

WHO ARE THE PROBLEM-PRONE OFFICERS? AN ANALYSIS OF CITIZEN COMPLAINTS

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In its highly publicized review of the Los Angeles Police Department, the Christopher Commission detected a number of officers whose names appeared repeatedly in personnel complaints, reports of officer-involved shootings, and in use of force reports. Over a four-year period of analysis, 183 of the departments' 8,450 sworn personnel had received four or more allegations of excessive force or improper tactics, and 44 had received six or more such allegations. The Commission also reported that supervisory personnel were aware of who the problem officers were, but had not acted appropriately to control the inappropriate conduct (Independent Commission on the Los Angeles Police Department, 1991).

The existence of a small pocket of officers responsible for a disproportionate number of deviant activities is not a new phenomenon, nor is it specific to the Los Angeles Police Department. Further, the phenomenon is not confined to behavioral problems such as the use of excessive force: the phrase "rotten apples" has traditionally been associated with the overrepresentation of certain problem-prone officers in acts of corruption. Whether the questionable behavior concerns misconduct against citizens or various forms of corruption, the basic assumption behind the rotten apple theory is applicable in both situations. This is to say that acts of misconduct are confined to a few unruly persons who, due to individual deficiencies, cloud the good name of the majority of police officers. While this theory of official misconduct has proven to be popular among police administrators, many researchers and outside evaluators dismiss this explanation, classifying the simplistic theory as a "myth" (Barker, 1994; Stark, 1972) or as a mask for broader, system-wide problems (Geller and Toch, 1995).

For police administrators, blaming misconduct on a few bad apples maintains the integrity of an otherwise clean barrel. This explanation serves to absolve the department of responsibility and blame, focusing attention

on a few unsuitable individuals who somehow slipped through the cracks and were able to become sworn law enforcement personnel. Organizational-level problems of control and accountability are not considered. Stark (1972) argues that, "The effect of the rotten apple theory is to offer scapegoats to public indignation and to evade basic questions about the organization and character of police institutions" (p. 10).

While the rotten apple theory of police deviance may allow its proponents to dismiss other organizational explanations for misbehavior, the fact remains that these small pockets of problem-prone officers can and do develop within law enforcement agencies. In the present analysis, citizen complaints filed with the internal affairs office of a large police department in the south-east were examined, and a small group of officers was found to account for a disproportionate number of the allegations of misconduct. It is the purpose of this article to compare the small group of repeat offenders with the non-repeat offenders of the department to examine for differences in a number of demographic variables including age, tenure, complaint type and substantiation rate for the complaints. The present research seeks to address the following research questions:

- (1) Is there a pattern of a few officers receiving a disproportionate number of complaints?
- (2) Is there a significant difference between the race, age and length of service of those officers who have a disproportionate number of citizen complaints and officers who have fewer complaints?
- (3) Are there any significant differences in the characteristics of citizens filing complaints of misconduct against repeat versus non-repeat officer offenders?
- (4) Are there any differences in the characteristics of the complaint filed, such as complaint classification, contact type (either proactive or reactive) and substantiation rate between repeat versus non-repeat officer offenders?

OFFICER CHARACTERISTICS

A number of officer characteristics, such as age, tenure with the department, gender and race have been used as predictor variables for officer involvement in misconduct. Many of these studies focus on the

use of lethal and non-lethal force; research focussing on non-violent deviance other than corruption is relatively rare (Griswold, 1994).

Officer Age and Tenure

The age of an officer may affect the manner in which they deal with citizens, although research has not provided consistent results. Cohen and Chaiken (1972) found that officers in a single birth cohort who were oldest at the time of their appointment were less likely to have complaints filed against them for discourtesy, racial slurs, or excessive use of force, while Croft (1987) reported that younger officers were significantly more likely to use force than their older peers. Conversely, Alpert (1989) found that age had no influence on the decision to use force in the arrest of a citizen or in the use of deadly force.

Tenure in the department has been associated with the manner in which officers react to citizens, but again the results are mixed. It has been reported that older, more experienced officers present a calmer demeanor when dealing with the public (Forst, Lucianovic and Cox, 1977), but other studies have found that length of service had no effect on an officer's decision to use force or deadly force (Friedrich, 1980; Hayden, 1981).

Complications exist in the discussion of tenure and age. Many departments operate under a seniority system, in which young recruits are more likely to be assigned to areas associated with greater overall levels of activity and higher crime rates. Some officers, due to the nature of their assignment, may be put in situations that require greater use of force (Toch, 1995). The Christopher Commission recognizes this fact, but argued that the disproportionate representation of a few officers in complaints and use of force incidents could not be solely attributed to officer assignment. As further phrased by Toch (1995:100): "High crime rates combined with promiscuous proactivity can lead to higher incident rates than those that would result from more judicious exercises of discretion, given high rates of crime".

Gender of Officers

Both in historical and contemporary times, policing has been a male-dominated profession. However, women who have moved into street patrol and supervisory positions have received good evaluations. In

a study involving public perceptions of the New York City police, female officers were judged to be more competent, more respectful and possessed of a greater ability to listen and understand the concerns of the citizens (Snortum and Beyers, 1983). Steffensmeier (1979) found that the presence of female officers on patrol resulted in a decreased number of citizen complaints and an overall reduction in police violence. Further, Van Wormer (1981) stated that male officers were more likely to generate citizen complaints, provoke incidents of violence and be involved in brutality cases. Conversely, female officers did not present a violent, threatening image to the general public, were found to avoid assaults and seemed to produce an overall calming effect. Similarly, Grenan (1987) found that female officers in male-female patrol teams were more effective in calming a potentially violent situation. It has also been demonstrated that female officers are less likely to be involved in deadly force incidents (Horvath, 1987).

Race of Officers

The literature concerning the race of the officer and the incidents of complaints has not demonstrated a clear pattern (Pate and Fridell, 1993; Riksheim and Chermak, 1993). While some studies have reported that black officers are more likely to use unjustified force and be involved in on-duty shootings, these occurrences may be due to the over-representation of black officers in high crime areas (Fyfe, 1981; Sherman, 1980). Friedrich (1980) reported that while black officers were more likely to use reasonable force against citizens, they were less likely to use excessive force than their white peers. Similarly, Worden (1995) found that black officers were more likely to use force, but less likely to use improper force in dealings with citizens.

Critique of Previous Studies

Previous studies that have analyzed officer characteristics as predictors of deviant involvement have compared officers involved in the deviant activity in question with the characteristics of the department as a whole. This has produced conflicting results. In some studies, variables such as age and tenure are determined to be related to the level of misconduct, while others find no relationship. Part of this inconsistency may be due to the fact that most officers have very few complaints of misconduct filed against them. When all of the "offenders" are classified

together and the majority have received only sporadic complaints of misconduct, any significant differences that may exist between a core of repeat offenders and the majority of the officers who receive very few complaints may be masked. In the present analysis, comparisons may be made between the characteristics of all sworn personnel in the department and the “core” of officers that are involved in a disproportionate number of complaints, as well as characteristics of all officers who have received a citizen complaint of misconduct.

COMPLAINT CHARACTERISTICS

Characteristics of the complaints, including complaint type, initiation circumstances and substantiation rates, will be compared for officers considered to be repeat offenders and those classified as non-repeat offenders.

Substantiation Rate of Complaints

Rates of substantiation of complaints, or complaints that are upheld by facts, have been found to range between zero and 25 percent, with 10 percent or less being the norm (Pate and Fridell, 1993). It is very difficult to substantiate complaints against officers due to the high evidentiary standards (Goldstein, 1986). Some have argued that it is easier to win a civil suit than to have a complaint against a police officer found to be merited (Griswold, 1994; Sparrow, Moore and Kennedy, 1990). Further, the individuals filing complaints of misconduct may be defined as “marginal” individuals, which serves to limit their credibility as reliable, believable witnesses (Chevigny, 1969; Reiss, 1968).

In a review of practices within the Oakland, California, police department, Skolnick and Bayley (1986) discussed the problems associated with the police departments’ investigation of its own officers. According to James Chanin, an attorney who advises citizens on matters related to the filing of police brutality complaints, he never advises his clients to seek retribution through the internal affairs department: “If someone comes in with black and blue marks and says this officer beat me, they will not seriously entertain the notion that the officer could have done it – or even if they do, there’s no set of circumstances where they’ll find the complaint substantiated”, stated Chanin (quoted in Skolnick and Bayley, 1986:157).

Complaint Initiation and Type

The circumstances surrounding the initial police-citizen encounter have also been considered. If an officer initiated contact with the citizen as a result of an assigned call, the contact is labelled reactive. However, if an officer stopped the citizen of his or her own accord, the contact is labelled proactive. Traffic stops and investigations of suspicious-looking persons would fall into this category. While Friedrich (1980) reported that the nature of the initiation of contact had no effect on an officer's decision to use force, it may be of interest to inspect for a possible relationship between contact-type (whether proactive or reactive) and officer classification as a repeat or non-repeat offender. If a significant relationship exists, perhaps officers classified as repeat offenders have a more investigative, assertive style of policing that may put them at greater odds with the citizens they are assigned to protect.

Owing to the lack of consistency in classification, it is difficult to directly compare the results from studies concerning the types of complaints filed. Dugan and Breda (1991) reported that 41.8 percent of the citizen complaints filed against Washington State agencies contained allegations of verbal misconduct, while Littlejohn (1981), in a review of the Detroit Police Department, reported a rate of 24 percent for demeanor-related complaints. Griswold (1994) found that only 13.9 percent of the complaints filed against a metropolitan police department in Florida alleged acts of discourtesy or harassment, but this percentage was based on both the number of complaints filed by citizens and internal police complaints of misconduct.

In a review of the relevant literature in the area of allegations of force, Pate and Fridell (1993) reported rates of violent misconduct as low as 17.5 percent in Washington State Departments (citing Dugan and Breda, 1991) and as high as 66.4 percent in "Metro City" (citing Wagner, 1980). Griswold's examination of the internal affairs complaints of a metropolitan police department in Florida yielded a rate of 23 percent for allegations of the misuse of force (1994). In terms of the present study, it may be of interest to investigate the relationship between complaint type and officer classification. Significant relationships may suggest the need for additional training for officers classified as repeat offenders in specific areas, such as the perception of demeanor or acceptable use of force.

Citizen Characteristics

The analysis concerning possible differential characteristics for citizens filing complaints against police officers classified as repeat or non-repeat offenders will be limited to the variable of race. Both in historical and contemporary times, the relationship between minorities and the police has been very different from the relationship officers share with white citizens. While most white citizens report favorable opinions on the performance of their local police, the experience minorities have with officers appears to be more negative. In a public opinion poll conducted by the Gallup organization in 1989, more than 50 percent of the blacks interviewed believed most police officers view blacks as suspects and would be likely to arrest the wrong person and 25 percent of the black men stated that they had been harassed while driving through white neighborhoods (Bessent and Tayler, 1991). Further, in a poll of 1,901 residents of Los Angeles and Orange counties in 1990, 50 percent of the blacks felt that there was a "fair amount" of police brutality, which was twice the rate expressed by white citizens. More recently, public sentiment concerning the guilt or innocence of O.J. Simpson and possible misconduct by the investigating Los Angeles officers has been split along racial lines. In the city of Los Angeles, blacks account for only 13 percent of the city's population. However, 41 percent of the official complaints against police officers are filed by black citizens (Rohrlich and Merina, 1991).

However, consensus has not been reached concerning the race of the citizen involved in police contacts. In a review of the relevant research, Sherman (1980) reported mixed results. Pate and Fridell (1993) found that blacks were overrepresented among complainants of excessive force when the officer involved was employed with a municipal or county agency. With respect to state agencies, whites were found to be slightly overrepresented among complainants. Further, in a number of studies, race was not found to be a significant factor in an officer's decision to use force or to shoot (Riksheim and Chermak, 1993).

In terms of the present study, a significant relationship between the race of the citizen and the classification of an officer as a repeat or non-repeat offender may suggest the need for additional cultural diversity training for officers.

METHOD

The data used for this analysis were collected from the internal affairs office of a large police department in the south-east, hereafter referred to as "Sunnyville". According to 1990 census figures, the city has a population of just under 240,000 residents, the majority of whom are white (77.8 percent). African-Americans comprise 19.6 percent of the population, while citizens of other races make up 2.6 percent. As is the case in many large cities, the African-American population of Sunnyville is concentrated residentially, with only 21 census tracts out of 64 reporting at least 400 black residents.

The Department

During the period of analysis, the city of Sunnyville employed about 508 sworn law enforcement personnel with an average age of 36.05 years and mean length of service of 11.97 years. According to 1993 strength reports, the racial make-up of the officers was as shown in Table 1.

To be considered for analysis, a citizen must have initiated contact with the agency and expressed displeasure over an interaction with a sworn law enforcement officer. Complaints against officers can be made in several ways. A citizen may initiate a complaint at any time by providing the information to any employee of the department in person, by telephone, or by mail. If a complaint is received after normal business hours, the information can be taken by an on-duty supervisor and later

Table 1
RACE AND GENDER DISTRIBUTION OF OFFICERS (1993)

Race	Gender	<i>n</i>	Percentage
Asian	Male	4	0.79
Black	Female	16	3.15
Black	Male	61	12.01
Hispanic	Female	1	0.20
Hispanic	Male	8	1.57
Indian	Male	2	0.39
White	Female	46	9.06
White	Male	370	72.83
Total		508	100.00

referred to the internal affairs office. All types of complaint were considered in this analysis, including allegations of force and non-force complaints.

Data describing characteristics of the citizen filing the complaint, the officer named in the complaint and the complaint itself were collected. Officer characteristics were obtained from the agency personnel files and included race, gender, age and tenure with the Sunnyville agency. Information regarding the complaint included complaint type, whether or not the allegations were sustained and circumstances of initiation. Information concerning the complainant, which was obtained from police reports, was limited to race.

The Complaints

Over a three-year period of analysis (1991-94), a total of 527 complaints were filed. A single complaint of misconduct may include allegations against two or more officers. As a result, the 527 complaints translated into a total of 682 allegations of wrongdoing. These allegations included a wide range of types of misconduct and the labels applied by internal affairs investigators were discretionary and inconsistent over the period of analysis. Therefore, the complaints were grouped into four distinct categories: complaints involving force ($n = 149$); non-violent complaints of threatening behavior, harassment and discourtesy ($n = 339$); dereliction in the performance of duties ($n = 159$); and miscellaneous ($n = 35$), which included such things as allegations of inappropriate driving or traffic violations, using their position as an officer for personal gain or conducting personal business while on duty. While the majority of the allegations focused on a single behavioral type, in the few cases in which more than one allegation was filed (i.e. verbal abuse and excessive force) the incident was classified under the most serious complaint type.

RESULTS

“Repeat Offenders”

In the 682 allegations that were reviewed for analysis, 274 officers were accused of misconduct. As can be seen in Table 2, these complaints were concentrated in the hands of a relatively few number of

Table 2
CONCENTRATION OF COMPLAINTS AGAINST OFFICERS

No. of Complaints	No. of Officers	Total No. of Complaints	Percentage	Cummulative Percentage
1	115	115	16.9	16.9
2	62	124	18.2	35.1
3	38	114	16.7	51.8
4	22	88	12.9	64.7
5	15	75	11.0	75.7
6	11	66	9.7	85.4
7	5	35	5.1	90.5
8	2	16	2.3	92.8
10	1	10	1.5	94.3
13	3	39	5.7	100.0
Total	274	682	100.0	100.0

officers. For example, there were 11 officers who received six complaints over the three-year period, which accounted for almost 10 percent of the 682 complaints filed. In the most serious instances, two officers each received eight complaints of misconduct, one officer received ten complaints and three officers each received 13 complaints. These six individuals accounted for 65 allegations of misconduct, or almost 10 percent of the total number of citizen complaints for the three-year period.

Based on the distribution of data in the present analysis, a "repeat offender" will be classified as an officer who has received five or more complaints over the three-year period. Using this criterion, 37 are classified as "repeat offenders". While this small group of officers accounted for only 7.3 percent of the total sworn officers employed by the Sunnyville agency, and 13.5 percent of the officers who had received at least one complaint, the repeat offenders accumulated 35.3 percent of the total number of complaints. It must also be considered that 46 percent of the sworn force did not receive a single complaint of misconduct over the three-year period. If 1993 strength figures are used, out of 508 sworn officers employed in 1993 there were only 274 officers (or 54 percent of the department) who had been named in at least one citizen complaint.

OFFICER CHARACTERISTICS

Race

The results concerning the characteristics of the officers are presented in Table 3. Throughout the analysis of officer demographic variables, comparisons have been made between the overall composition of the Sunnyville agency and those officers with one or more complaints, as well as between the officers classified as repeat and non-repeat offenders. When the classification of officers as repeat or non-repeat offenders was ignored, a chi-square goodness of fit test suggested that there was a significant difference between the distribution of the race of officers named in at least one citizen complaint and the racial distribution of officers employed by the Sunnyville agency (chi-square = 8.02, 1 df, $p < 0.01$). Minority officers were overrepresented among officers named in complaints.

Table 3
OFFICER CHARACTERISTICS

	Total (Officers with Complaints) <i>n</i> (%)	Non-repeat Offenders <i>n</i> (%)	Repeat Offenders <i>n</i> (%)
<i>Race</i>			
White	530 (77.7)	348 (78.9)	182 (75.5)
Minority	152 (22.3)	93 (21.1)	59 (24.5)
Total	682	441	241
Chi-square = 1.04, 1 df, $p > 0.05$, phi = 0.039			
<i>Gender</i>			
Male	643 (94.3)	402 (91.2)	241 (100)
Female	39 (5.7)	39 (8.8)	0 (0)
Total	682	441	241
<i>Age</i>			
Mean	31.69	32.49	30.20
Standard deviation	6.44	6.41	6.24
$t = -4.41$, 470.64 df, $p < 0.000$			
<i>Tenure</i>			
Mean	7.09	7.72	5.92
Standard deviation	5.29	5.79	3.95
$t = -4.62$, 605.28 df, $p < 0.000$			

No relationship was found between officer race and their classification as repeat or non-repeat offenders (chi-square = 1.04, 1 df, $p > 0.05$).

Gender

When available data on all officers receiving at least one complaint were considered, male officers were overrepresented. A chi-square goodness of fit test indicated a significant difference in the gender distribution of the officers named in at least one citizen complaint and the distribution of the officers employed in Sunnyville (chi-square = 28.10, 1 df, $p < 0.01$). Gender was also found to be a predictor for repeat offenders: all of the officers classified as repeat offenders were male (chi-square = 22.61, 1 df, $p < 0.01$).

Age and Tenure

The mean age for officers receiving at least one complaint in the period of analysis was 31.67 years ($s = 6.44$ years), which was lower than the mean age of 36.05 years for all sworn personnel ($z = 17.20$, $p < 0.01$). When the officers classified as four repeat offenders were compared to the non-repeat offenders, the repeat offenders were significantly younger than those individuals receiving fewer complaints of misconduct ($t = -4.41$, 470.64 df, $p < 0.01$, (see Table 3)).

The average length of service for all sworn personnel with the Sunnyville agency was 11.97 years. Those officers who had received at least one complaint over the three-year period of analysis were found to have a mean length of service of 7.09 years, which was lower than the officer average ($z = 23.35$, $p < 0.01$). Further, those officers classified as repeat offenders had lower mean years of service than officers receiving fewer allegations of misconduct ($t = -4.62$, 605.28 df, $p < 0.01$ (see Table 3)).

COMPLAINT CHARACTERISTICS

As can be seen in Table 4, a relationship was found between officer classification and complaint type (chi-square = 13.48, 3 df, $p < 0.01$). Officers classified as repeat offenders were more likely to be accused of both violent and non-violent harassment of citizens, while

Table 4
COMPLAINT CHARACTERISTICS

	Total n (%)	Non-repeat Offenders n (%)	Repeat Offenders n (%)
<i>Complaint Type</i>			
Force	149 (21.8)	85 (19.3)	64 (26.6)
Harassment	339 (49.7)	211 (47.8)	128 (53.1)
Performance	159 (23.3)	120 (27.2)	39 (16.2)
Other	35 (5.1)	25 (5.7)	10 (4.1)
Totals	682	441	241
Chi-square = 13.48, 3 df, $p > 0.0037$, Cramer's $V = 0.14$			
<i>Contact Type</i>			
Proactive	281 (41.2)	148 (33.6)	133 (55.2)
Reactive	401 (58.2)	293 (66.4)	108 (44.8)
Totals	682	441	241
Chi-square = 30.09, 1df, $p < 0.000$, $\phi = 0.21$			
<i>Substantiation of Complaint</i>			
Sustained	75 (11.1)	55 (12.6)	20 (8.4)
Not Sustained	601 (88.9)	382 (87.4)	219 (91.6)
Totals	676	437	239
Chi-square = 2.79, 1 df, $p = 0.0951$, $\phi = 0.06$			
Missing cases: 5			

officers with fewer complaints were more likely to be accused of dissatisfactory performance of duties. With regards to the initiation type, a significant relationship was found between officer classification and type of contact. Officers classified as repeat offenders were more likely to have complaints filed against them as a result of a proactive contact, while complaints against non-repeat offenders were more likely to result after a reactive encounter (chi-square = 30.09, 1 df, $p < 0.01$).

With respect to the number of citizen complaints found to be sustained by the evidence, the overall rate came out to 11.1 percent. While the difference was not found to be significant (chi-square = 2.79, 1 df, $p = 0.09$), complaints filed against officers classified as repeat offenders were less likely to be sustained. Whereas 12.6 percent of the complaints against non-repeat offenders were upheld by internal affairs, only 8.4 percent of the complaints filed against non-repeat offenders were sustained.

CITIZEN CHARACTERISTICS

As can be seen in Table 5, minority citizens were disproportionately represented among the complainants. While this group of individuals comprised only 22.2 percent of the population of Sunnyville, in the 549 cases in which the race of the complainant was able to be determined, minority citizens accounted for 50.5 percent of the complaints filed against the city's Police Department. Further, the relationship between citizen race and officer classification was found to be significant (chi-square = 13.52, 1 df, $p < 0.01$). Whereas 44.6 percent of the complaints made against non-repeat offenders were filed by minority citizens, 61 percent of the complaints filed against repeat offenders were by minority citizens.

In consideration of the strong racial overtones of the Rodney King incident, in which a group of white officers were involved in an assault against a black male and the more recent racist allegations made by Detective Mark Furman of the Los Angeles Police Department in the highly publicized O.J. Simpson trial, it may be of interest to further explore the relationship of the race of the officer and the race of the citizen filing the complaint. Do white officers classified as repeat offenders tend to target their misdeeds towards minority citizens, or is police misconduct more of an intraracial phenomenon?

As can be seen in Table 6, a significant relationship was found between the race of the citizen and the race of the officer for those officers classified as repeat offenders only (chi-square = 4.33, 1 df, $p < 0.05$). The data suggested that the allegations of police misconduct were more of an intraracial occurrence. While 18 percent of the complaints filed by white citizens involved a minority police officer, 32 percent of the complaints

Table 5
CITIZEN CHARACTERISTICS

Race of Citizen	Total <i>n</i> (%)	Non-repeat offenders <i>n</i> (%)	Repeat offenders <i>n</i> (%)
White	272 (49.5)	196 (55.4)	76 (39.0)
Non-white	277 (50.5)	158 (44.6)	119 (61.0)
Totals	549	354	195
Chi-square = 13.52, 1df, $p = 0.0002$, $\phi = 0.16$			

Table 6
RACE OF OFFICERS AND CITIZENS

Race of Officer	White n (%)	Minority n (%)	Total n (%)
<i>Repeat Offenders Only</i>			
White	62 (81.6)	81 (68.01)	143 (73.3)
Minority	14 (18.4)	38 (31.9)	52 (26.7)
Total	76 (39.0)	19 (61.0)	195 (100.0)
Chi-square = 4.32989, 1df, $p = 0.0002$, $p = 0.03745$			
<i>Non-Repeat Offenders Only</i>			
White	161 (82.1)	124 (78.5)	285 (80.5)
Minority	35 (17.9)	34 (30.8)	69 (19.5)
Total	196 (55.4)	158 (44.6)	354 (100.0)
Chi-square = 4.32989, 1df, $p = 0.03745$			

filed by minority citizens involved a minority police officer. When only those officers classified as non-repeat offenders were considered, no significant relationship was found to exist between the race of the citizen and the race of the officer (chi-square = 0.74752, 1 df, $p > 0.05$).

DISCUSSION

It was the purpose of this research to investigate the phenomenon of alleged "rotten apples", or officers who are classified as repeat versus non-repeat offenders. A small group of 37 officers, or about 7 percent of the sworn personnel, accounted for over one-third of the total number of complaints filed over the three-year period of analysis. Differences between repeat and non-repeat offenders were examined in three areas: officer characteristics, complaint characteristics and citizen characteristics. The group of all male officers classified as repeat offenders was found to be significantly younger and less experienced than their peers and was more likely to be accused of violent and non-violent harassment resulting from a proactive contact. While the repeat offenders were more likely to be accused of misconduct by minority citizens, when the race of the accused officer was controlled a disproportionate number of the complaints were intraracial in nature.

The generalizability of the results of the present study must be addressed. The city of Sunnyville Police Department is a large agency located in the south-east. Comparisons to smaller, more rural departments may be erroneous. However, it would be of interest to replicate this study in a number of settings to see if similar results are found in departments with differing racial, ethnic and population characteristics.

The results suggest a possible need for additional training and monitoring of younger, less experienced officers. The group of repeat offenders was found to be significantly younger and with fewer mean number of years with the Sunnyville agency than those with fewer complaints. While the majority of the citizen complaints was determined to be not sustained by the available evidence, the disproportionate number of allegations made against this small group of officers should not be dismissed.

Further, although a disproportionate number of complaints does not automatically indicate misconduct, it does signal the need for a review of the officers' practices. A high number of complaints may indicate poor communication skills or the need for better training and restraint, or the allegations of malpractice may be part and parcel of being a tough and aggressive police officer.

The United States Commission on Civil Rights (1981) noted the importance of carefully maintaining records so that departments can recognize officers who are frequently named in citizen complaints or who demonstrate questionable behaviors when dealing with the public. The Commission suggested the monitoring of incidents such as the number of times an arrest escalates into the use of violence, the number of citizen complaints alleging excessive use of force or other abusive behavior and the number of shootings or firearm discharges.

Kappeler, Slader and Alpert (1994) discussed the increasing trend of departments using various early warning systems, in which citizen and departmental complaints are tracked and monitored. Data concerning the number of civilian complaints filed against the officer, the outcome of departmental investigations and demographic variables of the citizens filing the complaints should be recorded to investigate for possible patterns. Similarly, Geller and Toch (1995) discussed the supplemental use of other data sources, such as peer nominations, to identify problem-prone officers. Regardless of the type, properly used early warning systems may assist a department in identifying problem-prone officers before the situation gets out of control.

The Issue of Race

The predominantly African-American minority population of Sunnyville was disproportionately represented among complainants and was more likely to file complaints against officers classified as repeat offenders. However, this may be just one more illustration of the overrepresentation of minority citizens as a whole in the criminal justice system. Minority citizens and especially African-Americans, are overrepresented in overall arrest rates, arrests for violent crimes and reported murders (Riksheim and Chermak, 1993). Feagin (1991) reported that by the time black males reach their twenties, most have been stopped and questioned by the police because of the color of their skin, while Bogomolny (1976) found that younger black citizens are more likely to find themselves targets for questions and abuse by law enforcement officers.

While minority citizens were overrepresented among complainants, a disproportionate number of complaints were found to be intraracial in nature. Similar results were found by Reiss (1968), who found that violent altercations between white and black officers tended to be intraracial in nature. Carter (1986) reported that Hispanic officers were more likely to discriminate against Hispanic citizens than white citizens. However, in an analysis of Metro-Dade County, Florida, Fyfe (1988) found that white officers were more likely to use force against black citizens, while black officers were more likely to use force against white or Hispanic motorists (cited in Walker, 1992).

The issue of race is a complex one, especially given the nature of the present data source. Not every incident of misconduct is reported to the police and, if an individual does choose to file a complaint, he or she assumes that they will not be retaliated against by an agent of the department and, ultimately, something will be done in response to their complaint. One cannot ignore the behavior and motivations of the citizen who initiates the complaint process: the citizen must not fear the process and must have confidence in the ability of the agency to police its own. Perhaps the reason that minority citizens are more likely to file complaints against minority officers is because a minority citizen may feel more confident that this type of complaint will be addressed, whereas a complaint filed by a minority citizen against white officers would more likely be ignored. Given the lengthy history of mistrust and animosity between minority citizens and the police, this may be a feasible interpretation. This issue could be the focus of future research, wherein

minority citizens are randomly contacted in reference to their experiences with the police, eliciting their motivations for filing or choosing not to file complaints of misconduct against a police agency.

Problem-prone Officers or Productive Cops? A Complex Issue

When the characteristics of officers accused of higher levels of misconduct were presented to several high ranking state law enforcement administrators, the initial comment was that the officers with a greater number of complaints were just the more productive, aggressive officers performing their duties to the best of their abilities. Far from being problem prone, these officers were the only individuals who were performing their duties and earning their paychecks.

While the “rotten apple” theory of police deviance has been met with disdain due to the tendency to ignore organizational-level variables, this “good apple” theory is even more disturbing because complaints of misconduct against officers are viewed as an indicator of productivity. If an officer is not generating dissatisfaction among the general public, then the individual must not be doing his or her job. Not only does this explanation absolve the individual officer receiving the complaint from any wrongdoing, but it also relieves the department of any blame for condoning the misconduct of its officers.

While the “good apple” analysis would certainly not be popular among outside evaluators, there is a kernel of truth: these officers are actively seeking out crime and criminals. A disproportionate number of the complaints filed against the repeat offenders resulted from a proactive contact. There is a fine line between aggressive policing and harassment and departments need to monitor these officers closely to be sure the line is not crossed. In the present analysis, performance evaluations of officers were unavailable. Future research projects should either include the departmental supervisory evaluations or possibly provide the officers with the opportunity to evaluate the work habits of his or her peers. The inclusion of this data would permit tentative answers to the question of “rotten apples or good cops?”.

While the difference was not found to be significant, the complaints received by this small group of officers were less likely to be sustained by the internal affairs office. However, since the repeat offenders were accused of more serious forms of misconduct, the tendency for their complaints to have a lower rate of substantiation is not

surprising. Previous research has found that the more serious allegations of misconduct have the lowest likelihood of being sustained by the evidence in internal police review (Griswold, 1994; Pate and Fridell, 1993). This may be due to a number of factors. As the severity of the complaint increases, the severity of the consequences for the accused officer also increases, which further serves to heighten the already stringent evidentiary requirements (Griswold, 1994). Further, the individuals filing complaints of force may be defined as “marginal” individuals, which serves to limit their credibility as reliable, believable witnesses (Chevigny, 1969; Reiss, 1968).

CONCLUSION

Police misconduct and malpractice is not a universal phenomenon: the majority of officers are hard-working professionals exercising restraint and respect when dealing with the general public. However, a small pocket of officers engaging in questionable conduct can tarnish the credibility and effectiveness of all officers. It is the responsibility of each department to closely monitor the behavior of its officers, diligently investigating allegations of misconduct. If an officer is consistently named in allegations of malpractice, this may be an indication that additional training may be needed. While allegations of misconduct do not automatically indicate misdeeds, the general public’s perception of misconduct may be just as tarnishing to a department as actual malpractice.

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