

Chapter 7

Police Integrity in Slovenia

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Abstract Slovenia is a Central European democracy, independent since 1991. With a population of approximately two million and above 17,000 € gross domestic product (GDP) per capita, it is considered to be quite a successful transitional country from a former socialist republic to a functional democracy. The Slovenian police service employs 8808 personnel, one police officer for every 267 inhabitants. The survey, conducted in spring 2011 on a representative sample of 550 Slovenian police officers, provides an in-depth exploration of police integrity among Slovenian police officers after two decades of Slovene independence and 13 years after the first survey on police integrity with the same methodology was performed. The survey analyzes police integrity from the organizational/occupational culture theory of corrupt behavior perspective. The questionnaire, developed by Klockars and colleagues, consists of 14 hypothetical case scenarios. One of the main findings is that the officers' own perception of the seriousness of corruption was the most significant determinate of their willingness to report corruption. Expected discipline had no influence on willingness to report corruption. We believe that these results demonstrate a high level of police integrity among police officers in Slovenia. Nevertheless, our results also contain some evidence of the code of silence among the Slovenian police officers.

Keywords Civilian oversight · Democratization · Police integrity · Slovenia · Survey

Introduction

Slovenia is a Central European country covering 20,237 km². On 1 July 2010, Slovenia had 2,049,261 inhabitants, and, according to the 2002 census, the majority of whom were Slovenians (83.1%), Serbs (2%), Croats (1.6%), and Muslims—

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Bosnians (1.6%) the most populous minorities. The 2002 Census revealed that 58% of inhabitants are Roman Catholic. The official language is Slovenian. The capital city is Ljubljana with about 300,000 inhabitants (Government of the Republic of Slovenia 2012).

Slovenia declared independence from Yugoslavia on June 25, 1991. This was followed by the 10-day Slovenian war for independence, the departure of the Yugoslav People's Army from Slovenia (October 1991), adoption of the constitution (December 1991), and broad international recognition of the country (December 1991–May 1992). Slovenia became a member of the United Nations and in the following years also joined other major international political, security, and economic organizations, such as, the Council of Europe (1993), the European Union (2004), North Atlantic Treaty Organization (NATO; 2004), and the Organization for Economic Cooperation and Development (OECD; 2010). In 2007, Slovenia joined the eurozone.

The origins of the Slovenian police go back to the period of the Austro-Hungarian monarchy, when in 1849 the Gendarmerie Corps was founded. After World War I, and the disintegration of Austro-Hungarian Empire, Slovenia, along with its existing gendarmerie, became a part of the newly established Kingdom of Serbs, Croats, and Slovenes. Between the years 1945 and 1991, the Slovenian police were a part of the Yugoslav police force called "Milica" (militia). At that time, the Slovenian police force was subordinated directly to the Slovenian Secretariat of Interior and was decentralized to some extent—police station commanders were appointed by local authorities with approval of the Secretary of the Interior. After 1991, when Slovenia gained its independence, a period of institutional changes began and in 1992 the militia was renamed the police (Kolenc 2003; Meško and Klemenčič 2007). Unlike other Eastern European countries, the police in Slovenia were not associated with political oppression before 1991. This fact and the role of the police in the struggle for independence from Yugoslavia contributed to an interesting phenomenon—the public "approval rating" of the Slovenian police, as indicated through public surveys, was unusually high at the beginning of the transition period, decreasing until 2001 when the trend stabilized.¹

The Slovenian police service employs 8852 personnel—one police officer per 267 inhabitants (Police 2012). The police are a (semiautonomous) body within the Ministry of the Interior, led by the director general of the police. The police are organized into state, regional, and local levels. Since 2011, there have been eight police directorates (regional level) responsible for organizing police activities and performing criminal investigations as well as coordinating police activity at a local level. The majority of police work is done at 111 police stations. There are different types of police stations: (general) police stations, traffic police stations, border police stations, maritime police stations, airport police stations, mounted police sta-

¹ The conclusions are based on the results of public opinion surveys conducted regularly by the Centre for Research of Public Opinion at the Faculty of Social Sciences, University of Ljubljana, which included questions related to the police such as "How much do you trust the police?" and "How satisfied are you with the performance of the police?" (Toš 1999, 2004).

tions, service dog handler stations, and police stations for compensatory measures (Police 2012)². Police tasks at the state level are performed by the general police directorate, which is the highest body within the police organization and is represented by the director general of the police, who is appointed by the government and responsible to the Minister of the Interior. The Police Act of 1998 introduced the office of director general of the police, while formerly the Minister of Interior had been the head of the police force. This position is reserved for a professional and not a political appointee (Meško and Klemenčič 2007).

Theory on Police Corruption and Integrity

It is assumed that corruption is omnipresent in the so-called transitional societies where strain and social conditions create a greater susceptibility to corruption (Meško 2000). From that point of view, management of police corruption has always been a serious problem, particularly since police work is a highly discretionary activity that contains elements of repression and which is carried out mostly in the absence of direct supervision of senior police officials. In addition to police officers' reluctance to report their peers (the *Code of Silence*), the management of corruption is hindered by the fact that a police officer's corrupt behavior frequently involves a transaction that benefits both sides. This means that for all intents and purposes, there is no victim (in the classic sense of the word) who would have an interest in reporting this kind of offense.

If police corruption is one side of the coin, police integrity is the other. Government and accountability of the police, police integrity, and related aspects are important aspects of contemporary policing which are believed to have a central role in policing as a profession (Pagon and Lobnikar 2004). Delattre (1996) defines integrity as "the settled dispositions, the resolve and determination, the established habit of doing right where there is no one to make you do it but yourself." Further, Vicchio (1997) defines integrity at the individual level as a coherent and relatively stable set of core moral values and virtues to which one is freely and genuinely committed and which are reflected in one's actions and speech. We find the same definition given by Becker (1998): "Integrity is the principle of being principled, practicing what one preaches regardless of emotional or social pressure, and not allowing any irrational consideration to overwhelm one's rational convictions."

Girodo (2003) described integrity as simultaneously a personal attribute and a social construct. Integrity is not only a personal but also an organizational notion, as appropriate expectations and standards of operation also arise in and around organizations with regard to the tasks and operations of the organization or the people working for it. An organization's integrity can be understood as the degree to which its employees are encouraged to behave responsibly. Klockars et al. (2000; 2004)

² More information about the Slovenian police is available at <http://www.policija.si/eng/index.php/publication>.

define police integrity as the normative inclination among police to resist temptations to abuse the rights and privileges of their occupation. When discussing the normativity of integrity, authors claim: first, integrity is a belief rather than a behavior (an opinion at an individual level and a norm at group level); second, the idea of police integrity is morally charged, and police conduct is, at least to a certain degree, right or wrong; and finally, it is characteristic of integrity to be virtually inseparable from moral attitudes, since it combines a belief with an inclination to behave in accordance with that belief (Klockars et al. 2004, pp. 2–3). Integrity in policing, then, means that a police officer genuinely accepts values and moral standards of policing, possesses the virtues of the profession, and consistently and voluntarily acts in accordance with those values, standards, and virtues, even in the face of external pressures.

Contemporary theories increasingly highlight the significance of the four dimensions of sources of police corruption which, in contrast to the classic individualist approach, focus on organizational and social elements. These approaches highlight the organization's obligation to create an environment that promotes integrity and a professional culture that does not tolerate corruption. The following sections deal in brief with these dimensions (Haberfeld et al. 1999, p. 14).

Organizational Rules

Organizational rules set out in detail what is deemed corrupt behavior by the organization (the police force). Here, however, one of the main problems is defining what exactly corruption is. This applies especially to marginal corruption-related offenses such as the performance of off-duty work, acceptance of favors and small gifts, free meals, and discounts. As a matter of fact, there is no single document in Slovenia where these organizational rules would be described precisely. As the police officers are civil servants, the disciplinary misconducts are defined in Civil Servants Act in general. In particular, the integrity is mentioned in the paragraph 17 of the Police Tasks and Powers Act (2013), where it is stated that police officers in performing police tasks shall observe the code of professional conduct and strengthen police integrity. In the Organisation and Work of Police Act (2013), there is paragraph 31 on integrity and internal security within the police. According to this paragraph, the police shall ensure internal security by applying internal security procedures so as to prevent, detect, evaluate, and analyze potential risks threatening the internal security of the police, and implement measures to reduce the risks of degrading the integrity of police employees and police units. The types and methods of implementing the procedures and measures are prescribed by the minister upon a proposal of the director general of the police. Besides the laws (e.g., Penal Code), there are some bylaws on the issue (e.g., the Police Rules from 2013). The Code of Police Ethics (2008) is also important, where professional conduct of police officer is discussed in a concrete and understandable way.

Some rules of professional conduct of police officers are also defined in police officer's employment contract, and there are some organizational rules and bylaws

on special issues (like on compatibility of work of a police officer with other professions) regulating police officers' behavior. Although it does not have the status of a law or bylaw, there is a document entitled The Anticorruption Program in Police³ from 2005, where different forms of police corruption and police misconduct are explained, and accompanied with tasks for police corruption management. This document on anticorruption measures, accompanied with code of ethics, represents the foundation for strategic approach to reinforce police integrity in Slovenian police. We discuss this in the next subsection.

As the changes in the Slovenian political system were driven by demands for democratization and the respect for human rights, these changes brought about significant changes in the criminal justice system in general and in policing in particular. Meško et al. (2013) summarized these reforms. The 1991 Constitution put a high emphasis on the protection of human rights and fundamental liberties (and included a number of rights directly relevant to police practices: *Miranda*-type rights, strong limitations on pretrial detention and search and seizure powers, habeas corpus, protection of privacy and fundamental rights in criminal procedure such as the right to counsel, right to cross-examine a hostile witness, etc; Meško and Klemenčič 2007). The 1991 Constitution gave birth to two institutions, the Constitutional Court and the ombudsman, both of which greatly influenced police practices in Slovenia. During the 1990s, the Constitutional Court ruled unconstitutional a number of laws and regulations governing various police powers and practices, especially in the areas of deprivation of liberty, covert surveillance, access to lawyers, use of physical force, stop and frisk, and identity checks (Zupančič et al. 2000). These rulings further limited police powers and made them subject to more strict conditions and the principle of proportionality. On the other hand, the ombudsmen, having unrestricted access to places of custody and persons in custody as well as to all official documents regardless of the level of confidentiality, has contributed substantially to the improvements of the legal and material conditions related to police custody (Klemenčič et al. 2002).

New legislation in 1995 on criminal procedure, in particular pretrial investigation, introduced adversarial elements in the pretrial and trial stage of procedure and strengthened judicial control over police powers through wide judicial powers (and mandate) of exclusion of illegally obtained evidence and strict warrant requirements. A telling, and in comparison to other countries rather unique, example of this change is represented by the statistic regarding warrant requirements for search of premises: In the 1980s more than 80% of all searches of premises were conducted without a warrant under the "exigent circumstances" rule, while between 2001 and 2004 only 1% of all searches were without a warrant (Meško and Klemenčič 2007).

In 1993, when Slovenia became a member of the Council of Europe and ratified the European Convention of Human Rights, the country became subject to the jurisdiction of the European Court and later to oversight by the European Committee for the Prevention of Torture, which has (among others) the power to conduct on-site inspection of places of police custody. The Police Act of 1998 significantly

³ Accessible only in Slovene version at www.policija.si: http://www.policija.si/images/stories/KatalogInformacijJavnegaZnacaja/PDF/akti/program_protikorupciji.pdf.

changed basic police powers, limiting the powers to stop and frisk, abolishing preventive identification checks and preventive detentions, as well as notably raising the threshold for the use of coercive measures. In 2013, new police legislation on police powers and police organization was adopted, adding some new police powers (e.g., on maintaining peace and order at sports events and prohibiting known aggressive offenders from attending sports events) and restricting police use of deadly force to the circumstances involving attacks on human life. In 2001, the public prosecutors were given stronger control over the criminal police in the process of investigating crimes, and, while remaining within the institutional framework of the police organization, they have become fully operationally subordinated to the prosecution service. Apart from contributing to the efficiency of criminal investigations, this move, given the nonpolitical and independent nature of the prosecution service, has arguably also symbolically strengthened the independence, professional status, and nonpolitical nature of the criminal police. In 2013, new acts on police organization and police powers were adopted: Police Tasks And Powers Act (2013) and Organisation And Work Of The Police Act (2013), the culmination of two decades of deliberation on the best organizational and legislative forms for police function.

Approaches to Corruption Control

The next organizational dimension addressing police corruption comprises a spectrum of measures and activities that a specific police organization uses to prevent and control corruption. Among other things, these measures include training in the area of ethics, proactive and reactive investigations of corrupt behavior, tests of integrity, and general prevention based on the use of disciplinary procedures and sanctions for violators. Within the investigation, understanding, and management of corruption, we must first abandon the belief that the term corruption exclusively denotes moral degradation of individuals. This approach is known as the “rotten apple theory.”

Lobnikar et al. (2006) presented the evaluation of a case study of police officer integrity training in Slovenia. The results of the survey indicate that most of the police officers were acquainted with the concept of integrity. Moreover, those police officers who believed that high levels of integrity were crucial for performing police work also believed that high levels of integrity were the main factor in dealing with deviant behaviors within the police organization. Those whose behavior was shaped by their superiors' behavior were more satisfied at work. Of the participants, 59.1 % agreed with the statement that the unethical behavior of police officers is encouraged by supervisors showing low levels of integrity. In addition, 65.2 % agreed with the statement that indifference to integrity is shown by a bad example of police managers or supervisors. In assessing the level of police integrity, most of the participants indicated that levels of integrity in their environment are high. The participants responded that integrity of 75 % of their supervisors at police stations is very high, and that of 59.1 % of their first-line supervisors is high.

In Slovenia, civilian oversight in the resolution of complaints of ill-treatment by the police was introduced by the Police Act of 1998 and reinforced by legislation in 2013. Following the ruling of the European Court of Human Rights in the cases of *Rehbock v. Slovenia* (in 2000) and *Matko v. Slovenia* (in 2006), a department for the prosecution of officials with special authorizations within the specialized department in the Office of the State Prosecutor General was established in 2007. This took investigations of police officers suspected of committing criminal offenses out of the hands of the police organization. In 2011, this department conducted 80, and in 2010, 137 cases of criminal offenses investigation, where the suspect was a police officer. In 2011, there were 19 police officers dismissed because of they were suspected of committing a crime⁴.

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All that resulted in a well-developed process of dealing with complaints against the work of police officers⁵, defined in Organisation and Work of the Police Act. A person, who disagrees with an action of a police officer or thinks a police officer failed to act while performing police tasks, which could constitute a violation of human rights or fundamental freedoms, is entitled to file a complaint. The Ministry of the Interior is responsible for the overall monitoring and supervision of the resolution of complaints, and the police are responsible for considering complaints in conciliation procedures and for certain other tasks in the complaint procedure. A complaint has to be filed within 45 days of the day when a police officer by an action or by failing to act while performing police tasks allegedly violated the human rights or fundamental freedoms of the complainant (Organisation And Work Of The Police Act 2013).

The police officer against whom a complaint was made must be served with a copy of the complaint. Throughout the procedure, the police officer must participate in the examination of the complaint and may prepare a written statement on the complaint within 5 working days of the serving of the complaint. If this is necessary to clarify the circumstances of the complaint, he can be invited to clarify additional facts in relation to the complaint. The invitation may be given to the police officer in writing, directly verbally, by telephone, or by electronic mail. The interview with

⁴ Police annual report for 2011: <http://www.policija.si/images/stories/Statistika/LetnaPorocila/PDF/LetnoPorocilo2011.pdf>.

⁵ In 2011, 627 complaints against police officers were addressed: <http://www.policija.si/images/stories/Statistika/LetnaPorocila/PDF/LetnoPorocilo2011.pdf>.

the police officer must take place at least 5 working days after the invitation; however, this period may exceptionally be shortened with his consent.

Submissions in a complaint procedure could be considered in a conciliation procedure or before a panel. In a conciliation procedure, a complaint is considered in the police unit within which the complainant's human rights or fundamental freedoms were allegedly violated, and a complaint is considered before a panel if the conciliation procedure was not concluded successfully. A conciliation procedure is a meeting between the head of police unit to which the police officer against whom the complaint was made is assigned and the complainant. The police supervisor must allow the complainant to present facts in relation to the complaint and propose evidence for establishing the actual situation. At the conciliation procedure meeting, the complainant is informed of his or her rights, and about the course of the complaint procedure. Police powers and the conduct of the police officer in the incident are explained and, if the complaint is justified, the complainant is informed of the measures that have been or will be taken (apology, written or oral caution to the police officer, proposal for the initiation of disciplinary procedure, minor offense proceedings or criminal proceedings, etc.).

The police officer against whom the complaint was made must be informed about the scheduled conciliation procedure meeting. However, the attendance at the conciliation procedure meeting is voluntary. If the police officer attends the conciliation procedure meeting, the police officer must be allowed to present facts and evidence related to the complaint. In some cases, a complaint is considered directly before a panel (e.g., if anybody suffered serious bodily injury, grievous bodily injury, or lost their lives in the police procedure; if the complaint concerns a police procedure in which instruments of restraint were used against more than three persons and slight bodily harm was caused).

The Ministry of the Interior designates a reporter to establish the facts of the complaint. In order to perform tasks smoothly and efficiently, a reporter has many rights, including the right to have access to the police premises, examine documents, and interview the police officers and any witnesses. Police employees must deliver to the reporter all the necessary data and documents they possess or to which they have legal access and facilitate their examination, copying and printing, that is, facilitate the examination of the complaint and provide any other assistance necessary.

A panel is appointed by the Minister of the Interior and consists of the authorized representative of the minister as the head of the panel and two representatives of the public as panel members. Any adult citizen of the Republic of Slovenia who has not been convicted by a final judgment for an intentionally committed criminal offense for which the perpetrator is prosecuted *ex officio*, *or* is not in criminal proceedings for an intentionally committed criminal offense for which the perpetrator is prosecuted *ex officio* *and* has not been convicted by a final judgment for two or more minor offenses with elements of violence or three or more serious offenses against road traffic safety for which penalty points are imposed may be appointed a representative of the public.

Invitations to the meeting are issued to the complainant, the police officer against whose work the complaint was made, authorized representatives, the reporter, witnesses, experts, and interpreters. At the meeting, the reporter presents the report on findings. The complainant and the police officer express their views on the content of the complaint and facts related to the complaint and, through the head of the panel, pose questions to the invitees or propose that additional evidence be presented. On the basis of established the facts and circumstances, the panel decides on the merits of the complaint. A decision is adopted if at least two panel members vote for it. When voting is concluded, the head of the panel immediately informs everybody present of the decision of the panel; the decision of the panel is final (Organisation and Work of The Police Act 2013).

The police in Slovenia developed a step-by-step approach to reinforce police integrity. At the beginning of this century, some surveys on police integrity were conducted (Lobnikar et al. 2000, 2004, 2006; Banutai et al. 2011), mainly supported by the police administration. Based on the knowledge gained, the National Working Group on Police Integrity was established within the police (2008–2010). This group was converted into the Integrity and Ethics Committee in the police in 2011, first as a consulting body of the director general of the police and in 2014 as a special department within the police academy. The main task of the department is systematic examination of strategic proposals, innovations, questions, and dilemmas in the field of ethics and integrity (based on the Code of Police Ethics), resolving conflict situations in all organizational levels, developing projects connected to police integrity (e.g., ethical phone, measuring organizational climate in police), taking an active role in the European Police College (CEPOL) projects (updating new curriculum on police ethics and integrity, seminars, workshops, etc.), intensifying cooperation with universities and active participation on conferences, roundtables.

Existence of the Informal Code of Silence

The Code of Silence involves the informal prohibition, inherent in the professional culture among police officers, against reporting any irregularities or violations committed by peers. Two particular characteristics of the *Code of Silence* call for special attention: first, opinions in police organizations are divided as to the issue of what kind of behavior the *Code of Silence* covers. In some organizations, it merely covers milder forms of corruption, while in others it can refer to the most severe forms of corruption. Second, the *Code of Silence* varies among individual organizations in terms of to whom it applies, in other words, what groups within the police organization it covers. In some environments, this relationship is confined to police officers' partners, where it is characterized by a high level of mutual trust, while in other places the *Code of Silence* may be extended to cover officer relationships much more comprehensively. It has been proven, however, that the *Code of Silence* is the result of the focus on punishment inherent in paramilitary forms of organization and management of the police (Pagon and Lobnikar 2001).

Lobnikar et al. (2004) conducted a survey on the frequency and the causes of violence and aggressive behavior at the workplace. It has been found that victimization of Slovenian police officers can, above all, be accounted for by social undermining by peers and superiors. Therefore, authors conclude that it is social undermining that most probably leads to victimization at the workplace (Lobnikar et al. 2004). Research has shown that these categories—the victimized (nonvictimized) or the proponents (nonproponents) of violence and aggressive behavior—partly mutually overlap, and this even further obstructs the process of violence and aggression management at workplace (Lobnikar et al. 2004).

In the first comprehensive study on police integrity in Slovenia (Pagon et al. 1998; Kutnjak Ivković et al. 2000; Pagon and Lobnikar 2004; Pagon et al. 2003, 2000), the willingness to report police misconduct (*Code of Silence*) was analyzed. The police officers were the most willing to report the most serious police misconducts—such as, theft of watch from crime scene, theft from the found wallet, and bribe from speeding motorist. The two cases where the police officers were the least willing to report were running an off-duty security system business and accepting holiday gifts from local merchants. The regression analyses revealed the officers' own perception of the seriousness of corrupt behavior was the most significant determinant of their willingness to report corruption, accounting for as much as 43.6% of the variance. Although some cases of Code were discovered, authors concluded that police officers in Slovenia possess high integrity (Pagon and Lobnikar 2004).

The Impact of Public Expectations

The last dimension refers to the social and political environments in which the police are performing their activity. Public expectations relating to police corruption put different pressures on the police in different environments; it can be said that, as far as the management of corrupt behavior is concerned, police organizations in different environments resist public pressure in different ways.

According to Škrbec and Dobovšek (2012), both the Slovenia public opinion⁶ and the statistics of courts, prosecution offices, police, and anticorruption commission show that corruption is increasing, developing into new forms and is spread throughout all areas of the society, particularly in the public sector. The results of Corruption Perceptions Index (CPI) carried out by Transparency International⁷, were relatively good. CPI survey data show that the level of corruption in Slovenia

⁶ Commission for the Prevention of Corruption since 2002 runs annual public surveys on corruption (Stališča o korupciji). Retrieved August 15, 2012 from <http://www.kpk-rs.si/index.php?id=48>.

⁷ http://www.transparency.org/policy_research/surveys_indices/cpi.

in the period from 2003 to 2008 steadily declined.⁸ A drop of almost ten points in 1 year is not an indicator of the worsening of the Slovenian situation but shows a more realistic situation (Dobovšek and Škrbec 2012).

The role of Commission for the Prevention of Corruption of the Republic of Slovenia established in 2004 is also worth discussing. From its establishment, the Commission adopted 237 opinions of principle⁹ showing if specific conducts or actions met the definition of corruption. Out of these 237 cases, the Commission found in 167¹⁰ cases that the analyzed conducts of individual persons, in public or private sectors, met the definition of corruption. All cases are publicly available on the Commission Internet homepage¹¹ in the Slovenian language.

Policing in Slovenia after 1991 has been characterized by several attempts at police reform in order to move closer to a democratic style of policing. Despite organizational, professional, and cultural obstacles, some notable changes have been achieved. While it would be an overstatement to say that the reform of the Slovenian police was successful, one can claim reasonable optimism and characterize the Slovenian police as a relatively modern and professional law enforcement service far closer to its Western counterparts than to the “militia” of communist times. The present orientation is based on the slogan “to protect and serve” and community policing is the foundation of its declared strategy (Police 2013). This transformation has been the result of a complex set of processes that have not always delivered the promised results—while community policing, professionalism, protection of human rights, and restraints on the arbitrary use of force top the official agenda, understanding of the underlying principles of problem-oriented policing and its practical implementation remains weak, and human rights monitoring mechanisms continue to voice their concerns over the inadequate system of accountability of police officers for ill-treatment of citizens (Meško and Klemenčič 2007).

Institutional reforms were closely linked to the centralization of the police in Slovenia. This was partially a by-product of a separate reform in the local self-government but was also driven by the notion that the in-depth reform of the police requires a clear hierarchy and central “command.” Under the socialist system, the organization of the Slovenian police was quite decentralized (Meško and Lobnikar 2005)—prior to 1991, all police stations in the country were considered community-level units. The commanders of local and regional stations were appointed by

⁸ In 2003, it reached a score of 5.9 (occupying the 29th place) and 6.7 in 2008 (occupying the 26th place). In 2009, it reached 6.6; in 2010, 6.4; and in 2011, 5.9.

⁹ The Commission prepares a document called opinion of principle, where simply identifying and reviewing corruptive practices and does not evaluate criminal or other liabilities of the individual, but is assessing the actions of individuals to see if they meet the criteria, conditions, and definition of corruption, as defined in article 4 of IPCA. Opinions of principle are based on actual cases and reports (Škrbec and Dobovšek 2012).

¹⁰ We should remind the readers that one opinion of principle may contain several conducts of corruptive practices. The opinion of principle 219 deals with four different conducts of corruptive practices and several perpetrators, so that their number is not equal to the number of opinions of principle, where corruption has been detected.

¹¹ <http://www.kpk-rs.si/sl/nadzor-in-preiskave/odlocitve-in-mnenja-komisije>.

local authorities after such appointments were approved by the Secretary of the Interior. The current police organization in Slovenia is centralized, with one national, state-funded police force, leaving local authorities with almost no influence; all police stations are state-level units which operate at the local level. The local government has no oversight in their operation or in the appointment of their commanders. While such centralization arguably facilitated the management of reforms, it soon conflicted with the new policing strategy that the police wanted to adopt: community policing (Police 2013). The involvement of local municipalities in the planning and evaluation of police work at the local level was therefore re-introduced to some extent with the legislation of 2013. This, accompanied with new complaining procedure, explained prior in the text, forms a new approach, attempting also to have influence on police officers misbehavior.

Methods, Data Collection, and Description of the Sample

Questionnaire

Klockars and Kutnjak (2004) developed a survey instrument that measures the extent of police integrity. Their questionnaire includes descriptions of 11 hypothetical scenarios, the majority of which address various forms of police corruption, from the acceptance of gratuities and gifts to opportunistic thefts and shakedowns. The questionnaire has been used to survey police offices in a number of countries across the world, from the USA, England, and Canada to Japan and Pakistan (see Klockars et al. 2004). Of the East-European countries in transition, it has been used in Croatia, Slovenia, Bosnia and Herzegovina, Poland, Hungary, and the Czech Republic (see Klockars et al. 2004; Kutnjak and Shelley 2005, 2007).

Klockars et al. argued that their original survey needed to be augmented if inquiry into police misconduct were to be extended beyond corruption motivated by personal gain (2000, pp. 9–10). The second version of their questionnaire includes scenarios that cover a variety of forms of police misconduct, from police corruption and use of excessive force to the planting of evidence and verbal abuse. In consultation with the Croatian police, Kutnjak (2009) added three scenarios to the questionnaire. The first added scenario describes the failure to note on a report that a crime could be classified as a hate crime, while the second one focuses on one of the more frequent forms of police corruption in East-European countries: the acceptance of a bribe from a motorist caught speeding. Finally, the third added scenario involves a failure to intervene when the police officer sees juveniles writing graffiti on a wall. These additional three scenarios were also used in the Slovenian version of questionnaire. The descriptions of scenarios correspond to various forms of police corruption and misconduct.

Each scenario is followed by the same set of questions used in both the first and the second version of the questionnaire. The follow-up questions ask about police officers' knowledge of official rules, their opinions about the seriousness of

particular rule-violating behaviors, the discipline these behaviors would deserve and would actually receive, and their estimates of how willing they would be to report such behavior (Kutnjak 2009).

The methodology used in both questionnaires is the same. To facilitate comparisons across questionnaires, the authors retained five scenarios from the original questionnaire in the second questionnaire (the acceptance of gratuities, theft from a crime scene, internal corruption, cover-up of a police driving under the influence (DUI) accident, and a 5% kickback). The wording of the questionnaire is either identical or slightly changed (e.g., theft of a knife instead of a watch from a crime scene).

The last part of the questionnaire contains a few demographic questions. To increase the respondents' willingness to participate in the study and to exclude the possibility that respondents could be identified, the number of demographic questions has been kept at the minimum. These questions inquired about the length of the respondents' police experience, rank, assignment, and whether they were employed in a supervisory position.

Sample

Data were obtained from 583 police officers from all three levels of the police organization (national, regional, and local). Data were collected from all police stations (102) at the local level and from all regional police administrations (11 at the time of data collection). All the data were collected in spring 2011. The questionnaires were administered to all police officers in the shift on a particular day along with letters disclosing the intent of the survey and envelopes for return mail. We asked police officers to fill out the questionnaire, seal the envelope, and return it to the research institution. Confidentiality and anonymity were guaranteed and participation was voluntary. All community policing officers (CPOs) received personally addressed mail¹² and the same procedure as at the local police stations was used.

The majority of police officers' sample consists of male police officers, working in a medium-sized police department with 11–20 years of service within the police. The vast majority held various ranks within the category of police officers (from junior police officer to senior police officer). The sample is presented in detail in Table 7.1. In the sample, the number of CPOs is overrepresented. However, due to the fact that CPOs also perform other police tasks (e.g., crime investigation), the sample reflected the population of police officers in Slovenia (Table 7.2).

Table 7.2 data on demographic characteristics of police population in Slovenia are presented. The structure of the sample (all three organizational levels), its size, and the demographic features of questioned police officers indicate that we can generalize the findings to the entire population of police officers in Slovenia.

¹² The list of CPOs was obtained from police internet homepage: <http://www.policija.si/index.php/dravljani-in-policija/vodje-policijskih-okoliev>.

Table 7.1 Respondents' demographic characteristics

	Number of respondents	Percent of respondents (%)
<i>Gender</i>		
Male	516	88.5
Female	57	9.8
N/A	10	1.7
<i>Agency size</i>		
Small (up to 25)	145	24.9
Medium (26–75)	251	43.1
Large (over 75)	178	30.5
N/A	9	1.5
<i>Length of service</i>		
Up to 10 years	129	22.2
11–20 years	243	41.6
Over 20 years	204	35.0
N/A	7	1.2
<i>Rank</i>		
Police officer (from junior police officer to senior police officer)	459	78.8
Police inspector (from junior inspector to senior police inspector)	103	17.7
N/A	21	3.5
<i>Type of assignment</i>		
Public order	91	15.6
Crime investigation	63	10.8
Dispatch	35	6.0
Traffic	43	7.4

Table 7.1 (continued)

	Number of respondents	Percent of respondents (%)
Community policing	111	19.0
Administration	20	3.4
Other	139	23.8
N/A	81	13.9
<i>Supervisors</i>		
Yes		73.3
No		26.5

Table 7.2 The police force in numbers

No. of employees in the police force (on 1 October 2011)	8852
No. of police officers	7666
No. of criminal officers	885
No. of members of the special forces	91
Average age	40.7 years old
Average age of employees with police powers	38.9 let
No. of women with police powers (2012)	1142 (17.8%)
No. of employees with a Ph.D. or M.A.	167 (1.9%)
No. of employees with university or high education	2042 (23.2%)
No. of employees with higher education	564 (6.2%)
No. of employees with secondary education	5675(64.1%)
No. of employees with lower education (primary, occupational)	404 (4.6%)

Results

Assessment of Violation of Official Rules

All forms of police misconduct described in the questionnaire not only constitute violations of the official rules but also represent violations of criminal laws. Engaging in any of the forms of misbehavior described in the questionnaire should result in a disciplinary response by the police agency and, in most of the scenarios, in a response from the criminal justice system as well. The respondents could select an answer from three possible choices: “yes,” “no,” and “don’t know.” The results are presented in Table 7.3.

Respondents’ opinions about whether these behaviors constitute violations of official rules vary greatly across the 14 scenarios. For each scenario, the majority of the respondents recognized that the described behavior is a violation of the official rules, although the percentage of police officers who stated that the behavior violates the official rules ranges across scenarios. In three scenarios (72% in scenario 8: cover-up of police DUI accident, 81.5% in scenario 1: free meals, gifts from merchants, and 80.4% in scenario 12: failing to report hate crime), we find some variations in answers, while there were more scenarios in which the answers were almost unanimous (e. g., scenario 3: theft of knife from crime scene with 98.9%; scenario 13: taking bribe from speeding motorist with 98.7%; and scenario 10: false report on drug dealer with 97.6% of *yes* answers regarding respondents’ assessment whether behavior qualifies as a violation of official rules). There is only one case in which the level of uncertainty is high: scenario 12: failing to report hate crime (13.4% of police officers do not know if this will violate organizational rules). According to the Slovenian criminal law and court practice, the hate crime is a relatively new area, with little or no court rulings on the issue. So it is not surprising that police officers are to some extent unsure whether the case presented in scenario 12 would violate organizational rules. The results are also presented in Fig. 7.1.

Table 7.3 Respondents’ assessment whether behavior qualifies as violation of official rules

	Rank	Percentage	
		Yes	No
Scenario 1: free meals, gifts from merchants	12	81.5	12.3
Scenario 2: failure to arrest friend with warrant	5	96.5	2.2
Scenario 3: theft of knife from crime scene	1	98.9	0.7
Scenario 4: unjustifiable use of deadly force	10	87.9	3.9
Scenario 5: supervisor offers holiday for errands	11	81.9	8.2
Scenario 6: officer strikes prisoner who hurt partner	7	95.1	3.1
Scenario 7: verbal abuse—“Arrest an Asshole Day”	9	89.8	6.9
Scenario 8: cover-up of police DUI accident	14	72	18.9
Scenario 9: auto body shop 5 % kickback	6	95.4	1.5
Scenario 10: false report on drug dealer	3	97.6	0.9
Scenario 11: Sgt. fails to halt beating	4	96.7	2.4
Scenario 12: failing to report hate crime	13	80.4	6.2
Scenario 13: bribe from speeding motorist	2	98.7	0.6
Scenario 14: not reacting to graffiti	8	95	1.8

DUI driving under the influence

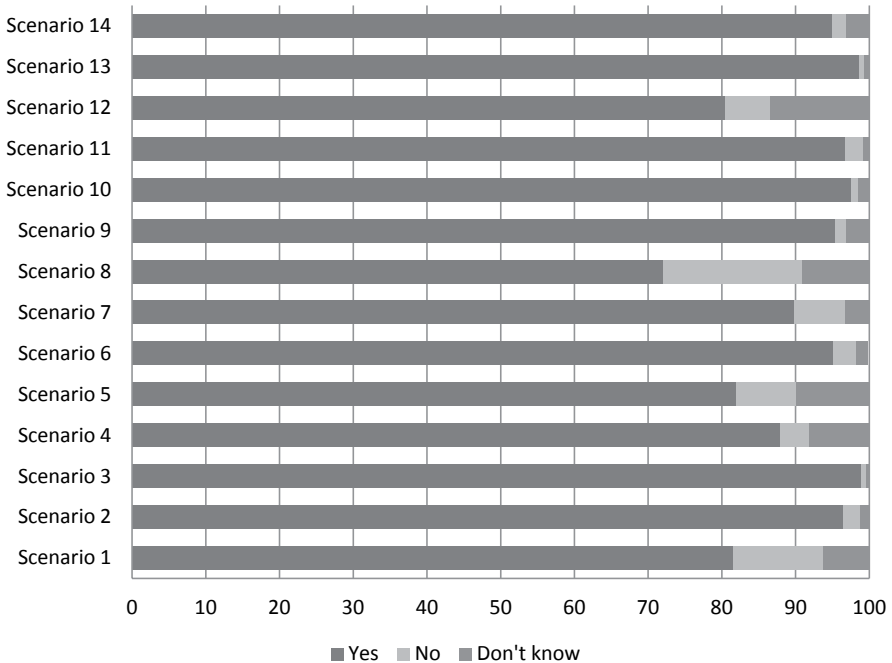


Fig. 7.1 Respondents’ assessment whether behavior qualifies as a violation of official rules

Table 7.4 Police officer perceptions of seriousness

Scenario number and description	Own seriousness		Others' seriousness		t-test
	Mean	Rank	Mean	Rank	
Scenario 1: free meals, gifts from merchants	3.64	13	3.0	12	14.208***
Scenario 2: failure to arrest friend with warrant	4.76	3	4.3	4	15.598***
Scenario 3: theft of knife from crime scene	4.87	1	4.64	1	10.069***
Scenario 4: unjustifiable use of deadly force	4.55	6	4.35	3	8.197***
Scenario 5: supervisor offers holiday for errands	4.45	7	4.19	6	8.432***
Scenario 6: officer strikes prisoner who hurt partner	4.13	9	3.57	10	14.959***
Scenario 7: verbal abuse—"Arrest an Asshole Day"	3.66	12	3.19	11	13.768***
Scenario 8: cover-up of police DUI accident	2.87	14	2.51	13	9.744**
Scenario 9: auto body shop 5 % kickback	4.63	5	4.18	7	12.322**
Scenario 10: false report on drug dealer	4.67	4	4.3	4	12.236**
Scenario 11: Sgt. fails to halt beating	4.34	8	3.86	8	13.570**
Scenario 12: failing to report hate crime	4.01	11	3.57	10	12.659**
Scenario 13: bribe from speeding motorist	4.85	2	4.64	1	7.51**
Scenario 14: not reacting to graffiti	4.13	9	3.8	9	11.243**

** p = 0.01;
 ***p = 0.000

The respondents' labeling of a particular behavior as rule violating is closely related to how serious they evaluated the behavior to be (see Table 7.4): if they thought that the behavior tended to be more serious, they were more likely to say that it violated official rules (for each scenario, the correlation was statistically significant, and Cramer's *V* coefficient varied from lowest 0.257 in scenario 7 to highest 0.464 in scenario 13).

Evaluation of Seriousness of the Behavior

The respondents were asked to evaluate how serious they perceive the behaviors described in the scenarios to be. Two questions probed the respondents about the seriousness of the behavior; the first question sought their own evaluations of seriousness, while the second one asked about their estimates of how the majority of police officers in their agency would evaluate the behavior. Answers were recorded on a five-point Likert scale, ranging from "not at all serious" to "very serious."

The respondents' evaluations of scenario seriousness suggest that the scenarios were generally evaluated to be on the serious side (means are clustered between the midpoint of the scale and the "very serious" end of the scale). However,

these evaluations ranged in terms of seriousness from the scenario evaluated to be the least serious, scenario 8 (describing the cover-up of a police DUI), to the scenario evaluated as the most serious, scenario 3 (describing the theft of a knife from the crime scene with the mean very close to the very serious end of the scale; see Table 7.4). We can see that the case scenarios fall into three categories of perceived seriousness: three scenarios (scenario 1: free meals, gifts from merchants; scenario 8: cover-up of police DUI accident; and scenario 7: verbal abuse—“Arrest an Asshole Day”) were not considered very serious by Slovenian police officers—cover-up of police DUI accident was the only case in which the mean was lower than 3. For the other two cases in this category, the mean was somewhere between 3 and 4. Scenario 1 (free meals, gifts from merchants) focuses on the acceptance of gratuities—traditionally viewed as the stepping stone toward more serious forms of police corruption. Scenario 8 (cover-up of police DUI) is classified as internal corruption in Barker and Roebuck’s classification system (1973; cit. in Kutnjak Ivković, this book). Prior research on police integrity in Slovenia (Pagon and Lobnikar, 2004) shows that internal corruption was also viewed as one of the least serious forms of police corruption in 1998, with a mean score 2.41, and was the second least serious scenario. “Free meals and gifts from merchants” was evaluated as the least serious scenario by Slovenian police officers in 1988 with a mean score of 2.00.

Respondents considered five other cases (supervisor offers holiday for errands officer strikes prisoner who hurt partner, Sgt. fails to halt beating, failing to report hate crime, and not reacting to graffiti) to be at an intermediate level of seriousness.

The three most serious scenarios have means substantially closer to 5 (the “very serious” end of the scale). These three scenarios, plain violations of criminal law, include one scenario with opportunistic theft (scenario 3: theft of knife from crime scene), a scenario involving a failure to execute an arrest warrant on a friend (scenario 2: failure to arrest friend with warrant), and scenario 13: taking bribe from speeding motorist. All three scenarios are plain violations of official rules in which a police officer does something that he/she was not supposed to do (e.g., steal the knife from a crime scene) or does not do something that he/she was supposed to do (e.g., arrest a friend). The case of shooting a runaway suspect and taking 5% of the repair bill from a local auto body shop owner are also included in this group.

A comparison of the respondents’ own estimates of seriousness to their estimate of how serious the other police officers in the agency would evaluate the same scenarios revealed several findings. For each and every scenario, the respondents evaluated scenarios as more serious than they thought the other police officers would; the means for evaluations of “own seriousness” were always statistically significantly higher than the means for “others’ seriousness” (see Table 7.3). Following the precedent established by Klockars et al. (2006, p. 26), we consider only differences of 0.50 or larger to be meaningful. These large and meaningful differences appeared only in three scenarios (scenario 1: free meals, gifts from merchants; scenario 6: officer strikes prisoner who hurt partner; and scenario 9: auto-body shop 5% kickback). In most cases, there is a statically significant positive correlation with work experience (except in scenarios 2, 4, and 8)—those

with more work experience evaluated the majority of cases as more serious. Police chiefs/supervisors evaluate eight cases as a more serious violation when compared to the evaluations of line officers (no statistically significant differences in scenarios 3, 4, 14, and 12).

Opinions About the Appropriate and Expected Discipline

The respondents were also asked what they thought the appropriate discipline for the behaviors described in the questionnaire should be as well as what they thought the actual discipline meted out by their agencies would be. The possible responses were “no discipline,” “public warning,” “fine in the amount of 10% of the employee’s salary,” “fine in the amount of 20% of the employee’s salary,” “reassignment,” and “dismissal.” The percentages of the respondents who picked each disciplinary option and the modal values for each scenario are shown in Table 7.5.

The opinions on the appropriate discipline vary across scenarios, as in the case of evaluation of seriousness. Based on modal values, we can form three categories: in the first group, dismissal was most frequently regarded as an appropriate discipline (this is the fact in six scenarios: scenario 2: failure to arrest friend with warrant; scenario 3: theft of knife from crime scene; scenario 4: unjustifiable use of deadly force; scenario 9: auto body shop 5% kickback; scenario 10: false report on drug dealer; and scenario 13: bribe from speeding motorist), the second group (reassignment and appropriate discipline) includes two scenarios (scenario 11: Sgt. fails to halt beating, and scenario 5: supervisor offers holiday for errands), and in the third group public reprimand or no discipline were selected as appropriate (scenario 1: free meals, gifts from merchants; scenario 6: officer strikes prisoner who hurt partner; scenario 7: verbal abuse—“Arrest an Asshole Day”; scenario 12: failing to report hate crime; scenario 14: not reacting to graffiti; and scenario 8: cover-up of police DUI accident—the only scenario where police officers indicated that the perpetrator deserved no discipline). The respondents indicated that the severity of discipline will be the lowest for those offenses they perceive as less serious (“verbal abuse—‘Arrest an Asshole Day’,” “free meals, gifts from merchants, and cover-up of police DUI accident”), and will be highest for the most serious cases (e. g., theft of knife from crime scene and bribe from speeding motorist). We can say that respondents’ views on police misconduct are very consistent: The scenarios for which the modal response is dismissal were the scenarios which the respondents were most likely to evaluate as “very serious.”

The perceived fairness of discipline was then analyzed. To measure how officers perceived the fairness of discipline, the scores on the “discipline *would* receive” scale were subtracted from the scores on the “discipline *should* receive” scale. A difference of zero was interpreted to mean that the respondent thought the discipline was fair. If the difference was greater than zero (positive), the respondent thought that the discipline was too lenient. Conversely, if the difference was less than zero (negative), the respondent thought that the discipline was too harsh. The results are presented in Fig. 7.2.

Table 7.5 Views about appropriate discipline (should) and expected discipline (would)

Case scenario	Should receive			Would receive			<i>t</i> -test sig.
	Mean	Rank	Mode	Mean	Rank	Mode	
Scenario 1: free meals, gifts from merchants	2.68	3	Reprimand	2.65	3	Reprimand	No sig.
Scenario 2: failure to arrest friend with warrant	4.93	11	Dismissal	4.36	8	Dismissal	<i>t</i> = 7.82 <i>p</i> = 0.000
Scenario 3: theft of knife from crime scene	5.72	14	Dismissal	5.50	13	Dismissal	<i>t</i> = 5.32 <i>p</i> = 0.000
Scenario 4: unjustifiable use of deadly force	5.29	12	Dismissal	5.53	14	Dismissal	<i>t</i> = -5.63 <i>p</i> = 0.000
Scenario 5: supervisor offers holiday for errands	3.52	7	Reassignment	2.58	2	None	<i>t</i> = 13.24 <i>p</i> = 0.000
Scenario 6: officer strikes prisoner who hurt partner	3.32	6	Reprimand	3.59	7	Reprimand	<i>t</i> = -4.15 <i>p</i> = 0.000
Scenario 7: verbal abuse—"Arrest an Asshole Day"	2.22	1	Reprimand	2.16	1	Reprimand	No sig.
Scenario 8: cover-up of police DUI accident	2.26	2	None	2.81	6	Reprimand	<i>t</i> = -7.67 <i>p</i> = 0.000
Scenario 9: auto body shop 5% kickback	4.90	9	Dismissal	4.56	10	Dismissal	<i>t</i> = 5.56 <i>p</i> = 0.000
Scenario 10: false report on drug dealer	4.92	10	Dismissal	4.72	11	Dismissal	<i>t</i> = 3.89 <i>p</i> = 0.000
Scenario 11: Sgt. fails to halt beating	4.38	8	Reassignment	4.42	9	Reassignment	No sig.
Scenario 12: failing to report hate crime	2.85	4	Reprimand	2.73	4	Reprimand	No sig.
Scenario 13: bribe from speeding motorist	5.60	13	Dismissal	5.47	12	Dismissal	<i>t</i> = 3.01 <i>p</i> = 0.003
Scenario 14: not reacting to graffiti	3.06	5	Reprimand	2.77	5	Reprimand	<i>t</i> = 4.01 <i>p</i> = 0.000

DUI driving under the influence

As we can see, in most scenarios, police officers perceive discipline to be fair, especially in the cases that were perceived to be the most serious (e.g., unjustifiable use of deadly force, taking bribe or theft from crime scene). There are only three cases where the percentage of those perceiving the discipline too harsh is higher than 20%. Of the surveyed police officers, 31.5% believe that discipline for covering up a fellow police officer's DUI is too harsh. This case scenario is the only one for which police officers think they should not be punished at all for their behavior and was also evaluated as the least serious scenario. In the same group, we can add the scenario describing the use of excessive use of force, and accepting free meals

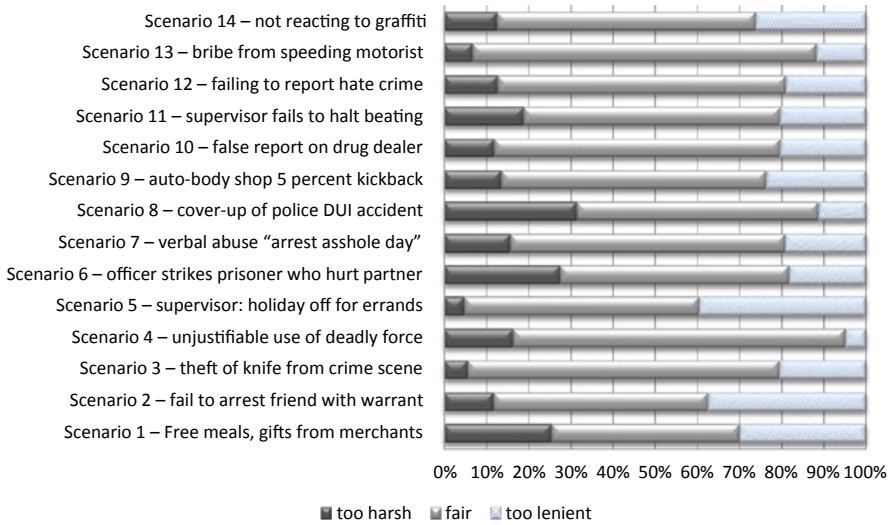


Fig. 7.2 Perceived fairness of discipline

and gifts from local merchants. On the opposite site, there are some scenarios, where discipline was perceived as too lenient. Of police officers surveyed, 39.5% believe that discipline for a police supervisor abusing his/her power by asking a police officer to do some private work for the supervisor is too lenient (scenario 5: supervisor offers holiday for errands). They indicated that they believed the supervisor would receive no discipline. This is the only case in which respondents indicated that the perpetrator will receive no discipline, with less experienced police officers more frequently indicating that their supervisor will get no discipline.

Willingness to Report Misconduct

The last two questions after each scenario asked the respondents to indicate how willing they would be to report misconduct and to estimate how willing other officers in their agencies would be to do so. The answers ranged on a five-point Likert scale from “definitely not” to “definitely yes.” The answers conveying the officers’ own (un)willingness to report misconduct help us assess the extent and nature of the Code of Silence.

The scenarios also fall into three categories according to officers’ willingness to report misconduct. In the cases of verbal abuse (scenario 7), accepting gifts from merchants (scenario 1), and covering up a police officer DUI (scenario 8), the respondents were less willing to report (mean score less than 3), while we observe a high willingness to report in cases of theft (scenario 3), taking bribes (scenario 13), protecting a friend from prosecution (scenario 2), falsification of evidence (scenario

10), taking money for arranging business (scenario 9), and shooting a runaway suspect (scenario 4).

Willingness to report is for all scenarios statistically significant and positively correlated with the perceived level of seriousness of the misconduct (all correlations were statistically significant at the level 0.000; Pearson “*r*” correlation coefficient varies from lowest 0.251 in scenario 13: “bribe from speeding motorist” to highest 0.709 in scenario 8: cover-up of police DUI accident)—the less serious the misconduct is perceived by police officers, the less willing they are to report the misconduct and vice versa—the more serious the behavior is evaluated, the higher is the willingness to report it. Furthermore, respondents with more work experience are in all scenarios more willing to report police misconduct compared to those with less work experience (all correlations were statistically significant at the level of 0.000; the lowest correlation in scenario 4: “unjustifiable use of deadly force”: $r=0.141$ and scenario 8: “cover-up of police DUI accident”: $r=0.130$; the highest correlation occurs in scenario 13: “bribe from speeding motorist”: $r=0.312$). Also, as was the case in the evaluation of seriousness of scenarios, in each scenario police supervisors (all those police officers in any managerial position or with managerial duties) are more willing to report police misconduct compared to those with no managerial responsibilities (all mean differences were statistically significant at the level of 0.000).

We also compared the respondents’ own willingness to report with their estimates of others’ willingness to report (Tables 7.6 and 7.7). The mean values suggest that, in all 14 scenarios, the respondents seem to be somewhat more willing to report than they estimated that others would be. Although the differences between the means for their own willingness to report and the means for others’ willingness to report are statistically significant in all scenarios, these differences are meaningful in only four scenarios (scenario 2: “failure to arrest friend with warrant;” scenario 3: “theft of knife from crime scene;” scenario 9: “auto body shop 5% kickback;” and scenario 11: “Sgt. fails to halt beating”).¹³

As we see in Table 7.6, there are three scenarios in which the mean values are below the midpoint of the scale (scenario 1: “free meals, gifts from merchants;” scenario 8: “cover-up of police DUI accident;” and scenario 7: “verbal abuse—” ‘Arrest an Asshole Day’) suggesting that the behaviors described in these scenarios would be well protected by the Code of Silence. In addition, a separate analysis of the Code of Silence (measured as the percentage of the respondents who said that they would not report) shows that for each of these scenarios about one third to almost one half of the respondents said that they would *not* report a police officer who engaged in the misconduct described in the scenario (see Fig. 7.3). These three scenarios include the least serious forms of police corruption (i.e., the acceptance of gratuities), the use of verbal assault as the first step of an excessive use of force, as well as the scenario involving internal corruption. These three scenarios have been perceived as the least serious, least likely to be recognized as rule-violating behavior, and deserving the least serious forms of discipline.

¹³ Following the precedent established in prior work (Klockars et al. 2006, p. 26), it can be considered only the differences of 0.50 or larger to be meaningful.

Table 7.6 Police officer perceptions of willingness to report

Scenario number and description	Own willingness to report			Others' willingness to report		<i>t</i> -test sig.
	Mean	S.D.	Rank	Mean	S.D.	
Scenario 1: free meals, gifts from merchants	2.76	0.064	12	2.27	0.047	<i>t</i> =9.77 <i>p</i> =0.000
Scenario 2: failure to arrest friend with warrant	4.14	0.051	4	3.51	0.046	<i>t</i> =14.55 <i>p</i> =0.000
Scenario 3: theft of knife from crime scene	4.6	0.037	1	4.08	0.041	<i>t</i> =14.69 <i>p</i> =0.000
Scenario 4: unjustifiable use of deadly force	4.42	0.043	2	4.15	0.045	<i>t</i> =8.67 <i>p</i> =0.000
Scenario 5: supervisor offers holiday for errands	3.47	0.06	9	3.04	0.052	<i>t</i> =9.73 <i>p</i> =0.000
Scenario 6: officer strikes prisoner who hurt partner	3.16	0.63	11	2.6	0.052	<i>t</i> =12.28 <i>p</i> =0.000
Scenario 7: verbal abuse—"Arrest an Asshole Day"	2.7	0.061	13	2.25	0.05	<i>t</i> =10.72 <i>p</i> =0.000
Scenario 8: cover-up of police DUI accident	2.27	.057	14	2.05	0.071	<i>t</i> =3.32 <i>p</i> =0.001
Scenario 9: auto body shop 5 % kickback	4.06	0.051	6	3.43	0.049	<i>t</i> =14.68 <i>p</i> =0.000
Scenario 10: false report on drug dealer	4.14	0.049	4	3.6	0.048	<i>t</i> =14.44 <i>p</i> =0.000
Scenario 11: Sgt. fails to halt beating	3.61	0.06	7	3.11	0.055	<i>t</i> =11.83 <i>p</i> =0.000
Scenario 12: failing to report hate crime	3.3	0.057	10	2.83	0.049	<i>t</i> =11.60 <i>p</i> =0.000
Scenario 13: bribe from speeding motorist	4.42	0.045	2	3.99	0.047	<i>t</i> =12.11 <i>p</i> =.000
Scenario 14: not reacting to graffiti	3.49	0.056	8	2.98	0.049	<i>t</i> =12.86 <i>p</i> =0.000

S.D. standard deviation

Table 7.7 Hierarchical regression for dependent variable OWRALL

Model	<i>R</i>	<i>R</i> ²	Adjusted <i>R</i> ²	Std. Error of the estimate	df	Mean square	<i>F</i>	Sig.
1	0.828 ^a	0.69	0.68	7.14	4	12851.79	252.29	0.000 ^b

^a Dependent variable: OWRALL

^b Predictors: (Constant), MWRALL, EDALL, OSALL, MSALL

To evaluate the level of police integrity within the Slovenian police force, we used an aggregate measure (a sum of all 14 scenarios) of the “own perception of the seriousness of corrupt behavior” (OSALL), “beliefs about other officers’ perception

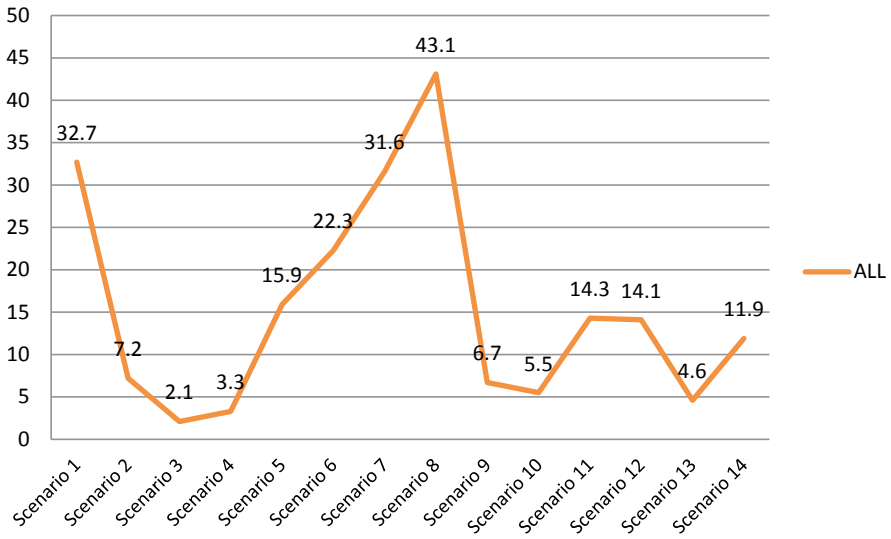


Fig. 7.3 Percentage of police officers definitely not willing to report

of corrupt behavior” (MSALL), “expected discipline” (EDALL), “own willingness to report” (OWALL) and “beliefs about other officers’ willingness to report” (MWRALL). The results of regression analyzes (with “own willingness to report” as dependent variable) are presented in Tables 7.7 and 7.8.

As shown, we can explain up to 68% of variance of the officers’ willingness to report police corruption and misconduct with the four entered variables. In the following table, the contribution of each of the variables is further analyzed, and we can see that the officers’ own perception of seriousness has the strongest influence on willingness to report ($\beta=0.714$), followed by beliefs about other police officers’ willingness to report (MWRALL; $\beta=0.690$). We can also see that expected discipline (EDALL) is not significant, and that officers’ beliefs about others’ perception of corrupt behavior (MSALL) is even negatively correlated.

Table 7.8 Hierarchical regression for dependent variable OWRALL Coefficients^a

Model	Unstandardized coefficients		Standardized coefficients	t	Sig.	
	B	Std. error	Beta			
1	(Constant)	-12.508	2.859		-4.374	0.000
	OSALL	1.152	0.062	0.714	18.712	0.000
	MSALL	-0.768	0.070	-0.491	-10.985	0.620
	EDALL	0.015	0.031	0.014	0.497	0.000
	MWRALL	0.809	0.039	0.690	20.611	0.000

^a Dependent variable: OWRALL

Discussion

The results of the survey revealed that the majority of the respondents recognized described behavior as a violation of the official rules. In three scenarios (cover-up of police DUI accident, taking free meals and gifts from merchants, and failing to report hate crime), we find some variations in answers, while there were more scenarios in which the answers of the respondents whether behavior qualifies as a violation of official rules were almost unanimous (e.g., theft of knife from crime scene and false report on drug dealer). The respondents' labeling of a particular behavior as rule violating is closely related to how serious they evaluated the behavior to be—if they thought that the behavior tended to be more serious, they were more likely to say that it violated official rules. The respondents' evaluations of scenario seriousness suggest that the scenarios were generally evaluated to be on the serious side; means were clustered between the midpoint of the scale and the “very serious” end of the scale. As we have seen, in most scenarios, police officers perceived discipline to be fair—especially in the cases that were evaluated to be the most serious. As was seen, willingness to report was for all scenarios statistically significant and positively correlated with the perceived level of seriousness of the misconduct.

The survey was intended to assess police integrity according to the approach described in the introduction. We believe that an officer's perception of the seriousness of corruption is a moral judgment and, as such, an indirect indicator of the set of moral principles guiding such judgments. An officer's willingness to report corruption reflects an intention that is a precursor of action (Pagon and Lobnikar 2004). To the extent that a person's willingness to report corruption is a consequence of their perception of its seriousness, the person demonstrates integrity, that is, congruence between their moral beliefs and their propensity for action. If the willingness to report corruption is influenced more by exogenous variables (such as other people's beliefs and actions, fairness of the discipline, rank, assignment, etc.) than by the person's own perception of the seriousness of corruption, the person does not demonstrate integrity. The officers' own perception of the seriousness of corruption was the most significant determinate of their willingness to report corruption, followed by their estimation of other police officers' willingness to report (see Table 7.8). Expected discipline had no influence on willingness to report corruption. We believe that the results demonstrate a high level of police integrity among police officers in Slovenia.

A practical implication of this study's findings is that efforts to manage police corruption and other forms of police misconduct are most likely to be successful if they are directed at changing perceptions and moral beliefs about the seriousness of corruption. Although the results of the survey revealed a high level of police integrity, there are some issues where additional work has to be done. First is the case of covering up a police officer DUI (scenario 8), where 23.6% of respondents selected answer 1 (“not at all serious”). This is a form of police corruption involving internal corruption from Barker and Roebuck's classification (1973 cit. in Kutnjak Ivković, this book). Early research on police integrity in Slovenia conducted in 1998 (Pagon

and Lobnikar 2004) also showed that internal corruption was viewed by officers as one of the least serious forms of police corruption. We can conclude that there has been little change in the past 15 years in this regard, and some managerial intervention is needed.

Results also constitute some evidence of the existence of the Code of Silence among Slovenian police officers. However, the Code of Silence is far from a universal prohibition on reporting. Rather, it varies dramatically. There are three issues (represented by scenario 1: “free meals, gifts from merchants;” scenario 8: “cover-up of police DUI accident;” and scenario 7: “verbal abuse”—“Arrest an Asshole Day”) where an analysis of the Code of Silence shows that about 32–43% of the respondents for each of these scenarios said that they would *not* report a police officer who engaged in the misconduct described in the scenario (see Fig. 7.3). These three scenarios include the least serious form of police corruption (i.e., the acceptance of gratuities) and the use of verbal assault as a first step of excessive use of force as well as the scenario involving internal corruption. On the other hand, our results show a very low number of police officers who would not report the most serious instances of police misconduct.

We believe that police leaders have to foster the desired character development and moral habits of police officers by educating and training them in police ethics. Leadership based on rules and punishment does not produce desirable outcomes. To conclude, in trying to change police officers’ perceptions in the areas of internal corruption and the Code of Silence, police managers will discover that setting an example is of the utmost importance.

References

- Banutai, E., Šifrer, J., & Meško, G. (2011). Deviance and police organisational culture in Slovenia. In G. Meško, A. Sotlar, & J. Winterdyk (Eds.), *Policing in central and Eastern Europe—Social control of unconventional deviance: Conference proceedings* (pp. 379–400). Ljubljana: Faculty of Criminal Justice and Security.
- Becker, T. E. (1998). Integrity in organizations: Beyond honesty and conscientiousness. *Academy of Management Review*, 23(1), 154–161.
- Code of Police Ethics (2008). <http://www.policija.si/eng/images/stories/Publications/Kodeks.pdf>. Accessed 11 Jan 2015.
- Delattre, E. J. (1996). *Character and cops: Ethics in policing* (3rd ed.). Washington, D.C.: The AEI Press.
- Dobovšek, B., & Škrbec, J. (2012). Corruption prevention model in the Republic of Slovenia. *Cah. politiestudies*, 3(24), 165–180.
- Girodo, M. (2003). Evaluating risk behavior and strategic systems: new tools for preventing corruption and strengthening integrity. In M. Pagon et al. (Ed.), *Ethics, integrity and human rights from the perspective of police activity*. Ljubljana: College of Police and Security Studies.
- Government of the Republic of Slovenia. (2012). *About Slovenia*. http://www.vlada.si/en/about_slovenia/.
- Hren, B. (2011). Slovenija po dohodkovni (ne)enakosti še v socializmu [Slovenia regarding the income (in)equality still in socialism]. *Dnevnik*, March 12 2011. http://dnevnik.si/objektiv/vec_vsebin/1042430243.

- Klemenčič, G., Kečanovič, B., & Žaberl, M. (2002). *Vaše pravice v policijskih postopkih* [Citizens Rights in Police Proceedings]. Ljubljana: Pasadena Publishing.
- Klockars, C. B., & Kutnjak Ivković, S. (2004). Measuring police integrity. In A. R. Piquero, J. R. Greene, & M. J. Hickman (Eds.), *Police integrity and ethics*. Belmont: Wadsworth.
- Klockars, C. B., Kutnjak Ivković, S. K., Harver, W. E., & Haberfeld, M. R. (2000). *The Measurement of Police integrity*. Washington, D.C.: National Institute of Justice, Research in Brief.
- Klockars, C. B., Kutnjak Ivković, S. K., & Haberfeld, M. R. (2004). *The contours of police integrity*. Washington, D.C.: SAGE.
- Klockars, C. B., Kutnjak Ivković, S., & Haberfeld, M. R. (2006). *Enhancing police integrity*. New York: Springer.
- Kolenc, T. (2003). *The Slovene police*. Ljubljana: Ministry of the Interior of the Republic of Slovenia, Police, General Police Directorate.
- Kutnjak Ivković, S. (2009). The Croatian police, police integrity, and transition toward democratic policing. *Policing: An International Journal of Police Strategies and Management*, 32(3), 459–488.
- Kutnjak Ivković, S., & O'Connor Shelley, T. (2005). The Bosnian police and police integrity: A continuing story. *European Journal of Criminology*, 2(4), 428–454.
- Kutnjak Ivković, S., & O'Connor Shelley, T. (2007). Police integrity and the Czech police officers. *International Journal of Comparative and Applied Criminal Justice*, 31(1), 21–49.
- Kutnjak Ivković, S., Klockars, C. B., Lobnikar, B., & Pagon, M. (2000). Police integrity and the code of silence: The case of the Slovenian police force. In G. Meško et al. (Eds.), *Corruption in central and Eastern Europe at the turn of millennium* (pp. 85–102). Ljubljana: Open Society Institute Slovenia.
- Lobnikar, B., Pagon, M., Duffy, M. K., & Ganster, D. C. (2000). Dejavniki deviantnega vedenja slovenskih policistov [Factors of police deviance]. *Organizacija: revija za management, informatiko in kadre*, 33(2), 77–93.
- Lobnikar, B., Pagon, M., & Ovsenik, M. (2004). The frequency and the causes of violence and aggressive behavior at the workplace: The case of Slovenian police. *Organizacija: revija za management, informatiko in kadre*, 37(6), 371–378.
- Lobnikar, B., Koporec, A., & Šumi, R. (2006). Evaluation of police officer integrity training. *Varstvoslovje: revija za teorijo in prakso varstvoslovja*, 8(3/4), 303–308.
- Meško, G. (2000). Introduction. In G. Meško et al. (Eds.), *Corruption in central and Eastern Europe at the turn of millennium* (pp. 7–9). Ljubljana: Open Society Institute Slovenia.
- Meško, G., & Klemenčič, G. (2007). Rebuilding legitimacy and police professionalism in an emerging democracy: The Slovenian experience. In T. R. Tyler (Ed.), *Legitimacy and criminal justice* (pp. 84–115). New York: Russell Sage Foundation.
- Meško, G., & Lobnikar, B. (2005). The contribution of local safety councils to local responsibility in crime prevention and provision of safety. *Policing: An International Journal of Police Strategies and Management*, 28(2), 353–373.
- Meško, G., Lobnikar, B., Jere, M., & Sotlar, A. (2013). Recent developments of policing in Slovenia. In G. Meško, C. B. Fields, B. Lobnikar, & A. Sotlar (Eds.), *Handbook on policing in central and Eastern Europe* (pp. 263–286). New York: Springer.
- Organisation And Work Of The Police Act. (2013) Official Gazette of the RS, No. 15/2013. Ljubljana.
- Pagon, M., & Lobnikar, B. (2000). Comparing supervisor and line officer opinions about the code of silence: The case of Slovenia. In M. Pagon (Ed.), *Policing in Central and Eastern Europe. Ethics, integrity, and human rights* (pp. 197–209). Ljubljana: College of Police and Security Studies.
- Pagon, M., & Lobnikar, B. (2004). Police integrity in Slovenia. In C. B. Klockars, S. Kutnjak Ivković, & M. R. Haberfeld (Eds.), *The contours of police integrity*. Thousand Oaks: Sage.
- Pagon, M., Kutnjak Ivković, S., & Klockars, C. (1998). The measurement of police integrity in Slovenia. Crime control policies: political rhetoric or empirical reality? Academy of Criminal Justice Sciences Annual Meeting Albuquerque, New Mexico, March 10–14 (p. 221).

- Pagon, M., Kutnjak Ivković, S., & Lobnikar, B. (2000). Police integrity and attitudes toward police corruption: a comparison between the police and the public. In M. Pagon (Ed.), *Policing in Central and Eastern Europe. ethics, integrity, and human rights* (pp. 383–396). Ljubljana: College of Police and Security Studies.
- Pagon, M., Kutnjak Ivković, S., & Branko, L. (2003). Policijska integriteta in stališča do policijske korupcije: primerjava med policisti in študenti. In M. V. Pagon, G. Meško, & B. Lobnikar (Eds.), *Etika, integriteta in človekove pravice z vidika policijske dejavnosti* pp. 149–162. Ljubljana: Ministrstvo za notranje zadeve, Visoka policijsko-varnostna šola.
- Police. (2012). *About the police*. <http://www.policija.si/eng/index.php/aboutthepolice>.
- Police (2013). *Policijsko delo v skupnosti. [Community Policing]*, Doc. no. 2214-41/2012/4 (pp. 207–07). Ljubljana: MNZ, GPU.
- Police Tasks And Powers Act. (2013). Official Gazette of the RS, No. 15/2013. Ljubljana.
- Škrbec, J., & Dobovšek, B. (2012). The impact of corruption on the rule of law in the Republic of Slovenia—Facts versus public fiction. In G. Meško, A. Sotlar, & B. Tominc (Eds.), *Contemporary criminal justice practice and research: Conference proceedings* (pp. 36–37). Ljubljana: Faculty of Criminal Justice and Security.
- Toš, N. (ur.) (1999). *Vrednote v prehodu II: slovenskojavno mnenje 1990–1998* [Values in transition II: Slovene public opinion 1990–1998]. Ljubljana: Fakulteta za družbene vede, Inštitut za družbene vede, Center za raziskovanje javnega mnenja.
- Toš, N. (ur.) (2004). *Vrednote v prehodu III: slovensko javnomnenje 1999–2004* [Values in transition III: Slovene public opinion 1999–2004]. Ljubljana: Fakulteta za družbene vede, Inštitut za družbene vede, Center za raziskovanje javnega mnenja.
- Vicchio, S. J. (1997). Ethics and police integrity. Keynote address. National Institute of Justice., National Symposium on Police Integrity. Washington, D.C. (July, 14–16). <http://www.fbi.gov/leb/july972.htm>. Accessed 1 Sept 1998.
- Zupančič, B. M., et al. (2000). *Ustavno kazensko procesno pravo [Constitutional Criminal Procedure]*. Ljubljana: Pasadena.