

Police corruption and the perception of the public assignment

Law



Police Corruption and the perception of the public The duty of police was essentially supposed to be to prevent crime, enforce laws, and maintain order, and provide emergency assistance, but there have been and continue to be cases of police officers who do the exact opposite of that. Because of the officers who do or have behaved in a corrupt manner now the public perceives all officers as corrupt and abusing their power, causing the public to resist authority and not cooperate with officials.

Police misconduct is something that has been around since the beginning of policing, but now necessary action has been taken to tackle, punish, and hopefully reduce if not eliminate the misconduct in the police force. Police corruption can result in the damage to police legitimacy, occupational integrity, and the public image of police as well. It is important for the public to have a positive perception of police because their perception shapes the way they respond to police, their support and cooperation, and willingness to participate in anti-crime programs.

Once the public has a more positive opinion of police, there would be more cooperation from the public and more effective policing by officials. Police corruption is the abuse of public power by police officers for their own profits. " Police have extraordinary powers that are not given to others, including the power to briefly take away the liberty of other citizens" (Miller, 2010, p. 243). Since police have this power, some are very tempted to misuse it for their own benefits. Just like there are different kind of crimes that people can commit, there are also different ways that officials can behave that can be found corrupt.

The different kinds of cases include accepting money and gratuities, using unnecessary violence or brutality, participating in illegal activities etc. An example of the corruption and deviant behaviors that Tim Preparer (2009) gives is how officers received a certain percentage of fine monies to falsely prosecute or threaten to prosecute people. Another example of extremely deviant behaviors was in 1819 when what was supposed to be a peaceful protest to support larger franchise and lower food prices, turned into the “Petrol” massacre where 11 political protestors were killed and many more were injured.

After that happened, people were afraid that the police force would use violence to oppose the movement for democracy (Preparer, 2009). Police were not seen as reliable protectors of their citizens. In other places there were high levels of discretionary freedom made for high arbitrary law enforcement. Police became involved in crooked local politics. Beating and torturing their suspects was a way for them to administer Justice for minor crimes and to get suspects to confess to more serious crimes.

In Juanita (2009)'s *Police Corruption Control in Hong Kong and New York City*, he explains that the unique nature of police corruption, a hierarchically organized form of crime within the police force widely tolerated by police officers, makes the task of curbing police corruption distinct from other types of corruption control. Juanita (2009) makes the argument that “the police force itself cannot reliably combat police corruption because of the popularity of “the blue code of silence” within the force, which means that street cops in particular, protect their corrupt colleagues.

Second, there is a dilemma with checks and balances in the process of controlling police corruption. On the one hand, the establishment of an institutionalized independent organization assuming the task of interruption helps place checks and balances on the police force. On the other hand, this pursuit of checks and balances could ironically be better achieved in a regime without institutionalized checks and balances than in one with them” (p. 186). These arguments result from a comparative case study of police corruption control in two cities.

Hong Kong and New York City. The reason these two cities can be compared to each other is because they are both among the lithest cities in the world and are also among the most police-dense cities in the world. Hong Kong uses an outside system called Independent Commission Against Corruption (IAC) and New York uses an inside interruption strategy. Both the governor and the people of Hong Kong demanded a new and effective institution to curb the widespread corruption in Hong Kong. They all had the perception that the police force was simply not reliable. An ordinance that enabled the Independent Commission Against Corruption (“ IAC”) was passed in February 1974. The IAC reflected and crystallized the ‘ felt needs’ of its time. According to the ordinance, the IAC aimed to (1) pursue the corrupt through effective detection, investigation, and prosecution; (2) eliminate opportunities for corruption by introducing corruption- resistant practices; and (3) educate the public on the evils of corruption and foster their support in fighting corruption” Nonhuman, 2009, p. 199).

Hong Kong's strategy of having an external agency investigate proved to be extremely successful. According to Juanita (2009), by the end of 1977, a total of 7312 corruption reports were received, 3519 cases were investigated, and 749 persons were prosecuted. Most of the convicted were police officers, including a large number of sergeants" (p. 200). Juanita (2009) noted that the percentage of police corruption cases among all cases reported to the IAC has decreased from forty-five in 1974 to thirteen in 2002 (p. 204).

The method used in New York was not as successful as Hong Kong. In New York, unlike Hong Kong, they investigated internally, meaning that the people who investigated corruption were the same people on the force, investigating their colleagues. Before the Knapp commission, there were two major organizations that were supposed to monitor, investigate, and prevent police corruption; the Department of Investigation of NYC, and the police force itself. These were not very effective because neither one of the organizations were completely independent of the Police Department.

Although 25 years apart, both the New York and New South Wales experienced similar bureaucratically organized corruption by most of the police force. In both places police would accept various forms of gratuities ranging from money to free meals and free goods. In the Knapp inquiry, police often kept all or part of the money or drugs confiscated during an arrest. In the Wood inquiry theft and extortion from criminals had become a routine in policing. In both places there was planting of evidence in order to upgrade the arrest, also, officers in both places drank while on duty. The Knapp Commission in New York took place from 1970 to 1972.

It was formed by Mayor John V. Lindsey to investigate corruption within the New York Police Department. According to Juanita (2009), rather than seeking evidence for criminal charges against individual police officers, the main function of the Knapp Commission concentrated on the broader problem of identifying the tauter and extent of corruption in the Department. According to Preparer (2009) Knapp famously described two types of officers: " grass-eaters" and " meat-eaters. " The officers who accepted gratuities solicited payments from contractors, tow truck operators, gamblers, etc. Thou aggression, were the ones that were labeled grass-eaters. Preparer (2009) explains how Knapp found labeled the other officers as " meat- eaters" because they spent a great deal of their working hours seeking out situations that they could exploit for financial gains such as serious offenses including narcotics hat could yield payments of thousands of dollars (p. 4). Meat-eaters were only a small percentage of the force, while grass-eaters represented an overwhelming majority of officers who took payoffs. Notorious cases include the case of Mafia Cops.

This was the case of two officers that lived double lives working as informants and hired killers. They were paid a good amount of money for the eight murders they committed, plus \$4, 000 every month. They were charged for money laundering, kidnapping, and obstruction of Justice. In the Irish Miscarriages of Justice Cases men ere detained, tortured, and then convicted as a result of false confessions as well as false testimony by police. In the Banner Lima case police mistakenly arrested a man for an assault on a police officer when in reality he had helped break up the fight.

They badly beat and then raped him to the point where he had to be taken to the hospital for bladder and colon injuries that they had caused him. In this case, two officers received criminal convictions, but one of the convictions was overturned and the officer was convicted of a lesser perjury (Pretzel, 2009, p. 4). The problem here with such cases were that the police involved in the crimes escaped criminal convictions or are acquitted after being charged with criminal offenses. These miscarriages of Justice show how unreliable police criminal trial outcomes can be.

Since officers were so easily able to escape criminal convictions, it encouraged their misbehavior. According to findings by Greenshank Nair, Legman, Vaudeville, Imprimatur, and Shantung's (2012), the public believes that there is brutality in the police force. They believe that " police higher authority should not be eager to defend their response who are guilty of brutality but should objectively and impartially investigate incidences of brutality and if necessary institute disciplinary actions against the personnel concerned" (Greenshank Nair et al. , 2012, p. 116).

The public believed that police should investigate and take action on other allegations even cases that are not high profile. I mentioned before that police have unique rights and powers that ordinary citizens do not have such as the legal authority to use coercive force, access to weapons, and the power to take a person's rights away. According to Stations, Reins, and Illiteracy, (2012), the position also provides unique opportunities for misconduct and crime, including the use of excessive force against suspects and others, the provision of false courtroom testimony, etc.

Something that got people's attention was the police misuse of the newest conductive energy devices (Cedes) that were issued to police, the most common being the TEASER. As Reins et al. (2012) mention, Takers can be used effectively to subdue and control dangerous suspects while reducing injuries on both suspects and police officers. " These devices offer a less-than-lethal alternative to firearms by allowing officers to temporarily incapacitate dangerous suspects with an electric shock" (Reins et al.. 2012, p. 3). Now that officers have TAKERS, they no longer have to use their batons or empty-hand tactics as much.

Just like the baton and other non-lethal methods, the use of TAKERS is for when officers are faced with suspects who are physically aggressive and resist the officer's attempt to control the situation. In a research by Reins et al. (2012) they looked at 24 cases involving the misuse of TAKERS from January 2008 to May 2010. According to their findings, the majority of officers were charged with assault-related offences; half were charged with misdemeanors offences, and the other half were charged with felony offences, most commonly aggravated assault. Over half of those arrested lost their job as police through either resignation or termination, and all but one of the officers were temporarily removed from street duty and either suspended and/or placed on administrative leave or modified duty' (Reins et al. , 2012, p. 10). Out of those cases, there were five cases where criminal cases were eventually dropped y the prosecution, yet again another example of police who escaped criminal prosecution.

If police enter the force to protect the citizens and to maintain order, then why is there so much corruption and misconduct that goes on? My thought would be ambition. They have a lot of power and are eager to get more.

According to Preparer (2009) structure and culture are the causes of police misconduct. Since police have frequent contact with criminals who are motivated to trade benefits for immunity from prosecution, it can lead to corruption in limited forms with individuals acting opportunistically (p. 20).

Preparer (2009) mentions that patrol officers and detectives typically enjoy low levels of higher supervision and higher levels of discretion, which is so easy for many of them to get away with misconduct. By culture, Preparer refers to the blue code of silence between fellow police officers. An integrity system is an assemblage of institutional entities, mechanisms, and procedures whose purpose is to ensure compliance with minimum ethical standards and to promote the pursuit of ethical ideals” (Miller, 2020, p. 41). In other words, an integrity system is a system whose job it is to make sure that the rules and isolations are being followed. Miller (2010) states that in an organization that needs to possess integrity, such as a police organization, the administrative processes and procedures in relation to, for example, promotion or complaints and discipline, should embody relevant ethical principles of fairness, procedural justice, transparency, and such. Internal Affairs can be considered an integrity system.

Internal Affairs and special investigations was made to prevent the misconduct of police. It was created in response to the frustration of the public with the corruption of public officials. Internal affairs is a group that

serves the public by policing the police, or in other words, making sure everyone on the police force abides by the rules. Internal affairs was developed because unlike other professions that have well established codes designed to establish effectiveness and efficiency, police only have their own data or that of other agencies.

Internal Affairs and Special Investigations units “ provide the chief executive and the community with the sense that complaints and allegations of misconduct will be thoroughly and thoughtfully investigated” (Noble and Albert, peg. 5). Most cities have full-time internal affairs units, but small agencies often use an investigator who performs the internal affairs function as a collateral duty as well as their regular assignments. In instances where the person needing to be investigated is a high-ranking official, contract investigators are employed.

The role of internal affairs units are to investigate employees who are the subject of allegations of misconduct. Besides investigating thoroughly and accurately, Internal Affairs agents are also responsible for preparing reports documenting their efforts. Internal Affairs units are supposed to report to the chief of police. Once the investigation has been completed, supervisors and managers may make disciplinary recommendations if warranted.

For reasons of confidentiality, the best place for Internal Affairs would be in a facility completely separate from the police facility like in Hong Kong, to avoid creating the perception that the organization is protecting the officer at the community's expense. Internal Affairs seeks a location that will maintain confidentiality of the investigation. It is important to maintain any

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evidence associated with an internal investigation in a secure location where only those assigned to the Internal Affairs unit will have access to.

The purpose of an investigation is to explore the allegations of employee misconduct by gathering and examining evidence, identify the elements of the offense, and to determine whether and what misconduct was committed. The investigation needs to be thoroughly planned and the investigator needs to be organized, thoughtful, and objective. The investigation must be fair and promote a sense of justice and administrative accountability. Also, during the investigation, agents work to make reliable documentation that can be used to support management decisions and actions.

A criminal investigation requires all of the above plus they must conduct interviews and interrogations to get the information that they need. In some cases the investigator's plan must first be presented to their supervisor for review before the investigation can be initiated. Although there are many Internal Affairs agencies working hard to prevent corruption and to get justice, there still continues to be corruption today. According to a survey of police officers by Preparer, Buckley, and Britton (2013) 57 percent of officers said that they would overlook a serious traffic offense committed by a person who had provided gratuities.

Once an officer accepts gratuities from someone, public respect and confidence in police is lost. The International Association of Chiefs of Police Law Enforcement Code of Conduct states " I will enforce the laws courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities" (Preparer et al. <https://assignbuster.com/police-corruption-and-the-perception-of-the-public-assignment/>)

al. 2013, p. 294). Loyalty is a vital concept for policing. The public expects police to be loyal, not only to their team, but to their community, neutron, and title.

As Richards (2010) states in his article name " Police Loyalty Reduce," Loyalty is an important virtue for police to have, it sits with other instrumental virtues such as courage, integrity, and pride. " The police organizations of the major cities across the world are complex social constructions, each with its own history, traditions, and ethics in the antique sense of that latter word: they have corporate personalities of their own in their own distinctive ways of doing things" (Richards, 2010, p. 223). Their distinctive traits reflect how they present themselves to the immunity that they serve.

An example by Richards (2010) was; when the New York Police Department is identified as institutionally criminally corrupt, it is a matter of grave and real concern for those they serve and for those who regard them as models for emulation. " This constitutes an issue of major deficits in police morality, deficits that undermine their ethics and weaken their capacity to police effectively' (Richards, 2010, p. 223). Many people rely and look up to the police, but if the force seems to be corrupt, the community's perception of their guardians hangers and they lose respect for their authority. Visit (2003) talks about how difficult it is to measure corruption since there are no official nationwide data on police corruption available.