become a police officer it is their identity. They illustrate it by routinely wearing police related apparel both on and off duty. They feel the need to display their badge and gun at all times in order to separate themselves from everyone else. So it is my belief that the hero complex often associated with law enforcement and held by many officers, feeds their belief that they are among a separate group living in society. This belief makes it easier for them to victimize members of that society.

One does not become a hero simply because he or she chooses police work as profession. A hero is someone who does for others simply because they feel the need, desire and responsibility to do so. A true hero is the single mother or at risk child that makes it from poverty and danger throughout most of their life to raise or become a productive citizen. They are not paid to deal with the circumstances they are in. They are not provided with a weapon and training to deal with the dangers they face daily. In reality a police officer faces less danger than the average citizen

attempting to survive in the ghettos, projects and poverty stricken crime ridden areas in the world today.

Ultimately, a police officer must remember that the term “law enforcement officer” is not the name of a separate race in society but simply a profession made up of individuals from the community. Individuals who are willing to protect the community from those that would seek to victimize it. If one is a part of the community, should he or she not treat that community as they themselves expect to be treated? The answer is yes and if that “Golden Rule” is followed the trust given to the profession of law enforcement will be earned.

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