



## IDAHO PEACE OFFICER STANDARDS AND TRAINING

### *Special Points of Interest*

- Create a Culture of Integrity
- Decertification Investigations
- Measuring Police Integrity

## **CREATE A CULTURE OF INTEGRITY**

*EXTRACTED AND CONDENSED FROM THE NATIONAL INSTITUTE FOR JUSTICE REPORT DATED  
DECEMBER 2005 BY EDITOR*

In December, 2005, the National Institute of Justice published a report containing the results of a survey of 3,235 officers from 30 law enforcement agencies across the Nation. This survey was designed to measure and quantify feelings and practices related to misconduct by law enforcement officers.

The results of the survey provided an insight into understanding of agency rules on misconduct, the seriousness of different types of misconduct, officers' knowledge and opinions about potential disciplinary measures, and their willingness to report prohibited behavior.

The report suggested that managers who use the questions and scenarios included in the survey questionnaire, and then analyzed the responses, would be able to answer the following questions regarding practices and beliefs in their own agencies. These responses would create a platform from which the agency could take steps to improve compliance with department policies.



Decertification Matters:

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|--|------|
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The five questions were these:

1. Do officers in this agency know the rules?
2. How strongly do they support the rules?
3. Do they know what disciplinary threats this agency makes for violation of the rules?
4. Do they think the discipline is fair?
5. How willing are they to report the misconduct?

The 30 responding agencies were ranked according to their environments of integrity. Three high-ranked agencies were chosen for additional evaluation and observation. These agencies were designated "agencies of integrity."

*(Continued on page 4)*

## Disciplinary Actions

### Incident #1 Rape

This officer had sexual contact with a female 15 years of age. For an unexplained reason the female waited a year to report the matter. The officer had been previously asked to leave a volunteer law enforcement position because of immaturity, and he was fired from another one because of alleged lying and conduct unbecoming. He was later reinstated in this last position.

The 15 year old girl was a witness in another crime and was taken by the officer to his home where they had sex. The officer ultimately pled guilty, was sentenced to prison, and was decertified as a law enforcement officer.



*Merry Christmas and Happy Holidays from the staff at the Peace Officer Standards and Training Academy.*



### Incident #2 - Domestic Violence

This officer, a sixteen year veteran, was having marital problems with his wife. He was asked by his agency head to travel to a neighboring state to pick up a piece of equipment for his department. Without having permission to do so the officer took another female employee with him on the trip.

When they returned, both the officer and the female employee of the department were disciplined. Later, when the officer's spouse learned of the trip, the officer and his wife began arguing. The wife threatened to kill the officer, which ultimately led to the officer throwing his wife to the floor and pinning her down. Their teenaged son entered the room to help but the officer told him he did not need to call the police and then the officer removed the battery from the telephone so he couldn't call for help.

The officer later replaced the battery and called 911 himself. The officer pled guilty to one count of Battery-Domestic Violence and signed a voluntary stipulation, surrendered his POST certificates, and was decertified.



### Incident #3 - Excessive Use of Force

At approximately 3:50 a.m. this officer responded to a loud party. He walked down an alley towards the party and encountered about 8 individuals drinking and talking loudly. Music was blaring from a vehicle and someone was banging on a barrel with wood to break it up for firewood.

The officer told the individuals to break up the party and move it inside but he was told that it was private property and they did not have to move inside.

The officer said he was out numbered 8 to 1 but instead of calling for back up, he waited approximately two seconds after telling them to break up the party, and gave about a one-second burst of his pepper spray. This was directed into the air and not at one particular person. He told one participant that he had used the spray because he was not being obeyed. The people continued yelling at him but began going into the house.

When interviewed, the officer admitted that he had not been threatened, that he had tried to handle 8 drunken people by himself, that he had not contacted the complaining party to see if they wanted to sign a complaint, and that he had acted inappropriately.

The officer signed a stipulation voluntarily surrendering his certification.

## Measuring Police Integrity

*These are a few of the hypothetical cases used in the study cited on page one. What do you think of each of them? When you and your fellow officers review them, if you are laughing and saying: “You mean, we’re not suppose to do that?”, that may be a clue!*

1. An officer runs his own private business in which he sells and installs security devices. He does this work during his off-duty hours.
2. An officer stops a motorist for speeding. The officer agrees to accept a personal gift of half of the amount of the fine in exchange for not issuing a citation.
3. An officer is widely liked in the community, and on holidays, local merchants and restaurant and bar owners show their appreciation for his attention by giving him gifts of food and liquor.
4. An officer discovers a burglary of a jewelry shop. While searching the shop he takes a watch from a smashed case. He reports that the watch had been stolen during the burglary.
5. An officer finds a bar on his beat that is still serving drinks a half-hour past its legal closing time. Instead of reporting this violation, the officer agrees to accept a couple of free drinks from the owner.
6. An officer is aware that there is a felony warrant for a long-time friend of his. Although he sees his friend frequently and reminds him of the warrant he does not arrest him.
7. In responding with her male partner to a fight, a female officer receives a black eye from one of the male combatants. While booking the subjects the male officer punches the man who hit his partner in the kidney.
8. An officer stops a motorist for speeding. As the officer approaches the vehicle, the driver yells, “What the hell are you stopping me for?” The officer replies, “Because today is “Arrest an Asshole Day.”
9. An officer arrests two drug dealers involved in a street fight. One has a large quantity of heroin on his person. In order to charge them both with serious offenses, the officer falsely reports that the heroin was found on both men.

### Incident #4 - Unauthorized dispensing a drug

It had been the practice of detention officers in this department to retain prescription medications left over from inmates who either hadn't finished their medications or had transferred out of the jail. The drugs were kept in a secure cabinet.

This officer was believed by other officers to be somewhat lenient with inmates. An example of this was allowing family members to bring in personal items for the inmates..

One evening an inmate told the officer that



he was not feeling well so the officer gave him one of the left over prescription drugs. It is a criminal violation to dispense certain drugs without being licensed to do so.

The officer was terminated from his employment because of this incident. He took full responsibility for his actions and was cooperative in the internal and decertification investigations. The POST Council elected not to decertify the officer.

### Incident #5 - Possession of a controlled substance

A post office in a neighboring state detected an odor coming from a package received during the normal course of business from a location in Idaho. Joint investigation by the Postal Inspectors and other agencies determined that the package had been sent from the community where this officer was serving as a narcotics officer for his department.

Further investigation resulted in identifying the officer who had mailed the package even though the name on the package was fictitious. The package was not sent as a result of any investigative matter the officer was working on. Felony criminal charges were filed against the officer. He pled guilty and was decertified by the POST Council.



# INTEGRITY BULLETIN

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## Peace Officers Standards and Training



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The survey showed that even in the “high integrity” agencies many officers were not clear on some areas of official policy. For example some officers were not aware that a supervisor who exploited his authority for personal gain or an officer who covered up a DUI or minor accident were in violation of official policy.

It was learned that even though the agency set official policies for conduct there was a discrepancy between agency values and personal conduct of the officers. They learned that if complaints against officers were not thoroughly investigated and disciplinary action taken, the officers learned not to take policy violations seriously.

State law, where one of the high integrity agencies was located (Florida), required that full details of every disciplinary decision, including the internal investigation, be available upon request. Laws that did not require disclosure of disciplinary actions did not succeed in keeping the information from the public. The news media frequently learned of the misconduct anyway.

In agencies where disciplinary action was the most severe officers thought that the action taken was fair.

*The Idaho Legislature formally established the Idaho Peace Officers Standards and Training Council (POST Council) for the purpose, among others, of setting requirements for employment, retention, and training of peace officers, including formulating standards of moral character, and other such matters as relate to the competence and reliability of peace officers. The POST Council also has the power to decertify peace officers upon findings that a peace officer is in violation of certain specified standards, including criminal offenses, or violation of any of the standards of conduct as established by the Council’s Code of Ethics. Idaho Code also requires that when a peace officer resigns his employment or is terminated as a result of any disciplinary action, the employing law enforcement agency shall report the employment action to the POST Council within 30 days.*

—IDAPA 11, Title 11, Chapter 01

Concern for the welfare of other officers was reported as the greatest factor for not reporting acts of misconduct. It was only when the offending officer’s exploitation of his co-workers became so chronic or put the position of another at risk was the misconduct reported, and then only reluctantly.

Success in reporting misconduct was the highest when: 1) action was taken for failure not to report; 2) lying during a misconduct investigation automatically led to firing; 3) secret rewards for reporting misconduct; 4) allowance for anonymous reporting of misconduct; and 5) rotation of officers to prevent the bonding which hinders reporting misconduct.

The report suggested the following steps for managers to follow to enhance integrity:

1. Create a culture of integrity in the department.
2. Emphasize rules governing misconduct and train officers in their application.
3. Managers should detect, investigate, and discipline misconduct to show officers how serious they consider misconduct to be.
4. Administration should require all officers to report misconduct.