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Organizational correlates of police deviance: A statewide analysis of misconduct in Arizona, 2000-2011

Jessica Huff

Michael D. White

Scott H. Decker

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Jessica Huff, Michael D. White, and Scott H. Decker

School of Criminology and Criminal Justice, Arizona State University, Phoenix, Arizona, USA

Abstract

Purpose – Many examinations of police misconduct involve case study methodologies applied to a single agency, or a handful of agencies. Consequently, there is little evidence regarding the types of misconduct across agencies, or the impact of department-level characteristics on the nature and prevalence of officer deviance. The purpose of this paper is to address this research gap using statewide data of over 1,500 charges of police misconduct filed with the Arizona Peace Officer Standards and Training Board (AZPOST) from 2000 to 2011.

Design/methodology/approach – This study examines variation in the prevalence and forms of misconduct across 100+ agencies based on agency type and size. Difference scores were calculated for every agency in the state to determine whether an agency's level of misconduct was proportionate to the number of officers employed by that agency. AZPOST data were supplemented with Law Enforcement Management and Statistics data to identify organizational correlates of misconduct in agencies generating disproportionately low and high levels of misconduct.

Findings – Results identify variation in officer misconduct across different types of agencies. Tribal agencies generally experience higher rates of domestic violence and drug/alcohol-related incidents. Smaller agencies have more misconduct allegations involving supervisors. Organizational characteristics including pre-hiring screening, accountability mechanisms and community relationships are associated with lower levels of agency misconduct.

Originality/value – The use of AZPOST data enables a statewide examination of misconduct while accounting for organizational context. This study identifies organizational features that might serve to protect agencies against disproportionate rates of officer misbehavior.

Keywords

Police organizations, Police accountability, Police misconduct, Police deviance, Police oversight

Any criminal activity, within a police department or elsewhere, cannot thrive unless all of its participants are able to maintain confidence in each other (Knapp Commission, 1972, p. 11).

More than 20 LAPD officers witnessed King's beating, which continued for nearly two minutes. Those who administered it assumed that their fellow officers would not report the misconduct and were prepared to lie on their behalf. In this respect, police brutality is like police corruption- there may be some rotten apples, but usually the barrel itself is rotten. Two cops can go berserk, but twenty cops embody a subculture of policing (Skolnick and Fyfe, 1993, p. 12).

A well-functioning accountability system is the keystone to lawful policing. In combination with effective supervision, a robust accountability system is required in order to identify and correct inappropriate uses of force and other kinds of misconduct—with discipline, training, and counseling as appropriate—which in turn helps prevent misconduct. But Chicago seldom holds officers accountable for misconduct (Civil Rights Division, 2017a, p. 46 (Findings Letter- Chicago Police Department)).

Despite significant advances in strategies and tools over the last 40 years, policing continues to be defined by a persistent undercurrent of officer misconduct (White and Fradella, 2016). For example, since 1994 the Civil Rights Division of the US Department of Justice has conducted nearly 70 "pattern or practice" investigations of police agencies, most recently in Ferguson, Baltimore and Chicago (see quote above) (Civil Rights Division, 2017b). In 2014, then President Obama created the President's Task Force on 21st Century Policing to identify recommendations for enhancing trust between police and citizens, and for improving police accountability. In May–June 2017 alone, prosecutions concluded for five officers accused of killing citizens, including Michael Slager (Walter Scott), Betty Shelby (Terence Crutcher), Ray Tensing (Samuel DuBose), Dominique Heaggan-Brown (Sylville Smith) and Jeronimo Yanez (Philando Castile) (Park, 2017)[1]. Cases of police misconduct can have far-reaching, severe consequences for both the community and police department—from psychological and physical trauma experienced by victims to expensive civil judgments and compromised police legitimacy (Skolnick and Fyfe, 1993).

Researchers have devoted significant attention to the causes and correlates of police deviance, and this work has advanced our understanding of the individual-level predictors of misconduct (Harris, 2010; Kane and White, 2013; Waugh et al., 1988). However, nearly all examinations of police misconduct involve case study methodologies of one or a couple of agencies (Cohen and Chaiken, 1972; Harris, 2010; Kane and White, 2009; Rojek et al., 2015). There are few examinations of police misconduct across multiple agencies (Eitle et al., 2014), and virtually no studies at the state level. Consequently, little is known about the prevalence and types of misconduct across police agencies, and there is a dearth of empirical evidence on how department-level characteristics might contribute to (or protect against) officer deviance. This

research gap is especially troubling because most prevailing theories of police deviance prominently feature department-level correlates (Kappeler et al., 1998), and current accountability mechanisms often target organizational deficiencies as the source of misconduct (Civil Rights Division, 2017b; Walker and Archbold, 2014). The quotes at the beginning of this paper emphasize these points and highlight the importance of a focus on organizational features of police agencies to control misconduct.

This study addresses this research gap through an examination of more than 1,500 charges of police misconduct filed with the Arizona Peace Officer Standards and Training Board (AZPOST), from 2000 to 2011. We examine variation in the prevalence and forms of police misconduct across agencies, and use a case study approach to assess organizational correlates of misconduct among agencies that experience disproportionately low and high levels of officer deviance. The paper concludes with implications of our findings for the continued study of police officer misconduct.

Literature review

Defining misconduct

There are numerous and sometimes overlapping definitions of police deviance (the terms "deviance" and "misconduct" are used interchangeably in the paper) (Kane and White, 2009). For example, some offenses committed by officers have nothing to do with their police status. Kane and White's (2009, p. 745) classification of misconduct is useful for this study:

(1) Profit-motivated crimes: all offenses, other than drug trafficking, whether on duty or off duty, in which the end or apparent goal of officers' wrongdoing doing was profit.

(2) Off-duty crimes against persons: all assaultive behavior, except for profit-motivated robberies, by off-duty officers.

(3) Off-duty public order crimes: all offenses, other than drug trafficking or possession, against public order, including driving while intoxicated and disorderly conduct.

(4) Drugs: possession and sale of drugs, and related conspiracies, as well as failing or refusing to submit to departmental drug tests.

(5) On-duty abuse: all offenses by on-duty officers that involve the use of excessive force, psychological abuse or discrimination based on citizens' membership in a class (i.e. gender, race, ethnicity or sexual preference).

(6) Obstruction of justice: conspiracy, perjury, official misconduct and all offenses in which the apparent goal is obstruction or subversion of judicial proceedings.

(7) Administrative/failure to perform: failure to abide by departmental regulations concerning attendance, performance, obedience, reporting and conduct not included in other offense types.

(8) Conduct-related probationary failures: all misconduct-related terminations of probationary officers in which misconduct in types 1–7 is not specified, and excluding simple failure in training programs.

Theories of misconduct

Much of the early work on police misconduct focused on individual-level explanations, such as the "authoritarian personality" (Adorno et al., 1950; Neiderhoffer, 1967) and the "rotten apple" theory (Sherman, 1974). The Knapp Commission (1972) criticized the rotten apple theory, arguing that it is insufficient and masks the organizational deficits leading to misconduct.

Subcultural and organizational perspectives have also figured prominently in theories of police misconduct (Bayley and Mendelsohn, 1969; Carbado, 2016; King, 2009; Sherman, 1978; Worden, 1995). Kappeler et al. (1998) proposed an anthropological framework grounded in the occupational subculture of the police, along with opportunity and organizational elements that facilitate deviance. Others have explained police misconduct through the lens of the "noble cause," arguing that the goals of policing are so noble that the means to achieve those goals become secondary (Crank and Caldero, 2000; Delattre, 1989; Klockars, 1980; Wolfe and Piquero, 2011). Smith (1984) highlighted the significance of organizational measures: "Any theory of legal control that ignores the organizational context in which police operate cannot adequately account for police behavior across different organizational contexts" (p. 33). Similarly, Punch (2009) argued that institutional, not individual, factors lie at the basis of police misconduct.

More recently, researchers have also applied general criminological theories to the study of police misconduct, often centrally featuring organizational or subcultural elements (Donner, Fridell and Jennings, 2016; Donner, Maskaly and Fridell, 2016). These theories have included social learning (Chappell and Piquero, 2004), deterrence (Pogarsky and Piquero, 2003), life-course (Harris, 2010, 2016), low self-control (Donner and Jennings, 2014), strain (Bishopp et al., 2016) and control-balance theory (Hickman et al., 2001).

Correlates of police misconduct

Though researchers have explored community-level influences on police misconduct (see Eitle et al., 2014; Kane, 2002; Klinger, 1997, for examples), we focus our attention on individual and organizational features, given space constraints and our research questions.

Individual factors. A handful of studies have attempted to link static characteristics of officers to police misconduct (Lawton, 2007; Rabe-Hemp, 2008).

These include examinations of officer gender (see Hickman et al., 2000; Hoffman and Hickey, 2005; Waugh et al., 1988), which find that female officers are subject to fewer complaints and are less likely to use weapons and cause injury in use of force incidents. Research also finds that high force rate officers are generally younger (Brandl and Stroshine, 2013). Examinations of officer race and misconduct is mixed, suggesting an important role for other confounding variables, including organizational features such as assignment (see Kane and White, 2009; see also Cohen and Chaiken, 1972; Paoline et al., 2017; Rojek and Decker, 2009). Research examining the relationship between officer education and misconduct is also mixed (Eterno, 1996; Paoline and Terrill, 2007). Some reports that college-educated officers received fewer complaints (Kappeler et al., 1992) and were less likely to experience career-ending misconduct (Kane and White, 2009). Others have found no significant association between officer education and use of force (Truxillo et al., 1998). Cohen and Chaiken (1972) reported that records of dismissal in prior jobs and military discipline were associated with internal rule violations. Poor academy performance has also been associated with poor performance on the street (Grant and Grant, 1996; Harris, 2014). Kane and White (2009) reported that prior criminal history and poor employment history were both associated with increased risk of misconduct. Furthermore, predictors of misconduct may vary across different stages of an officer's career (White and Kane, 2013).

Organizational factors. Though organizational factors figure centrally into many theories of police misconduct, empirical research on the role of organizational variables in misconduct research is limited[2]. Herbert (1998) identified six subcultural factors—called "normative orders"—that explained variation in police behavior at the organizational level. These include: the law, bureaucratic control, adventure/machismo, safety, competence and morality. Klinger (1997) highlighted the role of informal community and departmental norms in determining how police respond to crime in certain neighborhoods, and Kane (2002) suggested that this "ecology of patrol" perspective may also explain rates of police misconduct. Shjarback and White (2016) found an association between agency commitment to college education and lower levels of violence in police-citizen encounters. Eitle et al. (2014, p. 120) conducted one of the few studies to examine the interplay between organizational features of police departments—size, internal affairs units and in-service training—and the prevalence of misconduct, concluding "Many studies that examine police behavior focus exclusively on microlevel variables and do not take organizational and other aggregate factors explicitly into account. Our results suggest that these types of studies are incomplete with respect to explaining the behavior of individual police officers."

More broadly, the adoption of restrictive administrative policies governing use of deadly force has resulted in significant decreases in police shootings—both justified and unjustified—in numerous jurisdictions (Fyfe, 1979; Geller and Scott, 1992; White, 2001). The impact of policy extends to lower levels of force as well (Terrill and Paoline, 2017). However, the link between policy and officer behavior is contingent on enforcement of

the policy (White and Fradella, 2016). Quite simply, officers avoid behavior that will get them into trouble.

Several large-scale investigations of police scandals have highlighted organizational deficiencies as the source of widespread officer misconduct (Independent Commission on the Los Angeles Police Department, 1991; Knapp Commission, 1972), and many police scholars argue that reform efforts must target organizational features of police agencies rather than individual officers (Skolnick and Fyfe, 1993; Walker and Archbold, 2014). The Civil Rights Division (2017b, p. 3) of the US DOJ has entered into 40 reform agreements (e.g. consent decrees) with police agencies via their authority under 42 U.S.C. § 14141, and the focus of those agreements is to "address institutional failures that cause systemic police misconduct." Research on the impact of consent decrees is limited, but studies indicate that they can produce positive organizational change in the short term (Alpert et al., 2017; Chanin, 2015; Davis et al., 2005) and may reduce problematic police behavior (Powell et al., 2017).

The identification of organizational influences on misconduct has been hampered by the difficulty of investigating the phenomena across agencies (Eitle et al., 2014). Multi-agency studies of officer deviance enable a deeper exploration of the organizational characteristics that serve as risk and protective factors for misconduct, and can establish a foundation for more informed departmental strategies for preventing officer misbehavior. One method for conducting multi-agency studies is to use data from state Peace Officer Standards and Training (POST) boards. POST data come from a large and diverse range of jurisdictions collected through a common methodology, allowing for a more robust analysis of policy and theory in the effort to control police misconduct.

In their model minimum standards, the International Association of Directors of Law Enforcement Standards and Training (IADLEST) (2017) explained that POST boards were largely created in response to the 1967 President's Commission on Law Enforcement, though some states had established these boards as early as 1959. In describing the establishment and purpose of POST boards, IADLEST (2017) writes: "POST organizations were created out of the crucible of conflict, change, and the demand for professionalism and ethics in public officers. POST programs exist to assure all citizens that peace officers meet minimum standards of competency and ethical behavior." Thus, POST boards serve an important oversight function through developing a common set of standards to delineate appropriate hiring and firing practices for police agencies (Atherley and Hickman, 2013). Many POST boards are specifically responsible for certifying law enforcement officers who have met qualification standards, and revoking certification when officers violate established certification guidelines (Atherley and Hickman, 2013). This study addresses the limited examination of organizational correlates of police misconduct through a state-level analysis of officer misconduct (at the departmental level) using AZPOST data.

Data and methods

We use data from AZPOST to examine the nature, prevalence and organizational correlates of police misconduct in agencies throughout Arizona. These data represent over 1,500 charges of misconduct reported to AZPOST from 2000 to 2011, committed by sworn officers from more than 100 police agencies, including large municipal departments, suburban agencies, sheriff's departments, tribal police, state agencies, university departments and small-town constables. AZPOST is further responsible for certifying over 10,000 peace officers. AZPOST was established through state statute and is mandated by the legislature to certify individual officers, establish training criteria and investigate reported incidences of officer misconduct. The AZPOST board consists of 13 members including the Arizona attorney general, police and correctional representatives, and members of the public[3]. Misconduct cases are forwarded to AZPOST by the employer agency; thus, reporting misconduct to AZPOST is largely voluntary. The voluntary nature of reporting is a notable limitation of this study, and it may shape the types of cases in the data. For example, incidents reported to AZPOST might represent the most serious forms of misconduct, since the agency has made the decision to seek external review of the officer, which could result in de-certification. Though reporting misconduct to AZPOST is voluntary, we only identified one agency in the state that did not report a single incident of misconduct to AZPOST during our study period[4]. Upon receiving a case of alleged misconduct, AZPOST staff attorneys and investigators create a case brief for board review and adjudication. AZPOST maintains the right to suspend and/or revoke an officer's AZPOST certification, which prohibits that officer from holding a police position in Arizona.

This study explores three research questions:

> RQ1. What are the characteristics of officers and misconduct cases at the state level?

This question is examined descriptively:

> RQ2. Does misconduct vary by agency type or size?

We investigate variation in misconduct across 100+ agencies, with a specific focus on agency type (municipal, county, tribal and state) and size (o100; 100-499; 500+ officers):

> RQ3. Are there distinguishable organizational features of agencies that generate disproportionately low and high rates of misconduct?

To identify outliers, we calculate a difference score for each agency by subtracting the agency's percentage of total officers in the state from the percentage of AZPOST cases originating in that agency. This calculation assumes the rates of misconduct will be equivalent across various types of agencies. Since there are very few multi-agency studies of misconduct, we adopt the null hypothesis (i.e. an expectation of equivalence). We use Law Enforcement Management and Statistics

(LEMAS) data from 2007 to examine the organizational characteristics of agencies with disproportionate difference scores (i.e. low and high-misconduct generators)[5]. The LEMAS data contain information regarding organizational features such as hiring processes, training, staffing and agency operations.

Results

Officer and case characteristics

Table I shows officer and case-level characteristics of AZPOST cases. Most misconduct cases involved line-level (80.3 percent), male (88.9 percent) officers. There is a wide range in misconduct charges, with most allegations involving administrative violations or "failure to perform" (32.6 percent). Other common offenses include untruthful behavior (false reports, 16.5 percent) and drug/alcohol offenses (9.0 percent). Traditional, serious forms of misconduct such as: profit-motivated corruption (6.9 percent), sexual misconduct (6.8 percent) and excessive force (1.0 percent) were relatively rare. Notably, most of the misconduct described in the AZPOST data fits nicely into Kane and White's (2009) classification scheme described earlier. We point to the modal category, "failure to perform" with some interest. General perceptions of police misconduct stress active forms of misbehavior; however, our data indicate that acts of omission are more frequent in Arizona.

AZPOST has a range of options to address misconduct allegations. In approximately one-third of cases, the board did not take any action (31.6 percent). This can occur when an incident is deemed to have been sufficiently addressed internally by the agency, due to evidentiary issues, or when the behavior is considered outside of AZPOST jurisdiction. An officer's certification was revoked in just over 20 percent of cases (21.6 percent). Administratively closed cases involve misconduct that is investigated by a police agency internally, resulting in termination of the officer by that agency (13.8 percent). AZPOST suspended an officer's certification in 12.8 percent of the cases. About 13 percent of officers voluntarily relinquished their certification[6].

Agency characteristics

Table II shows officer and case characteristics across the primary agency types, and there is little notable variation across most variables. Cases from tribal agencies differed in several ways, including greater percentages of cases involving supervisors/command level officers (10.1 percent) and applicants/reserves (14.5 percent). Tribal agencies also experienced a greater percentage of cases involving drug/alcohol offenses (15.9 percent) and domestic violence (11.9 percent). AZPOST was more likely to suspend and revoke officers' certifications in cases involving officers from state agencies (17.6 and 24.2 percent, respectively). Table III shows officer and case characteristics by agency size, and again, there are only a few notable differences. For example, cases from small agencies were less likely to involve line-level officers (77.4 percent), and cases from medium-sized agencies were slightly more likely to

involve domestic violence (8.2 percent). Voluntary relinquishment of certification was more common in large agencies (19.3 percent).

	N	%
Officer sex		
Male	1,489	88.9
Female	181	10.8
Officer rank		
Officer/line level	1,344	80.3
Front line supervisors	120	7.2
Applicants/reserve officers	103	6.2
Command level	38	2.3
Agency heads/assistant heads	14	0.8
Detectives and special assignments	5	0.3
Charge type[a]		
Administrative/failure to perform	545	32.6
Untruthful	276	16.5
Drug/alcohol related	151	9.0
Profit motivated	115	6.9
Sexual misconduct	113	6.8
Domestic violence	88	5.3
Conduct-related probationary failures	60	3.6
Assault	39	2.3
Felony conviction	20	1.2
Excessive use of force	16	1.0
Missing	248	14.8
AZPOST final action		
None	529	31.6
Revoke	362	21.6
Administratively closed	231	13.8
Suspend	214	12.8
Voluntary relinquishment	211	12.6
Deny	47	2.8
Dismiss	32	1.9

Notes: Missing data are not shown. [a]Charge type is based on the first AZPOST charge filed—28 percent of officers had 2+ charges filed against them—"misfeasance" and "misconduct miscellaneous" were the most common additional charges

Table 1. AZPOST descriptive statistics

Low- and high-misconduct-generator agencies

Difference scores were calculated for every agency in the state to determine whether an agency's level of misconduct (i.e. number of AZPOST cases) was proportionate to the percentage of sworn officers in the state employed by each agency (calculated using data from the 2010 FBI UCR; see Table IV). A difference score of 0 percent indicates that the number of misconduct cases in an agency was proportionate

to the sworn number of officers employed by the agency. A difference score greater than 0 percent suggests an agency is overrepresented, and a difference score below 0 percent suggests an agency is under-represented in the misconduct data. The vast majority of agency difference scores are close to 0 percent (given space constraints, Table IV only shows agencies with a difference score greater than 1 percent or less than −1 percent). For example, the Sunnyville[7] Police Department (SPD) employs 27.1 percent of the sworn officers in the state but only accounted for 11.99 percent of misconduct cases during the study period. The difference score of −15.11 percent indicates that SPD is substantially under-represented in the AZPOST data. The Baker and Townsville Police Departments are also under-represented (−3.87 and −2.98 percent), while the Carson Police Department is over-represented in the AZPOST data (+4.85 percent). Figure 1 provides a visual depiction of agency difference scores by agency type. It is worth noting that the three low-misconduct generating agencies are among the largest agencies in the state. The authors address the potential correlation between agency size and protective organizational features in the discussion.

	Municipal (N=77 agencies)		County (N=15 agencies)		Tribal (N=16 agencies)		State (N=11 agencies)	
	N	%	N	%	N	%	N	%
Officer sex								
Male	813	89.3	280	90.9	198	87.2	129	84.3
Female	95	10.4	27	8.8	28	12.3	24	15.7
Officer rank								
Officer/line level	764	84	254	82.5	166	73.1	112	73.2
Front line supervisor	65	7.1	22	7.1	18	7.9	10	6.5
Applicant/reserve	35	3.8	12	3.9	33	14.5	14	9.2
Command level	21	2.3	10	3.2	5	2.2	2	1.3
Agency head/assistant head	7	0.8	4	1.3	na	na	2	1.3
Detective/specialized	2	0.2	na	na	na	na	3	2
Unknown/other	16	1.8	6	1.9	5	2.2	10	6.5
Charge type								
Administrative/failure to perform	325	35.7	96	31.2	57	25.1	46	30.1
Untruthful	161	17.7	53	17.2	21	9.3	32	20.9
Drug/alcohol related	66	7.3	21	6.8	36	15.9	15	9.8
Profit motivated	59	6.5	22	7.1	10	4.4	22	14.4
Sexual misconduct	59	6.5	25	8.1	15	6.6	9	5.9
Domestic violence	38	4.2	14	4.5	27	11.9	4	2.6
Conduct-related probationary failures	30	3.3	11	3.6	13	5.7	1	0.7
Assault	22	2.4	5	1.6	7	3.1	5	3.3
Felony conviction	9	1	4	1.3	3	1.3	3	2
Excessive use of force	11	1.2	na	na	3	1.3	na	na
POST final action								
None	290	31.9	98	31.8	77	33.9	41	26.8
Revoke	193	21.2	63	20.5	54	23.8	37	24.2
Suspend	123	13.5	34	11	22	9.7	27	17.6
Voluntary relinquishment	130	14.3	55	17.9	8	3.5	15	9.8
Administratively closed	121	13.3	37	12	37	16.3	15	9.8
Deny	17	1.9	6	1.9	19	8.4	5	3.3
Dismiss	19	2.1	6	1.9	4	1.8	3	2
Other	17	1.9	9	2.9	6	2.6	10	6.5

Note: Missing data are not shown

Table II. Characteristics of misconduct by agency type

Table V shows selected organizational characteristics from LEMAS data for the outlier agencies identified in Table IV (the featured characteristics were selected because prior research highlights their importance for the study of officer misconduct). LEMAS includes data for all agencies with 100 or more sworn officers, but employs a random sampling technique for smaller agencies. As a result, the 2007 LEMAS includes data for 31 agencies in Arizona, including the identified low-misconduct-generator agencies (Sunnyville, Townsville, Baker) and the high-misconduct-generator agency (Carson). The remaining 27 agencies were combined into an "other" category.

	Small (< 100 officers) (N=82 agencies)		Medium (100-499 officers) (N=13 agencies)		Large (500+ officers) (N=5 agencies)	
	N	%	N	%	N	%
Officer sex						
Male	477	91.4	365	87.7	368	88.9
Female	44	8.4	50	12	44	10.6
Officer rank						
Officer/line level	404	77.4	348	83.7	373	90.1
Front line supervisor	50	9.6	27	6.5	17	4.1
Applicant/reserve	34	6.5	24	5.8	8	1.9
Command level	12	2.3	10	2.4	11	2.7
Agency head/assistant head	8	1.5	na	na	na	na
Detective/specialized	na	na	1	0.2	1	0.2
Unknown/other	14	2.7	6	1.4	4	1
Charge type						
Administrative/failure to perform	178	34.1	130	31.3	141	34.1
Untruthful	72	13.8	72	17.3	81	19.6
Drug/alcohol related	48	9.2	38	9.1	24	5.8
Profit motivated	27	5.2	28	6.7	28	6.8
Sexual misconduct	38	7.3	30	7.2	29	7
Domestic violence	26	5	34	8.2	16	3.9
Conduct-related probationary failures	19	3.6	13	3.1	14	3.4
Assault	18	3.4	11	2.6	4	1
Felony conviction	4	0.8	4	1	7	1.7
Excessive use of force	11	2.1	3	0.7	1	0.2
POST final action						
None	185	35.4	135	32.5	112	27.1
Revoke	94	18	98	23.6	93	22.5
Suspend	63	12.1	56	13.5	51	12.3
Voluntary relinquishment	54	10.3	52	12.5	80	19.3
Administratively closed	81	15.5	53	12.7	52	12.6
Deny	17	3.3	11	2.6	7	1.7
Dismiss	10	1.9	6	1.4	13	3.1
Other	18	3.4	5	1.2	6	1.4

Notes: Missing data are not shown. The number of officers was obtained from the 2010 UCR (https://ucr.fbi. gov/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/table-78/10tbl78az.xls)—agencies with missing size information are not shown

Table III. Characteristics of misconduct by agency size

This case study-style examination among outlier agencies demonstrates stark differences between the three low-generator agencies and the high-generator agency. These differences persist across a wide range of organizational characteristics (notable differences are italicized in Table V). The low-generator agencies have:

- more robust hiring processes (e.g. 13-16 steps, compared to 12 for Carson);

- more extensive training (e.g. 720-880 academy hours, compared to 585 for Carson);

- higher starting salaries (e.g. $45,510-$50,856, compared to $27,441 for Carson);

- greater transparency (e.g. crime statistics and citizen feedback available through the agency website); greater reliance on data and analysis (e.g. use of computers and hot spots analysis);

- greater commitment to community and problem-oriented policing; and

- more robust accountability systems (e.g. early warning systems; written racial profiling policies).

LEMAS also reports agency information on citizen complaints for the use of force (overall and sustained), and the low-generator agencies show substantially lower complaint rates (0.59-2.70 per 100 officers), compared to Carson (5.65) (but see Hickman and Poore, 2016 for concerns relating to LEMAS complaint data). Importantly, the three low-generator agencies also appear notably different from the other 27 Arizona agencies along most of the organizational measures. These findings suggest a clear association between robust organizational characteristics and lower rates of officer misconduct.

Agency	No. of officers[a]	%	No. of AZPOST cases	%	Difference score[b] (%)
Sunnyville	3,146	27.10	162	11.99	−15.11
Carson	210	1.81	90	6.66	4.85
Baker	974	8.39	61	4.52	−3.87
Townsville	776	6.68	50	3.70	−2.98
Riverdale	205	1.77	44	3.26	1.49
Ironton	97	0.84	31	2.29	1.46
Westland	423	3.64	31	2.29	−1.35
Alpine	44	0.38	20	1.48	1.10
Total	11,609		1,351		

Notes: Only agencies with a difference score >|1 percent| are shown. [a]The total number of sworn officers in each agency was obtained from the 2010 FBI UCR (https://ucr.fbi.gov/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/table-78/10tbl78az.xls)—agencies with missing size information are not shown; [b]difference scores were calculated by subtracting the percentage of officers in each department from the percentage of AZPOST cases originating in each agency—those agencies with a difference of <1 percent have fewer AZPOST cases than would be expected based on their number of officers and those with a difference >1 percent have more AZPOST cases than would be expected based on their number of officers

Table IV. Agency difference scores based on discrepancies between the number of officers and the number of AZPOST cases
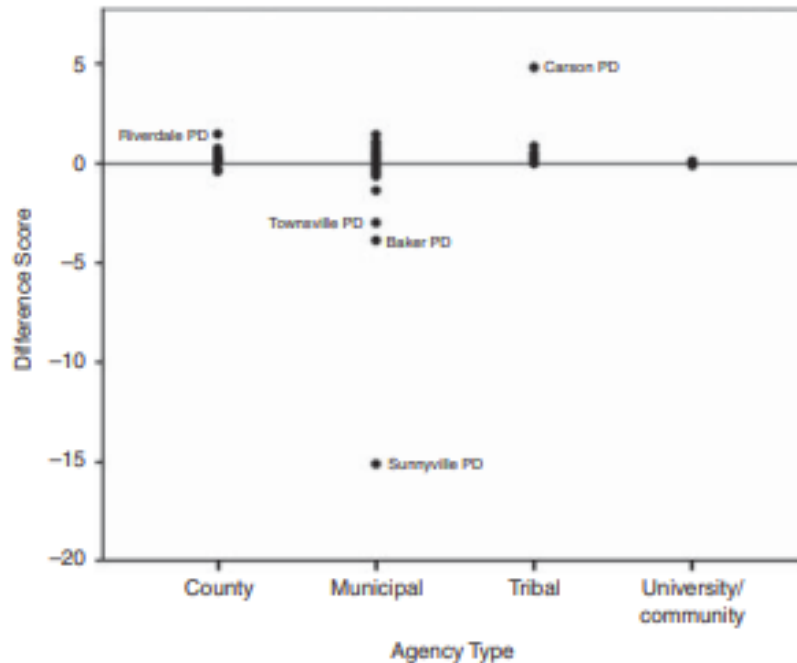
Note: The line represents a difference score of 0 percent, those agencies above the line are over-represented and those below the line are under-represented in the AZPOST data

Figure 1. Scatter plot of agency difference scores by agency type

Discussion and conclusions

As the quotes at the beginning of this paper illustrate, researchers and policymakers have emphasized the importance of organizational features that foster and protect police misconduct for the last 50 years. Though individual level correlates of police misconduct have been well established in the literature, little research has addressed the influence of organizational features. This study addresses this research gap through a state-level examination of the nature, prevalence and organizational correlates of misconduct across 100+ police agencies.

We first examined the characteristics of misconduct cases at the state level, and our findings are consistent with prior research (Kane and White, 2009). Most officers accused of misconduct are male, line level and engage in a wide variety of behaviors. It is also important to note that the major forms of misconduct often highlighted in prior research, such as excessive force and profit-motivated corruption, are rare. Rather, acts of omission were the most common form of misconduct. This is a notable finding given our initial concern that the most serious forms of misconduct (i.e. deemed by the agency to be worthy of state-level review) would be over-represented in AZPOST data.

Second, we explored whether the nature and prevalence of misconduct cases varied by agency type and size. The primary takeaway involves the considerable consistency across the board. However, there were a few exceptions, particularly regarding small and tribal agencies. Supervisors in small and tribal agencies are more

	Sunnyville	Baker	Townsville	Carson	Other[b]
Hiring process					
Number of pre-hire screening steps	*16.0*	*16.0*	13.0	12.0	12.0
Credit history check	Yes	Yes	Yes	No	74.1%
Polygraph test	Yes	Yes	Yes	No	96.3%
Assessment of problem-solving skills	Yes	Yes	Yes	No	33.3%
Assessment of conflict management skills	Yes	Yes	No	No	18.5%
Volunteer/community service considered	Yes	Yes	No	Yes	7.4%
Training					
Academy training hours	*720*	*880*	*800*	585	694.3
Probationary/field training hours (FTO)	*640*	*480*	*800*	480	638.0
Total training hours (Academy/FTO)	*1,360*	*1,360*	*1,600*	1,065	1,332.3
Annual in-service training hours	8	8	8	40	31.7
Agency characteristics					
Sworn—percent nonwhite	18.9	32.4	19.9	99.4	31.9
Sworn—percent female	12.7	14.9	9.5	12.5	10.3
Education incentive pay	Yes	Yes	No	No	14.8%
College tuition reimbursement	Yes	Yes	Yes	No	88.9%
Minimum salary at entry	$46,238[a]	$45,510	$50,856	$27,441	$43,211
Agency has a citizen police academy	Yes	Yes	Yes	No	59.3%
Crime statistics available on website	Yes	Yes	Yes	No	100.0%
Website allows citizen questions/feedback	Yes	Yes	Yes	No	91.7%
Agency operations					
Officers engage in problem solving	Yes	Yes	No	No	66.7%
Has a community policing unit	Yes	No	Yes	No	40.7%
Uses computers for crime mapping	Yes	Yes	Yes	No	59.3%
Maintains own file on citizen complaints	Yes	Yes	Yes	No	83.3%
Uses computers to analyze community problems	Yes	Yes	No	No	51.9%
Uses computer—identify hot spots	Yes	Yes	No	No	33.3%
Maintains computerized use of force file	Yes	Yes	No	No	91.7%
Has early warning system	Yes	Yes	No	No	58.3%
Has an internal affairs unit	Yes	Yes	Yes	No	91.7%
Has a written racial profiling policy	Yes	Yes	Yes	No	81.5%
Has a citizen complaint review board	Yes	Yes	No	No	7.4%
Citizen complaints—total use of force (2006, per 100 officers)	*0.59*	*2.70*	*1.16*	5.65	4.93
Citizen complaints—sustained use of force (2006, per 100 officers)	*0.0*	*0.0*	*0.12*	1.49	0.97

Notes: [a]The 2007 LEMAS salary figure for entry level officers was incorrect ($103,272). As a result, we used the salary information from the 2013 LEMAS for Sunnyville PD. [b]In total, 27 other police agencies in Arizona reported LEMAS data in 2007. Those agencies are combined into one category

Table V. LEMAS comparison of agencies generating high and low rates of misconduct

likely to be accused of misconduct, though this finding may be explained by the fact that supervisors in those agencies are more likely to engage in routine patrol activities, thereby increasing their opportunities to engage in misconduct. Notably, the three low-misconduct generating agencies are among the largest agencies in the state, suggesting a correlation between agency size (and perhaps, resources) and the presence of protective organizational correlates. The reasons for this are unclear, though it may be tied to staffing patterns in large agencies that minimize opportunities for misconduct (e.g. officers assigned to investigative and administrative positions have fewer citizen contacts). Further, the candidate pools for positions in such departments

are generally large, allowing for a wider range of better choices. Alternatively, large agencies tend to have more specialized units, and Skolnick and Fyfe (1993) argued that it may be more difficult to detect misconduct in departments with high degrees of specialization. That said, the correlation between agency size and misconduct is by no means perfect. The vast majority of agencies in the state, regardless of size, have a difference score at or near 0 percent. This includes two agencies in the state with 500+ officers. In other words, there are five police agencies in Arizona with 500+ sworn officers, and only three of those emerge as low-misconduct generating agencies. Nevertheless, the correlation between agency size and "protective" organizational features should be explored in future research.

Third, we adopted a case study approach to examine organizational correlates of low- and high-misconduct generating agencies based on difference scores and LEMAS data. This study identified a number of organizational characteristics among low-generating misconduct agencies including more stringent officer hiring standards, increased officer training, commitment to data-driven policing strategies, community and problem-oriented policing, and robust internal accountability processes, including internal affairs units and early warning systems. Results mirror findings from the few prior organizationally driven misconduct studies (Eitle et al., 2014)[8], and underscore the importance of the organization in theories of police misconduct (e.g. Kappeler et al.'s (1998) anthropological framework). For example, the results are consistent with prior research highlighting officer education and training as important protective factors against misconduct (Kane and White, 2009; Kappeler et al., 1992; Shjarback and White, 2016). Organizations with mechanisms in place to provide transparency to their officers (Wolfe and Piquero, 2011) and the citizens they serve also had lower rates of misconduct, supporting the adoption of organizational efforts to foster these relationships. Similarly, results suggest that strong internal accountability mechanisms designed to identify and intervene in officer misconduct might be protective at the agency level (Walker and Archbold, 2014).

The findings of this study should be interpreted in the context of several limitations. AZPOST is a reactive investigative body and only addresses incidents of misconduct that are voluntarily brought to the board's attention. Consequently, AZPOST data might not be representative of the larger universe of officer misconduct in Arizona. The authors originally hypothesized that only the most serious cases would be heard by AZPOST (e.g. warranting state-level review and possible de-certification), but results suggest that less serious forms are more frequent. Moreover, though most of the larger agencies in the state have stringent policies that require incidents be reported to AZPOST, it is unclear whether these standards hold in smaller agencies. Despite these mandatory reporting policies in larger agencies, we still found larger agencies were generally under-represented in the AZPOST data. In sum, the prevalence and nature of misconduct not reported to AZPOST remains unknown.

It is also important to provide a cautionary note about the terminology in this study. We do not intend to suggest that all agencies that are under-represented in the AZPOST data are "good" and those that are over-represented are "bad." It is possible that over-represented agencies are more vigilant in addressing misconduct and reporting it to AZPOST and those that are under-represented address misconduct using less formal measures. However, we did speak with representatives of many of the under-represented agencies and found that these agencies have strict automatic reporting policies. Additionally, the analyses presented here are descriptive. Future studies could employ more sophisticated analysis. Finally, these results only represent agencies within Arizona. As most states have a POST board, future research should examine agency risk and protective factors for police misconduct in other settings.

This study suggests that academics and practitioners should continue to emphasize organizational variables for study, prevention and response to police officer misconduct. Many of the features we identified as important protective factors against agency misconduct, such as hiring, training and accountability mechanisms, are currently targeted in consent decrees across the nation and are supported by federal law enforcement programs (e.g. the COPS office). Police scholars have long suggested that an organizational focus is required to fully understand the causes and correlates of poor officer behaviors. The relative absence of multi-agency studies of police misconduct has resulted in a dearth of empirical evidence supporting those assertions. This study offers evidence regarding the importance of organizational attributes, and perhaps more importantly, it offers a framework for researchers to replicate in subsequent state-level studies of police misconduct.

Notes

1. Slager's state trial ended in a mistrial (deadlocked jury) but in May 2017 he pled guilty to violating Walter Scott's civil rights in a subsequent federal case. Shelby, Heaggan-Brown, and Yanez were all found not guilty at trial. Tensing was prosecuted twice and both cases ended in mistrials (deadlocked juries, most recently in May 2017).

2. See Crank and Langworthy (1992), Katz (2001), Maguire and Katz (2002), Wolfe and Nix (2016) for research examining organizational theory and policing. See Hickman and Piquero (2009), Jennings and Rubado (2017) for research examining organizational features of police agencies using LEMAS.

3. The third author served as a member of the AZPOST board for several years. His service led to our access to AZPOST cases within the study period.

4. The agency that did not report a single case to AZPOST only had four sworn officers in 2000 and five in 2011, per the FBI UCR. Given that several other small agencies did report misconduct to AZPOST, we are not overly concerned the data underrepresent misconduct occurring in small police agencies.

5. LEMAS includes organizational information for all agencies with 100 or more sworn officers, and from a stratified random sample of smaller agencies. We use 2007 LEMAS data given the study period (2000-2011). This included 31 total departments in Arizona. We also compared the 2003 LEMAS data to the 2007 data. There were no notable organizational differences between the two waves.

6. AZPOST can also deny certification to applicants or recruits that engage in misconduct prior to completing the certification process. Though it is uncommon, AZPOST will dismiss misconduct cases that are subject to exigent circumstances. This generally occurs when an officer is also subject to criminal investigation or prosecution.

7. Pseudonyms are used for all agencies in the study.

8. Eitle et al. (2014) found that a full time internal affairs unit increases counts of misconduct, which they attribute to improved ability to identify and investigate these incidents within an agency. However, our findings may differ because internal affairs units increase early internal identification of problem officers and reduce the need for agencies to forward these misconduct cases to AZPOST.

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