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Petter Gottschalk

BI Norwegian School of Management

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White-Collar Crime and Police Crime: Rotten Apples or Rotten Barrels?

Petter Gottschalk
Norwegian School of Management
Nydalsveien 37
0484 Oslo
Norway
petter.gottschalk@bi.no
+47 46 41 07 16

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Abstract

In the research literature on white-collar crime, there seems to be a tendency to claim individual failure rather than systems failure. Occupational crime is often emphasized at the expense of corporate crime. In the research literature on misconduct and crime by police officers, however, there seems to be a tendency to claim systems failure. It is argued that police crime is a result of bad practice, lack of resources or mismanagement, rather than acts of criminals. Based on two empirical studies in Norway of business and police crime, this paper is concerned with the extent to which the rotten apple theory versus the rotten barrel theory can explain crime in business organizations and police organizations.

Keywords: rotten-apple theory; rotten barrel theory; business crime; police crime; empirical study

Brief biographies

Petter Gottschalk is professor of information systems and knowledge management in the department of leadership and organizational management at the Norwegian School of Management. Dr. Gottschalk has published several books and research articles on crime and policing. He has been the CEO of several companies before becoming an academic.

White-Collar Crime and Police Crime: Rotten Apples or Rotten Barrels?

Introduction

Ashforth et al. (2008) argue that it is comforting to assume that one bad apple or renegade faction within an organization is somewhat responsible for the crime we too often observe. However, organizations are important to our understanding of crime, because they influence the actions of their members. Therefore, both micro and macro views are important to understand crime.

In this paper, results from empirical study of two different kinds of organizations are presented. First, white-collar crime is defined as financial crime committed by white-collar criminals. Thus, the definition includes characteristics of the crime as well as the criminal. The rotten apple view of white-collar crime is a comfortable perspective to adopt for business organizations as it allows them to look no further than suspect individuals. It is only when other forms of group (O'Connor, 2005) and/or systemic (Punch, 2003) corruption and other kinds of crime erupt upon a business enterprise that a more critical look is taken of white-collar criminality. This rotten apple view of white-collar crime is a comfortable perspective to adopt for business organizations as it allows them to look no further than suspect individuals. It is only when other forms of group (O'Connor, 2005) and/or systemic (Punch, 2003) corruption and other kinds of crime erupt upon a business enterprise that a more critical look is taken of white-collar criminality.

Second, police crime is defined as intentional crime committed by police organization employees on duty. Police crime tends to be discovered when investigating police complaints and whistle blowing. Policing police crime is defined as enforcing law on potential and actual criminal employees in the police organization (Seneviratne, 2004). According to the United Nations (UNODC, 2006), the great majority of individuals involved in policing is committed to honorable and competent public service and is consistently demonstrating high standards of personal and procedural integrity in performing their duties. However, when serious misconduct occurs there seems to be a tendency to consider police crime as a result of bad practice, lack of resources or mismanagement, rather than acts of criminals. Unfortunately,

examples illustrate that criminal acts are intentionally carried out by police officers on duty. Police crime does not only occur in countries such as Mexico (Davis, 2007) and Bosnia and Herzegovina (Maljevic et al., 2008). It is found in the UK (Porter and Warrender, 2009), USA (Klockars et al., 2006), Australia (OPI, 2008) and Norway (Gottschalk, 2010) as well - although on a smaller scale.

While the literature on white-collar crime tends to support the rotten apple theory, the literature on police crime tends to support the rotten barrel theory. This discrepancy is the issue to be explored both theoretically and empirically in the following article.

White-Collar Crime

White-collar crime can be defined in terms of the offense, the offender or both. If white-collar crime is defined in terms of the offense, it means crime against property for personal or organizational gain. It is a property crime committed by non-physical means and by concealment or deception (Benson and Simpson, 2009). If white-collar crime is defined in terms of the offender, it means crime committed by upper class members of society for personal or organizational gain. It is individuals who are wealthy, highly educated, and socially connected, and they are typically employed by and in legitimate organizations (Hansen, 2009).

White-collar crime can be classified into categories as illustrated in Figure 1. There are two dimensions in the table. First, a distinction is made between leader and follower. This distinction supported by Bucy et al. (2008), who found that motives for leaders are different from follower motives. Compared to the view that leaders engage in white-collar crime because of greed, followers are non-assertive, weak people who trail behind someone else, even into criminal schemes. Followers may be convinced of the rightness of their cause, and they believe that no harm can come to them because they are following a leader whom they trust or fear. Followers tend to be naive and unaware of what is really happening, or they are simply taken in by the personal charisma of the leader and are intensely loyal to that person.

Next, a distinction is made between occupational crime and corporate crime in Figure 1. Largely individuals or small groups in connection with their jobs commit occupational crime. It includes embezzling from an employer, theft of merchandise, income tax evasion, and manipulation of sales, fraud, and violations in the sale of securities (Bookman, 2008).

Occupational crime is sometimes labeled elite crime Hansen (2009) argues that the problem with occupational crime is that it is committed within the confines of positions of trust and in organizations, which prohibits surveillance and accountability. Heath (2008) found that the bigger and more severe occupational crime tends to be committed by individuals who are further up the chain of command in the firm.

Actor \ Role	Leader	Follower
Occupational	Occupational crime as leader	Occupational crime as follower
Corporate	Corporate crime as leader	Corporate crime as follower

Figure 1. Categories of white-collar crime depending on role and actor

Corporate crime, on the other hand, is enacted by collectivities or aggregates of discrete individuals. If a corporate official violates the law in acting for the corporation it is considered a corporate crime as well. But if he or she gains personal benefit in the commission of a crime against the corporation, it is occupational crime. A corporation cannot be jailed, and therefore, the majority of penalties to control individual violators are not available for corporations and corporate crime (Bookman, 2008).

In legal terms, a corporation is an unnatural person (Robson, 2010: 109):

Corporate personality functions between an insentient, inanimate object and a direct manifestation of the acts and intentions of its managers. Nowhere is this duality more problematic than in the application of traditional concepts of criminal law to business organizations. The question of whether business organizations can be criminally liable - and if so, the parameters of such liability - has long been the subject of scholarly debate. Whatever the merits of such debate, however, pragmatic considerations have led courts and legislatures

to expand the panoply of corporate crime in order to deter conduct ranging from reprehensible, to undesirable, to merely annoying. In the context of organizational behavior, criminal law is the ultimate deterrent.

Corporations become victims of crime when they suffer a loss as a result of an offense committed by a third party, including employees and managers. Corporations become perpetrators of crime when managers or employees commit financial crime within the context of a legal organization. According to Garoupa (2007), corporations can more easily corrupt enforcers, regulators and judges, as compared to individuals. Corporations are better organized, are wealthier and benefit from economies of scale in corruption. Corporations are better placed to manipulate politicians and the media. By making use of large grants, generous campaign contributions and influential lobbying organizations, they may push law changes and legal reforms that benefit their illegal activities.

Occupational crime is typically motivated by greed, where white-collar criminals seek to enrich themselves personally. Similarly, firms engage in corporate crime to improve their financial performance. Employees break the law in ways that enhance the profits of the firm, but which may generate very little or no personal benefit for themselves when committing corporate crime (Heath, 2008: 600):

There is an important difference, for instance, between the crimes committed at Enron by Andrew Fastow, who secretly enriched himself at the expense of the firm, and those committed by Kenneth Lay and Jeffrey Skilling, who for the most part acted in ways that enriched the firm, and themselves only indirectly (via high stock price).

While legal corporations may commit business crime, illegal organizations are in the business of committing crime. Garoupa (2007) emphasized the following differences between organized crime and business crime (i) organized crime is carried out by illegal firms (with no legal status), the criminal market being their primary market and legitimate markets secondary markets, (ii) corporate crime is carried out by legal firms (with legal status), the legitimate market being their primary market and the criminal market their secondary market. Whereas organized crime exists to capitalize on criminal rents and illegal activities, corporations do not exist to violate the law. Organized crime gets into legitimate markets in order to improve its standing on the criminal market, while corporations violate the law so as to improve their standing on legitimate markets.

Criminal opportunities are now recognized as an important cause of all crime. Without an opportunity, there cannot be a crime. Opportunities are important causes of white-collar crime, where the opportunity structures may be different from those of other kinds of crime. These differences create special difficulties for control, but they also provide new openings for control (Benson and Simpson, 2009).

White-Collar Apples or Barrels

While occupational crime is associated with bad apples, corporate crime is associated with systems failure. Bad apples theory represents an individualistic approach in criminology, while systems failure theory represents a business approach in criminology (Heath, 2008: 601):

If the individualistic approach were correct, then one would expect to find a fairly random distribution of white collar crime throughout various sectors of the economy, depending upon where individuals suffering from poor character or excess greed wound up working. Yet, what one finds instead are very high concentrations of criminal activity in particular sectors of the economy. Furthermore, these pockets of crime often persist quite stubbornly over time, despite a complete changeover in the personnel involved.

It is certainly an interesting issue whether to view white-collar misconduct and crime as acts of individuals perceived as 'rotten apples' or as an indication of systems failure in the company, the industry or the society as a whole. The perspective of occupational crime is favoring the individualistic model of deviance, which is a human failure model of misconduct and crime. This rotten apple view of white-collar crime is a comfortable perspective to adopt for business organizations as it allows them to look no further than suspect individuals. It is only when other forms of group (O'Connor, 2005) and/or systemic (Punch, 2003) corruption and other kinds of crime erupt upon a business enterprise that a more critical look is taken of white-collar criminality. Furthermore, when serious misconduct occurs and is repeated, there seems to be a tendency to consider crime as a result of bad practice, lack of resources or mismanagement, rather than acts of criminals.

The 'rotten apple' metaphor has been extended to include the group level view of cultural deviance in organizations with a 'rotten barrel' metaphor (O'Connor, 2005). Furthermore, Punch (2003) has pushed the notion of 'rotten orchards' to highlight deviance at the systemic

level. Punch (2003:172) notes, "the metaphor of 'rotten orchards' indicate(s) that it is sometimes not the apple, or even the barrel, that is rotten but the *system* (or significant parts of the system)".

Including rotten apple and rotten barrel in Figure 2 expands Figure 1.

White-collar crime involves some form of social deviance and represents a breakdown in social order. According to Heath (2008), white-collar criminals tend to apply techniques of neutralization used by offenders to deny the criminality of their actions. Examples of neutralization techniques are (a) denial of responsibility, (b) denial of injury, (c) denial of the victim, (d) condemnation of the condemners, (e) appeal to higher loyalties, (f) everyone else is doing it, and (g) claim to entitlement. The offender may claim an entitlement to act as he did, either because he was subject to a moral obligation, or because of some misdeed perpetrated by the victim. These excuses are applied both for occupational crime and for corporate crime at both the rotten apple level and the rotten barrel level.

		Role	
		Leader	Follower
Occupational	Rotten apple	Occupational apple leader	Occupational apple follower
	Rotten barrel	Occupational barrel leader	Occupational barrel follower
Corporate	Rotten apple	Corporate apple leader	Corporate apple follower
	Rotten barrel	Corporate barrel leader	Corporate barrel follower

Figure 2. Categories of white-collar crime depending on role, actor and level

A contingent approach to crime response has so far been discussed as dependent on whether occupational or corporate crime and whether leader or follower crime. A third situational factor is whether rotten apple or rotten barrel is suspected as illustrated in Figure 2.

When a rotten apple commits occupational crime, it is interesting to study whether the rotten apple as a leader is more harshly judged than as a follower. As a follower, the rotten apple

may have acted under obedience pressure. Baird and Zellin (2009) conducted such a study, where they utilized written scenarios to examine whether persons committing fraud in situations involving obedience pressure are judged less harshly by others than persons committing fraud of their own volition. Participants in their study were also asked how likely they would be, in the same circumstances, to commit the same fraudulent acts, with higher expectations predicted for participants receiving the scenarios involving obedience pressure. In their study, they found empirical support for the hypothesis that followers from obedience pressure are less harshly judged.

Police Crime

There is a debate in the research literature whether to view police misconduct and crime as acts of individuals perceived as 'rotten apples' or as an indication of systems failure in the police force (Perry, 2001; Johnson, 2003; Punch, 2003; Tiffen, 2004; O'Connor, 2005; Iomo et al., 2009; Porter and Warrender, 2009). Some researchers are favoring the individualistic model of police deviance, which is a human failure model of misconduct and crime. This rotten apple view of police crime is a comfortable perspective to adopt for police organizations as it allows them to look no further than suspect individuals. It is only when other forms of group (O'Connor, 2005) and/or systemic (Punch, 2003) corruption and other kinds of crime erupt upon a police service that a more critical look is taken of police criminality. When serious misconduct occurs and is repeated, there seems to be a tendency to consider police crime as a result of bad practice, lack of resources or mismanagement, rather than acts of criminals.

Porter and Warrender (2009) phrased the question: Why do officers commit police deviance? An early answer to this question was that so-called bad apples commit corruption or rotten apples, that is, corrupt individuals committing corruption for personal gain. A later answer, however, was that corruption is due to group behavior that is rooted within established practices in the police force into which officers have to be initiated.

In New South Wales in Australia, the issue of police corruption has been on political and media agendas for more than three decades. According to Tiffen (2004), the media reporting has included some landmark pieces of investigative reporting and dramatic revelations in trials and royal commissions but also sensationalism and rhetoric extravagance. Despite the

prolonged attention and prolific coverage, serious questions remain about how well the extent and nature of corruption was reported and whether the media has conveyed the degree of reform in police practices.

The economic side of corruption in New South Wales was concerned with the progress beyond individual rotten apples into institutionalized corruption. The most prolific areas for institutionalized police corruption were the enforcement of 'victimless crime', including abortion, prostitution, illegal drugs, illegal gambling, restrictions on alcohol consumption, and homosexuality. They are areas where there is a strong constituency, often religious, that seeks to enforce personal moral standards through legislation but where outlawing the activity or substance does not stop the demand for it (Tiffen, 2004).

In a study in the USA, Ioimo et al. (2009) found that black and white citizens, as well as black and white officers, have differing views on bias-based policing issues. Two questions on the police officer questionnaire and one question on the citizen questionnaire addressed the presence of bias-based policing in Virginia police departments. When asked if they believed that any Virginia police department officially supports bias-based policing, 12% of responding officers answered 'yes'. This is an interesting finding, because it questions the 'rotten-apple' theory and provides potential support for the 'systems failure' theory.

In Japan, the problem of police corruption is not necessarily so much a matter of a few 'rotten apples' as more a matter of a failed organization. Johnson (2003) argues that significant reform requires conditions that now are absent and seem unlikely to emerge anytime soon. For the foreseeable future, Japanese police seem likely to remain above the law, he argues.

Police Apples or Barrels

The 'rotten apple' metaphor has been extended to include the group level view of police cultural deviance with a 'rotten barrel' metaphor (O'Connor, 2005). Furthermore, Punch (2003) has pushed the notion of 'rotten orchards' to highlight police deviance at the systemic level. Punch (2003:172) notes, "the metaphor of 'rotten orchards' indicate(s) that it is sometimes not the apple, or even the barrel, that is rotten but the *system* (or significant parts of the system)". That is, deviance that has become *systemic* is:

... in some way encouraged, and perhaps even protected, by certain elements in the system. "Systems" refers both to the formal system – the police organization, the criminal justice system and the broader socio-political context – and to the informal system of deals, inducements, collusion and understandings among deviant officers as to how the corruption is to be organized, conducted and rationalized." (Punch, 2003:172)

These metaphorical extensions represent increasing deeper level meanings associated with police crime. For instance, in regard to the 'rotten apple' thesis this level of explanation for police deviance is as Perry (2001: 1) notes "...most major inquiries into police corruption reject the 'bad-apple' theory: 'the rotten-apple theory won't work any longer. Corrupt police officers are not natural-born criminals, nor morally wicked men, constitutionally different from their honest colleagues. The task of corruption control is to examine the barrel, not just the apples, the organization, not just the individual in it, because corrupt police are made, not born.' "

Furthermore, Punch (2003:172) makes the point that "The police themselves often employ the 'rotten apple' metaphor – the deviant cop who slips into bad ways and contaminates the other essentially good officers – which is an individualistic, human failure model of deviance." One explanation for favoring this individualistic model of police deviance is provided by O'Connor (2005:2) when he states, "Police departments tend to use the rotten apple theory... to minimize the public backlash against policing after every exposed act of corruption."

Hence, it follows according to this individualistic view of police criminality that anti-corruption strategies should be targeted at finding the 'rotten apples' through measures like 'integrity testing' (Commission on Police Integrity, 1999), and putting policies and procedures in place reduce the opportunity for engaging in misconduct and/or corrupt practices.

Research Methods

The five hundred and seventeen largest business companies in terms of annual turnover were identified in Norway for our empirical study of white-collar crime. A letter was mailed to the chief financial officer asking him or her to fill in the questionnaire to be found on a web site using a password found in the letter. The research was carried out by a web-based questionnaire combined with a letter to the largest business organizations in Norway.

65 respondents filled in the questionnaire after the first letter, 45 responses were received after a reminder, and another 31 responses were received after a second reminder. Thus, a total of 141 complete responses were received. 141 complete responses out of 517 potential responses represent a response rate of 27 percent. In addition, 36 incomplete responses were received, creating a gross response rate of 34 percent. The survey web site was open to responses from January to April in 2010.

Separate analysis was conducted on the first set of responses, then the second set, and finally the third set included. This analysis shows few changes in results when moving from 65 via 110 to 141 responses. Thus, the analysis suggests that non-respondents might have provided similar responses to actual respondents.

In the police crime study, we used data from court cases in Norway. The Norwegian Bureau for the Investigation of Police Affairs prosecutes police officers in court. The Norwegian Bureau is similar to police oversight agencies found in other countries, such as the Independent Police Complaints Commission in the UK, the Police Department for Internal Investigations in Germany, the Inspectorate General of the Internal Administration in Portugal, the Standing Police Monitoring Committee in Belgium, the Garda Síochána Ombudsman Commission in Ireland, Federal Bureau for Internal Affairs in Austria, and the Ministry of the Interior, Police and Security Directorate in Slovenia.

Since 1988, Norway has a separate system to handle allegations against police officers for misconduct. The system was frequently accused of not being independent of regular police organizations (Thomassen, 2002). In 2003, the Norwegian Parliament decided to establish a separate body to investigate and prosecute cases where employees in the police service or the prosecuting authority are suspected of having committed criminal acts in the police service.

The Norwegian Bureau for the Investigation of Police Affairs has been effective since January 2005. The Bureau is mandated to investigate and prosecute cases where employees in the police service or the prosecuting authority are accused of having committed criminal acts in the service. The Norwegian Bureau has both investigating and prosecuting powers and in that way it differs from some comparable European bodies. The Norwegian Bureau does not handle complaints from the public concerning allegations of rude or bad behavior that does not amount to a criminal offence (Presthus, 2009).

Since the operations started at the Norwegian Bureau in January 2005 and until February 2009, a total of 57 police officers were on trial in Norwegian courts. This was the sample for our study. There were 3 prosecuted officers in 2005, 14 in 2006, 16 in 2007, 21 in 2008, and 3 so far in 2009.

White-Collar Study

The average number of employees in the 141 business organizations with complete answers was 1.719 persons. The largest responding firm in terms of employees had 30.000 persons in their staff.

Respondents were asked to type in their current position, even though the letter was specifically mailed to the top executive in charge of finance often called chief financial officer (CFO). Most of the respondents were indeed CFOs, but some were CEOs, corporate controllers, managers of finance, and chief group controllers.

The average age among respondents was 48 years among the first 65 responses, and they had 4.4 years of college and university education on average. The average age decreased to 46 years when the first reminder responses arrived, while the average education increased to 4.8 years. There were 91 men and 19 women responding after the first reminding letter. After two reminders there were 116 male and 24 female chief financial officers in the sample.

The average age remained at 46 years after receipt of the final 31 responses, while average education continued to increase to 5.1 years. There were 117 men and 24 women among the total 141 respondents. The only change, therefore, seems to indicate that higher educated persons tend to respond more frequently after reminders.

There were no direct questions in the survey asking about rotten apples versus rotten barrels. Rather, questions were concerned with reasons, suspects, detection, prevention and reputation. Many of the questions were open-ended, thereby allowing respondents to answer with their own words. Based on content analysis of their responses conducted by several researchers, it became obvious that most of the CFOs automatically considered white-collar crime to be an issue of rotten apples rather than rotten barrels.

Police Crime Study

This research is concerned with bad apples versus systems failure. Therefore, we have to identify indicators and combination of indicator values that may suggest a bad apple case or a systems failure case. Several independent variables in this study have the potential of indicating such a result.

First and foremost, whistle blowing is an indication that the system finds a criminal act unacceptable. If a criminal act were found acceptable in the organization, then whistle blowing would be very difficult to carry out for an individual in a system where the misconduct is accepted practice. Therefore, a preliminary result would be that 22 out of 57 cases represent rotten apples.

It has been argued that whistle blowing is not common in the police. Most people in developed countries are familiar with whistle blowers - people who report corruption, fraud and abuse of in their own organizations. Some organizations make whistle blowing very difficult and thus less probable. Johnson (2005) found that the police department is one of these organizations. She argues that the character of the police department not only makes whistle blowing less likely to occur; it ironically makes it even more necessary. In addition, she demonstrates that resistance from police departments and their retaliation against whistleblowers costs them and the public dearly.

While whistle blowing might be an indicator of rotten apples cases, it is certainly premature to conclude that all 22 whistle blowing cases represent rotten apples. Some of these cases may indeed represent systems failure cases. An indicator of systems failure in whistle blowing cases might be the motive, where professional motives are more acceptable in the system than personal motives. We find only 4 cases where the motive is professional concern (1) or efficient police service (2) when at the same time the source is (1) whistle blowing (see Appendix). We may deduct these cases and revise our preliminary result by suggesting that 18 out of 57 cases represent rotten apples.

We turn now to the cases where the source is (2) external complaints, which might indicate rotten apples when occurring with several other independent variables. The independent variable issue was selected, which is measured in a dichotomous measure (1) integrity and (2) accountability. Integrity is defined as the quality of being honest and morally upright. Integrity is sometimes defined as the absence of misconduct, where misconduct is generally understood as being an attempt to deceive others by making false statements or omitting

important information concerning the work performed, in the results obtained by or the sources of the ideas or words used in a work process. According to Cossette (2004), the intention to deceive, even if difficult to determine, is a key element in this conception of misconduct. Accountability refers to situations in which someone is required or expected to justify actions or decisions. It also refers to situations where an officer bears the responsibility to someone or for some activity. Accountability has been called "the mother of caution", and as such it has a prophylactic and deterrent effect (UNODC, 2006). Accountability is a feature of systems, social institutions as well as individuals. It means that mechanisms are in place to determine who took responsible action and who is responsible. Systems and institutions in which it is impossible to find out who took what action are inherently incapable of ethical analysis or ethical action. In this research, we apply the notion that integrity is more individual focused, while accountability is more systems focused. Therefore, we search for combinations of the source (2) external complaints and the issue (1) integrity to identify more rotten apple cases. We identified 15 such cases.

The sample of potential rotten apples adds up to 33 out of 57 court cases, where 18 cases had the source of whistle blowing while 15 cases had the source of external complaint. Since this is exploratory research, we conclude that there seems to be more rotten apple cases than systems failure cases in the total sample.

Discussion

The matrix of leader versus follower, rotten apple versus rotten barrel, and occupational versus corporate crime provides a useful framework to study white-collar crime. As mentioned, content analysis by several researchers revealed that most responding CFOs considered white-collar crime to be an issue of rotten apples rather than rotten barrels.

There was an open-ended question in the questionnaire concerned with challenges of white-collar crime detection. The question was formulated like this: *Why can it be difficult to detect, investigate and prosecute white-collar crime?*

Some respondents focused on the offender in their responses. Examples include:

"This kind of crime is committed by persons who have access to resources and who have rich knowledge of the business and know how to hide tracks."

"Executives are in charge of control mechanisms and management accounting. When they themselves commit financial crime, they manipulate internal control and management auditing."

"Whistle-blowing to the top is risky, since the receiver of the message may be involved in the crime."

Other respondents focused on the offence in their responses. Examples include:

"You need to get into the details, often single items in an invoice, to be able to detect misconduct. Very often it is difficult to find tracks in accounting systems."

"It takes a long time to detect, so the offender has time to launder tracks."

"Methods applied by criminal executives become more and more sophisticated."

A third group of responses focused on shortcomings in control mechanisms. Examples include:

"International trade and transactions with a number of vendors and customers makes it extremely difficult for local auditors to follow paths from origin to destination."

"We live in a society where we trust each other. We are not suspicious enough."

"Internal control systems are often weak, and there is a lack of rules for top management."

While the white-collar study was based on survey research, the police crime study was based on archival analysis of court verdicts. Content analysis of court verdicts searched for complaints versus whistle-blowing, where whistle-blowing is interpreted as rotten-apple case while complaint is interpreted as rotten-barrel case and thus system failure. Content analysis of court cases revealed that most police crime cases are considered to be an issue of rotten barrels rather than rotten apples.

Police officers who witness misconduct are often torn between their duties to reveal the truth and help stop criminal behavior, and group pressures to keep silent (Prenzler, 2009: 38):

The latter pressures can be extremely intense, including ostracism, bullying, and even death threats.

The right column in Table 1 indicates whether the case was reported internally by a whistleblower or externally by a complainant. 7 out of 21 cases in 2008 were a result of

whistle blowing as indicated by a text in the column. Thus empirically, one-third or 33% of all court cases against police employees in Norway in 2008 were caused by whistle blowing while two-thirds or 67% were caused by complaints as studied previously by Thomassen (2002). Whistleblowers reporting about misconduct by their colleagues in the police force are the basis for seven court cases out of twenty court cases. Whether this is a low or high fraction is hard to conclude, as the researchers know of no similar empirical study. However, it might be argued that the six cases in themselves indicate an ability to report misconduct by colleagues, as most of the cases do not belong to the most serious categories of crime.

The total of 21 court cases were in the categories A (physical abuse, 5 cases), B (prisoner mistreatment, 2 cases), C (evidence manipulation, no case), D (corruption, 2 cases), E (unauthorized disclosure of information, 7 cases), F (extortion, no case), G (sexual misconduct, 1 case), and H (others, 4 cases). All cases in category H did have to do with car driving.

The seven whistle blowing cases were in the categories B (prisoner mistreatment, 1 case), D (corruption, 2 cases), E (unauthorized disclosure of information, 2 cases), and H (others related to car driving, 2 cases).

#	Offence	Motive	Sentence	Whistleblower
1	Unauthorized disclosure of private security firms list currently under investigation by the police to TV2 news media	Concern about criminal record of private security firms employees	21 days imprisonment and also 1.000 euro fine; dismissed from police service	No
2	Dangerously chasing a stolen moped in uniformed police car and hitting the rear moped wheel with the car, causing potential injuries to moped driver and passenger	Stop and catch the thief of the stolen moped	500 euro fine, alternatively 5 days imprisonment	No
3	Told an arrested person "you are acting like a monkey boy" in English, since the prisoner was from Kenya and did not speak Norwegian	The prisoner was aggressive and the police officer did not know English very well	No sentence, case dismissed	Police colleague overheard police officer telling an arrested prisoner from Kenya that " you are acting like a monkey boy"
4	Had stolen from the police station two personal computers, one video projector and one mobile phone	Intention of using the batteries from the discarded computers in his own computers	60 days imprisonment; dismissed from police service	Police colleague discovered that discarded personal computers were missing in the office

5	Navigating police boat at night so that the boat hit ground and causing material damage as well as personal injuries to three passengers including a prisoner	Light onboard was turned on, thereby reducing the navigating officer's ability to see in the dark	No sentence, case dismissed	No
6	Threatening persons in letters where information from the police was revealed	Had been critiqued himself by others and had a serious illness	45 days imprisonment and 1.000 euro to victim; dismissed from police service	No
7	Downloaded information and picture of an arrested person and gave it to a personal friend	He gave the information to a friend to help him	1.000 euro in fine, alternatively 12 days imprisonment	No
8	Sending SMS messages to a young girl suggesting sex wearing police uniform	Concerned about the girls criminal behavior	45 days imprisonment and also 1.000 euro fine; dismissed from police service	No
9	Helped illegal immigrant to Norway	The illegal immigrant was his wife's sister	Dismissed from police service	Police colleague notices similarity in names of illegal immigrant sister
10	Driving private car at high speed to reach a crime scene on duty, but causing a traffic accident	Important to arrive quickly at the crime scene with his police dog	No sentence, case dismissed	No
11	Driving private car at high speed to reach a crime scene on duty, but causing many dangerous situations by careless driving	Important to arrive on crime scene in time	400 euro in fine, alternatively 6 days imprisonment	No
12	Drunken driving in uniformed police car	The officer is an alcoholic	24 days imprisonment, and a 1.600 euro fine	Police colleague stopped police officer while drunken driving
13	Physical abuse of a suspected individual in a restaurant	Needed to be physical to arrest person	No sentence, case dismissed	No
14	Physical abuse of a suspected individual during a police action against illegal snow scooter driving	Needed to be physical to take suspect's mobile phone	700 euro in fine, alternatively 5 days imprisonment	No
15	Stolen weapons that were handed in to the police	His intention was to buy the weapons	1.100 euro fine, alternatively 20 days imprisonment	Police colleague observed weapons in police officer's locker at the police station
16	Hitting car driver with a Maglite flashlight after stopping a suspected car	Resistance from the driver	No sentence, case dismissed	No
17	Drinking heavily the night before early police duty at police station and driving police car from his home to the police station intoxicated	Was in the process of a complicated divorce from his ex-wife	21 days imprisonment and 12,000 euro fine	When arriving at work, colleagues noticed the alcohol smell and reported it to a supervisor
18	His wife was to employ a person who turned out to be a convict	Wanted to help his wife in her business of employing	No sentence, case dismissed	No

		personnel		
19	Helped illegal immigrant to Norway	The illegal immigrant was her sister	No sentence, case dismissed	Police colleague noticed similarity in names of illegal immigrant sister
20	Did not help seriously injured person in a park	Thought the person was drunk or intoxicated	No sentence, case dismissed	No
21	Told his father about an employed person in his church that was suspected of rape	Wanted to help his father and his church	900 euro fine, alternatively ten days imprisonment	No

Table 1: Court cases in Norway in 2008 focusing on the whistle blowing cases.

This paper opens up several avenues for future research. First, both theoretical and methodological foundations of such studies might be improved. This is particularly important for future studies into the presented matrix. Secondly, similar studies from other sectors of crime might be compared to the rotten-apple versus rotten-barrel metaphor. Also, practical implications of these different attitudes and perceptions might be explored.

Conclusion

Two empirical studies are compared in this paper. First, 141 CFOs responded to questions about white-collar crime. A vast majority estimated here to be two-thirds suggested rotten apples, while only one-third suggested rotten barrels in cases of white-collar crime. Next, 57 court cases dealing with police employees were studied. A majority of 33 versus 25 cases indicate rotten rotten barrels versus rotten apples. Therefore, both studies indicate that the perception by CFOs and judges is the same, i.e. a typical white-collar crime and a typical police crime is committed because of individual failure rather than systems failure.

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