

**Substantive Theory for Police Deviance: Re-testing of Ecological-
Conflict and Control Balance Approaches of Police Deviance**

**Hakan Can
April - 2004**

Introduction

Society is the main source of authority for police. The people give the authority to uphold and enforce the law. The misuse of this authority results in police misconduct. For a better understanding of police misconduct, one must first understand what police power is, then how it becomes police misconduct. The American Heritage Dictionary defines police power as, “The inherent authority of a government to impose restrictions on private rights for the sake of public welfare, order, and security” (American Heritage Dictionary, 2000). The distinctive characteristic of police power is its ability to restrict the people. When an officer is enforcing the law, he or she is usually in some way placing restrictions on one or more of the citizens.

Misconduct is defined as, “Behavior not conforming to prevailing standards or laws; impropriety. Deliberate wrongdoing, especially by government or military officials” (American Heritage Dictionary, 2000). Police misconduct, then, consists of using power of the police in manner that is inconsistent with the law. Police misconduct is either an unlawful excursion from official duties and responsibilities, or an abuse of official authority that may consist of a broad range of behaviors, including police corruption, police deviance, and excessive force. In other words, police misconduct is an occupational deviance in a form of departure from standards that are an integral part of the police mission. This departure may be an unlawful departure, an immoral departure, or both, and violates one or many criminal laws, departmental rules and regulations, and police ethical standards. Misconduct occurs when officers abuse their discretionary power either by disregarding a lawful obligation or by using their

occupational power for personal ends with the pretense of acting under the color of law (Abadinski & Winfree, 1992; Luna, 2000). According to Champion (2001), “police misconduct originates and persists as an abuse of police discretion” (p. 1). “Police officer misconduct is committing a crime and/or not following police department policy guidelines and regulations in the course of one’s officer duties” (p. 3). For their own use, the FBI defines police misconduct as a less obvious wrongdoing such as striking suspects more than necessary or threatening to harm them if they do not cooperate. The use of excessive force, sexual assault, intentional false arrest, the falsification of evidence, and extortion are the most common types of police misconduct (FBI, 2000).

Police use of force is more distinctive when it is compared with the acts of normal citizens. Police use of force is within the limits of the law when it does not constitute a crime, while the same act when committed by citizens would constitute a crime. The term “use of force” is used to refer to the lawful use of force by police. When police exceed these lawful limits, the term to be used should be “police misconduct”, “police brutality”, or “police excessive use of force” (Klockars, 1996).

The Characteristics of Police Misconduct

According to *The Dictionary of Criminal Justice*, misconduct while holding public office is “Negligent, improper, dishonorable, or unlawful behavior on the part of an individual holding a position of public trust, which may result in removal from office” (Rush, 2000). However, police misconduct is not only an individual act, but in most instances an organization-wide form of deviance that results in an individual

officer's excessive use of force and authority. Police misconduct includes the abuse of discretion, corruption, and the unnecessary use of force (Lundman, 1980).

It is important to consider the specific characteristics of each individual case of police misconduct when attempting to remedy the situation. There are two types of misconduct: Organization-wide and individualistic. The first type of misconduct is prevalent in all levels of the organization, and deviant patterns of behavior are known to almost everybody in the organization. Organization-wide misconduct is patterned and very frequent (Lundman, 1980). The second type of misconduct is limited to a few officers in the organization and is not known to exist throughout all levels of the organization. These are scattered deviant occupational behaviors that are hidden from fellow officers. As a result, these behaviors are rare and un-patterned throughout the organization (Lundman, 1980).

Police administration is an extremely important determinant of the nature of misconduct in a police organization. The chief of police is very important whether misconduct in an organization remains marginal or becomes prevalent in all levels. Whether police misconduct occurs among a few officers or organization-wide, it is important to remember that the characteristics of the organization predict whether officers engage in misconduct. However, recent developments diminish the sharpness of the distinction between the "few rotten apples" approach and the organization-wide approach. Like apples in a barrel, a few rotten cops can contaminate a police organization. Their misconduct becomes contagious and sets a bad example. Perry calls these types of contaminated organizations "rotten barrels", where almost all officers are

rotten, but administrators are still arguing that there are only a few. Perry quotes former New York Police Department (NYPD) Commissioner Patrick Murphy after his speech made on the findings of the Knapp Commission, stated that corrupt police are not born, but made. They need to be examined organizationally. Dealing with only a few rotten apples is not enough to cure the problem (Perry, 2001).

Underlying Reasons for Police Misconduct

Philips and Smith (2000) discuss the degree to which police relations with the community are influenced by police use of force. To what degree is the community's opinion influenced by the levels of force (either real or perceived) that the police use? As police use of force found to be reasonable or excessive? Levels of police use of force are vital determinants of the quality of police/community relations. Milton Mollen, chairman of the Special Commission to Investigate Corruption within the Police Department of the City of New York between 1990 and 1992, asserts awesome authority of police use of power. According to Mollen (1998), police have more power than judges. Being a member of the police force gives an officer social status, a gun, and power to arrest. Abusing this power is the result of "human nature." However, assuming that police abuse of authority is a part of human nature does not mean that every officer is corrupt, or that his behavior exceeds the limits of proper conduct. In large police organizations such as the NYPD, it is not unusual to find corrupt officers. In fact, it is expected. Corruption will naturally be present in almost every large-scale organization or occupational status. Moreover, most police misconduct cases consist of "a reflex action" that does not constitute an intentional

wrongdoing. Most of these improper behaviors are the result of enormous job tension. In spite of all these understandable reasons, the police subculture and its reflection as an “us vs. them” rhetoric is responsible for most cases of misconduct. In addition, the lack of supervision and accountability mechanisms a great deal to the problem of police misconduct. Another factor that contributes to police misconduct is cosmopolitan character of highly populated cities that provide police officers the opportunity to deviate from proper conduct (Mollen, 1998). Jacobs and O’Brien (1998) see reflex action as a conventional form of police response. Police violence in communities with high levels of social and economic inequality may occur for several reasons. First, police may use violence reflexively as a response to violence from offenders. Police may also use violence to assert power and authority over groups that they consider to be economically or racially inferior, which is called political threat explanation. Finally, police may have a greater fear for their own safety in these turbulent areas, leading them to more quickly turn to use of force (Jacobs & O’Brien, 1998).

Need for a theory for police deviance.

With this research, author tried to wrap up all available theories that are, in some point, explaining police deviance. However, some of those theories developed several concepts that are impossible to measure, and others have methodological shortcomings as well as flaws on conceptualization and measurement. Observing the lack of theoretical research on police behavior in general, Sherman (in Hickman et al. 2002) proffered that “the problem is to develop a theory that not only explains variance, but also offers the symmetry, coherence, and elegance of formal theories”. Although

Sherman argued for focused, policy-oriented theories that could be built up to a more general theory of police behavior, we must also recognize that new theoretical developments can offer previously unexplored research directions for those working in more focused domains (in Hickman et al. 2002). In this sense, general theories can inform the construction of less general theories and a more fruitful research orientation may result.

LITERATURE REVIEW

Neutralization Theories of Police Deviance:

The “us-them” philosophy that police develop towards society may be explained by the police worldview. The worldview represents the understandings of a person or a group different than the general. The police work environment provides glasses through which police see the world. These lenses are provided at the beginning of the selection process, and mature after acceptance to the group. The selection process, including all screening tests, is not necessarily designed to evaluate who does the job better. Rather, they are designed to find people who conform to the job, having the required middle class values as explained by Sykes and Matza. (in Kappeler et al., 1998).

“Techniques of Neutralization” theory is proposed specifically for delinquent juvenile, but may be used to understand police justification of deviancy. Matza and Sykes proposed their theory to explain how people justify their deviant acts. These justifications are techniques of neutralization that are found in a set of subterranean values (Matza & Sykes in Kappeler et al., 1998). Matza later reformulated this theory, terming it drift theory. He uses his drift theory to explain that these techniques of neutralizations provide episodic releases from the moral restraints of the society. These neutralization techniques are not rationalizations of deviancy. They rationalize the breaking the bonds with society and the weakening of psychological suppression. Essentially, the people who use neutralizing techniques do not favor deviancy. However, by using these techniques, they are able to engage in deviancy by

rationalizing it with neutralizing techniques (Akers, 2000). By combining these techniques with middle class values, the police officer is equipped with a measuring rod to judge who is criminal and should be controlled by the state (Kappeler et al., 1998).

Champion agrees with Kappeler and his associates that the police commonly rationalize or justify misconduct based on non-legal standards. Champion and Kappeler and his co-authors both used Sykes and Matza's five techniques to explain how police justify misconduct (Table 1) (Champion, 2001, p. 55; Kappeler et al., 1998, pp. 113-125).

The nature of the police job makes officers believe that societal order is essential, their job is noble, and the laws that they enforce are fair and necessary. Those who deviate from the norm inherently show disrespect to police authority. Therefore, street justice or a zero- tolerance policy is a rational way to deal with those who break the law (Kappeler et al., 1998). Even the police officers who believe in community policing initiatives view those who do not abide by the law as enemies in the same way that a soldier in the field views his enemies. A recent study revealed that 44.6% of officers think that police work creates opportunities for misconduct; while 43% of officers are disagree with that idea (Hunter, 1999, p. 164).

Table 1. Police Techniques of Neutralizing Deviance

<i>Sykes and Matza's Neutralization Technique</i>	<i>Verbalization</i>	<i>Techniques in the Police Context</i>
1. Denial of Responsibility	"They made me do it."	Police use of excessive force in arresting a citizen who challenges police authority.
2. Denial of Injury	"No innocent got hurt."	Police use of perjury to justify an illegal search.
3. Denial of Victim	"They deserved it."	Failure of police to uncover drugs during an illegal search of a "known" drug dealer is rationalized because he didn't have drugs "this" time.
4. Condemning the Condemners	They don't know anything."	'Police rejection of legal and department control and sanction of deviant behavior.
5. Appeal to Higher Loyalties	"Protect your own."	Police perjury to protect another officer, destruction of evidence, using punishment for personal justice.

Sources: Sykes, G.M. & D. Matza. (1957). Techniques of Neutralization. *American Sociological Review*, 22, p. 664-670.

Social Ecology of Police Deviance

How can we relate to the general view of the city and see the process in this setting? In the city, relationships are largely impersonal. Because of the anonymity of urban life, the individual is freed from much of scrutiny and control, which characterize life in small towns and rural communities. Personal status and the status of one's community are, to a very great extent, determined by economic achievement, and further are signaled in this impersonal setting by possessions. With this anonymity, its greater freedom, the more interpersonal character of its relationships, and the varied assortment of economic, social and cultural background in its communities, the urban world provides a general setting particularly conducive to the development of deviations in moral norms and behavior practices (Lersch, 1998).

Shaw and McKay (1942) believed that the theories that focus only on personality or biological traits ignore that youths are surrounded by a community that they interact with other many years. Shaw and McKay (1942) claimed that these daily experiences shape patterns of behavior. However, all communities are not the same.

By surveying the urban settings, Shaw and McKay noted that in more affluent communities, the similarity of the attitudes and values as to social control is expressed in institutions and voluntary associations designed to perpetuate and protect these values. But in the areas wrecked by poverty and constant social change, the conventional institutions become weak and a value system supportive of crime is cultivated. Shaw and McKay recognized that even in disorganized inner city communities, parents and other adults try to repeat children with moral values. However they must compete against a range of criminal influences that are not present in organized communities. Further, these influences are difficult to uproot; once delinquent traditions take hold, they are transmitted from one generation to the next, typically through interactions in the neighborhood peer groups (Shaw & McKay, 1942).

Shaw and McKay were able to discount the possibility that the values of a particular ethnic or racial group resulted in a high rate of crime. By examining patterns of crime and population distribution over time, they observed that even though the dominant ethnic or racial composition of an area was constantly shifting, the high crime rates persisted. They also observed that high rates of crime persisted even when the growth rate was stable. In order to explain the persistence of crime, Shaw and McKay emphasized the lack of opportunities that people living in these areas experienced, and

the sub cultural traditions that were being transmitted from one generation to another (Shaw & McKay, 1942).

In addition to Shaw and McKay, Sampson and Groves incorporated family disruption, “the proportion of divorced and separated adults among those who had ever married and the percentage of households with single parents with children,” as an additional predictor of community disorganization. The researchers argued that family disruption hindered neighborhood members’ abilities to supervise the behavior of street corner youths, a critical dimension of social disorganization. Sampson and Groves’s work initiated an expansion of the ecology of crime model that would include sources of structural disadvantage as antecedents of social disorganization (in Kane, 2002).

Kane’s inquiry was grounded in both the ecology of crime perspective and a racial conflict approach to urban policing. Using a longitudinal research design, he found that structural disadvantage, population mobility, and increases in percent Latino population predicted increases in police misconduct, and further, that most of the variation at both the precinct and division levels occurred primarily within territorial areas rather than between them. Interestingly, changes in percent black population, which has been associated primarily with the racial conflict literature, did not predict variations in police misconduct at either the precinct or division levels (Kane, 2002).

Control Balance Theories of Police Deviance

Tittle (in Hickman et al., 2001) introduced an integrative, general theory of deviance that could be extended to explain police behavior in general, and police misbehavior in particular. Tittle’s control balance theory holds that the amount of

control to which one is subject relative to the amount of control one can exercise (the control ratio) affects not only the probability that one will engage in a deviant act, but also the specific form or type of deviance. When these two forces of control are balanced, the theory predicts conformity. As the amount of control one can exercise exceeds the amount of control to which one is subject (a control surplus), the theory predicts an increasingly autonomous form of deviance. As the amount of control to which one is subject exceeds the amount of control one can exercise (a control deficit), the theory predicts an increasingly repressive form of deviance (Hickman et al., 2001).

According to Tittle (in Hickman et al., 2001), actual deviance is a product of the complex interactions between three key variables: motivation, constraint and opportunity. Tittle divided motivation into two components. First component explains that individuals are predisposed toward deviant motivation by their control ratio, innate bodily and psychic needs, and desire for autonomy. Second component explains that actual deviant motivation results when an individual becomes aware through situational provocations of various forms, frequencies and intensities of his/her control imbalance and the possibility that a deviant will alter his/her control ratio in a favorable way. Constraint, as a second variable, is defined as the probability that the potential control to which one is subject will actually be exercised, and is a product of the control ratio, the seriousness of the act and the risk of discovery associated with the act. The balance between motivation and constraint is the source of the behavior. Accordingly, if constraint outweighs motivation, an individual is less likely to engage in a particular act. If motivation outweighs constraint, the individual is more likely to engage in the

act (in Hickman et al., 2001). And the last one, opportunity is highly situational and thus both the frequency and magnitude of opportunities are important considerations. Nevertheless, Tittle maintains that the opportunity for some kind of deviance is almost always present (in Hickman et al., 2001).

Based on those variables presented by control balance theory, Hickman, Piquero, Lawton and Greene applied same variables to police conduct in order to find out how control balance theory might explain different forms of police deviance.

They stated that a police officer's predisposition toward deviant motivation is strongly influenced by his/her control ratio. Assuming for the moment that the officer's control ratio is unbalanced, actual deviant motivation would result when situational provocations, such as an unruly citizen who challenges the officer's authority, remind the officer of his/her control imbalance and the possibility that some deviant act will alter his/her control ratio favorably. The perceived seriousness of an officer's deviant act and the perceived risk of detection will mitigate the extent to which the officer feels that potential counter-control will actually be exercised. Thus, when this constraint is equivalent to or greater than motivation, the probability of deviance will be low. Since officer deviance varies in degree of seriousness, and the seriousness of the behavior is important to the mechanics of control balance theory, it is perhaps helpful to classify police behaviors in terms of "malfeasance" (doing an illegal act), "misfeasance" (the improper performance of an otherwise legal act), and "nonfeasance" (failure to perform a required duty) (Oran in Hickman et al., 2001). Last variable opportunity is an absolute requirement for deviance to occur and some kind of deviance is almost always present.

This idea rings true in the context of policing, where the police “opportunity structure” is characterized by frequent, isolated, and unsupervised situations that lend themselves to potential deviance.

Tittle’s theory suggests that police officers clearly operate with the ability to exercise a great deal of control, but they are also subject to a significant amount of control. Police officers might be expected to have general control surpluses or general control deficits, with situational control ratios existing in each unique interaction. Due to the nature of their training, which tends to emphasize officer control and safety at all times (Skolnick and Fyfe in Hickman et al., 2001), police officers are likely to have situational control surpluses in their day-to-day interactions with citizens, regardless of their general control ratio. However, due to the enormous number of directives, policies, rules and regulations governing police behavior, police officers are perhaps also likely to have global control deficits. Thus, to the extent that police officers operate with situational control surpluses, they are likely to be predisposed toward autonomous forms of behavior. However, the dynamics of a given situation may find the officer in a position of control deficit, in which case repressive behavior is most likely. And, to the extent that police officers operate with global control deficits, they are likely to have a general predisposition toward repressive forms of deviance.

Conflict Theories of Police Deviance:

Relying on the conflict theory of law, although economic inequalities and minority representation both have been specified as predictors of conflict theory, the latter dimension has received greater, and more consistent, empirical support in

explaining patterns of police coercion. However, researchers who focused on police deviance have argued that perceptions of minority threat enhance crime control efforts by the police, including the employment of police brutality (Lersch, 1998). In addition, according to the minority threat perspective, Jacobs and O'Brien (1998) found that police-citizen conflict as indicated by economic inequalities and variations in racial composition was linked to police use of deadly force. Although research in this tradition documents minority disadvantage at the hands of the police, important issues of theory and policy are not addressed in existing studies of police brutality. Notably, the organizational characteristics of police departments, which are the attachments of policy recommendations to ameliorate the problem, have yet to be examined systematically. Proponents of the conflict theory of law minimize the possibility that organizational factors could meaningfully reduce the incidence of police brutality. They maintain that the structural divisions producing differential treatment are unaffected by organizational changes that do not alter the root cause, the segregation and deprivation of America's minorities.

Manning has argued that when communities are unable to exercise informal social control due to the absence of shared values and customs, formal agents of social control (i.e., the police) are called on to fill the void. Although municipalities often have legitimate interests in providing distressed urban communities with increased public services in the absence of many private amenities, research has shown that many cities have overly deployed the police as a function of increased minority representation or economic inequalities, independent of crime and non-crime service requests. Such

operations may lead to decreased legitimacy as more police might translate into more coercion, an argument grounded in conflict theory (Manning in Kane, 2002).

On the other hand, Turk (in Akers, 2000) argues that power ultimately comes down to “sovereignty” - control of the territory. Once the territory is militarily secure, occupation guarantees the sovereign’s control and then turns to policing, which “transforms power into authority.” Since policing is a tangible manifestation of authority, “it taps the pool of resentment in those without resources subordinate groups still view the police as a repressive tool of the dominant group (Manning in Kane, 2002)”. As a consequence, policing often triggers the unleashing of hostility and violence.

Research Hypotheses

Theories in the current literature used several methodologies while measuring their hypothesis. Most of them measured and re-measured and gave different results because of the statistical methods administered to measure, or data sources used. Several of them used the census data that are very hard to manipulate police deviance variables parallel or contrary to the variables of social disorganization and conflict perspectives, which are indeed closely related with spatial analysis. Finn (2001) and Walker et al. (2000) state that interviewing general public with regard to police behavior is the best way to find out underlying reasons of police behavior, since using general data or data collected from police may not be truly reflective of variables operationalized for the research purposes.

Keeping such conclusion in mind, the author developed five hypotheses (one of them is null) mainly relied on the re-measurement of three hypotheses used by Hickman et al., and Kane. Forth and fifth hypotheses are developed to support for the pervious hypotheses.

1. Environmental differences are related with the type of public perception of police misconduct. (Kane)
2. There is a positive correlation between economic status and public perception of police misconduct (Conflict).
3. Internal investigation may not constrain police officers for their further misconduct (Hickman et al.)
4. Complaints increase the risk of retaliation (police misconduct).

5. Civilian control of police decreases the likelihood of police misconduct.

(And its interaction with environmental variables).

Methodology:

For this research, author analyzed secondary data, which was collected by a random sample in 1999 available via Department of Justice, Bureau of Justice Statistics. The random sample was drawn from the population of all city residents aged 18 years and over who were usual residents in a private residence with a telephone. City is a medium size city located at the northeast. The sample was selected using random digit dialing (RDD), and one resident aged 18 years or over was randomly selected from the household to complete the survey. After excluding out-of-scope numbers, the final sample consisted of 1551 residents. The response rate for the survey was 48 per cent.

The survey results were weighted for age, gender and geographic location to ensure an accurate representation of the State. This paper presents the un-weighted data, as only slight differences were found between the weighted and un-weighted responses.

Definitions and conceptualizations

Police misconduct was defined as negligent, improper, dishonorable, or unlawful behavior on the part of an individual holding a position of public trust, which may result in removal from office. This definition was conceptualized with five dichotomous questions. The main question is “What was improper?”

Public perception of police misconduct conceptualized with five variables consistent with the main question stated above:

1. Behaved illegally / broke the rules.
2. Behaved unreasonably and unfairly.
3. Used undue force and violence or assaulted someone.
4. Did wrong thing.
5. Used racist language and behavior.

Those variables are used in a single set as a police misconduct variable. Environmental differences are conceptualized with the name of five different areas:

1. North
2. South East
3. South West
4. Central
5. Far North

Economic status is conceptualized with two combined variables;

1. Employment status last two years
2. Employment status of other members of family last two years.

Third hypothesis “Internal investigation may not constrain police officers for their further misconduct” conceptualized with:

1. How successful IA has been in improving police conduct.
 - a. Very successful

- b. Fairly successful
- c. Neither successful nor unsuccessful
- d. Fairly unsuccessful
- e. Very unsuccessful
- f. Dont know/Cant say

2. How independent IA is from the police.

- a. Very independent
- b. Fairly independent
- c. Not very independent
- d. Not independent at all
- e. Dont know/Cant say

3. Confidence of complaint being investigated.

- a. Very confident
- b. Fairly confident
- c. Neither confident nor not confident
- d. Not very confident
- e. Not confident at all
- f. Don't know

4. Who made complaint to?

- a. Police
- b. Military Police
- c. Media

- d. IA
- e. Government
- f. Ombudsman
- g. Other
- h. Don't know.

Forth hypothesis "Complaints increase the level of harshness of police misconduct" is conceptualized with dichotomous variables:

1. It may cause too much trouble to me.
2. People who complain against police are likely to suffer for it
3. Worried about repercussions / fearful of retaliation.

Fifth hypothesis "Civilian control of police decreases the likelihood of police misconduct." is conceptualized with one variable:

A civilian - independent body should investigate complaints against police.

Analysis

Even though this study is not intended to develop a model and test this model, with regard to the first hypothesis, the author tried to explore variance between environmental and demographic variables as independent variables, and perception of police misconduct as dependent variable. Initial explorative analysis of variance (one-way ANOVA) showed us that environmental location and was strongly associated with percentages adult and male / female unemployment, low-level education (eigenvalue = 2.8; explained variance = 51.43%).

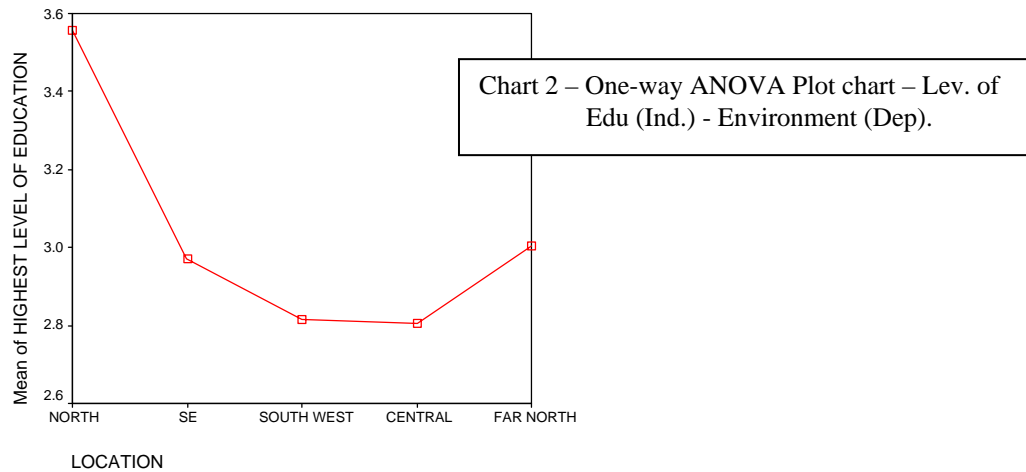
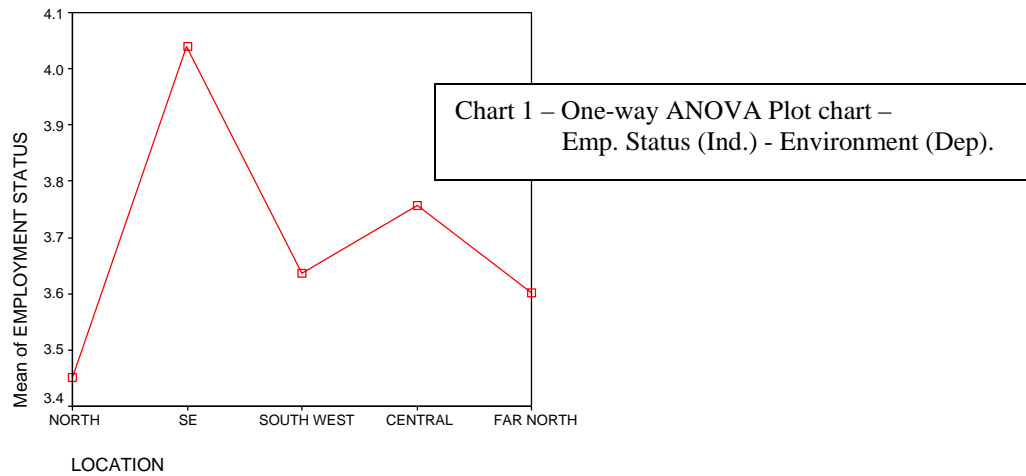


Table 2 demonstrates that random sampling provided us very good picture of the population in terms of the demographics of the sample used and skewness shows us an almost perfect fit of the variables to the equation used in the measurement.

In this research, racial composition variables were excluded from the principal component analyses because they were hypothesized to independently predict police misconduct while controlling for structural disadvantage and population mobility. Excluding the racial composition variables from the data reduction procedure allowed

for formal assessments of the conflict and social disorganization hypotheses. Therefore, employment status and education helped us to test these hypotheses. (Although the principal component analyses identified relatively uncorrelated dimensions, literature almost entirely agrees that racial composition variables were correlated with the social ecological indices).

Table 2 – Descriptive Demographics

Descriptive Statistics									
	N	Min	Max	Mean	S. Dev	Var.	Skewness		
	Stat	Stat	Stat	Stat	S.E.	Stat	Stat	Stat	S.E.
LOCATION	1502	1	5	2.66	0.03	1.49	2.22	0.28	0.06
EDUCATION	1498	1	3	1.92	0.02	0.85	0.72	0.14	0.06
EMPLOYMENT	1471	1	7	3.31	0.05	2.15	4.62	0.93	0.06
AGE	1502	1	3	1.92	0.01	0.72	0.53	0.12	0.06
GENDER	1502	1	2	1.58	0.01	0.49	0.24	-.327	0.06

The individual variables making up each index were submitted to alpha scale reliability analysis in order to determine the internal consistency of the indices.

- *Misconduct*: Behaved illegally / broke the rules, behaved unreasonably and unfairly, used undue force and violence or assaulted someone, did wrong thing, used racist language and behavior, (alpha = .6804).
- *Confidence to IA*: How successful IA has been in improving police conduct, how independent IA is from the police, confidence of complaint being investigated, who made complaint to? (Alpha = .5989)
- *Economic Status*: Percentages male/female unemployment, adult unemployment, low educational attainment, (Alpha = .8712).

- *Harshness of police misconduct*: It may cause too much trouble to me, people who complain against police are likely to suffer for it, worried about repercussions / fearful of retaliation, (Alpha = .478).

Findings and Discussion

Regarding the first two hypotheses, misconduct variables showed high correlation (Pearson correlation coefficient .889) with environmental variables (Table 6). As stated above, at the initial explorative analysis, the author found high correlation between location and socio-economic status, and racial differences. Therefore, it is not wrong to say; this finding also proves the existence of positive correlation between economic status and public perception of police misconduct. Although the frequency of unemployed is considerably low compare to the other segments, but aggregated level data is very consistent with this finding and significant.

	Value	df	Asymp. Sig. (2-sided)
Pearson Correlation	1.133	4	.889
Likelihood Ratio	1.171	4	.883
Linear-by-Linear Association	.280	1	.597
N of Valid Cases	1502		

Of course, this is not always true that police misconduct is harsher in the low income, socially disadvantaged areas. However, as stated by Kappeler et al. (1998), best definition of police corruption and misconduct is the one defined by the citizen who experienced its disturbing attack before. In a department of Justice funded research on civilian oversight of police, Finn (2001) also found that civilian oversight was more critical on police force both with the definition of misconduct and with the intensive

application of the procedural guidelines in economically disadvantaged, minority residential areas. Finn (2001) also added that the definitions also a reflection of what they confronted in their everyday life on their neighborhood streets. Cross tabulation between environmental and misconduct variables demonstrates us clearly the accuracy of hypothesis developed. North part of the city in our sample has high unemployment rate together with high minority ratio. Yet, this finding need to be triangulated with the official misconduct records and crime ratios for each environmental location in order to make more accurate conclusion.

*Table 3 – Misconduct * Location Cross-tabulations*

LOCATION * MISCON Cross-tabulation (Undue use of force or violence)			Total	
LOCATION	1 NORTH	Count	11	11
		% of Total	40.70%	40.70%
	2 SE	Count	4	4
		% of Total	14.80%	14.80%
	3 SOUTH WEST	Count	3	3
		% of Total	11.10%	11.10%
	4 CENTRAL	Count	5	5
		% of Total	18.50%	18.50%
	5 FAR NORTH	Count	4	4
		% of Total	14.80%	14.80%
Total		Count	27	27
		% of Total	100.00%	100.00%
		% of Total	100	100

The author also tried to show the reader visible interpretation of such finding with cross tabulation of combined misconduct variables (five variables) with environmental variables in Table-3 and Table- 4, together with bar charts at chart 3.

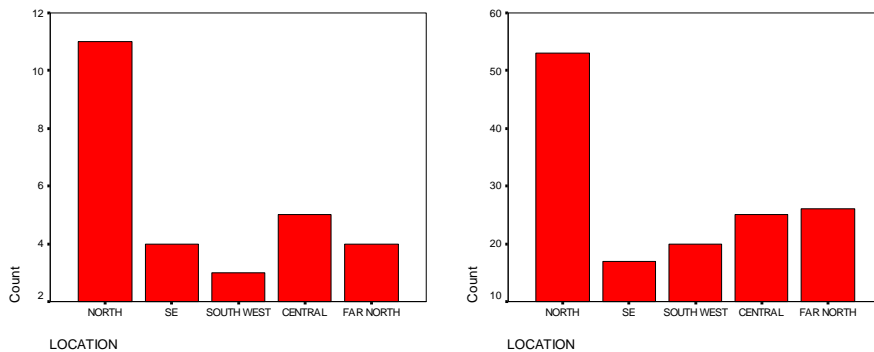
Table 4 - Misconduct * Location Cross-tabulations (Combined)

LOCATION * MISCON2 Cross-tabulation				
LOCATION		MISCON2	Total	
1 NORTH	Count	53		53
	% of Total	37.588		37.588
2 SE	Count	17		17
	% of Total	12.056		12.056
3 SOUTH WEST	Count	20		20
	% of Total	14.184		14.184
4 CENTRAL	Count	25		25
	% of Total	17.730		17.730
5 FAR NORTH	Count	26		26
	% of Total	18.439		18.439
Total	Count	141		141
	% of Total	100		100

Table 6 – Bivariate Correlation Location – Misconduct Tests

A 4 cells (40.0%) have expected count less than 5. The minimum expected count is 4.49.

Chart 3 – Misconduct Bar charts (Undue use of force or violence and misconduct combined respectively)



Hickman et al. (2001) mentioned that in general, two basic types of control exist when it comes to curtailing police deviance: (1) external controls such as the government, the courts, citizen-monitoring organizations; and (2) controls internal to the organization, which primarily stem from the use of rules and bureaucratic measures to control police behavior. They also structured their control balance approach that they borrowed from Tittle on Herbert’s six “normative orders” (sets of “generalized rules and common practices oriented around a common value” (Herbert in Hickman et al.,

2001) of police subculture that each enable and constrain individual officer behavior: the law, bureaucratic control, adventure/machismo, safety, competence and morality. Even though they did not find significant restraining or dragging power that may control and balance police behavior, they stated, “a change in control ratios would lead to less reporting of misbehavior, the effect overall might be to increase other forms of police misbehavior, such as beating suspects, etc. because the chances of counter-controlling responses would be reduced (Hickman et al. 2001; p. 518).” Which means they are not sure about the application of the hypothesis they presented because of unavailability of the proper data to control the full scope. However, using public perception data may give us a little more insight on this particular hypothesis. So, with regard to the hypothesis that Hickman et al. developed “Internal investigation may not constrain police officers for their further misconduct (Hickman et al., 2001),” the author have looked at three variables to find out what people think about bureaucratic control mechanism and find out that vast majority of the people believe the efficiency and reliability of internal control mechanism by demonstrating total 66.5 % confidence (Very and Fairly Confident).

Table 5 – Confidence of complaint being investigated by internal control mechanism.

<i>C10. CONFIDENCE OF COMPLAINT BEING INVESTIGATED</i>				
	<i>Freq</i>	<i>Percent</i>	<i>Valid Per</i>	<i>Cum Per</i>
0	66	4.4	4.4	4.4
Very confident	204	13.6	13.6	18
Fairly confident	729	48.5	48.5	66.5
Neither confident nor not confident	156	10.4	10.4	76.9
Not very confident	225	15	15	91.9
Not confident at all	98	6.5	6.5	98.4
Don't know	24	1.6	1.6	100
Total	1502	100	100	

D. CONFIDENCE OF COMPLAINT BEING INVESTIGATE

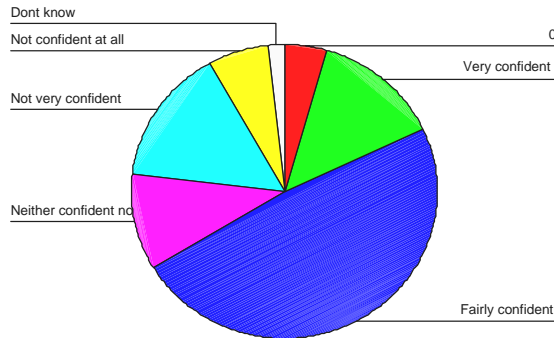
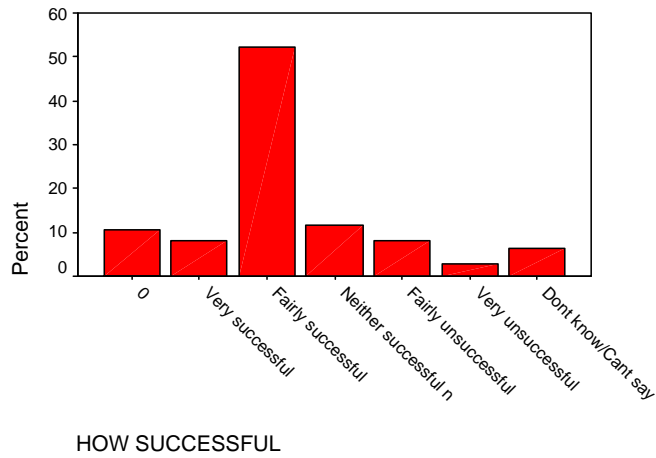


Chart 4 - Confidence of complaint being investigated by internal control mechanism (Percentages)

Second question is more supportive to the same argument from a different viewpoint. Again almost 60% of the sample stated that they believe internal control mechanism performed by internal affairs may improve police conduct.

D5. HOW SUCCESSFUL IA HAS BEEN IN IMPROVING POLICE CONDUCT

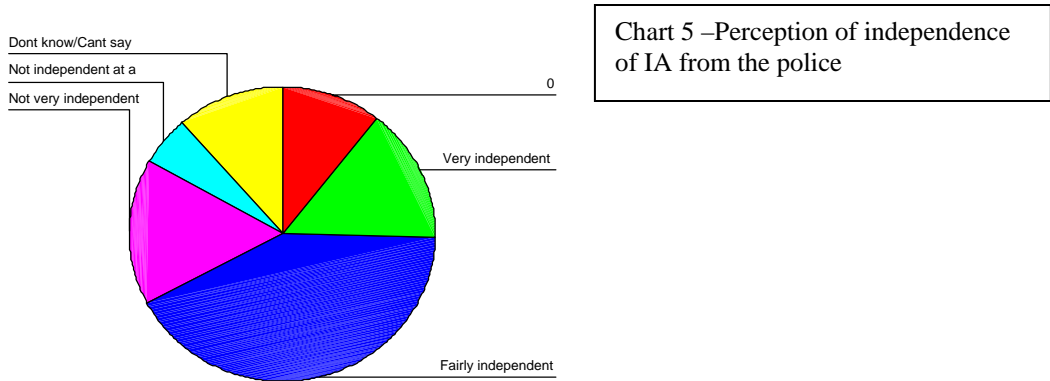


56% of the sample also believes that even though it is operated by police, Internal affair, it is very or fairly independent from the political pressures of the organization. (Table 6).

Table 6 – Independence of IA from the organization.

D4. HOW INDEPENDENT IA IS FROM THE POLICE				
	<i>Freq</i>	<i>Perc.</i>	<i>V. Perc.</i>	<i>Cum Perc.</i>
0	160	10.65	10.65	10.65
Very independent	218	14.51	14.51	25.16
Fairly independent	632	42.07	42.07	67.24
Not very independent	241	16.04	16.04	83.28
Not independent at all	78	5.19	5.19	88.48
Don't know/Can't say	173	11.51	11.51	100
Total	1502	100	100	

D4. HOW INDEPENDENT IA IS FROM THE POLICE



With the forth hypothesis “Complaints increase the risk of retaliation (police misconduct),” author intended to control consistency and accuracy of the findings of the third hypothesis and expected similar findings that demonstrated considerable confidence to police. As seen on Chart 6, 65.4 % of the sample population disagreed with the question “People who complain against the police are likely to suffer for it.”

C7. People who complain against police are likely to suffer for it

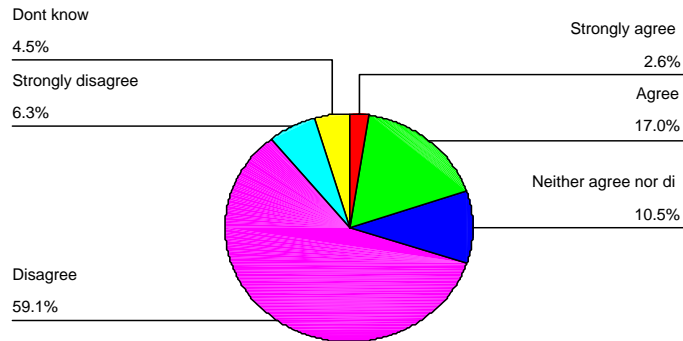


Chart 5 –Police retaliation

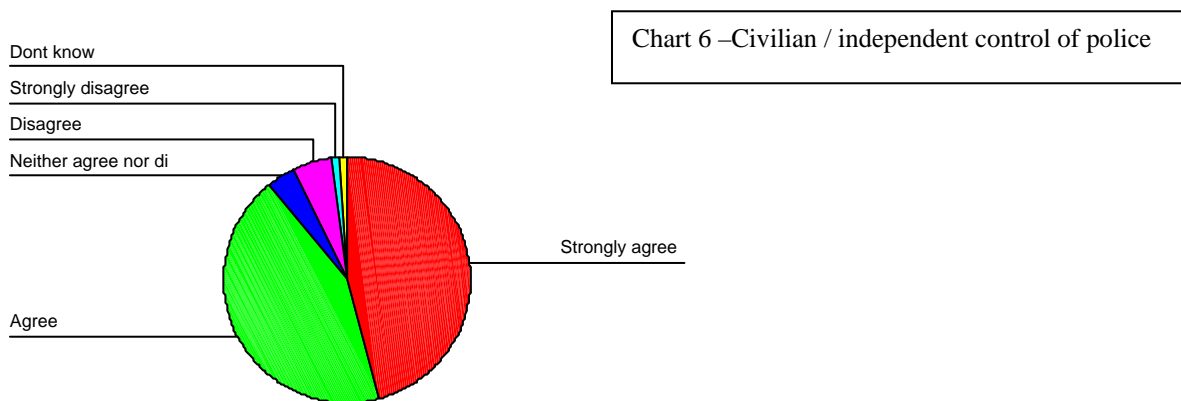
And the last hypothesis is also connected with all previous hypotheses. By developing the hypothesis, “Civilian control of police decreases the likelihood of police misconduct,” the author intended both to check the consistency and accuracy of the previous findings and to explore the public perception of civilian control of police. The findings are surprising, because people who were announced their confidence to internal investigation before apparently changed their mind when they introduced with a new concept, which is less bias and democratic in essence. The author believes that this finding is more acceptable compare to the findings stated related to hypotheses three and four. Since, this research is limited with the secondary data, and unfortunately in the SPSS environment, the author did not find any known method to correct it, he relied on the assumption that when people introduced more liberal and democratic approach to control police conduct, they prefer such approaches. And as Table 7 and Chart 6 points out that independent civilian control of police is seen by the public most

promising control mechanism for police misconduct (Total 89.28% strongly agree and agree). Either internal control or external controls, it is not wrong to say that control mechanisms are seen by the public as the best way to bar police misconduct in consistent with Tittle’s control balance theory of deviance.

Table 7 - Complaints against police should be investigated by an independent body, not by the police themselves

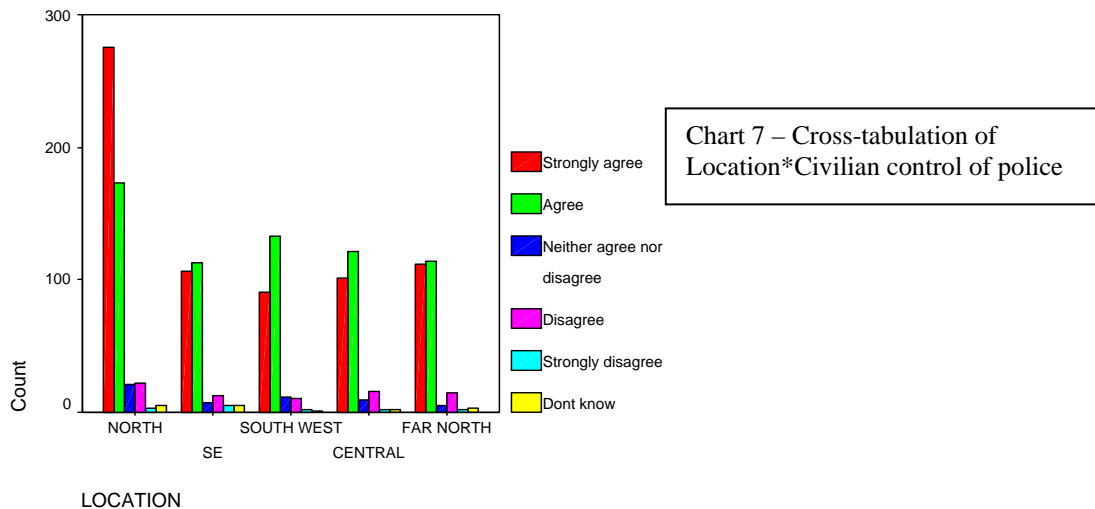
Independent Control				
	Freq	Per.	Valid Per.	Cum. Per.
Strongly agree	687	45.73	45.73	45.73
Agree	654	43.54	43.54	89.28
Neither agree nor disagree	54	3.59	3.59	92.87
Disagree	77	5.12	5.12	98.00
Strongly disagree	14	0.93	0.93	98.93
Don't know	16	1.06	1.06	100
Total	1502	100	100	

Complaints against police should be investigated by an independent body



Moreover, by supporting ecological and conflict perspectives, cross tabulations of environmental and economic variables demonstrated that socio economically

disadvantaged and high minority proportionate residential locations are confronted more strains caused by police misconduct and accordingly their responses to stop it considerable higher than any other locations (Chart 7).



Limitations

Police misconduct was defined and conceptualized with the terms of people’s perceptions, it did not purport to measure all the acts of deviance in which officers may have engaged before their careers ultimately ended in involuntary separation. Neither did it measure the extent of deviance by other officers whose misconduct has never been brought to official attention or visible to the general public. Consequently, and as with other studies cited above used “arrest” or “crimes known” as dependent variables, the present study used an outcome measure that represents a proximate indicator of the underlying deviance. In addition, limitations of the secondary data analysis may also be counted as the limitations of this research.

Conclusions

As stated by Lersch (1998) conflict theory is useful in understanding the differential treatment of minority citizens and/or members of a lower socioeconomic class. The theory in itself, however, does not provide a complete explanation. Ecological standpoint provides conflict theory more depth and insight (Table 8).

In terms of police deviance, many other authors all agreed that a small number of officers accounted for a disproportionate number of the complaints and accordingly misconduct (Mollen, 1998). And vast majority of these complains are also proved false or wrong. It is so hard to generalize conflict perspective, even together with ecological extension. Conflict theory, because of its construction, offers macro level explanations that are useful in explaining the types of individuals who are more likely to find themselves victims of police misconduct; yet the fact that some officers were involved in acts of misconduct while others were not falls outside the parameters of conflict theory (Kane, 2000; Lersch, 1998). So, additional social factors such as differential opportunity, differential association, or socialization however, determine the probability that individuals will or will not engage in deviant activity, so the police misconduct. (Essed in Lersch, 1998).

On the other hand, control balance perspective developed by Tittle and argued by him that the theory can be applied to all sorts of misconduct, especially the misconduct of the very powerful, the concepts of control apparently were not easily understood neither by the researchers nor the public. In addition, as stated above, by applying control balance perspective, it is hard to separate the small number of officers

who practices large numbers of deviance because of their control imbalances from their fellow officers. More importantly, Tittle's theory did not separate the power of different restraints and the result of their applications from the control-balance ratio.

Using public perception to measure police misconduct sounds like a brilliant idea, since asking officers about their definition of ethics and misconduct or looking official records that did not reflect real numbers. However, the author believes that these data have to be combined with the others to reach more accurate findings by triangulation.

Table 8 – Significance of social inequality variables

	Group means and standard deviations (in parentheses)				
	Predictor variables				
	Percent white	Ed. level	Income	Poverty	Unemployed
Complaint:					
Force	40.88 (35.91)	63.00 (11.95)	19,246 (5,544)	20.22 (12.05)	9.01 (3.48)
Harassment	59.93 (37.42)	67.11 (14.17)	20,660 (8,056)	17.32 (14.82)	7.12 (3.73)
Performance	65.67 (34.82)	69.68 (12.01)	21,509 (7,824)	15.81 (15.37)	7.12 (3.63)
Total	56.17 (37.55)	66.66 (13.32)	20,496 (7,460)	17.71 (14.36)	7.46 (3.76)
Standardized coefficients	0.822	0.544	-0.314	1.138	-0.809
Wilks' Lambda	0.938	0.967	0.988	0.987	0.937
F	17.23**	8.68**	3.13*	3.27*	17.51**
Notes:					
Chi-square = 64.898**, 10 d.f.					
* indicates $p < 0.05$, ** $p < 0.01$					

References

Abadinski, H. & Winfree, L.T. Jr. (1992). *Crime and justice: An introduction* (2nd ed.). Chicago, IL: Nelson-Hall Publishers.

- Akers, R. L. (2000). *Criminological theories: Introduction, evaluation, and application* (3rd ed.). Los Angeles: Roxbury.
- Champion, D. J. (2001). *Police misconduct in America: A reference handbook*. California: ABC-Clio Inc.
- F.B.I. Department of Justice. (2000) *Policy or pattern*. [On-line]. Available: <http://www.fbi.gov/programs/civilrights/statutes.html>. (3/25/2004).
- Finn, P. (2001). *Citizen Review of Police: Approaches and Implementation*. NCJ # 184430. Washington D.C.: U.S. Department of Justice, Office of Justice Programs.
- Hickman, M. J; Piquero, A. R.; Lawton, B. A.; Greene, J. R. (2001). Applying Tittle's control balance theory to police deviance. *Policing*; 2001; 24, 4, pg. 497
- Hunter, R. D. (1999). Officer opinions on police misconduct. *Journal of Contemporary Criminal Justice* 15, 155-170.
- Jacobs, D. & O'Brien, R. M. (1998). The determinants of deadly force: A structural analysis of police violence. *American Journal of Sociology*, 103(4), 837-862. [On-line]. Available: <http://links.jstor.org/sici?sici=0002-9602%28199801%29103%3A4%3C837%3ATDODFA%3E2.0.CO%3B2-%23>. 03/25/2004.
- Kappeler, V. E., Sluder, R.D., & Alpert, G.P. (1998). *Forces of deviance: Understanding the dark side of policing* (2nd ed.). IL: Waveland Press.
- Kane, R. (2002). The social ecology of police misconduct. *Criminology*. Beverly Hills: Vol. 40, I. 4; pg. 867, 30 pgs.
- Klockars, K. B. (1996). A theory of excessive force. In W. A. Geller & H. Toch (Eds.), *Police violence*, (pp. 1-22). New Haven and London: Yale University Press.
- Lersch, K. M. (1998). Police misconduct and malpractice: a critical analysis of citizens' complaints. *Policing: An International Journal of Police Strategies & Management* Volume 21 Number 1 1998 pp. 80-96
- Luna, E. (2000). Transparent policing. *85 Iowa Law Review* 1107. [On-line]. Available: http://web.lexis-lexis.com/universe/:2084/universe/document?_m=a727177efa420014610ba3d3d6b3eec0&_docnum=6&wchp=dGLStV-ISIAI&_md5=51d6a3c5fad792b7c45827c8ace473c6. 03/25/2004.

- Lundman, R. J. (1980). Police misconduct. In R. J. Lundman (Ed.), *Police behavior: A Sociological perspective*, (pp. 163-180). New York: Oxford University Press.
- Mollen, M. (1998). Police violence: Causes and cures. *Symposium* in Edward V. Sparer Public Interest Law Fellowship Forum: Brooklyn Law School, April 15, 1998. *Journal of Law and Policy*, 7, 93. [On-line]. Available: [http:// www.lexis-nexis.com/universe/document.html](http://www.lexis-nexis.com/universe/document.html). 03/25/2004.
- Perry, F. L. (2001). Repairing broken windows. *FBI Law Enforcement Bulletin*, 70(2), 23-27.
- Phillips, T. & Smith, P. (2000). Police violence occasioning citizen complaint: An empirical analysis of time space dynamics. *British Journal of Criminology*, 40, 80-96.
- Rush, G. E. (2000). *The dictionary of criminal justice*. Guilford, Conn.: Dushkin / McGraw-Hill.
- Shaw, C. R. & McKay, H. D. (1942). *Juvenile Delinquency in Urban Areas*. Chicago: University of Chicago Press.
- Sykes, G. M. & Matza, D. (1957). Techniques of neutralization. *American Sociological Review*, 22, 664-670.
- The American heritage dictionary of the English language*. (2000). (4th ed.). Houghton Mifflin Company.
- Walker, S., Spohn, C., & DeLone, M. (2000). *The Color of Justice; Race, Ethnicity and Crime in America* (2nd ed.) Belmont, CA: Wadsworth Publishing.