Chapter 11
Police Integrity in the United States

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Abstract This chapter explores the contours of police integrity in the United States. The 11 local police departments, surveyed across the United States in the period from 2013 to 2014, constitute a convenience sample of a diverse range of police departments, with both large and small municipal agencies and sheriff's departments. The questionnaire is built around 11 scenarios covering a variety of forms of police misconduct, including police corruption, use of excessive force, planting of evidence, and failure to execute an arrest warrant. After reviewing each scenario, the respondents were asked to report own and others' evaluation of its seriousness, appropriate and expected discipline, as well as own and others' willingness to report the misconduct. The respondents evaluated scenarios described in the questionnaire to range in seriousness from the least serious (acceptance of gratuities and verbal abuse of citizens) to the most serious (opportunistic theft, unjustifiable use of deadly force, and official report falsification). Although most of the respondents expected and supported some discipline for all the scenarios described in the questionnaire, they expected police officers to be dismissed from service only for the three most serious scenarios. We also measured the contours of the code of silence and found that the code of silence is far from the flat prohibition of reporting. The code was much stronger for the behaviors evaluated as the least serious and the weakest for the behaviors evaluated as the most serious.

Keywords Code of silence · Civilian oversight · Organizational rules · Police integrity · Survey

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Introduction

With around 18,000 law-enforcement agencies (LEMAS 2007), the American police system is probably the most decentralized one in the world. In addition to having a large number of police agencies, the United States is characterized by a range of policing agencies at different levels, from local agencies and state agencies to federal agencies (LEMAS 2007). Agencies vary in terms of their size as well, from the smallest ones, employing a handful of police officers, to the largest ones, with tens of thousands of police officers. In addition, public policing includes a diversity of police agencies, from municipal police agencies and sheriff's departments, to the transportation police, park police, and university police. Some agencies specialize (e.g., Federal Bureau of Investigation handles only violations of federal laws), while others have more general jurisdiction (e.g., municipal police agencies). To complicate matters further, jurisdiction of various police agencies can overlap.

Police officers employed by these police agencies are subject to federal and state laws, as well as the official agency rules created by their agency. Because each of these agencies has its own set of rules and regulations, the approach to ethics and integrity differs not only across, but also within the jurisdictions. This chapter explores the contours of police integrity among the police in the United States. It begins with a short history of policing in the United States, with particular emphasis on the nature of police misconduct and the conditions that allow misconduct to continue. Then, it analyzes the conditions in the United States through the prism of the police integrity theory. Finally, the chapter provides a measurement of the level of police integrity among the U.S. police officers, based upon empirical analyses of the responses police officers provided in a survey we conducted for that purpose.

Short History of Policing in the United States

American policing stems from the arrival of the earliest colonists, bringing with them Saxon roots and the seventeenth century English police traditions. The colonist first engaged in a system of mutual protection. Soon, town constables, sheriffs, and night watchmen were established. Early settlement patterns favored the northeast and the south of today's United States of America. In the North, more towns and cities developed and, promulgating the system of watchmen patrolling force. The agrarian settlers in the South favored law enforcement styles that had developed in the countryside of England, including the county sheriff. With its earliest appearance around 1634 in Virginia, the institution of the American sheriff became the most powerful and significant law enforcement entity in the southern United States. The western areas of America, settled later, adopted the sheriff as the primary police agent (Moore and Kelling 1985).

Industrialization in the north fostered rapid growth of towns and cities. The sheriff system did not appear to suffice there and, consequently, the night watchmen system was imported from England. Aside from their primary task—crime preven-

tion—watchmen were often in charge of other duties such as lighting street lamps, watching for fires, chasing runaway animals, or assisting in family disputes (Moore and Kelling 1985). Early watchmen's principal policing strategy was to alert the community by raising "hue and cry" if they saw a crime being committed. Boston organized the first watchmen system in 1631, which in 1712 became the first full-time night watch force (Bopp and Schultz 1972). It was originally organized as a military structure, with one commanding officer and six watchmen (Lane 1967).

The concept of a modern police department permeated America relatively late. The challenges associated with an enormous increase in the inflow of immigrants were mounting. Moreover, several riots that had occurred in 1834 (Costello 1972) prompted the media and citizens to start campaigning for a police system similar to the Metropolitan Police Force in England. Consequently, in 1845, New York became the first city in America that introduced a modern police department. Cincinnati and New Orleans followed the New York standard in 1852. Boston and Philadelphia followed in 1854, Chicago the year after, and Baltimore in 1857 (Ketcham 1967).

The new police forces had to overcome several problems, including increased crime rates and the public suspicion and distrust towards the police, prompted by the economic depression in the mid-1850s. The creation of various private law enforcement agencies added additional dimensions to the way the public viewed law enforcement. In Chicago, Allan Pinkerton started the Pinkerton Protective Patrol (Morn 1977), performing all the same functions as the regular police department did. Pinkerton expanded his offices after the civil war, opening up in New York City (1865) and Philadelphia (1866). Pinkerton's officers focused on detection work, not on patrolling and prevention. The agency was successful and, by 1895, nine offices were established in different cities in America.

Another form of policing early in the U.S. history was slave patrols. They were established in the early eighteenth century in the southern States in response to the perception that the slaves constituted a threat to the southern States in at least three ways. First, slaves were running away from their owners and thus undermined the Southern economy. Second, slaves could conspire, organize themselves, and revolt against their owners. Finally, slaves engaged in crimes, such as theft, robbery, crop destruction, arson, and poison. The main functions of slave patrols were patrolling and policing. From the standpoint of law enforcement, they had a couple of limitations, ranging from duty avoidance (elite members of different districts often avoided duty by paying a fine or finding a substitute), inappropriate behavior (e.g., being drunk on duty, using excessive force), to infrequent and often very poor training. Slave patrols disappeared in the aftermath of the 1865 Emancipation Proclamation, but they left a lasting legacy of tensions between minority groups and police agencies, continuing into the twenty-first century.

A typical classification of the history of modern policing in the United States features three periods: the political period (1840s–1900s), the reform era (1930s–1970s), and the community era (1970s-present; Kelling and Moore 1988). A wealth of information exists in the literature about the three eras; in this chapter, we focus on illustrating the nature of police misconduct and the specific historic conditions that allow misconduct to flourish.

The Political Era

From about the middle of the eighteenth century to the 1920s, local policing was dominated by politics; there was a close connection between the local politicians and the police administrators (Kelling and Moore 1988) and politics influenced every aspect of law enforcement, from employment, through promotion, appointment of the police commissioner or chief of police to some police arrest practices and services. Police jobs became an important part of the political patronage system that developed in the cities. The police were particularly useful during elections because they maintained order at polling booths and were able to determine who voted and who did not (Roberg et al. 2000). The amount of policing received, if any, was dependent upon one's political connections (Walker 1977).

Walker (1999) argues that nineteenth century policing in America was characterized by corruption of epidemic proportions. The police routinely received payoffs for not enforcing laws on drinking, gambling, and prostitution. Officers themselves often had to pay bribes for promotion (Walker 1999). More broadly, corruption was one of the main functions of local government. The deeply engrained corruption that permeated every aspect of police work was but one problem in the grand scheme of things. Although political reformers made police corruption a major issue during the nineteenth century, their success in such a toxic environment was quite limited (Walker 1999).

At the same time, legislators enacted racially biased laws and the police were in charge of enforcing them (Williams and Murphy 1990). In 1863, the Emancipation Proclamation promised freedom to the slaves in the Confederacy states and, in 1865, the Thirteen Amendment to the U.S. Constitution abolished slavery except as a punishment for a crime. A year later, in 1866, the Fourteenth Amendment established a guarantee to equal protection under the laws. Following the Civil War, however, "Black Codes," a series of State laws severely restricting the rights of African Americans, were passed in Southern States. A body of laws and legal practice that promulgated the "separate but equal" legal doctrine enabled racial segregation to continue well into the 1900s, until its official abolishment with the U.S. Supreme Court decision in *Brown v. Board of Education* (1954).

The Reform Era

The second period, "the professional era" or the "reform era" of policing, commenced in early twentieth century, but is formally recognized as the period from the 1920s to—depending on the source—the early 1960s or the late 1970s. The slogan "get politics out of the police and get the police out of politics" formed a foundation for hiring professional administrators and, thereby, seeking to limit political influences.

This period is associated with notable names such as Richard Sylvester (founder of the International Association of Chiefs of Police), August Vollmer (police chief of Berkley, the founder of American Society of Criminology, and an avid advocate of higher education and extensive training for police officers), and Orlando W. Wilson (author of one of the most influential texts in police science, "Police Administration"). Despite the reformers' power and influence, however, success in "getting the politics out of the police and getting the police out of politics" was lackluster. From the organizational standpoint, professionalization of the police force prompted the troublesome move of distancing the police force from the beat functions and close interaction with the public, in the direction of seclusion and isolation inside the police car.

A major challenge, inherited from the political period, was attainment of better policing practices aimed toward actual racial equality. The aforementioned legal doctrine and practice of "separate but equal" coexistence—a de facto segregation—prompted unabated practice of racially-biased policing. Laws were biased against African Americans in general, as were the professional criteria for participation and career advancement in the law-enforcement profession (Williams and Murphy 1990). The tension between minority communities and the police had been growing steadily, escalating in a series of riots in the 1960s. Civil rights movement and riots were coupled with war protests, increase in street crime, and unrest on college campuses (Hunter et al. 2000).

The Community Era

The third period in the history of U.S. policing has started in the late 1960s/early 1970s. It has been strongly affected by Supreme Court's judicial activism in the 1960s. In the period from 1961 to 1966, the Supreme Court made several decisions that directly influenced how the police perform their tasks and drew the line between proper and improper police conduct. In *Mapp v. Ohio* (1961), the Supreme Court banned the use of illegally seized evidence in criminal cases in state courtrooms by applying the Fourth Amendment guarantee against unreasonable searches and seizures. In *Gideon v. Wainwright* (1963), the Supreme Court found that legal counsel must be appointed for all indigent defendants in all criminal cases. In *Escobedo v. Illinois* (1964), the Supreme Court ruled that suspects are entitled to consult an attorney once the police investigation shifts from investigatory to accusatory. Finally, in *Miranda v. Arizona* (1966), the Supreme Court established that, before questioning suspects, police officers have to inform them of their Fifth Amendment rights.

In the 1960s/1970s, inner cities were disintegrating at a rapid pace, the level of crime and social order increased, and racial tensions gained momentum. The Kerner Commission (1968) was formed to investigate the causes of the series of riots in America's inner cities. In its report, the Kerner Commission argued that the riots

were caused by a long history of racism in America and that the "the riots had been precipitated by police actions, often cases of insensitivity, sometimes incidents of outright brutality" (Williams and Murphy 1990, p. 11). Several of the Commission's recommendations directly address the topic of police misconduct. The Commission required of the police agencies to change the way policing was carried out in minority communities and reduce the likelihood that police would engage in misconduct. Furthermore, the Commission asked of the police to "[p]rovide adequate police protection to inner city residents to eliminate the high level of fear of crime" (Williams and Murphy 1990, p. 11). Finally, the Commission pushed police agencies to create official rules that would regulate police conduct and establish official mechanisms citizens could use to file complaints.

The late 1960/early 1970s were characterized with a formation of a number of commissions, foundations, and programs. Commissions, formed in response to urban riots and Vietnam protests (e.g., Kerner Commission 1968; National Advisory Commission on the Causes and Prevention of Violence 1969; National Advisory Commission on Criminal Justice Standards and Goals 1973; President's Commission on Campus Unrest 1970), opened the door for researchers to analyze police departments' practices and led to the formation of the Police Foundation and the Police Executive Research Forum (PERF)(Oliver 1998). Some of the fundamental research had been carried out at the time, addressing effectiveness of popular random patrol (e.g., Kelling et al. 1974), patrol work (President's Crime Commission 1967), rapid police response (Spelman and Brown 1981), detective work (Chaiken et al. 1976), and police officer attitudes and behavior (e.g., Skolnick 1966).

As police scholars were researching, analyzing, and writing about the future of American policing, considering various modalities of Community Oriented Policing, the events of 9/11 shifted the emphasis of law enforcement research and practices away from various modalities of Community Oriented Policing, and toward mounting concerns of the newly emerged global threat. The Homeland Security office was created to prevent terrorist attacks; protect Americans, key resources, and critical infrastructure; respond to and recover from incidents; and, finally, continue to strengthen the foundation of homeland security to ensure long-term success (Kappeler and Gaines 2011). As many local law enforcement agencies responded, through actual organizational restructuring or, at minimum, through explicit language in their new mission statements, misconduct and integrity violations continued unabated. Indeed, the National Police Misconduct Reporting Project (NPMSRP), compiled from the accredited media resources throughout the United States, indicated that in 2010 there were approximately 4861 reports of police misconduct involving 6613 sworn police officers, and almost 7000 victims (Fig. 11.1, CATO Institute 2010).
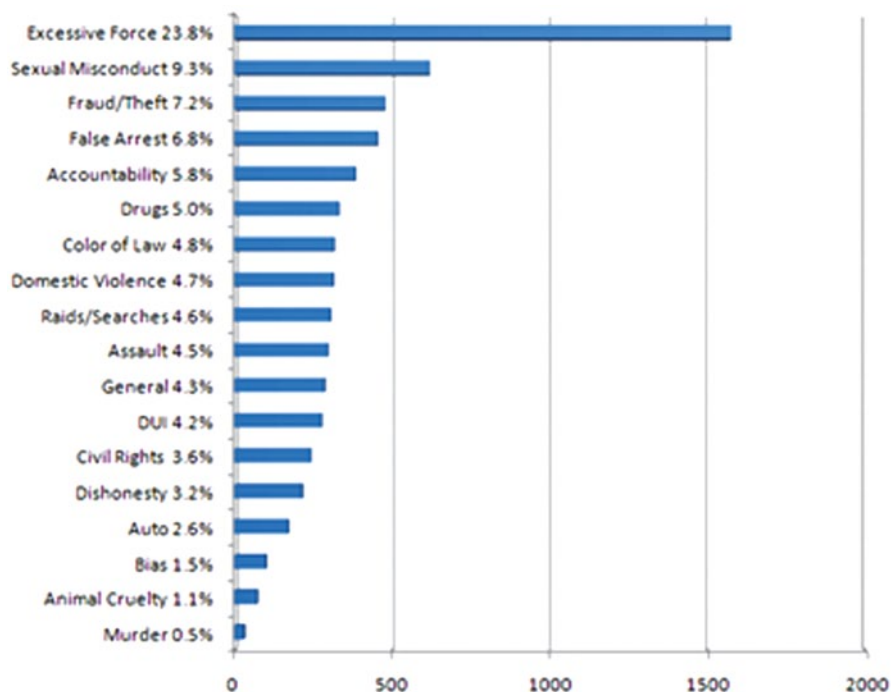
Fig. 11.1 National police misconduct reporting project, 2010

Theory of Police Integrity and Policing in the United States

This chapter relies on the definition of integrity, the theory of police integrity, and the accompanied methodological approach developed by Klockars and colleagues (see, e.g., Klockars and Kutnjak Ivković 2004; Klockars et al. 1997; Klockars et al. 2004a). Police integrity is defined as "the normative inclination among police to resist temptations to abuse the rights and privileges of their occupation" (Klockars et al. 1997). It assumes that police officers are able to resist *various* forms of temptations, including corruption, use of excessive force, and other forms of abuse the rights and privileges to which policing as an occupation exposes them (Klockars et al. 2006). Police integrity could vary across different forms of misconduct (e.g., police corruption, use of excessive force), as well as different levels of seriousness within the same form of misconduct (e.g., within police corruption, acceptance of gratuities v. theft from a crime scene). Consequently, the related methodological approach incorporates hypothetical scenarios describing not only a variety of forms of police misconduct, but also examples of different levels of seriousness within the same form.

The organizational theory of police integrity (see, e.g., Klockars and Kutnjak Ivković 2004; Klockars et al. 1997, 2000), the theoretical organizational theme in this chapter, rests on four dimensions: quality of official rules, quality of the

agency's own internal control of misconduct, curtailing the code of silence, and the influence of the larger environment. This chapter explores each of these dimensions as they apply to a number of police organizations surveyed by the authors in the period from 2013 to 2014 in the United States.

Organizational Rules

The first dimension of the theory argues that the quality of organizational rules and the way these rules are made, communicated, and understood by the police are both critical for the high levels of police integrity (Klockars and Kutnjak Ivković 2004, p. 1.4). The theory predicts that police agencies of high integrity will not only have organizational rules explicitly prohibiting police misconduct, but also teach these rules effectively and enforce them when rule-violating behavior occurs. At the same time, police officers in such agencies should know the organizational rules and also support them. The content of the rules, particularly what behaviors are explicitly prohibited by the rules and the degree to which the rules are enforced, could vary drastically across agencies. This should especially be the case for less serious forms of misconduct such as the acceptance of free gifts and verbal abuse.

Relevant legal rules governing police conduct are made at the federal, state, and local levels. Appropriate conduct of police officers in the United States is regulated by federal and state criminal and civil statutes (e.g., Title 18 of the U.S. Code, Chap. 11, Sect. 201, 1999; Title 18 of the U.S. Code, Sect. 872, 1999; Title 18 of the U.S. Code, Sect. 242, 1999). Federal codes directly prohibit a number of different types of police misconduct, from bribery (Title 18 of the U.S. Code, Chap. 11, Sect. 201, 1999) and extortion (Title 18 of the U.S. Code, Sect. 872, 1999), to the deprivation of civil rights (Title 18 of the U.S. Code, Sect. 242, 1999).

The Supreme Court has been instrumental in testing the constitutionality of various legal rules, determining their application on specific cases, and delineating acceptable from unacceptable police conduct. One of the most difficult issues has been defining the legal standard to be used to evaluate cases involving the use of (excessive) force. In *Graham v. Connor* (490 U.S. 386 (1989)), the Supreme Court argued that the decision about whether the police officer used excessive force in the specific case should be based on the standard for the specific right that has been violated. In addition, the Supreme Court has been active in regulating the use of deadly force, the most severe type of force. In *Tennessee v. Garner* (471 U.S. 1 (1985)), the Supreme Court declared the old fleeing-felon rule (which authorized police officers to use "all the means necessary to effect an arrest") as unconstitutional and established a stricter standard. In particular, police officers are authorized to use deadly force *only* in the cases in which the police officer has a probable cause to believe that the citizen presents "a significant threat of death or serious physical injury to the officer or others." Since 1985, the use of deadly force that does not fulfill all of the requirements established by the Supreme Court should be viewed as the use of excessive force.

The Supreme Court also made a number of decisions addressing police violations of the Fourth Amendment right to be free from unreasonable searches and seizures. In *Mapp v. Ohio* (367 U.S. 643 (1961)), the Supreme Court imposed direct negative consequences on the police searches and seizures in violation of the Fourth Amendment, banned the use of illegally seized evidence in state criminal cases, and established the so-called "exclusionary rule." Empirical studies conducted shortly after the decision showed mixed results about the effect of this rule on police conduct (e.g., Canon 1974; Oaks 1970; Skolnick 1966), but the more recent studies (e.g., Cannon 1991; Orfield 1987) suggested stronger deterrent effects on police officer conduct.

Furthermore, the Supreme Court made key decisions involving the police misconduct involving violations of the Fifth Amendment rights. In one of the most famous decisions, *Miranda v. Arizona* (372 U.S. 436 (1966)), the Supreme Court declared that a suspect's confession obtained during custodial police interrogation constitutes a violation of the Fifth Amendment right against self-incrimination, unless the police provided specific warnings to the persons that they have the right to remain silent, that anything they say could be used against them, and that they have the right to counsel. At the time the decision was made, police officers rarely gave Miranda warnings (Black and Reiss 1967). However, more recent studies (Leo 1998; Leo and Thomas 1998) show that the Miranda warnings have become a norm.

The decentralized nature of American policing implies that each police agency also makes its own internal official rules that regulate the work of police officers employed by the agency. Municipal and state agencies use their official rules to regulate police officer conduct and prohibit inappropriate conduct such as the acceptance of bribes, gifts, gratuities, rewards (see, e.g., National Research Council 2004; Walker and Katz 2013). In the 2000s, more than 95 % of local police agencies have written policies covering the code of conduct and appearance, use of lethal force, and use of non-lethal force (Reaves 2010). However, with around 18,000 police agencies regulating the work of their employees, the content of the rules and their extent vary greatly across police agencies. On the one hand, there are police agencies that barely have written rules, while, on the other hand, there are others that have standard operating procedure manuals several hundred pages long (e.g., Barker and Wells 1982).

The effectiveness of the internal agency regulation in controlling police misconduct varied across different forms. Administrative rules have been used successfully to control several different aspects of police work: use of deadly force, high-speed pursuits, and domestic violence. Before the Supreme Court decided *Tennessee v. Garner* (471 U.S. 1 (1985)), individual police agencies started regulating the use of deadly force more stringently. Results of several empirical studies (e.g., Fyfe 1979; Geller and Scott 1992) reported that the frequency of the use of deadly force decreased after the introduction of the more restrictive internal official policy. In addition, the launch of more restrictive high-speed pursuit internal rules in a police agency resulted in the decline of high-speed pursuits (e.g., Alpert 1997). On the other hand, the introduction of stricter use of force rules was not as successfully supported by empirical research (e.g., National Research Council 2004, p. 285).

The reality is that the establishment of internal agency rules by itself does not guarantee that police misconduct will decrease. If the rules are not clear or are conflicting, police officers will have problems learning what behavior is appropriate (Kutnjak Ivković 2005). In one study, police officers from the police agencies characterized by widespread corruption tended to emphasize that the rules are not clear more often than police officers from less corrupt police agencies did (Fishman 1978). Intentionally or unintentionally, police administrators may allow the creation of unofficial rules in conflict with the official ones (e.g., Kutnjak Ivković 2005). Independent commissions investigating police misconduct in New York and Philadelphia (e.g., Knapp Commission 1972; Mollen Commission 1994; Pennsylvania Crime Commission 1974) uncovered numerous instances in which the top administrators tacitly allowed the development of the unofficial rules that were in conflict with the official rules prohibiting misconduct.

Lastly, the codes of ethics contain professional standards of appropriate conduct. The International Association of the Chiefs of Police developed the code of ethics. When police officers take an oath, they explicitly state that they will not engage in acts of corruption or bribery (Barker 2002, p. 4).

Police Detection and Investigation of Police Misconduct

The second dimension of the theory emphasizes the police agency's own methods of detection, investigation, and discipline of rule violations (Klockars and Kutnjak Ivković 2004; Klockars et al. 1997, 2001). These activities could be very heterogeneous, from the more reactive activities, such as investigations of corrupt behavior and discipline of corrupt police officers, to the more proactive activities, such as education in ethics, integrity testing, and proactive investigations. The theory stipulates that there should be a positive correlation between the existence and use of a sophisticated system of corruption prevention and control, and the level of integrity prevailing in the agency.

As a consequence of the 1967 *Garrity* ruling (*Garrity v. New Jersey*, 385 U.S. 483 (1967), an investigation of potential cases of police misconduct is separated into two: an administrative investigation (run by the internal affairs office) and a criminal investigation (run by the detectives in the detective unit). The Supreme Court decided that, while the full set of constitutional rights applies in the criminal investigation, these constitutional rights to not apply in administrative investigations. In other words, the accused police officer has to answer the questions truthfully and may not claim the Fifth Amendment rights in an administrative investigation.

A typical administrative or internal process includes multiple steps: the receipt of complaints, investigation, and decision-making. Depending on the police agency size, available resources, the number of complaints received annually, and the overall public service demands, the agency administrative control could be performed by a range of organizational structures, (e.g., Carter 1994, p. 361). In the 2000s, the majority of state police agencies (84 %) and local police agencies (79 %) have permanent internal affairs offices (Reaves and Hickman 2004, p. 66).

While the work performed by the internal affairs offices could be either proactive (e.g., integrity testing; Baueris 1997; Giulianni and Bratton 1995) or reactive (e.g., investigations), the reality is that it is mostly reactive in nature (e.g., Kutnjak Ivković 2005). Reactive investigations can start with the report filed by a supervisor or a complaint submitted by a citizen or a fellow police officer. Typically, however, a reactive investigation starts with a citizen filing a complaint. How often citizens complain seems to vary substantially. In 1991, Pate and Hamilton described the complaint rates across the six largest U.S. cities (p. 144) and found that they vary from 5.5 per 100 sworn officers in Philadelphia to 36.9 per 100 sworn officers in Houston. Pate and Fridell (1993) included not only municipal, but also other types of police agencies in their study. They found that municipal agencies have the highest use of force complaint rates; the complaint rates per 1000 police officers were 16 for state agencies, 21 for sheriff's departments, 34 for county agencies, and 48 for municipal agencies.

After the complaint is submitted, the official investigation will be opened. The investigators will interview witnesses, the victims, and the accused police officer, collect physical evidence, and examine the official records (Carter 1994). After the investigation has been completed, the case file will be sent to the decision-making body. Typically, the decision will be made either through an administrative review conducted the police officer's chain of command or through a disciplinary hearing by the administrative board (Carter 1994).

The decision-maker may reach several possible decisions (i.e., not sustained, exonerated), but only the decision that the complaint has been sustained (i.e., there is sufficient evidence to prove that the police officer engaged in the rule-violating behavior) may yield any discipline for the police officer. The severity of the discipline depends on several factors, including the seriousness of misconduct, officer prior discipline history, as well as mitigating and aggravating circumstances. The frequency with which police agencies sustain complaints is low; studies showed that the rate is somewhere between 0 and 25 % (e.g., Hickman 2006, p. 4; Klockars et al. 2006; Pate and Fridell 1993, p. 42; Perez 1994). However, because of the agency differences in complaint rates, methods of complaint filing, and effectiveness of investigations, scholars have warned about the difficulty of cross-agency comparisons (e.g., Klockars et al. 2006; Pate and Hamilton 1991).

Numerous examples reported in the literature (e.g., Christopher Commission 1991; Knapp Commission 1972; Mollen Commission 1994; Pennsylvania Crime Commission 1974) suggest that police agencies may be reluctant to accept complaints, investigate police (mis)conduct, and discipline police officers. The independent commission reports (e.g., Christopher Commission 1991; Knapp Commission 1972; Mollen Commission 1994; Pennsylvania Crime Commission 1974) documented instances in which police agencies did not investigate police misconduct, ignored relevant information, and actively hid the complaints. The reality seems to be that the internal systems of control may be more likely to malfunction in the police agencies what would need them the most, such as agencies characterized by widespread police misconduct (Kutnjak Ivković 2014). Complaint rates and rates of sustained complaints would be gross underestimates of the extent and nature of police misconduct in such agencies (e.g., Christopher Commission 1991; Knapp Commission 1972; Mollen Commission 1994; Pennsylvania Crime Commission 1974).

The *criminal* investigation typically would be performed either by the detectives from the same police agency or by the police officers from another agency. The investigation would start after the detectives had learned about a potential violation of the federal or state criminal laws. There is no nationwide statistics on the overall number of criminal investigations into police violations of criminal laws or the number of police officers found guilty and convicted across U.S. courtrooms. The heterogeneity of the criminal laws across the country complicates matters further.

Studies suggest that the prosecution and conviction rates for the cases with the use of excessive force are low (e.g., Adams 1999; Cheh 1995, p. 241; Human Rights Watch 1998). Similarly, the prosecution and the conviction rates for corruption cases in both federal and state courtrooms tend to be low (e.g., Kutnjak Ivković 2005). However, independent commission findings clearly show that low conviction rates should not be interpreted automatically to indicate that the actual rates of police officer criminal behavior are low. At the time when the independent commission reports showed that corruption was widespread throughout the New York Police Department and the Philadelphia Police Department (e.g., Knapp Commission 1972; Pennsylvania Crime Commission 1974), there were very few prosecutions and convictions of police officers. In the two police agencies employing thousands of police officers and in which independent commissions found corruption to be widespread, there were fewer than 50 police officers who were prosecuted and convicted for corruption annually (Knapp Commission 1972; Pennsylvania Crime Commission 1974).

One of the most recent additions to the arsenal of detection and investigation of police misconduct in the U.S. police agencies includes the early warning systems, one of the best practices included in "Principles for Promoting Police Integrity" (U.S. Department of Justice 2001). The underlying idea is to identify potential problem officers—those who generate an unusually large number of complaints—and try to intervene before they become problem officers and engage in police misconduct. Although U.S. Commission on Civil Rights (1981) recommended their introduction in 1981, it took over a decade for the early warning systems to gain nationwide acceptance. A nationwide survey of municipal police agencies conducted in the late 1990s (Walker et al. 2000) uncovered that about one third of the police agencies have already established early warning systems in their agencies or are in the process of developing it. A number of decrees between the U.S. Department of Justice and individual police agencies (Walker and Katz 2008, p. 489) further increased the number of agencies with the early warning systems. Scarce research on the topic suggest that the use of early warning systems results in the reduction in the number of citizen complaints and the use of force reports (e.g., Walker et al. 2000; Vera Institute of Justice 2002).

Curtailing the Code of Silence

The third dimension of the police integrity theory focuses on the code of silence and the efforts that the police agency is making in curtailing it. Klockars and Kutnjak Ivković (2004) argue that curtailing the code of silence is critical for agencies of integrity. According to the theory, compared to the agencies of high integrity, agencies

of low integrity would have strong codes of silence in which police officers would be more likely to tolerate police misconduct without reporting it and supervisors would be more reluctant to investigate police misconduct and discipline police officers who engaged in it.

The code of silence in the U.S. police agencies has been studied since the 1950s. Studying police officers in a Midwest police agencies in the 1950s, Westley (1970, p. viii) found a very strong code of silence; he reported that three quarters of police officers would not report a fellow police officer who took money from a citizen arrested for drunkenness. Many independent commissions also uncovered the existence of the strong code of silence in the police agencies which were investigated (e.g., Christopher Commission 1991; Knapp Commission 1972; Mollen Commission 1994; Pennsylvania Crime Commission 1974). Bernard Cawley, a corrupt police officer in New York, testified before the Mollen Commission (1994) investigating the nature and extent of police corruption in the NYPD. When asked whether he was afraid that any of the fellow police officers might report him for his corrupt behavior, Calwey flatly denied and explained why (Mollen Commission 1994, p. 53),

> Because it was the Blue Wall of Silence. Cops don't tell on cops. And if they did tell on them, just say if a cop decided to tell on me, his career's ruined. He's going to be labeled as a rat. So if he's got 15 more years to go on the job, he's going to be miserable because it follows you wherever you go.

In the 2000 National Institute of Justice nationwide survey of police officers (Weisburd et al. 2000), the majority believed that it was not unusual for the police officers to tolerate police misconduct without reporting it (Weisburd et al. 2000) and over 60 % agreed that police officers do not always report serious violations of criminal law committed by their fellow officers. At the same time, more than three quarters of police officers stated that they do not accept the code of silence. Furthermore, about one quarter thought that whistle-blowing is not worth it and more than two-thirds agreed that police officers who do report incidents of misconduct will likely encounter a "cold shoulder" by fellow officers (Weisburd et al. 2000, p. 3).

It seems that "an atmosphere in which the dishonest officer fears the honest one, and not the other way round," as Frank Serpico, the most famous whistle-blower in the history of the U.S. policing, had hoped (Knapp Commission 1972, p. 51), is still not within the reach of police agencies plagued by excessive police misconduct. In fact, the Mollen Commission (1994, p. 53) reported that the code seems to be the strongest in the precincts in which the corruption was the most pervasive:

> The pervasiveness of the code of silence is itself alarming. But what we found particularly troubling is that it often appears to be strongest where corruption is most frequent. This is because the loyalty ethic is particularly powerful in crime-ridden precincts where officers most depend upon each other for their safety every day-and where fear and alienation from the community are most rampant. Thus, the code of silence influences honest police officers in the very precincts where their assistance is needed most.

Klockars and colleagues used the first questionnaire, focusing primarily on examples of police corruption, to survey 3250 police officers from 30 U.S. agencies (Klockars et al. 2000, p. 6). The survey revealed that the code of silence was indeed present among our respondents. However, the code did not cover all types of police corruption equally; "the majority would not report a police colleague who had engaged in behavior described in the four scenarios considered the least serious. At

the same time, a majority indicated that they would report a fellow police officer who had engaged in behavior they deemed to be at an intermediate or high level of seriousness" (Klockars et al. 2000, p. 6).

The subsequent cross-agency analysis revealed substantial differences in the contours of the code of silence (Klockars et al. 2000, p. 6). To illustrate the size and nature of differences in the code of silence among the agencies in the sample, Klockars and colleagues emphasized the differences in the codes using the data from two agencies:

> The most systematic and dramatic differences between Agencies 2 and 23, however, is evident in their attitudes toward The Code of Silence. In both agencies, few officers said that they or their police colleagues would report any of the least serious types of corrupt behavior (Cases 1, 2, 4, and 8). Officers from Agency 2 reported that they and their colleagues would report the behavior described in the seven other cases. In Agency 23, however, there was *no* case that the majority of officers indicated they would report. In sum, while The Code is under control in Agency 2, it remains a powerful influence in Agency 23, providing an environment in which corrupt behavior can flourish.

Klockars et al. (2006) also used the second survey to explore the contours of the code of silence in three police agencies of high integrity. A comparison across the three agencies showed that, despite the fact that all three agencies were classified as agencies of high integrity, police officers in one agency were substantially more likely to adhere to the code of silence than police officers in the other two agencies (Klockars et al. 2006, p. 149). Finally, Kutnjak Ivković et al. (2013) found that the code of silence in "Rainless West" police agency was strongly negatively related to the perceptions of seriousness. Furthermore, the code in this new agency was similar to the codes of silence in the three agencies of integrity (Kutnjak Ivković et al. 2013).

Influence of Social and Political Environment

The fourth dimension of the police integrity theory (Klockars and Kutnjak Ivković 2004) connects police agencies with the society at large. It argues that police agencies are directly affected by the social, economic, and political environments. Police agencies in societies highly tolerant of unethical behavior of public servants should have lower levels of integrity than police agencies operating in societies highly intolerant of unethical behavior of any kind. In a larger environment that supports integrity across the board, police agencies are more likely to set high expectations regarding police integrity as well.

In societies as large and diverse as American, we could expect variation across communities and police agencies which are serving them. Indeed, some police agencies, such as Milwaukee and Kansas City, have long traditions of minimal corruption. Other police agencies in the United States, such as New Orleans, Key West, and Chicago, have almost uninterrupted traditions of police corruption (Klockars and Kutnjak Ivković 2004, p. 1.5).

Several scholars documented the turbulent history of policing in Chicago. Lindberg (2008, p. xviii) covered the period from the 1855 to 1960 and found that, "[f]or 100 years, the evils of the system were endemic: graft, spoils, and political treachery

at the highest levels." After analyzing 5 decades of newspaper reports about police misconduct in Chicago (from 1960 until 2013), Hagedorn and colleagues (2013, p. 1) concluded that, "Chicago has a checkered history of police scandals and an embarrassingly long list of police officers who have crossed the line to engage in brutality, corruption and criminal activity." The authors summarized their major findings (Hagerdorn et al. 2013, p. 1):

> First, corruption has long persisted within the CPD and continues to be a serious problem…
> Second, police officers often resist reporting crimes and misconduct committed by fellow officers. The 'blue code of silence,' while difficult to prove, is an integral part of the department's culture and it exacerbates the corruption problems.
> Third, over time a large portion of police corruption has shifted from policemen aiding and abetting mobsters and organized crime to officers involved in drug dealers and street gangs.
> Fourth, internal and external sources of authority, including police superintendents and Mayors, have up to now failed to provide adequate anti-corruption oversight and leadership.

Finally, some cities, such as New York and Philadelphia, have experienced cycles of scandal and reform (Klockars and Kutnjak Ivković 2004, p. 1.5). For over a century, New York—the largest and the oldest police agency in the country—has had "the history of police corruption investigations in New York has run in 20-years cycles of scandal, reform, backslide, and fresh scandal" (Mollen Commission 1994, Exhibit 2, p. 2). The 20-year cycles include the Lexow Committee Report (1895), the Curran Committee Report (1913), the Seabury Investigation Report (1932), the Helfand Investigation Report (1955), the Knapp Commission Report (1972), and the Mollen Commission Report (1994). Chin (1997, p. xvii) argued that these reports illuminate the changes and similarities in police behavior over time:

> Reading the reports is sobering. Anyone with even a passing familiarity with big city criminal justice knows that the system rarely works with absolute perfection. However, these reports describe problems far beyond occasional peccadillos. They reveal persistent, serious criminal misconduct by police officers of all ranks, as well as an apparent indifference by the department about whether its officers obey the law. While details change, the problems remain over time.

One of the consistent themes across the reports was the existence of the code of silence. The adherence to the code was visible from the time commissions were established; their appointments were typically followed by lawsuits challenging their existence (Chin 1997, p. xxvii). The underlying rationale is that the outsiders do not have the right to interfere in police business. This would continue with honest police officers being unwilling to talk about or report misconduct committed by their fellow officers (Chin 1997).

Methodology

Questionnaire

During 2013–2014, we used the second version of the questionnaire to measure the contours of police integrity among officers from 11 diverse police agencies located in the Midwest and East Coast of the United States. The survey's questionnaire is

built around 11 scenarios covering a variety of forms of police misconduct, including police corruption, use of excessive force, planting of evidence, and failure to execute an arrest warrant.

Upon reading description of each hypothetical case, the respondents answered seven questions designed to measure the officers' personal views, as well as their assessments of their colleagues' views, regarding the case. In particular, the respondents were asked to provide assessments of scenario seriousness, the anticipated and appropriate disciplinary action, and willingness to report misconduct. At the end of the questionnaire, the respondents were asked to answer a few demographic questions. To obfuscate identification of individual police officers taking part in the survey, and thus entice participation in it, these demographic questions have been kept at a minimum. Finally, the very last two questions asked the respondents to assess whether other police officers in their agency would have provided truthful answers and whether they had done so themselves. We used the response to the latter question as a screen, eliminating from further analyses the respondents who had stated openly that their answers were not truthful.

The Sample

With 17,985 independent police organizations operating in the U.S.A. (BJS 2011), it is elusive to measure police integrity across the entire population of these organizations. Moreover, in light of their heterogeneity, an almost equally challenging undertaking would be to collect data from a representative sample of these organizations. Instead, researchers have relied on a realistic approach—convenience samples composed of a range of police agencies. The 11 police agencies surveyed in this study constitute such a convenience sample (Table 11.1). The sample consists of a diverse range of police departments, with both large and small municipal agencies and sheriff's departments. A Bureau of Justice Statistics (2011) survey of local police agencies suggests that the 11 agencies taking part in the study generally reflect the range of law enforcement officers working in large, medium, and small cities in the U.S.A.

In each agency, the police chief or his designee emailed all sworn police officers an invitation to participate in the study; the email message also included our cover letter describing the study, informing the respondents that their participation is voluntary and that they can withdraw from the study at any point, and enlisting potential risks and benefits from participation in the study. The email message also contained the link to the Survey Monkey location and a password (each agency received a separate link and password). When potential respondents followed the provided link to Survey Monkey, they first saw our welcoming letter, containing all the elements of the consent form. About 2–3 weeks after the initial email, the police chief or his designee emailed all police officers again, reminding them to compete the survey if they choose to do so.

Table 11.1 Sample distribution

Agency's jurisdiction size	Number of agencies	Total sworn officers	Respondents	Percent responding (%)
Very large (>500+ sworn officers)	1	726	123	16.9
Large (201–500 sworn officers)	1	230	164	71.3
Medium (76–200 sworn officers)	4	664	315	47.4
Small (25–75 sworn officers)	2	128	46	35.9
Very small (<25 sworn officers)	3	28	16	57.1
All agencies	11	1776	664	37.4

Our overall response rate for the 11 police agencies was 37.4 % (see Table 11.1),[1] consistent with what the literature suggests for one-time web surveys (e.g., Shih and Fan 2008). However, the response rates were not uniform across the agencies. The response rate was substantially lower in one police agency serving a large city than in ten police agencies serving smaller communities (Table 11.1).

Most of those participating in the study were line officers (72.6 %), primarily assigned to patrol functions (55.2 %). At the same time, about one in sixth was a detective (16.5 %). The respondents from the 11 agencies were quite experienced; the overwhelming majority of our respondents have been police officers for 10 years or longer (Table 11.2); almost one half have been police officers for 15 years or longer (Table 11.2).

The last question in the questionnaire asks respondents whether they and their fellow police officers responded honestly while filling out the questionnaire. The overwhelming majority (83 %) thought that their fellow officers would provide truthful answers. This percentage corresponds very closely to the percentage of police officers in our earlier survey of police officers in three U.S. agencies (84 %; Klockars et al. 2006, p. 20).

Ten officers (1.5 % of the sample) reported that they personally had not answered honestly, so we excluded their responses from the further analyses. The percentage of officers who indicated that they had lied while filling out the questionnaire was comparable to, perhaps somewhat lower than, the percentage embedded in previous samples of U.S. metropolitan agencies such as Klockars and colleagues (2006) and Kutnjak Ivković and colleagues (2013); found that 2.2–2.6 % of officers in four large metropolitan police forces had indicated not honestly answering the survey questions.

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[1] Web-based surveys traditionally have lower response rates than the surveys which are mailed, emailed, faxed, or phoned (e.g., Manfreda et al. 2008). In their comparison of survey modes, Shih and Fan (2008) found that the average web-based survey had a response rate of 34 %.

Table 11.2 Respondents demographic characteristics

	Number of respondents	Percent of respondents (%)
Supervisory role		
Non-supervisors	445	72.6
Supervisors	168	27.4
Length of service (current agency)		
Up to 5 years	91	14.6
6–10 years	113	12.3
11–15 years	298	32.0
16–20 years	366	39.5
Over 20 years	59	6.4
Type of assignment		
Patrol	314	55.2
Detective/investigation	94	16.5
Community policing officer	21	3.7
Special (vice, juvenile, etc.)	74	13.0
Administrative	66	11.6

Results

Perceptions of Misconduct Seriousness

After reviewing each scenario, the respondents were asked to report their evaluation of its seriousness. They could select one answer from a five-point Likert scale, ranging from "not at all serious" (1) to "very serious" (5). The results, shown in Table 11.3, indicate that the respondents viewed each of these violations of their agency's rules as serious. Specifically, the mean assessment of seriousness for each of the 11 scenarios was greater than the midpoint (3) of the scale; in 8 scenarios, the mean was well above 4.0 (Table 11.3).

The degree to which the officers considered the scenarios serious, though high on average, varied greatly across the scenarios. Respondents evaluated three behaviors (scenario 1: free meals, gifts from merchants; scenario 7: verbal abuse of motorist; and scenario 8: cover-up of police DUI accident) as the least serious forms of police misconduct covered by the questionnaire. The acceptance of gratuities, described in scenario 1 (free meals, gifts from merchants) is traditionally viewed as the least serious form of corruption and, to some extent, the beginning of the "slippery slope" of corruption. In Roebuck and Barker's typology of police corruption (1974, p. 429), the abuse of authority—in this instance, the acceptance of gratuities—is viewed to have the strongest support from the group, rational-

Table 11.3 Police officer perceptions of seriousness and violations of rules

Scenario number and description	Own seriousness		Others' seriousness		Mean difference (own–others)	Paired t-test	Violation of rules[a]			
	Mean	Rank	Mean	Rank			Yes (%)	No (%)	Not sure (%)	Rank (%)
Scenario 1: free meals, gifts from merchants	3.16	1	2.77	1	0.61	13.17***	75.9	12.6	11.4	1
Scenario 2: faiurel to arrest friend with warrant	4.35	5	4.16	7	0.19	9.13***	86.8	4.3	8.8	5
Scenario 3: theft of knife from crime scene	4.97	11	4.88	11	0.09	6.80***	99.4	0.2	0.5	11
Scenario 4: unjustifiable use of deadly force	4.84	9	4.81	10	0.03	3.02**	88.2	2.6	9.2	6
Scenario 5: supervisor offers holiday for errands	4.24	4	3.97	6	0.27	10.44***	81.4	6.1	12.4	3
Scenario 6: officer strikes prisoner	4.40	6	4.17	8	0.23	9.54***	97.0	0.8	2.2	9
Scenario 7: verbal abuse of motorist	3.41	2	3.44	2	0.03	8.10***	86.7	4.8	8.5	4
Scenario 8: cover-up of police DUI accident	3.70	3	3.71	3	0.01	7.87***	78.4	6.1	15.6	2
Scenario 9: auto body shop 5 % kickback	4.64	8	3.86	5	0.81	9.60***	94.3	2.3	3.4	7
Scenario 10: false report of drug possession	4.91	10	4.28	9	0.63	6.83***	98.2	0.5	1.3	10
Scenario 11: Sgt. fails to halt beating of child abuser	4.56	7	3.85	4	0.71	7.80***	94.5	0.6	4.9	8

*$p < 0.05$; **$p < 0.10$; ***$p < 0.001$

[a] Answers "4" and "5" were grouped together as "yes," answers "1" and "2" as "no," and answer "3" as "not sure"

ized as an informal reward, and the official reaction varies from acceptance to mild disapproval. It is by no means surprising to see that the police officers in our sample evaluated this behavior as the least serious among all the cases of police corruption and other forms of police misconduct described in the questionnaire. The second least serious scenario addresses verbal abuse of a citizen (scenario 7: verbal abuse of motorist). Like the acceptance of gratuities, verbal abuse is the abuse of force at the lowest level of use of force continuum (if the continuum does not include the use of force situations which require a physical contact).

On the other hand, our respondents assessed three scenarios (scenario 3: theft of knife from crime scene; scenario 10: false report of drug possession; and scenario 4: unjustifiable use of deadly force) as the most serious forms of police misconduct. They each represent not only violations of agency rules, but criminal law as well. The 2013–2014 results are closely aligned with past studies of U.S. policing agencies. In a comparative analysis of four large metropolitan police departments, Kutnjak Ivković and colleagues (2013) find that those officers judged the same three scenarios as the least serious (though in a different order) and the same three scenarios as the most serious forms of misconduct (p. 158).

Theft from a crime scene (scenario 3) has also been included in the first version of the questionnaire (theft of a watch instead of theft of a knife). Current results closely resemble those from our earlier, police corruption study, wherein we found that, among all 11 examples of police corruption described in the first questionnaire, theft from a crime scene has been evaluated as *the* most serious of all (Klockars et al. 2000). Similarly, in our current study, theft from the crime scene is viewed as *the* most serious not only among all the police corruption scenarios, but also among all 11 scenarios included in the questionnaire (Table 11.3).

The second scenario that belongs to the most serious group is scenario 4, describing unjustifiable use of deadly force. Keeping in mind that deadly force is at the top of the use of force continuum, it is by no means surprising to see that the respondents evaluated the use of deadly force as the most serious scenario describing the use of force scenarios and, at the same time, one of the three most serious scenarios overall, regardless of the type of police misconduct (Table 11.3).

Five scenarios addressed acts of personal gain categorized generally as police corruption (scenario 1: free meals, gifts from merchants; scenario 3: theft of knife from crime scene; scenario 5: supervisor offers holiday for errands; scenario 8: cover-up of police DUI accident; and scenario 9: auto body shop 5 % kickback). The acceptance of gratuities (scenario 1: free meals, gifts from merchants) was evaluated as the least serious form and the theft from a crime scene (scenario 3: theft of knife from crime scene) as the most serious form of corruption. Two other traditional forms of corruption, kickback (scenario 9: auto body shop 5 % kickback) and internal corruption (scenario 5: supervisor offers holiday for errands) were also evaluated as serious, although not as serious as a committing the additional transgression of theft (scenario 3).

The questionnaire also includes four scenarios that involve officer misuse of force (scenario 4: unjustifiable use of deadly force; scenario 6: officer strikes prisoner; scenario 7: verbal abuse of motorist; scenario 11: Sgt. fails to halt beating of

child abuser). The four scenarios used in the survey could be modeled along the use of force continuum traditionally used to model force in police training (NIJ 2009). The verbal coercion (scenario 7: verbal abuse of motorist) can be viewed as belonging to the start of the force continuum while the use of deadly force (scenario 4: unjustifiable use of deadly force) would occupy the end of the force continuum. The other two examples (scenario 6: officer strikes prisoner; scenario 11: Sgt. fails to halt beating of child abuser) are examples of the empty hand control, located in the middle of the continuum.

Our respondents' evaluations of seriousness closely match the use of force continuum: they evaluated the verbal abuse of citizens as the least serious (scenario 7: verbal abuse of motorist), misuse of the empty hand control as substantially more serious (scenario 6: officer strikes prisoner; scenario 11: Sgt. fails to halt beating of child abuser), and the misuse of deadly force as the most serious (scenario 4: unjustifiable use of deadly force). In line with the previous evaluations of U.S. agencies (Klockars et al. 2006; Kutnjak Ivković et al. 2013), the officers from the 11 agencies viewed the unjustifiable use of deadly force (scenario 4) as the most serious of the coercive misbehaviors but considered stealing a knife (scenario 3) and the false report of drug possession (scenario 10) as more serious overall.

The last two of the 11 scenarios (scenario 2: failure to arrest friend with warrant; scenario 10: false report of drug possession) address a failure to make an arrest and a falsification of the official report. Falsifying the official report (scenario 10: false report of drug possession) was evaluated as the second most serious scenario overall. On the other hand, the scenario addressing the failure to make an arrest (scenario 2: failure to arrest friend with warrant) was evaluated as much less serious.

Finally, the seriousness evaluations offer an opportunity to compare the difference between officers' own perceptions of seriousness and their prediction of how serious their fellow officers would view the same behavior. The results, shown in Table 11.3, indicate that in all 11 scenarios the differences between the two means were statistically significant. However, because of the large sample size (664 respondents) and the increased power of the test, differences of only 0.01 or 0.03 between the two means (scenario 7: verbal abuse of motorist; scenario 8: cover-up of police DUI accident; respectively, Table 11.3) were statistically significant.

As a rule of thumb, researchers using the police integrity survey focus on differences of substantive importance—those differences of more than 0.50 between the mean responses to a paired set of questions.[2] Four scenarios from this survey (scenario 1: free meals, gifts from merchants; scenario 9: auto body shop five percent kickback; scenario 10: false report of drug possession; and scenario 11: Sgt. fails to halt beating of child abuser) had differences between the means of greater than 0.50 and, thus, should be considered as having substantial differences. A com-

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[2] Klockars and colleagues (2004, p. 26) "employed a rule of thumb which was to regard mean differences of less than 0.5 as not meaningful even though a simple t-test establishes the difference as significant." With more than 650 completed questionnaires, nearly every mean response in this study differed from the mean responses to other questions by a statistically significant margin ($p < 0.001$).

mon feature across the four scenarios is that police officers evaluated behavior described in the questionnaire to be more serious than they thought that their fellow police officers would have done.

Assessment of Rule Violations

As part of the evaluation of each scenario, the officers from the 11 agencies were asked whether the hypothetical cases violates the official rules. Specifically, the respondents were asked, "Would this behavior be regarded as a violation of official policy in your agency?" The officers were given a choice of five possible answers displayed across a uniformly-spaced spectrum line. On the extreme left, they could select 1 = "definitely not" on the extreme right 5 = "definitely yes" while the options for 2–4 were placed between the two extremes with 3 in the exact center of the answer continuum.

The portion of affirmative answers, shown in Table 11.3, demonstrates that most of the police officers from the 11 agencies correctly evaluated the described behaviors as violations of official rules. More than three fourths of the respondents (89.2 % on average across the 11 scenarios) selected either "4" or "5" on the questionnaire and, thus, affirmed that the behavior described in the scenarios violated the agency's rules. However, despite the overall high percentage of police officers who correctly recognized the described behavior as rule-violating, the percentages of respondents who viewed each scenario as a violation varied across the scenarios. The respondents were most likely to label as a violation of the rules a theft from a crime scene (scenario 3: theft of knife from crime scene), falsifying a drug report (scenario 10: false report of drug possession), and hitting a prisoner (scenario 6: officer strikes prisoner). The officers were least likely to rule as a violation the acceptance of gratuities (scenario 1: free meals, gifts from merchants), a failure to arrest a friend (scenario 2: failure to arrest friend with warrant), and a case of internal corruption (scenario 8: cover-up of police DUI accident).

Evaluations of whether the behavior violates the official rules were also strongly related to the respondents' evaluations of misconduct seriousness (Spearman's rho $= 0.882$, $p < 0.001$); the more serious the respondents evaluated the behavior, the more likely they were to say that it was the violation of the official rules. Also, the more likely they were to say that the behavior violates the official rules, the more likely they were to evaluate the behavior as serious.

The two scenarios in which fewer than 80 % of the respondents were confident that the scenario was a violation were from the three scenarios evaluated as less serious by the same officers (scenario 1: free meals, gifts from merchants; scenario 8: cover-up of police DUI accident). The third of the less seriously ranked behaviors (scenario 7: verbal abuse of motorist) was viewed by 86.7 % as a violation, which was nearly equal to the mean assessment for the 11 behaviors. The two scenarios with the greatest uncertainty (scenario 1: free meals, gifts from merchants; scenario 8: cover-up of police DUI accident) were also the two scenarios evaluated to be among the three least serious scenarios (Table 11.3). The acceptance of free meals

and gifts, which could be classified as "corruption of authority" in Roebuck and Barker's typology (1974, p. 429), is most likely to be accepted among the all forms of corruption. Furthermore, it is also a form that may result in the clash of official and unofficial rules in the agency; "[m]any police departments, though publicly disavowing this behavior, accept it as a system of informal rewards, particularly if the officers receiving the gratuities are otherwise acceptable to the department, and if the corruptors are respectable citizens" (Roebuck and Barker 1974, p. 429).

Although the overwhelming majority of respondents had no problems labeling the cover-up of police DUI (scenario 8) as rule-violating, this scenario had the second highest percentage of police officers who were not sure whether such behavior is a violation of the official rules. Although the scenario does not directly specify that the police officer has engaged in DUI, it implies that the police officer has driven the police car in to a ditch while intoxicated. Potentially, this indirect implication may be confusing for some respondents.

Perceptions of Appropriate and Expected Discipline

In addition to emphasizing the communication of official rules, the organizational theory of police integrity (Klockars et al. 2006) predicts that the disciplinary actions taken by an agency play a key role in shaping that department's overall integrity levels. Accordingly, the respondents were asked to select the discipline appropriate for the behaviors described in the scenarios as well as to select the discipline they thought their agency would mete out in such cases.[3] The respondents were given six possible answers: "none" (no discipline), "verbal reprimand," "written reprimand," "suspension," "demotion in rank," and "dismissal."

We first explored the respondents' views of the appropriate discipline for the misbehaviors described in the questionnaire. We used four different approaches: modes, ranks, means, and percentages.[4] Regardless of the method we use to analyze the data, the results point in the same direction: the overwhelming majority of respondents approved of at least some discipline for all examples of police misconduct listed in the questionnaire and, in only a few highly selected cases, they thought that dismissal was the appropriate discipline (Table 11.4). The acceptance of gratuities (scenario 1: free meals, gifts from merchants) was evaluated to deserve the least serious discipline (i.e., the mean of 2.2 close to "verbal reprimand," "verbal reprimand" as the mode, and about one out of five respondents selecting "no discipline"). On the other hand, theft from a crime scene (scenario 3: theft of knife from crime scene), the use of deadly force (scenario 4: unjustifiable use of

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[3] The two questions were worded: "If an officer in your agency engaged in this behavior and was discovered doing so, what if any, discipline do you think SHOULD follow?" and "If an officer in your agency engaged in this behavior and was discovered doing so, what if any, discipline do you think WOULD follow?"

[4] The answers were reclassified the following way: "none" remained "none," "dismissal" remained "dismissal," and all the other disciplinary options ("verbal reprimand," "written reprimand," "suspension," "demotion in rank") were reclassified as "some discipline other than dismissal."

Table 11.4 Views about appropriate discipline (should) and expected discipline (would)

Scenario number and description		Mode	Rank should	Rank would	Mean	None (%)	Discipline (%)	Dismiss (%)	Cramer's V (%)
Scenario 1: free meals, gifts from merchants	*Should*	Verbal	1		2.20	18.6	80.0	1.4	0.654***
	Would	Verbal		1	2.32	19.9	78.4	1.8	
Scenario 2: fail to arrest friend with warrant	*Should*	Written	2–4		3.41	4.9	85.4	9.7	0.682***
	Would	Written		2–4	3.35	6.0	84.0	10.0	
Scenario 3: theft of knife from crime scene	*Should*	Dismissal	9–11		5.44	0.5	25.7	73.8	0.616***
	Would	Dismissal		9–11	5.31	0.8	31.5	67.7	
Scenario 4: unjustifiable use of deadly force	*Should*	Dismissal	9–11		5.36	5.3	17.2	77.5	0.674***
	Would	Dismissal		9–11	5.43	4.3	17.0	78.7	
Scenario 5: supervisor offers holiday for errands	*Should*	Written	2–4		3.47	6.6	90.4	3.0	0.686***
	Would	Written		2–4	3.15	13.4	83.6	3.0	
Scenario 6: officer strikes prisoner	*Should*	Suspension	5–7		3.84	3.0	82.4	14.6	0.659***
	Would	Suspension		5–7	3.15	2.4	79.8	18.0	
Scenario 7: verbal abuse of motorist	*Should*	Written	2–4		2.59	8.3	90.9	0.8	0.641***
	Would	Written		2–4	2.85	4.5	94.1	1.4	
Scenario 8: cover-up of police DUI accident	*Should*	Suspension	5–7		3.12	16.4	75.2	8.4	0.611***
	Would	Suspension		5–7	3.49	9.1	79.2	11.7	
Scenario 9: auto body shop 5% kickback	*Should*	Suspension	5–7		4.35	3.1	61.8	35.1	0.684***
	Would	Suspension		5–7	4.36	2.3	63.2	34.5	
Scenario 10: false report of drug possession	*Should*	Dismissal	9–11		5.21	0.7	35.4	63.9	0.647***
	Would	Dismissal		9–11	5.13	1.1	37.7	61.2	
Scenario 11: Sgt. fails to halt beating of child abuser	*Should*	Demotion	8		4.50	4.0	71.7	24.3	0.604***
	Would	Demotion		8	4.55	3.0	71.7	25.3	

*$p < 0.05$; **$p < 0.10$; ***$p < 0.001$

deadly force), and falsifying the official report (scenario 10: false report of drug possession) deserved "dismissal" (i.e., the mean above 5, "dismissal" as the mode, and the majority of respondents selecting "dismissal" as the appropriate discipline; Table 11.4).

By comparing the respondents' views on the appropriate discipline and their expectation of the agency's actual response, the police integrity survey offers a gauge of whether the officers perceive the agency's discipline as fair. The officers' modal judgments on what they viewed as appropriate and what they expected the agency to choose to implement for a discipline did not differ for any of the scenarios (see Table 11.4). The Cramer's V coefficients, calculated using the 6×6 matrix of potential pairs of categorical disciplinary responses, indicate a very strong association between the two judgments. Similarly, the correlation between the two rankings of modal values suggests a very strong correlation (Spearman's rho $= 1.00$, $p < 0.001$). In the 1996 survey of the 30 U.S. police agencies, the two judgments also were closely associated (Klockars et al. 2004). The 2013–2014 survey further supports the conclusion that police officers generally do not view their agencies as out of line with their own views on appropriate discipline for misconduct.

The police integrity survey allows for a test of whether the officers' evaluation of the seriousness of the misconduct influenced their advocacy and expectation of more severe discipline. In this study of 11 agencies, the officers' assessments of both appropriate and expected discipline were closely related to their evaluations of scenario seriousness. Support for a strong positive relation was demonstrated by the Spearman's rank correlation coefficient between modal appropriate discipline and the mean seriousness of the misconduct ($\rho = 0.898$, $p < 0.001$) and between modal expected discipline and the mean seriousness of the misconduct ($\rho = 0.898$, $p < 0.001$).

To further compare the respondents' views on appropriate versus expected agency discipline, we compared the respondents' mean responses (see Table 11.4). Generally, mean responses were in line with past police integrity surveys of U.S. agencies (see Klockars et al. 2006; Kutnjak Ivković et al. 2013) which found that most officers perceived the appropriate discipline to be slightly lighter than the discipline they expected their police agency would mete out. Nonetheless, the results of this survey have four exceptions (scenario 2: fail to arrest friend with warrant; scenario 3: theft of knife from crime scene; scenario 6: officer strikes prisoner; scenario 10: false report of drug possession) in which the officers expected agency discipline on average would be milder than they perceived as appropriate. Moreover, one of those cases (scenario 6: officer strikes prisoner) has a difference between mean responses that meets the Klockars and colleagues' rule of thumb on meaningful differences between mean survey responses of 0.5 (2004, p. 26), with the respondents expecting that the discipline the agency would mete out would be less severe than it should have been (Table 11.4).

Willingness to Report Misconduct

The police integrity questionnaire offers a means to assess the extent and nature of the police code of silence. The blue wall of silence refers to the existence of an un-written rule that police officers do not report on the misconduct of their colleagues (Kutnjak Ivković 2005). The respondents in the 11 agencies were asked whether they would report a fellow officer who engaged in the behavior described in the scenario.[5] They were asked to choose from a five-point Likert scale, ranging from "definitely not" to "definitely yes."

The results (Table 11.5) show, as expected, that the code of silence exists in the 11 surveyed agencies. However, our results illustrate the point that the code of silence does not protect all behaviors equally. We can conclude that, because the means are close to 3 and below the midpoint of our scale, the code is most likely to

Table 11.5 Police officer perceptions of willingness to report

Scenario numbers and description	Own willing-ness to report		Others' willing-ness to report		Mean difference (own-others)	*t*-test
	Mean	Rank	Mean	Rank		
Scenario 1: free meals, gifts from merchants	2.39	1	2.16	1	0.2	7.32***
Scenario 2: failure to arrest friend with warrant	3.61	4	3.32	4	0.29	9.11***
Scenario 3: theft of knife from crime scene	4.65	10	4.33	10	0.32	12.97***
Scenario 4: unjustifiable use of deadly force	4.79	11	4.70	11	0.09	5.90***
Scenario 5: supervisor offers holiday for errands	3.67	5	3.45	5	0.22	6.94***
Scenario 6: officer strikes prisoner	3.79	6	3.47	6	0.32	10.10***
Scenario 7: verbal abuse of motorist	2.83	2	2.56	2	0.27	7.86***
Scenario 8: cover-up of police DUI accident	3.07	3	2.87	3	0.20	6.24***
Scenario 9: auto body shop 5% kickback	4.15	8	3.83	7	0.32	10.70***
Scenario 10: false report of drug possession	4.59	9	4.26	9	0.33	11.66***
Scenario 11: Sgt. fails to halt beating of child abuser	4.12	7	3.85	8	0.27	9.40***

*$p<0.05$; **$p<0.10$; ***$p<0.001$

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[5] The question was worded: "Do you think you would report a fellow police officer who engaged in this behavior?"

protect the acceptance of gratuities (scenario 1: free meals, gifts on beat), a verbal abuse of the citizen (scenario 7: verbal abuse of motorist), and a cover-up of police DUI (scenario 8: cover-up of police DUI accident). On the other hand, the means are all close to 5: our reporting side of the scale—for three scenarios. This indicates that the code of silence is least likely to protect the theft from a crime scene (scenario 3: theft of knife from crime scene), the use of deadly force (scenario 4: unjustifiable use of deadly force), and falsifying an official report (scenario 10: false report of drug possession; Table 11.5). The code is also less likely to protect a kickback (scenario 9: auto body shop five percent kickback) and the failure to stop beating an alleged child abuser (scenario 11: Sgt. fails to halt beating of child abuser).

The extent of the code of silence is strongly negatively related to the perceptions of seriousness (Spearman's correlation coefficient $= -0.964$, $p < 0.001$). The more serious the officers evaluated the behavior, the less likely they were to say that they would protect it. For example, the mean evaluations for the three most serious scenarios (scenario 3: theft of knife from crime scene; scenario 4: unjustifiable use of deadly force; scenario 10: false report drug possession) from Table 11.3 are also the three scenarios ranked in Table 11.5 as the least likely to be tolerated by police officers. This finding is consistent with past studies on U.S. police integrity (Klockars, et al. 2006; Kutnjak Ivković, et al. 2013), suggesting that willingness to report misconduct is negatively related to the officers' perceptions that the behavior was serious.

Conclusion

Modern policing in the U.S.A. commenced more than a century ago. A gradual evolution, often divided into three distinct periods, has been complex and multifaceted. Political era, characterized with rampant corruption and abuse of citizens' human rights, was followed by the professional era. Although the policing profession has experienced some progress, there have been no significant advances of the ethical aspects of policing. The subsequent era of community policing transformation, marked by reforms and changes of paradigm, as well as recent emphasis on dealing with terrorism, still has not addressed integrity issues completely. Throughout history, there have been countless examples of police misconduct, many of which have been documented by independent commissions and illustrated in newspaper accounts. At the same time, despite the long history riddled with integrity challenges, empirical exploration of police integrity has not been extensive.

Our current study provides the first broad study of the contours of police integrity in the United States. The results indicate that police integrity is a complex phenomenon and that police officers do not treat all misconduct equally. On the one hand, the acceptance of free meals and gratuities, verbal abuse of citizens, and cover-up of police DUI accident have been evaluated as the least serious forms of misconduct featured in the questionnaire, requiring the most lenient discipline, and

the most likely to be covered by the code of silence. On the other hand, theft from a crime scene, the unjustifiable use of deadly force, and the falsification of the official report have been evaluated as the most serious forms of misconduct in the questionnaire, requiring dismissal of the police officer, and lacking strong support by the code of silence.

That our respondents evaluated verbal abuse as the least serious form and the use of deadly force as one of the most serious forms of police misconduct is far from surprising. If the use of force continuum is regarded to include non-physical contact, verbal commands constitute the lowest end of the continuum, just above the police mere presence. On the other hand, the use of deadly force constitutes the other end of the continuum (NIJ 2009). Abusing verbal commands should not be viewed to be as serious and should not be disciplined as severely as abuses of the higher ends of the use of force continuum. Consistent with this ranking is the notion, manifested in our respondents' evaluations, that abusing the level of the use of force in the middle of the continuum, such as striking a person, should be viewed as less serious than abusing the deadly force, but, at the same time, more serious than abusing verbal commands. It appears that, explicitly or implicitly, the respondents in our sample adhered to the use of force continuum and made a connection between the seriousness of the act with its location on the use of force continuum. These findings are consistent with our results exploring police integrity in four police agencies (Kutnjak Ivković et al. 2013).

Our questionnaire also contains several scenarios describing police corruption, spanning a range of seriousness. Our respondents evaluated the acceptance of free meals and gratuities as the least serious form of corruption, followed by internal corruption and a kickback, culminating in the most serious form of corruption in the questionnaire—opportunistic theft. The policing literature typically views the acceptance of gratuities as the stepping stone toward more serious corruption, in itself tolerated by the police culture, seen as easily justifiable, and rarely severely disciplined by police agencies (Roebuck and Barker 1974). Empirical studies support this view. In an application of the police corruption questionnaire, Klockars et al. (2004) found that police officers from 30 U.S. agencies evaluated the acceptance of gratuities as one of the least serious forms of corruption. Similarly, in a comparative analysis of four large metropolitan police departments, Kutnjak Ivković and colleagues (2013, p. 158) reported that police officers from four large metropolitan police agencies also judged the acceptance of free meals as the least serious forms of corruption. On the other end of the spectrum, Roebuck and Barker (1974) characterized opportunistic theft as one of the most serious types of corrupt activities, typically triggering a negative reaction from the police agency. Consistent with our results regarding seriousness of opportunistic theft are findings from both Klockars et al. (2004) and Kutnjak Ivković et al. (2013).

Most of the respondents in our sample had no problems recognizing these behaviors as rule-violating. However, only about three quarters of the respondents were able to articulate that acceptance of free meals and gifts was a violation of official rules in the agency; one eighth of the respondents thought these behaviors not to be violations of official agency rules, and the remaining respondents were unsure.

This dispersion of opinion may be related to multiple factors. First, official rules may not be clear on whether the acceptance of gratuities is prohibited. A police agency may even have a general rule prohibiting the acceptance of gifts, but may not specify whether the prohibition applies to any gifts or only larger gifts. If the prohibition applies only to larger gifts, the cutoff may not be clear. Second, there may be a discrepancy between the official rules prohibiting acceptance of gratuities and the unofficial rules allowing it. Roebuck and Barker (1974, p. 429) elaborated on the police agencies' view of acceptance of gratuities as an integral part of the internal rewards systems. Third, the official rules may clearly prohibit acceptance of gratuities, but may be rarely enforced. Overall, the message sent by the police administration could be that official rules are not relevant and that they should not be followed. Consequently, it is quite plausible that some police officers may have been confused and conflicted as they evaluated acceptance of gratuities from our questionnaire.

Although the majority of the respondents recognized use of deadly force as rule-violating, about 10 % of the respondents were unsure. This finding is particularly troubling because use of deadly force is not only a firing offense, but can also result in criminal punishment and civil judgment determining police liability. Still more troubling is that about 20 % of our respondents did not think that a police officer who abused deadly force should be fired. Such views suggest the presence of integrity-challenged police officers whose knowledge of official rules and the consequences of their violations should be reinforced and who should be carefully monitored.

Our results also demonstrate that the code of silence exists in the surveyed police agencies. This finding is in agreement with the results of the 2000 National Institute of Justice nationwide survey police officers (Weisburd et al. 2000), indicating that police officers believed that it was not unusual for the police to adhere to the code of silence. Furthermore, our findings emphasize that the code does not protect all forms of misconduct equally. The code provides the strongest protection to the types of police misconduct evaluated as the least serious and the weakest protection to the types of police misconduct evaluated at the most serious. These results provide further evidence in support of Klockars and colleagues' (2000, p. 6) empirical finding of the negative relation between perceptions of misconduct seriousness and the code of silence.

Finally, we found that the respondents' views about misconduct seriousness were closely associated with their views about rule violations. They were also closely related to the severity of discipline and negatively related to their willingness to report. These findings are consistent with past studies on U.S. police integrity (Klockars et al. 2006; Kutnjak Ivković et al. 2013). Therefore, the analyses of our data showed that different measures of police integrity we use in the questionnaire—assessments of misconduct seriousness, views about expected and appropriate discipline, and willingness to report misconduct—measure the same underlying phenomenon. Despite the complexity of the task, we were able to capture the contours of the police integrity across a dozen of police agencies.

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