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PART I:

INTRODUCTION

Chapter One:

ORGANIZATIONS AND DEVIANCE

It is often said that we live in an organizational society. What is not often said is that organizations, like individuals, regularly deviate from social norms and are subject to social control. One powerful mechanism for the social control of organizations is the process of scandal and reform. This is a study of how that process works when applied to corrupt police organizations in the United States.

The scandal and reform process is not unique to the police. It has been directed at the federal government; the 19th century civil service reforms and the 1950's reorganization of the Internal Revenue Service are examples. It has been directed at business corporations; the United Brands, Gulf and Lockheed bribery scandals of the past year are examples. It has even been directed at religious organizations, especially fundamentalist sects collecting large sums in donations. And while a scandal can occur in reaction to many (though not just any) forms of deviance, I have chosen these examples from the narrower category of corruption scandals.

All scandals carry a demand for some kind of change, if only an end to the scandalous deviance. More often, the makers of scandal seek a structural change in society, or in the scandalous organization, which will both stop the deviance and prevent its recurrence. Hence

reform, or attempts to accomplish reform, become an integral part of the control process. This is particularly true of scandals exposing organizational corruption, in which the potential for future deviance is inherent in the accusation: the organization is put together in a way that has allowed its members to abuse organizational authority for personal gain.

This is not to say that all scandals result in attempts to reform; far from it. Nor is it to say that when reform policies are implemented, they achieve their intended purpose. It is to say, however, that both these things are potential results of every corruption scandal. Apparently more often than not, police corruption scandals fail to produce more than a pretense of reform. Of the relatively few which do, only a handful produce reform policies which seem to succeed in controlling and preventing widespread corruption for a time. This study sought a sample of that handful in order to determine why they differed from the others in their ability to go the full distance to organizational reform.

The study began by seeking answers to some practical questions about police corruption. How can a reform police executive control corruption in his department? Are some organizational policies more effective than others in controlling police corruption? Is there a tradeoff between policies more effective for short run control and those required for long run control of corruption?

More theoretical questions emerged in the course of research.

What are the sources and dynamics of corruption scandal? Why do some scandals, and not others, succeed in labelling a police department as a deviant organization in need of reform? Why are significantly different kinds of post-scandal reform policies adopted in different police departments? These explanatory questions neatly complement the practical questions: in the social and organizational control of police corruption, what works, what doesn't, and why?

The purpose of this study is thus two-fold. On the one hand, it attempts to reach policy conclusions about police corruption control which will be helpful to reform police administrators. On the other hand, the study seeks to illuminate more general patterns of social organization, both as a basis for the specific conclusions about this substantive problem and as a contribution to general sociological theory.

Two traditions in sociological theory are useful for both of these purposes. One tradition is the sociology of complex organizations, particularly that perspective concerned with the relationships between organizations and their environments. The other tradition is the sociology of deviance and social control, particularly theories about how social control mechanisms are mobilized and the effects of control mechanisms upon deviance. The study generally attempts to synthesize these two traditions, in the manner suggested by Reiss (1973). But it is worth considering the relevant aspects of each tradition separately.

1.1 - ORGANIZATION AND ENVIRONMENT

The role of environment in shaping organizational behavior is a relatively recent theoretical insight. Much research and teaching on organizations still employs what Thompson (1967) calls a "closed-system" model, in which the existence of an organization's environment is barely acknowledged. The closed-system view sees organizations pursuing fixed goals through an internal logic of rationality.

Ironically, the last half-century of research on police corruption has taken a radically open-system view of police organizations in which, given the organization's goal of survival (Thompson, 1967; Selznick, 1949; Clark, 1956), the environment largely determines the structure and function of the organization. This theoretical approach has been used by substantive researchers on police corruption largely because political power often dominates police administrations. Power in police organizations is often thought to be based on factors other than organizational achievement, such as patronage or cooperation with the political system, making the police a "captive [of the environment] organization" (Thompson, 1967).

The first social science research on police corruption was done by such pioneers as John Landesco (1929), V. O. Key (1935) and William F. Whyte (1955), during an era in which most American police departments were indeed captive organizations--usually the captive of a political machine. The renaissance of police research

in the nineteen sixties followed in the tradition of the earlier studies, analyzing police corruption largely as a result of community political organization, the structure of local government, norm conflicts and the values of the civic culture (Bayley, 1969; Gardiner, 1970).

Historical studies (Richardson, 1970; Wraith and Simpkins, 1963) as well as studies focusing on subjective perceptions of individual policemen rather than on police organizations (Rubinstein, 1973; Sherman, 1974a) have emphasized the nature of police tasks as corruptive in relation to the task environment. The corruption theory taking police organizational variables most explicitly into account describes them as largely determined by the political environment (Wilson, 1963).

All of these factors are certainly important in the social organization of police corruption, and they are explored in greater depth in Chapter Three. The weakness of these studies is their common assumption that, because of external political power, corruption is fixed and immutable, and that the police organization is doomed to a passive relationship with its political and task environments. In keeping with research on other kinds of organizations, this study will demonstrate that police organizations are capable of taking on a "life of their own" and shaping their environments to help accomplish their goals (Perrow, 1972). As police reformer August Vollmer advised a protégé about a corrupting Mayor in 1917:

Do not hesitate to go after [the Mayor] roughshod, . . . and have all your friends do likewise, because you are absolutely right and there is no reason in the world why you should lie down and be a good dog just because he wants you to (Carte and Carte, 1975: 29).

No doubt similar things have been said in meetings of pro-corruption police unions about reform Mayors. The point is that the goals of a police organization are often subject to conflict: within the police organization, between the police and the political system, and between the political system and different groups in society. At no time is this struggle over goals more intense than during a process of scandal and reform. In one sense, the broader process of social control of deviant organizations is a struggle over who shall define an organization's goals and what the character of an organization shall be (Bordua and Reiss, 1967).

Organizational Goals

The legal system defines the purpose of police organizations as enforcement of the law. The client system of police organizations assumes that the police purpose is to intervene in some social situations and not others, the definitions of which categories may vary from one client to the next. The political system may define the purpose of police organizations as preserving the present character of politics, particularly the influence of local elites. The police organization may define its own goals as "survival" in its present character and membership. Factions within police organizations

may wish to destroy the present character of the organization and substitute new goals.

Given this lack of consensus on goals--a phenomenon not limited to police organizations--how is it possible to speak of "the goals of an organization"? The very term "corruption" implies that there has been a subversion of organizational goals, but the question is whose goals for the organization have been subverted. If an entire police department agrees that maximizing the personal wealth of the membership should be the goal of their organization, corruption facilitates rather than subverts that goal. Simultaneously, corruption does subvert the goal the legal system sets for the police department.

Thus it is useful to employ the distinction between "formal" and "real" goals of organizations. Perrow (1965: 912) defines the legitimate goals as those set by the cultural system. In the case of the police, the cultural goal of fighting crime is expressed in the legally mandated goal of enforcing the law. While specific environments may quibble about which laws are to be enforced and which laws should be effectively ignored, the very general goal that the police should enforce the law rather than make widgets or commit crimes can be said to have consensus at the level of culture. It is rare, however, that the formal goals of any organization are also the "real" goals guiding its day to day activity. Quite apart from venality, or from the displacement of goal-accomplishment by survival as the basic organizational purpose (Selznick, 1949; Merton,

1957), the realities of technology (the ways in which tasks have to be accomplished) and changing environmental constraints make adherence to formal goals difficult. Perrow (1965) observed this fact in hospitals; the police practice of giving informers immunity from arrest (for, say, acts of burglary) in order to enforce the laws against higher priority crimes (e. g., narcotics sales) demonstrates the point for police organizations. The formal goals may remain fixed over centuries; the real goals are forced to change as technology (e. g., the Miranda decision) and environment (e. g., the growth of the narcotics market) change.

Given ongoing conflict about what the real goals of the organization should be, who then sets the real goals, to the extent that they can be set at all? That is, of all the competing sets of goals offered for the organization, how are the working goals of the organization arrived at (Thompson, 1967: 128)? Without imputing the human quality of motivation to the organization, or reifying it as an abstraction with a "group mind", Thompson suggests that the goals of an organization are set by those in the "dominant coalition":

Almost inevitably this includes organizational members, but it may also incorporate significant outsiders. . . . In this view, organizational goals are established by individuals--but interdependent individuals who collectively have sufficient control of organizational resources to commit them in certain directions and withhold them from others (1967: 128).

Put more simply, a few people acting in concert can marshal enough power to run the show, forcing the remaining members of the organization into compliance with the goals set by these few. Where this dominant coalition is weak, however, or if it lacks the necessary resources or technology, it might be unable to force the others into compliance.

It is only with these definitions that organizations as deviants may be distinguished from deviance in organizations. If the goals of the dominant coalition coincide with the formal goals for the organization on a given issue, then those members who subvert those goals are deviant individuals. If the dominant coalition sets goals which are deviant from the formal goals for the organization, then as members act in terms of those goals the organization becomes a deviant in reference to the cultural system which has set the formal goals. If the dominant coalition has set such deviant goals but certain members insist on adhering to the formal goals, then those members are deviants in reference to the dominant coalition and may become zealots in pursuit of the formal goals. Chapters Three and Four will describe the important role which zealots can play in the social control of deviant organizations.

It is important to stress that the dominant coalition is "a process, not an entity" (Thompson, 1967: 138). Conflicts and realignments may occur within the coalition over time and from issue to issue. The rapidity and constancy of the rate of change within the coalition

varies between organizations, but all organizations experience some change in dominant coalitions. Dominant coalitions within corrupt police departments seem to be replete with intrigue and power struggles, some of which have made the deviant organization more vulnerable to social control. The most major change in corrupt police departments, however, seems to be one in which the coalition setting goals deviant from the formal goals (at least on the corruption issue) is replaced by a new coalition setting goals in conformity to the formal goals.

Coping With Uncertainty

No matter what goals a dominant coalition may set, its fundamental problem is coping with uncertainty. An organization's inability to predict crucial events is not only a threat to the accomplishment of its goals, but also a threat to the survival in power of the current dominant coalition. Two kinds of predictability will be sought by a rationaly self-interested dominant coalition (Thompson, 1967: 99). One is the ability to predict the behavior of the members of the organization. The other is the ability to predict the behavior of people and forces in the organization's environment. The fact that organizations often fail to predict either or both kinds of behavior can be attributed to either or both of two causes: lapses in rationality or an ineffective technology for gathering intelligence.

The propensity of individuals to act in irrational ways is well known. Since Barnard (1938), organizations have been viewed by many

who study them as rational. Nonetheless, the fact that many organizations do not even attempt to gather information which could enhance their ability to predict crucial events is prima-facie evidence of organizational irrationality.

Three major causes of this irrational failure to seek knowledge have been noted (Thompson, 1967: 152-153). One is a tendency of administrators to define their role as merely holding an office rather than trying to accomplish something; this perspective is frequently found in "captive organizations" dominated by external forces. Another cause is an administrative bias toward certainty, which tends to reject information which might suggest re-evaluating present working assumptions; this trait is associated with a lack of power in the organization's task environment to challenge the assumptions of the dominant coalition by any means short of a major catastrophe, such as bankruptcy or scandal. A third cause of failure to seek out information may be the absence of a dominant, or dominant enough, coalition to give the organization direction; this situation may develop when the bases of organizational power are diffuse rather than concentrated.

Police departments seem particularly prone to the irrational failure to seek out crucial information about the behavior of their membership or their environments, and often suffer one or more of the causes of that failure. First, many police departments are captive organizations, and the dominant coalition's only concern is with the future of the captor--generally a politician or a political organization.

Second, the assumptions upon which any dominant coalition runs a police organization are not easily challenged by the public, so a bias toward certainty about those assumptions (e. g., "there's no corruption in this police department") tends to repel any contradictory information. Third, the insecure tenure of many police executives and the many potential power bases within police departments (given the direct contact with the environment by so many police officials) often prevent the formation of a stable coalition to guide the department.

A corrupt dominant coalition may be just as lax as an honest one in seeking out crucial information. It may not know that zealots are trying to create a scandal, or that certain police officers are so bold in their crimes that they threaten to bring public attention to police corruption. The corrupt police department may assume that because the last disclosure of corruption did not produce a big scandal, or that because the officers then indicted were all acquitted, the public has a high level of tolerance for police corruption. The failure to validate that assumption¹ on a regular basis could mean ignorance of a change in public attitudes so drastic that the next disclosure of corruption could produce a major scandal. The office-holding view of administration, the bias towards certainty about

¹If, indeed, it is possible to measure public opinion on such matters on a current basis. See the discussion of technology below.

basic assumptions (e. g., "no cop would squeal on another cop"), and the absence of a dominant coalition, explain the irrationality of deviant dominant coalitions as well as that of conforming dominant coalitions.

What is irrational for a conforming organization may be rational for a deviant organization. For a police department with a dominant coalition (hereinafter called "administration" for convenience) opposed to corruption it makes no sense to ignore corruption complaints from the public. For a police department with a pro-corruption administration to do the same is eminently sensible, provided that the appearance of complaint investigation is created in order to "cool out" the complainants. An attempt to encourage citizen complaints of corruption would be rational for an honest administration and irrational for a corrupt one.

Both honest and corrupt administrations are vulnerable to scandal if there is corruption in the department. The avoidance of a police corruption scandal depends on knowledge of relevant changes in the organization and environment. Different kinds of knowledge are required by honest and corrupt administrations. Honest administrations need to know about deviants in the organization, and their patterns and levels of activity. The purpose of gaining this knowledge is to help thwart the deviant acts. Corrupt administrations need to know about the status of potential social control of their organization as a deviant. The purpose of gaining that knowledge is

to thwart any control attempts. Both types of administration may fail to seek out their respectively required intelligence--or even ignore it when it comes their way--for the reasons of irrationality already noted. But another reason may explain their failure to obtain needed intelligence: imperfect technology for gathering the crucial information.

Rationality can only dictate that organizations try to obtain the information they need to reduce uncertainty; it cannot dictate the methods by which the information should be gathered. No matter how hard they try to gather information which will help reduce uncertainty, all organizations are doomed to operate with imperfect knowledge. Some organizations, of course, are more successful at gathering needed information than others. Assuming a constant proportion of organizational resources allocated to seeking crucial information, variations in success will depend upon

- 1) the sophistication of the information-gathering technology and
- 2) the nature of the information sought. The proportion of resources allocated to this task is clearly not constant, however, so resources are also a factor in the success of information gathering.¹ It may

¹Indeed, there may be a bell curve of rationality in the allocation of resources to information-gathering, with irrationality on both extremes. Both the overdeveloped intelligence apparatus of the 1972 Committee to Re-Elect the President and the total absence of corruption intelligence in an honest police administration may be deemed irrational.

be that an honest administration has to invest more resources in intelligence than a corrupt one.

Given a reasonable level of resources, the technology of intelligence gathering will be highly dependent on the nature of the information sought. Predictions of future college enrollment levels mandate a technology of statistical forecasting. Predictions about where narcotics smugglers might be intercepted mandate a technology of paid informers. The statistical forecasting of enrollments may be of low quality (e. g., omitting important variables, making errors in calculation) or high quality. The informers may be more or less reliable. In that sense, even though the information sought determines the choice of technology, the level of sophistication of the technology can vary greatly.

But the nature of the information sought may also place inherent limits on the accuracy of the predictions obtained, no matter how sophisticated the technology. If a prediction of college enrollments depended on tuition levels which in turn depended on the price of heating oil, then an unforeseeable move by oil producers (raising prices, say, 10,000%) could ruin the prediction. Similarly, some narcotics smugglers will be so secretive (or murderous) that no one could, or would dare to, inform on them.

This is both a general problem for the police in their accomplishment of formal law enforcement goals, and a specific problem in the reduction of uncertainty relative to police corruption.

Society is organized to make information about certain kinds of crimes more accessible than information about others (Stinchcombe, 1963; Bordua and Reiss, 1967; Reiss, 1974). Knowledge about public drunkenness is more easily obtained than knowledge about private drunkenness. Even residential organization (e. g., the difference between high rise public housing and the low rise tenements which preceded it) affects the availability of information about the occurrence of law-violations and the identity of the violators (Bordua and Reiss, 1967: 44). In addition to these natural forms of differentially organized information access, there are artificial or contrived forms as well. Thus "organized crime" is organized specifically to restrict law enforcement access to knowledge about its violations and violators (Bordua and Reiss, 1967: 46).

The honest police administration which seeks to deter corruption and/or avoid a scandal faces the same problem of gathering information. Police corruption is organized--with varying degrees of effectiveness--to prevent mechanisms of control from gaining information about violations or violators. This organization for information control includes all willing participants in corruption, both members and non-members of the police department. The forms of organization are discussed in Chapter Three, and the various technologies for trying to gather intelligence about corruption are discussed in Chapter Six.

The corrupt police administration faces an even more difficult

problem of intelligence-gathering. No matter how sophisticated its strategies for controlling information about corruption, some "leakage" is inevitable. When disclosures of corruption are made, the major uncertainty is how the various mechanisms of social control will react. Politicians, prosecutors, news media, and most of all the general public will react with an unknown quality of 1) belief in the truth of the disclosure and 2) outrage at the facts of corruption disclosed. If a rational, corrupt police administration could predict that public outrage at narcotics corruption would be substantial while outrage at gambling corruption would be nil, it would presumably stay out of narcotics corruption. But how could such information be obtained? A Gallup poll would hardly be appropriate, yet nothing short of that may be taken as a basis for action. Even a politically chosen prosecutor is no guarantee against corruption prosecutions which would hurt his own party. While a corrupt police administration can attempt to prevent disclosures (see Chapter Three), it cannot predict the nature of public reaction when disclosures do occur.

The greatest source of uncertainty in police administration is the openness of the police organization to the environment. Unlike most organizations, the fundamental task of a police department is managing its environment, so most police tasks occur on the boundary between police and public (Bordua and Reiss, 1967: 25). This great interdependence with the environment makes penetration of the

organization by the environment very likely (Thompson, 1967: 129). Bribery of the police for non-enforcement of the law is an archetype of penetration. But the recruitment of a policeman to inform about corruption to a prosecutor or reporter is also a penetration of the organization. Thus both honest and corrupt police administrations, under norms of rationality, must be very concerned with penetration of their boundaries. Unlike, say, tellers and loan officers who deal with the environment of a bank, police officers are far too dispersed for direct surveillance. There are few viable alternatives to direct supervision of the police; nothing, for example, analogous to the balancing of accounts in a bank. Low visibility compounds the uncertainty of great openness of police organization to the environment.

While uncertainty is anathema to the incumbent dominant coalition, it is a tool for those with competing goals for the organization. Penetration by the environment, changes in membership behavior or in environmental conditions, all carry the potential for scandal and reform. Aside from the likelihood of change in the dominant coalition that scandal produces, this process of social control might best be discussed from the perspective of deviance theory.

1.2 - DEVIANCE AND CONTROL

Deviance is defined here simply as any violation of a rule.¹ Not all deviants, nor all of their deviant acts, are discovered by those who might try to apply sanctions to deviants. Neither is all discovered deviance subject to sanctions. Some categories of deviant acts and of deviant actors seem more likely to be discovered than others. Of those discovered, some categories of deviant acts and actors seem more likely to be sanctioned than others. Only in recent years have sociologists begun to describe and explain the different probabilities of detection and sanction for different kinds of deviant acts and actors. More attention has been focused on a different issue: the effects of detection and sanction on the subsequent acts of deviant actors. But both the mobilization of control against deviants and the effect of control upon deviance are central to the process of scandal and organizational reform.

The Mobilization of Control

Two central factors determine how and whether mechanisms of social control will be directed at a deviant act or actor. One is the genesis of information about violations and violators that is

¹While Becker (1963) defined deviance as behavior which is socially labelled as deviant, Gibbs (1964) points out that "secret deviants" and the "falsely accused" are excluded from that definition. Since both of the latter categories of people are highly relevant here, the legalistic definition of deviance as rule-violation will be more useful.

processed by the mechanisms of control. The other is how discretion is exercised within control systems, both legitimately and illegitimately, in decisions to mobilize control once information about deviance has been gathered. The genesis of information depends partly on the exercise of discretion in control systems about how to gather information, and partly on the availability or accessibility of such information to potential mobilizers of control. The exercise of discretion is related to the goals of the dominant coalition in a control system at any given point in time.

Control systems gain knowledge that deviant acts have occurred in two basic ways (Bordua and Reiss, 1967). Information may be brought to the attention of the control system at the initiative of people external to that system. If the system responds to that information, the system may be called "reactive". Or information may be sought out at the initiation of the control system. When it responds to information gathered in this manner, the system may be called "proactive".¹ The genesis of information about deviance may also fall between these two ends of a continuum.

When control systems organize reactively to control a

¹ The proactive gathering of information may be a reaction to a demand from the system's environment to seek out information (Black, 1976a), which point illustrates the importance of discretion in deciding how to organize a control system for gathering information about deviance.

category of deviance, the probability of a control response is partly determined by the extent to which information about such events is made available to the control system. When control systems organize proactively to control a category of deviance, the probability of a control response is partly determined by the extent to which information about such events is accessible to the intelligence technology of the control system.

As noted earlier, some kinds of deviance are more likely to come to the attention of control systems than others, e.g., public drunkenness vs. private drunkenness. But the availability of information does not depend solely on the nature of the deviance. It depends on social context as well. Black (1971) found that the greater the relational distance between the parties to a dispute, the more likely it was for one of the parties to bring information about the dispute (and the related rule violations of another party) to the attention of a control system. Black (1973) also notes the multitude of individual purposes to be served by disclosing the deviance of others to control systems: revenge, destruction of a competitor, political sabotage, etc. Information about deviance is made available to reactive control systems only by someone's decision to do so.

The accessibility of information about deviance to proactive control will depend on how well the deviance is organized to hide such information. The example of organized crime was noted earlier. The cell structure of the communist party in America is an archetype

of limiting access to information, not just from control systems, but from members as well (Selznick, 1960). Some control systems will no doubt have more sophisticated technologies for finding information, but the social organization of the deviance can determine an absolute level of accessibility beyond which no technology of intelligence can reach.

Regardless of how a control system gains information, the consequences for deviance are also determined by what the control system does with the information it acquires. The information may often be discounted as false. For example, the control system may define the rape victim's complaint as second thoughts about voluntary sex, and thus make no effort to find the rapist. Or, the information may be judged insufficient for obtaining a sanction and ignored for that reason. For example, a rape with only a victim as witness and no corroborating evidence may never even be brought to a grand jury by the investigators who acquired information on the event.

These examples merely illustrate the everyday, working rules in control systems about how to deal with certain kinds of information, given scarce resources for responding to all reports of crime events. These working rules may be called legitimate discretion, since they are based on the professional judgment of agents of the control system (with all their occupational prejudices) of how to make the most of available resources. Police do not make arrests in all violent disputes, but rather in those disputes in which

someone demands an arrest (Black, 1971). Without this legitimate exercise of discretion, control systems would have to be organized very differently.

Another kind of discretion may determine what control systems do with information about deviance. Decisions to ignore certain information may originate with deviant actions. The illegitimate exercise of discretionary authority may stem from some personal gain that can be realized through official discretion, either by members of the control system or by those in a position to dominate the control system. The personal gain may result from penetration of the control system by the deviance which is left uncontrolled (e. g., through bribery) or through rule violations initiated by members of the control system (e. g., police burglary). In either case, the effect is to exclude certain classes of people from the jurisdiction of the control system.

Information and discretion are highly interdependent. If control systems systematically ignore certain kinds of information, or information from or about certain kinds of people, then they may discourage the input of such information. This is true of both the legitimate use of discretionary authority (e. g., effectively to ignore unsolvable burglary complaints) and the illegitimate use of discretionary authority (e. g., to ignore complaints about a brothel which pays off the police chief). Discretion is also exercised in the choice of means used to gather information. Where information about

deviance is not made available to control systems, the systems may or may not employ a proactive strategy to seek out information-- notwithstanding assertions in the literature that a proactive strategy will always be employed in such cases (Thompson, 1967: 122; Bordua and Reiss, 1967: 41). Discretionary decisions against employing a proactive strategy may also be a legitimate exercise of authority (e. g. , a judgment that marijuana use is too insignificant to control proactively) or an illegitimate exercise of authority (e. g. , an order from the political system not to seek out political corruption).

The process of scandal and reform is simultaneously a sanctioning process--the properties of which are considered later-- and a mobilizing process. As a mobilizing process, scandal is a search for a control system which will use information about the scandalous deviance with affirmative discretion. Quite often, scandal is also a demand that the appropriate control system reorganize in whatever manner is necessary to produce sanctions against any future acts of the scandalous deviance.

Deviance is potentially scandalous when there is a violation of trust as well as a violation of rules. Trust is a faith or expectation that a person or institution will behave in a certain fashion (Sherman, 1975). Poor young males in America are not trusted to obey the law, but United States Congressmen, F. B. I. Agents, and Presidents are. One consequence of trust is a bias against proactive enforcement of trust violations, for two reasons. First, trust

violations, by definition, are expected not to occur.¹ Second, proactive detection of trust violations would threaten the reciprocal nature of trust, e. g., "What's the matter, don't you trust me?" (Reiss, 1976). The bias makes it unlikely that information about trust violations made available to control systems will mobilize the system against the violations. It is even less likely that control systems will generally mobilize themselves proactively against trust violations. Scandals often fail to produce sanctions for these reasons.

When a trust violation occurs within a control system, mobilizing control against the violation may be even more difficult. Control systems may exercise legitimate discretion ("I don't believe it") or illegitimate discretion ("Why investigate a guy who gives me a percentage of his take?") to ignore information about violations. Other control systems may make similar decisions regarding information about deviance in another control system under its jurisdiction. Because the power to control deviance is monopolized by control systems, the trust such systems invest in their own members and in members of other control systems makes it unlikely that information

¹The sociological meaning of trust should be distinguished from the legal meaning. Bank employees may frequently commit legal "trust violations", but if the bank has a system for detecting such violations, it does not trust, sociologically, any of the potential violators.

about deviance in control systems will mobilize control. For these reasons, scandal about control systems is particularly unlikely to produce sanctions against past deviance or reorganization of control to insure sanctions against future deviance.

Yet some scandals about control systems successfully produce both sanctions and reorganization. A limited success of scandal is merely a mobilization of control against past deviance about which information has been made available. Violators will often be punished (though not necessarily). If implicated, the dominant coalition of the system may even be removed. The more complete success of scandal is a destruction of the trusted status of the system in which the violations occurred, which places both the system and its members under the same working suspicion as non-members of control systems. Under a reorganization of control, information about deviance may be gathered reactively or proactively, but the routine decision will be to follow up rather than to ignore the information. If this more completely successful scandal does reorganize control of the control system, then the system may again be externally trusted to regulate itself--even though the internal trust of the system in its members may be abandoned.

Chapter Three will explore the availability and accessibility of information about police corruption. Chapter Four will explore the difficulty of, and conditions for success in, the destruction of trust prerequisite to reorganizing control. Chapters Five and Six

will describe the various ways in which control may be reorganized, and Chapter Seven will attempt to explain these differences. Chapters Eight and Nine will examine the effects of scandal and reform on corruption, the theoretical context of which is described next.

Labelling vs. Deterrence

Scandal is a public act of labelling, a ceremony of status degradation (Garfinkel, 1956). Its object is to reveal the subject of scandal as something different from what that subject appeared to be, redefining the "essence" of the subject's identity. In order to justify the mobilization of control against a trusted subject, the assumptions and routine grounds for the social investment of trust in that subject must be destroyed. Labelling can do that by showing that the "true" or "original" identity of its subject has not been X, which would have been worthy of trust if true, but has really been Y all along, which is clearly not worthy of trust. Successful public labelling is generally a condition for the mobilization of control against trusted subjects.

Even if labelling fails to set in motion the process of trying to apply formal sanctions to accused deviants, labelling may constitute a sanction in itself. It may induce shame, embarrassment, loss of political power, ostracizing by peers, and other negative consequences for the subject of the labelling. On this much, all theorists of deviance agree. The disagreement lies in predicting the effects of the label as sanction on the future behavior of the

labelled (Thorsell and Klemke, 1972).

Early research on the consequences of labelling individuals as deviants developed the concept of secondary deviation (Mead, 1918; Lemert, 1951). Secondary deviation is deviant behavior which originates as an adaptation to the subjective problems caused by social control (Lemert, 1967: 48). A very crude formulation of the concept is that regardless of the initial causes of a person's deviance, the labelling of that person as a deviant may become a cause in itself, sustaining the continued or future performance of deviant behavior. Later research also found the phenomenon of secondary deviation in the social labelling of groups as deviant. The more "moral panic" there was in reaction to the English mods and rockers (Cohen, 1973) or "hippie" marijuana users (Young, 1971)--quite apart from the administration of formal sanctions--the more such labelling seemed to amplify the deviance of those groups.

In contrast, the spate of recent research on the deterrent effects of sanctions (summarized in Andenaes, 1975) generally finds that applied sanctions discourage rather than encourage the continuation or future performance of the sanctioned behavior. Recalling that labelling is defined here as a sanction in itself, these findings tend to suggest that labelling will deter deviance rather than produce secondary deviation. Both labelling and deterrence studies, however, have been attacked with substantial charges of theoretical and methodological flaws (respectively Gibbs, 1964; Henshel and Carey, 1975).

One conclusion that the deterrence researchers in particular have reached is that the extent of deterrence should vary with the nature of the deviance and the nature of the sanctions (Andenaes, 1975).

A theoretical problem inherent in the nature of labelling groups as deviant is the distribution of guilt within the group. In groups of any size, it is often the case that some proportion of the membership is not guilty of the deviance for which the entire group is accused. (It may also be the case that the entire group is innocent, as in Senator Joseph McCarthy's attacks on various "spy-infested" agencies, but that is a separate problem).¹ The proportion of a labelled group that is "falsely accused" may vary in size, and the size of that proportion could be very significant in determining the future behavior of the group. The guilty and the falsely accused may have very different reactions to labelling. The guilty may be surprised that they were found out, but their main concern might be the possibility of formal (or further informal) sanctions. Labelling might deter the guilty, but if labelling (e. g., scandal) alone is not subjectively experienced by the guilty as a sanction, then it might remove the threat of labelling, which had previously held deviance within certain limits. It is therefore theoretically possible that scandal could either deter or encourage the deviance of the guilty.

¹

No known police corruption scandal fits this category.

The falsely accused may be surprised to learn that their colleagues had been deviant, and they may exercise pressure to control future collegial misconduct. Or, their main concern may be the injustice of lumping the group together indiscriminately under one label which defines the essence of all members as deviant. The innocent may then proceed to fulfill the expectations of the deviant label. The guilty and the falsely accused could both move in the same direction. If they move in opposite directions, then the relative size of each category within the group can affect the internal and external perceptions of the subsequent behavior of the group qua group.

A problem inherent in the nature of sanctioning groups formally is the distribution of sanctions against individuals. In groups of any size, it is rare that every guilty member of the group will actually be sanctioned. Many, or even most, may escape formal sanctions. The proportion of the guilty escaping may have important consequences for the future conduct of the guilty and even of the falsely labelled. Should only one or two be formally sanctioned, despite attempts to sanction all of the guilty, the demonstrated inefficacy of the control process may remove the fear of sanctions. This follows from deterrence theory: the demonstrated low probability of sanctions encourages deviance. On the other hand, the formal sanctioning of a large percentage of the guilty would demonstrate a great certainty of sanctions once the control system is

mobilized, which could deter future deviance in the group.

A further complication is the relationship of the "pure" labelling of scandal (i. e., without formal sanctions) to formal sanctions (which are defined elsewhere as being labels as well). Three combinations of the two categories of sanctions can occur. First, formal sanctions may be administered to individual members of a group without the group being labelled as deviant. Second, the group may be labelled as deviant without formal sanctions being administered to any individual group members. Third, various proportions of the group may be formally sanctioned in addition to the whole group being labelled deviant. We might expect the deterrent effects would be different in each case, but the question is empirical--like so many others raised here. This study will hardly be able to resolve all of these theoretical issues with empirical evidence, but it will be able to suggest answers to some of them, limited to the substantive area of scandal and police corruption.

The theoretical contradictions are largely confined to the scandal phase of the scandal and reform process. The result of the more completely successful scandal--reorganization of control against ongoing deviance--presents little theoretical conflict. Once a new routine control practice is established, public labelling of the group generally ceases. Institutionalized trust is replaced internally by institutionalized distrust, but that is quite a different thing from the public shame and degradation of external scandal/labelling.

When only formal sanctions against individuals remain, the question becomes the value of the certainty, severity and celerity of those sanctions for the general deterrence of the group. For the individuals punished, there is virtually no question of whether specific deterrence or secondary deviation results from the sanctions. For in most cases, the sanction will be permanent expulsion from the group, which means that secondary deviation as a group member becomes impossible. If one is no longer a police officer, one can no longer be a corrupt police officer. There are lesser sanctions administered which might bring in complications about their effects on individual deviants, raising the possibility of secondary deviance. There may even be group sanctions against honest behavior which counter the effects of formal sanctions against deviance from official rules. Nonetheless, the primary determinant of deviance for the aggregate group in the reform stage should be the overall rate of sanctions as a proportion of the internally perceived rate of deviance (Henshel and Carey, 1975). Because there is neither labelling of the group nor (virtually any) sanctions against individuals who remain in the group,¹ the deterrence hypothesis alone should be

¹There often are informal sanctions administered by police departments in the post-scandal stage against individuals suspected of deviance, but about whom proof of corruption is lacking. Punitive transfers and undesirable assignments are examples of such informal sanctions, but they all lack the public quality of degradation for deviance that is a feature of formal sanctions. Admittedly, such informal sanctions could produce secondary deviation, but no data was available on officers sanctioned in this manner.

adequate for exploring the consequences of reorganized control in the post-scandal stage.

Chapter Two:

RESEARCH DESIGN

This study makes problematic the effects of scandal and organizational controls upon police corruption. Although the study often refers to independent variables (scandal and reform) and dependent variables (corruption), the study is not a quasi-experiment. The nature of the data also poses too many problems for precise measurement of causes and effects. The study is, rather, a natural history of a process and an analysis of its social organization. That process is the control of police corruption through public scandal over corruption and reform of internal organizational control policies.

Selection of Cases

Although there have been many police corruption scandals in the United States, the number of scandals which have been followed by reform of organizational control policies is probably much smaller (Chambliss, 1971). The number of cases in which reforms "worked" --i. e., deterred police corruption--may be smaller still. The cases for this study were drawn from reformed departments. To make a judgment before doing any research that reform worked entails certain risks, and in one of the four cases it was in error. But the reputations of police departments among professional police administrators tend to be fairly reliable on the issue of corruption. The

case where reform apparently did not succeed entailed the greatest risk, since the research in that city began just as a reform period was beginning. Losing the gamble was the price necessary for studying reform processes in all their richness of detail as they unfold. Indeed, the apparent failure case was the most valuable of the four in terms of making comparisons.

An ideal design for developing firm generalizations about the effects of scandal and reform of organizational control policies upon corruption would have selected an appropriate sample of the population of departments fitting each of the thirty cells shown in Table 2-1 under the heading "Time₁". The relative importance of scandal as a precursor of organizational reform would be clarified by the inclusion of cities in which scandal did not occur, especially if any such cities implemented reform policies. The relative importance of different types of scandal--with successful and unsuccessful labelling of the police as a deviant organization and with or without sanctions against the corruption provoking the scandal--as a precursor of reform of organizational control policies would also be clarified. The relative importance of organizational reform policies in deterring corruption at time₂ would be clarified by the inclusion of cities which did not, under all possible types of scandal (and no scandal) implement reform policies. The relative importance of different types of reform policies, which will be discussed in Chapters Five and Six, would be clarified by inclusion of both types

Table 2-1

Classification of Cases For An

Ideal Research Design

	Time: 1		Time: 2	
	Not Corrupt		Not Corrupt	
Integrity of Department:	Corrupt	Not Corrupt	Corrupt	Not Corrupt

1. Scandal

A. Labelling and Sanctions

Reform Policies Implemented

Premonitory

X X X X

Postmonitory

X X X X

No Reform Policies Implemented

X X X X

B. Labelling and No Sanctions

Reform Policies Implemented

Premonitory

X X X X

Postmonitory

X X X X

No Reform Policies Implemented

X X X X

Table continued on following page . . .

Table 2-1 (continued)

	Time: 1		2	
	Corrupt	Not Corrupt	Corrupt	Not Corrupt
C. Unsuccessful Labelling and Sanctions				
Reform Policies Implemented				
Premonitory	X	X	X	X
Postmonitory	X	X	X	X
No Reform Policies Implemented	X	X	X	X
D. Unsuccessful Labelling, No Sanctions				
Reform Policies Implemented				
Premonitory	X	X	X	X
Postmonitory	X	X	X	X
No Reform Policies Implemented	X	X	X	X
2. <u>No Scandal</u>				
A. Reform Policies Implemented				
Premonitory	X	X	X	X
Postmonitory	X	X	X	X
B. No Reform Policies Implemented				
	X	X	X	X

of reforms under all possible types of scandal (and no scandal).

The study did not, however, select cases in this manner. Many of the classifications were only developed in the course of the study, as is often the case in exploratory research. Even if all of these conceptual tools had been available at the outset of the study, it is not clear that all of the cells can be filled. Even if a sample for each cell could be identified, access to the data would be difficult to obtain.

The actual selection of the four cases was based almost entirely on the willingness of the departments to grant access to department files. Only departments which had experienced scandal over organized police corruption and implemented some reform of their organizational control policies were approached. Of the seven asked, three (Chicago, Boston, Denver) refused access, two (New York, "Central City") granted total access, and two (Los Angeles, Oakland) offered limited access. An eighth (Newburgh) later volunteered total access upon reading an announcement of the grant award.

Practicalities dictated the number of cases studied. Time and money suggested three cities as a feasible undertaking which would still allow sufficient variations to be far superior to a single case study. The fourth city was added when it volunteered, but only because it was very small, required a minor data collection effort, and required little travel time to visit. More cities might

have been added with more time and money, but they would have been both hard to find and only marginally productive of new insights or variations. Only one city which was omitted (Kansas City, Mo.) may have been a serious loss to an understanding of the process of corruption scandal and reform, because it demonstrated a unique organizational strategy for controlling police corruption.

Virtually every administrative attempt to control police corruption has produced an acrimonious confrontation between the police executive and the rank and file. Kansas City under Chief Clarence Kelley (1961-1973) was reportedly an exception to that rule. Instead of only building a horizontal team of supporters at the top to help control the rank and file (as most reform executives do), Kelley also built vertical teams of supporters from the top to the bottom of the organizational hierarchy (Reiss, 1975). The result was a pattern of the rank and file participating in policing itself, rather than just the chief policing them (McNamara, 1974). Instead of the usual assaultive strategy which unites the rank and file against the chief, Kelley united the rank and file with the chief against corruption. Except for the description of this reform strategy as "enlightened leadership", however, it remains unclear exactly how such strong peer group pressure against corruption was created in Kansas City.

The Kansas City case would have been very useful for

generating policy recommendations, and should have enriched theoretical understanding as well. Its absence should not be fatal, however, since what is known about the reform in Kansas City does not contradict the central conclusions of the study. Kelley's use of rank and file self-policing¹ is just one tactic for accomplishing a strategy common to the three apparently successful reform executives studied: a premonitory stance towards police corruption. The capacity to detect and intercept corruption before rather than after it occurs seems to be essential for generating the internal sanctions needed to deter corruption. Far from weakening this proposition, the Kansas City case, to the extent we know about it, perhaps strengthens the conclusions by showing the efficacy of using the bulk of the rank and file as a premonitory source of information about corruption.

The Selected Cases

Given the haphazard means of selecting the cases, it is not surprising that they vary widely in important ways. Virtually the only thing they have in common is the experience of police corruption followed by exposure through scandal and then a reorganization of internal control systems. Even the method of study varied from

¹Self-policing was also developed in some of the four cases studied, but for reasons of fear rather than pride: fear that not reporting corruption would be punished as severely as corruption itself. Kelley's approach seems to have emphasized voluntarism.

case to case, largely because directly comparable sources of data were not available for all four cases. Table 2-2 summarizes these important background differences in the nature of the cases and the research methods used on them. These differences may be less likely to undermine the natural history analysis done in this study than they would a more rigorously designed comparative study. The object of the study is not conclusions about what is true of scandal and reform in all corrupt police departments. Rather, the object is hypotheses about what may be true of that process in general based on what appeared to be true in the four particular cases studied.

Table 2-2

Differences Among

The Four Case Studies

<u>Differences</u>	<u>Cities</u>			
	<u>New York City</u>	<u>Central City</u>	<u>Oakland, Ca.</u>	<u>Newburgh, N. Y.</u>
<u>Cities</u>				
Population*	8,000,000	728,350	376,000	26,200
Police Dept. Size*	30,000	1,100	700	70
Years Under Study	1970-75	1963-75	1952-60	1970-75
Form of Government	Strong Mayor	Strong Mayor	Council-Manager	Council-Manager
Geographic Region	Northeast	Midwest	West Cst.	Northeast
Frequency of Scandal	Cyclical	Cyclical	Rare	Rare
<u>Data</u>				
Pre-Scandal Corruption				
Investigation Files Extant	Yes	Yes	No	No
Access to IAD Files	Yes	Yes	No	Yes
Contemporary On-Site Research	Yes	Yes	No	No

*Approximate

Policy propositions about "what worked" to control police corruption can be qualified somewhat by differences along the single important dimension of city and police department size (the spread of which among the four cases is quite substantial).

The years for which a case was under study might also alter the applicability of these findings to other cases. The Oakland reforms of the 1950s, for example, occurred in a time of relatively unchallenged autocratic administration in government and industry generally, and in a time of weak police unions. Whether the autocratic approach of the Oakland reform chief would work today is unclear, given the many court decisions and police union contracts that have steadily cut back the authority of police administrators over the past twenty years.

The form of city government appears to make little difference in either the growth of police corruption or the possibilities for reform in the four cities. Whether under Mayor or Manager, organized corruption was able to flourish in the four cities. But after the scandal, reform was made possible only by the unwavering commitment of the municipal executive, whether Mayor or Manager.

The regional variation in the four cities selected seemed important to obtain because there is a belief among police administrators that eastern departments tend toward corruption while western departments tend to be "clean". This study, as well as Woods (1973), Chambliss (1971), and State of California (1950, 1953),

shows that western departments were once just as corrupt as eastern departments, and that some eastern departments may have done as good a job of controlling corruption as some western departments. There now seems to be much variation in both corruption and corruption control among police departments on the west coast as well as on the east coast.

The past frequency of scandal seems similarly unimportant. A long history of police corruption in Newburgh was marked by few scandals, possibly because there were no interests in that community which ever sought to create a scandal. New York's equally long history of corruption was marked by a regular 20 year cycle of scandals from 1870 to 1970, with a long history of groups interested in making scandal of corruption. The reform policies implemented in each city in 1972-74 were unlike anything which had ever been done before, and to date the reforms seem to be almost equally effective regardless of differences in scandal history.

Where corruption investigations were done for some years prior to a scandal, the files they generated offered a fairly detailed picture of the organization of police corruption during the pre-scandal period. The allegations and--sometimes--indictments generated during a scandal offered even greater detail, and all four case studies profited from the scandal-generated data. But the two cities which had pre-scandal investigation files as well could be studied in greater depth. Since the differences in the

sources of information in the pre-scandal file and the sources of information revealed in the scandal were not substantial in the two cities where such files existed, one would expect the same to be true of the other two cities.

Access to files on corruption investigations done after a reform administration began was far more important than access to pre-scandal files. Since no major scandal has yet occurred after the reforms in any of the four cases, the internal record of allegations and investigations of corruption is the primary source of data on how corruption changed or persisted in the face of the reforms. Interviews and newspaper stories supplement the internal record of allegations and investigations in a general way, but the internal record has the advantages of 1) more often providing specific dates on which corruption events allegedly occurred, and 2) being reasonably complete. For these reasons, access to internal affairs division (I. A. D.) files was a primary condition for selection of the cities. This condition for selection was violated in the case of Oakland as the price of including a California police department. Due to state-wide litigation over the availability of I. A. D. files for court cases, no California police department would have opened these files for research. Yet the reputation of California police for unusually high integrity made it essential to include a California department. The relatively small size of the Oakland department and the availability for interview of many people with knowledge of

post-scandal corruption conditions helped to make up for the lack of access to the key files. But lacking file data, the picture of post-scandal corruption in Oakland may be less accurate than that in the other cases.

The idea for this study was born while I was employed by the New York City Police Department as a research analyst during a period of scandal and reform. While I did not observe very much of the decision-making process at the level of the Police Commissioner, I did have access to information about most policy discussions related to corruption. I may also have a conflict of interest in evaluating the I. A. D. in New York, since I helped design a training program there for corruption investigators. But as New York police officials will be quick to point out, my personal impact on the direction of that huge organization was negligible at best. My civilian, "outsider" status cast me more in the role of observer than of participant for most of my eighteen months of employment.

In Central City, my 1974-75 methods of inquiry were somewhat more systematic, but basically no different from what I had done in New York in 1971-72. The main difference was far greater access to the police executive, who discussed highly sensitive matters with me on a frequent basis. I did not actually observe the conduct of any corruption investigations in either New York or Central City.

The differences between the data gathered in the two cases with contemporary inquiry and the two cases without it are unclear.

The operating assumptions about corruption and reform held by police officials were clearer in the contemporary cases, as was the personal politics among the top officials in those departments. But that kind of data was also found through interviews and files in the two cases not studied in process. Contemporary records and observation might have been more complete, but important facts might also have been concealed due to their contemporary importance.

The foregoing is intended to point up only the basic differences between the cities and the way in which they were studied. The differences in the scandal and reform process that occurred in each city will be brought out in later chapters, along with the uniformities of that process. What follows now is the basic approach of the research used in all four cases.

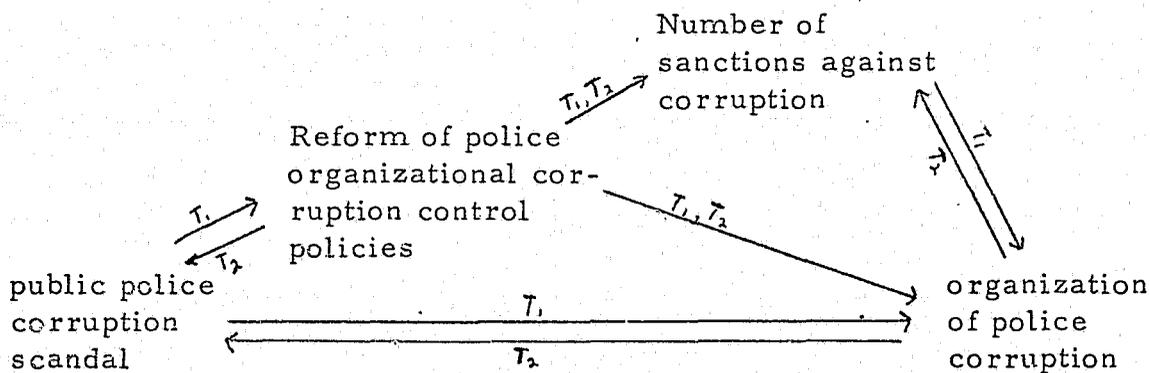
Causal Factors

The process of scandal and reform can be conceptualized in a time-ordered model. Figure 2.1 expresses the causal relations explored by the research on each case study. The model is based on certain assumptions. One is that public scandal will have a direct impact on the organization of police corruption. This assumption follows from the earlier discussion of labelling theory. Similarly, changes in police organizational control policies and in the organization of corruption should alter public attitudes and behavior toward the police regarding corruption (e.g., ending both scandal and traffic bribes). Another assumption is that the reform of internal corruption

control policies in police departments will have a direct effect on corruption, apart from any changes in sanctioning practice which the new policies may produce. This assumption follows from the earlier discussion of organizational information theory. And while tactics of corruption control may change with feedback from changes in corruption, the basic strategy of corruption control remains the same. This relationship is the source of determinacy in the model. A third assumption is that an increase in the probability of sanctions punishing corrupt behavior will deter police corruption. This assumption follows from the earlier discussion of deterrence theory. The assumptions that scandal causes reform and that scandal and reform together cause changes in sanctions both follow from empirical knowledge of the cases before they were selected.¹ Finally, as corruption organization declines, one would expect fewer sanctions against corruption.

Figure 2.1

A Model of Corruption Scandal and Police Reform



¹Or in the case of Central City, expectations about what would probably occur as time passed. As it happened, the sanction rate decreased in Central City.

The time order in the model encompasses two stages. At time₁, the causal relations move in time from left to right. This stage is intended to encompass the process of scandal and initial reform of organizational controls. Time₂ is intended to cover the period after the effects of scandal and changes in control have taken hold. In this stage, the feedback process is time-ordered from right to left for all factors except the basic corruption control policies, which are assumed to remain constant from time₁ to time₂.

The three initial causal factors in the model, then, are scandal, policy reform, and sanctions. Two of the factors--scandal and reform--are described qualitatively, although some quantitative measures are to supplement the description of reform. The probability of sanctions for a corrupt act at a given point in time is a given quantity, but it can only be estimated, and is subject to considerable error since a record of every corrupt act which occurs is not available. Despite these limitations, it is possible to assign different "values" to the causal factors.

Scandal may be classified as a success or a failure. It is possible to define the success or failure of police corruption scandal by criteria independent of scandal's consequences for reform. One criterion is whether scandal succeeds in labelling the police organization, as distinct from some "rotten apple" individual members of the organization, as a socially deviant actor (Reiss, 1973). The judgment on the success of the labelling is based on such indicators of labelling

success as the removal of the police executive, the individual held accountable for the conduct of the police organization as a whole. Chapter Four will explore the process of scandal and the conditions of successful labelling of corrupt police departments as deviants. All four of the cases studied were successful scandals, but other, unsuccessful police corruption scandals will be brought in to illuminate the conditions of success.

The reform of organizational corruption control policies occurs in many different ways, but dichotomous values can again be used to summarize the differences. Control policies are either premonitory or postmonitory (Reiss, 1973). That is, the administrative and investigative control structures may be directed either at preventing and intercepting corruption as it occurs, or at responding to information about corruption that has already occurred. A judgment as to which value should be assigned to each case can only be made after examining a wide variety of specific policies. The policies studied in each city were selected on the basis of two criteria. First, some hunches about what is and is not a corruption control policy in any city were developed in the early research in New York and by Sherman (1974). Second, the administrators of each police department studied (and in some cases the municipal executives as well) were asked which policies they defined as being directed at the control of corruption. Chapters Five and Six compare these policies among the four case studies, showing how the same strategies were

accomplished in different cities through what were often very different tactics. Only one case, Central City, was judged to have implemented a postmonitory strategy; the other three were premonitory.

Because the variation in reform policies cannot be explained solely by variation in scandal, Chapter Seven will point up the inadequacy of the causal model used to design the research. Alternative explanations for the varieties of police reform will be considered, with a new exogenous factor of extant organizational capacities introduced to fill out the model. Because this factor was developed "post-hoc" there will be little data available to specify the different values of organizational capacity.

The probability of sanctions for corruption at a given point in time is an essential theoretical element of the model. Unfortunately, values can only be assigned to this factor by inference. The annual numbers of departmental dismissals were available in all four cases, but the number of corrupt events for that period are not known. The assumption must be made, therefore, that an increase in the absolute rate of dismissals in the short run after a scandal, and a gradual tapering off thereafter as (presumably) less corruption occurs indicates a relative increase in the probability of sanctions over that of the pre-scandal period. The weakness of this inference is obvious: a gradual tapering off in the rate of dismissals could just as easily indicate erosion of control rather than a reduced incidence of corruption to which sanctions can respond. But other

data on the specific developments in each case will help to ease some of the ambiguity in interpreting the absolute dismissal rate.

A further weakness in measuring this factor is that it was often impossible to distinguish sanctions for corruption from sanctions for other kinds of police misconduct. In some cases the reasons for sanctions were kept confidential; in other cases single sanctions were administered for a combination of corruption violations and administrative rule violations, so that the sanctions for corruption per se were indistinguishable. The overall officer dismissal rate per capita will have to serve as a poor substitute for the rate of corruption sanctions. This overall sanction rate does have the advantage of expressing the climate of punishment within the organization very precisely on a year to year basis.

For reasons of theory, data availability, and policy applications, the nature of organizational reform policies will be the causal factor given the greatest emphasis in the discussion. Changes in organizational control systems point up the crucial theoretical issues raised earlier. As overt and formal phenomena, they are highly accessible to scrutiny and can be pinpointed by the dates on which they were implemented. Finally, they are the most "tractable" or manipulable (Scott and Shore, 1974; Demerath, et al., 1975) of the variables in the model, and will thus be of the greatest use to policymakers.

Measuring Change in Corruption

The ideal way to measure the impact of scandal and reform on corruption would be some record or indicator of the real incidence of corruption events. The only indicator available is the number of complaints about corrupt police behavior received by the police departments. Both the validity and reliability of this indicator, however, are so poor as to render it of little use. The bulk of police corruption is consensual, with both the police and the parties to such transactions benefiting from the transactions; only rarely is a consensual event officially reported by any participant. An indeterminate portion of corruption which is not consensual may be more likely to be reported, although a victim's fear of reprisal from the police officer(s) who made him a victim of corruption may preclude reporting. Such selective reporting introduces error in any estimate of rates for different types of corruption (and their relative proportions of all corruption). The relative proportion of reports of different types of corruption may also change over time. Reform may increase the credibility of the internal investigation process and thereby increase the reporting of corruption, though perhaps unevenly so across categories. Complaints of corruption, therefore, are not unbiased estimates of all corruption events.

Since there is no standardized way to measure validly and reliably the changes in the quantity of corrupt acts over time, alternative measures must be considered. A reasonable substitute

measure for the dependent variable seems to be changes in the quantity of organization generally present in corruption activities over time. This measure only requires reliable indicators of the relative proportions of corruption activities that are more and less organized. A quantitative value can be assigned to different levels of organization based on the amount of cooperative action (see Black, 1976) present in the corruption activities which are reported from the various sources. Changes in the level of corruption organization can be inferred from changes in the ratios of cooperative to individualized endeavors reported among the parties to corruption transactions. The indicators are described in Part IV. The meaning of the indicators is connected to the nature of the data on corruption transactions.

The meaning of any datum on police corruption is analogous to the view through a window. Looking into one window of a building offers information about what is going on inside, but the information obtained is ordinarily assumed to be incomplete. Much of the activity which goes on inside the building may never take place within viewing range of a window; many windows will be shuttered for much of the time. Some windows may even be false and the picture painted on them may misrepresent the real activity behind the window. Yet a systematic observer can make fairly accurate inferences by looking through as many windows in as many buildings as possible. In time he may acquire a fairly detailed description of how activity is

organized and how it changes over time, if he is careful to record the dates of his observations.

Similarly, a statement about police corruption made by any source in any context provides a brief glimpse of the organization of police corruption, however incomplete that glimpse may be. These windows on corruption offer many different kinds of information. The size of corruption conspiracies, the different types of corruption going on, and the nature of relationships between citizens and corrupt police are some examples of the features of social organization which can be seen through such windows on corruption. Temporal information may also be obtained, e. g., the statement, "this has been going on since I joined the force five years ago." Some windows may allow only a superficial view of one aspect of the organization of corruption, while others allow a highly detailed view. But the scope of the view on each day through each window is not as important as the total amount of information that all the windows make available and from which we may draw inferences. Each single piece of information may gather significance by reference to all the other pieces of information, which together indicate how much organization was present in corruption activities at given points in time.

Previous research on police corruption demonstrates the feasibility of studying organizational patterns of police corruption, from which levels of organization might be inferred. A variety of

methods have been used to discover patterns of corruption. Whyte (1955) and Rubinstein (1973) used long-term participant observation. Sutherland (1937) used intensive interviews of a highly knowledgeable actor in police corruption (a professional thief). Commission studies (Knapp, 1972; Pennsylvania, 1974) have used everything from subpoena power of witnesses to rummaging through police files. Journalists have used informants (Burnham, 1970) to construct detailed analyses of corruption patterns.

Virtually all the methods used by the earlier studies of the organization of corruption can be used to locate windows on corruption, save only those requiring legal powers. This study used newspaper accounts, criminal trials, complaints sent to the police executive, corruption investigation files, interviews with outside observers close to police affairs during the period under study, and some other sources detailed below. Most of these sources include dates of occurrence of the corruption events they report. Some periods offer more windows and more information than others, which presents problems of reliability. By specifying the sources of information used in each case, however, the study can be replicated. While conclusions or inferences may differ, any sociologist mining the same sources should find the same data.

Specific Sources of Data

Different kinds of data were obviously needed for each of the factors. Unfortunately, some kinds of data, for a variety of reasons,

were available only in some cities. A series of tables follows, specifying the sources of data mined in each city for each variable.

Table 2-3

<u>Source</u>	<u>Data Sources for the Process of Corruption Scandal</u>				<u>Key</u>
	<u>New York</u>	<u>Central City</u>	<u>Oakland</u>	<u>Newburgh</u>	+ = available - = not available
Newspaper Stories	+	+	+	+	
Written accounts of "revealers"	+	+	-	-	
Interviews: Reform Chief	-	-	-	+	
Municipal Executive	-	+	+	-	
"Revealers"	+	+	+	-	
Reporters	-	+	-	-	
Pre-scandal corrupt officers	+	-	-	+	
Total Sources	4	5	3	3	

Scandal, defined as a public reaction of outrage to disclosures of deviance, can be studied largely through the news media, which are the public sources that record the scandal as it takes place.

Although a number of news organizations covered the scandal story, the "newspaper of record" in each city was picked as the sole news

medium to be studied for the scandal variable. In the three cases where a newspaper had been the first to disseminate information about corruption (all but Newburgh), that newspaper, which was always the newspaper of record, was picked for study. The reason for limiting research to one news organization was lack of time. The drawback is that the press account is taken for granted, without making the reporting of scandal a problematic to be explained. A comparison of the different news agencies' treatment of the scandal would have been an interesting study in itself.

The one newspaper studied was probed in each case for background. Such questions as where the story came from, the political interests of the publisher, and relations between reporters and editors, were asked of people in a position to know. Table 2-3 indicates the different people interviewed on these matters in each city.

Finding out what changes took place in the corruption control policies of the police departments studied was slightly more difficult than gathering data on scandal. One problem was to determine precisely how the "reform" control policies differed from those of the pre-scandal period. Although the research was forced to rely primarily on the information of post-scandal officials, it nonetheless found that some of the "new" policies were in fact old policies, either just continued or recast into new organizational arrangements. Written records and the fact that most of the post-scandal officials

had worked in the department prior to the scandal facilitated this separation of old and new policies.

Table 2-4

Data Sources for Organizational Reform Policies

Source	<u>City</u>			
	New York	Central City	Oakland	Newburgh
<u>Interviews:</u>				
Reform Chief	+	+	-	+
I. A. D. Commander	+	+	+	+
I. A. D. Officers	+	+	+	+
Intelligence Commander	-	+	+	N. A.
Intelligence Officers	-	+	+	N. A.
Vice Commander	+	-	-	N. A.
Patrol Commander	+	+	+	+
Detective Commander	+	+	+	+
Municipal Executive	-	+	+	+
Several Random Officers	+	+	+	-
<u>Written Record :</u>				
Newspapers	+	+	+	-
I. A. D. Files	+	+	-	+
Chief's Memos	+	+	+	+
General Orders	+	+	+	+
Personnel Orders	+	+	+	+
Informers Fees Budget	-	+	-	-
Annual Reports	+	-	+	-
Observation	+	+	-	-
Total Sources	14	16	13	10

Another problem was to discover how formally stated policies were actually implemented in practice. Contemporary interviews and observation were the best means of answering this question, but post-facto interviews served almost as well. Discrepancies were found both ways: some departments did less than they claimed to have done by way of corruption control, while others did more than they ever publicly acknowledged. For the most part, however, the data on organizational reform were straightforward.

The data on sanctioning levels were gathered completely from department records and newspaper articles. As far as checking and double checking could reveal, the figures on departmental discipline are complete. The criminal sanctions, however, were impossible to pin down, since many cases dragged on for years in appeals and retrials. Court statistics on police corruption are usually lumped under "miscellaneous". Thus the sanctioning variable will be expressed only in terms of organizational sanctions.

The windows on the organization of police corruption were drawn from the most diverse sources of any of the four variables, as Table 2-5 shows. This diversity forms the basis of the defense of the data from weaknesses of validity, if not of reliability. By constructing the patterns from many different kinds of sources, we have strengthened their validity through what Webb, et al. call "multiple operationalism": "If a proposition can survive the onslaught of a series of imperfect measures, with all their irrelevant

error, confidence should be placed in it" (1964: 3).

Table 2-5

Sources of Data on the Organization of Police Corruption

Source	<u>City</u>			
	New York	Central City	Oakland	Newburgh
<u>Written Records:</u>				
Newspaper Stories	+	+	+	+
Writings of Police Officers	+	-	-	+
Citizen Complaints	+	+	-	+
I. A. D. Files	+	+	-	-
Chief's Files	-	+	+	-
<u>Verbal Sources:</u>				
Criminal Trials	+	+	-	-
Department Trials	-	+	-	-
Ex-corrupt Officers	+	-	-	+
Other Officers	+	+	+	+
Reform Chief	+	+	-	+
I. A. D. Commander	+	+	+	-
I. A. D. Officers	+	+	+	-
Intelligence Commander	-	+	+	N. A.
Intelligence Officers	-	+	+	N. A.
Vice Commander	+	-	+	N. A.
Vice Officers	+	+	+	N. A.
Municipal Executive	-	+	+	+
Public Safety Director	N. A.	+	N. A.	N. A.
Prosecutor	+	+	+	-
Other Law Enforcement Agencies	+	+	-	-
Reporters	+	+	-	-
Other Outside Observers	+	+	+	-
Total Sources	16	19	12	7

PART II:
POLICE
CORRUPTION
AND
SCANDAL

The next two chapters lay the groundwork for the analysis of post-scandal attempts to reform corrupt police departments. Chapter Three places police organizational control policies within the context of other determinants of police corruption. This model of the general social organization of police corruption should be distinguished from the quantitative conception of the organization present in corruption transactions measured in Chapters Eight and Nine. The general social organization of police corruption determines the quantity of organization in police corruption transactions.

Chapter Four presents a model of the social organization of public scandal over disclosures of police corruption. The genesis of police corruption scandal is traced to the social organization of police corruption, but the outcome of scandal is determined by factors found generally in the labelling of deviant organizations. The outcome of scandal creates a common point of departure for the four police administrations studied, setting the stage for potential organizational reform.

Chapter Three:

THE SOCIAL ORGANIZATION OF POLICE CORRUPTION

Police corruption is a misuse of organizational power for personal gain.¹ The "mis"-use is relative, depending on the laws and regulations governing behavior in each police agency. The personal nature of the gain distinguishes it from brutality, perjury, illegal search, or other violations committed in perceived furtherance of formal organizational goals (e. g., fighting crime). The organizational nature of the power misused excludes many crimes committed by policemen, such as burglary by a city officer committed in his suburban town of residence in which he has no contact with the local police. That particular burglary would merely be a crime, while a burglary committed by the same officer in the city under the protection of his colleagues, or of his knowledge of his colleagues' practices, would be a corrupt act as well.

Other definitions of corruption are certainly possible, but this one is the most useful for this study. The most drastic public and organizational reactions seem to occur not to brutality, or to perjury, or to isolated crimes by police off-duty, but rather to deviance which inverts the formal purpose of the organization: use of organizational power to create crimes rather than deter

¹This is a simplified version of an earlier definition (Sherman, 1974: 5-6).

crimes. The policeman who molests children (in plainclothes) or kills his wife in passion does not invert the purpose of the organization. Such acts occur outside the boundaries of the organization. If the officer uses his organizational position in some way to escape punishment for such acts, however, then the deviance enters the boundaries of the organization. For the acts themselves mean only that something is "wrong" with the individual; a coverup means that something is "wrong" with the organization.

The coverup phenomenon may suggest a flaw in the definition of police corruption, since coverup apparently involves risk and not gain for those who cover for a colleague. An indirect personal gain for those who cover, however, is the maintenance of an organizational character in which it is safe to misuse organizational power. Those who only cover today may receive tangible gain tomorrow. Coverup is merely adherence to norms of reciprocity, better known as the "blue curtain", under which members of a corrupt police department join together to thwart social control efforts against any one of them. Coverup in this sense is analogous to donating blood or paying the premium on an insurance policy. Since coverup is a crime committed with organizational power, this indirect consequence of personal gain for those who cover completes the requirements of the definition.

3.1 - ENVIRONMENTAL LINKAGES

The police department is a formal organization. Its boundaries are clearly marked by the fact that its members possess powers denied ordinary citizens. The social organization of police corruption includes actors outside the boundaries of the police department as well as within them. The linkages between the police organization and its environment constitute the major sources of police corruption.

The social organization of police corruption is based upon two kinds of linkages between the police department and its environment. One linkage is at the top of the department's hierarchy, with the political environment which holds the police accountable for their behavior, or which manipulates the police for political or personal profit. The other linkage is at the "bottom" of the department, with all those people who either initiate or are subjected to face-to-face encounters with rank-and-file police. Combined with the laws and departmental regulations which formally govern those encounters, the second linkage may be summarized as the task environment of the police department.

Political Environment

The political environment consists of both the general attitudes of the electorate about police corruption, and the specific acts of politicians and officials who try to influence the police. Both general attitudes and the nature of political influences seem to vary

tremendously on this issue in general, and on certain types of police corruption in particular, among cities and within cities over time.

Public attitudes towards police corruption are difficult to discern. The politicians or the police may think they know how their public or publics feel about corruption, and then find themselves to have been mistaken when a scandal develops. Gardiner (1970) and Bayley (1969) have provided survey data showing public disapproval of corruption in a Pennsylvania city and in India, respectively. Survey research was beyond the scope of this study, but the Central City case provides inferential data on the importance of the linkage between public attitudes and police corruption and on its potential for change.

In the early 1960's, an Internal Revenue Service gambling raid uncovered a list of Central City police officers being paid by the gambling operation for protection from arrest. After a year of buck-passing of this hard evidence between federal and local prosecutors, twenty-two police officers were indicted for bribery. The community seemed to define the indictments as a natural disaster, rather than as a scandal. More like an earthquake than a witch-hunt, the indictments produced sympathy for the suffering of the "victims" rather than outrage at a betrayal of trust. The indicted officers were dismissed immediately, as the law required. But many were given jobs with the City school system, and over \$2,000 was raised for their families through community contributions. It is unclear

whether this community support stemmed from disbelief of the charges or tolerance of gambling corruption, but the consequence was the same regardless.

When a key witness balked a year later, all but one of the officers were freed, reinstated to the police department, and granted full back pay for the period of their dismissal. The police chief was never held responsible in any way, for there seemed to be a shared definition that nothing was wrong. The political party in power retained control in the election which occurred in the middle of the scandal period.

A decade later another big scandal occurred, this one several months before the resignation of President Nixon. The legal evidence of crime was much weaker than before, but the press coverage was far more intense. There were important qualitative differences in the nature of the scandal between this one and the last, but there also seemed to be a clear difference in the predisposition of public attitudes towards police corruption as well. In 1974, no sympathy was expressed for the police. The prosecutor who had appeared to limit the investigation of the press-initiated charges was rejected by a landslide at the polls. The Mayor, running for a state-wide office, lost in his home county by a tremendous margin.

One critical difference in public attitudes may have been that the first scandal was confined solely to gambling-related corruption, while the second scandal included charges, among many others, of

corruption in narcotics law enforcement; one assumes that the public generally defines narcotics pushing as a much more serious crime than taking bets. Another key difference may have been the climate of Watergate, which seemed to raise the salience of official corruption as a political issue throughout the country. In any case, it seems clear that the political or moral climate surrounding police corruption in Central City had either changed from high tolerance to low tolerance of corruption, or from low susceptibility to high susceptibility to belief of corruption charges in a period of ten years, with significant consequences for control.

The political climate of police corruption is linked to corruption itself in a cultural lag sequence. It takes some time for the police to discover how the public really feels. In the first half of this century, over 100 Central City policemen were accused by name of corruption. Only four ever went to prison. The 1960's scandal saw a continuation of long-standing community trust in the police--no matter how strong the evidence--which amounted to a de facto repeal of the laws against bribery. While community attitudes were apparently changing over the next decade, the actors in police corruption believed that the attitudes toward corruption control would remain constant. Indeed, among the elites of the city, about whose attitudes the politicians linked to police corruption would have the most direct knowledge, there was tacit approval of corruption. After the 1974 scandal, the Mayor told me that the powerful people

in his town (though not himself) still believed that "graft should go to whichever party is in power."

The general outrage at police graft was only expressed at the time of the 1974 scandal, even though it may have been developing for some time prior. Corruption in Central City lacked community support from whatever point in time the attitudes against corruption control changed, but only when the attitudes were expressed during and after the scandal did the police corruption actors discover that the risk of sanctions was greater than they had thought. The changed attitudes were clearly demonstrated when the "tolerant" prosecutor, a twelve year incumbent, was defeated by an anti-corruption reformer. As Chapter One noted, the failure to gather information about crucial environmental changes can be disastrous.

Whether the linkage between public attitudes and police corruption will remain severed is unclear. Gardiner (1970: 74) found that voters quickly forget about corruption once it fades from the headlines. But that does not mean that police corruption actors will soon forget the revolution in the public reaction to corruption in Central City. Perhaps the most significant actors in this regard are the professional politicians, who mediate the effects of the general moral climate upon police conduct.

The professional politicians' interest in police corruption lies either in making money, or in avoiding criticism, or both. If corporate contributions have been the life-blood of recent national

politics, vice protection payoffs have been, at least since the mid-nineteenth century, the life-blood of local politics (Woods, 1973; Johnson, 1976). In the many cities where reform has made vice payoffs too risky for the politicians, the police have often gained a monopoly on those revenues, a potential embarrassment to the party in power. Whether the party in power gains much or little from police corruption, it has much to lose if the corruption is detected --assuming that the public will disapprove of the corruption.

The extreme form of politically-dominated police corruption has been reported by Chambliss (1971) and Gardiner (1970): the officers whose exercise of discretion protects vice operations receive none of the protection money, although they may have to collect it on behalf of the party. Police managers may receive some of the money, or merely safe tenure in the jobs as their only payoff. In Newburgh, the safe tenure included the right to make free-lance money from non-vice sources, as well as a small share of the gambling payoffs for the chief and his commanders. Both Newburgh and Wincanton (Gardiner, 1970) were under the domination of a strong political party boss, but that kind of environment is not the only one in which politically-operated corruption is found.

Oakland in the early 1950's had a very weak political structure, dominated entirely by the economic interests in that community. The city manager/non-partisan council form of government had been in effect since Earl Warren's investigations of corruption in the

1930's. Following that reform era, the downtown business interests reportedly picked candidates for the city council who would keep the taxes low on downtown business properties. In return, the business elites allegedly tolerated whatever payoffs the councilmen could extract from the small-scale gambling and prostitution operations in town. The long term (twenty years) city manager reportedly adopted a see-no-evil stance, and the councilmen seemed to deal directly with the police. The commanders of the three patrol precincts were particularly powerful, though no one would say whether they received regular payoffs. The rank and file reportedly did as they were told about vice enforcement, free-lanced with impunity, and received their turkeys at Christmas from the Chinese gamblers.

Central City had a similar structure of corruption within the department, with a very different form of political domination. No official in the executive branch of this strong mayor-public safety director form of government seemed to be directing police enforcement policy at all. Rather, the county chairman of the party in power dealt directly with the police commanders, in the name of the Mayor but without the Mayor's knowledge. While the Mayor admitted to having had what Lazarsfeld (1974) calls "half-knowledge" that there was some corruption going on, the Mayor was unsuccessful in his attempts to gain more knowledge. As Lazarsfeld points out, the half-knowledge position leaves an executive off the hook at

both ends: it is a defense from charges of both culpability in corruption and inadequate management.

The disclosure of corruption in Central City was particularly embarrassing to the Mayor because of the allegations against his political associate, the county chairman. Even where there is no political linkage to corruption, however, a Mayor or his staff may wish to avoid disclosures of police corruption. Such was apparently the case in New York City in 1967, when officers Serpico and Durk attempted, unsuccessfully, to interest the Mayor in an investigation of their corruption allegations (Maas, 1973). There was not even the slightest hint of political linkage to police corruption at that point in time. Indeed, not since Mayor O'Dwyer's time in the early 1950's has there been any hint of politicians other than judges and prosecutors participating financially in police corruption. But the Mayor's concern for "upsetting" the police before another long hot summer in that era of race riots was reportedly sufficient for him to ignore the officers' charges (Maas, 1973: 181).

The Mayor in Central City made a similar decision, though in a more public fashion. Following a series of investigations and other developments that suggested police corruption two years prior to the 1974 scandal, the Mayor ordered his police commanders to fill out personal financial worth statements. The police union (which included the commanders) publicly protested the order and filed a suit to block it. At that point the Mayor backed down by rescinding

his order and expressing faith in the new internal security measures the Chief would soon introduce. But no such measures were ever implemented, and the Mayor did not focus on the corruption problem again until two years later, when the major scandal occurred.

Task Environment

Whether politicians encourage police corruption or ignore it, whether the general public approves of police corruption or not, the primary source of corruption is always the task environment. The police officers' daily routines, their face-to-face encounters with all kinds of citizens, and the scope of police legal power and discretionary authority in relation to the desires of citizens they encounter structure the opportunities for corruption. Corruption is supported by the political environment only when the task environment of policing (e. g., enforcing unpopular vice laws) provides a potential source of revenue to whomever controls the police. When corruption is opposed by the political environment, it persists only when the task environment provides officers with low risk methods for making money.

The task environment is not an opportunity structure (in the sense of the Cloward and Ohlin, 1960, class stratification theory of crime). It is, rather, a structure of opportunities for making illicit money. These opportunities vary greatly between law enforcement agencies and geographic locations, just as the nature of police tasks varies on the same dimensions. Federal drug enforcement

agents are constantly confronted with opportunities to make money: bribes or thefts from drug pushers, and inaccurate accounting for the large sums of money advanced to agents for narcotics "buys". Secret Service agents are rarely confronted with any opportunities for illicit gain from narcotics sales, or apparently from any sources. It is no surprise, then, that two agencies with the same political environment should have very different histories of corruption--the former frequently corrupt (Ingersoll, 1975), the latter apparently uncorrupted.

Geographic differences also affect the structure of corruption opportunities. A New York Congressman once reported that some patrol officers working in midtown Manhattan asked him to have them transferred up to Harlem where they could make more money--presumably from the higher density of vice operations Harlem offers as opportunities for police payoffs.

Within law enforcement agencies, functional divisions of labor affect corruption opportunities. The traffic division is mainly limited to bribes from motorists, the detectives tend to develop corrupt relations with professional thieves, and patrol division corruption can be as diversified as the patrol task itself; even the records section may sell information to private detectives, or the crime reporting section may sell burglary location data to burglar alarm salesmen.

The task environment is also a concrete means for expressing

community attitudes about corruption. Merchants may encourage free meals and Christmas gifts; big banks and hotels may make regular payments for police presence at robbery-prone times (e. g. , when the bank opens in the morning); prominent citizens may patronize illegal establishments which are protected by police pay-offs. While the vocabulary of motives used by both citizen corrupters and police officers in these encounters may thwart the definition of the acts as corrupt (not bribes, but "gifts"), many police officers have reported how cynical these good citizens made them feel about moral values in general (Sherman, 1974a: 202-203). Perhaps the ultimate expression of citizen desire for a corrupt police is the Denver businessman who burglarized his own premises as an insurance fraud, and let the patrolmen who responded steal anything they wanted from his store (Smith, 1965: 221-223).

None of this is meant to imply that all police officers will seize every opportunity for corruption they confront. Individual officers vary tremendously in the degree to which they seek out such opportunities, from the totally honest, to the passive "grass-eaters", to the proactive "meat-eaters" (Knapp, 1972). Police departments also vary greatly in the extent and nature of the corrupt practices in which their members engage. Much of that variation is accounted for by differences in the nature of corruption opportunities. Differences in corruption between two law enforcement agencies confronting similar structures of opportunities can be accounted for by the

central variable of this study: control, both from outside and from within the agency.

One final point should be made about the task-environmental linkages to corruption, and that is the susceptibility of such linkages to change. Traffic-related corruption was unknown before the mass production of the automobile. Similarly, heroin-related corruption was taboo, if not unheard of, in local police agencies until the phenomenal growth of the heroin industry in the late 1960's (Skolnick, 1966: 208; Maas, 1973: 93). The time lag in reports of extensive corruption in heroin enforcement between New York and Central City is identical to the reported lag between the coastal and interior cities in the spread of heroin addiction (Wilson, 1975): about 5 years, from 1968 in New York to 1973 in Central City. In both places, the old police corruption morality of taking "clean" money from gamblers but not "dirty" money from pushers seemed to break down in the face of the far greater sums the boom industry of heroin could offer.

But the opportunities for corruption can contract just as easily as they can expand. The assimilation of the Chinese community in Oakland produced a declining demand for organized gambling in the mid-1950's, which in turn made gambling corruption that much easier for the reform chief to control (Guidici, 1975). A decline in one source of corruption may lead to an increased reliance on another source; the Newburgh Police seemed to compensate for the loss of payoffs from a local brothel (closed by the State Police) by stealing

money from narcotics pushers more often.

These examples cite "natural" changes in the task environment. Contrived changes in the task environment are also possible. Chapter Five will review the use of task environment change as a police organizational corruption control strategy. It is worth noting here that certain aspects of the task environment are highly resistant to change, either planned or natural. Most important are the personal relationships between police officers and professional criminals, which appear to be highly resilient even in the face of the strongest control efforts. The staff of the narcotics division may be transferred back to patrol--as they were in Central City--but those officers reportedly continued to work with their pusher-informant-franchisees. The relationships of police officers to "fences" are most significant, given the finding in Chapter Nine that property crimes by police seem to increase when regular corruption arrangements are deterred. Relations with other sources of corruption, including those with merchants, are less resilient, but their propensity to terminate while the "heat" of scandal is on seems matched by their propensity to resume when the heat is off.

These environmental linkages to police departments seem to determine the nature and extent of police corruption, other things being equal. The most important factor which often is not equal among police departments is control. The dynamics of control in relation to the social organization of police corruption merit special

consideration.

3.2 - ARRANGEMENTS AND EVENTS

Police corruption occurs in one of two basic forms, each of which has very different implications for detection and control. All corrupt acts are events, in the sense that something discrete happens: X gives money to Officer Y to avoid a speeding ticket. But some corrupt acts are more than discrete events, in that they are exact duplicates of previous and future interactions between the same individuals. Officer Y may take money from speeding motorists every day of his career, but it is unlikely that he will take money from the same motorist twice. Captain Z of the vice squad, however, may only take bribes from ten people during his entire career, but those bribes will be paid to him month after month. Officer Y's corruption is repetitive. Captain Z's corruption is duplicative.

Duplicative corruption events, taken as a whole, may be described as arrangements. Arrangements may be organized among several officers (e. g., a "pad") or they may be solo ventures of one officer relating to one or more citizens. Other kinds of corrupt acts will be referred to here simply as events. Some events may be more repetitive than others, but all events (as now defined) share the quality of being unique combinations of individuals. The acts which comprise a corruption arrangement lack this quality, wherein lies the major difference in control implications between events and arrangements.

Reiss (1973) postulates that the more predictable the occurrence of a deviant act, the higher the probability of detection. But he also postulates that unless the allocation of resources for detection bear a reasonable relationship to the occurrence of events, there will be a lower probability of detection. Thus the first proposition could be restated as the more predictable the occurrence of an event, the more vulnerable it is to detection--if anyone should ever try to detect it. Corruption arrangements are more predictable than corruption events, because the same people duplicate their interaction on a regular basis. More highly organized arrangements are even more predictable than solo venture arrangements, because more people are involved in the duplicative routine. Either outside surveillance or an inside informer can predict when and where the next episode in an arrangement will take place. That is not true of events, which occur whenever and wherever the opportunity arises. Therefore arrangements are more vulnerable to control than events. The lower echelons in a hierarchically organized arrangement, however, are more readily detected than the higher echelons (Reiss, 1973).

Some corruption events are more vulnerable to control than others, again for reasons of predictability. Theft of money from drunks occurred repetitively in the Oakland jail in 1959. The drunks were different, but the location was always the same.. Thus it was easy for the Chief to have undercover actors arrested as drunks to

see if their money would be taken (it was). In contrast, thefts of money and heroin from drug pushers take place at different locations as well as with different pushers. With only one repetitive link--the violator--to the repeated but unique events, the predictability of narcotics "scores" and therefore their vulnerability to control is much less than that for rolling drunks at the jail.

Arrangements and events differ only in their vulnerability to pre-monitory control (Reiss, 1973): detection methods which intercept the deviance as it occurs. They are both equally susceptible to post-monitory control: the gathering of evidence after the fact in order to prove that the violation occurred and to connect the violation with the violator. Participants in either arrangements or events are equally likely to testify about the past crimes of others in exchange for a reduced sentence when they themselves are caught. If anything, an event is more likely to be reported than an arrangement, because the latter is more often consensual and the former more often creates a victim role. Victims seem more likely to complain (Reiss, 1973). Corrupt police are shrewd in their choice of victims, however, seeking those with social stigma (drunks, pushers, prostitutes) that limits the credibility of any accusations (Pileggi and Pearl, 1973). The relative inability of event-victims to mobilize social control, then, compensates for their greater likelihood to try to initiate post-monitory control of corruption, leaving arrangements and events roughly equal in their vulnerability to

post-monitory control.

Given these assumptions about the relative probability of detection of arrangements and events, one might conclude that the only reasonable demand to make of a police executive is that he eliminate arrangements and respond appropriately to events. Indeed, this result is apparently the most that has ever happened in any reformed police department, and may be the most that can ever happen. But one should not confuse what is feasible with what is desirable. It is not necessarily better for the public interest to have less organized forms of police corruption. The more organized forms of corruption are only more susceptible to detection and control, and not more evil, than the less organized forms. Arrangements include protection of prostitution and gambling, but they also include free meals and protection of illegal parking. Events include burglary, thefts from arrested persons, the "fixing" of serious crimes, and auto theft. It would be a strange index of crime seriousness that would rate burglary events as less serious than free meal arrangements.

On the other hand, the elimination of arrangements may in the long run discourage events as well. Maas (1973) and other sources report the pressure on "honest" officers from those participating in arrangements. Just as in college cheating, the existence of arrangements gives the innocent a guilty knowledge that forces them into tacit complicity. Complicity is required to stabilize

arrangements, lest the non-participating officers make arrests which nullify the protection that the officers participating in arrangements are selling. If arrangements are eliminated, more officers are free from such tacit complicity and thus completely "uncorrupted". Socialization patterns would probably change, generating less group support for the protection of the actively corrupt.

It is therefore useful to conceive of the level of organization of police corruption as the total amount of cooperation among police, as well as citizens, in corruption activities. The more cooperative action there is in police corruption, whether active or tacit, the more social support there is for corruption both in the police department and in the community. A reduction in the amount of cooperation among corruption actors (a reduction in the level of organization of police corruption) would seem to be a prerequisite for institutionalizing norms against corruption among the occupants of those police and citizen roles which carry the potential for participating in police corruption.

A reduction in the level of organization of police corruption is a major social change in the life of a police department and its community. Like many other social changes, it is often initiated by a small number of deviants discontent with the status quo. The process of change in police corruption is therefore strongly related to cohesion and conflict within corrupt police departments.

3.3 - THE SYSTEM AND THE LONERS

Another way of looking at corruption events and arrangements is from the perspective of the participants. The more organized forms of corruption impose more rules on the participants, rules which serve the common good of the police department as a corrupt organization. Rules about dividing the money minimize friction and the threat of a disgruntled participant invoking control. Rules about how to obtain the monies reduce the threat of outside detection. Most important for the public interest are rules about the limits of corruption. Similar "limits" have been found among longshoremen, waiters, and other occupations in which employees regularly steal from their employers (Mars, 1973). The intention of such rules is to avoid attracting attention. A consequence of the rules is that there may be less dollar-volume of corruption than there would be without the rules.

One weakness in all the rules governing organized corruption is that it is often unclear to whom the rules apply. It is very rare that an entire police department of any size will actively participate in the same, or any, corruption arrangements. Even politically directed police corruption relies primarily on the legitimate, formal police hierarchy to implement its non-enforcement policies, rather than relying on payoffs to all officers whose discretion must be controlled. Those officers who do not participate financially in the corruption commit no crime, so the financial participants in the

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arrangements have no strong hold over them. In order to create complicity, the corruption participants will often try to entangle the non-participants in some form of (formal) rule-violation which can be used against the non-participants if they should ever threaten to invoke control. Sex on duty with a prostitute was a method commonly used in Central City, but Christmas "gifts" from the protected businesses can serve this purpose equally well.

In a police department in which organized corruption is present, the cardinal rule for all members of the department is silence. Many or most of the officers may have no direct knowledge of how the corruption arrangements work, or who gets paid what, where, or why. But their general knowledge of police enforcement policy and incidents to which they have access as officers is potentially threatening and must be controlled. Whether corrupt or not, then, adherence to the "blue curtain of secrecy" rule puts most of the department within the corruption "system".

At the fringes of the system are two classes of deviants from the (societally deviant) norms of the system. Both classes consist of loners who are outside the system. One is an honest, zealot fringe. The other is an unusually corrupt, evil fringe. Both pose grave threats to a corruption system, but it is the evil fringe to which the system reacts most aggressively. The evil fringe consists of officers who free-lance beyond the approved limits of free-lancing, thereby threatening to draw attention to corruption throughout the

department. The zealot fringe merely insists on defining the department as "on the level", but in pursuing impartial enforcement of all the laws zealots become martyrs, punished for such efforts by their superiors. It is the zealot fringe which did the more damage of the two, particularly in Central City and New York.

Central City, for all its history of politically organized corruption arrangements, was always quite hard on the evil fringe. As far back as 1967, when the other political party was in power, a special investigating team was formed to investigate a police officer who was running a stolen car ring. The leader of that successful investigation went on to become chief when the present party gained power in 1968. While he refused to create an internal affairs division to investigate public complaints against police officers, he did use his intelligence unit to investigate tips he received about the evil fringe. The crimes committed by that fringe were not necessarily more serious than any approved by the system. For example, narcotics dealing by officers was apparently approved by the system. But the fringe crimes did tend to attract more attention, particularly that of federal investigators. By nipping these visible crimes in the bud, the pre-scandal chief thwarted sustained public attention to the issue of police corruption.

The zealots in Central City offer a different story. Primarily younger officers, all had suspicions of systemic corruption though none had direct knowledge. The traditional role for honest officers

in such departments had been to suffer in silence on a lonely beat or to scramble for a position in a "clean" unit, such as the police academy. But the new breed of zealots in Central City chose to confront the system by arresting protected criminals. When one officer could get no approval for his arrest of a bootlegger, he went to federal Treasury agents for help (and in the process, tape recorded the bootlegger claiming to pay the Chief and his deputies on a regular basis). When the bootlegger was arrested by the Treasury agents, the Chief immediately had the young officer apprehended, interrogated him for 24 hours, and transferred him to another job.

In an accelerating spiral of deviancy amplification (Wilkins, 1964), this zealot and others like him only caused more trouble, not less, as they were punished by the organization with harassment from supervisors and charges of petty infractions. These punishments for a righteous cause transformed the self-definition of the zealots into martyrs. The claims of the police department on their loyalty were weakened by the extent to which they defined the department as a system of corruption. Once those claims were neutralized, once it became clear that social control of police corruption could not be mobilized within the police department, it was almost inevitable that they should try to mobilize other forms of social control. The principle that law is invoked as other forms of social control break down (Black, 1973: 7) could be prefaced by a more general proposition: as one form of social control breaks down or becomes ineffective,

substitutes will be sought out.

It was not law that the zealots in the Central City police (and New York, 1970, and Cincinnati, 1975) mobilized against police corruption. It was, rather, an institution rarely viewed as a social control mechanism: the news media. Much of the power of the media lies in its ability to mobilize legal action, but its power to topple governments and officials is almost independent (except insofar as it reflects perceived public opinion).

The foregoing recites the failures of two different kinds of social control. One is the long-standing failure of social control over police corruption in Central City (as well as in pre-scandal New York, Oakland, and Newburgh). The other is the breakdown of social control within corrupt departments, or rather of the control of the police department by a corrupt dominant coalition, and of control of the loners by the system. Control over the evil fringe is relatively easy, because externally legitimate forms of social control can be used: arrest, dismissal. But there are no externally legitimate means for excising the zealot fringe. Insofar as the zealots must be considered part of the secret society of a police department housing organized corruption, Simmel's (1950: 371) proposition applies:

Secret societies which, for whatever reasons, fail to develop a tightly solidifying authority are, therefore; typically exposed to very grave dangers.

Police zealots are not the only source of conflict over police corruption norms. Actors external to police departments may also create such conflict. Regardless of the source of conflict, however, conflict seems to be a necessary (if not sufficient) precondition of public scandal over police corruption.

Chapter Four:

THE SOCIAL ORGANIZATION OF POLICE CORRUPTION SCANDAL¹

The police and the public have often had a scandalous relationship. This propensity for scandal reflects the depth of the trust invested in the police (Reiss, 1973), the frequency with which police have violated that trust, and the frequency with which such violations have been publicly exposed. Sociologically, a scandal is 1) a social reaction of outrage (Lasswell and Rogow, 1963) to 2) a surprising revelation that 3) some person, group or institution has violated the trust expectations which society has held for that violator. In Theodore White's words, scandal is a reaction to a "breach of faith", a shocking discovery that someone has done something unthinkable, something he (or it) was implicitly trusted not to do.

This chapter presents a model of one particular kind of scandal: social reaction to public disclosures of criminal police corruption. The model is limited mainly by the four scandals studied, but data on other police corruption scandals are brought in where relevant.

Dictionary definitions refer to scandal as either a deviant act or a social reaction to that act. Having made scandal problematic

¹ Portions of this chapter were presented at the 1975 Annual Meeting of the American Sociological Association as "Scandal and Deterrence: The Case of Police Corruption."

as a mechanism of social control, this study defines scandal strictly as a reaction to deviance and not as deviance itself.

Moreover, the reaction in question here is a public reaction expressed in the news media. "Private" scandals may occur in countries in which the media are controlled, or they may occur within institutions. A case of the latter is the recent embezzlement of funds by the elected treasurer of an academic association. The scandalized audience reacting to the theft was confined to members of the association; news of the trust violation never reached a wider public. Alternatively, a public scandal may occur in a small town entirely through verbal communication, with no news media involvement at all. Both private and non-media generated scandals may be as effective mechanisms of social control as public, media-generated scandals, but only the latter type is considered here.

The importance of scandal in the control of police corruption is that many cases of successful corruption control have been preceded by a scandal. Scandal is a mechanism of social control and deterrence in its own right, but its more important function may be its power to mobilize more routine control mechanisms against corruption on a lasting basis. Not all scandals have this outcome. Nor is scandal alone a sufficient cause of institutionalizing corruption control. It does, however, seem to be a frequent forerunner of that institutionalization.

An understanding of scandal, then, might help to discover how

police corruption may come to be controlled. The problem chosen for explanation here is not what causes scandal, but rather how the complex and variegated process of scandal unfolds. In simplest terms, scandal is a process of interaction between public disclosures of hitherto secret deviance, and the degree of tolerance or outrage with which the community reacts to the disclosures. Neither factor is fixed or constant, since each may change in response to the other.

In more complex terms, scandal is a social fact, the construction of which is accomplished with a division of labor. It proceeds through a number of stages, with apparently no fixed order and frequent repetition of some of the stages. A successful corruption scandal may be defined as one which publicly labels a police department as a deviant organization. Certain conditions are necessary for success. A "little scandal", which stops shortly after the disclosure stage, cannot meet those conditions. But even a longer scandal which moves through all possible stages may sometimes fail to make the deviant label stick to the organization.

4.1 - DIVISION OF LABOR¹

Revealers

The first role which must be played in these scandals is the revealer: someone who discloses a deviant practice or event, the

¹ I am indebted to Jack Katz for the conception of scandal's division of labor and many of the roles.

existence of which had not been generally known. People may fall into this role accidentally, as the Treasury agents discovering gambling payoff records in a 1963 Central City raid did. People may use the information they already have to create this role for themselves, as Officer Frank Serpico did in New York (Maas, 1973). Or people may decide to seek out information which will enable them to play this role, as investigative reporters do. Whatever their paths to this role may be, there always seems to be a broader conflict over the goals of the police department behind the decision to present the revelations to disseminators.

Disseminators

The dissemination of a police corruption disclosure is a decision to communicate the disclosure through one of the mass media. The role of disseminator is often closely linked to the role of revealer, but rarely are the two roles filled by the same people. Even an investigative reporter, employed by a dissemination agency, does not make the decision to disseminate a police corruption disclosure. That decision is reserved for the editor or a higher executive such as the publisher. Again, the context of conflict over goals for the police department seems to affect such decisions.

Dramatizers

Once a police corruption disclosure is disseminated, there is often some sort of public reaction from people who have access to media dissemination of their reactions. One form of reaction is to

"dramatize the evil" of the facts, or alleged facts, which have been disclosed. In a way, the dissemination role also dramatizes the facts, with large headlines and the like. But the distinct role of dramatizer seems to provide independent confirmation of the seriousness of the disclosure. Elected officials, leaders of professional associations and of civic clubs commonly fill this role in police corruption scandals.

Defenders

The same kinds of people may perform the opposite role: defenders of the publicly accused individuals or organization. Like the dramatizers, the defenders may be in either a disinterested position (e. g., civic group leader) or in a position of personal interest in the disclosure of corruption (Mayor, prosecutor). The overt defense reaction may also be performed by the police executive or police officers, notably the police union president. The police department or those people participating in corruption are usually the only performers of the covert forms of defense, including control of derogatory information about the organization. Other, non-police supporters, however, may aid the covert defense by trying to prevent further disclosures from being disseminated.

Criminal Prosecutors of Police Corruption

Sometimes this role is never filled in police corruption scandals. The only people who can fill it, of course, are county, state or federal prosecutors. For the role to be filled, a prosecutor

must obtain criminal indictments of police officers and bring the cases to trial or a negotiated guilty plea. Sometimes the available evidence is not sufficient for indictments. Sometimes the prosecutor does not want indictments to be issued. The line between these two possibilities is very thin indeed, and difficult for any outsiders to discern. But whatever the reason, the absence or presence of this role makes a great deal of difference in the way a police corruption scandal unfolds.

Structural Investigators

This role is often used by its creators to postpone dealing with an issue. It is normally created by the chief executive responsible for the police, who usually plays a defender role.

The structural investigator role is filled by a "blue ribbon" group of citizens disinterested in the corruption allegations or police affairs. The title "commission" or "committee" is often used. Their formal purpose is to study the structure of the accused organization. By looking for structural defects which might produce corruption, they may sidestep the issue of how corrupt the department actually is. Such was the case in Central City, in accordance with the Mayor's directive. But if the structural investigators act to set their own agenda, they may well hurt the cause of defense by dramatizing and legitimizing the allegations of police corruption. The Knapp Commission in New York may have been intended to play the role of defender, but in one of the historical accidents which are

so important to scandal, the "wrong" man was chosen to head the Commission.¹ The Commission proceeded to establish the fact that corruption was widespread, as well as identifying some structural causes of that fact.

Personnel Decision-Makers

This role is filled by whoever has the power to decide whether or not to continue the police executive in office after a corruption scandal has developed. The location of that power depends on the legal structure of the city. A non-civil service-tenured police executive may be dismissed by the mayor, city manager, board of police commissioners, etc., without personal charges of wrongdoing against the executive. If the executive is tenured, he must be personally implicated in wrongdoing, as distinct from inadequate management, in order to be removed. But it has also happened that the police executive filled this role himself by resigning.

The importance of this role is a consequence of the symbolic nature of the police executive's role as the representative of the entire police organization. No other member of the police department is responsible for the conduct of the police as an organization. By "banishing" the police executive, personnel decision-makers add much weight to the deviant label directed at the police organization.

¹ According to the District Attorney who recommended and later regretted the appointment, New York Times, Oct. 12, 1972.

Alternatively, maintaining the police executive despite public attacks on the police may aid the defense from attempts to label the organization. Successful labelling is possible without toppling the police executive, especially if corruption can be blamed on a recent predecessor. Toppling of the police executive can also occur without successful labelling of the organization, as it did in Chicago in 1973. But the decision about the tenure of the police executive plays an important part in the process of corruption scandal.

Audiences

Audiences play no active role in a scandal, but their influence is enormous. All of the active roles are performed in terms of the perceived reaction of some audience (Garfinkel, 1956). Revealers play their role to an audience of potential controllers: the people who might fill the criminal prosecutor or personnel decision-maker roles. Revealers also play to an audience whose perceived opinions may shape the role performance of those potential controllers: the electorate. Disseminators, dramatizers and defenders also play to an audience of potential controllers and the general public.

Criminal prosecutors play to the electorate and their professional and political colleagues in terms of their own career advancement. But as controllers, they also play to the subjects of their control: present and potentially corrupt police officers and their superiors. Indeed, demonstrating the negative consequences of deviance to potential deviants is a central feature of deterrence,

and one of the purposes of prosecution. Structural investigators may pick different audiences depending on their goals: the Mayor who appoints them, or a new reform police executive, or the public, or the subjects of the scandal, or any combination. Personnel decision-makers play primarily to the electorate, with all other audiences secondary.

4.2 - STAGES OF POLICE CORRUPTION SCANDAL

The stages of corruption scandal can be analyzed most clearly in terms of which role in the division of labor is being played at a given time. For this reason, the roles were described above roughly in the order in which they tend to appear. The central problem is to identify the necessary conditions for the appearance of each stage, and the conditions that result in further stages of movement towards the objective: labelling the organization as deviant. But prior to any stage of a police corruption scandal is the general condition of public trust in the police.

Trust as the Basis of Scandal

This society collectively invests trust in the police, an expectation that the enormous powers of the police will be used properly. Of particular importance is the assumption that the police will not invert the purpose of their power, that they will not use their authority to create crime rather than to control it.

This trust is expressed in many ways, from people giving found wallets to the police for safekeeping to the legal right of police

to enter burglarized premises. But the defining characteristic of trust is the structured non-allocation of control resources against the police. More simply, no one watches the watchmen on a routine basis. This fact is built into the laws establishing virtually every police force in this country. Where attempts have been made to direct non-police control resources at police crime, they have been confined to postmonitory systems and have therefore been largely ineffective. Many have withered away (e. g., civilian review boards, special prosecutors) after a short time.

The reason for this lack of outside control attention may be that society trusts the police to police themselves. It is this trust, rather than merely the trust that police will obey the law, which may be most relevant to scandal. When widespread corruption is disclosed, it is not the breach of faith by individual officers that is scandalous. "Abnormal" people--"rotten apples"--are expected to be found everywhere. Rather, the scandalous fact is that the police organization has violated the trust that it would police itself effectively (Katz, 1975). Individual officers have been discovered doing everything from arson to murder without a scandal resulting, for such acts appeared to be isolated or aberrant. But organized patterns of corruption suggest failures of self-regulation (Janowitz, 1975). The key phrase in the scandal-dramatizing Knapp Commission report (1972), for example, was "We found corruption to be widespread", with much of the report detailing the sophisticated organization of

corruption and the inadequacies of the internal corruption control units in the New York Police.

Disclosure

Disclosures of police corruption may be intentional or accidental. In our "sample" of four successful scandals, two of the initial corruption disclosures were made by proactive revealers who set out to create a scandal. In the other two, the disclosures were made by reactive revealers who fell into their role by coincidence.

The New York corruption scandal which began in April of 1970 had the most proactive initial disclosure of corruption. Two revealers, both police officers, had been trying for several years to mobilize some sort of social control against police corruption. They had tried and failed with their immediate superiors, high officials in the department, the Office of the Mayor, and the municipal corruption investigation agency. (Notably, they had omitted all of the possible prosecutors). Finally, they obtained access to The New York Times, which printed their allegations of systematic corruption arrangements. The conflict motivating their disclosures was analogous to the history of zealots in religious organizations: their love of policing and their dedication to the purity of its ideal form.

The Central City scandal of 1974 also began with revealers from the zealot fringe of the police department. But these revealers were less proactive than those in New York. The role of revealer

was shared with a team of investigative newspaper reporters, and with a competing law enforcement agency which had helped to focus the interests of the reporters on police corruption. The proactive stance of all of these revealers notwithstanding, the way in which they combined to create a scandalous disclosure was more fortuitous than planned.

The suspicions and discontent of the new members of Central City's zealot fringe had begun around 1970. At the same time, a legal change was made allowing the county legislature to merge the County Police with the larger Central City Police. Enabling legislation was never passed, but the possibility of the merger intensified the rivalry between the two police forces. Both the intra-organizational and the extra-organizational conflict reached a high point in 1972. In that year, one of the zealots helped a federal probe of bootlegger payoffs, and the County Police launched an investigation into payoffs from a brothel; both corruption arrangements implicated high City Police officials.

For various reasons, both of these secret probes had bogged down by the summer of 1973. At that time, however, a new managing editor at Central City's major newspaper organized a team of investigative reporters. They soon became aware of the County Police investigation of the City Police, and located 28 zealots on the City Police who willingly disclosed all they knew about corruption. The paper finally disseminated the disclosures in early 1974.

In Newburgh, the disclosure was a result of poor information control by the corrupt officers. A police burglary at Sears and Roebuck had been camouflaged by a police radio broadcast that a "normal" break-in had occurred there. An unwitting officer in a different part of town heard the radio message before going into a diner for supper. He commented to a friend that "they're really ripping off Sears." A Sears saleswoman overheard the remark and drove right over to the store, only to find police officers carrying out merchandise. She notified the Sears security force the next day. The security force asked the police chief for an investigation. When he did nothing--which was a poor defensive strategy--Sears mobilized a State Police investigation of the department as a result of which many more corrupt acts were disclosed. The conflict of corporate profit and police profit explains the disclosures.

The Oakland disclosure was somewhat less avoidable. When the long-term city manager died, an extremely aggressive replacement was hired who defined himself as a reformer. His goals conflicted with the extant state of the police, and he was looking for a chance to clean things up.

An atypically brutal shakedown of a storekeeper for \$1,000 was committed shortly after the new manager took office. The manager heard from a reporter about the shakedown and an attempted cover-up. From that point on, the scandal was carefully orchestrated by the manager as a tool for legitimating his planned police reform.

The manager took on the role of revealer by calling a press conference in the Mayor's office. His emphasis in that meeting was not on the shakedown, but rather on the long and unproductive investigation of the victim's complaint. The manager publicly reprimanded the police chief for not notifying him earlier of the case. Accordingly, the press coverage disseminated not only the disclosure of the shakedown event, but included "background" information on a whole host of organizational problems, from inadequate internal investigations to friction between detectives and patrol officers.

All disclosures of corruption take place in the context of police corruption as an ongoing social activity. A given number of corruption events occur in a given time period, of which some become known to people in a position to disclose them. One possible cause of a disclosure occurring when it does is that the number of incidents of corruption per time period increases, thereby increasing the chance that information about some corruption events will gain wider circulation. This possibility will be considered in a later chapter. Regardless of how much secret deviance there is, any such deviance leaves its traces, and some non-participants will inevitably gain information about it. People with important information generally disclose it to other people. But for a disclosure to set the process of public, media-generated scandal in motion, the information must reach someone who can obtain access to the media and who will try

to do so. Presentation of the information to the media seems to be more likely, the more intensive the conflict.

Dissemination

The decision to disseminate a police corruption disclosure is not just a yes-or-no choice. Questions of how much newspaper space or air time to devote to the disclosure, when in the broadcast or where in the newspaper to run the story, what tone to adopt in reporting the disclosure, and whether to run follow-up stories are all part of the dissemination decision (Sigal, 1973). As a result, dissemination can be a highly political decision, both in terms of the internal politics of the news organization and the personal politics of the organization's head. The overriding issue is how neutral the format of the dissemination should be, and in which direction the format might veer from neutrality: playing the story down or up.

The corruption disclosure story was not played down in any of our four cases, but there were clear differences in the degree of departure from neutrality. Some of the differences were due to the circumstances of the scandal rather than decisions by the media. In Newburgh, for example, the first public disclosure of corruption came when the police chief was suspended in anticipation of his being indicted. By that point, the criminal prosecution stage was well under way. Indictments of 16 officers followed shortly. The Newburgh Evening News reported all of these events with appropriately large

headlines. But their coverage could make little difference in the outcome, given the advanced stage of the scandal process. In this case, the dissemination decision was automatic, but there was dissemination nonetheless.

The New York Times in 1970 was the most neutral of the other disseminators. One of its reporters had been researching police corruption on his own when the police zealot-revealers came to him. But in a meeting with the editor, the reporter and the police revealers were told how delicate the subject was and that "there would be enormous difficulties in publishing such a story" (Maas, 1973: 255). The revealers brought along a high middle management police official to confirm their statements, without whose presence "nothing would have happened", according to the reporter. In the end, the editor approved the story but decided not to print it until a "hook to hang it on" developed. Only when the reporter seized the disseminator role was the story published: he warned the Mayor's office that a "blockbuster" story on police corruption was in the works, and the Mayor appointed a committee of structural investigators in order to beat the Times to the punch. The disclosure story was printed two days later. All subsequent stories were merely reports of others' reactions, rather than a repetition of the initial disclosures.

The Oakland Tribune in 1955 was slightly less proactive than The New York Times would be in 1970, but much more partisan.

The new city manager had established very close ties with the publisher of the Tribune, and the two cooperated in guiding news policy to serve the manager's agenda for revitalizing the city. Not only did the Tribune disseminate the disclosure when it was first revealed, it also repeated the facts of the case day after day in slight variations, even though there was often nothing new to report.

According to the then-city manager, this repetitious dissemination was done expressly at his request. Moreover, the manager asked that the reporters take on a revealer role, seeking out new information for disclosure. But some sort of limit must have been placed on what was suitable for disclosure, since none of the well-organized corruption apparently present at that time was ever disclosed. The dissemination and disclosure stages seemed to have been carefully managed to invest enough drama, but not too much, in the seriousness of the corruption problem.

The Central City Clarion in 1974 was both proactive and partisan. Its decision to disseminate was made simultaneously with its decision to play the revealer role. The only possible obstacle to dissemination might have been inadequate substantiation (independent confirmation from two sources) of the disclosures, but the assistance of twenty-eight police revealers minimized that possibility. The fact that the publisher of the paper had long been a strong backer of the Mayor, and that the dissemination could only hurt the Mayor's candidacy for higher office that year, did not seem to enter the decision

at all (according to the reporters). Indeed, after eight months of attacking the Police Department, the paper endorsed the Mayor's candidacy just before the election.

After the dissemination of disclosures begins, any of the remaining stages may occur and any of the remaining roles may appear. The order in which they appear does not seem to be crucial. Rather, the substance and timing of each stage in relation to the next seems to be important in building and maintaining momentum. Momentum is vital, for unless the scandal "keeps happening", its audience will soon lose sight of it. The brief memory of the public is notorious. Once a scandal fades from view for a month or so, it seems to be very hard to regenerate. The difference between "moral panic" over police corruption and mere news may lie in the frequency of the news story (Cohen, 1973).

Countercharge

The first actor given access to the media for a response to the disclosure is usually the police executive or his superior. Whether or not they will make a countercharge--an attempt to discredit the source of the disclosure--seems to depend on the institutional identity of the revealer. When the revealer is the police executive's superior, as was the case in Oakland, a countercharge would clearly be imprudent. A lower, tenured police official, however, can deny the charges on behalf of the silenced chief--as the head of detectives did in Oakland. When the revealer is a criminal prosecutor announcing

an indictment, the legitimacy of the legal process seems to deter countercharges, at least at first. This was true in both Newburgh, where the police executive himself was indicted, and in the 1964 Central City scandal, in which the chief was never implicated.

When the revealers lack institutional authority to legitimate their statements, countercharges seem to be more likely. This follows from the proposition that the successful labelling of someone as deviant is more likely when the social status of the labeller exceeds that of his target (Reiss, 1973). The use of status differential is clearly present in the response of New York's then-Police Commissioner to the New York Times story, which was that "prostitutes, narcotics addicts and gamblers, and disgruntled policemen" had been the basis of the report (Maas, 1973: 261).¹

Whether or not a status differential exists, the strength of a corruption label, defined by the credibility of the revealers, is best countered by labelling the revealers themselves as deviant. Another tactic is to attack the impartiality of the revealers by suggesting they had ulterior motives for making the disclosure. The press in Central City was accused of just trying to sell newspapers.

¹ The disseminator responded by affirming the high status of the revealers. No addicts or prostitutes had been interviewed, the paper said, but architects, restaurant owners, contractors, social scientists and policemen with medals had been. New York Times, April 29, 1970.

The police zealot-revealers were accused by the police chief of anger at their failure to be promoted--an ironic response, considering that one of the disclosures was that promotions had been sold.

A third tactic of countercharges is to attack the legitimacy of the revealers. A common form is to cite the press as an illegitimate place for making the disclosures. In Central City, the chief said that it was improper to raise criminal accusations in the press. In New York, the police executive accused the revealers of McCarthyism and smear tactics.

The immediate success of a countercharge to a disclosure thus depends on the degree to which the revealers can be labelled as deviant, biased, or illegitimate. The long term success of countercharges, however, may rest more on discrediting the disclosures than on discrediting the revealers. In particular, if the disclosures characterize corruption as widespread and organized, the charge might best be rebutted by firing a few "rotten apples" to demonstrate that corruption is isolated and a problem limited to a few individuals. In Central City, the pro-police prosecutor cooperated in this strategy by only indicting a few officers after the grand jury heard charges against many more. One of the officers was charged, in essence, with cohabiting with the madam of a brothel, which illustrates another aspect of this strategy: attempting to make the whole range of corruption disclosures look petty by giving official endorsement to petty charges instead of to serious ones.

Countercharges bear a certain amount of risk, however. They can make matters worse by confirming the suspicion that the police dismiss charges of corruption too readily, without sufficient investigation. While the chief in Central City was busily making countercharges, the Mayor was promising a complete investigation and forming a special police squad to conduct it; the chief was soon replaced. In New York, the Police Commissioner's countercharges led to the undoing of a structural investigating committee of which he had been a member. The Knapp Commission was then created, and the Commissioner resigned several months later.

In both cases, the countercharges had failed to discredit the revealers or the disclosures. They succeeded only in provoking dramatizations.

Dramatization

Countercharges or defenses do not always provoke dramatizations. The Oakland chief's minimization of corruption problems went unchallenged by any prominent persons; only the continuing disclosures contradicted his defense. The general political climate in Oakland seemed to support corruption; the city manager was running a one-man campaign with the aid of the press.

Dramatizations may, then, initially depend on the general climate of tolerance for corruption. No dramatizations of the evil of corruption were made in Central City at the time of the 1960's indictments. But in the different climate of 1974, dramatizations

followed close on the heels of the Central City chief's countercharges.

Dramatizations may also appear in the absence of countercharges. A disclosure of police corruption in Newburgh (two years before the big scandal) produced a newspaper editorial and a politician of the out-of-power party calling for a special grand jury and prosecutor to investigate the charges. Not only did this dramatization fail to provoke countercharges, it failed to provoke anything but an unkept promise for an internal investigation. When the big Newburgh scandal began with indictments, the dramatization stage was again the first to follow disclosure. The time lag between the stages was important. A straw poll by the press found strong public support for the police chief while he was suspended pending indictment, because the specific charges against him were unknown.¹ Not until after the indictments were handed down did the opposing party close in with a wave of dramatizations, calling for probes of all political corruption in the county.

Whether a dramatization precedes or follows a countercharge, its success may depend more on the status of the dramatizer than on the substance of his words. The more a dramatizer can lay claims to legitimacy and impartiality, and the larger the collectivity he can claim to represent, the more powerful his dramatizations will be (Garfinkel, 1956; Reiss, 1973). The call of the Newburgh Democrats

¹Newburgh Evening News, January 24, 1972.

for a complete probe of political corruption among the ruling Republicans failed because, while legitimate, it was obviously partial, and the size of the Democratic party there made for a very small collectivity. (The reform chief later succeeded in mobilizing such a probe). The 1970 call of five New York Congressmen for the removal of the Police Commissioner from the initial committee of structural investigators, however, succeeded, leading to the Knapp Commission. The Congressmen had a legitimate, official interest in New York government, they represented both parties and were therefore seen as impartial, and could claim to speak as elected representatives of most of the City's population.

In Central City, the Mayor, among others, reacted to the Chief's countercharges by dramatizing the importance of the disclosures. He asked all citizens to enter his "open door" with information about police corruption. His move was apparently legitimate and impartial considering his position, and he was elected by the entire city. His role as personnel decision-maker also ensured the success of the dramatization, since he alone could remove the chief (which he did). In another sense, however, his dramatization was really a defense strategy, not of the police department, but rather of himself. The dramatization protected him from any charges of collusion with a corrupt police force.

Defense

A successful public defense of an accused police department

depends largely on the same conditions as those of successful dramatization. When the defender role is played by anyone associated with the police department, the defense is obviously partial; the only collectivity such a defender can speak for is the police department. When the defender role is played by a citizen group with no stake in the police, it can claim both impartiality and representation of an unknown, but large, number of citizens. The Central City group formed after the 1964 indictments, which received contributions from a public appeal, made those claims successfully. The criminal prosecution stage ultimately broke down, and that scandal failed to label the department as a deviant organization.

A similar defense group was formed in Newburgh, but it failed to justify its claim to represent a large collectivity. In a risky tactical move, the "Concerned Citizens for the Preservation of Law and Order" announced a testimonial dinner to be held on behalf of the police, with a planned attendance of 600. Two weeks later, the dinner was cancelled and the group disbanded "for lack of people participation", according to a spokesman.¹

The covert defense strategies of the accused police department, however, may be more important than what is done in public. Indeed, the most essential strategy is to keep derogatory information away from public view (Reiss, 1973). In Central City in 1964, and

¹Newburgh Evening News, April 4, 1972, and April 25, 1972.

again in 1972, an initial disclosure was made that was not followed by any further disclosures. In Oakland in 1953 and in Newburgh in 1970, disclosures of corruption were also kept limited. None of those "little" scandals were successful, perhaps because the control over further information disclosure was successful.

In Central City in 1974, a conflict developed between the chief and the Mayor on the control of information. Responding to the fact of 28 officers playing the revealer role, the chief issued a formal order that officers were to make no statements about corruption to anyone except through the chain of command. The order itself was immediately leaked, and the Mayor rescinded it the day it was made public. It had obviously hurt the Mayor's strategy of encouraging people to come forward with information. What a formal order failed to do, however, the fear of reprisals almost accomplished. Although more officers went to the press with information, none of them volunteered to help in any official investigations. Even the new reform chief, in punishing a commander who had leaked a disclosure to the press, made the mistake of being co-opted by the information control defense.

A similar conflict developed in New York, where all City agencies had been under an executive order to forward copies of corruption allegations to the City Department of Investigation. The Police Department had failed to comply with the order for some time, and the Investigation Commissioner publicly complained about it

three months after the Times' dissemination. The Mayor reissued the order, and the Police Commissioner finally ordered his staff to share corruption information with the Investigation Commissioner.¹ Ten days later, the Police Commissioner resigned. As for the officers who held corruption information, a random sample of them had already scoffed at their Commissioner's promise that should they come forward with it, there would be "no reprisals"--nor praise nor reward, either.²

Unfolding and "Bombshells"

The purpose of information control as a defense is to keep the scandal from unfolding, to slow down the scandal's momentum. When the information control attempts are disclosed, however, they merely seem to speed up the momentum, since information control implies that there is something to hide. In both Central City and New York, the information control disclosure seemed to hasten the departure of the police executive, although in the latter case the departure was voluntary.

Nothing seems to speed up the momentum of police corruption scandal, however, like "bombshells": the disclosure of new information or allegations that ties the corruption to the police

¹New York Times, August 27, 1970.

²New York Times, May 18, 1970.

organization--to its structure, leadership, and self-regulation or lack of regulation. Implications of corruption of the entire organization confirms the worst possibilities already raised. The disclosure of the famous "eighteen minute gap" in the White House Watergate tapes was perhaps the archetype of the bombshell.¹ The bombshell is particularly important when the momentum of the scandal has slowed down. In New York, the momentum of the scandal had slowed some months after the reform police executive was appointed, and the Knapp Commission was pursuing its investigations in secret. The City Investigations Commissioner then asserted that police corruption was "isolated", "not widespread", and "definitely not . . . organized."² The next day, the Knapp Commission announced that it had observed a large group of officers steal \$15,000 worth of meat from a packing house, and had been unable to mobilize an internal investigation while the burglary was in progress, despite repeated anonymous calls to the stationhouse.³ The pace of internal reforms--and public announcements about them--seemed to speed up shortly thereafter. Critically, the bombshell implicated the

¹An interesting note on language is the prevalence of the military analogy in the reporting of scandal. A disclosure "touches off" scandal like a keg of gunpowder; a city is "rocked by scandal" as when a bomb goes off; a department is "shell-shocked" from indictments.

²New York Times, February 9, 1971.

³New York Times, February 10, 1971.

department for both organized corruption and a failure of regulation.

Even when the momentum has not slowed down, a bombshell can add weight to the credibility of earlier disclosures. The Oakland scandal had begun with the disclosure of an extortion case in which the victim had been abducted and beaten by police in the Oakland hills. Just before the grand jury was to hear the victim's testimony, the next door neighbor of a witness was mistaken for that witness by two policemen and beaten. To make matters worse, the victim of this second beating was a woman.¹ The police chief had survived a month of scandal at this point, but he was replaced within a week.

Bombshells are not essential to the maintenance of momentum, however. A steady stream of new disclosures, or of mere reports of the various stages of criminal prosecutions of police, is enough to keep a scandal going. This stream may be accomplished by a media decision to disseminate the many disclosures it has at hand one day at a time, as the Central City Clarion did. The stream may be approximated by a repetition of previous disclosures in a headline format, which the Oakland Tribune did. Cumulatively, the repeated stories of corruption implicate the organization rather than just individuals, because the organization is seen to house such widespread corruption. As the city manager said, "If the story had gotten off the front pages, I would never have been able to change the Police

¹Oakland Tribune, February 1, 1975.

Department" (Thompson, 1975). But the story had gotten off the front page for several days by the second week of the scandal. Not repetition, but a new disclosure of corruption--this time among the department elite, the detectives--then saved the momentum of the scandal by implicating another unit of the organization, showing corruption to be even more widespread.

4.3 - CONDITIONS OF SUCCESSFUL POLICE CORRUPTION SCANDAL

The definition of a successful scandal used here has been the labelling of an organization as deviant. From Karl Marx to Ralph Nader, the labelling of systems as deviant has been an important tool for change. As Reiss (1973) has observed, Marx did not attack individual members of the elite, but the system of capitalism; Nader did not point out defects in certain automobiles, but in the system of making automobiles. The most successful defense to attacks on systems has been the "rotten apple theory": every apple barrel, and every system, has a few deviants, therefore the system should not be accused. The role of scandal in social change, when it is successful, is to overcome that logic in order that a new system may be created--by something other than scandal--in the place of the old, discredited system.

It follows that scandal does not always end with the appointment of a reform executive, just as revolution does not end with the execution of the king. The actors who created and maintained the scandal may or may not be satisfied that a new system is being created.

If not, they will continue to hammer away at the flaws of the old system. That is what the press did in Central City, and what the Knapp Commission did in New York.

It also follows that a scandal may never "go" anywhere despite numerous criminal indictments. As long as the indictments are defined as accusations against individuals, and not viewed in summation as an accusation of their system, the scandal will fail. Such was the case in Central City in 1964. The point is not that this scandal failed to create a new system, which no scandal can do, or failed to sanction guilty parties (the indictments were dropped). The point is rather that the scandal failed to demonstrate that a new system was required to put an end to the deviance.

The conditions of successful corruption scandal may be summarized by Reiss's (1973) proposition: the more deviance is defined in terms of properties of the organization, the harder it is for the organization to escape being labelled as deviant. In the substantive terms of police corruption, the more a scandal defines corruption in terms of the way a police department is run, the more likely it is that the department will be defined as a corrupt organization in need of wholesale reform.

Creating a public definition of police corruption as a property of the police organization rather than of its members is no easy task, as this chapter has shown. Even where attempts are made to do so, defenses, countercharges, and losses of momentum may lead to

failure. The essence of scandal is conflict of opposing interests, and either side may win. For the anti-corruption forces to prevail, they must show the police as an organization to be unworthy of trust and incapable of self-regulation. The proposition that the police have forfeited their right to exemption from the application of routine social control mechanisms is best demonstrated by:

- 1) continuing dissemination of disclosures of organized corruption,
- 2) some of which stem from high status sources,
- 3) all of which are dramatized as evil by people who are
 - a) legitimate,
 - b) impartial,
 - c) spokesmen for a large portion of the community,

Proof that the police were unable to police themselves is the thread tying together each of the successful scandals in this study. The Serpico story in New York, the zealots in Central City, the Sears investigation in Newburgh and the extortion coverup in Oakland all not only touched off the scandals, but also emphasized the deviance of the department. Each of these disclosures was a prima facie violation of the public's expectation that the police department will police itself. By violating that trust, the department can be more easily defined as a deviant system than by the most heinous disclosures

of individual corrupt acts.

Fueling the flames of scandal in every successful police corruption scandal studied is conflict. Scandal is a conflict in the sense that a war is a conflict, but both war and scandal would not occur without an underlying conflict of groups over ideology, material interests, or the personal advancement of group leaders. Conflict explains the facts of initial disclosures of police corruption as well as the subsequent stages of scandal.

There are definite limits to police corruption scandal. The limits are broader in some of the four cases than in others, but no scandal publicly disclosed the full extent of the deviance which was later discovered by this research. The cardinal rule of police corruption scandal observed by revealers and disseminators is to confine scandal to the police. Indeed, if the entire web of deviant social relationships connected to police corruption had been disclosed, the police may have been forgotten in the wider moral panic. The Knapp Commission never divulged the names of prominent persons connected with a police-protected brothel. The District Attorney in Newburgh never investigated the political control of police payoffs. The connection of certain politicians to narcotics traffic was never reported in Central City. Even the existence of systematic gambling payoffs was kept quiet in Oakland, not to mention the reported connections to the City Council. The limits on scandal depend on hierarchy, with the relative power of each level determining the probability of escaping

disclosure. In general, it seems that the higher the hierarchical level, the less likely it is to be subjected to disclosures of scandalous deviance (Reiss, 1973).

The limits to scandal are set not just by the places scandal-makers do not look, but by strategies of information control as well. Upper levels of corruption hierarchies often insulate themselves from knowledge by the lower levels of who the members of the upper levels are, as well as the details of how things work. The effectiveness of such insulation varies, but when it is effective, even the most fearless scandal-makers cannot extend scandal upward.

Implication of upper levels is not a condition of successful scandal. It may help, but it is not necessary. The Knapp Commission labelled the New York Police as deviant merely by showing a) the organized nature of corruption in the lower ranks, and b) the ineffectiveness of the upper ranks in controlling corruption. Regardless of what really goes on at the upper levels, documentation of organized corruption at the lower levels is sufficient for implicating the department as a deviant system. If the public disapproves of that deviance, then the scandal will be successful.

A successful corruption scandal does not control corruption-- if it does so at all--for very long. Nor does it create a new system of police organization. What it can do is set the stage for a reform police executive to do both of those things. It can also act as stage director, prompting the police executive to play his role to the hilt.

Where the police executive gets his script is a matter which the next chapters will explore. The importance of scandal is that the script might be useless without a stage to play it on.

PART III:
CORRUPTION
CONTROL POLICIES

A police executive is defined as a reformer more by the expectations he and others hold for his performance than by his actual accomplishments. If appointed in the wake--or in the midst--of a corruption scandal, a police executive will be expected by two separate audiences to perform two separate tasks. The municipal executive who appoints him will expect the executive to restore trust in the police. The anti-corruption segments of the public--as well as any zealots in the police department--will expect the executive to bring police corruption under control. The two tasks may be complementary, but one does not require the other. It is the appearance of successful corruption control, regardless of the reality, upon which depends the restoration of public trust in the police. A truly successful campaign against corruption may even slow the restoration of trust, due to recurring headlines about trials and dismissals of police officers. Depending on the demands of the municipal executive, the safe tenure of the police executive may depend more on the appearance of corruption control than on its achievement.

This should not suggest that reform police executives make a conscious choice between corruption control and restoration of trust. Nor should it suggest that reform police executives intentionally try to deceive the public about the extent to which corruption has been controlled, or about the trustworthiness of the police. It does suggest, however, that in the absence of evidence that corruption

is continuing, both the public and the police executive will assume that his new policies have succeeded in controlling corruption.

Chapter Four defined trust as the consensus that control resources need not be allocated against the police on a routine basis, and a successful scandal as one which destroys trust in the police. The routine control resources mandated by the destruction of trust, however, need not be external to the police. What has been destroyed is not necessarily the faith in the ability of all police to police themselves, but in the ability of the old police system of management to police the police. Sometimes a special prosecutor, as in New York, or a new district attorney, as in Central City, is given a special mandate to control police corruption. In Newburgh, the structure of control over the police was changed from a civil service chief to a police commissioner--at twice the salary--appointed for an indefinite term through lateral entry from outside the department. But even in those cities, a simple change to a new police executive with new policies seemed to satisfy most of the demand for increasing the level of social control resources routinely allocated against the police. As long as the new policies of the new executive appeared to increase control resources to a sufficient level, then there was a return to a structured absence of any further control resources against the police.

Corruption control policies in police departments fall into two categories. One category is the managerial control over the department's performance of police tasks, including policies of supervision,

evaluation of performance, and incentives. The other category is the detection and apprehension of corrupt police officers and groups by internal policing units.

In comparing control policies between police departments, both categories may be divided into two different approaches: premonitory and postmonitory. Premonitory policies are those which attempt to prevent corruption from occurring, or which provide information about corruption activities while they are still in progress. Postmonitory policies deal with corruption after it has already occurred. While many disparate specific policies must be lumped together to produce such generalizations, Table III-1 shows the basic differences between the four cases in their reform periods.¹

Table III-1

Reform Policies in Four Police Departments

<u>Internal Policing</u>	<u>Managerial Control</u>	
	<u>Postmonitory</u>	<u>Premonitory</u>
Premonitory		New York Oakland
Postmonitory	Central City	Newburgh

¹In the case of Central City, it was difficult to generalize about managerial policy. While day to day management was highly reactive to troublesome events, premonitory management policies were introduced in only a few very corruption-prone areas.

The reform administration in Central City responded to corruption entirely after the fact in its investigative policies and most of its managerial policies. The reform executive in Newburgh developed an aggressive management style for identifying and thwarting corruption opportunities, but the formal investigation apparatus there was only mobilized by complaints, not intelligence. The reformist corruption control policies in New York and Oakland adopted an information-seeking, uncertainty-reduction strategy for both line management and internal policing.

These differences in control policies refer to the ways reform executives coped with the present and potential corruption problems in their departments. Their success in doing so, regardless of their policy choices, may have been largely determined by how well they could cope with the corruption that was already past. Consideration of the nature of the new routine control measures must also examine the strategies chosen for dealing with history.

Chapter Five:

PREVENTIVE MANAGEMENT

5.1 - THE PROBLEM OF HISTORY

A police department with a history of police corruption poses a dual problem for a reform executive. Many officers in the department may have committed serious crimes, and they may be linked to an active or potential network of criminals, politicians or other corrupt police officers. Other officers, while innocent of participating in corruption, may nonetheless feel strongly that corruption should be hushed up in order to protect the "image" of the department, particularly after the embarrassment of scandal. Such practices may be tightly woven into the fiber of the organization, especially at command ranks. The public may have demanded a new system of police management, but when a reform executive first takes office the only new thing about the system is himself.

Past Sins, Present Networks

It is virtually impossible for criminal prosecutions generated during a scandal to remove all of the corrupt officers in a police department. The closest approximation to a complete excision of the corrupt was the case of Newburgh, in which 15 of the 64 officers in the department, or 23%, were convicted on criminal charges and separated from the department through resignation or dismissal. But according to rumor, and to statements made by the first reform

police executive, there were other officers who had participated in corruption and escaped prosecution.

Investigating the Past

The first reform executive announced his intention to find out about all those who were guilty, and devoted most of his one-year tenure to that effort. As a former assistant district attorney in the office which had prosecuted the 15 Newburgh officers, his skills seemed suited to the task of investigating the history of individual officers. Yet he failed to uncover any new evidence or to produce criminal charges, succeeding only in prolonging the personal agony of the scandal for the officers (honest or otherwise) who had been present during the pre-scandal period. A second reform executive soon replaced the first.

Two competing purposes are at stake in the decision to investigate past corruption: deterrence versus rehabilitation, or, put another way, justice versus morale. It is unjust to those who were caught to let those who weren't go unpunished. Moreover, the uncaught may become even less deterred than they were before the scandal, and could form a base for the continuation of past corruption. They have the skills, predisposition, and the personal networks for successful performance of corrupt activities. While they may no longer take regular bribes from gambler X (because of the gambler's fear, or their own, of the detectibility of regular arrangements) they will still be able to sell to fence Y any merchandise they steal from

burgled premises. Even the relationship to gambler X does not end just because the exchange of money for protection ceases. Each knows where the other can be found, once the "heat" dies down.

Despite such compelling reasons for excising as many historically corrupt officers as possible, there are also good reasons for avoiding the investigation required to do so. First, it is virtually impossible to investigate police corruption successfully from a totally historical perspective. The only criminal prosecutions of pre-scandal corruption generated under a reform executive which this study found were in New York, and every one of those was based upon the detection of a post-scandal, active corruption group. By granting immunity in exchange for testimony to one or two present members, all of the past members of the group could be identified, some as far back as a decade. But this mopping up the history of currently active corruption arrangements is very different from starting with a primary focus on the past.

In Central City, the reform executive took office without the benefit of any indictments having been handed down against police officers. The scandal had succeeded solely on the strength of allegations reported in the newspaper, and the paper expected the reform executive to have most of the implicated officers prosecuted. But the police "truth squad", formed by the Mayor before the reform executive was appointed, arrived at a different version of the "truth" from that of the revealers. Direct testimony was very hard to obtain,

and gathering legal proof of specific acts--in contrast to journalistic evidence of general patterns--was virtually impossible. Much of the difficulty stemmed from the truth squad's preoccupation with whether an event had occurred rather than with who was guilty, a traditional practice in investigating brother police officers. But of equal importance were the inherent limitations of the reactive mode of investigation as applied to primarily consensual acts of deviance.

Whatever the reasons, the lack of all but a very few indictments left the entire Central City Police Department under suspicion. The informal accusations of the media remained unadjudicated, either formally or informally. To say in public that internal investigators could find no evidence is not to say that the charges were untrue, notwithstanding the legal presumption of innocence. The department was left in a state of limbo, with the innocent stigmatized and the guilty uncertain of their fate. Under such circumstances it was virtually impossible to move forward to the creation of a new, non-corrupt definition of the police department. The past continued to be a burden on the future.

Amnesty

A stronger reason against investigating the past is the speedy restoration of morale through the "rehabilitation" of the department as an ex-deviant organization. Making the goal of honest policing in the future a higher priority than punishing dishonesty in the past implies a policy of general amnesty, followed by merciless sanctioning

of any corruption occurring after the amnesty. The effect is to give everyone a chance to play the game under the new rules.

The Oakland case was the clearest example of an amnesty policy. The reform executive there confronted a situation similar to Central City's, in that enough corruption had been disclosed to create a scandal, but much of it--perhaps the worst of it--had never been disclosed. When the reform chief took over, he was well aware of the extent of past corruption. Because he had long been isolated from corruption by his job in the traffic division, however, he had no direct personal knowledge of the details. Since no one was confronting him with any allegations that had not already gone to the grand jury, he made a speech to his commanders in which he implied amnesty for past sins. "From this day forward", he said, "we will have complete honesty" (Kyle, 1975). Shortly thereafter, the head of a newly created internal investigation unit told a police fraternal society that all future investigations of police officers would be followed through, and no coverups would be tolerated.¹ All of the subsequent attention of both the department and the news media was focused on the "new look" of the department and its reforms, rather than on the adjudication of past sins.

The same policy was developed under the second reform executive in Newburgh, although he asserts that amnesty was not his

¹Oakland Tribune, February 23, 1955.

intent. At a meeting of the entire Newburgh force, however, he did make remarks about turning away from the past and looking towards the future. Apparently because of the contrast to the emphasis of the prior reform executive, this message was interpreted by the department as a policy of amnesty. The effect was the same, since the second reform executive did not, in fact, try to investigate past police corruption. But he did process the administrative charges of past corruption filed by his predecessor.

The problem with amnesty, as noted earlier, is the fact that the personal linkages between police officers and corrupters are not destroyed. These networks may continue despite scandal and reform, or if deterred, become reactivated at some future time. The more officers with such linkages who can be separated from the department, the less potential there is for a continuation or future resurgence of corruption. Yet amnesty does not preclude a high rate of separation. Other means besides criminal or departmental prosecutions are available for ridding the department of many, though not all, of those with past sins and present networks. Most of these means are directed not at individuals, but at the whole group of older officers presumably more wedded to corrupt traditions.

Turnover

The most overt effort to rid a department of its older officers was in Central City. The reform executive publicly announced a policy of encouraging early retirements, and the separation rate did

increase somewhat, as Table 5-1 shows. The scandal began in late February of 1974, and the policy of encouraged retirement began shortly thereafter, so that most of 1974 was affected by these events. The number of retirements and resignations in 1974 was the second highest in the last six years, as was the total number of separations. The highly publicized policy of encouraged separation seems to have had at least some impact on turnover.

Table 5-1

Separations from the Central City Police

<u>Year</u>	<u>Retirements</u>		<u>Separations</u> <u>Resignations</u>		<u>Discharges</u>		<u>Total</u>	
	<u>Rank</u> <u>Order</u>	<u>N</u>	<u>Rank</u> <u>Order</u>	<u>N</u>	<u>Rank</u> <u>Order</u>	<u>N</u>	<u>Rank</u> <u>Order</u>	<u>N</u>
1969	1	52	4	15	3	2	1	69
1970	5	17	6	9	2	3	5	29
1971	4	23	1	30	5	1	2	54
1972	6	14	5	10	3	2	6	26
1973	3	28	3	16	1	5	4	49
1974	2	36	2	17	5	1	2	54
6-year mean		28		16		2		47

Source: Central City Police Department

Less public methods, however, may be more effective. The reform executive in Oakland was so strict about the personal appearance and work habits of his officers that many of the old school were made to feel very uncomfortable, quite apart from any issues of corruption or control. The peak of these new demands came during the first reform year, 1955, when the chief called two full dress inspections of the entire department. Officers who had not worn uniforms for years were forced to buy new ones; guns had to be cleaned and shoes had to be shined. Many officers quit before the inspection, and others quit after being reprimanded for their appearance at the inspection. Perhaps in combination with fears about detection of corruption, this policy seemed to encourage almost twice the average number¹ of officers to retire or resign in the first year of reform.

The separation data in Table 5-2 for the years preceding the reform administration do not go back as far as would be desirable because the records have been destroyed. But in comparison to the two preceding and four subsequent years, 1955 was a peak year for officers leaving the Oakland Police Department. Both retirements and total separations for that year were over twice the average for a seven year period. With the hiring of a new recruit class, over half the department had less than ten years' service by the end of the first

¹For a seven year period.

reform year.¹ The policy of quiet pressure to leave clearly had its effect.

Table 5-2

Separations from the Oakland Police

<u>Year</u>	<u>Retirements</u>		<u>Separations Resignations</u>		<u>Discharges</u>		<u>Total</u>	
	<u>Rank Order</u>	<u>N</u>	<u>Rank Order</u>	<u>N</u>	<u>Rank Order</u>	<u>N</u>	<u>Rank Order</u>	<u>N</u>
1953	2	12	3	12	1	6	2	30
1954	3	11	6	8	5	0	6	19
1955	1	23	2	17	2	3	1	53
1956	7	5	7	7	5	0	7	12
1957	4	10	5	10	5	0	5	20
1958	5	9	4	11	4	1	4	21
1959	5	9	1	18	2	3	2	30
7-year mean		11		12		2		26

Source: Oakland Police Department

Note: Reform chief took office February 8, 1955; scandal began on January 1, 1955.

¹
Annual Report, Oakland Police Department, 1955.

Yet the value of the turnover policy is only as good as the theory on which it is based: that older officers are more likely to be corrupt than officers hired in their place. Certainly the theory makes sense in terms of past and potential corruption networks. The question is whether new officers would be just as likely to develop similar networks. Given three conditions, the answer should be no. First, if organized corruption is under control at the time the new recruits enter, they cannot tie into active corruption networks-- which would be an easier process than trying to develop networks of their own. Second, if the new officers are socialized in a way that makes them value honesty and fear punishment for corruption, they will presumably be less likely to take advantage of the corruption opportunities they may find. Third, if older officers who can teach the skills necessary for corruption activities are no longer present, or if those who remain are unwilling to trust the new recruits, then the new recruits will lack the skills necessary for pursuing corrupt opportunities in a low risk fashion.

All three conditions were apparently present in the Oakland Police. No new officers were hired until the end of the first reform year, by which time a deputy chief had announced that organized corruption had been brought under control and payoff arrangements had been stopped.¹ The first class of recruits was selected from a

¹Oakland Tribune, November 17, 1955.

pool of applicants generated by a nation-wide campaign, including visits to college police science programs at Michigan State University and the University of California at Berkeley. The law requiring applicants to be residents of Oakland was repealed, and the one in ten survival rate of the applicants gave the class an aura of "best in the country". On their first day at the training academy, the chief made a two sentence speech to them (Brown, 1975):

Gentlemen, welcome to the Oakland Police Department. If you do anything wrong, I shall personally escort you to the gates of San Quentin.

The presence of several former Oakland policemen in that nearby penal institution gave considerable weight to the speech. Specially selected training officers guided the rookies during their first year in the field. According to members of recruit classes during the reform period, older police officers would barely speak to the rookies, much less teach them the techniques of corruption or introduce them into corruption networks.

Given the presence of the three conditions for keeping recruits honest, high personnel turnover is a premonitory management policy, a method of preventing a renaissance of organized corruption. Viewed in terms of normal turnover in the Oakland department, the reform-related turnover was not substantial. At the end of the reform executive's five year tenure, about 80%¹ of the officers who had been in the

¹This figure is an estimate based on 1955 strength minus total separations after that. Since some of the separations were of officers

department at the time of the scandal were still on the job, and only 18% of the department had been hired since the reform had begun. Even so, these differences were enough to create a perception within the department of unusually rapid turnover, according to many of those present.

Table 5-3

Personnel Turnover in the Oakland Police

Year				<u>Turnover</u>	
	<u>in</u>	<u>out</u>	<u>Jan. 1 size</u>	<u>% of Jan. 1, 1955 left on Dec. 31</u>	<u>% new since Jan. 1, 1955 on Dec. 31</u>
1955	0	53	679	92%	0%
1956	28	12	626	90%	4%
1957	44	20	642	87%	11%
1958	25	21	666	84%	15%
1959	24	30	670	80%	18%

Source: Oakland Police Department Personnel Records

The Newburgh Police Department lost 23% of its pre-scandal personnel through the criminal process alone. A concentrated hiring effort and an increase in size brought the proportion of the department hired after the scandal, the true figure is somewhat higher.

which had been hired since the scandal up to 70% within four years.¹

There is evidence that the conditions of control of organized corruption, new processes of recruit socialization, and limited contact with presently or once-corrupt officers were met in Newburgh, making their very high turnover a premonitory management policy. On the other hand, the small size of the department makes some contact with older officers inevitable, which could counter the effects of rapid turnover.

Table 5-4

Personnel Turnover in the Newburgh Police

Year			<u>Turnover</u>		
	<u>in</u>	<u>out</u>	Jan. 1 size	% of Jan. 1, 1972 left on Dec. 31	% new since Jan. 1, 1972 on Dec. 31
1972	9	13	64	80%	15%
1973	11	13	60	59%	34%
1974	25	5	58	52%	70%
1975	7	7	78	41%	70%

Source: Newburgh Police Department, Commissioner's Office

¹ Again, this figure is an inflated estimate, because it counts all separations inaccurately as officers hired before 1972.

For budgetary reasons, the Central City Police did not do any hiring until almost two years after the scandal. Despite the increase in their separation rate, turnover actually slowed down after the scandal instead of speeding up. This merely compounded the stagnant, limbo-like effect noted earlier.

The rate of turnover in New York was remarkably similar to Oakland's, if slightly faster.¹ The meaning of the figures, however,

Table 5-5

Personnel Turnover in the New York City Police

Year	<u>Turnover</u>				
	<u>in</u>	<u>out</u>	<u>Jan. 1 size</u>	<u>% of Jan. 1, 1970 left on Dec. 31</u>	<u>% new since Jan. 1 on Dec. 31</u>
1970	1105	973	31,583	97%	3%
1971	466	1320	31,715	93%	7%
1972	232	1320	30,861	89%	12%
1973	3542	2002	29,773	83%	18%
1974	1270	1471	31,313	78%	23%

Source: Personnel Orders Section, New York City Police Department

¹ And calculated in the same flawed way, with all separations counted as people hired before 1970, when in fact many of those separated were hired after 1970.

was entirely different. Organized corruption flourished well into the reform administration (which began in October of 1970), until at least mid-1972. The process of recruit socialization was not even changed at the level of police academy courses until 1972. Older officers seemed to show little reluctance to teach recruits the methods of corruption, which was an initiation rite of long standing (Droge, 1973; Schechter and Phillips, 1973). To compound matters, two very large recruit classes had been hired in 1968 and 1969, years said by many insiders to have been the two most corrupt in the recent history of the department. These 6,700 recruits, comprising over one-fifth of the department as of January, 1970, were socialized just at the time that the informal taboos against heroin corruption had broken down and some police officers had begun to sell drugs. The attitudes and corruption skills developed by those recruits would stay with them and the department for the next twenty years, barring their discharge or resignation.

This historical legacy created a far more immediate problem for New York than dealing with past sins. Rather, the problem was how to confront a present and a likely future of ongoing corruption. In retrospect, one stroke of fortune was that budget restrictions cut the number of new officers hired to a fraction of the norm during the two years it took the reform executive to bring organized corruption under control. When large numbers of recruits were again hired, they confronted a different environment (although most of these

recruits were soon laid off by budget cuts).

Managerial Traditions

Despite the futility of turnover at the rank and file level in New York, turnover in the top command ranks was both valuable and possible. All executives depend on their subordinates to implement their policies, but that dependence is geometrically greater in an organization of 30,000 than in an organization of 700 or 70. Moreover, the Police Commissioner of New York depends upon his commanders to help formulate policy as well as to implement it, particularly at a time when every possible innovation is required to deter organized corruption. Gaining the support of the top commanders was therefore an essential and priority task of the reform commissioner. Fortunately, he had the tool required for the job: the legal power to demote or promote at will the 160 commanders in the ranks above captain (of which ranks there are five, filled from the pool of officers with civil service tenure in the rank of captain).

For the most part, the internally perceived problem with upper management in New York was not personal involvement in corruption. Of greater concern was the tradition of ignoring, or at least not checking for, corruption among subordinates. A very few high ranking officers, in ranks up to Assistant Chief, were suspected of having participated in corruption arrangements until as late as 1971. But according to one internal investigator, "the

bosses stayed away from the money as soon as the salaries started to climb" in the late 1960's.¹ Combined with the enormous pension benefits (half pay after 20 years' service, full pay after 40), the legitimate financial benefits became far greater than what could be earned in most kinds of corruption, with narcotics the notable exception.

Table 5-6

Command* Turnover in the New York City Police

Year	Turnover		Jan. 1 size	% of Jan. 1, 1970 left on Dec. 31	% new since Jan. 1 on Dec. 31
	in	out			
1970	11	11	160	93%	7%
1971	47	47	160	64%	36%
1972	63	48	175	34%	69%
1973	42	29	188	16%	87%
1974	9	9	188	10%	91%

Source: Personnel Orders Section, New York City Police Department

*Command is defined here as all ranks above captain: Deputy Inspector, Inspector, Deputy Chief, Assistant Chief, Bureau Chief, and Chief of Operations. The titles were changed slightly in 1973, but the rank order remained unchanged.

¹ Today, a Captain earns well over \$30,000 per year and an Assistant Chief's salary is well over \$40,000.

The problem was therefore defined not as making the commanders honest, but rather as making them take the initiative in making their subordinates honest. By long tradition, corruption control was the exclusive responsibility of headquarters investigating units, and not an appropriate concern for line commanders. Sleeping on duty, not responding to radio calls and other problems of lax supervision were also ignored by the commanders, according to the reform executive.¹ His method for changing these managerial practices was first to put new people into managerial positions, and then to change the means of enforcing managerial standards (described below in the section on accountability).

The policy of managerial turnover was hardly subtle. The reform executive, even before he took office, announced that a "new generation of commanders" was required to run the department. In his first speech to the commanders, he publicly told them to end corruption or face demotion. More important than public exhortation, however, was a financial threat. Demotion would mean retirement later at a lower pension than retirement now at highest rank attained, since pension was calculated solely on the basis of the final year's salary. In private, many individual commanders were specifically threatened with demotion if they did not retire. Some filed age discrimination suits, but most went quietly and avoided stigma. For

¹New York Times, May 17, 1972.

whatever reasons, 90% of the commanders who had been present at the start of the scandal were gone four years later.

Central City lacked the pension threat available in New York, with predictable consequences. Forced to rely solely on public demands that certain commanders retire, the confrontation became a matter of pride for the commanders. Their pensions would always be the same as the pension of patrol officers, and could only be increased by longevity, not attainment of higher rank. Although demotion from deputy chief to major, for example, meant a reduction in salary, the financial incentives of the pension were in favor of staying. Not even the ex-chief could be forced from the department, especially since he still had three more years to serve until he would be eligible for pension.

All that could be done with the Central City commanders, once they had publicly refused to retire, was to get them out of the mainstream of department operations. This was accomplished by assigning them to security duty in other city agencies, with the requirement that they personally handle situations requiring police attention at those locations. Yet even in "Siberia", one of the ex-commanders was alleged to have maintained his corruption networks in the drug trade.

The same failed confrontation might have occurred in Oakland and Newburgh as well, had the legally-mandated structure of police command not been changed. Before the scandal in both of those

departments, every position except the chief was filled through civil service examinations. While this system offered little protection against corruption, it could have offered great obstacles to reform by placing the new executive at the mercy of his commanders. A new command structure was superimposed on top of the civil service ranks in both cities, giving the executive the flexibility to choose his three top commanders.

In Newburgh the City Council abolished the posts of chief and deputy chief, replacing them with a commissioner and three deputy commissioners, all of whom could be appointed from outside of the police department and terminated at the discretion of the city manager. In Oakland, an amendment to the City Charter was approved by the voters, creating three new positions of deputy chief--there previously had been no ranks between captain and chief--to be filled at the pleasure of the chief from among those holding the permanent rank of captain. While the Oakland change still gave the chief no more power than the chief in Central City, the new Oakland chief had the advantage of not having to remove any incumbent deputy chiefs. Despite low turnover in the command ranks per se, the reform executives in both Oakland and Newburgh were able to place new people in key command positions (and demote them at will).

If the problem of history is resolved, a reform police executive is able to turn his attention to present and potential problems.

If the problems of past sins and managerial practices cannot be resolved, then it appears to be very difficult to move forward, as the case of Central City suggests. Other explanations for the absence of premonitory management in Central City will be considered later, but the failure to resolve the problems of history was surely not the least of them.

5.2 - MANAGEMENT STRATEGIES FOR PREVENTING CORRUPTION

Five separate strategies for attacking the conditions which facilitate police corruption, as distinct from strategies for deterring police corruption, can be identified from the cases at hand. These strategies are in addition to high personnel turnover, described above as a preventive management strategy if certain conditions are met. Accountability, tight supervision, ending corrupting policies, changing the task environment and changing the political environment are all strategies intended to prevent corruption opportunities from arising. While the tactics for implementing these strategies varied between the cities, the strategies were strikingly similar. Table 5-7 summarizes the following narrative.

Accountability

Accountability is the policy of holding people responsible for the acts of others as well as for their own actions. Its use in a police department is no different from holding a corporate vice-president responsible for the production of his division. An accountability policy seeks to diffuse the responsibility for control of misconduct

Table 5-7

Management Strategies for Preventing Corruption

<u>Strategy</u>	<u>City</u>							
	<u>New York</u>		<u>Central City</u>		<u>Oakland</u>		<u>Newburgh</u>	
	<u>Present</u>	<u>Tactics</u>	<u>Present</u>	<u>Tactics</u>	<u>Present</u>	<u>Tactics</u>	<u>Present</u>	<u>Tactics</u>
High Turnover	Yes (managerial)	Overt Pressure	No		Yes	Quiet Pressure	Yes	Criminal Prosecution
Accountability	Yes	Punishing Lax Super- visors	No		Yes	Punishing Lax Super- visors	No	
Tight Supervision	Yes	Decentraliza- tion, Supervisory Presence at Cor- ruptive Tasks	No		Yes	Centraliza- tion; Rules; Paperwork	Yes	Personal Supervision by Execu- tive; Tacho- graph
Ending Corrupting Policies	Yes	End vice arrest quotas; Provide "Buy" Money; Advance Expense Money	Yes	Increase Informer Payment Funds	No		No	
Changing the Task Environ- ment	Yes	Reduce Gambling Enforcement; Bribery Arrests	No		Yes	Reduce Gam- bling; Public Appeals vs. "Gifts"; Bribery Arrests	Yes	Repeal of Ordinance allowing gifts; Public appeals to report cor- ruption
Changing the Political Environment	No		No		Yes	Scare Politicians into honesty	Yes	Request Federal probe of political corruption

both vertically and horizontally throughout an organization, in order to increase the probabilities that someone will take preventive or reactive action regarding the deviance.

A prerequisite of accountability is a clear communication of the performance standards expected by the executive. This "sending out the message" was done in the first days of their administration by all four reform executives studied. Only the reform executives in New York and Oakland, however, used the "message" as the basis of an accountability policy. The New York executive directed his policy of accountability primarily at the command ranks, and articulated it in clearer terms than any other reform executive:

I will hold each of you [Captains and above] accountable for the misdeeds of your subordinates. . . . With bold leadership you can--you must--create a climate in which corruption is unthinkable. Let the word go out . . . : we will not tolerate dishonesty in any form.¹

The Oakland executive directed his accountability policy more towards the lower ranks, which made sense in a department having only three commanders with responsibilities comparable to those of a captain in New York. Since the executive knew and trusted his commanders personally, he could concentrate on making first-line supervision accountable for the rank and file. He did not clearly articulate his expectation of accountability, but he did make his

¹New York Times, October 28, 1970.

standards of integrity clear by a dramatic personal example.

Three days after his appointment, the Oakland executive attended an annual civic club dinner for the policeman of the year. In keeping with tradition, \$1,000 worth of presents were displayed in front of the head table for later presentation to the award winner, who had been shot in a holdup. The Chief was called up first to receive a gold watch in honor of his recent promotion. When the microphone was turned over to him, the Chief announced that it was against the policy of the Oakland Police Department for officers or chiefs to accept gifts. Moreover, he announced his intention to refuse a \$1500 diamond-studded badge which the department traditionally gave to new chiefs. As the stunned crowd dispersed, a press photographer snapped a picture of the spurned gifts for the front page.

The reform executives in both Oakland and New York moved swiftly to enforce their standards of integrity through accountability. The Oakland Chief suspended the commander of detectives within a month of taking office, issuing a sentence of five days without pay for failing to investigate a corruption allegation thoroughly.¹ Later he suspended a sergeant for failing to investigate a prisoner's complaint that officers had taken money from the prisoner.² Another sergeant

¹Oakland Tribune, March 4, 1955.

²Oakland Tribune, October 18, 1955.

was suspended for letting one of his patrolmen work while intoxicated.¹ Patrolmen were also made aware of their accountability for crimes committed in their presence. One officer was turned in by his peers for stealing \$50 at the scene of a burglary. Other officers proved very cooperative in internal investigations after two of their colleagues were dismissed for refusing a lie detector test (Rogers, 1975).

In New York, the Commissioner enforced standards of the personal integrity of commanders immediately, but did not move to enforce their accountability for the behavior of subordinates until some months later. Taking office in October, 1970, he demoted two inspectors in November for not cooperating with a grand jury's corruption investigation.² Not until the following April did he take any action against a commander for failure to control corruption, when he transferred the head of the precinct in which the Knapp Commission had discovered the meat-house burglary.³ In the interim, the reformer had been caught between the Knapp Commission and a police strike. The dilemma of corruption control versus morale was to plague his entire administration, more so than for the other reform executives, because of the unusually great power of the New York

¹Oakland Tribune, October 28, 1955.

²New York Times (hereinafter NYT), November 17, 1970.

³NYT, April 13, 1971.

police unions. Cracking down on the commanders, however, did not strike directly at the interests of the Patrolmen's Benevolent Association (PBA).

Once the accountability campaign began, it moved forward swiftly. In May, 1971, the Commissioner warned the commanders that they weren't moving fast enough, and that the F. B. I. was investigating corruption in the department.¹ Two more precinct commanders were removed a week later.² In June, a division commander was transferred and charged with failure to have a corruption complaint investigated properly.³ After removing several other high officials from command over the summer, the Commissioner again warned all the commanders publicly that he was "fed up" by their inadequate response to his demands to control corruption. Telling them to get on his team or get out, he warned that a shakeup was imminent.⁴ A week later, a new Chief of Patrol was promoted over 72 more senior officers, an unheard-of break with tradition.⁵ The next day, almost ten percent of the (seventy-odd) precinct commanders were removed

¹NYT, May 13, 1971.

²NYT, May 21, 1971.

³NYT, June 21, 1971.

⁴NYT, August 23, 1971.

⁵NYT, August 31, 1971.

in one fell swoop, with three lieutenants and four sergeants charged with laxity of supervision. The actions came after an investigation of twenty precincts for possible sleeping on duty.¹ The following day one assistant chief retired and three inspectors were demoted.²

The costs of the accountability policy were substantial. The Commissioner was attacked by city councilmen for "image-making" in anticipation of the soon-to-come Knapp Commission hearings and for holding one-a-day press conferences on police corruption "instead of" fighting crime. The PBA president claimed the Commissioner was destroying the department and called on him to resign. The Times reported a "backwash of bitterness among police officers,"³ and the Commissioner was booed at a promotion ceremony by the wives of newly promoted sergeants.⁴

The most important reaction was that the accountability policy itself was unfair and unreasonable. The commanders argued that with hundreds, or thousands, of officers under their command they could not humanly prevent every act of misconduct. The Commissioner addressed this complaint by clarifying his stand. In a message to all

¹NYT, September 1, 1971.

²NYT, September 2, 1971.

³NYT, September 1, 1971.

⁴NYT, September 4, 1971.

3,700 sergeants and superior ranks, he defined accountability as holding commanders responsible for "conditions they can realistically affect."¹

This definition was later emphasized by a departmental survey asking all commanders to specify the nature and kinds of corruption they suspected existed in their commands, and to describe the steps they were taking to deal with each kind of corruption. One commander claimed there were no payoffs from unlicensed peddlers in his precinct, when in fact the internal affairs division had evidence that at least one peddler had complained to that commander about shake-downs to no avail. When the commander was punished, he became a classic case for the accountability principle: despite clear knowledge of possible corruption conditions he had not taken action, and moreover, had covered up the facts in an official report.²

This story illustrates an important point about any policy of accountability. Information about corruption conditions is just as important as willingness to take action against those who ignore them. The general problem of obtaining information about corruption will be considered later, but it is worth noting here that one important source of information is generated by the accountability policy itself.

¹NYT, September 21, 1971.

²NYT, November 28, 1972.

In one of his accountability speeches, the New York reform Commissioner set a goal of every officer taking action if he suspects a colleague of corruption.¹ After the September shakeups of 1971, one sergeant commented that "the men hate him [the Commissioner] but right now a cop would lock up his partner, with all the pressure that's on him."² The statement was probably an exaggeration, but the trend it implied was correct. Some officers had occasionally reported corruption even before the scandal. But after the accountability shakeups and Knapp Commission hearings in the fall of 1971, the number of corruption complaints filed by officers against other officers--excluding those from "field associates" specially assigned to this task at about that time--began to climb steadily.

This finding is of both practical and theoretical importance. The practical importance is that the police code of silence, accepted as an immutable fact since August Vollmer first described it in his 1929 Wickersham Commission report, was not as intractable as had been thought. Whether through fear of punishment for non-reporting or through other means, police executives can indeed make use of peer control. Even in Central City, 12% of the misconduct complaints during the first year of reform came from within the department, with 6.6% of them from patrol officers.

¹NYT, May 13, 1971.

²NYT, September 20, 1971.

Table 5-8

Peer Mobilization of Corruption Control in the New York City Police

Mobilizations

<u>Year</u>	First Quarter			Full Year		
	Total Corrup- tion Complaints	From Peers	% Total from Peers	Total Corrup- tion Complaints	From Peers	% Total from Peers
1972	581	17	2.9%	3,077	143	4.6%
1973	901	60	6.6%	3,387	410	12.1%
1974	783	96	12.3%	3,460	525	15.2%
1975	774	115	14.9%	N. A. *	N. A. *	N. A.

Source: Analysis Section, New York City Police Internal Affairs Division.

*Data not available.

The theoretical importance of the finding is that norms which proscribe mobilizing control against peers cannot be entirely explained by reference to a "clear split in the authority structure", (Black, 1973: 140). If anything, the authority structure under the reform administration in New York was split even more clearly than it had been before, yet the tendency to violate anti-mobilization norms increased rather than decreased. The extent to which conflict of norms (in this case, about corruption) exists among the rank and file should also be considered, as well as the potential of those in authority for enforcing pro-mobilization norms, in explaining the absence or presence of peer mobilization of control.

Tight Supervision

When used to describe supervision, the adjectives "tight" and "loose" suggest an image of a dog-leash. The usage of the terms in police departments suggests this definition: tighter supervision places a subordinate under the direct surveillance of a supervisor for a greater proportion of the subordinate's work time. Alternatively, tighter supervision places a greater proportion of a subordinate's work product under the direct surveillance of a supervisor. The reform executives in Oakland, New York and Newburgh all made a point of trying to increase the tightness of supervision under both definitions.

Oakland

The reform Chief in Oakland was the most concerned of the executives on this point. As he once said in a staff meeting, "I want control, control, control" (Guidici, 1975). Much of his control was personal. He closed down the two outlying precinct houses and centralized operations in a new headquarters building, ostensibly to cut costs. But he told one aide his reason was to make it easier to "keep an eye on everybody". He delegated very little decision-making authority to his deputies, and often drove the streets at night observing police conduct.

The Oakland Chief also used his accountability policy to force every supervisor to tighten up supervision, and ordered the use of specific techniques for supervision. Much more paperwork was required, in order to record facts and responsibilities should anything cause suspicion at a later date. Sergeants were required to file daily activity reports for each of their subordinates. Detectives were required to file monthly reports of their investigative activity. New procedures for receiving prisoners' property, receiving complaints against police officers, and recording property found on dead bodies were established, generally requiring written reports with signatures of approval necessary from several levels of supervision. In effect, supervisors were forced by forms to at least think about corruption prone task areas.

Research on other organizations suggests that there was

probably some subversion of the purpose of the forms (Blau, 1956) and much variation in styles of supervision among individual supervisors and between the different functional divisions (Tifft, 1970). But all Oakland sources agreed that supervision in general became tighter under the reform Chief than it had been before. The tactic for implementing that strategy was increased centralization and bureaucratization, a mountain of paperwork and a proliferation of rules.

New York

In contrast, New York in 1970 had already become more bureaucratized than Oakland ever was and as centralized as geography permitted. New York was "drowning in paperwork", according to its members. It boasted a rule book almost one foot thick. Some strategy other than bureaucratization was required for tightening supervision, since department supervisors had become quite skilled at complying with control forms while evading their intent.¹ Centralization had become part of the corruption problem. Since most authority for dealing with corruption was located at headquarters, no one in the field who knew about corruption felt they could properly do anything about it.

¹Indeed, this was accomplished through a bureaucratic division of labor. Every command had a clerical man who knew all about forms--and all about the corruption in his command. Both areas of expertise were lucrative (Kornblum, 1973).

Decentralization (but not debureaucratization) with accountability became the reform executive's principal strategy for tightening supervision. At every level of supervision, more flexibility of decision-making was authorized for the allocation of manpower and other resources. Accountability was applied not just to corruption control, but to crime control and the overall police product as well. So much decision-making power was pushed down so far and so fast that friction often developed between adjoining ranks about who had the authority to do what. The "neighborhood police chief" program giving sergeants 24-hour-a-day scheduling power and the "operations lieutenant" program giving lieutenants power to reshuffle task assignments during their 8-hour shift was the most notable of these conflicts (Sherman, et al., 1973: 31). But the only punishments for accountability failures below the rank of captain were for failures to control misconduct, and not for failures in the general supervision of police services.

A central element of decentralization in New York was the allocation of more corruption control resources to field commanders. This innovation had actually begun in the last month of the prior administration (as had the centralization program in Oakland), but it was refined during the reform administration. The resources varied from an entire investigating squad at the borough command level (which encompassed about fifteen precincts) to an "integrity officer" in each precinct. While the most serious or complex

corruption investigations were reserved for the central Internal Affairs Division (I. A. D.) almost all corruption complaints were farmed out to the decentralized units for resolution.¹ The field units could even decide not to investigate, but the central unit reviewed the field units' findings on every case, returning the case for further work if deemed necessary.

Although the field units were used primarily for reactive investigations of citizen complaints, the field commanders could use their anti-corruption resources in any fashion they chose. In the later years of the reform administration, field units sometimes engaged in covert, premonitory "integrity tests" and proactive surveillance of likely misconduct situations. In effect, then, decentralization gave both the field commanders and those who would evaluate the commanders the same resources for learning about and coping with corruption conditions. The establishment of two separate information systems, one local and one central, seemed to increase the probability that information about a given corruption situation would be captured.

More Supervisors

Quite apart from what supervisors do or are expected to do, one obvious way to increase the level of supervision is to increase

¹97% of a 1972 sample of cases were investigated by field units (Meyer, 1976: 165).

the number of supervisors. The reform executive in New York convinced the Budget Director and Mayor of the wisdom of this approach in the face of a hiring freeze and other austerity measures. By the end of the reform administration, the number of line officers per supervisor had dropped by 31%. The change was particularly marked at the level of first line supervision; the absolute number of sergeants rose by over 40%.

A low ratio of line officers to supervisors hardly guarantees close supervision. The ratio in Central City for the five years before the scandal was slightly above 3:1, about half of the ratio at the end of the New York reform administration. A somewhat greater tendency to use supervisory ranks in such line jobs as detective may account for the very low ratio in Central City, but the difference is still substantial. The style of supervision in Central City, however, was reportedly just as lax before the scandal as it had been in pre-scandal New York.

Table 5-9

Supervisory Strength in the New York City Police

Date	Strength		Ratio Line: Supervisors
	Authorized Supervisors	Actual (approx.) Dept. Size	
Jan., 1970	3571	31,583	7.8:1
Dec., 1971	4216	30,861	6.3:1
Feb., 1973	4631	29,773	5.4:1

Source: Personnel Orders Section, New York City Police Department

It is unclear whether the increased proportion of supervisors in New York had any direct impact on the tightness of supervision in general. In the area of first line patrol supervision, my personal observations at the time suggested that little if any change in practice resulted from the presence of more sergeants. In the supervision of the most corruption-prone tasks, however, the reduced span of control at the first line level did seem to make a difference.

In contrast to patrol supervision, vice enforcement supervision in New York added new supervisory methods along with the new increase in supervisors. Gambling enforcement teams were shrunk from fifteen officers under one lieutenant to six officers under one sergeant. Narcotics enforcement teams were made even smaller. Both narcotics and gambling enforcement, centralized into an Organized Crime Control Bureau, were shifted to a format of "directed investigations": instead of the investigators deciding which cases to work on when, their supervisors dictated the daily tasks. No arrests or searches were to be made without the advance approval of a higher supervisor and the on-site presence of the first-line supervisor. While none of these methods could prevent corrupt collusion between supervisors and subordinates, they made the policy of holding the supervisors accountable into a fair and reasonable expectation.

The policy of supervisory presence at arrests was also applied to a few corruption-prone patrol tasks: enforcement of construction

site laws, Sunday closing laws, and gambling laws. Precinct commanders were instructed to identify the locations in their command most prone to corruption, such as corners frequented by prostitutes, and construction sites. A manual issued to all commanders provided a checklist for identifying these locations. The commander or his aide were expected to give frequent but irregular surveillance to the locations as both a deterrent and an information gathering device.

Such elaborate procedures were unnecessary in Newburgh, where both the population and the Police Department are smaller than that of one New York precinct. Instead, the Commissioner and his Deputies (in the second reform administration) accomplished much the same thing by personally directing narcotics and gambling cases, and by undertaking surveillance of police activities at all hours of the day and night. The one elaborate procedure that was employed in Newburgh was the installation of a tachograph on every patrol car, a device which records movements and speed of a car in relation to time. The tachograph can tell when and for how long a car was stopped, information which can be useful both as a deterrent to sleeping on duty and as a tool for reactive investigations.

Ending Corrupting Policies

There are numerous formal policies in most police departments which unintentionally encourage corruption. Either the legitimate goals set by the administration are impossible to achieve by legitimate means, or the formal procedures demand a de facto

financial contribution from officers which they try to make up for in corrupt ways. While examples of such procedures could be found in all four of our cases, only the reform administration in New York formally recognized them as such and attempted to cope with them. For that matter, even New York's policies in this area were somewhat contradictory.

On the one hand, the reform administration in New York recognized the corrupting nature of arrest quotas in vice enforcement. The practices of basing promotions to detective on quantity of arrests, and of evaluating vice enforcement supervisors on the arrest productivity of their subordinates, ignored the difficulty of gathering evidence legally on vice crimes. The result was often perjury in trial testimony and in affidavits for warrants. Institutionalized lying to achieve legitimate enforcement objectives paved the way for lying to cover up corruption (Rubinstein, 1973: 383). Thus new methods of evaluation of vice enforcement workers were developed which were not related to arrest productivity, and the enforcement priority was placed on a few big cases rather than a lot of little ones.

On the other hand, the New York reform administration did not acknowledge the corrupting pressure caused by evaluating field commanders on the basis of the reported crime rates in their commands. This policy was made almost inevitable by public pressure for crime control, and was admittedly modified to take the social

context of the command into consideration: if social conditions "worsened" over a year in a precinct, for example, an increase in reported crime was not held against the commander. Yet evidence of both "canning" (not recording a citizen crime report) and "downgrading" (recording the report as a less serious offense than the citizen had described) was uncovered by both the central Inspections Division and the press. Given the absence of any proof that alteration in police tactics can reduce crime, this corrupt response (for the personal gain of promotion) to a legitimate demand was no surprise.

In the use of personal funds, however, the reform policy was consistent. "Buy money" for purchasing narcotics incidental to arrest was greatly increased (as it was in Central City), which reduced the incentive to steal cash from narcotics pushers in order to make future "buy-and-busts". Funds for informers were increased and rigidly controlled in Central City as well as in New York, which reduced the incentive to keep a portion of any seized narcotics to use for paying informers. Personal use of autos in surveillance work was reimbursed in New York on a per-mile basis. Expenses incurred in gambling enforcement there had previously been reimbursed at the end of the month on the basis of an informally-defined "going rate" rather than actual costs, which encouraged investigators to make up the difference (or better) in corrupt ways (Kornblum, 1973). The reform policy was to advance \$200 to each investigator at the

beginning of each month, which would then be accounted for by daily expenditure reports.

Changing the Task Environment

Far more powerful than these unintentionally corrupting administrative policies, of course, are the opportunities for corruption in the police task environment. Oakland, Newburgh and New York all tried to prevent opportunities for corruption from arising by changing the task environment. The tactics which the several police departments used to pursue this strategy of corruption control were very different.

The widest difference in tactics was found between Oakland and New York on the issue of gambling corruption. The reform Chief in Oakland chose to stop gambling corruption by stopping gambling. The reform Commissioner in New York tried to stop gambling corruption largely by stopping gambling enforcement. Neither policy could possibly have been implemented in the other city, given the high demand/high tolerance for gambling in New York and the medium demand/low tolerance for gambling in Oakland. To this day, there is not a church bingo game in Oakland, let alone the gambling industry which once thrived there. And while high level investigations of policy "bankers" continued in New York, enforcement against lower-level gambling in New York was almost non-existent by 1973.

Enforcement Discretion

Another contrast in reform tactics for changing the task environment may be found between New York and Central City. As it was for gambling enforcement, the New York policy towards sabbath law and construction code enforcement was to restrict the proactive authority of line officers. Only in response to citizen complaints could officers take enforcement action in these two areas, and then only in the presence of a supervisor. By restricting the discretionary authority of line officers in relation to their tasks, and by trying to minimize the frequency with which certain corruption-prone tasks were performed, the policy altered the task environment as defined here: the tasks police officers perform and their powers and constraints in relation to those tasks. Whether these particular changes in task environment also reduced the opportunities for corruption is unclear. Much publicity attended the changes, and complaints of corruption in these areas did decrease. Nonetheless, some complaints of sabbath and construction shakedowns kept coming in, so the policy probably failed to "dry up" these opportunities for corruption completely.

In contrast, Central City expanded, rather than contracted, police authority in order to accomplish the same strategy of minimizing corruption opportunities. Up until 1972, only vice and narcotics officers, respectively, were permitted to make vice or narcotics arrests. Any shakedowns in those areas were effectively monopolized

by the officers holding the appropriate enforcement authority. Some months before a minor scandal occurred, the Mayor ordered an end to any restrictions on the arrest authority of any officer. Breaking up the enforcement monopoly of special squads, the Mayor destroyed their ability to guarantee protection from arrest. This change in their task environment changed the nature of the illegitimate authority of the vice and narcotics squads. Indeed, this pre-scandal reform exposing vice protection arrangements to younger, zealot officers may have been a major source of information for generating the big scandal two years later.

Public Appeals

The foregoing examples show how the task environment was changed by internal administrative police policies. Equally important was an external approach, directed at the non-police actors in the task environment: the corrupters, potential corrupters, and the victims and potential victims of police corruption. One tactic for implementing this strategy was used in common by the reform executives in Oakland, New York, and Newburgh. All three made concerted appeals to the public, largely through speeches to civic and trade groups. The New York executive backed up his appeals with a concerted policy of bribery arrests, as did the Oakland executive, though in a less systematic fashion.

The reform executive in Newburgh encouraged the public to report any knowledge or hints of police misconduct to him personally.

In the evenings, he left a tape recorder-telephone answering machine on in his locked private office to receive any citizen complaints. He guaranteed a full investigation of any complaints, even anonymous ones, and met with many community groups and leaders to seek out information on police misconduct.

In New York, the greater size of the department required a less personal approach than in Newburgh, but the tactics were essentially the same in both cities. The New York Police Department publicized a telephone number at the Internal Affairs Division which would receive information on corruption twenty-four hours a day, seven days a week. Following the Knapp Commission's charge that the public did not file corruption complaints because it had no faith in the willingness of the police to investigate such charges, the department initiated a strong public relations campaign to encourage more complaints.

The reform Chief in Oakland did not seek to encourage complaints from the general public, although his successors did. Instead of addressing the self-perceived victims of corruption, the Chief encouraged people who voluntarily corrupted the police to define themselves as victims of police power and traditional business practices, and to resist being victimized. His first target was the tavern owner. In a speech to a trade group encompassing three-fourths of the tavern owners in Oakland, the Chief urged them to stop giving free drinks to policemen, and to stop serving any policemen in uniform, on or

off duty. While many Oakland barkeepers had always been willing to buy the "deterrent presence" of uniformed officers in their establishments with free drinks, the trade group voted to cooperate with the Chief's request.

The Oakland Chief moved on to other merchants in his efforts to stop an even more venerable tradition, the annual giving of Christmas gifts to policemen. His attack on the practice began with seventeen captains and lieutenants pledging to set an example by refusing to take any gifts, as reported in a front page news headline.¹ He then distributed letters to many merchants, stressing that if they all cooperated no one of them would be left at a relative disadvantage in the goodwill of the police. Left unspoken was the substantial saving of money to be gained by heeding the chief's request.

The reform Commissioner in New York also tried to "kill Christmas", as his aides put it, but size and culture made that effort more difficult than the one in Oakland. The reliance on patrol sergeants to distribute anti-Christmas-gift handbills to the hundreds of thousands of New York merchants weakened the effort somewhat. Some merchants, seeing the same sergeants who had "collected" the year before coming in with the handbill interpreted the message as a demand for even bigger gifts. Other sergeants, particularly those belonging to the corruption groups called "Sergeants' Clubs", delivered

¹Oakland Tribune, December 6, 1955.

the handbills to the nearest sewer grate and went on with their regular Christmas collections. Both Oakland and New York officially acclaimed their anti-Christmas gratuity campaigns a success, but sources in both cities conceded that the practice had only been reduced and not eliminated.

"Killing Christmas" in Newburgh was complicated by a city ordinance which permitted city employees to accept gifts and rewards of up to \$25. When the police union cited the ordinance as an objection to the reform executive's no-gift policy, he went to the City Council and successfully demanded the repeal of the ordinance. The attendant publicity was apparently welcomed by many merchants in that economically declining city.

Bribery Arrests

By far the most systematic attempt to change the external side of the task environment was the bribery arrest campaign in New York. In the wake of the command shakeup of early September, 1971, the Commissioner turned his fire away from indolent police commanders and launched an attack on the police-corrupting public. In a speech to the city's Chamber of Commerce, he announced that it "takes two to bribe" and that police officers would no longer respond to bribery attempts by saying "you can get into trouble for talking like that." Instead, he put the public on notice that the new response to bribe offers would be "you are under arrest". The same day he issued a teletype message to all officers ordering them to arrest any briber,

whoever the person, whatever the occasion, and singled out hotel managers, restaurant owners, merchants, building superintendents, housing contractors, tow truck drivers, and motorists.¹

The rank and file responded immediately with a dramatic increase in the number of bribery arrests. The Commissioner held several press conferences with officers who had spurned large sums, praising all of them and promoting some of them to detective. The incentive of promotion almost proved too successful, for the number of bribery arrests quickly outpaced the number of promotional openings. Perhaps because of changing perceptions in the likelihood of promotion, the monthly bribery arrest figures varied erratically for the rest of the reform executive's administration. Nonetheless, a much higher bribery arrest rate was sustained overall. In the eight months prior to the introduction of the policy (which is as far back as department statistics go), the mean number of bribery arrests per month was 14.25. In the next four months, the mean monthly total was 69.25, a five-fold increase. For the rest of the reform administration, the mean monthly bribery arrest total was 56.66.²

¹ New York Times, September 18, 1976.

² Subsequent monthly rates declined. For the 9-month Cawley administration, the mean was 49.44. For the first two years of the Codd administration, the mean was 40.04. Source: Analysis Section, New York City Police Internal Affairs Division.

The Oakland police fell upon a bribery arrest policy more by chance than by plan. In the fifth and final year of the reform administration, a group of gamblers from San Francisco approached an Oakland police captain with a proposal for paid protection of a gambling room they wished to establish. The captain played along with the offer rather than taking any action, and went right to the chief with word of the proposal. The chief decided to seize the opportunity to build a strong case against the six would-be bribers, one that could guarantee conviction and prison sentence. With the approval of the city manager --who notified the publisher of the Tribune in advance just in case anyone should accuse the police of real rather than feigned complicity-- a detailed agreement was worked out and a first down-payment was made. The key transactions were tape-recorded, and witnessed by three high police officials. The case was so strong that the wealthy gamblers did not even go to trial. They accepted prison terms through plea-bargaining, with much attendant publicity.

Changing the Political Environment

The greatest obstacle to reforming a corrupt police department is a corrupt political environment. Many academics and police administrators have expressed strong pessimism about the possibilities of changing corrupt political environments. There was, admittedly, minimal participation of the political environment in police corruption even before the scandal in New York. But in the other three cities studied, the linkage of politics to police corruption was substantial in

the pre-scandal period. In two of the cities--Oakland and Newburgh--the reform executives succeeded in both severing the linkage between politics and corruption, and in reducing political corruption in general.

The Oakland reform executive almost refused his promotion to Chief because he assumed the job would be attached to corrupt, political strings. His first question of the City Manager (also a reformer, in office for only a few months) was "how many commitments had to be made?" The Manager, who had announced the Chief's promotion without even advising the City Council, replied "Only two". Two Catholic officers were to be promoted when eligible, instead of passed over--a traditional practice in that Protestant-dominated department. The Chief was surprised at the answer, having fully expected to be asked to allow gambling and prostitution operations to continue. But he demanded that the Manager provide a written guarantee of the no-strings terms of appointment (Thompson, 1975).

The Oakland Police Department had enjoyed a relatively high degree of legal autonomy from politics since District Attorney Earl Warren's prosecution of corrupt City officials in the 1930's. A change to the council-manager plan of government at that time included statutes forbidding the Council members from any interference in the Police Department. In practice, however, there had been great Council involvement in the enforcement policy of the department. A councilman had been accused of receiving payoffs from a gambler via

a police bagman as recently as two years before the big scandal.¹ But the reforming City Manager and Chief invoked the autonomy granted them in statute and plotted a radically new course.

No open confrontation ever developed between the City Council and the Chief over enforcement policy or over any other issue. Indeed, the Council backed up some of the most unpopular enforcement decisions, such as a gambling raid on a politically powerful labor temple. With the business elites on the side of police reform and legalistic vice enforcement, the Council seemed to accept the new police policies as inevitable.

Moreover, some Council members were reportedly afraid of the reform Chief and his highly developed intelligence network. Quite apart from ending any involvement in police corruption, these politicians allegedly put an end to their involvement in other forms of corruption as well. All sources agreed that the reform Chief established a new moral climate in Oakland's municipal affairs by his avowed insistence on enforcing all the laws--against anybody. The political weakness of the Council no doubt made that moral climate easier to achieve there than in a strong, "machine"-run city. Even so, a change in the morality of a political elite is a rare achievement under any circumstances. The value of the achievement for controlling police corruption is underlined by this observation: virtually all of the

¹ Oakland Tribune, April 7, 1953.

corruption which reportedly persisted under the reform administration was initiated within the ranks of the police, rather than in the political or task environment. Extortion and theft, but not bribery, were the only forms of corruption which survived the change in environment.

By the time the second reform executive arrived in Newburgh, two years of scandal and investigations had apparently ended the politically coordinated protection of vice operations. While two major politicians escaped prosecution only by their timely deaths, police officers were the only officials to have been punished up to that time. The executive confronted a massive morale problem, part of which was due to the perceived injustice of the "big fish" having gotten off free while the police took all the blame for corruption.

Both federal and state investigations of political corruption in Newburgh and Orange County seemed to have been closed at that point. The reform executive, after identifying some key sources of evidence, went to the (Republican) U. S. attorney in New York City to ask for a new probe of (Republican) political corruption in upstate Orange County (Taylor, 1975). His request was granted. By early 1976 the Republican county chairman was convicted of a corruption-related felony, and a reformer-dominated City Council seemed firmly entrenched in Newburgh. For reasons quite separate from the corruption investigations, the reform police executive was elevated to

the position of City Manager.

Both the Oakland and Newburgh changes in the political environment occurred in the context of a council-manager structure of government. Arguably, a police executive serving at the pleasure of a mayor could have more difficulty in challenging the political status quo. But in any form of city government, a post-scandal period is a time of flux; the nature of the status quo itself is unclear. Depending on the nature of the scandal, old commitments, debts and favors might be excusably put aside if the equivalent of a "post-Watergate morality" seems to be ascendant. Under just such conditions, the police executives in two of our cases seized the initiative in propagating that new morality.

A Note on Pride

A common hypothesis in discussions of police corruption control is that the more pride police officers have in their department, the more resistant they will be to corruption. In examining the managerial side of reform strategies in the four cases, very little of the reform executive's attention was found to have been directed at building pride. Instead, the thrust of the strategies in every case was directed at removing temptation and building fear.¹

¹As one official in the New York Police put it: "We have to continue to be tough because a lot of cops stopped being corrupt out of fear of being caught, not out of sudden idealism." NYT, July 4, 1976, p. 4:4.

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The closest things to a pride-building strategy were the various efforts to improve the physical appearance of police officers and their equipment. Even these seemed to lower morale rather than raise it--at least in the short run--because the demands for spit-and-polish were backed up by threats of punishment. On this evidence, then, it would seem that the pride hypothesis should be stated as a consequence of long term reform efforts, rather than as a cause: the more a police department resists corruption, the more pride its officers may have in the department. Fear of detection would seem to be causally prior to pride in integrity, at least in police departments in which corruption was once widespread.

* * * * *

The managerial strategies described above were intended to prevent corruption opportunities as well as to raise the level of fear of punishment for corruption. Even more important for building fear, however, were the strategies for internal policing and the sanctions such policing produced. While internal policing strategies are also managerial decisions, they are qualitatively different from the strategies discussed above. Removed from the day-to-day operations of the department, internal policing is as separate from the police department as the police are from the life of their community. For this reason, it merits separate consideration.

Chapter Six:

INTERNAL POLICING

Specialized, separate units for investigating police misconduct are a fairly recent phenomenon in American police departments. Although such units could be found in some of the larger municipal departments as early as World War II, they were still quite rare a decade ago. Responding to a mail survey in 1965, only ten out of twenty-seven of the larger police departments (37%) claimed to have an internal affairs division (I. A. D.) or its equivalent (Lacouture, 1965). Since the survey found the probability of a department having such a unit declined sharply from larger to smaller departments, it is fairly safe to assume that very few such units existed in 1965 anywhere among U.S. police agencies, most of which have under five officers (Reiss, 1974).

Table 6-1

Internal Affairs Divisions in Municipal Police Depts., 1965

<u>City Size</u>	<u>Responding</u>	<u>I. A. D. s</u>	
		<u>Have I. A. D.</u>	<u>% with I. A. D.</u>
Over 1, 000, 000	5	3	60
500, 000 to 1, 000, 000	7	3	43
250, 000 to 500, 000	9	3	33
100, 000 to 250, 000	6	1	17
Totals	27	10	37

Source: Lacouture, 1965

This paucity of internal policing units existed despite the injunction of the standard, widely-read police administration text (Wilson, 1950) that such units were "necessary" for every large police department. Seventeen years after that text was first published, the President's Crime Commission (1967:294) recommended that medium-sized police departments also create I.A.D.s. In the interim, the management consulting staff of the International Association of Chiefs of Police had recommended internal policing units to virtually all the police departments which paid for that consulting service.

Corruption scandal,¹ and not study recommendations, seemed to be the immediate genesis of the I.A.D.s in the four cases studied here, as well as in Los Angeles, Denver, Boston, Kansas City and elsewhere. Prior to the major scandal in each of the cases studied, one of the four departments conducted no internal investigations at all (Newburgh), two of the four assigned internal investigations to a variety of units performing other primary functions (Oakland and Central City), and one had a variety of such units competing among themselves (New York). None of these organizational structures, as the scandals demonstrated, was adequate for controlling corruption.

¹Other I.A.D.s, however, including the one in Louisville, were created in response to charges of police brutality, shortly after a race riot.

No structure can ever be adequate, per se, for the control of deviance. Of far greater importance is what goes on within the context of the structure: how investigations are initiated, what investigative methods are used, and whether investigations can produce decisions to sanction violators. As an administrative function, internal policing can be used to provide information for making policy decisions as well as formal sanctioning decisions; promotions, enforcement policy, community relations, and assignments are some examples.

One could predict that deterrence of corruption would be maximized when there is a high rate of both detection and of negative sanctioning of corrupt acts. One could also predict that the prevention of corruption would be maximized by policy decisions based on accurate, complete and useful information about corruption patterns. How well an internal investigation unit can produce such managerial information and a high rate of detection and sanctioning depends on 1) the sources and resources it uses to gather and analyze intelligence, 2) how it follows up investigatively on the intelligence it has, and 3) the degree to which the investigations can satisfy the demands of sanction decision-makers for proof.

Three sensitizing concepts--two of which have already been mentioned--will be useful in this discussion. First, the kind of intelligence on corruption that internal policing systems process can be either postmonitory or premonitory. That is, the subject of the intelligence may be, respectively, either events that have

already occurred, or events that are presently or will soon be occurring. Second, the ways in which internal policing systems collect intelligence and conduct investigations may be either proactive or reactive. That is, the initiative for making an internal policing system knowledgeable about specific corruption events--of past, present, or future occurrence--may rest, respectively, either within that system or in the environment of the system. The environment of an internal policing system, it should be stressed, includes other actors and systems within the police department as well as actors and systems outside the police department. It is as important to know that police officers steal impounded guns and heroin as it is to know that politicians arrange paid protection of brothels. Third, the methods of conducting corruption investigations (regardless of how the investigations were initiated) may be either covert or overt. That is, the methods may or may not, respectively, be designed to prevent potential or suspected violators from becoming aware that they are the targets of an investigation.

Each of these concepts express dimensions and not dichotomies. Many shades of grey exist on a continuum between the two opposite poles expressed by the labels. Each source of intelligence or method of investigation will have its own place on the continuum. Each internal policing system may use a variety of sources and methods. A system may deal simultaneously with premonitory and postmonitory intelligence, either of which may have been generated

proactively or reactively. It is often difficult to evaluate an internal policing system as clearly fitting one or the other of the dichotomous categories. For this reason, evaluations are made on the basis of demonstrated capacity for premonitory, proactive and covert internal policing. Not the modal cases, but rather the methods used in exemplary cases are the criterion for assessing these four post-scandal internal policing systems.

The word "intelligence" will be used here in a loose, generic sense. Very little of what police departments do with any kind of information would satisfy military or diplomatic standards of intelligence work: "a process made up of data . . . collection, evaluation, collation, analysis, reporting, dissemination, and reevaluation" (Godfrey and Harris, 1971). By the standards of the professional intelligence community, intelligence is the end product of the intelligence process; if information is not subjected to the process it remains raw data. But in a generic sense, intelligence is any information that is used for making decisions. An informer's tip and a sworn statement accusing an officer of corruption are both, in this sense, pieces of intelligence.

6.1 - RESOURCES AND SOURCES FOR INTELLIGENCE

Separate I.A.D.s

The resources allocated to the technology of gathering information about corruption are at least as important as the technology itself in determining how much information will be

generated. Housing the corruption-intelligence task in one separate unit that has no other purpose (save policing non-corruption forms of police misconduct) indicates a permanent commitment of resources to that task. This commitment has both a symbolic and an instrumental value.

Symbolically, the creation of a separate internal affairs division after a scandal is often used as a strategy for restoring public trust in the ability of the police to police themselves. The Mayor in Central City made this move with great public fanfare very early in the scandal, placing the I.A.D. under his personal command until a new chief was appointed. The existence of an I.A.D. also symbolizes the risk of corruption to the officers within the department. The reform Chief in Oakland, who created a separate unit as his first act in office, directed the fanfare about the move more at the rank and file than at the public.

The instrumental value of creating a separate unit for the internal intelligence function as a departure from having members of the police executive's personal staff, general criminal investigators, or others perform the same task (the pre-scandal case in both Central City and Oakland), is that the function becomes the responsibility of a few identifiable people. By pinpointing the accountability for the quality of corruption intelligence, the separate-unit form of organization seemed to insure that it would be performed on a continuing basis. Further, only with a separate

unit did the police departments studied develop an intelligence technology beyond the simple investigation of corruption complaints from the public, as Table 6-2 indicates.

If a department already has a separate I.A.D. at the time of a corruption scandal, as New York did, then the symbolic and instrumental value equivalent to creating a new unit may be obtained by increasing the number of officers assigned to the extant unit. The three-year pre-scandal decline in the size of the I.A.D. had publicized in New York well before the reform executive was appointed, and even his predecessor had promised to increase the manpower commitment to internal policing.¹ In the first four months of the reform administration the size of the total internal policing staff was almost tripled,² and by the end of that administration the increase was almost eight-fold.

Analysis of Intelligence

Not all of New York's increase in I.A.D. staff size was for investigators and their supervisors. A small portion was devoted solely to the analysis of trends and patterns of corruption. The reform administration announced its intention to create an analysis unit after only four months in office, although personnel problems in

¹New York Times, June 2, 1970.

²New York Times, Feb. 26, 1971.

Table 6-2
Resources and Sources for Intelligence on Police Corruption

		<u>New York</u>		<u>Central City</u>		<u>Oakland</u>		<u>Newburgh</u>	
		<u>Pre-</u>	<u>Post</u>	<u>Pre-</u>	<u>Post</u>	<u>Pre-</u>	<u>Post</u>	<u>Pre-</u>	<u>Post</u>
		<u>Scandal</u>	<u>Scandal</u>	<u>Scandal</u>	<u>Scandal</u>	<u>Scandal</u>	<u>Scandal</u>	<u>Scandal</u>	<u>Scandal</u>
<u>I. Resources</u>									
Separate I. A. D.		+	+	-	+	-	+	-	-
Ratio Line / IAD Ofcrs.		533:1	64:1	0	110:1	0	216:1	0	160:1*
Analysis Unit		-	+	-	-	-	-	-	-
Name Index		+	+	-	+	-	+	-	-
<u>II. Sources</u>									
A. Citizens		+	+	+	+	+	+	-	+
Reactive	1. Complaint intake control	Decen- tralized	Cen- tralized	Decen- tralized	Decen- tralized	Decen- tralized	Cen- tralized	None	Cen- tralized
	2. Record anony. complaints	+	+	-	-	unclear	+	-	+
	3. Require signed affidavit	-	-	+	+	unclear	-	-	-
B. Honest Ofcrs (Vol.)		+	+	-	+	-	+	-	-
C. Honest Ofcrs (Spy)		-	+	-	-	-	+	-	-
Proactive	D. Corrupt " ("turned")	-	+	-	-	-	-	-	-
	E. Criminal informants	-	+	-	-	-	+	-	+
	F. Wiretaps	-	+	-	-	-	+	-	-
	G. Corruption Patrollers	-	+	-	-	-	+	-	+
	H. Integrity Tests	-	+	-	-	-	+	-	-
Total Sources**		3	11	1	2	1	8	0	4
Total Proactive Sources		0	6	0	0	0	5	0	2
<u>III. Evaluation</u>									
Premonitory		-	+	-	-	-	+	-	-
Proactive		-	+	-	-	-	+	-	-

* Two quarter-time investigators for an 80-officer department.

** A centralized complaint intake and a "-" on signed affidavits each count as a source.

the I.A.D. held up the implementation of the plan for a year after the announcement. Only six people (two of them clericals) worked in the analysis unit at any given time, compared to the total of almost 500 people in various other internal policing jobs. But the creation of the unit at all was a noteworthy event. None of the other cases studied nor, to my knowledge, any other police agency in this country has a unit--or even an individual--devoted entirely to analyzing intelligence on internal criminal misconduct.

The issue of intelligence analysis raises a more general problem of the capacity of police departments to allocate resources to the internal policing task (Reiss, 1974:683). Resources allocated to this task must be taken away from some other task. The smaller the police department, the greater the relative resource cost of allocating each officer to the internal policing task. A reforming department as small as Newburgh's decided it could not afford a full-time individual, let alone a unit, for internal policing. The same could be said for the addition of a corruption analysis unit in Oakland. Of the four, New York could best afford the resource commitment required for the analysis function.

The mission of the corruption intelligence analysis unit in New York was defined as providing tactical intelligence for corruption investigators and strategic intelligence for the I.A.D. commander. A December, 1972 study of the unit by the department's Inspections Division (N. Y. C. P. D., 1972) concluded that little of what

the unit produced was intelligence in the professional sense mentioned earlier (Godfrey and Harris, 1971), and that both investigators and administrators had failed to make proper use of the unit. The report cited several constraints which kept the unit from accomplishing its mission, including insufficient manpower for the volume of data to be analyzed, insufficient input of relevant data from investigators and other department units, lack of funds for such investigative resources as reverse telephone directories, and lack of a clear basis for establishing targets for intelligence.

Judging from the work done by the analysis unit subsequent to the Inspections Division evaluation, the constraints remained the same but both the product and its use by investigators improved somewhat. Many of the unit's reports were clearly premonitory, providing what was labelled as "early warnings" of developing corruption trends. Based on such indicators as a detailed monthly breakdown of the approximately 3,000 corruption complaints per annum, patterns of allegations against individual officers and units, and debriefings of "field associates" (discussed below), the reports often recommended specific action for full investigation or further data collection. Examples of trends identified by the unit include a sharp increase in tow truck kickback complaints, information "leakage" of the license numbers assigned to unmarked cars used in surveillance of organized crime, and the apparent creation of a new sergeants' club in a precinct.

Only in very rare instances, however, did the analysis unit test its hypotheses by in-house collection of the data. it recommended obtaining as part of the follow-up to the early warning.¹ By and large, the analysis unit had to rely on information supplied to it by others who collected the information solely for operational, and not analytical, purposes. Moreover, the reliance on manual, haphazard filing of tens of thousands of documents makes it impossible for the analysis unit efficiently to retrieve the admittedly limited information which it did have. Though certainly of some value to investigators and policy makers, the analysis unit is not able to provide a complete, or even as complete as possible, picture of developing corruption trends.

A more serious problem is the unreliability of their statistical methods. Annual reports to top city officials, and eventually to the public, are compiled to show yearly progress or deterioration in specific corruption conditions. It often happens, however, that statistics are not comparable between years because of changes in the definitions of categories. Complaints of thefts from police-towed automobiles dropped greatly one year, for example, because many were reclassified as normal thefts if the complainant was not sure if the property was still in the car at the time of the towing.

¹One such instance followed a report of a growing trend in police shakedowns of prostitutes for money or free sex. The unit asked 100 arrested prostitutes awaiting arraignment if they had been shaken down recently by police (10% said yes).

The statistics on narcotics-related corruption complaints also changed substantially when the categorizing method changed from recording every form of corruption mentioned in a complaint as a separate instance of reported corruption, to recording only the one main or most serious form of corruption mentioned. Since, as one statistician told me, "narcotics-related corruption is about the most serious thing we get," any time narcotics corruption was mentioned in a complaint the entire complaint was classified as only a narcotics complaint. If the complaint also had information about a gambling pad, the gambling allegation was not counted. This not only inflated the totals of narcotics corruption complaints relative to other types of corruption, it also obscured the true trends in complaints of the other types of corruption.

Finally, many different individuals worked on compiling the statistics over the years in question. Discussions with several of them revealed marked personal variations in their criteria for assigning complaints to one category or another. No written set of definitions for each of the 12 to 16 categories used (depending on which year) could be found. If written definitions existed, they were apparently not referred to in day to day classifying activity. Quite apart from the sampling bias of complaints as an indicator of corruption, the records and analysis units did not provide an accurate portrayal of the trends indicated by the complaints.

The New York I.A.D. analysis function has been subjected to

an extended critique here in order to establish some evidence for a central thesis of this study which modified the basic model of the scandal and reform process: police departments are largely constrained in their response to corruption by their organizational capacities existing at the beginning of a reform administration, unless they can escape lateral entry prohibitions and turn to outsiders for assistance. The general thesis is elaborated in Chapter Seven. The specific point here is that analysis of corruption events by the corruption intelligence unit was done no better and possibly no worse than other kinds of intelligence analysis the department had been doing for years. The problems of data input, retrieval, and utilization by operational units had long been noted in the department's main Intelligence Division (cf. Bouza, 1976). The errors in compiling statistics on corruption complaints are little different from those observed in recording crime complaints in general in most police departments. In effect, the department took its existing internal analytical capacity, applied it to corruption, and experienced the same weaknesses in corruption analysis that it had always experienced with other kinds of analysis. While some outside assistance was purchased with a foundation grant, it was not sufficient for overcoming the analytical deficiencies of the department.

In comparison to the analytical capacities of the other police departments studied, however, the analysis unit in New York's I.A.D. is a model of rigorous analysis. The Intelligence Division in Central

City had only raw data in its files and much of it was not current. Newburgh has never had any separate intelligence unit or tasks of any kind; Oakland's intelligence files were not available for study. The one very primitive form of analyzing corruption intelligence reportedly used in Oakland and in Central City was the use of a name file of officers cross-indexed by the file numbers of all of the internal investigations in which each officer had been a suspect. This system allows inference of patterns of corrupt habits of an officer. New York, in contrast, not only used such name files for officers, but also for "good guys" who provided information about corruption, "bad guys" who tried to bribe the police, and retired police officers who may have been working for incumbent police commanders as bagmen or generating corruption complaints by impersonating an officer while committing various crimes.

The relative importance of formalized analysis of corruption intelligence declines with the size of police departments. The larger the department, the greater the possible complexity of corruption networks and patterns. Only formal analysis can make sense of the complexities of corruption in a department the size of New York's. But in a department the size of Oakland's--one-fortieth the size of New York's--the complexity of corruption appeared to be more amenable to informal, seat-of-the-pants analysis confined to the thoughts of the corruption investigators.

Intelligence Sources: Citizens

Every police department has some intelligence of corruption thrust upon it by complaining citizens. There are two great differences between departments in how they react to intelligence supplied by citizens. Police departments differ in the way they are organized to receive corruption complaints from citizens. They also differ in their investigative response to such complaints. These differences in response may in turn affect the likelihood that a citizen who has intelligence of corruption will bring it to the attention of the police.

Citizens possessing knowledge of police corruption--from hearsay and rumor to direct observation--may choose to present a police department with that knowledge in a variety of ways. The range of possibilities is limited only by the number of places at which the police organization is open to its environment. Letters received in the chief's office, calls received at the emergency dispatching switchboard, walk-in visits to police headquarters or district stations, and letters to other authorities which are forwarded to the police executive are the points of access to the police organization most commonly used by citizens complaining of corruption. This variety of input locations makes it difficult to capture and retain the information. Given the rank-and-file view of corruption complaints as an attack on their department, many officers tend to resist accepting the information presented in the complaint. Sometimes this resistance is tacitly approved (as in pre-scandal Oakland and Central City) by the

top police administration. The resistance may even be a formal policy (as in pre-scandal Newburgh). But in a reform administration, resistance to receiving corruption complaints undermines the administration's goals and presents a problem of control over the information.

Three of the four reform executives recognized the problem and adopted procedures designed to insure that all information on corruption presented to the police department at any point of public access would be promptly forwarded to the internal policing unit. Oakland, one of the first police departments to adopt such procedures, required that a written report of any information received on police misconduct be filed in the office of the chief before the end of the tour of duty during which the complaint was made. This procedure contrasted sharply with the previous practice of district commanders covering up corruption complaints without ever notifying the chief's office. Not only did Oakland's reform chief proscribe that practice, he tried to short-circuit the receipt of complaints and bypass field commanders entirely. By closing down the district stations and running all operations from headquarters, the chief made the setting for walk-in complaints more visible, both to the public and to the top commanders. Clerks receiving complaints at headquarters were less likely to know the subject of the complaint (if named) than clerks in the more familial district stations. Further, the chief publicly encouraged citizens to make their complaints directly to

the I. A. D.¹

Procedures for control of complaint intake are very hard to enforce, however. Oakland apparently did not test the compliance of the rank and file with the procedural regulations, but New York, which adopted a similar procedure, did. The results were not encouraging. Anonymous reports of police corruption were telephoned to precinct stationhouses by internal policing staff on four occasions during 1973-1974. Three to five stations were called a total of fourteen to twenty-five times on each occasion. In the first such test, half of the calls were "canned" by the officer who answered the phone: no report of the complaint was ever telephoned, as procedure required, to the I. A. D. by the answering officer. The non-compliance rate dropped to 43% in the second test, and went down to 36% in the third test. In the fourth test, however, non-compliance returned to its original rate of 50%. In all four of the tests, supervisors were more likely to comply with reporting procedures than patrol officers (on certain calls, the caller asked specifically to speak to a sergeant or higher-ranking officer).

Whether the compliance rate would have been higher with an identified complainant is unknown. But the tests at least demonstrated

¹ The present police executive in Boston has gone so far as to publicize a post office box number for anonymous corruption complaints, a practice adopted earlier by the Brooklyn police commander during the reform administration in New York.

the failure of the department to capture and retain all of the intelligence on corruption which New York's citizens presented to it. The similarities in the complaint-making process between New York, Oakland, and Newburgh suggest that a similar fallout of information occurred in the latter two departments. In Central City during the reform period, where there was not even a formal procedure for referring corruption intelligence to the internal policing unit, the fallout rate was probably much higher.

One consequence of this fallout may be to discourage citizens from making corruption complaints. Those citizens who once made a complaint and received no response may not bother to report any further information on corruption they may acquire. Word-of-mouth reports of such experiences may discourage other citizens from reporting corruption, even if they have never had their own complaints ignored. A more significant factor determining the likelihood of citizens reporting corruption information, however, may be the ultimate results of complaints. Even if the complaint arrives at the I.A.D., a response informing the citizen that the "allegation could not be substantiated" could discourage further reporting.

The most powerful determinants of citizen reporting may be unrelated to the process or efficacy of complaining. Although this study did not systematically examine the relationship of the complainants to the corruption situations they complained of, most complainants seemed to have been either personally victimized by police thefts, or

indirectly victimized by vice conditions which they inferred could only persist with paid police protection. Virtually all complainants seemed to define some personal interest as having suffered because of police corruption (cf. Reiss, 1971:86). While those who do report constitute an unknown percentage of all those whose interests are hurt, it appears that people whose interests do not suffer from police corruption rarely make corruption complaints. The explanation of this apparent fact could be either a) that disinterested parties rarely have any information on corruption, or b) that they do not report what information they do have.

One reason why some of those whose interests are hurt do not report corruption may be fear of possible reprisal, particularly if the accused officer knows where to find the complainant. Even an anonymous complaint entails a risk of reprisal if the complainant is the only, or most likely, person to have informed the police of the corruption. For this reason, perhaps, victims rarely seem to make anonymous complaints. Wives and mothers of corruption victims, however, frequently make anonymous complaints about corruption. Their use of anonymity may stem, as Reiss (1971:86) suggests, from a desire to keep the complaint secret from the victim, rather than from the victimizer. In any case, important information about corruption is often presented to the police anonymously.

Many police departments, however, tend to resist accepting anonymous corruption complaints more than known-source complaints.

In the pre-scandal period, only New York had a formal policy of accepting and investigating anonymous complaints, which policy may have stemmed from previous corruption scandals in that city. In the reform period, New York continued this policy, and Oakland and Newburgh converted to it. Central City, however, adopted a "due process" model of internal policing, in which it was held unfair to police officers to investigate them unless they could be confronted with their accuser. This rule, of course, did not apply to the investigation of other crimes, and there is no constitutional prohibition of investigating anonymous tips. Under strong pressure from police unions, however, many police departments have gone to similarly great lengths to protect the rights of police officers in internal policing procedures.¹ Whatever the reasons, a policy of ignoring anonymous complaints further limits the amount of corruption information available for internal intelligence.

The same "due process" model was used in Central City with identified complainants, with the same results. Citizens complaining of police corruption were required to give formal statements, generally at police headquarters. A typed transcript of the statement was then prepared, and the citizen was required to return to headquarters

¹"The Policeman's Bill of Rights," adopted in various forms by the Louisville, New York, and other police departments carries such provisions.

to sign the statement, swearing that the facts it contained were true. If the citizen failed to come to headquarters to either make the statement or sign it, an investigation was usually not performed. This procedure limited the amount of information available for internal policing in two ways. First, the inconvenience of travel to headquarters during the work week (the only time the I.A.D. was open) may have prevented or discouraged many complainants. Second, the requirement of signing the complaint may have frightened those who did make the journey to headquarters. Many citizens who gave formal statements in Central City never returned to sign them. No wonder, then, that the officer dismissal rate in Central City decreased by 80% during the first reform year.

It is worth noting that citizens who report such normal crimes as burglary or assault are subjected to no such requirements. Crime complaints can generally be made over the telephone, and officers may be dispatched to complainants' residences to take down more detailed information. Signing such complaints is not required of the complainant for merely reporting the offense. The imposition of these special requirements on the making of corruption complaints suggests that the "real" goal of internal policing is not the sanctioning of violators, but rather the "cooling out" of people who threaten the organization (Goffman, 1952). Regardless of intention, that was clearly the result in Central City.

No matter how much citizen-supplied information an internal

policing system can capture, the value of the information will be limited by the nature of the citizen complainants' knowledge of corruption. Most complainants are in some sense victims, but many corrupt acts do not create victims, (e. g., vice payoffs as a "business" expense) or at least not victims who are aware that it was the police who victimized them (e. g., victims of police burglary). Citizen complaints will therefore report only a portion of all corrupt acts. Further, most of the corrupt acts reported by citizen complaints have already taken place; past events are more difficult both to prove and to sanction than events intercepted as they occur. In order to obtain more complete information on corruption in general, and to be forewarned of future acts in particular, internal policing systems must rely on sources of intelligence besides citizen complaints.

Intelligence Sources: Police Officers

Most internal policing systems in a reform period will have one other source of information thrust upon them: honest police officers volunteer information. Like citizen complaints, information from honest officers may range from inferential suspicions to direct observations. Unlike citizen complainants, however, police officer complaints usually result from their opportunity to observe directly behavior or evidence of corrupt acts. Indeed, merely accompanying officers on a full eight-hour tour of duty gave a group of citizen researchers the opportunity to observe roughly one in five patrol officers commit criminal violations of the law (Reiss, 1971:156).

It is a safe assumption that in a period preceding a corruption scandal, most police officers do not report most violations committed by their colleagues to supervisors or to internal policing systems. Such reports occurred occasionally in pre-scandal New York, but not, apparently, in the other three cities. Yet in the reform period in all cities but Newburgh, where corruption apparently ceased entirely, honest officers volunteered corruption reports.¹ This study did not examine the specific circumstances leading to the reports, but the general setting of reform seems to be a precondition for their regular reporting. Even in Central City, the officers were generally free to make the reports without the "due process" requirements made of citizens. Information about corruption from the zealots who had helped generate the Central City scandal was received by the internal policing unit with appreciable hostility, however.

It is unlikely that all honest officers report all the corruption information they possess. Even if they do, the information is limited by their own access to knowledge of corruption. Honest officers acquire reputations for honesty, particularly in a pre-scandal period. In a post-scandal reform period, information about corruption may be controlled much more tightly than before, confined as much as possible to the participants. Even officers with reputations for corruption--or at least, fraternal silence--may be kept in the dark about the corrupt

¹See the discussion of peer control in Chapter Five.

acts of others. While honest officers will still have more opportunity than citizens to infer corruption or to observe it accidentally, they may still be ignorant of much or most corruption activities.

Internal policing systems can obtain additional sources of information on corruption only by seeking them out, by adopting a proactive strategy. The easiest, yet most controversial, tactic for a proactive strategy is the cultivation of honest police officers as ongoing information sources. Notwithstanding the limits on their access to corruption information, honest officers can provide a steady supply of inferential data on the integrity of their colleagues. Whereas an officer who volunteers information will probably only do so infrequently or when he is fairly certain corruption exists, an officer who is questioned on a regular basis by an internal investigator will provide much more information (albeit of generally lower quality than the more infrequent volunteered information). What seems unimportant to the honest officer in the field may be very useful intelligence to the internal investigator, a fact long recognized in prisoner of war interrogations and other intelligence work. Under careful monitoring, an honest officer can even be assigned by internal investigators to join a corruption conspiracy in order to obtain better access to information (all monies received being turned over to the internal investigators). Quite apart from the value of the information these regular informants provide, the very fact of their existence, if known, may yield a deterrent effect. Though the informants be few

in number, no one is quite certain who can be trusted to keep silence.

Only two departments studied recruited honest officers to provide periodic reports on corruption. In Oakland, the reform chief selected his friends from pre-scandal days and a few of his bright young college-educated recruits to serve in this role. Reporting directly to him (and not the I. A. D.) these informants were assigned to particularly corruption-prone units, such as the vice and detective squads. Their role was never officially acknowledged, but the fact of their existence was generally suspected by the rank and file.

In New York, the reform head of the newly centralized vice and narcotics enforcement unit was the first to use "field associates," as they were called. He recruited them from among the graduates of the in-service training course which prepared selected uniformed patrol officers for their new assignment to vice and narcotics work. By early 1972, 70 of the 925 officers in that bureau had agreed to serve as field associates.¹ The 330 officers (37% of the total) who were interviewed but not picked for the additional assignment as a field associate, of course, immediately spread the word that spies were about. Use of field associates was soon expanded to uniformed patrol by the recruitment of graduates of the basic police training academy. Novices were always the target for recruiters of field associates, in all the units penetrated in this manner, on the theory

¹New York Times, March 23, 1972.

that officers embarking on a new assignment would have fewer conflicting loyalties than officers who had already been in an assignment for some time.

The Oakland program of seeking corruption information from honest officers generated no visible controversy, but the opposite was true in New York. Oakland had no police union--the chief threatened to fire any officer who joined one--but the New York police union protested long and loud the use of "spies." The police union did not protest honest police officers reporting corruption per se. Rather, it was the crossing of the boundary between complainant and informer which infuriated the union. A police lieutenant from a Florida city who worked in the New York I. A. D. on an exchange program wrote of the field associates:

[They] have created an uneasy aura of suspicion which has caused many non-participants to suffer embarrassment, humiliation and in some cases, ostracization by their peers.

Many officers... felt nothing but contempt for the individuals who volunteer for such a clandestine assignment. Many of the department personnel have now overreacted, and are not performing their assigned mission properly in the belief that their actions or non-actions will be misinterpreted by a non-qualified, biased observer. (N. Y. C. P. D., 1973)

It is hard to see how a field associate is any less qualified for performing the tasks of the unit to which he is assigned than the officers he is observing. Suffice it to say that many officers in other police departments have responded with similar outrage when the field

associate concept is described to them, illustrating the structural threat inherent in the liminality of the informer.

Even more threatening to the corrupt officer, but less so to officers in general, is the "turn-around": a corrupt officer who gathers information on his co-conspirators in exchange for lenient punishment or immunity from prosecution. In order to create a "turn-around," of course, an investigating unit must first gather evidence against an officer which convinces him that he cannot escape conviction if prosecuted. The technique is often used by prosecutors for other kinds of crimes, and was heavily used by the Watergate Special Prosecutor. Most grants of immunity, however, are used to elicit or compel testimony about past events. The innovation in the use of the technique for police corruption investigations was the premonitory focus, on current and future events.

The Knapp Commission in New York was the first corruption investigating body known to use "turn-arounds" as a premonitory source of information. The potential for the technique had always existed, but a policy of arresting individual officers as soon as there was sufficient evidence had prevented its use. Moreover, there was a pessimistic assumption on the part of internal investigators that the rule of omerta (silence) was too strong to turn a corrupt officer around, even in the face of severe penalties. After the Knapp Commission demonstrated that the assumption was false (Schechter and Phillips, 1974), the internal policing systems in New York quickly

adopted the technique. The technique became known to the reform administration in the summer of 1971; by the following April the department had used it to apprehend a gambling corruption conspiracy of over forty people, apparently the largest single corruption group ever netted anywhere. It should be stressed, however, that the "turn-around" is chronologically a secondary source; other sources of information must first be used to find and catch at least one member of the conspiracy.

Intelligence Sources: Probing Targets

One of the best ways to penetrate a corruption conspiracy is the use of criminal informants. Non-criminal informants, including milkmen, mailmen, storekeepers, barbers and bartenders, may also be able to supply information about police corruption. But as a New York investigating manual noted after listing these honest sources, the "most valuable source of information is likely to be a person who is now, or has been part of the criminal group" (N. Y. C. P. D., 1974:20). Criminal informants are often unreliable, but they have the best access to information about the details of corruption arrangements of anyone outside of the corruption conspiracy itself. Although there is no ethnographic data on informants to document this assertion, the experience of the internal investigators interviewed universally confirms the superiority of intelligence from criminal informants. In certain rare instances, internal investigators in New York paid these informants for their information. More often, as was always

the case in Newburgh and Oakland, non-monetary rewards were used to encourage informants to inform.

Wiretapping of professional criminals in Oakland and New York often produced information about corruption. Such wiretaps also produced information about integrity; after the reform program had begun to take hold in New York, gamblers and others were often heard describing unsuccessful attempts to arrange for paid protection from arrest. The Oakland reform chief had his intelligence division regularly monitor conversations on headquarters telephones without a court order. When information pointed to specific officers, both Oakland and New York obtained court orders to wiretap the officers' home phones. Newburgh did not use wiretaps because they a) had no occasion to and b) lacked the manpower, equipment, and secrecy capabilities necessary for a wiretap. Central City used wiretaps against the evil fringe during the pre-scandal period, but the reform administration apparently obeyed the state law against any form of wiretapping.

To supplement or substitute for the observations of police and civilian informants, three of the reform administrations employed corruption patrollers. In Newburgh and Oakland, the police executive himself would often drive around trying to monitor potential corruption situations. In New York, this task was performed routinely on carefully selected targets by members of various internal policing units. Gambling, prostitution, narcotics sales, construction and illegal

drinking locations were regularly observed in New York for evidence or inferences of protection payoffs. In a different sense of "patrolling," the Oakland I.A.D. regularly interviewed random bailees to see if the jail officers had recommended a particular bail bondsman, and accident victims to see if traffic officers had recommended a particular lawyer for an injury suit--both things being suggestions of kick-backs to police officers.

Perhaps the most proactive tactic for gathering corruption intelligence is the "integrity test." Both Oakland and New York constructed artificial situations which gave police officers the opportunity to commit corrupt acts. The tests were constructed to yield the evidence needed to arrest and convict if the "test" was failed. Oakland confined this practice to its most persistent corruption problem, thefts of property from arrested persons. As early as the first year of the reform administration, Oakland's reform chief asked his friend O. W. Wilson, Dean of the Criminology School at the nearby University of California, to supply some students to serve as actors in a test. The students were dressed up like bums, doused with cheap gin, and left on the street at night. In their pockets were about \$25 in marked bills. An anonymous phone call to the police dispatcher was made by an internal investigator, complaining of the presence of a "drunk." When the "drunk" was arrested, his money and other personal effects were impounded, according to standard procedure. But when the "drunk" was bailed out by another student, the amount of money returned was

\$10-15 smaller than the amount impounded. Evidentiary problems developed during the first several tests, so that arrests could not be made. In the final year of the reform administration, however, two jail officers were caught red-handed in possession of the marked money, dismissed, and convicted of theft. The actors in the final test later joined the Oakland Police Department and were subjected to severe ostracization by fellow officers.

Rather than confining integrity tests to one form of corruption, the New York reform administration used the tactic for almost every form of corruption. Some of them were random tests of conformity to procedures, such as the infamous wallet drop: a wallet containing marked money was given to randomly selected officers on patrol duty to see if they would turn the wallet in to the police property clerk with the full amount of money vouchered. Other tests had more specific targets. Money left in an illegally parked car was often used to test the integrity of police tow truck drivers against whom allegations of thefts during towing had been made. Fake gambling operations were created to see if police officers tried to establish a paid protection arrangement. Perhaps the most complex test of all was the use of an undercover officer posing as a narcotics pusher to see if other undercover narcotics enforcement officers were actually paying out the total amount of "buy money" they claimed to have paid the "pusher" for narcotics in the course of building a narcotics case.

While the integrity test tactic was disliked by the rank and file

in both Oakland and New York, it was again the New York police union which voiced an active protest. When the tests were first disclosed, in the third year of the New York reform administration, the union claimed roving "entrapment teams" were violating the civil rights of police officers, and asked the District Attorney to have the practice stopped. The D.A. replied that entrapment was not a crime but a defense. The department denied that integrity tests constituted entrapment, since the tests only provided an opportunity, and not an inducement, for the commission of corrupt acts.¹

The sources and resources for gathering intelligence on police corruption in each city are summarized as premonitory or postmonitory, and as proactive or reactive. The premonitory and proactive labels are used if a city ever employed those approaches, even if those approaches characterized a small proportion of all internal policing activity. Most of the resources of any internal policing unit are consumed by the reactive processing of public complaints. While ignoring such complaints in favor of other forms of intelligence might be more cost-effective, complaint investigation is defined by most cities as a public trust which must be kept. Consequently, the most proactive and premonitory internal policing system of those studied, New York, proactively initiated only 3.3% of one sample of its 1972 caseload (Meyer, 1976:267). Of that 3.3%, however, many cases succeeded in

¹New York Times, November 29, 1972.

penetrating complex and highly secretive corruption conspiracies. Such penetration occurred in 0% of the post-scandal investigations in Central City.

No matter how great the potential use of an intelligence product is, the actual value is limited by the action which responds to it. The administrative uses of corruption intelligence, discussed in Chapter Five, are primarily preventive: efforts to minimize the organizational conditions of structure, individuals in command positions, and procedures which are conducive to corruption. The investigative use of corruption intelligence is primarily as a general deterrent: efforts to demonstrate the risks of corruption to all officers by punishing a few. Strictly speaking, any deterrent is also a prophylactic, but any deterrent prevents corrupt acts themselves rather than the opportunities to commit corrupt acts.

The deterrence hypothesis assumes the necessity of imposing sanctions in order to deter corruption. Corruption intelligence is only a necessary, not a sufficient, condition for internal policing systems to sanction corruption. Intelligence provides the targets for investigation. Investigation must then assemble the proof--legal and administrative--required for obtaining sanctions. Whether or not that proof can be obtained depends upon how corruption investigations are conducted.¹

¹Meyer (1976) found the nature of the information present at the initiation of a case to be the most powerful predictor of administrative prosecution of police officers for corruption. The tautological inclusion

6.2 - CONDUCTING CORRUPTION INVESTIGATIONS

The conduct of corruption investigations varies among the four police departments in two important respects. One difference is the extent of a police department's capacity to re-act to allegations of corruption, from whatever source, in a pro-active fashion. The other difference is the extent of a police department's capacity to investigate allegations of corruption in a covert fashion. Evaluations of a city's investigative conduct as proactive or reactive and covert or overt are based on the actual employment of proactive or covert strategies in at least one investigation during the period in question.

Reactive and proactive investigative responses to intelligence of police corruption can be distinguished by the investigators' definitions of their targets and by the tactics employed in the investigation. A reactive response is narrowly constrained by the information initiating the investigation. The targets of a reactive investigation are limited to the individuals named in the initial information. The tactics of a reactive investigation are limited to those which confirm or refute only the initial information. A proactive investigative response, however, 1) seeks much more information to supplement that which initiated the investigation, 2) defines the targets of an investigation as the "iceberg" of which the individuals named initially may be only the tip, and 3) uses

of "police officer reported corrupt" in that determining information, however, weakens the importance of that finding. On a comparative basis, it is quite clear that overt investigations do "blow" cases based on good initial information.

any tactic necessary to gather supplemental information and identify the most inclusive target possible.

A covert investigative response to corruption allegations is defined by the target's lack of awareness of the investigation. Several factors affect the probability of keeping the investigation a secret from its target, including the unit conducting the investigation, the secrecy precautions taken by the unit, the timing of the official notification of the target that he has been accused, and the nature of the investigative tactics employed. As it happens, all the overt tactics observed in the four cities are also reactive as defined here, and all the covert tactics observed are also proactive.

The importance of a capacity for conducting proactive and covert investigations of police corruption stems from the apparent effects of these capacities on the sanction rate. A proactive investigative response to corruption allegations seems likely to apprehend and yield sanctions against more officers than a reactive response, assuming that more officers are participating in the corruption alleged than those identified in the initial information. A covert, proactive investigation seems more likely than an overt investigation to apprehend corrupt officers in the act, since the targets' knowledge of an investigation may produce a temporary cessation of corruption activities. Officers apprehended in the act of corruption seem more likely than officers apprehended on the basis of other evidence to be sanctioned because of the nature of legal and administrative require-

ments for evidence.

Criminal convictions for bribery and even administrative discipline depend upon the ability of the prosecution to supply direct evidence of the commission of a corrupt act. Testimony of observations is sometimes sufficient, but more than one independent source of evidence often is required. When there is oral evidence from only the accuser and the accused, the accused tends to benefit.¹ Experienced corruption investigators cite the importance of physical evidence to obtain conviction: tape recordings of conversation during a bribery transaction, and marked bills seized on the person of the defendant. The former head of the Intelligence Division of the U.S. Internal Revenue Service, which has conducted hundreds of bribery investigations, once said that he knew of no bribery conviction that was ever obtained without such evidence.

Table 6-3 specifies the differences between the four police departments in their conduct of corruption investigations, in both the pre-scandal and reform periods.

Investigating Units

The organizational location of the investigators is vital to the secrecy of investigations. In the pre-scandal period in all four departments, corruption complaints often were investigated by the unit in

¹While the common law generally permits criminal conviction with only one source of evidence, Scottish law requires two independent sources. Juries in the U.S. often seem to prefer the Scottish standard.

Table 6-3

The Conduct of Police Corruption Investigations
City and Time Period

Dimensions of Investigations	New York		Central City		Oakland		Newburgh		
	Pre-Scandal	Post-Scandal	Pre-Scandal	Post-Scandal	Pre-Scandal	Post-Scandal	Pre-Scandal	Post-Scandal	
1. Investigating Units	-I. A. D. -Fld. com.	-I. A. D. -Fld. IAD	-Intell. -Fld. com.	-I. A. D. only	-Chief's staff/fld. cm.	-I. A. D. only	None	-Pt. time I. A. D.	
2. Hours on Duty	24	24	Unclear	8	8	24	None	8	
3. Secrecy Precautions	Weak	Good	Weak	Weak	Good	Good	None	Weak	
4. Investigative Target	individu. named in com- plaints	entire corrupt group	individu. named in com- plaints	individu. named in com- plaints	individu. named in com- plaints	entire corrupt group	none	individu. named in com- plaints	
5. Notification of target	last step	last step	inconsist.	first step	unclear	first step	first step	first step	
Overt	6. Reactive Tactics								
	a. interviews	+	+	+	+	+	-	+	
	-intrvw approach	confront.	elicitive	confront.	elicitive	not avail.	not avail.	none	not avail.
	b. subpoenas	+	+	-	-	+	+	-	-
Covert	7. Proactive Tactics								
	a. surveillance	+	+	+	-	-	+	-	-
	b. wiretaps	+	+	+	-	-	+	-	-
	c. "turn-arounds"	-	+	-	-	-	-	-	-
	d. body mikes	+	+	-	-	-	+	-	-
	e. faked situations	-	+	+	-	-	+	-	-
	Total Proactive	3	5	3	0	0	4	0	0
<u>Evaluation</u>									
Covert or Overt	Covert	Covert	Covert	Overt	Mixed	Covert	None	Overt	
Proactive or Reactive	Proactive	Proactive	Proactive	Reactive	Reactive	Proactive	None	Reactive	

which the corruption allegedly existed. Sometimes the commander in charge of an investigation of a subordinate had shared in the take from the corruption alleged. Even when the commander was honest, he was often reluctant to hurt one of his "own" or to bring shame upon his command. And when he was both honest and impartial, the assistant to whom the investigative legwork was assigned often would tip off the investigative target.

Investigations performed by a central I.A.D. have a better chance of maintaining secrecy, for several reasons. First, the I.A.D. staff are unlikely to be involved in the corruption they are investigating (although there were several exceptions to that rule in New York in both pre-scandal and reform periods). Second, the I.A.D. staff are less likely to know their targets on a personal basis (although the smaller the department, the more exceptions there are to this rule). Third, the work of a central I.A.D. staff--including the correspondence they receive and the people who come to their offices--is visible to fewer eyes than that of a field commander or his aides in a district station. For these instrumental reasons, as much as for symbolic reasons, all the departments but Newburgh assigned corruption investigations to specialized internal policing units in the post-scandal period.

Hours on Duty

Wherever corruption investigations are conducted, flexibility of the hours of the investigation is required for the covert, proactive

tactics described below. If an I.A.D. works only banker's hours, as it did in Central City, it is virtually limited to the overt techniques. In the other three cities, investigations during the reform period could be conducted on a 24-hour-a-day basis.

Secrecy Precautions

Secrecy precautions can affect the chances of an investigation remaining covert. New York's corruption investigators used standard unmarked police cars for surveillance work in the pre-scandal period which were so easily identified they frequently blew the case. Under reform, a variety of "civilian-looking" cars were used for surveillance work. In Central City, a persistent problem during the reform administration was that corruption case files kept disappearing, sometimes from the chief's desk. Although file cabinets were locked at night, there was minimal control over the removal of files by investigators during the daytime. In Newburgh, the reform administration established a log at the main desk in headquarters to record citizen complaints against the police. As soon as complaints were recorded, they presumably became common knowledge among the officers.¹ Table 6-3 reports the judgments made on the overall quality of such precautions in each city.

Investigative Target

Reactive investigative responses to corruption complaints limit

¹Confidential tips to the chief, however, were not recorded there.

the investigative target to the officer(s) identified in the complaint. This limited definition of targets has several consequences for the investigation. One consequence is the adoption of a criminal trial model for the conduct of the investigation: evidence is something that already exists, and it either exculpates or convicts the "accused" officer. Witnesses are questioned directly as if they were under oath (which they usually are not) and their responses are taken at face value. If, as often happened in Central City, citizen X denies a complaint from citizen Y that X pays off officer Z, the investigation is closed for "lack of evidence," and the "accused" is thereby "acquitted."

A related consequence of the limited definition of targets is an investigative preoccupation with verifying whether or not the specific events alleged in complaints (or other sources of information) did in fact occur. If the evidence--which "speaks for itself" under this model--does not prove that the alleged events occurred, then the "trial" is over.

A third consequence of the limited definition of investigative targets is an absence of analysis of corruption patterns and trends. Each case is treated as a closed task system, and the case-by-case orientation to investigations obscures the possible connections between cases (Brown, 1971). The possible value of each case as an intelligence source for initiating other cases or for assisting cases initiated in other ways is not exploited.

A final consequence of the limited definition of investigative targets is that it may provide a warning signal to many more officers than the targets of the investigation. If the investigation is successful in apprehending the target, any non-targeted officers who had been participating in the corruption for which the targets were apprehended escape. Moreover, the apprehension of the unlucky partners serves to reduce the probability of apprehending in the future those who escaped from the first investigation. The unapprehended partners, "tipped off" that they are vulnerable to detection, are given a chance to "lay low" and cover their tracks with defensive strategies.

Proactive investigative responses to corruption intelligence define the investigative target by whatever is suggested by the intelligence, rather than just whatever is stated explicitly. If, for example, cooperation by a number of officers is suggested by the intelligence, then the one or two officers identified will be only the starting point for defining the target. This broader definition of targets produces consequences opposite to those of the limited definition of targets.

The broader definition of investigative targets results in a model of investigations more akin to a fishing expedition than to a criminal trial. The information which initiates the investigation only points out the best location for fishing, and does not specify a "charge" which must be adjudicated. Evidence is elusive and may not even exist until the investigators can create a situation in which the ongoing corruption can occur under their eyes.

The broader definition allows the investigation to abandon inquiry into the specific events initially alleged in order to pursue more important or more fruitful lines of inquiry on the same target. The early resolution of citizen complaints is given a lower priority than detecting and apprehending as many corrupt officers as possible. Similarly, cases may be integrated in order to highlight patterns of corruption and the most fruitful strategies for attacking such patterns.

Finally, the broader definition of investigative targets allows investigators to refrain from apprehending individual members of corruption groups, despite the adequacy of evidence for doing so, until the entire group can be apprehended with adequate evidence against it. This freedom offers the possibility of developing the first officer against whom adequate evidence has been found into a "turn-around." Or, the freedom to delay apprehension may merely offer more time for surveillance. In any case, the effect of the delay is to increase the probability of sanctioning the entire corruption group. A New York investigator publicly described his plans for this new strategy:

From now on we are going to try to take the cell rather than the individual who works within the cell, and from there work our way into the channels of organized crime as far as we can before we close in and thus perhaps get the whole operation. (McCarthy, 1971)

Within six months after that announcement, the reform administration had indeed "taken" a forty-member gambling corruption cell.

Rather than arresting the first member against whom evidence was obtained, the internal investigators "turned around" that member and used him to build a case against the "whole operation."

Notifying the Target

The four cities differed on the point at which they would notify the target of an investigation. Under the trial model of internal investigation used during the reform period in Newburgh and Central City, all officers were notified immediately of any complaints made against them. This practice gave the police officers far more protection than the law required. Oakland and New York, on the other hand, kept investigations a secret from the targets for as long as possible, giving no more notification than the law required, which generally meant no notification until interrogation or arrest. If an investigation never reached the point of legally required notification, the target in Oakland and New York was not ever notified that he had been under investigation. The possibilities for fruitfully reopening a case on the subsequent discovery of further evidence were thereby preserved.

Overt, Reactive Tactics

The choice of tactics employed in police corruption investigations provides a clear distinction between overt, reactive and covert, proactive investigations. While overt, reactive tactics may be used as supplements in covert, proactive investigations, overt, reactive investigations do not use any covert or proactive tactics.

Interviews are primarily overt, since anyone interviewed may communicate the nature of the interview questions to the suspected officers. Covert investigations, however, can postpone interviews until other possible tactics have been exhausted, or interview only those people (e. g., the complainant and his friends) least likely to "blow" the investigation. Interviews were the only tactic used in police corruption investigations during the reform period in Newburgh and Central City.

A factor unrelated to secrecy but important for obtaining sanctions was the investigators' approach to witnesses. In pre-scandal New York and post-scandal Central City, witnesses were often treated as if they were the accused--especially complainants. Rather than gently and soothingly eliciting a story from what were usually scared people, the investigators often increased the fear of the witnesses by expressing open skepticism about the witnesses' story. The result was often the loss of the voluntary cooperation of the witness with the investigation, and perhaps of information crucial to the case.

When potential witnesses refuse to cooperate--for whatever reason--there is only one recourse: the subpoena. Whether or not internal corruption investigators will have access to subpoenas for exploratory investigation (as opposed to trial testimony) depends on how close a relationship they have with the local prosecutor. In Central City, cool relations with both a traditional and a reform

prosecutor kept the I.A.D. from ever issuing one subpoena. In New York and Oakland, very close relationships to the local prosecutors facilitated the access to subpoenas whenever they were needed. The presence of a special corruption prosecutor in New York was especially helpful in this regard, according to the reform I.A.D. commander (Guido, 1975).

Covert, Proactive Tactics

Maintaining secrecy and defining the broadest target group possible requires distinctively complex and time-consuming tactics of corruption investigation. In some cases a tension exists between maintenance of secrecy and the gathering of more information, since certain tactics entail some risk of the target discovering the investigation.

Surveillance is a covert tactic which runs a risk of blowing the case. The corruption investigator's manual in New York distinguishes four degrees of surveillance, with "close" surveillance running the biggest risk of detection by the suspect. "Loose" surveillance of an officer is one way to gather more information without the risk of interviews.

If visual surveillance suggests a confirmation of the initial corruption intelligence, then electronic surveillance (wiretapping or bugging) will provide a more detailed test of the hypothesis.¹

¹Although such surveillance is often forbidden by state law.

Any kind of surveillance requires a substantial commitment of personnel resources, wiretapping even more so than visual surveillance. The quality of the initial intelligence seems to determine how great a commitment of resources to surveillance will be made.

If a "turn-around" is developed, or if the complainant is an extortion victim, then a microphone concealed on the body of the turn-around or complainant can transmit statements made during corruption transactions to a nearby tape recorder. The risk of this tactic blowing the investigation, however, is very high. Wary corruption suspects often pat down the body of a person they do business with in order to check for recording equipment. If any equipment is found, the wearer's life may be endangered if he does not have a backup team close at hand. For these reasons, the use of body mikes is generally confined to pre-planned payoff encounters, called "meets." Newburgh did not even have the recording equipment needed for this tactic. Central City had the equipment but refused, even when once requested by a line officer, to use it for bribery arrests. New York and Oakland both obtained many sanctions with it.

The use of body mikes presumes another tactic, the faked situation. The tape-recorded payoff is not a real payoff, but a fake one staged in order to make an arrest during the commission of a corrupt act. The use of faked situations to test integrity for intelligence purposes, which was described above, is little different from

the use of faked situations in the course of an investigation. Again, Oakland and New York used them; Central City and Newburgh did not.

Evaluation

The results of this evaluation of corruption investigations before and after scandal in the four cities are surprising. New York demonstrated almost as great a capacity for covert, proactive investigative responses to corruption intelligence before and after the scandal--although it should be remembered that the sources of corruption intelligence were expanded greatly after the scandal. Central City demonstrated a clear capacity for covert, proactive investigative response to intelligence about the evil fringe before the scandal, but became exclusively overt and reactive after the scandal. Oakland and Newburgh behaved more as expected. Oakland changed after scandal from mixed secrecy/reactive to covert/proactive corruption investigations, and Newburgh changed from no investigations to overt/reactive investigations.

It should be stressed that these labels only reflect the maximum capacity demonstrated during the periods in question, and not the typical or modal investigative response. Most of the resources of the internal policing systems studied were apparently allocated to overt, reactive investigations. The demand for responding to citizen complaints required this allocation. Over and above that shared routine, however, the four cities differed in their demonstrated success at developing and concluding more complex investigations of

organized corruption.

6.3 - INTERNAL POLICING AND SANCTIONS

This chapter claims that covert, proactive and premonitory internal policing systems are more likely to obtain sanctions against corruption than systems which are overt, reactive, and postmonitory. The data necessary for a direct test of this claim are impossible to locate, largely because neither police departments nor courts keep separate statistics on the sociological category of police corruption. Comparing sanctions among police departments poses difficulties since even the same sanctions (e.g., "suspension") can have different meanings in different departments. Two other problems complicate comparison: The variations over time among and within police departments in counting or recording punishments or punished individuals, and the practice of administering single punishments against individuals simultaneously for corruption- and non-corruption-related offenses.

A reasonably good indicator of the absolute rate of sanctions against corruption can be found in the annual dismissals of police officers from a police department. If an internal policing system can prove corruption occurred, a dismissal will usually result. Not all dismissals are for corruption, but most proven cases of corruption¹ produce dismissals, unless the defendant "turns around"

¹Expecting free meal cases and other very minor forms of corruption.

and cooperates with investigators. By making the assumption that the number of corruption dismissals is positively related to the number of all dismissals--which research impressions suggest--then total dismissals can be used to indicate sanctions against corruption.

This indicator is not without its problems of validity. Many strong cases against corruption are never presented because the defendant resigns, either voluntarily or under pressure, before the case comes to administrative trial; those events are not included in this indicator. Many police officers are dismissed after they have been convicted of a felony. Some of those convicted were investigated by agencies outside the police department, and internal policing systems deserve no credit for them; those events are included in this indicator. Worst of all, many dismissals are later reversed by civil service boards or civil courts, and the dismissed officers may be reinstated with back pay. Since such cases can take years, it was impossible to subtract the reinstatements from the dismissals. When a police officer is fired, however, the deterrent effect at the time of firing is not altered by a reinstatement years later, although the reinstatement may alter the climate of deterrence at the time when the reinstatement occurs.

The greatest advantage of this indicator is that it is comparable among police departments. Data were collected for enough years for each of the departments to provide a sample just barely large enough to test the strength of association between differences in internal

policing systems and the absolute level of dismissals per capita (as distinct from the relative number of dismissals per corruption event). While comparisons within departments over time provided mixed results due to the small number of years for each city, the total number of years from all cases provided a sample large enough for fairly clear results. Newburgh, however, had to be excluded, since it did not have any internal policing system for four of the five years under study, and the study is interested only in cases that had at least some method of internal policing.

Table 6-4 presents the characteristics of internal policing systems in the form of an additive scale. The assumption is made, based on the empirical evidence, that item 4 on the scale only occurs in concert with items 3, 2, and 1, that item 3 only appears with 2 and 1, and that item 2 only appears with item 1.

The mean annual dismissals per capita before and after scandal presented in Table 6-4 are calculated from the data presented in Table 6-5. New York shows the most consistent increase in sanctions during the reform period. Central City's dismissal rate declined during the reform period, but that should only reassure us that these changes are related to internal policing systems and not to a post-scandal climate. The score level of internal policing systems also declined in Central City under reform because the covert, proactive methods which had been used against the "evil fringe" during the pre-scandal period were abandoned during reform. Oakland's

Table 6-4

Changes in Internal Policing and Dismissal Rates

<u>City</u>	<u>Internal Policing Characteristics</u>	<u>Changes</u>		<u>Mean Officer Dismissals per 1000*</u>		<u>Percentage Change in Dismissal Rates</u>
		<u>Pre-Scandal</u>	<u>Post-Scandal</u>	<u>Pre-Scandal</u>	<u>Post-Scandal</u>	
New York	1. Covert Investigations	+	+			
	2. Proactive Investigations	+	+			
	3. Proactive Intelligence	-	+	8.3	22.5	+ 271%
	4. Premonitory Intelligence	-	+			
Central City	1. Covert Investigations	+	-			
	2. Proactive Investigations	+	-			
	3. Proactive Intelligence	-	-	24.0	9.1	- 62%
	4. Premonitory Intelligence	-	-			
Oakland	1. Covert Investigations	+	+			
	2. Proactive Investigations	-	+			
	3. Proactive Intelligence	-	+	43.0	42.5	- 1%
	4. Premonitory Intelligence	-	+			

* Pre- and Post-Scandal Years studied were:

New York: 1968-70, 1971-74

Central City: 1969-73, 1974

Oakland: 1953-54, 1955-59

Table 6-5

Data on Internal Policing and Dismissal Rates

City	Year	Dept. Size	Total Officer Dismissals	Internal Policing Score	Officer Dismissals Per 1,000
New York	1968	27,536	20	2	7.3
	1969	29,940	16	2	5.3
	1970*	31,583	39	2	12.3
	1971	31,715	60	4	18.9
	1972	30,861	62	4	20.1
	1973	29,773	82	4	27.5
	1974	31,313	74	4	23.6
Central City	1969	1,021	2	2	19.6
	1970	1,087	3	2	27.6
	1971	1,095	1	2	9.1
	1972	1,081	2	2	18.5
	1973	1,098	5	2	45.5
	1974*	1,090	1	0	9.1
Oakland	1953	697	6	1	86.1
	1954	697	0	1	0.0
	1955*	679	5	4	73.6
	1956	626	3	4	47.9
	1957	642	2	4	31.2
	1958	666	1	4	15.0
	1959	670	3	4	44.8

*Scandal year

Internal Policing Score	N	Mean Dismissal Rate
0	1	9.1
1	2	43.05
2	8	18.15
3	0	-
4	9	33.62
all not	4s	21.02

Difference of Means, 4s - Not 4s = 12.59 ($p \leq .1$, $p > .05$)

+ = 1.43

df = 18

Table 6-6

Relationship Between Internal Policing and Dismissals*

<u>Internal Policing Systems</u>	<u>Per Annun</u>			
	<u>Dismissals Per Capita Officer</u>			
	<u>Under .00200</u>	<u>Over .00200</u>	<u>Totals</u>	
Covert, Proactive, Premonitory	N. Y. =	1	3	
	Oakland =	1	4	
	Central City =	<u>0</u>	<u>0</u>	
	Total	2	7	9
Reactive and Postmonitory	N. Y. =	3	0	
	Oakland =	1	1	
	Central City =	<u>4</u>	<u>2</u>	
	Total	8	3	11
Total	10	10	20	

$$Q = .81 (p \leq .025)**$$

*Strictly speaking, the sample size is not quite large enough for this test, since the expected value of two of the cells is 4.5, slightly less than the conventional minimum of five. Since strong associations tend to compensate for small sample sizes, I have chosen to violate the convention. Moreover, the simple random sampling assumption of the test used for statistical significance is not true here, since the sample was chosen arbitrarily. But as Davis (1971) advises, it is better to use an SRS significance test in such situations than no test at all.

The contributions of each city to each cell in the table are specified in order to demonstrate that no one city swamps the data. The association of the aggregated data is well balanced among the cities.

**A more conservative test of significance, Fisher's Exact test, shows a $P \leq .03215$. Weak statistical significance is to be expected in small samples, however, and the strength of association is still noteworthy.

anomalous decline in dismissals despite an increase in the level of internal policing can be explained away by a "little scandal" in 1953, which yielded many dismissals but no change in the police executive or organizational policies. The "little scandal" phenomenon will be described fully in Chapter Eight.

The mixed results of Tables 6-4 and 6-5 contrast sharply with those of Table 6-6, which show a very strong positive association between the level of internal policing and the dismissal rate in all 20 of the years studied in all three cases. While the test of the hypothesis was unclear on a city by city basis, the test of the data in aggregated form clearly fails to disprove the argument. Granting the assumption of a positive relationship between dismissals for corruption and all dismissals, the data tentatively agree with the theoretical argument that intelligence about ongoing corruption gathered proactively, and followed by covert investigations, is more likely to produce the evidence required for affirmative administrative decisions to impose sanctions.

Other data from New York, however, contradict this line of reasoning. While Meyer (1976:278) found that corruption investigations initiated proactively in 1972 led to the filing of formal charges more often than those initiated reactively, he also found that the nature of the deviance detected proactively was more likely to be what is defined in Chapter Three as an event. Proactive cases are less likely than reactive to discover arrangements, according to

Meyer's data. Further, the nature of the events discovered proactively was likely to be less serious than that detected reactively. Finally, all of the proactive cases prosecuted were against patrol officers, whereas one fifth of the reactive cases prosecuted were against superior officers.

The implication of these findings is that a higher sanction rate may be the spurious consequence of pursuing more easy-to-win cases, rather than the consequence of more effective investigation of organized deviance. Meyer's data, however, omits many of the successful proactive investigations of "gambling pads" and "sergeants' clubs" which occurred in subsequent years. Even if generally correct, it is not at all clear what difference the nature of the detected event leading to dismissal makes for the deterrent effects of such sanctions. Finally, Meyer's data reflect on only one half-year of the twenty years in the sample presented in Table 6-5.

To be sure, dismissals are not the only sanctions levied against corruption. Many informal sanctions are imposed by the department even when no corruption is proven. Many peer sanctions are similarly imposed against honesty. Police departments can make life very uncomfortable for their members in a reform period, pulling them in opposite directions. But the one thing police officers generally fear most is the loss of their pension rights. Since dismissed officers lose their pension rights in most cities, dismissal can be said to be the most powerful sanction against corruption.

It is worth noting the striking differences in officer dismissals per 1,000 among the cities. At the height of reform in New York (1973), the dismissal rate was just barely above the Central City mean dismissal rate for the five years preceding the big Central City scandal. The former rate reflected an all-out effort to detect and sanction corrupt officers; the latter rate apparently reflected an effort to control the marginal, evil fringe of the department who exceeded the acceptable limits of corruption. Oakland, which apparently had far less organized corruption persisting into the reform period than New York, had almost twice the dismissal rate of New York in their respective reform periods. Of course, the cities vary to an unknown extent in the proportion of all dismissals which is corruption-related.

These contrasts are all the more striking when one considers the relative size of the internal policing system in relation to the dismissal rate. New York in the reform period had a ratio of one internal policing officer for every 64 police officers, while Oakland had a ratio of one to every 216 officers. Overall, the rank order correlation of internal policing system size with mean dismissal rates ($r_r = - .37$) is not significant ($z = .83, p > .05$).

Newburgh, which reported the most dramatic cessation of all corruption of the four cities, had the highest sanction rate for a single year of any of the four cities. In the scandal year of 1972, 234 officers per 1,000 (that is, 15 real officers out of 64) were indicted for

corruption and ultimately dismissed, a rate ten times that achieved by New York in any year and almost three times that achieved by Oakland in its highest year for dismissals.

Two additional problems remain. First, the absolute level of sanctions (or, operationally, dismissals) says nothing about the certainty of a given corruption event being punished. In order to support a claim that an absolute increase in sanctions also increased the certainty of punishment, the data would have to show that the number of potentially punishable events stayed the same or--as predicted by the deterrence hypothesis--decreased. If the rate of corrupt acts increased faster than the absolute rate of sanctioning, then the certainty of each corruption act being sanctioned would actually decline. It is possible that the correlation shown by the data is spurious, reflecting a constant proportion of corruption acts sanctioned for an increasing number of such acts. While the data presented later suggests that corruption became less organized when the level of internal policing increased, it says nothing about the total number of corrupt acts.

A second problem makes the sanction rate problem less important. Let us assume that the absolute increase in sanctioning does in fact increase the certainty of sanction for a given corruption act, i. e., the annual rate of corruption acts declines or remains the same. How is Officer Jones to know of that fact? He may know that Smith or Reilly got fired for bribery last week, but in a

department as big as New York he may not even know that. Assuming that Jones pays attention to the sanctioning rate, it is still highly unlikely that Jones will be told of all the corruption acts committed by his colleagues. Henshel and Carey (1975) have elucidated this point as a major lacuna in deterrence theory: the unknown connection between objective certainty and subjectively perceived risk of sanctions. While the perception issue poses no empirical problem in observing relationships between sanctions and deviance, it does leave open the possibility of alternative theoretical accounts for the observations.

The argument in this study, fortunately, rests on more than sanctioning rates. An increase in sanctions is only one aspect of post-scandal reform of corruption control policies. The argument also claims that the intelligence-gathering strategies themselves have a deterrent effect, through perception of increased risk, and that certain administrative policies have a preventive effect on corruption opportunities. Scandal is also claimed to have a deterrent effect, but its main importance lies in producing reform: changes in administration, internal policing, and sanctions. Since scandal does not explain the variations in police reform once it occurs, however, it is worth pausing to account for reform variations before considering the effects of reform.

Chapter Seven:

EXPLAINING REFORM POLICIES¹

Why do some police departments, and not others, adopt premonitory strategies to control corruption? Why do some reform administrations, and not others, choose the policies which this study suggests are more effective for sanctioning police corruption? Many police professionals, when this question is put to them, tend to answer, "Where there's a will there's a way." Their explanation is that police executives who don't adopt premonitory strategies have not adopted the goal of controlling corruption. Both communities and police executives are said to need "guts" to control corruption, and that the necessary means are so obvious that they follow naturally from the goal of controlling corruption.

But the empirical evidence suggests that the goal of controlling corruption and the choice of means for doing so are quite distinct in their origins. Means are not specified by goals. Successful scandal seems to crystallize a community's goal to control police corruption, and the evidence suggests that all of the reform police executives studied here sincerely wanted to control corruption. Given the uniformity in goals among the four cities, other factors

¹Portions of this chapter were originally presented in a paper prepared for the Conference on the Determinants of Police Behavior, University of Denver, February, 1976.

must be examined to explain the differences in the control strategies employed.

Two kinds of determinants of control strategies merit consideration. One is the source of the strategies, the immediate causes for adopting premonitory rather than postmonitory strategies. The other determinants are the obstacles and constraints, the negative or countervailing forces against adopting premonitory strategies.

7.1 - SOURCES OF PREMONITORY REFORM

There are several rival hypotheses to consider here, drawn from various branches of sociological and administrative theory. All are plausible, but only one--an organizational theory--stands up to the evidence. One group of hypotheses addresses the nature of the information available for corruption control. Another group speaks to the characteristics of the reform executive's role and individual background. Both explanations will be rejected in favor of an hypothesis about police organizational capacity.

Information and Corruption Control

Perhaps the most central element of a premonitory corruption control strategy is the gathering of premonitory corruption intelligence. The case of Newburgh demonstrates that premonitory anti-corruption management is possible without premonitory internal policing. But the analysis presented in the last chapter strongly suggests that premonitory internal policing is not possible without proactive intelligence gathering. This requirement of proactivity

stems from the social organization of information about the deviance and the necessity of gathering such information in order to punish the deviance with official sanctions.

In the seminal statement of this point, Bordua and Reiss offer a proposition which, while true, fails to explain the differences in control strategies adopted:

Police strategy and tactics become proactive... where the individual citizen is not directly threatened and hence does not mobilize the police. Information on crimes of this nature must generally originate, therefore, with police work, including the use of the undercover agent.... (1967:41)

In all cases of proactive strategy there is indeed an absence of citizen-generated information, but the reverse is not true. Proactive strategies are only developed to deal with some, and not all, of the kinds of violations which lack complainants.

Black offers an explanation for the lack of complainants and for a tendency towards proactive strategy, but the present study provides exceptions to both points:

Antimobilization norms seem to be particularly strong among the rank and file wherever there is a clear split in the authority structure of a social system... Whenever there is comparatively open conflict between an authority system and those subject to it,.... there will be pressure for greater use of the proactive control strategy. We should therefore expect that governments disproportionately adopt proactive systems of legal mobilization when a social control problem primarily involves the bottom of the social-class system. (1973:140-141)

Evidence presented in Chapters Five (Table 5-9) and Six demonstrated the tendency during a reform period of peers at the bottom of the police department's hierarchy to violate antimobilization norms, despite the clear split between the reform executive and the rank and file over corruption. Even without that evidence, however, the tendency to use a proactive policing strategy during open conflict between rulers and ruled clearly did not apply to the Newburgh and Central City cases, which had such conflict without proactive policing.

In a discussion of the general problem of controlling discretion within organizations, Thompson points out the need for proactive internal policing and explains its occurrence by reference to rationality norms:

Organizations typically develop procedures for testing compliance with rules and for detecting misappropriation of organization resources, favoritism, and bribery.

....organizations everywhere, subjected to rationality norms, will employ policing tactics. (1967:122) (emphasis added)

Several reasons for the frequent failures of police departments to follow rationality norms were offered in Chapter One. Those reasons, however, applied equally to all four cases. The reform administrations using proactive internal policing were no more or less subject to irrational tendencies than those using reactive internal policing. All three of the above propositions, then, correctly argue the rational necessity of proactive intelligence gathering, but none successfully explains the presence or absence of that strategy.

The Police Executive

Business school reviews and discussions among managers frequently stress the importance of a chief executive's background in determining his leadership style and policies. Two factors often stressed in such analyses of police executives are their education and prior work experience. Police executives who have graduated from college and worked in more than one law enforcement agency are generally predicted to be more innovative than non-graduates who have spent their entire careers in the agency which they head. Innovativeness can be measured by both the number and the nature of innovative policies, with one radical departure--such as premonitory corruption control--being worth many minor alterations of past policies.

Neither of these variables explain a reform executive's adoption of premonitory corruption control. The four reform executives studied all had identical backgrounds in these terms. Each was a college graduate (two very different ones from the same college), and each had spent at least several years in another law enforcement agency. Even the nature of their responsibilities in the other agencies --which varied considerably--bore no relation to the choice of corruption control strategies.

A more sociological variable is the nature of the role constraints on the reform police executive. The nature of the executive's tenure, the anticipated and real amount of time the executive has in office, and

whether he is perceived by the rank and file as an "insider" or "outsider" would all seem to affect the choice of control strategy. An executive serving at the pleasure of a City Manager might worry less about controversy resulting from radical innovations than one who serves at the pleasure of an elected municipal executive. An executive who stays, or expects to stay, a long time may perceive a better chance of implementing the complex details of a premonitory strategy. An outsider may have fewer conflicting loyalties between improving the department and embarrassing or hurting old friends in command.

None of these role characteristics, however, seemed to make any difference, as Table 7-1 suggests, in their choice of control strategies.

Table 7-1

Executive Role and Choice of Control Strategy*

<u>Executive Role</u>		<u>Control Strategy</u>	
		Premonitory	Postmonitory
1. Appointed By	City Manager	2	0
	Mayor	1	1
2. Over Two Years	yes	2	0
	no	1	1
3. Outsider	yes	2	1
	no	1	0

*Newburgh will be classified as premonitory here, despite its postmonitory internal policing, for the sake of simplicity; the reform administration there was, in my judgment, more premonitory overall than postmonitory.

The most controversial of the four reform executives served at the pleasure of an elected Mayor (in New York), so tenure does not explain the differences. Neither does length in office; the New York executive

changed policies (if not sanction rates) as much in two and one-half years as the Oakland executive did in five. The one completely premonitory case was admittedly the shortest reform administration (Central City). But the Newburgh executive expected to last exactly as long as the Central City executive expected (and lasted), so the anticipated length of tenure does not explain the difference in their choice of control strategies. Finally, the Oakland executive, an insider, was far more premonitory than the Central City executive, an outsider; this distinction does not seem to predict the choice of control strategy either.

Organizational Capacities

Police departments in the U.S. vary widely in their competence at both policing and the management of policing. This should be no surprise; some businesses have a much higher profit rate than others, some hospitals have a lower death rate during surgery than others, and so on. Because reported crime rates do not even purport to measure police performance, and because no other comparative data are collected and publicized, the differences in the competence of police departments are not as visible as those among publicly-held corporations. Yet most police officers will say that some police departments are "better" than others.

One policing task that police departments vary widely in their capacity to perform is the investigation of complex, highly organized, clandestine crimes. This category of crimes can only be policed

through covert, proactive and premonitory methods. Some departments, particularly port cities, developed this capacity in order to control foreign espionage between the World Wars. In the 1950's and 60's, those departments expanded that capacity to focus on the "mafia" families in their cities, as well as "subversive" or radical political organizations. For some reason, however, many other departments, even large ones, failed to develop any kind of intelligence gathering capacity, and remained almost entirely postmonitory in their approach to all crimes under their jurisdiction.

Now, police corruption at the time of a big scandal fits the category of complex, highly organized, clandestine deviance. Where the capacity to police that category of deviance is already present in police departments in the pre-scandal period, the demand for control of corruption is met by applying that capacity to corruption. In effect, Oakland and New York used no methods for policing corruption that had not been used previously for policing something else. That was also true in Newburgh and Central City--except that those cities had never developed a premonitory policing capacity for any kind of crime. The latter two cities policed corruption like they policed every other kind of crime: with overt, reactive, postmonitory strategies. Central City did have a covert, proactive (but not premonitory) capacity, however, that was not applied to corruption.

The capacity for administering the police task, for making the rank and file conform to certain standards and goals for perform-

ance, is a second basic difference between police departments. Every department has some capacity for line management control, no matter how poor. Yet most police management is clearly post-monitory, from the sergeant who reads the shooting report after the suspect is dead to the chief who meets with black community leaders after the riot. The capacity for closely monitoring the performance of subordinates, for identifying and preventing problems, and for setting goals and achieving them is a rare thing in U.S. police departments. The reasons for the presence or absence of this capacity are entirely unclear, yet experienced observers can generally identify it after spending a few days watching supervisors perform their jobs at different hierarchical levels of a police department.

None of the four cases, according to the interview evidence, had actually demonstrated a premonitory management capacity before the scandal. In two of them, however, New York and Oakland, there was a young generation of ambitious and better educated officers just under the middle management level who were eager to adopt a "tight" management approach. By opening up key management positions to this cadre and demanding accountable performance, the reform executives in New York and Oakland made use of a latent capacity which had never before been tapped. Central City followed the same pattern in filling two top jobs, but that change was far less sweeping than the changes of command personnel in Oakland and New

York. Newburgh used lateral entry--a forbidden method in most police departments--to import a middle management capacity (three new deputy commissioners) along with the reform executive, all of whom had been schooled elsewhere in tight management control.

Over a long period of time, the capacity for both premonitory policing and line management could probably be developed in any police department. But one thing reform executives do not have is time. Regardless of how long a reformer ultimately lasts, the pressure for taking some kind of action is greatest in the immediate wake of the scandal. Though a long term strategy may be to build up the department's capacity, the immediate response to scandal cannot await the hiring of new recruits and training them to become a new generation of managers, or to become skilled enough to successfully perform premonitory investigations. In the short run, a reform executive can only use whatever he has.

The fact that the necessary capacity for corruption control, where it was available, was not applied to corruption until scandal recalls the "ends and means" issue. The available means were not used until scandal produced the necessary ends, but if the premonitory means were not at hand, simple adoption of the goal of controlling corruption could not produce them.

Despite the economy of this hypothesis, a plausible rival must also be observed: premonitory reforms will not be adopted in the presence of the three specific obstacles described below.

7.2 - OBSTACLES TO PREMONITORY REFORM

While it is true that the cases of premonitory reform all had an extant or imported premonitory capacity, it is equally true that Central City, the one completely postmonitory case, was the only one with three crucial obstacles to reform. One obstacle, already discussed, was the problem of history. Two related problems were the internal assumption of innocence and the absence of external support for the reform executive.

The Problem of History

All four executives faced the problem of past corruption at the beginning of their administrations. Only Central City, however, had to face a massive catalogue of published allegations with no legal proof of, or indictments for, corruption. The other three all had independent confirmation by the criminal justice process of corruption, giving the executives in those cities a clearer justification for undertaking controversial reforms. The reform executive in Central City initially relied on an F. B. I. investigation of the newspaper's allegations as his means of seeing history resolved, but there was no resolution. After four months, the federal investigation produced no more than the newspaper's investigation, and there still were no indictments.

A few local indictments were eventually handed down, but they were pitifully minor charges in comparison to the extent and seriousness of the newspaper's allegations. Investigations by

internal and external policing units were always "continuing," and drastic, premonitory action seemed unjustified to the reform chief and his superiors until the corruption was proven to have been as systematic as the news stories had claimed. In the other cities, where criminal indictments had supported the scandal, there had been no question that "drastic" action was necessary.

The Assumption of Innocence

The legal presumption of innocence embodied in the criminal process should not be confused with the working assumptions of law enforcers. The work leading up to an arrest and prosecution of most defendants is guided by the dual assumption that a) a crime has in fact occurred and b) the suspect is probably guilty. Even if the needed legal proof is never found and no arrest is made, the working assumptions remain the same.

In most investigations of public complaints against police officers, the assumptions of internal policing units depart from the normal investigative assumptions. Like other "professionals," police officers--including those charged with the task of investigating their colleagues--seem to assume a colleague is innocent until he is proven guilty. Most internal investigations assume that a) a crime may not have occurred, and b) the accused officer is innocent. As a 1965 survey found, "Many chiefs of police refuse to believe that a member of their department may be engaged in criminal activity and general misconduct" (Lacouture, 1965:541). Only a major scandal,

confirmed by criminal indictments generated by external investigators in New York, Oakland and Newburgh, seemed to produce among internal investigators the same operational assumptions of guilt for police corruption as for other kinds of crimes.

Both premonitory internal policing and management are predicated on an assumption of guilt, or untrustworthiness. One goes looking for ongoing crime or corruption only if one thinks it is out there to be found. One devises strategies to prevent corruption opportunities only if one believes that corruption is otherwise probable. Because the reform administrator in Central City had not been convinced that there was ongoing corruption and great potential for more, he saw no purpose for premonitory strategies. The other three reform executives assumed that corruption had been widespread, that it had a continuing potential for resurgence, and that a premonitory strategy was therefore necessary to control corruption.

One reason the Central City executive made his assumption was that no one had presented him with the evidence he thought necessary to prove historical corruption. Another reason is that constant attacks on the executive by the press, the main source of the corruption allegations, made him skeptical of anything the press reported.

Lack of External Support

The editorial policy of local newspapers generally supports a

reform police executive, especially if the papers have taken an active role in the making of a corruption scandal. Given the frequent support for the status quo by influential politicians and vocal police unions, the press may be the only source of external support for reform. If a reform police executive serves without safe tenure, he appreciates all the support he can get in standing down external opposition. But if a newspaper decides that a reform executive is not adopting enough, or the "correct," policies of reform, it can turn against the reform executive and leave him totally without external support. That is what happened in Central City.

Other reform executives face the potential for alienation of the press. The reform executive in New York was attacked for giving the impression that corruption was confined to "rotten apples," but the Knapp Commission subsequently provided the public documentation he needed to "bite the bullet" and concede the pervasiveness of corruption. The Commission provided an added element of external support for reform that the reform executive could invoke as justification for the reform policies attacked publicly by the police union and pro-police city councilmen. The New York reform executive later reflected that he would have attacked corruption under any circumstances, but he could not have moved as swiftly as he did without the outside pressure of the Knapp Commission justifying his controversial policies (Murphy, 1976). Most important, perhaps, was that the Knapp Commission made it easier to publicly accede to the

press' definition of corruption as systemic rather than isolated.

There was no Knapp Commission in Central City. In the absence of strong outside pressure to define corruption as systemic, the reform executive was apparently persuaded by internal definitions of the corruption charges as exaggerations, which, one must concede, they may have been. One of the first acts of the reform chief was to punish an aide to the pre-scandal chief for leaking word to the press of the pre-scandal chief's theft of city-owned furniture from the office of the chief. The leak was indeed a violation of department rules, but the zealots and the reporters interpreted the disciplining as an attempt to discourage corruption disclosures. The legalistically oriented chief seemed to define the press criticism of his move as a personal attack, and his relations with the press went steadily downhill.

The press in Newburgh and Oakland had been more passive in relation to the scandal and took less notice of the policies of the reform executive. The business community gave strong support to the reform policies in both those cities, and opposition was largely confined to the police rank and file. But the strong external opposition to reform in Central City (one reputedly corrupt ex-Mayor was said to be out to "get" the reform chief) and the absence of external support fed a vicious cycle of the obstacles to premonitory reform:

- a) The absence of legal proof of past corruption suggested
- b) the assumption that widespread corruption did not exist,

producing

- c) policies which alienated the one external source of support for reform, the press, whose increasing attacks led the reform chief to emphasize that
 - a) the only proof of corruption was supplied by the press, the suspect motives of which reenforced
 - b) the assumption of innocence, which indicated that
 - c) premonitory control policies were inappropriate.

and so on. Had these obstacles not been present, it is conceivable that a premonitory corruption control strategy would have emerged. Recalling the organizational capacity hypothesis, however, it seems unlikely that any reform chief could have simultaneously upgraded the managerial and investigative competence of the department while simultaneously launching an all-out attack on corruption. What seems most likely is that a premonitory capacity and an absence of obstacles would have produced premonitory policies in Central City. But as a rule, one could predict that the nature of organizational capacity available to a reform executive will influence the choice of control strategy more than, or regardless of, the obstacles to premonitory reform.

* * * * *

The choice of control strategy is only important insofar as one strategy is more effective than another in controlling corruption. The evidence presented earlier provided a theoretical rationale for why a premonitory strategy should be more effective than a post-

monitory strategy. In the following chapters, a variety of indicators will be used to analyze the effects of the control strategies in the four cases. While the study was not designed to compare the relative effectiveness of different strategies, the natural history of the corruption control process in each city fails to disprove the superior effectiveness of the premonitory approach.

PART IV:

EFFECTS OF SCANDAL
AND REFORM POLICIES

The next two chapters present data indicating changes over time in the level of organization of police corruption. The level of police corruption organization is defined as the amount of cooperative action among both police officers and citizens participating in police corruption. Organization is therefore treated as a quantitative variable.

The amount of organization present in corruption activity may increase or decrease over time. A high level of corruption organization denotes extensive cooperation generally among actors, such as that required for guaranteeing a brothel total immunity from raids. A low level of corruption organization denotes minimal cooperation generally among actors, such as a theft from an arrested citizen by a lone police officer.

Levels of corruption organization are measured by indicators of the relative dominance of high-cooperation vs. low-cooperation corruption activities during given periods of time. Active cooperation among officers, passive cooperation among officers, cooperation between police and citizens, and the duration of cooperation in police corruption relationships are each examined.

Changes in the level of organization of police corruption indicate the deterrent effects of control strategies. Organization is a weapon which permits more deviance to be accomplished more effectively (Selznick, 1960). A regular, predictable source of illicit income is not possible for police, or politicians controlling

the police, without organization: cooperative action among both police and citizens participating in corruption. But organization is not just an economic asset. It is also a weakness in the face of control. Precisely because organization makes corruption predictable, organization makes corruption vulnerable to detection as well (Reiss, 1973).

The greater the level of corruption organization, therefore, the greater the potential risk of sanctions for corrupt officers. In the absence of data on how many corrupt acts occur at any point in time, the extent to which control strategies deter corruption can be inferred from the level of organization: the less organized corruption becomes, the greater the deterrence would seem to be. This inference is based on the assumption that participants themselves view the more organized forms of corruption as more dangerous, and will terminate them when control is increased, perhaps entering less organized forms of corruption which bear lower probabilities of detection.

Three factors are tested for relationships with changing levels of corruption organization: scandal, police organizational control policies, and sanctions. The relative strength of each of these explanatory factors in influencing corruption organization is difficult to assess, but some inferences about the independent relationships of each of them to corruption are possible. Two cases of scandal without premonitory control policies can be analyzed.

Sanctions (dismissals) can be correlated annually with the indicators of the level of corruption organization. Reformist corruption control policies in two cases lasted longer than either scandal or high sanction rates.

Before considering the separate effects of these explanatory factors, it is useful to restate how they are related. In the three cases used most often here, scandal was chronologically the first variable to appear. In the fourth case (Newburgh), as well as in some cases not studied (e. g., Denver, 1961), apprehensions of corrupt officers came first, producing a scandal. But since Newburgh presented so little data on change in corruption (except that corruption apparently ceased completely) it will be omitted from much of the analysis here.

In the three main cases, successful scandal, defined as the public labelling of a police department as a deviant organization, was followed by changes in police organizational control policies. Whether those policies were premonitory or postmonitory depended on a fourth, exogenous variable: organizational capacity. As Table 6-6 suggests, there is a strong association between the choice of organizational control policies and the rate of dismissals. In addition to these inter-relationships, scandal, organizational policies, and sanctions are each hypothesized to have influenced corruption directly. Put more formally:

1. Successful scandal produces change in organizational control policies.
2. The more premonitory the existing organizational capacity, the more premonitory the new corruption control policies.
3. The more premonitory the corruption control policies, the higher the sanction rate.
4. Successful scandal reduces the level of corruption organization in the short run.
5. Premonitory corruption control policies reduce the level of corruption organization over the long run.
6. The higher the sanction rate, the lower the level of corruption organization.

For the most part, propositions 4 and 5 survive the test of the data presented in this chapter; the evidence does not support proposition 6. The data most relevant to each of these three propositions are considered separately, but of necessity there is considerable overlap. Some data are relevant to all three propositions, and that relevance is considered wherever the data are reported.

Chapter Eight:

EFFECTS OF SCANDAL

8.1 - BIG AND LITTLE SCANDALS

"Big" police corruption scandals successfully define the entire police department as a corrupt organization. Many "big" scandals are preceded by a "little" scandal about two years earlier. The "little" scandal, which does not succeed in labelling the organization as deviant, may or may not produce an increase in sanctions. Only in New York did a little scandal produce a change in organizational control policies or leadership. "Little" police corruption scandal occurred in all of the four present cases, as well as in Denver, 1958-60 (Foster, 1966), and in the New York City Buildings Department, 1972-74. The big scandal is often connected to the little one, in the sense that the disclosures made by the little scandal mobilize various social control actors to investigate corruption in greater depth, producing a bigger scandal than before when the investigations' findings are disclosed. In addition, the likelihood of a big scandal occurring may be increased by the effects of the little scandal on corruption itself.

Preliminary research suggested that little scandals producing no sanctions tend to be followed by an increase in the organizational level, and therefore the visibility, of police corruption. After the little scandal in Denver, which produced no sanctions, the

practice of police burglaries spread from one precinct to every precinct (Foster, 1966:186). In the New York City Buildings Department, the prices of various types of payoffs demanded by building inspectors increased after the little scandal, which had produced only a few sanctions. In Newburgh, the diversity of corruption increased from five distinct types before the little scandal (with no sanctions) to eight thereafter. Similar indications were found in the three other present cases, but an overall assessment of changes in corruption fails to show conclusively that the level of corruption organization increases after a little scandal.

The main point is that in no case did a little scandal produce a clear decrease in the level of corruption organization. This finding may be unreliable, because the big scandal tends to dredge up many allegations of corruption which took place in the recent preceding years--i. e., the period between the little and big scandals. If a higher proportion of corruption is reported for the period between the scandals than for the period before the little scandal, then a real decline in corruption might be obscured by the increase in reporting. Similarly, an apparent decline in corruption after a big scandal might merely reflect a decline in reporting as public interest in police corruption wanes.

Assuming that the relative proportions of highly-organized and less-organized forms of corruption that get reported do not change--even if the proportion of all corruption reported does

change--then it is fairly safe to conclude from the evidence that a little scandal does not deter corruption. Instead, the opposite might even be the case (Sherman, 1975): a little scandal, by demonstrating the failure of public disclosure of corruption to produce sanctions, may embolden corrupt officers to take greater risks with more visible, more highly organized forms of corruption. Yet a big scandal, even without sanctions or premonitory policies, does seem to reduce the level of corruption organization, at least in the short run.

8.2 - BIG SCANDAL WITH POSTMONITORY CONTROLS

The available data on the effects of a big scandal in the absence of premonitory control policies or higher sanction rates is limited here to one case, Central City. The finding is corroborated by the effects of another scandal, more dramatic than the little scandals yet unsuccessful in labelling and therefore not "big" as defined here, which did not produce premonitory control policies but did temporarily increase the sanction rate. This second instance is also drawn from Central City; the two occurred ten years apart.

In 1964, twenty-some Central City police officers were indicted on bribery charges and dismissed from the department. According to a wide range of sources (see Table 2-5), the well-organized corruption activities in the department ceased altogether shortly after the indictments. The prosecution of the cases dragged on for two years, but most of the dismissed officers were reinstated.

Only after the indictments were dropped did any reports of corruption again surface. The reconstructed picture shows a few types of corruption in 1966, more in 1967, and a full range of corruption types by 1968. While it is hard to separate the sanctions (dismissals) from the scandal over the indictments as the cause of this apparent decline in the level of corruption organization, it is clear that organizational control policies had no relation to the observed effects. The lack of any internal corruption control policies remained constant before, during, and after the 1964 indictments/scandal.

Ten years later the press created another corruption scandal, but nine months after the scandal commenced, only three officers were indicted. The officer dismissals per capita during the first year of scandal and reform dropped substantially, from 4.5 per 1,000 in 1973 to less than 1 per 1,000 in 1974. The reform administration's organizational control policies were basically postmonitory. Whatever changes took place in the level of organization of corruption should therefore be attributable to the scandal alone--which persisted in the headlines for the entire year. A rival hypothesis, the possibility that postmonitory corruption control policies deter corruption, will be considered later. First, the data.

Active Cooperation Among Officers

One of the best indicators of the level of the organization of corruption is size: the number of police officers participating in a

persuasive analysis, given that the N of all arrangements reported in 1973 is twice the N of 1971, is that the 1972 little scandal encouraged both 1 and 2+ officer arrangements, but more of the former; the big scandal of 1974 then deterred many 2+ officer but few 1 officer arrangements. A small error in the Ns, however, would change these findings drastically.

Passive Cooperation Among Officers

Cooperation in police corruption embraces more than just active participation in financially rewarding ventures. Inaction provides important kinds of cooperation as well. One form of cooperative inaction is not invoking social control against actively corrupt colleagues. Another form of inaction is not enforcing the law against violators who have paid police supervisors for immunity. The first form of cooperation is indicated here by the diversity of reported corruption types. The second form is indicated by the highest rank level reported corrupt.

Diversity

The more discrete types of corruption one finds in a department at a given point in time, the more participation in corruption there would seem to be throughout the department. The types of corruption one can engage in are limited by one's functional and geographic assignment. Certain types can only be performed in certain assignments. It is not too gross an inference, then, to assume that the number of types reported reflects the degree to

which corruption extends to many diverse units in the department.

While not a direct measure of cooperative (in)action, more pervasive corruption implies the tacit cooperation among "clean" police officers in more units in the agreement not to invoke social control.

Table 8-2 lists the types of corruption arrangements and events present in each year, summarizes the number of arrangement-types of each year, and summarizes the total number of types of arrangements and types of events reported in each year. Both totals suggest an increase in corruption organization after the little scandal, and a decrease in corruption organization after the big scandal. Once again, however, the small size of the Ns make the evidence extremely weak.

Table 8-2

Types of Corruption Reported: Central City

Types	Year				
	1970	1971	1972	1973	1974-75**
I. <u>Arrangements*</u>					
"Gangster" Protection	+	+	+	+	-
Homicide Protection	-	+	-	-	-
"Fence" Protection	+	+	+	+	+
Drug Pusher Protection	-	-	+	+	-
Burglar Protection	-	-	-	+	+
Bond Setting Bribes	-	-	-	+	+
Bootlegger Protection	+	+	+	-	-
Gambling Protection	+	+	+	+	+
Illegal Parking Protection	-	-	+	+	-
Tavern Violations Protection	-	-	-	-	+
Prostitution Protection	+	+	+	+	-
Traffic Bribes Protection (Cmdr.)	+	-	-	-	+
Recruiting Prostitutes	-	-	-	+	-
Police Auto Theft Ring	-	-	-	-	+
Officers Selling Drugs	-	-	-	+	+

*Defined above as repeated occurrences, duplicative of the specific individual officers and civilians in the interactions.

**March-March.

Table continued next page...

Table 8-2, continued	1970	1971	1972	1973	1974-75
Police Operated Gambling	-	+	+	-	+
Police Fencing	-	-	+	+	-
Police Burglary Ring	+	+	+	+	-
Police Auction Embezzlement	+	+	+	+	+
Sale of Promotions	+	+	+	+	-
Sale of Forged Licenses	-	-	-	+	-
Bail Bondsmen Kickbacks	-	-	-	-	+
Dept. Materials Theft	+	+	+	+	-
Charity Fund Embezzlement	-	+	+	+	-
Tow-Truck Kickbacks	-	-	-	-	+
Total Arrangement Types	10	12	14	17	12
II. Events					
Theft During Arrest	+	-	+	+	+
Prisoner Escape Bribe	+	+	-	-	-
Traffic Bribe	-	-	-	+	-
Tavern Shakedown	-	-	-	-	-
Prostitute Shakedown	-	-	+	-	+
Drug Pusher "Fix"(criminal proc)	-	-	-	+	+
Gambler "Fix"	+	+	-	-	-
Shoplifter "Fix"	+	-	-	-	-
Unspecified "Fix"	-	+	-	+	-
Burglary "Fix"	-	-	+	+	-
Rape "Fix"	-	-	-	+	-
Fence "Fix"	-	-	-	+	+
Assault "Fix"	-	-	-	+	-
Robbery "Fix"	-	-	-	-	+
Police Burglary	-	-	+	-	-
Police Arson	-	+	-	+	-
Police Sale of Stolen Item	-	+	-	-	+
Police Theft of Auto	-	-	+	-	-
Police Fraud	-	-	-	+	-
Police Theft-Citizen	-	-	-	+	-
Police Robbery	-	-	-	-	+
Theft from Dept. Gun Room	+	-	-	-	-
Sale of Police Records	-	-	+	-	-
Police Equipment Theft	-	-	-	-	+
Total Event Types	5	5	6	11	8
Total Arrange. and Event Types	15	17	20	28	20
% Change from Previous Year-- Arrangement Types		+20.0%	+16.7%	+21.4%	-29.4%
% Change from Previous Year-- Event Types		0%	+20.0%	+83.0%	-27.3%
% Change from Previous Year-- Total Types		+13.3%	+17.6%	+40.0%	-28.6%

Rank Level

The participation of any officer of supervisory rank in corruption generally implies at least the passive cooperation of the officers under his supervision in that corruption. Those subordinates may not receive any money from the supervisor, but they usually comply with his demands to refrain from enforcing certain laws against the law-breakers paying for police inaction. Occasionally, a supervisor may commit a corrupt act which does not require cooperation of his subordinates, such as selling perjured testimony or accepting a free meal. But such acts seem to be relatively rare, and most reports of corruption by supervisors indicate at least tacit cooperation of their subordinates.

Because of the pyramidal structure of police department hierarchies, the higher the rank level of the supervisor, the more subordinates under his command. While ten sergeants may supervise more subordinates than one lieutenant, it is not too gross an inference to assume that the higher the highest rank level reported corrupt, the more subordinate officers there are cooperating in the corruption. Attempts to count the number of corrupt supervisors at each rank level are subject to greater error than attempts to determine whether there were any supervisors corrupt at each rank level, so the latter is the preferred indicator of the extent of passive cooperation in police corruption among subordinates.

Table 8-3 identifies all the rank levels that are reported to

have had at least one actively corrupt individual in a given year. By focusing on the top level, the indicator is left with only a problem of validity. Since several different sources confirmed the report of the top level in each year, however, the validity problem is less consequential (Webb, et al, 1964). By giving the highest value to the highest rank (7 = chief), the measure is constructed to decrease in value as the rank level, and the amount of subordinates' cooperation it indicates, decreases.

Rank level fails to show any change after the 1972 little scandal, but it does show the effects of the 1974 big scandal. The incumbent of the highest position was removed, but his deputies remained in office for some time thereafter, apparently terminating their corruption involvements. After a newspaper reporter caught a major embezzling funds in the early days of the reform administration, the highest rank level reported corrupt fell to the level of captain.

Table 8-3

<u>Rank</u>		<u>Year</u>				
		<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974-75*</u>
Chief	7	+	+	+	+	-
Deputy Chief	6	+	+	+	+	-
Major	5	+	+	+	+	+
Captain	4	+	+	+	+	+
Lieutenant	3	+	+	+	+	+
Sergeant	2	+	+	+	+	+
Patrolman	1	+	+	+	+	+
Highest		7	7	7	7	5
% Change--Previous Year			0	0	0	-28.6%

*March

Citizen-Police Cooperation

Citizens often seek out cooperation with the police in a corruption relationship. For criminal organizations such as gambling dens and brothels, cooperation in police corruption is a means of reducing uncertainty over disruptive raids which hurt profits. But other citizens may seek to avoid cooperation in police corruption; only under coercion do they become part of a corruption transaction. The two extremes of citizen cooperation and non-cooperation are fairly clear, but it is hard to draw a line between the extremes. No one pays the police voluntarily, but all must cope with the legitimate arrest power of the police. Some citizens proactively seek to buy off that power, some citizens reactively try to buy off that power (e. g., traffic offenders) and some have no choice but to be illegally exploited by that power (e. g., victims of thefts during the arrest process).

Two indicators measure the relative predominance of cooperation or non-cooperation by citizens in police corruption. One is the ratio of types of vice protection to types of police-initiated crimes. The first category of corruption features the maximum cooperation proactively sought by citizens with police corruption activities. The second category features the least cooperation between police and citizens, with citizens sometimes not knowing that they have been connected to an act of corruption (e. g., police burglary). By dividing vice protection by police-initiated crime,

the indicator is constructed to decline as the relative predominance of the high citizen cooperation category declines.

Another indicator measures citizen cooperation more explicitly and encompasses the full range of substantive corruption categories. Each type of corruption can be labelled as either consenting or victimizing. Consenting corruption denotes those types of corruption in which a citizen has a choice of consenting to corruption or being arrested. Even a shaken-down prostitute has the option of going to jail rather than paying up. If she is arrested and her money is stolen during arrest, however, the theft is labelled victimizing corruption: that which gives the citizen no choice of consenting or refusing to cooperate in the act of corruption. Consenting corruption may not feature much cooperation between citizens and police, but it definitely features more cooperation than victimizing corruption. By dividing consenting corruption by victimizing corruption, the indicator is constructed to decline in value as the amount of cooperation declines.

Both indicators of citizen cooperation use classifications of the substantive nature of corruption which ignore the transactional differences between arrangements and events. For example, a prostitution protection arrangement and a prostitute shakedown event in the same year is collapsed under the single category of prostitution protection. Table 8-4 shows how the substantive types are categorized for these two indicators. Table 8-5 shows the trend in vice protection types divided by police-initiated types, and Table 8-6 shows the trend

Table 8-4
Substantive Categories of Corruption Types: Central City

<u>Category</u>		<u>Year</u>				
		<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974-75*</u>
<u>1. Serious Crime Protection</u>						
"gangsters"	c**	+	+	+	+	-
homicide	c	-	+	-	-	-
fencing	c	+	+	+	+	+
drug pushing	c	-	-	+	+	+
burglary	c	-	-	+	+	+
custody escape	c	+	+	-	-	-
rape	c	-	-	-	+	-
assault	c	-	-	-	+	-
auto theft	c	-	-	-	+	-
robbery	c	-	-	-	+	+
bond setting "fix"	c	-	-	-	+	-
general "fixing"	c	-	+	-	+	-
Total		3	5	4	10	4
<u>2. Police Initiated Crimes</u>						
auto theft	v	-	-	+	-	+
drug pushing	c	-	-	-	+	+
gambling	c	-	+	+	-	+
general fencing	c	-	-	+	+	-
fencing stolen guns	c	-	-	-	+	+
recruiting prostitutes	c	-	-	-	+	-
fraud	v	-	-	-	+	
robbery	v	-	-	-		+
burglary	v	+	+	+	+	-
arson	v	-	+	-	+	-
theft during arrest	v	+	-	+	+	+
Total		2	3	5	8	6
<u>3. Vice & Minor Crime Protection</u>						
bootlegging	c	+	+	+	-	-
gambling	c	+	+	+	+	+
illegal parking	c	-	-	+	+	-
tavern violations	c	+	+	+	+	+
prostitution	c	+	+	+	+	+
traffic violations	c	+	-	-	+	+
shoplifting	c	+	-	-	-	-
Total		6	4	5	5	4

*March-March

**c = consensual; v = victim

Table continued on following page...

Table 8-4, continued...	1970	1971	1972	1973	1974-75
<u>4. Abuse of Dept. Resources</u>					
embezzling--police auction c	+	+	+	+	+
embezzling--charity funds c	-	+	+	+	-
sale of promotions c	+	+	+	+	-
external sale of records c	-	-	+	-	-
external sale of forged licenses c	-	-	-	+	-
kickbacks--bail bondsmen c	-	-	-	-	+
kickbacks--tow truckers c	-	-	-	-	+
free meals, perks c	-	+	-	-	-
theft of dept. materials c	+	+	+	+	+
theft of stored evidence c	+	-	-	-	-
Total	4	5	5	5	4
Total 1, 2, 3, & 4	15	17	19	28	18

Table 8-5

Types of Vice Protection ÷Types of Police-Initiated Crimes: Central City

Type	Year				1974-75*
	1970	1971	1972	1973	
Types of Minor Crime and Vice Protection	6	4	5	5	4
Types of Police-Initiated Crimes	2	3	5	8	6
<u>V.P.</u>					
P. I.	3	1.33	1	0.62	0.67
% Change from Previous Year		-55.7%	-24.8%	-38%	+8.1%

Table 8-6

Types of Consenting Corruption ÷Types of Victimizing Corruption: Central City

Type	1970	1971	1972	1973	1974-75*
Types Consensual Corruption	13	15	16	24	15
Types Victim Corruption	2	2	3	4	3
$\frac{C}{V}$	6.5	7.5	5.3	6	5
% Change from Previous Year		+15.4%	-29.3%	+13.2%	-16.7%

*March-March

in consenting types divided by victimizing types.

Despite considerable overlap in the categories used by these two indicators, a comparison of Tables 8-5 and 8-6 shows change in opposite directions for every year except 1972, the little scandal year, when they both dropped. Data in Table 8-5 show trends opposite of those suggested by the first four indicators (conspiracy size, total types of arrangements, types of arrangements and events and highest rank corrupt), by showing an increase instead of a decrease during the big scandal year. The percentage increase, however, reflects only a very small absolute increase. Again, the small Ns in general makes the percentage changes unreliable.

Duration of Cooperation

Corruption arrangements have been distinguished from corruption events on the basis of the continuing relationships among the same individuals, a characteristic of arrangements but not of events. Some corruption events may feature elaborate cooperative action. Even a high cooperation event, however, has less total cooperation than a minimally cooperative arrangement, because the latter adds more cooperation each time the arranged transaction is duplicated. The longer duration over time of arrangements suggests another measure of the level of total cooperation: the ratio of arrangements to events.

CONTINUED

3 OF 4

Two sources of data are used here to calculate ratios of arrangements to events. Table 8-7 shows the ratio of the number of discrete arrangements and events reported from all sources (cf. Table 2-5). These data may or may not be a valid indication of the quantity of corruption. But since the question is not numbers of corrupt acts but the ratio between two distinct categories of corruption, the validity of measuring corruption by reports of corruption need not be of concern. Rather, the reliability of these data--i.e., whether the proportion of arrangements reported and of the proportion of events reported remain relatively the same from year to year--is cause for concern.¹

As a check on the possible unreliability of the gross count of reports, Table 8-7 presents the ratio of reported types of arrangements to reported types of events. Although the use of types as an indicator of the total numbers of arrangements and events necessarily entails a loss of some validity, reliability is increased because types are more likely to be reported accurately: The statement that there was (or was not) prostitution protection in a given year has only a 50% chance of error, whereas the statement that there were exactly 4 prostitution protection arrangements in a

¹Unreliability would make validity questionable as well. But the indicator need not be valid in order to be reliable.

given year has almost a 100% chance of error.¹ The data used in Table 8-8 are drawn from the types listed in Table 8-2, and not the substantive categories listed in Table 8-4.

A comparison of Tables 8-7 and 8-8 poses more problems of interpretation. Although the two ratios begin with an identical value in 1970, they go in opposite directions for the next two years and vary widely in magnitude of change even when, in the final two years, they both change in the same direction. The two ratios offer no clarification of the effects of the little scandal, but they do agree with five of the other six indicators on the deterrent effect of the big scandal.

Table 8-7

Number of Corruption Arrangements Reported ÷
Number of Corruption Events Reported: Central City

<u>Indicator</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974-75*</u>
Number of Arrangements	14	14	20	28	17
Number of Events	7	9	10	15	17
$\frac{A}{E}$	2	1.56	2	1.87	1
% Change from Previous Year		-22%	-28.2%	-6.5%	-46.5%

Table 8-8

Number of Types of Arrangements Reported ÷
Number of Types of Events Reported: Central City

<u>Indicator</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974-75*</u>
Types of Arrangements	10	12	14	17	12
Types of Events	5	5	6	11	8
$\frac{Ta}{Te}$	2	2.4	2.33	1.54	1.5
% Change from Previous Year		+20%	-2.9%	-33.9%	-2.6%

*March-March

¹The "type" statement has only two possible values, present or absent; hence the 50% chance of error. The "number" example has at least five possible values: 0, 1, 2, 3, or 4 arrangements, with no theoretical limit above 4.

Aggregation of the Indicators

The eight indicators presented here show conflicting trends in Central City. The conflicts could be due to problems of either validity, reliability or both in each of the indicators. Combining the indicators into an aggregate or index measure, while desirable, would compound the problems of reliability. Aggregation of the indicators is meaningful only for direction of change, and not for the magnitude of change. All of the indicators were constructed on theoretical grounds to decline in value as the level of corruption organization declined.

Table 8-9 simply reports the modal direction of change in the level of organization of corruption, along with the size of the mode in percentage terms.

Table 8-9

Modal Direction of Change in
Eight Indicators of Corruption Organization:
Central City

<u>Change</u>	<u>Year</u>			
	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974-75*</u>
Modal Direction	+	+	-	-
Size of Mode	57% ($\frac{4}{7}$)	57% ($\frac{4}{7}$)	57% ($\frac{4}{7}$)	86% ($\frac{7}{8}$)
*March-March				

More confidence should be placed in larger modes than in smaller modes, because more indicators must be in error for a larger mode to indicate the wrong direction. Given this stricture, the only reasonably certain observation that can be made about corruption organization in Central City is that it declined somewhat

during the period March 1974 to March 1975 (the first year after the big scandal). What happened in the other years is not indicated with sufficient certainty to say.

Two conclusions may be drawn from an examination of the eight indicators. One is that a little scandal probably does not deter corruption, while it is unclear whether a little scandal encourages corruption. The other conclusion is that big scandal--that which successfully characterizes the Police Department as corrupt rather than its members--probably reduces the level of corruption organization. The data are consistent with both of these conclusions.

Another plausible explanation competing with the second conclusion is that a postmonitory approach to corruption control, and not scandal, accounts for the observed reduction in the 1974-75 level of corruption organization. Yet another is that scandal and postmonitory control policies jointly produced the observed effects. The third causal factor in the general model, sanctions, need not be considered because the rate of dismissals decreased rather than increased.

The alternative explanations cannot be eliminated with the available data. Over a longer period of time, the hypothesis that postmonitory control by itself produced the decrease could be tested against the hypothesis that scandal by itself produced the decrease. A resurgence of corruption in the absence of scandal and presence of postmonitory control would support the scandal-alone explanation of the present data. A continued low level of

corruption organization long after the scandal ends would support the premonitory control-alone hypothesis. Neither scenario will falsify the hypothesis that scandal and postmonitory control jointly produced the observed effects.

There is some reason to conclude that big scandal by itself explains the 1974-75 decrease. On-site observations and discussions among Central City officers suggested little fear of the department's control machinery, but a great wariness for anyone connected with the news media. A major exception to this observation was the evidence of clear respect for the polygraph test, a test to which investigated officers refused to submit, and to which vice and narcotics officers had to submit on a regular basis. Otherwise, corruption control procedures were the butt of frequent jokes, jokes which showed little of the anxiety that humor can demonstrate. A more persuasive reason for preferring the scandal by itself explanation is that the data reflect all corruption reports from the first day of the reform administration. Data from the other cities suggest that new control policies require at least a year to produce strong effects. Central City, with a longer lasting scandal than New York or Oakland, had the most substantial decrease in indicator values of the three during the big scandal year. All things considered, it seems likely that scandal by itself, and not postmonitory reform policies, accounted for the decrease in the 1974-75 level of corruption organization.

8.3 - BIG SCANDAL, PREMONITORY CONTROLS, AND SANCTIONS

The independent deterrent effect of big scandal can be seen even more clearly in the presence of premonitory reform and an increasing sanction rate. The indicator used to demonstrate this effect has some problems of measurement. The indicator is used because it is available, and because it was at least compiled in a reliable fashion--unlike some other indicators not used here, such as official counts of corruption complaints. The indicator is only indirectly a measure of the organizational level of corruption, and more directly a body count of corrupt officers.

The formal disciplinary charges used for departmental trials in the New York City Police Department specify the months over which an accused officer, or conspiracy of officers, is alleged to have engaged in corruption. This information yields two dates of great theoretical interest: initiation and termination dates of both the corruption activity of individual officers and of the conspiracies to which they belong. A compilation of these dates on a monthly basis indicates, among those later officially accused, the number of officers or groups bold enough to begin a new corruption activity relative to the number which, for whatever reasons, terminated a corruption activity. Virtually all of these dates refer to corruption arrangements rather than events, and most of the arrangements had two or more members.

The gravest flaw in this indicator is that it uses enforce-

ment data to measure, inter alia, the effects of enforcement. Many of the terminations counted can be attributed to the officer getting caught. Some can be attributed to incidental causes such as a transfer to a different unit. But many other terminations occurred voluntarily long before the corruption was detected. Even those terminations caused by apprehension are true effects of enforcement, for each apprehension reduces the number of officers engaged in corruption. Further, the lack of statistical association between sanctions (including suspensions, the normal result of apprehension) and corruption terminations would seem to rebut a criticism that the data are tautological.

Another flaw is that the dates of initiation are probably quite inaccurate. The initiation date is really a statement of how far back the corruption investigators were able to gather evidence. In some cases, the evidence extended back for over ten years. In others, evidence went back only a month before termination. The only initiation dates used here are those occurring during the recent years under study, and those dates are the most suspect. The errors in initiation dates are somewhat compensated for by the accuracy of the termination dates, the latter information being much easier for corruption investigators to obtain. Those cases failing to specify an exact termination month have been omitted. Terminations are more interesting theoretically than initiations, since they show how many officers were scared off or removed from

corruption in the face of scandal-reform policies-sanctions. Even if the true number of initiations increased simultaneously with terminations, the measured power of the causal factors to produce increases in terminations remains unaltered.

The final flaw of this indicator may be its reliability. As the detection capacity of the internal policing system improved, it should have discovered a higher proportion of the true total of corrupt activity. This should have been true for both initiations and terminations, but the time lag between the two dates means that any increase in the proportion of true corruption that was discovered would take effect at different times, earlier for initiations than for terminations. Compensating for this tendency, however, was the common practice of "mopping up" all past corruption of any arrangement detected. A "sergeants' club" apprehended in 1974, for example, produced information about members who had joined in 1970 and left in 1971 because of "fear of the Knapp Commission." The practice of granting leniency to apprehended officers in exchange for historical information about the membership of the corruption group was so common in New York that it would seem to have corrected for the increased detection capacity of the later years of the reform administration.

The value of this indicator is that equivalent precision about dates is available from no other source. Precise dating makes it possible to observe temporal relationships of terminations and

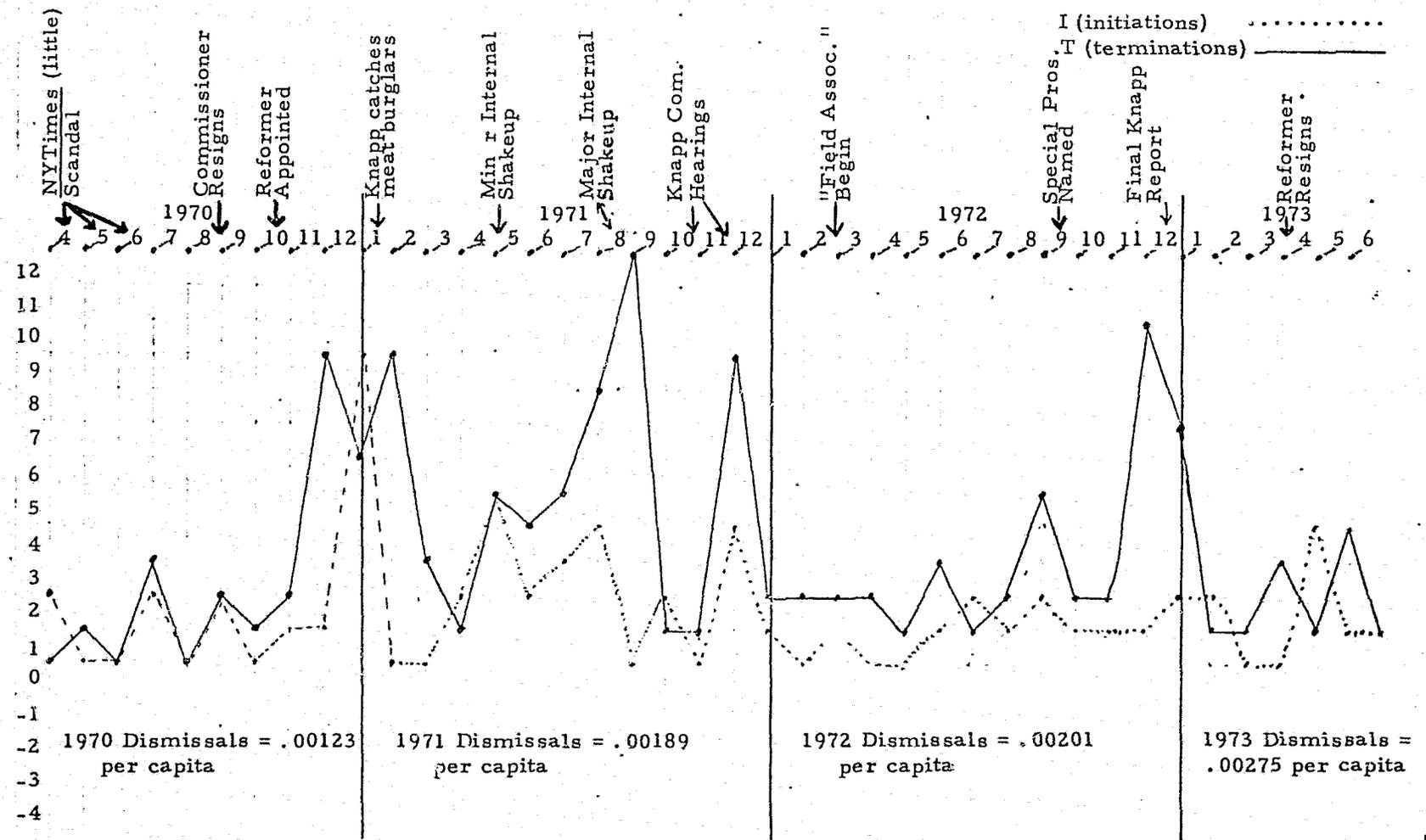
initiations to critical scandal events.

Graph 8.1 shows the relationship between certain "critical events" (Gardiner, 1970) and monthly changes in the number of corruption arrangements terminated and initiated. The graph begins with the April, 1970 New York Times articles on police corruption, defined as a little scandal. This definition has some conceptual problems, especially since this "little" scandal led to the appointment of a reform police executive. But not until the Knapp Commission hearings of October-December, 1971, was the theoretical definition of a successful scandal satisfied: public labelling of the police department as a deviant organization. Given April 1970 as a little scandal and October-December 1971 as a big scandal, the trends in terminations in New York show exactly what would be predicted from the Central City conclusions. Little scandal produces little change in terminations, while big scandal, accompanied by 12 indictments and other well publicized apprehensions of officers, produces a peak in the number of terminations.

In the approximately three years covered by Graph 8.1, there are only five months for which as many as 9 terminations of arrangements were reported (the next highest peak being 5 terminations). Of those five peaks, big scandal events which characterized the department as corrupt preceded three, one peak month was preceded by a major change in internal control policy, and one peak came just after the reform police executive was appointed amid much

Graph 8.1

Initiations and Terminations of Corruption Arrangements: New York



Source: Charges and Specifications, Disciplinary Records, New York City Police Department, Inspectional Services Bureau and Organized Crime Control Bureau

media comment on police corruption. Since the executive himself immediately made a strong public statement attacking the department's corruption, this first peak falls in a gray area of explanation. Not so the next peak, which followed close on the department's shock at Knapp Commission agents having discovered a large band of police officers burglarizing a meat warehouse. The September, 1971 peak clearly followed a change in organizational policy, manifested in the punishment of several commanders for failure to curb corruption. The final two peaks--December, 1971 and 1972--both followed major media attention to the Knapp Commission's portrayal of police corruption as widespread.

No major scandal event has been omitted from the above list. All but one of the major steps of the Knapp Commission's work produced a peak in terminations. The one exception was the August, 1972 release of the Commission's recommendation for a special corruption prosecutor, and even that produced a small peak of 5 terminations.

In contrast, only one of the major changes in organizational control policy was followed by a peak in terminations, namely the first major shakeup enforcing the policy of commanders' accountability for corruption control.¹ Other major policies, such as the increased corruption intelligence capacity or the reorganization of gambling and narcotics enforcement, both implemented in early

¹The very first instance of enforcing the accountability policy also produced a small peak, of 5 terminations, in May 1971. That event was in response to the meathouse burglary.

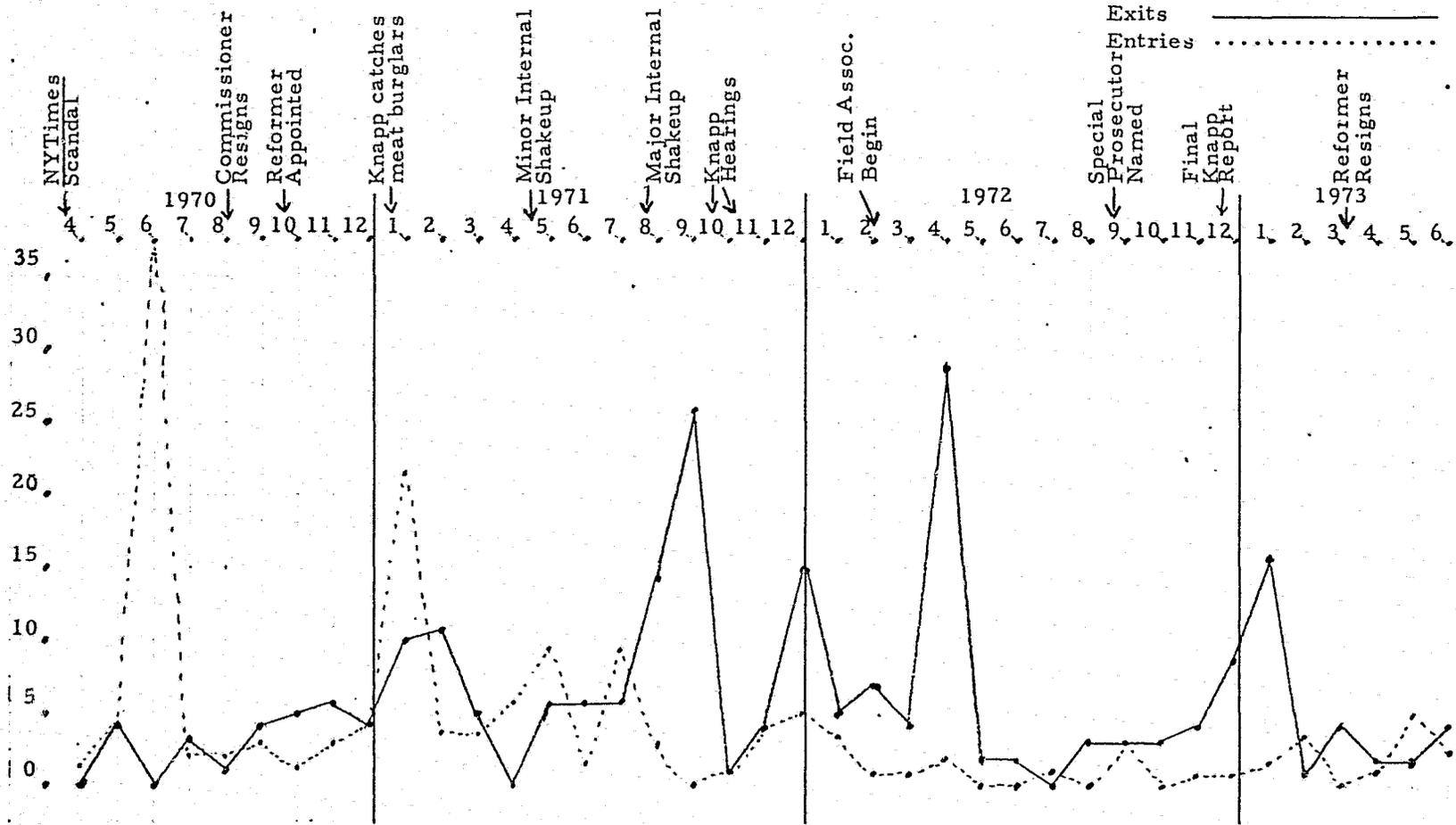
1972, were followed by no peaks at all. Admittedly, the new control policies were implemented gradually, in contrast to the sudden, shocking nature of a public attack on the integrity of the department. But that difference is the very reason why scandal events would seem to have a short term and immediate deterrent effect independent of the changes they may produce in control policies.

Any one of the arrangement termination peaks closely following a big scandal event could be related to an entirely different, less visible antecedent. But taken together, the peaks after three of the four major scandal events suggest that the relationship is not spurious. Having been present during that period, I find it impossible to think of any other phenomenon which always occurred simultaneously with big scandal events that could be the cause of the peaks in terminations of corruption arrangements.

As strong as the association between big scandal events and terminations of corruption arrangements appears, another indicator suggests caution in drawing firm conclusions. Graph 8.2 uses the same raw data as Graph 8.1, but depicts the entry and exit of individual officers from corruption arrangements. This indicator is simply a body count, and is therefore sensitive to the size of corruption arrangements, which Graph 8.1 is not. Graph 8.2 depicts more than just the size of arrangements initiated and terminated, however, because many individual officers entered and exited from arrangements at times different from the initiation

Graph 8.2

Individual Entry and Exit from Corruption Arrangements: New York



Source: Charges and Specifications, Disciplinary Records, New York City Police Department

and termination date of arrangements. Many members of sergeants' clubs, for example, quit during the Knapp Commission hearings, but other members stayed on, keeping the arrangement going. Graph 8.1 is thus an indicator of the behavior of groups, while Graph 8.2 is an indicator of the behavior of individuals.

The two graphs differ in important respects. First, there is no peak in individual exits from arrangements after the appointment of the reform commissioner, whereas there is a peak in terminations of arrangements at that time. Second, the peak in individual exits is relatively lower after the Knapp Commission hearings than the peak in arrangement terminations is at that time. Third, the consequences of organizational control policy changes are much more visible, notable the first big success of the "turn-around" technique in April of 1972. Fourth, the Knapp Commission recommendation for a special corruption prosecutor, and the Governor's implementation of that recommendation produced no effect at all on individual exits, whereas a small peak in arrangement terminations followed that scandal event.

Nevertheless, both graphs show a clear peak after the same three out of the four big scandal events: the apprehension of the meat burglars, the Knapp Commission hearings, and the final report of the Commission. With two different indicators, even though both were computed from one potentially biased source of

data, the hypothesis that scandal has an independent effect on corruption in the presence of premonitory control policies is not falsified.

The control effect of big scandal also appears to be independent of increases in sanctions, at least on a short-term, month by month basis.¹ Suspensions, the only kind of sanctions for which there are monthly figures in New York, are perhaps a more powerful sanction than dismissals. Dismissals come only after a long drawn out trial process; the perception of a dismissal is that "they finally got Jones." Suspension in New York, comparable to a criminal indictment, results in an immediate removal from duty without pay, and loss of badge and gun. The perception of suspension is "they got Jones." Suspensions are more shocking news, and they seem more likely than dismissals to prompt both individual exits from arrangements and complete terminations of arrangements.

A strength of association test (Yule's Q) performed on both the individual exits and the terminations of arrangements as dependent variables with the monthly number of suspensions as the independent variable showed no significant relationship ($p < .025$). If the suspensions data are lagged one month behind both the exits

¹Unfortunately, all of the other indicators of corruption are annual in nature.

and terminations data, there are still no significant relationships.

On an annual basis, officer dismissals per capita and total suspensions show little relationship to either arrangement terminations or individual exits from arrangements, which corruption indicators are perfectly correlated in rank order. The peak year for terminations and exits is not the peak year for dismissals (1973) or even the peak year for suspensions (1972), but rather, in a sense, the peak year for scandal (1971), the year of the Knapp Commission hearings.

Table 8-10

Sanctions and Departures
From Corruption: New York

<u>Year</u>	<u>Sanctions</u>		<u>Departures</u>			
	<u>Dismissals</u>	<u>Suspensions</u>	<u>Corruption</u>		<u>Individual</u>	
	<u>Per Capita</u>	<u>Per Capita</u>	<u>Arrangement</u>	<u>Terminations</u>	<u>Exits from</u>	<u>Arrangements</u>
	<u>Rank Value</u>	<u>Rank Value</u>	<u>Rank Value</u>	<u>Rank Value</u>	<u>Rank Value</u>	<u>Rank Value</u>
1970	4 .00123	4 .00358	4	24*	4	36*
1971	3 .00189	3 .00514	1	79	1	108
1972	2 .00201	1 .00635	2	34	2	70
1973	1 .00275	2 .00557	3	30.9**	3	53**

*Adjusted, based on 9 months

**Adjusted, based on 7 months

1971 was also the year in which the new policy of commanders' accountability for corruption control was implemented. Big scandal, therefore, cannot be given all the credit for the widespread departure from corruption in 1971. Nonetheless, it seems that the shock value of big scandal has the short term consequence of stopping

some ongoing corruption, regardless of the effects of big scandal in deterring the formation of new corruption arrangements.

Contradicting these data are reports from several New York police officers in corruption intelligence units that the biggest departures from corruption occurred after the apprehension of an entire gambling squad in April of 1972. This demonstration of the power of the turn-around technique is said to have scared most "pads" in the city into disbanding. This could easily have been the case, without the enforcement data used here reflecting the fact at all. Hundreds of officers may have departed from corruption and never been caught, thus "escaping" from data counts as well. This is perhaps the most serious drawback of using enforcement data. None of these supplemental reports imply, however, that the scandal-related peaks are inaccurate. Rather, they simply suggest that sanction-related peaks may have been higher.

8.4 - SUMMARY

This chapter explores the proposition that successful scandal, independent of any other factors, reduces the level of police corruption organization in the short run. Two cases do not comprise a sufficient sample for firm judgment about such a general proposition. Nonetheless, the proposition seems measurably consistent with the available evidence. Some of the indicators are inconsistent with others, and all the data have acknowledged flaws. On balance, however, there seems to be no basis for rejecting the proposition.

Chapter Nine:

EFFECTS OF PREMONITORY CONTROLS AND SANCTIONS

Big scandal alone, even with sanctions, seems to have only a short-term deterrent impact on corruption. The periodic repetition of police corruption scandals over the last century in many diverse cities implies that no scandal alone produces a lasting deterrent to organized corruption. The evidence from New York suggests that a big scandal event's direct deterrent effects may last as briefly as one month. The Central City evidence suggests a longer period of scandal's deterrent impact, perhaps up to two years. But without a change to premonitory control policies, corruption seems to return to pre-scandal levels of organization in the aftermath of scandal.

This chapter explores the effects of premonitory control policies and of sanctions over the long term aftermath of scandal. Using the annual measures presented here, it is impossible in the short term to separate the effects of changes in control policies from the effects of big scandal. Given the assumption--on admittedly weak evidence--that the effects of big scandal alone last no more than two years, it is possible to isolate the effects of control policies after the period of scandal's possible influence has elapsed. The problem of separating the effects of changed control policies per se from changes in the sanction rate is addressed later on.

The two cases used most frequently in this chapter are Oakland and New York. Newburgh showed such a complete cessation of corruption that it would fill many of the tables here with zeros. Such was almost the case with Oakland as well. Many Oakland measures have such low Ns that ratios and percentages take on a questionable meaning. Newburgh data are used only when it is of interest, but the Oakland data are reported in full with appropriate caveats. The indicators used here have all been introduced in the last chapter.

9.1 - EFFECTS OF PREMONITORY CONTROLS

Active Cooperation Among Officers

The relative predominance of individualized vs. cooperative corruption arrangements is described in Chapter Eight as a measure of the amount of active cooperation among police officers who participate in corruption. The modal sizes of corruption arrangements in both New York and Oakland show greater sensitivity to long-term effects of changes in control policy than to any short-term effects of scandal or changes in control policy. The little scandal of 1953 in Oakland appeared to have no effect on modal arrangement size; not enough time elapsed between the 1970 little scandal and the 1971 big scandal in New York to measure the effects of little scandal on arrangement size, or on any other indicator there. The size indicator declined somewhat in both cities during the big scandal-reform year, and declined again the following year.

Table 9-1

Size of Corruption Arrangements:
New York and Oakland

<u>Indicator</u>	<u>Size</u>							
	<u>Oakland (All Sources Reporting)</u>							
<u>Year</u>	1952	1953	1954	1955	1956	1957	1958	1959
1 Member	3	3	3	3	1	1	1	1
2+ Members	23	23	22	21	1	0	0	0
% 2+ Members	88%	88%	88%	87%	50%	0%	0%	0%
% Change from previous year		0%	0%	-1.1%	-42.5%	-100%*	0%	0%

<u>Year</u>	<u>New York (Official Charges Only)</u>				
	1970**	1971	1972	1973	1974
1 Member	29	155	105	94	60
2+ Members	15	54	30	14	7
% 2+ Members	34%	26%	22%	13%	10%
% Change from previous year		-23.5%	-15.4%	-40.9%*	-23.1%

*Biggest Annual Percentage Decrease

**Last Quarter Only

But the largest percentage decrease in the size indicator occurred, in both cities, two years after the big scandal/reform year. Oakland leveled off at that point, while New York continued to decline.

These strikingly similar findings suggest a pattern to test against the other indicators: the sharpest annual declines in the level of corruption organization occur only after premonitory control policies have taken hold, rather than immediately after scandal. If this pattern generally holds true, it would suggest that premonitory control policies are not only an effective deterrent in the long run, but are more powerful than big scandal at any time. The

important policy implication of this pattern would be that a big scandal is not required for controlling organized corruption.¹

Passive Cooperation Among Officers

The three indicators of passive cooperation with corruption are the diversity of corruption arrangements, the total discrete types of corruption arrangements and events, and the highest rank level reported corrupt. The data on the first two respective indicators are presented for New York, Oakland and Newburgh in Tables 9-2 through 9-4, and summarized in Table 9-5.

The data on diversity as an indicator of passive cooperation are inconsistent among themselves and inconsistent with the data on size as an indicator of passive cooperation. The biggest annual percentage decreases in the number of types of arrangements, and in types of arrangements and events, occur in different points of the scandal-reform process in the three cases presented. The biggest decrease in Newburgh occurred before any new control policies were implemented, in the year of the big scandal. This anomaly can be explained by the fact that almost one-quarter of the department was indicted early in the big scandal year, a rare beginning for a police corruption scandal. The arrest and subsequent conviction of such a large portion of the department seemed to deter

¹Although scandal may be required for justifying premonitory control policies. The final chapter explores this point.

Table 9-2

Types of Corruption:
Oakland

<u>Types</u>	<u>Year</u>							
	1952	1953	1954	1955	1956	1957	1958	1959
<u>Arrangements</u>								
Sale of Promotions	+	+	-	-	-	-	-	-
Police Fencing	+	+	+	-	-	-	-	-
Insurance Rewards--								
Recovered Autos	+	+	+	+	=	=	-	-
Tow Truck Kickback	+	+	+	+	-	-	-	-
Cigar Store Gambler								
Protection	+	+	+	+	-	-	-	-
Chinese Lottery								
Protection	+	+	+	+	-	-	-	-
Accident Witness								
Fees--Attorneys	+	+	+	+	-	-	-	-
Brothel Protection	+	+	+	+	-	-	-	-
Bail Bondsmen								
Kickbacks	+	+	+	+	+	-	-	-
Gratuities/drinks/ meals	+	+	+	+	+	+	+	+
Total Arrangements	10	10	9	8	2	1	1	1
<u>Events</u>								
Police Burglary	-	+	-	-	-	-	-	-
Burglar Shakedowns	-	-	+	-	-	-	-	-
Traffic Violation								
Shakedowns	-	-	+	-	-	-	-	-
Thefts from Dead								
Bodies	+	+	+	-	-	-	-	-
Thefts During								
Arrest	+	+	+	+	+	+	+	+
Drug Pusher								
Shakedowns	+	+	+	+	-	-	-	-
Drunk Rolling	+	+	+	+	-	-	-	-
"Shopping" at								
Burglary Scenes	+	+	+	+	+	-	-	-
Homosexual								
Shakedowns	-	-	-	-	+	-	-	-
Sale of Seized Guns	+	+	+	+	-	+	-	-
Total Events	6	7	8	5	3	2	1	1
Total Types--Arrange- ments and Events	16	17	17	13	5	3	2	2

Table 9-3

Types of Corruption:
New York

<u>Types</u>	<u>Year</u>				
	<u>1970*</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>
<u>Arrangements</u>					
Sergeants' Clubs	+	+	+	+	-
Illegal Peddler Protection	+	+	+	+	-
Construction Viol. Protection	+	+	+	-	-
Illegal Fireworks Sale Protec.	-	+	-	-	-
Paid on Duty Private Escorts	+	+	+	+	-
Illegal Parking Protection	+	+	+	+	+
Illegal Bottle Club Protection	+	+	+	-	-
Prostitution Protection	+	+	+	+	+
Gambling Protection	+	+	+	+	+
Information Sold by Cor- ruption Investigators	-	+	+	-	+
Auto Theft Protection	+	+	+	+	+
Police Narcotics Pushing	+	+	+	+	+
"Ponzi" Fraud Protection	+	+	+	+	-
"Fence" Protection	-	-	-	+	-
Sale of Official Information	-	-	-	+	+
Robbery Protection	+	+	+	+	+
Narcotics Sales Protection	+	+	+	+	-
Pornography Sales Protection	+	+	-	-	-
Tavern Violation Protection	+	+	-	+	-
Sale of Vacation Time	+	+	-	-	-
Gangster Protection	+	+	+	+	+
Police Fencing	+	+	+	+	+
Theft of Dept. Property	-	+	+	+	+
Moonlighting on Duty	-	-	-	+	-
Free Meals	-	-	-	+	-
Corruption Coverups	+	+	+	-	-
Sale of Firearms Licenses	+	+	+	-	-
Police Loan Sharking	-	+	-	+	+
Criminal Case Fixing	-	-	-	+	-
Con Artist Protection	+	-	-	-	-
Cigarette Smuggling Protection	-	-	+	+	+
Tow Truck Kickbacks	+	+	-	-	+
Total Arrangement Types	22	25	20	22	14

*Last Quarter Only

Table continued on next page...

Table 9-3, continued...

<u>Events</u>	<u>1970*</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>
Keeping Found Property	-	-	+	+	+
Theft of Narcotics/Contraband	+	+	+	+	+
Theft During Arrest	+	+	+	+	+
Theft from Dead Bodies	-	+	+	+	+
Bail-Setting "Fix"	-	+	+	+	-
Gambling Shakedowns	+	-	-	+	+
Sabbath Sales Shakedowns	-	-	-	+	-
Prostitute Shakedowns	-	+	+	+	+
Police Burglary	+	+	+	+	+
Merchant Shakedowns	+	+	-	-	-
Thief Shakedowns	-	+	-	-	-
Police Robbery	+	+	+	+	-
Traffic Violation Shakedowns	-	+	+	+	+
Bottle Club Shakedowns	+	+	+	-	-
Extortion of Gratuities	-	+	+	+	+
Possession of Stolen Property	+	+	-	+	+
Theft of Dept. Property	-	-	+	+	+
Tow Truck Extortion	-	-	+	-	-
Police Homicide	-	+	+	-	-
Sale of Prisoner's Escape	-	+	+	-	-
Total Event Types	8	15	15	14	11
<hr/>					
Total Types--Arrangements and Events	30	40	35	36	25

*Last Quarter Only

Table 9-4Types of Corruption:
Newburgh

<u>Types</u>	<u>Year</u>				
	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>
<u>Arrangements</u>					
Gambling Protection	+	+	-	-	-
Prostitution Protection	+	+	-	-	-
Total Arrangement Types	2	2	0	0	0
<u>Events</u>					
Theft During Arrest	+	+	-	-	-
Burglary	+	+	-	-	-
Narcotics Sale Shakedowns	-	+	-	-	-
Theft of Narcotics	-	+	-	-	-
Sale of Promotion	-	+	-	-	-
"Shopping" at Burglary Scenes	+	+	-	-	-
Total Event Types	3	6	0	0	0
<hr/>					
Total Types--Arrangements and Events	5	8	0	0	0

Table 9-5

Total Types of Arrangements and Events:
Oakland, New York, Newburgh

<u>Types</u>	<u>Year</u>							
	<u>L.S. -1</u>	<u>Little Scandal</u>	<u>L.S. +1</u>	<u>Big Scandal</u>	<u>B.S. +1</u>	<u>B.S. +2</u>	<u>B.S. +3</u>	<u>B.S. +4</u>
<u>Oakland</u>	1952	1953	1954	1955	1956	1957	1958	1959
Types of Arrangements	10	10	9	8	2	1	1	1
% Change from previous year		0	-10%	-11.1%	-75%*	-50%	0	0
Types Arrang. & Events	16	17	17	13	5	3	2	2
% Change from previous year		+6.2%	0	-23.5%	-61.5%	-40%	-33.3%	0
<u>New York</u>	-	1970**	-	1971	1972	1973	1974	-
Types of Arrangements		22		25	20	22	14	
% Change from previous year				+13.6%	-20%	+10%	-36.4%*	
Types Arrang. & Events		30		40	35	36	25	
% Change from previous year				+33.3%	-12.5%	+2.8%	-25%*	
<u>Newburgh</u>	-	1970	-	1971	1972	1973	1974	
Types of Arrangements		3		8	0	0	0	
% Change from previous year				+167%	-100%*	0	0	
Types Arrang. & Events		5		10	0	0	0	
% Change from previous year				+100%	-100%*	0	0	

*Biggest Annual Percentage Decrease

**Last Quarter Only

any recurrence of corruption in Newburgh for the two years until premonitory control policies were introduced. Oakland's biggest decrease occurred the year after the big scandal, which was also one year after the introduction of premonitory control policies. These indicators suggest that Oakland's new policies took effect more rapidly there than the size of corruption arrangements indicator suggested. The biggest decrease in types of corruption in New York did not occur until three years after the big scandal, which suggests that premonitory control policies took effect more slowly there than the size of corruption arrangements indicator suggested.

New York and Oakland both show peak decreases in the same year on the final indicator of passive cooperation among officers; the highest rank level at which some kind of corruption allegedly occurred. This indicator (Table 9-6) declines most sharply in both cities in the first year after big scandal. In Oakland, the sharpest drop actually occurred--as it did with many of these indicators--as soon as the reform chief took office. The mere presence of an avowed reformer seems to show as much short-term impact in Oakland as premonitory control policies (which outlasted the original reformer) show there in the long run. The mere arrival of a reform executive in New York, however, was not followed by a sharp decrease in rank level of alleged involvement. Rather, a sharp decline in highest rank level reported corrupt only

Table 9-6

Rank Levels Reported Corrupt: Oakland, New York
Year and Level

<u>Rank</u>		Little		Big					
		<u>L.S. -1</u>	<u>Scandal</u>	<u>L.S. +1</u>	<u>Scandal</u>	<u>B.S. +1</u>	<u>B.S. +2</u>	<u>B.S. +3</u>	<u>B.S. +4</u>
<u>Oakland</u>		1952	1953	1954	1955	1956	1957	1958	1959
Chief	7	-	-	-	-	-	-	-	-
Deputy Chief	6	n.a.	n.a.	n.a.	-	-	-	-	-
Captain	5	+	+	+	+	-	-	-	-
Lieutenant	4	+	+	+	+	-	-	-	-
Sergeant	3	+	+	+	+	-	+	-	-
Detective	2	+	+	+	+	-	-	-	-
Patrolman	1	+	+	+	+	+	+	+	+
Highest Level		5	5	5	5	1	3	1	1
% Change from prev. year			0%	0%	0%	-80%*	+200%	-66.7%	0%
<u>New York</u>		-	1970	-	1971	1972	1973	1974	1975
Police Commissioner	13		-		-	-	-	-	-
Deputy Commissioner	12		-		-	-	-	-	-
Chief Inspector	11		-		-	-	-	-	-
Bureau Chief	10		-		-	-	-	-	-
Assistant Chief	9		+		+	-	-	-	-
Deputy Chief	8		+		+	-	-	-	-
Inspector	7		+		-	-	-	-	-
Deputy Inspector	6		+		-	-	-	-	-
Captain	5		+		+	+	+	-	-
Lieutenant	4		+		+	+	+	+	-
Sergeant	3		+		+	+	+	+	+
Detective	2		+		+	+	+	+	+
Police Officer	1		+		+	+	+	+	+
Highest Level			9		9	5	5	4	3
% Change from prev. year					0%	-44%*	0%	-20%	-25%

*Biggest Annual Percentage Decrease

occurred after the big scandal and the implementation of the reformer's control policies.

Citizen-Police Cooperation

The indicators of the level of cooperation in police corruption among police and citizens are the ratios, types of vice and minor crime protection to types of police initiated crimes and types of consenting corruption to types of victimizing corruption. Tables 9-7 and 9-8 present the data for these indicators in New York and Oakland which are summarized in Tables 9-9 and 9-10.

New York showed the biggest decrease in both indicators of citizen-police cooperation in the same year, three years after the big scandal. Oakland showed the effects of premonitory control more quickly. The ratio of consenting to victimizing types of corruption dropped most sharply in the first year after scandal. The ratio of types of minor crime protection to types of police initiated crimes dropped most sharply in Oakland in the second year after big scandal. Given the far more extensive nature of organized corruption in New York than in Oakland at the time of the big scandal, the more rapid occurrence of peak decreases in Oakland is understandable.

Duration of Cooperation

The Oakland findings on citizen-police cooperation are consistent with the data there on the two indicators of the duration of cooperation in police corruption, both of which show peak decreases

Table 9-7

Substantive Categories of Corruption:
Oakland

<u>Category</u>	<u>Year</u>							
1. <u>Serious Crime Protection</u>	52	53	54	55	56	57	58	59
(c) drug pushing	+	+	+	+	-	-	-	-
(c) burglary	-	-	+	-	-	-	-	-
Total 1	1	1	2	1	0	0	0	0
2. <u>Police Initiated Crimes</u>								
(c) general fencing	+	+	+	-	-	-	-	-
(v) thefts from dead bodies	+	+	+	-	-	-	-	-
(v) thefts during arrest	+	+	+	+	+	+	+	+
(v) drunk rolling	+	+	+	+	-	-	-	-
(v) "shopping" (burglary scene)	+	+	+	+	+	-	-	-
(c) fencing guns	+	+	+	+	-	+	-	-
(v) burglary	-	+	-	-	-	-	-	-
Total 2	6	7	6	4	2	2	1	1
3. <u>Vice and Minor Crime Protection of</u>								
(c) cigar box gamblers	+	+	+	+	-	-	-	-
(c) Chinese lottery	+	+	+	+	-	-	-	-
(c) prostitution	+	+	+	+	-	-	-	-
(c) homosexuality	-	-	-	-	+	-	-	-
(c) traffic violations	-	-	+	-	-	-	-	-
Total 3	3	3	4	3	1	0	0	0
4. <u>Abuse of Dept. Resources</u>								
(c) sale of promotions	+	+	-	-	-	-	-	-
(c) rewards for stolen car recovery	+	+	+	+	-	-	-	-
(c) kickbacks--tow truck	+	+	+	+	-	-	-	-
(c) fees for accident testimony	+	+	+	+	-	-	-	-
(c) kickbacks--bail bondsmen	+	+	+	+	+	-	-	-
(c) gratuities--meals	+	+	+	+	+	+	+	+
Total 4	6	6	5	5	2	1	1	1
Total all Types	16	17	17	13	5	3	2	2

Table 9-8

Substantive Categories of Corruption:
New York

<u>Category</u>	<u>Year</u>				
	1970	1971	1972	1973	1974
<u>1. Serious Crime Protection</u>					
auto theft	c	+	+	+	+
drug pushing	c	+	+	+	-
fraud	c	+	+	+	-
fencing	c	-	-	-	+
robbery	c	+	+	+	+
"gangsters"	c	+	+	+	+
general "fixing"	c	+	+	+	-
custody escape	c	-	+	+	-
Total 1		6	7	7	3
<u>2. Police-Initiated Crimes</u>					
narco theft	v	+	+	+	+
homicide	v	-	+	+	-
theft during arrest	v	+	+	+	+
burglary	v	+	+	+	-
robbery	v	+	+	+	+
fencing	c	+	+	+	+
loan sharking	c	-	+	-	+
drug pushing	c	+	+	+	+
thefts from dead bodies	v	-	+	+	+
possess stolen property	v	+	+	-	+
Total 2		7	10	8	8
<u>3. Vice & Minor Crime Protection</u>					
sergeants' clubs	c	+	+	+	-
peddlers (unlicensed)	c	+	+	+	-
construction viol.	c	+	+	+	-
illegal fireworks sales	c	-	+	-	-
illegal parking	c	+	+	+	+
bootlegging (bottle club)	c	+	+	+	-
prostitution	c	+	+	+	+
gambling	c	+	+	+	+
illegal porno. sales	c	+	+	-	-
tavern violations	c	+	+	-	+
cigarette smuggling	c	-	-	+	+
sabbath law violation	c	-	-	-	+
merchant bribes	c	+	+	-	-

Table continued on following page...

Table 9-8, continued...

Category	Year				
	1970	1971	1972	1973	1974
3. continued					
traffic violations	c	-	+	+	+
Total 3		10	12	9	9
4. <u>Abuse of Dept. Resources</u>					
bank delivery service	c	+	+	+	-
keeping found property	v	-	-	+	+
sale of corruption probe					
data	c	-	+	+	-
sale of dept. records--					
external	c	-	-	+	+
sale of vacation time	c	+	+	-	-
theft of dept. property	c	-	+	+	+
moonlighting on duty	c	-	-	+	-
free meals/perks	c	+	+	+	+
corruption coverups	c	+	+	+	-
sale of gun licenses--					
external	c	+	+	+	-
kickbacks--tow truck	c	+	+	+	-
Total 4		6	7	8	6
Total 1, 2, 3, 4		29	36	32	31
					21

Table 9-9

Ratio of Types of Vice and Minor Crime Protection to
Types of Police Initiated Crimes: Oakland and New York

<u>City and Type</u>	<u>Year and Ratios</u>							
	<u>Little</u>		<u>Big</u>					
	<u>L.S. -1</u>	<u>Scandal</u>	<u>L.S. +1</u>	<u>Scandal</u>	<u>B.S. +1</u>	<u>B.S. +2</u>	<u>B.S. +3</u>	<u>B.S. +4</u>
<u>Oakland</u>	1952	1953	1954	1955	1956	1957	1958	1959
# Types of Vice Protection	3	3	4	3	1	0	0	0
# Types of Police-Initiated Crimes	6	7	6	4	2	2	1	1
<u>V. P.</u> <u>P. I.</u>	.5	.43	.67	.75	.5	0	0	0
% Change from Previous Year		-14%	+55.8%	-11.9%	-33.3%	-100%*	0	0
<u>New York</u>	-	1970**	-	1971	1972	1973	1974	-
# Types of Vice Protection		10		12	9	9	5	
# Types of Police-Initiated Crimes		7		10	8	9	8	
<u>V. P.</u> <u>P. I.</u>		1.43		1.2	1.12	1.0	.62	
% Change from Previous Year				-16.1%	-6.7%	-10.7%	-38%*	

*Biggest Annual Percentage Decrease

**Last Quarter Only

Table 9-10

Ratio of Types of Consenting Corruption to
Types of Victimizing Corruption: Oakland, New York

<u>City and Type</u>	<u>Year and Ratio</u>							
	<u>L.S. -1</u>	<u>Little Scandal</u>	<u>L.S.+1</u>	<u>Big Scandal</u>	<u>B.S.+1</u>	<u>B.S.+2</u>	<u>B.S.+3</u>	<u>B.S.+4</u>
<u>Oakland</u>	1952	1953	1954	1955	1956	1957	1958	1959
# Types of Consenting Corruption	12	12	13	10	3	2	1	1
# Types of Victimizing Corruption	4	5	4	3	2	1	1	1
$\frac{C}{V}$	3	2.4	3.25	3.33	1.5	2	1	1
% Change from Previous Year		-20%	+35.4%	+2.4%	-54.9%*	+33.3%	-50%	0
<u>New York</u>	-	1970**	-	1971	1972	1973	1974	-
# Types of Consenting Corruption		24		29	25	24	15	
# Types of Victimizing Corruption		5		7	7	7	6	
$\frac{C}{V}$		4.8		4.1	3.6	3.4	2.5	
% Change from Previous Year				-14.6%	-12.2%	-5.5%	-26.5%*	

*Biggest Annual Percentage Decrease

**Last Quarter Only

one year after the big scandal year (see Table 9-11). There is an anomalous increase in the Oakland ratio of types of arrangements reported to types of events reported in the third year after the big scandal, but the Ns are so small (1 and 1) that the general trend seems barely unbroken.

The New York data on duration of cooperation are not so consistent. The ratio of discrete arrangements prosecuted to discrete events prosecuted follows the trend shown by four of the seven other indicators, peaking in the third year after the big scandal year. But the New York ratio of types of arrangements to types of events shows two anomalies. First, the peak decrease occurs during the year of the big scandal, just as premonitory control policies were being introduced. Second, the ratio shows an increase--counter to the general downward trend--in the second year after the big scandal. The Ns are admittedly small, but large enough to require attention. One possible explanation is that the resignation of the reform police executive early in the year of increase (1973) encouraged the return to a wider variety of arrangements. Specifically, the types of arrangements ultimately prosecuted from 1973 that had not been prosecuted from 1972 were fence protection, sale of official information, tavern violation protection, moonlighting on duty, and--something which was probably present but not detected for 1972--free meal arrangements. On the other hand, there were prosecutions of construction violation protection,

Table 9-11

Ratios of Arrangements to Events: Oakland, New York

City	Year and Ratio							
	Little Scandal		Big					
	L.S. -1	Scandal	L.S. +1	Scandal	B.S. +1	B.S. +2	B.S. +3	B.S. +4
Oakland	1952	1953	1954	1955	1956	1957	1958	1959
# Arrangements Reported	26	26	25	24	2	1	1	1
# Events Reported	6	7	9	6	4	2	2	2
$\frac{A}{E}$	4.33	3.71	2.78	4	.5	.5	.5	.5
% Change from Previous Year		-14.3%	-25%	+44.4%	-87.5%*	0%	0%	0%
# Types Arrange. Reported	10	10	9	8	2	1	1	1
# Types Events Reported	6	7	8	5	3	2	1	1
$\frac{Ta}{Te}$	1.67	1.43	1.12	1.6	.67	.5	1	1
% Change from Previous Year		-14.4%	-21.7%	+42.9%	-58.1%*	-25.4%	+12.5%	0%
New York	-	1970**	-	1971	1972	1973	1974	-
# Arrangements Charged		44		209	135	108	67	
# Events Charged		22		100	71	65	58	
$\frac{A}{E}$		2		2.09	1.9	1.66	1.15	
% Change from Previous Year				+4.5%	-9.1%	-12.6%	-30.7%*	
# Types Arrange. Charged		22		25	20	22	14	
# Types Events Charged		8		15	15	14	11	
$\frac{Ta}{Te}$		2.75		1.67	1.33	1.57	1.27	
% Change From Previous Year				-39.2%*	-20.3%	+18%	-19.1%	

*Biggest Annual Percentage Decrease

**Fourth Quarter Only

bottle club protection, corruption of corruption investigators, corruption coverups, and sale of firearms licenses from 1972 but not from 1973, so it is difficult to interpret the overall increase in 1973 in diversity of arrangements. In any case, the ratio increase in 1973 was followed by a decrease in 1974 to a value lower than that of 1972, suggesting long-term consistency in the trend towards more types of events relative to the types of arrangements as an indication of less duration in cooperation.

Aggregation of the Indicators

The eight indicators presented show conflicting trends in both New York and Oakland, just as they do in Central City. Table 9-12 shows the modal direction of change in the level of corruption organization indicated each year in each of the cities, as well as the size of the modes. The modes in both cities are all either extremely small or extremely large. Thus in Oakland, all that can be said with some confidence about the overall level of corruption organization is that it declined in the first post-scandal year and leveled off in the fourth post-scandal year. In New York, there is reasonable confidence that the corruption organization level declined in both the first and the third post-scandal years.

All of the indicators showed a fairly strong peak decrease; that is, the largest decline in the indicator for all the years observed in each city. The distribution of the peaks across the eight

Table 9-12

Modal Direction of Indicators of
Change in Police Corruption Organization: Oakland, New York

<u>City</u>	<u>Year and Direction</u>							
	<u>L.S. -1</u>	<u>Little Scandal</u>	<u>L.S. +1</u>	<u>Big Scandal</u>	<u>B.S. +1</u>	<u>B.S. +2</u>	<u>B.S. +3</u>	<u>B.S. +4</u>
<u>Oakland</u>	1952	1953	1954	1955	1956	1957	1958	1959
Modal Direction		-	None	+	-	-	-	0
Percentage Size of Mode		50% $(\frac{4}{8})^*$		50% $(\frac{4}{8})^*$	100% $(\frac{8}{8})$	62.5 $(\frac{5}{8})$	37.5 $(\frac{3}{8})^*$	100% $(\frac{8}{8})$
<u>New York</u>		1970		1971	1972	1973	1974	
Modal Direction				None	-	-	-	
Percentage Size of Mode				(4+, 4-)	100% $(\frac{8}{8})$	50% $(\frac{4}{8})^*$	100% $(\frac{8}{8})$	

*These years included one indicator which did not change at all.

Among the three possible values for the eight indicators in those years (+, -, 0), 3 or more of any one of them moving in the same direction produced a mode.

indicators is of interest for an interpretation of both the consistency of the indicators (i. e., whether or not they are measuring the same thing) and the speed with which the effects of premonitory controls appeared. Table 9-13 suggests that the indicators are reasonably consistent, with over half of them in both cities showing peak decreases in the same year. The table also suggests that the effects of premonitory control in sharply reducing the level of corruption organization were felt two years earlier in Oakland's scandal and reform process than they were in New York's.

Two major, but tentative conclusions emerge from these data. The first is that the continuing presence of premonitory control policies is associated with a continuing decline, or a stable, low level of the organizational level of police corruption, well past the time at which--as other evidence suggests--the effects of big scandal per se have worn off.¹ The second conclusion is that the implementation of premonitory control policies is followed by a larger decrease in the level of corruption organization than that which follows big scandal. Put more strongly, it appears that premonitory control policies are a more powerful

¹Data over a longer period in Central City after the big scandal and introduction of postmonitory control policies would have provided the counter-test of the proposition: that postmonitory controls are too weak to prevent an increase in the level of corruption organization after the effects of big scandal wear off.

Table 9-13

Directions and Peak Decreases
in Indicators of Corruption Organization Level: Oakland and New York

<u>Indicators</u>	<u>Year and Changes</u>					
	<u>Little Scandal</u>	<u>L.S.+1</u>	<u>Big Scandal</u>	<u>B.S.+1</u>	<u>B.S.+2</u>	<u>B.S.+3</u>
<u>Active Cooperation</u>						
1. Modal Arrangement Size						
Oakland	0	0	-	-	*	0
New York			-	-	*	-
<u>Passive Cooperation</u>						
2. Arrangement Diversity						
Oakland	0	-	-	*	-	0
New York			+	-	+	*
3. Arrangement & Event Diversity						
Oakland	+	0	-	*	-	-
New York			+	-	+	*
4. Highest Rank Level						
Oakland	0	0	0	*	+	-
New York			0	*	0	-
<u>Citizen-Police Cooperation</u>						
5. Types, Minor Protection:						
Police-Initiated						
Oakland	-	+	+	-	*	0
New York			-	-	-	*
6. Types, Consenting: Victimizing						
Oakland	-	+	+	*	-	-
New York			-	-	-	*

Table continued on following page... (see following page for key)

Table 9-13, continued...

	<u>Little Scandal</u>	<u>L.S.+1</u>	<u>Big Scandal</u>	<u>B.S.+1</u>	<u>B.S.+2</u>	<u>B.S.+3</u>
<u>Duration of Cooperation</u>						
7. # Arrangements: # Events						
Oakland	-	-	+	*	0	0
New York			+	-	-	*
8. # Arrangement Types:						
# Event Types						
Oakland	-	-	+	*	-	+
New York			*	-	+	-
<u>Total Peak Decreases</u>						
Oakland				6	2	
New York			1	1	1	5

Key

Increase +

Decrease -

Peak Decrease *

No Change 0

deterrent than big scandal. It would be of interest to know if the same findings would result from a comparison of the long-term effects of big scandal without premonitory controls, and the effects of the introduction of premonitory controls without big scandal as an antecedent. As far as can be determined, big scandal has always preceded the introduction of premonitory controls in law enforcement agencies.

The first conclusion could be spurious. After the big scandal year, the primary source of data on the organization of corruption in both cities was whatever police officials had been able to detect. In New York, this source was limited strictly to the departmental charges against allegedly corrupt officers,¹ including those convicted criminally. In Oakland, a wider range of sources was consulted, including interviews with police officers and supervisors of the 1950's who had worked in the internal policing function as well as with those who had not. If for any reason the premonitory control policies began to erode somewhat after their initial implementation, it is possible that the data reflect this erosion of detection capacity rather than a decline in the level of corruption organization. More organized forms of corruption are easier to detect, but only if they are sought out. The

¹Except for indicators of the highest rank level reported corrupt, which also drew on news stories and interviews.

more reactive internal policing becomes, the lower the level of organization of the corruption about which internal policing finds out.¹ For example, the reported ratio of consenting corruption types to victimizing corruption types will inevitably decline if victim-complainants again become the only source of corruption intelligence, possibly obscuring a real increase in consensual corruption about which no information is being collected.

The danger of this dependence on data generated by internal policing is greatest in New York. The huge size of the corruption investigation apparatus there made it difficult to determine exactly how premonitory it was in overall performance. The largest percentage decrease in corruption organization level occurred in the first year of a new Mayoral administration and a new Police Commissioner (1974). Whether that decrease resulted from the accumulated three-year impact of premonitory control policies, or from a possible decline in the degree to which the control policies were premonitory is unknown. Policies are often altered, if only in minor ways, by new leadership. The difficulty of measuring the extent of premonitory control on an annual basis prevents the complete elimination of this rival hypothesis in either New York

¹Meyer's data, however, contradict this objection. His finding (1976) on 1972 investigations in New York was that proactively initiated investigations generally detected less organized types of corruption than reactively initiated investigations.

or Oakland.

Both major conclusions could be mistaken in positing a direct effect of premonitory policies on the level of corruption organization. It could be the case that changes in sanction rates account for all of the change in level of corruption organization, with the introduction of premonitory control policies accounting in turn for the changes in sanction rates. But as far as either can be measured, there is no clear relationship between the changes in sanction rates and changes in the overall level of corruption organization.

9.2 - EFFECTS OF SANCTIONS

The strength of association between annual sanction rates, indicated by dismissals per capita, and the eight indicators of corruption organization can be tested in a variety of ways. Product-moment correlations between each of the indicators and the sanction rate for the five years observed in New York, the seven years observed in Oakland, and the five years observed in Central City show no statistically significant ($p \leq .05$) relationships among the twenty-four combinations. Rank order correlations of the sanction rates and corruption indicators for the seventeen years studied from all cities combined also fail to show any significant relationships. Both kinds of tests, however, assume that sanctions have an immediate impact upon the level of corruption organization.

An equally reasonable assumption to test is that one year

might elapse before the effects of changed sanction rates alter corrupt officers' perceptions of the likelihood of being punished for corruption sufficiently to reduce the level of corruption organization. Somewhat different findings result when annual sanction rates are lagged one year behind the annual corruption indicator values. Rank-order correlations¹ pooling all years from the three cities, reported in Table 9-14, uniformly show an inverse relation to sanctions. Only two of the correlations are significantly larger than could be expected by chance, but it is interesting that both of those are with indicators measuring the same aspect of cooperation in corruption activity, namely, duration.

It may be misleading to use these statistical tests on these data, because the data do not satisfy a crucial assumption of the tests: independent random sampling of the data. The value of any variable may well depend on what the value of that variable was in the previous year. The values for each year are therefore not independent of the values for other years. The tests have been used only because they provide the best way of summarizing the relationships of very small Ns, but the violation of a key assumption

¹Because lagging of the data allows one less observation for each of the three cities, the city Ns become too small for a meaningful interpretation of a product-moment correlation coefficient. Because the comparability of the magnitudes of the corruption indicators across the cities is questionable (although the comparability of sanction rates is clear), a rank order correlation is probably a safer test than a product-moment correlation for the fourteen pairs of years of lagged observations pooled from the three cities.

Table 9-14

Sanctions and Corruption Organization:
New York, Oakland, Central City

<u>Indicator</u>	<u>Rank-Order Correlation Coefficient (N=14)</u>	<u>Frequency of Change in Opposite Directions (N=14)</u>
<u>Active Cooperation</u>		
1. Modal Arrangement Size	- .01 (p > .05)	57.1% ($\frac{8}{14}$)
<u>Passive Cooperation</u>		
2. Arrangement Diversity	- .387 (p > .05)	42.3% ($\frac{6}{14}$)
3. Arrangement and Event Diversity	- .320 (p > .05)	42.3% ($\frac{6}{14}$)
4. Highest Rank Level	- .223 (p > .05)	35.7% ($\frac{5}{14}$)
<u>Citizen-Police Cooperation</u>		
5. Types, Minor Protection: Police Initiated	- .361 (p > .05)	57.1% ($\frac{8}{14}$)
6. Types, Consenting: Victimizing	- .269 (p > .05)	71.4% ($\frac{10}{14}$)
<u>Duration of Cooperation</u>		
7. # Arrangements: # Events	- .468 (p < .05)	57.1% ($\frac{8}{14}$)
8. # Arrangement Types: # Event Types	- .511 (p < .05)	64.3% ($\frac{9}{14}$)
Total Frequency -----		53.6% ($\frac{60}{112}$)
		$X^2 = 11.23$ (p < .005)
New York ---		75.0% ($\frac{24}{32}$)
Oakland -----		35.4% ($\frac{17}{48}$)
Central City --		66.6% ($\frac{20}{32}$)

makes the findings rather suspect.

A far simpler test yields somewhat weaker conclusions. Taking only the direction of the annual change in sanction rate and in level of corruption organization a year later, the hypothesis predicts that the two directions will be opposite. When sanctions increase, corruption level should decrease; when sanctions decrease, corruption level should increase. With "no change" as a third possible value for both sanctions and corruption, there are nine possible combinations of the direction of change of sanctions and corruption.¹ A random distribution of those combinations would result in a plus-minus or minus-plus combination occurring in 22% of the observations. Table 9-14 shows that the total frequency of opposite directions of change in the 8 indicators X 14 years = 112 observations is 53.6%, better than twice the 22% frequency expected by chance. Broken down for each indicator, the accuracy of the prediction of opposite directions ranges from a high of 71.4% for the ratio of consenting to victimizing types of corruption to a low of 35.7% for the highest rank level reported corrupt. All of the results are somewhat better than what would have been found by chance. Although the Ns for each indicator and for each city are too small for using a chi-square test to

¹The combinations are + / -, + / +, + / 0, - / +, - / -, - / 0, 0 / +, 0 / -, and 0 / 0.

determine whether those results are significantly better than chance, the chi-square result for the overall frequency of 53.6% is significant at the .005 level.

The most conservative interpretation of these data is to make no decision about the effects of sanctions. The general theory explored in this study suggests that sanctions should have some effect, but does not specify the time relationships. The opposite directions test (Table 9-14) suggests that sanctions produced different effects in different cities, depending upon the particular circumstances. Newburgh showed the most immediate and long-lasting effects of sanctions, concurrent with a big scandal. Sanction rates declined during most of the reform administration in Oakland, but there was a peak of sanctioning during the big scandal/first reform year. Sanction rates increased throughout the reform administration in New York, but by much smaller percentages than in Newburgh or Oakland. Even so, the opposite directions test showed the strongest association in New York.

Also to be considered is the point at which the incapacitation effect of sanctions reduces the "market" for sanctions such that even improved investigative capacity cannot maintain the highest level of sanctioning. Every dismissal reduces the population of violators. At some point the population of violators may become too small for maintaining high sanction rates. This point may have been reached in the first post-scandal year in Oakland,

in the scandal year in Newburgh, and not until the third post-scandal year in New York. All of these considerations suggest that something important probably results from changes in sanction rates, but that the measurement devices used here are inadequate for specifying the exact relationships, or even for certifying their existence.

9.3 - SUMMARY

Since changes in sanction rates do not clearly account for changes in corruption organization, the introduction of premonitory policies may be presumed to have a direct effect on corruption organization. On the other hand, changes in sanctions might also have a direct effect on corruption organization, in addition to the direct effect of scandal and of premonitory policies. The one-year lag data is at least convincing enough to prevent falsifying this hypothesis.

Chapters Eight and Nine fail to reveal any firm evidence against the basic model of the scandal and reform process. This result may stem from the faults of the evidence rather than from the adequacy of the model. The evidence also fails to state precisely how much of the variation in the levels of corruption organization can be explained by each of the three "causal" factors. The findings may provide, however, at least some groundwork for tentative theoretical and policy conclusions.

PART V:
CONCLUSIONS

Chapter Ten:

THEORY AND POLICY

The central theoretical concern of this study is explaining the choice and effects of social control strategies for one type of deviant organization, criminally corrupt police departments. The central policy concern of this study is discovering the most effective organizational policies for controlling police corruption. The two concerns are closely related, but the first is broader than the second. Each merits separate consideration.

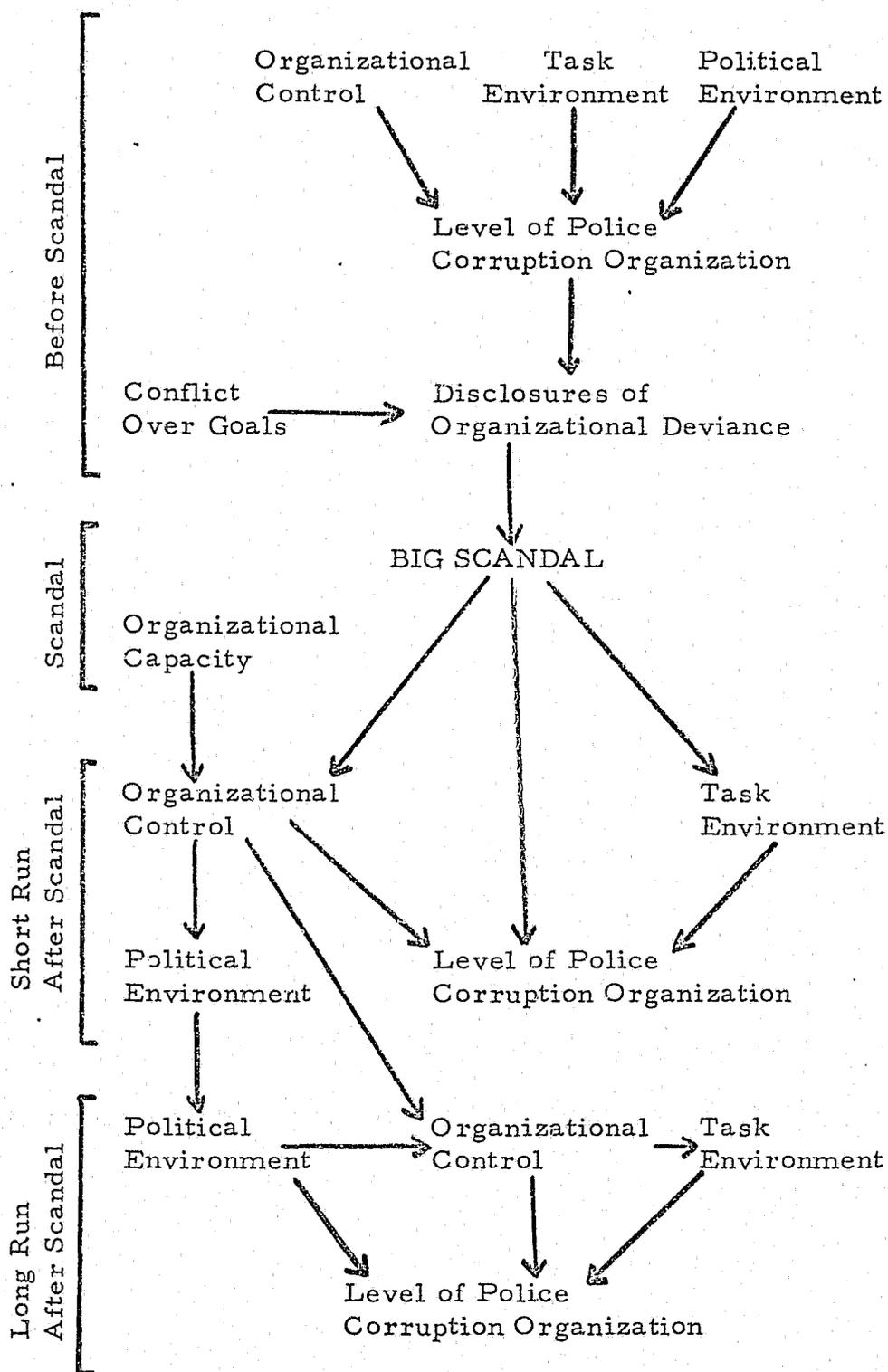
10.1 - THEORY

This study only considered police departments which experienced a major scandal over criminal corruption. It may be that some police departments have brought corruption under control--defined as a reduced level of the organization of corruption--without the prompting of a scandal.¹ The theoretical model used to explain the four present cases, therefore, is only one of the possible models for the social control of corrupt police departments. The distinguishing characteristic of this model is that police corruption becomes a public issue, and internal police organizational control policies are subjected, at least initially, to

¹There are, however, no such cases reported in the literature or in discussions with officers from many different police departments.

Figure 10.1

The Scandal and Control
Process of Corrupt Police Departments



external scrutiny.

The model, summarized in Figure 10.1, identifies some of the general antecedents of scandal. These may not be the true or the only causal antecedents, but they are the most plausible candidates for that title. The consequences of scandal have been limited here to the intended ones: the control of policies produced by scandal, and the effects of scandal and control policies on the level of organization of corruption. Unintended consequences, e. g., an increase in police brutality as a by-product of scandal-induced police hostility to the public, have not been examined.¹ Formally stated propositions and a summary of the evidence may help to sharpen the model.

Antecedents of Organized Police Corruption

Many possible factors can be invoked to explain police corruption (Sherman, 1974). The most powerful predictors of the level of corruption organization, however, seem to be the first three variables in the model. Prior to big scandal:

1. The more the political elite tries to profit from police enforcement policy, other things being equal, the more organized the police corruption.
2. The more opportunities for misuse of organizational authority for personal gain which exist in the police task environment, other things being equal, the more organized the police corruption.

¹Although the example appears to have been the case in Central City, and definitely not true in Oakland (Truehaft, 1975).

3. The less the police organizational resources allocated to corruption control and the less premonitory the technology of corruption control, other things being equal, the more organized the police corruption.

Of all the possible influences on the level of organization of police corruption, those which changed most dramatically from before big scandal to afterwards were the political and task environments and the police organizational control policies. Put another way, changes in these three variables were clearly associated with changes in the level of corruption organization immediately before and long after a scandal. Other evidence supports the propositions in the pre-scandal period alone. The growth of heroin use as a task-related corruption opportunity, for example, was reported to have increased the pre-scandal level of corruption organization in New York and Central City. The change to control by a new political party in 1968 was reported to have increased the level of corruption organization in Central City. A steady decline in resources allocated to internal policing from 1965-70 in New York, associated with a steady decline in annual dismissals (from 44 in 1964 to 16 in 1969), accompanied a reported increase in the level of corruption organization. An expansion of vice enforcement powers to all Central City officers in 1972, on the other hand, seemed to produce a decline in the level of corruption organization.

Antecedents of Big Corruption Scandal

4. The greater the level of organization of police corruption, the greater the probability that disclosures of corruption, if made, will include corruption that is highly organized.
5. The greater the level of internal or external conflict over the goals of the police department, the greater the probability that whatever corruption exists will be publicly disclosed.
6. The more organized the nature of police corruption that is publicly disclosed, other things being equal, the greater the probability that a big scandal will occur, publicly labelling the police department a deviant organization.
7. The more the disclosed nature of police corruption exceeds the limits of tolerance of the general political environment, the greater the probability that a big scandal will occur.

The immediate antecedents of a big police corruption scandal, defined as the successful labelling of the police department as a deviant organization (rather than as just an organization with its "normal" share of deviant individual members), are

- 1) disclosures of highly organized corruption and 2) community attitudes which are intolerant of the nature of those disclosures.

Many of the thirty-odd police corruption scandals described in Smith (1965) and Williams (1973) showed community indifference to disclosures of organized corruption, resulting in only a "little" scandal, a failure to define the police department as a deviant organization. On the other hand, this study found examples of communities with a seemingly high potential for outrage at organized corruption (e. g., Oakland and New York) which showed little reaction to disclosures of unorganized, isolated corrupt acts

by individual police officers. Every big police corruption scandal reported in the literature and in this study had both disclosures of organized corruption, and community intolerance thereof, as immediate antecedents.

Organized corruption must exist in order to be disclosed; despite frequent claims by police unions and chiefs that corruption scandals are mere "witch-hunts" and "McCarthyism," there always seems to be journalistically, if not legally, good evidence that the disclosed corruption exists. Existence is never the sole antecedent of disclosure, however. Many cities having well organized corruption (e.g., Cicero, Illinois--Williams, 1973:10) apparently never have disclosures. Disclosure always appears to be accompanied by a conflict over the "real" goals of the police department, from either internal sources (e.g., Durk, Serpico and other zealots in New York), external sources (e.g., the City Manager in Oakland; Sears, Inc. in Newburgh) or both (e.g., the city police zealots and the county police threatened with merger in Central City).

Consequences of Big Corruption Scandal

8. The labelling of a police department as a deviant organization, regardless of the nature of changes in police organizational control policies, tends to be followed by a short-term decline in the level of organization of police corruption.
9. The labelling of a police department as a deviant organization is followed by allocation of more police organizational resources, and the employment of new technologies, for organizational control of corruption within the police department.

10. The greater the extant capacity of a police department for premonitory investigation and management, the more likely those technologies are to be selected for corruption control policies.
11. The labelling of a police department as a deviant organization, other things being equal, tends to be followed by a decline in the number of task opportunities for police corruption.
12. The greater the reduction in the task opportunities for corruption, other things being equal, the greater the reduction in the level of corruption organization.

The evidence from Central City and New York supports the claim of a direct impact of scandal on corruption. Since scandal tends to deter corrupters as well as corrupted--as much anecdotal evidence in New York and Central City indicates--it is possible that all of a scandal's impact on corruption organization is a result of the reduction in task opportunities. Since there is no way to assess that possibility, it is safer to posit a direct connection of both scandal and opportunity reduction to a decline in corruption organization.

Every big scandal studied was followed by some change in organizational control policy. At the very least, if citizen complaints had been ignored before the scandal, they were generally investigated after the scandal. Resources allocated to both internal policing and line management control were always increased, if only by assigning more officers to internal policing and by line management spending more time in filling out paperwork for procedural control of corruption-prone tasks. The nature of the change in control policies, however, is best explained by the technological

capacity already available in the department for complex investigations and for tight management, as Chapter Seven argues.

Consequences of Control Policies

13. Increased resources and new technologies for organizational control of corruption are associated over time with a decline in the level of corruption organization.

Before the evidence was gathered for the study, this proposition was stated in stronger terms: the more premonitory the control policies, the less organized the police corruption. But that initial, general hypothesis could not be tested by the evidence, at least not for the short run after scandal. The control policies shortly after the big scandal in both Central City and Newburgh were completely postmonitory, yet the decrease in the level of corruption organization was just as great as in New York and Oakland, both of which had premonitory control policies. The control policies in all four cities, however, did change in some fashion after scandal. On the possibility that the level of police corruption organization would not have declined without some change in control policies, a direct association must be posited between changed controls and changed corruption. It could well be, however, that the association (in the immediate post-scandal period only) is spurious, and that scandal, which also causes change in organizational controls, and/or task environment changes, account for all of the immediate, short-run change in corruption.

14. Premonitory control policies in the short run after scandal are associated with a termination of the linkage of political elites to police corruption.

In Oakland, the premonitory policies of the reform police administration reportedly scared certain elected officials out of their corruption activities. In Newburgh, the reform executive's efforts at premonitory control eventually led to the criminal conviction of the county chairman of the party in power. In Central City, however, political linkages to some corruption activities were reported to have persisted. The differences in success at severing political links is best explained by differences in the nature of corruption control policies, which were postmonitory where linkages persisted and premonitory where linkages ceased.

15. If political linkages to police corruption are severed in the short run after scandal, they are likely to remain severed in the long run as well.

16. If political linkages to police corruption stay severed in the long run, then organizational control of corruption is unlikely to change from the short run to the long run; conversely, if political linkages to police corruption persist in the long run, organizational controls are likely to become less premonitory in the long run.

17. The more premonitory the organizational controls over corruption in the short run after scandal, the more premonitory they are likely to be in the long run, other things being equal.

The Newburgh and Oakland data support proposition 15 and the first part of proposition 16. Central City was not studied long enough to test the second part of proposition 16 by seeing if the persistence of political linkages leads to a weakening of organiza-

tional controls four or more years in the long run after the big scandal. Based on Gardiner's (1970) report that political linkages repeatedly weakened organizational controls in Wincanton, however, it might be predicted to occur in Central City as well. The 1974 change in political administration in New York and similar evidence in Oakland and Newburgh support the notion that once established, premonitory control policies tend to become institutionalized and persist regardless of changes in administration as long as there is no corrupt political interference.¹ Only the Oakland data, however, encompass enough years (20) to be certain of this institutionalization argument.

18. The more premonitory the control policies, the less the number of opportunities for police corruption in the task environment, other things being equal.

Oakland's continuing suppression of gambling, New York's continuing non-enforcement of gambling laws, and the continuing personal supervision of corruption-prone investigations by the Newburgh police executive are some illustrations of this point. No contradictory evidence could be found, but Central City was not studied into the long run. A major influx of heroin, or some other unplanned change in the task environment could present more corruption opportunities in the long run, but the proposition applies

¹For more recent evidence of this point in New York, see "After Knapp, The Police Seem Less Corruptible," New York Times, July 4, 1976, 4:4.

only if such other conditions remain constant.

19. The less the monetary interest of political elites in police corruption, other things being equal, the less organized the police corruption in the long run.

20. The less opportunities for corruption in the police task environment, other things being equal, the less organized the police corruption in the long run.

21. The more police organizational resources allocated to corruption control and the more premonitory the technology of corruption control, other things being equal, the less organized the police corruption in the long run.

The final three propositions are, respectively, the converses of the first three propositions. At some point after a big scandal, the direct effects of big scandal seem to wear off, and the three principal determinants of corruption remain. In all three complete cases (Central City being chronologically incomplete), the political environment, task environment, and organizational controls of police corruption each changed substantially from before the scandal to the long run after the scandal. So, too, did the level of police corruption organization.

The model is hardly parsimonious, yet several possible relationships were left out. For example, the connections between big scandal and political environment in the short run after scandal, as well as between the task environment before scandal and (in the short run) after scandal, were both omitted for lack of evidence. Some associations which may have been spurious, such as that between organizational control and level of corruption organization

in the short run after scandal, were included because there was no way to be certain of the spuriousness.

The intended meaning of the arrows varies considerably from proposition to proposition, and they should not be viewed strictly as causes. The direction of the arrows reflects the chronological order of major steps in the scandal and control process which are plausibly related. A snowstorm the day before the big scandal is also an antecedent, but it can be eliminated as a plausible cause. The logical fallacy of "affirming the consequent" as a result of an antecedent is always a danger, but the elimination of competing hypotheses is a safeguard. A number of antecedents were eliminated on evidentiary and theoretical grounds, although some may have been overlooked.

One interesting omission from the model is sanction rates. The data on this variable are so unclear that it could not be clearly connected to changes in corruption at specific points in time. Because of the strong association between premonitory controls and high dismissal rates, however, it seems best to consider sanctions subsumed in the model under the variable of organizational control. That way it is neither eliminated nor featured prominently as a key variable.

General Theoretical Implications

The sanction data are nonetheless of general theoretical importance. It may well be the case that any change in the

technology of a social control system, followed by a sharp increase in the sanction rate only in the short run after the change, can produce long run deterrence even though the sanction rate declines after the initial post-change period. The sanctioning power of the new technology, once demonstrated, would be taken for granted regardless of current sanction rates. Further, if the initial sharp increase in sanctions does deter, then there will be relatively less deviance for the sanctions to punish. As the number of violators dismissed accumulates, assuming they are not replaced by new violators, the total number of violators has to decline. Assuming that a constant proportion of all violators are sanctioned, a decline in the number of violators must produce a decline in the absolute number of sanctions. This is one possible interpretation of the present sanction data.

Another finding of interest for deterrence theory, and for labelling theory, is that "little" scandal--unsuccessful labelling of the police department as deviant--does not deter (i. e., reduce the level of organization of) police corruption, but big scandal--successful labelling--does. This finding contradicts the notion of secondary deviation at the individual level (Lemert, 1951), and the notion of deviance amplification at the group level (Young, 1971; Cohen, 1973). On the other hand, it suggests that labelling can be viewed as a sanction sui generis, and not as a simultaneous by product of formal sanctions. The decline of corruption organization

in Central City, despite an 80% decline in the dismissal rate, seems to be evidence of the power of scandal as a non-formal sanction.

The finding of extant organizational capacity as the determinant of the choice of reformist policies is of interest for organizational theory. The unique fact of police recruitment only at the bottom rank might limit the applicability of this finding in non-police organizations, but it is possible that the limits of innovation in any organization are set by the extant technological and personnel resources. New capacity or resources can be created, or extant capacity can be applied to changing output, but both things may not be possible at the same time. Whether or not this proposition applies to the automobile manufacturer, it does apply to the reforming corrupt police department.

Another finding of interest to organizational theory is the heavy investment of resources required for gathering information about deviance in police departments. Although there are no comparable data for other kinds of organizations, the post-scandal figures of .5% to 1.5% of total manpower resources (which consume over 90% of police budgets) on internal security alone, line management resources excluded, seems rather high. But great resources are required because the information on potential corruption is difficult to obtain. That difficulty can be attributed to the low visibility of the many points at which the police organization is open to the environment. A general proposition might be that the more open

an organization is to the environment, and the less visible the transactions which occur along the boundaries between organization and environment, the larger the proportional investment of organizational resources in internal security. In order to gather the same level of information about violations as, for instance, a factory, the police organization may have to invest a much larger proportion of its resources in internal security.

A general theory of scandal and control of deviant organizations might draw insight from this tentative model of scandal and control of corrupt police departments. Great caution must be exercised in doing so, however. The symbolic meaning of scandal to a corporate executive, whose guaranteed pension may be well over \$50,000 per annum, might be very different from the meaning of scandal to a police chief, whose pension might be \$5,000 per annum. As Andenaes (1975) concludes, the dynamics of deterrence are different for different kinds of deviance. The same is probably true for the mobilization of different kinds of social control, and even of different kinds of scandals.

10.2 - POLICY

The clear policy implication of the theoretical conclusions is that premonitory corruption control policies can reduce the level of organization of corruption. The study has not demonstrated that postmonitory policies fail to reduce the level of corruption organization, but neither did it obtain any evidence on the long term associ-

ation between postmonitory controls and organization of corruption. The case of New York, which had postmonitory controls for the five years and more leading up to the situation described by the Knapp Commission (1972), suggests that postmonitory controls do fail in the long run. Premonitory controls, on the other hand, were associated with levels of corruption organization substantially lower than pre-scandal levels for periods of three years (New York) to twenty years (Oakland).

Many police executives might argue that merely reducing the level of organization of police corruption is not enough, and that the point is to eliminate corruption entirely. While the latter may be the preferable goal, it may also be impossible. As the "rotten apple theory" states, every organization can be expected to have a "normal" amount of deviance and deviant members. The ever-present, low visibility opportunities for corruption events makes police organizations perhaps more likely than most to have a continuing tendency for at least some deviance. It does seem, however, that corruption arrangements can be eliminated, if only because their greater vulnerability to detection makes them easier to deter. Arrangements were eliminated completely in Oakland and Newburgh, and reduced to relative rarity in New York.

Assuming that corruption arrangements can be eliminated and that corruption events will persist, is that a better outcome from a public policy standpoint than the more organized corruption it

replaces? Does the decline in consenting corruption relative to victimizing corruption, for example, leave the public better off than before? Such questions are beyond the scope of this study. Regardless of the public interest, however, the police executive's interest is clearly served by the reduction in the level of organization of corruption. The study finds big scandal to occur only after disclosures of well-organized corruption. A police executive who would avoid scandal is well advised to reduce the level of corruption organization. In a less Machiavellian way, if the only thing a police executive can do about corruption is to reduce the level of corruption organization, then taking that action seems preferable to taking no action.

"Premonitory control strategy" is a useful theoretical category, but it does not specify much policy guidance. The four-city comparisons of the managerial control strategies in Table 5-7, and of the internal intelligence and investigation strategies in Tables 6-2 and 6-3 summarize the narrative description of the differences between premonitory and postmonitory control. As the differences in specific strategies between the three cities categorized as premonitory suggest, premonitory control is not a single set of policies applicable to all police departments. Rather, different specific policies are appropriate for different police departments. The most important difference among police departments in this regard is size. The larger the department, the

more information there is to obtain about potential corruption and the harder that information is to obtain. As in any form of social control, information about deviance is the most basic requirement for control.

The Small Police Department

In a department of 100 officers or less, the bulk of the actual tasks of corruption control must be done by the police executive and his immediate aides. A separate corruption control unit is hard to justify in such small departments, and it seems to be unnecessary. If the personal contacts of the police executive are well developed, he can gather enough information on his own to initiate investigations and have suspected officers monitored closely. Investigations of tips and formal complaints can be done by deputies, or by investigators assigned to such cases on an as-needed basis. By spending frequent evenings on patrol, the executive can put most of his officers, and any suspected corruption locations, under his personal surveillance. The Newburgh executive even leased a new car every month to avoid detection by his officers during surveillance.

One key insight from the Newburgh experience is the necessity of bureaucracy. The pre-scandal Newburgh police were a fraternal club, with little salary differential between ranks, no written procedures, no formal discipline code and no records system. The latter was conducive to the pattern of thefts during

arrest, for no receipts were ever issued for impounded property. The reforms in Newburgh included much bureaucratization of the department which, though not directly related to corruption control, produced a radical change in the administrative climate which seemed to facilitate the corruption control policies. The executive role was enhanced by a doubling of salary, and by the appointment of three high-salaried deputies. Written rules and procedures and a formal discipline process were promulgated. Crime reporting and analysis was instituted, along with receipts for impounded property. The basic "watchman" style of patrol (Wilson, 1968) remained unchanged, but the internal procedures of the department clearly became "legalistic."

The great weakness of any small police department is the potential for domination by political elites. Departments of all sizes, of course, experience such domination, but the everybody-knows-everybody-else nature of a small community makes political interference in promotions and enforcement policy particularly problematic. A strong public declaration of independence from improper political influence and skillful use of the press in this regard seem to be the best defense strategies a police executive can use. Thorough investigation of any criminality in political circles, as in Newburgh, reinforces the autonomy of the police department.

The Medium-Sized Police Department

Police departments of between 100 and 900 officers retain a crucial characteristic of the small police department: everybody in the department generally knows everybody else, if only by face and reputation. This fact has important consequences for the flow of information, particularly about deviant activities among officers. The overlapping networks of personal relationships between work units allow information about deviant activities to flow between units. A police executive can capitalize on this information flow with a few loyal informants. Even if there is not a loyal contact in every unit, a few well-placed sources can capture most of the information that does circulate. If an executive can instill loyalty in the large majority of his officers, as Clarence Kelley seemed to do in Kansas City, then "spies" for the chief can even be dispensed with.

In order to discover corruption information that does not circulate among police officers, the general criminal intelligence unit can pursue corruption covertly. One excellent means is to use that unit for follow-ups on vice enforcement activity, to see if raids really "closed the joints down" or if a report of no activity at X location is really true. If any corruption intelligence is developed, it can be turned over to the internal affairs division for a full investigation. This division of labor, used in Oakland, keeps the development of information separate from the develop-

ment of proof.

The Kansas City case shows the high potential for peer control in departments of this size. The possibility of developing an "honor code" attitude should be weighed heavily in the consideration of any information-gathering techniques which might destroy the chances of peers voluntarily reporting corruption. Faked situations and openly recruited "field associates," in particular, would seem to run a high risk of polarizing the force against the executive.¹ If polarization is already the case, then little can be lost by the testing of integrity.

The Large Police Department

Once the size of a police department exceeds 900, it is often said that officers cease to know each other. Kansas City and Central City, both of which grew rapidly during the late 1960's, report this phenomenon. The consequences of impersonality for information flow and the consequences of size for the complexity of potential corruption patterns jointly mandate a highly complex approach to corruption control. This should be equally true for Central City and New York.

The variety of sources of information on corruption should be as great as possible, in order to reduce the reliance on any

¹Interestingly, a dramatic increase in peer control occurred in New York, where many of the most controversial information-gathering techniques originated.

single source or kind of source which could itself become corrupted (e.g., a field associate). The recording of information should be done as systematically as possible in order to allow efficient retrieval of crucial data when it is needed. Network analysis of relations among corrupt actors, in the fashion of Ianni (1974), should be a prime analytic tool. Tasks of such complexity require a separate unit for corruption investigation alone, with the tasks of investigating brutality and discourtesy complaints assigned elsewhere.

The methods for testing corruption-prone police tasks must be selected, as always, with an eye towards morale and its consequences. Complex civil liberties questions on an ethical, if not legal, plane may be at stake. And though a police department should do no less to investigate police officers than it does to investigate anyone else, there may be unwanted consequences of doing any more. Warrantless wire-tapping of officers, for example, would seem to encourage warrantless wire-tapping of gamblers, which could lead to perjury in a gambling trial.

Even so, "morale" is too often invoked as an excuse for not seeking out information about corruption. Morale is frequently said to be "lower than ever" in large, unionized police departments. No measurable adverse consequences of New York's intensive use of covert information sources were reported there, and no other department seems to have done more in this regard. If "morale"

suffered, performance apparently did not.

All Police Agencies

The foregoing recommendations were primarily concerned with information for corruption investigations. Line management also depends on corruption information, particularly for command accountability, changing the task environment, and changing the political environment. Information allows independent evaluation of a commander's effectiveness in controlling corruption. Information points to targets for change in the task environment, and allows monitoring of the effects of such change attempts. Information provides a weapon against political interference. While the means for obtaining corruption information may vary by the size of the department, such information will be equally useful for these key managerial strategies of corruption control in any police department.

Tight supervision and the ending of corrupting administrative policies, while not done in all of the four cases, seem applicable to departments of any size.

Departments of all sizes, having experienced a big scandal, must develop a strategy for dealing with the problem of their corruption history. Four alternatives emerged from the four cases. The first, and seemingly best, is the wholesale excision of the corrupt. Newburgh lost most of its police corruption problem as soon as the scandal broke, when 23% of the department was suspended.

If the means for such dramatic bloodletting are lacking, the second alternative of a high turnover of personnel can also accomplish a substantial removal of the older corrupt officers. If command weakness on corruption is a problem, induced turnover at command ranks can help break the don't-rock-the-boat traditions. But some officers who had been corrupt before the big scandal almost always remain, no matter how rapid the turnover or how far-reaching the indictments. To deal with them, the police executive must then choose between the remaining alternatives: amnesty and investigating history. Amnesty is an informal policy helped to "rehabilitate" the Oakland and Newburgh departments. New York managed to investigate history, but only through current events. (Some history lies waiting to explode, as in the discovery of the "French Connection" heroin theft years after the fact.) The failure to investigate history successfully in Central City impeded the progress of reform there, although successful sanctioning of past corruption might have helped reform.

Whatever policy is adopted to deal with historical corruption, the worst thing a police executive can do is assume that as of his taking office, "it's over." "It"--corruption--is a continuing problem, with great potential for resurgence after the short-run effects of a big scandal wear off. Any post-scandal police executive who has received no information or allegations of corruption since taking office should be guided by a policy recommendation that is central to the entire study: seek more information.

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