

## Report

13 October 1999, Workshop 6  
**CREATING AN ETHICAL POLICE FORCE**

∇80 persons

**CHAIR** : Mark Codd

**FIRST SPEAKER** : Prof M Girodo

Behavioural Risk Assessment Strategic Systems - BRASS - combination of :

- 1 Early Warning System
- 2 Integrity Assessment System

Previously you had to wait for deviant behaviour to manifest itself. BRASS does this before the breakdown occurs.

Aimed at high risk units

Assess and reinforce integrity in

- 1 Officer and
- 2 Unit

A 3 day course

A cognitive probe (12)

- 1 Established characteristics
- 2 Assess a predisposition to the act - views on the CJS - attitude to CJS is very important - also how you feel about your environment and laws. A forced choice method is used. It means intensity - how a group endorses a statement.
- 3 Looking at ethical systems under which an officer is operating.

Failure in integrity is not a moral issue. See it as a conflict between personal loyalty and broader issues.

It is a decisional conflict and manifests itself in a measurable way.

Do not use drugs to make a case.

- Σ walk away from such a case. Self interest is prompted. Investigator will sacrifice to make a case.
- Σ stall and create the illusion to use unallowed tactics.
- Σ looking at control environment to contain opportunity for corruption.

People are gathered in small group to explain how they deviate.

The system gives the profiles back to them and teaches them to identify them.

Looks at selection, training, rotation.

**SECOND SPEAKER** : Thomas Kubic

### **HIRING TO AVOID CORRUPTION PRONE OFFICERS**

- Hiring produces and plans were short sighted.
- Chiefs of police got together to enhance this.
- Identify the mission and core value.
- Value system embraced by all.
- A clear statement of core values is important.
- Specification of Abright line≡ approach.
- Defence of ignorance rules is taken away.
- Rules and regulations are to be boiled down.
- A firm commitment to training - ethics training is very important and part of the curriculum.
- Exculpatory evidence must be revealed to prosecutor.
- Background investigation essential for potential employees.
- Police officers protecting drug operations (most of these were protecting drug operations - protection etc.).
- A specific need to improve salaries of officers.
- Focus on core value with high emphasis on ethics.

**THIRD SPEAKER** : Robert Quick

### **INTEGRITY TESTING IN METROPOLITAN POLICE**

- Integrity tested as result of poor service delivery. Police officers to be able to intellectualise their roles.
- Scotland Yard threatened by corruption.
- Metropolitan Police Service identified own problems.
- Secret intel operations
- Commissioner went public.
- Legislative changes took place.
- Only few members suspected of corruption - **BUT** it is disproportionately high.
- Corruption is everywhere.
- Two year covert operation gathered a lot of intelligence.
- Results were that officers were involved with criminals, selling case files, etc.
- That corruption is at all ranks - all personnel - civilians and police.

### **RESPONSE**

- Hand picked staff selected to appoint staff.
- Intelligence led.
- High cost.
- Investigate corruption in any agency.
- Develop systematic approach.
- Address institutional causes.

### **SIX STRANDS**

1. Prevention and detection.
2. Inclusion.
3. Focus and accountability.
4. Supervision and leadership.
5. Security, screening and netting.
6. Corruption and dishonesty proofing.

Strand one : Quality prosecutions.

Integrity testing - Identify scale of problem, failures, compliance, cultural, change behaviour, protection from unjust criticism and raising the stakes.

#### Structure of integrity testing unit

Keeps it *covert* - very important, comprehensive legends behind personnel, officers, vehicles, highly experienced staff.

#### Consideration

Fairness, no tricks, academic accreditation, process design, define failure, feedback systems, independent oversight panel.

Two types of *targeting* :

1

- Σ intelligence led
- Σ specific suspects
- Σ tailored scenarios
- Σ cost effective
- Σ disposal
- Σ disclosure

2

- Σ random
- Σ policy led
- Σ truly random
- Σ generic scenarios
- Σ omnipresence
- Σ litmus test
- Σ non-disclosure

### **CONSIDERATIONS**

Do not underestimate fear.

Keep good people on your side.

Convince organisation that threat is real.

Dispel myths.

Emphasise power of programme.

### **ACHIEVEMENTS**

Secrecy.

Results good

## **FUTURE**

Deep undercover and stay ahead.

"The only thing for evil to triumph is for good men and women to do nothing" - Edmund Burke.

**FOURTH SPEAKER** : Stevan Bunnell : US Department of State

## **MID-CAREER CORRUPTION ISSUES**

Causes of police corruption and how to combat it.

Law is a critical tool because corruption is difficult to root out.

It requires commitment from top management.

1. Many officers that are convicted start off as good persons. Sometimes the institution demoralises them. Many officers start off with minor offences and go to corruption. Many excessive force officers turn to corruption. Top officers are to be targeted for integrity tests.
2. Minor corruption to be rooted out - bright line approach - zero tolerance.
3. Corruption not only result of need / greed. Sufficient pay not good enough. Cynicism is sometimes also the reason for corruption. Taking law in own hands. Corruption is rationalized. It also stems from perceptions of Department. They believe that commitment is just rhetoric and they turn to own officers (loyalty).

Supervisors are to be held accountable for corruption that occurs. Environment can promote cynicism and lead to corruption. Beware of dumping ground.

4. Importance of honest cop in community. Honest cop fears reporting on corrupt colleagues. Honest cops fear corrupt cops. Honest cops to be rewarded and protected.
5. Community need to be educated on corruption and demonstrate their commitment to root it out. Corruption does not occur in a vacuum - it takes two to tango. The corruptor and corruptee will and must be prosecuted.

## **QUESTIONS**

Q Is there a threshold to ethics? Stance on torture.

A At beginning to long road to change. There is a relationship between violence and corruption - evidence developed through assault is not admissible.

Q Who does ACS report to?

A To Deputy Commissioner

Q How do you insulate investigations from political interference?

A US has federal system of Government. People who work for Federal Government provide this insulation.

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**FIFTH SPEAKER** : Mr Thomas Mehles - D.I.E. Anti-Corruption Hamburg - How They Tackle Corruption

Germany federation 16 states

D.I.E. 1995 - 25 now 55 + own surveillance.

Government and Police officials.

Head of D.I.E. reports to Home Secretary.

It does investigations and prevention and to approve policies conducive to corruption.

Educate and inform public.

Aiming at police officials in sensitive positions.

D.I.E. was new command to do high quality investigations. Intelligence, informants, infiltration.

Object : to secure evidence to place corrupt before court - to remove them from police - also to target the corruptors.

**PREVENTION**

1. Leadership programme and supervision
2. Acceptance for strategy
3. Monitor policy practices conducive to corruption. Choose the right team to do the job.

**EARLY WARNING SYSTEM (1998)**

To detect problems.

Special data system.

Manage information regarding service and to advise commanders.

Public complaints are a good barometer regarding the police - duty to deliver.

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**SIXTH SPEAKER** : Anneke Osse / Hans Drayer : Dutch Police

**CORRUPTION : HOW DOES IT WORK AND HOW CAN ONE INTERVENE**

1. Theory - how to look  
process  
intervention
  - Σ corruption is never on its own
  - Σ an individual approach
  - Σ insight and skills
  - Σ in-house
  - Σ no officer joins particularly to be corrupt.

Programme - what to prevent.

ADefinition≅ - 4 elements : doing a favour, receiving a favour: damage: secrecy.

All elements and starts at any point.

**RISK FACTORS**

- Σ problems at work
- Σ management behaviour
- Σ bad career opportunities
- Σ group pressure
- Σ private problems
- Σ police culture
- Σ criminal contacts

### **HOW DOES IT HAPPEN?**

- Σ police culture
- Σ self justification
- Σ you intervene by helping people gain insight into their decision process - what decision and the effect thereof. The AHOW≡ is the skills part.

### **TRAINING PROGRAMME**

- Σ discussing the dilemmas
- Σ discussing norms and values guiding decisions
- Σ assertiveness - say ANO≡
- Σ how to disclose the situation

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### **HANS DRAYER**

1. MANAGEMENT RESPONSIBILITY
  - Σ say
  - Σ discuss
  - Σ agree
  - Σ confront
2. ETHICAL : EITHER 100% OR NOT AT ALL
3. ASSESSMENT MODEL
  - Σ intuition
  - Σ decision moments
  - Σ values and standards
  - Σ interests
  - Σ responsibility
  - Σ reaction
  - Σ prevention measures

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### **MR MARSHAL IRWIN - AUSTRALIA**

National Crime Authority

Role of civilian oversight.

Unique in Australia - can investigate Federal and State Authority and has wide powers of coercion -

essential to have these powers.

Organized crime is facilitated by corruption.

Civilian oversight should not be a permanent feature.

Two models in Australia will be referred to - Queensland and New South Wales models.

Corruption in sex, mineral, real estate, construction - top cops were imprisoned.

Criminal Justice Commission - Prevention, Witness Protection, Technical and Investigation.

Misconduct is a dismissible offence.

Lower the burden of proof - not shift the burden of proof.

Sole responsibility for investigation.

Internal Affairs Department has no function in that offence

Σ access to covert / witnesses / telephone tapping etc. is imperative for success.

Σ need within police to deal with discipline as a pro-active aspect - management.

NSW MODEL - (Shared responsibilities)

More responsibility to I.A.D. that could lead to dismissal. Retention of direct role in police is essential.

Queensland is moving in this direction.

Employee Management System.

Both models show that investigation is part of modern HSC techniques. These enable E-warning and steps to deal with them.

The HSC must be a strategy that includes :

Σ selection

Σ suspension

Σ promotion

Σ prevention

Σ education

Σ accountability

Σ training

Police corruption is multi faceted and disciplinary situation.

Independent civilian authority oversight.

Corruption is continually evolving.

Scrutiny of processes used must take place.

If we cannot eradicate it, at least minimize it.

Q Is leadership out?

A Leadership and management failure has been a major fact in corruption. Leadership is crucial and is in. BRASS not suitable for **all** types of organisations. It is good for progressive organizations. Not for para-military where strict up / down management is done.

Q Criminal offence to test data base for information in Australia?

A In Netherlands forbidden - how to detect? Pointless to just make rules. You have to enforce them.

Q 1 Are you using Agent provocateurs≡?

2 Where does most corruption occur? (typical and most dangerous)

A 1 In USA under cover agents are used. Certain facts need to be proven before agents are used.

2 To protect drug trafficking.

A Australia

1. Same as USA. Act in legal limits. Information must be had. Offender must have opportunity to commit not to incite. There must be a certificate by Commissioner to engage as undercover agent.
2. Allegations of violence. Selling of police information.

A Canada

1. Undercover operations (police officials) and informants are used.
2. Unauthorised release of information.

Q Do you use Integrity tests randomly or specifically (in UK)?

A Both - depends on situation and gets close to Agent provocateur. Do not inform them that they have been tested. Staff undercover units with skilled and dedicated personnel. It may be perceived as being Machiavellian. Who guards the guards? They are undercover investigations that can backfire. The operation must be secret. Safeguards must be built on.

Q Opportunistic corruption : isolated incidents - Molin & Nepp Commissions looked at endemic corruption. NYPD had to address police culture and the system - have panellists attempted to address / change the culture?

A Tertiary education coupled to academy training (Australia). UK - debate in UK - great importance. Attract paid professionals to Police to change the service.