Jammed Up

An Introduction

Mitchell Tisdale was born and raised in Brooklyn. He lived in a two-parent household with three other siblings. His father worked in the service industry, and despite no criminal history in his family, Mitchell was arrested three times on juvenile delinquency charges prior to his eighteenth birthday. He earned his general equivalency diploma (GED) in lieu of a high school diploma, did not serve in the military, and worked at seven different service-industry jobs before joining the NYPD as a police officer at the age of 24. In addition to the juvenile delinquency findings, Mitchell had four moving violation summons and disciplinary problems in two previous jobs. Nevertheless, he had no financial troubles, he was making timely payments on his auto loan, and pursuant to his NYPD background check, investigators found no reason to recommend against his appointment to the department.

At the time of his appointment to the NYPD, Mitchell was married with one child while still residing in Brooklyn. In the police academy Mitchell earned acceptable ratings on all aspects of training (academic, physical fitness, tactics); upon graduation, he was assigned to a Brooklyn patrol precinct. In his fourth year of service, Mitchell received his first citizen complaint. It was for off-duty profit-motivated misconduct. Mitchell was allegedly involved in a drug-dealing enterprise to supplement his NYPD income. The complaint was unsustained, as NYPD investigators were unable to prove at an acceptable threshold Mitchell’s involvement in the drug ring. Six months after the first complaint, Mitchell received his second complaint, this time for off-duty violence. As with the first case, the second complaint was adjudicated as unsustained.

Several months after his second disciplinary case, Mitchell was in a bar while off duty, where he met a woman, with whom he went to a hotel room to engage in a consensual sexual encounter (Mitchell was still married). At some point during their time together, a struggle over Mitchell’s off-duty firearm ensued, during which the woman was shot in the neck and killed. Mitchell dressed and fled the scene, leaving the woman’s body to be discovered by hotel staff. On his way home from the incident, Mitchell disposed of his off-duty firearm so that it could not be traced to the woman’s death. It took just a few days for the NYPD to link the deceased woman at the hotel to Mitchell; and despite initial (and repeated) denials
of involvement, Mitchell finally confessed that it was his gun that killed the woman. Although no criminal charges were filed against Mitchell, he was subsequently dismissed from the NYPD for violating several administrative rules, such as "conduct unbecoming a member of service," and "failure to safeguard a firearm." He never made it past the rank of patrol officer.

In the same year that Mitchell Tisdale was hired, Paul Barrett was also hired by the NYPD. Paul, along with his four siblings, was born in Manhattan and raised there by his mother and father. Although Paul did not attend college, his father was a college graduate who worked in the professional sector of the economy. Nobody in his immediate family had ever been arrested, including Paul. Upon receiving his high school diploma, Paul joined the then-new NYPD Cadet Corps—essentially a paid internship within the NYPD that socialized pre-recruits into the administrative practices of the police department. During his time as a cadet, Paul also held three different outside jobs in the service economy; he was never disciplined in those jobs, and he never had a former employer make derogatory comments about his performance. By all official criteria, Paul was a model candidate for the position of police officer. After working three years as a cadet, he entered the police academy and was assigned to a Manhattan patrol precinct when he graduated. During his career with the NYPD, Paul moved from Manhattan to Brooklyn, he never married or had children, and he never carried any bank debt. He received zero citizen complaints and took a career path with an upward trajectory: three different commands with a promotion to Detective, Third Grade in his tenth year of service.

At some point in his eleventh year of service, while investigating a deceased person incident in a Brooklyn apartment, Paul and his partner stole a stack of U.S. savings bonds worth several thousand dollars. He took the savings bonds to a local bank, and posing as the owner (i.e., the deceased person from the apartment), attempted to cash them. The suspicious bank teller stalled Paul while the manager called the NYPD. When officers arrived, they arrested Paul, who was subsequently brought up on federal charges. In the end, Paul was convicted in federal court of conspiracy, and he was dismissed from the NYPD for profit-motivated official corruption (an administrative violation).

Approximately 20 years later, the first author of this volume was sitting in an office on the first floor of Police Headquarters at 1 Police Plaza (1PP) in Manhattan. His task as a university researcher was to identify every police officer whose career had ended due to occupational misconduct from 1975 to 1996. While sorting through yellowed personnel docu-
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ments from the 1970s that had been stored in file cabinets in various locations throughout 1PP, the researcher happened upon the following entry: “Mitchell Tisdale, dismissed for Failure to Safeguard a Weapon.” After scouring NYPD documents for months, and having seen the range of “normal” incidents for which officers were usually dismissed (e.g., corruption, abusing a citizen, perjury), the researcher asked himself, “Who gets fired for failing to safeguard a weapon?”

The Origins and Methodology of Jammed Up

This volume represents the culmination of perhaps the largest study of police misconduct ever conducted in the United States, with a study period spanning from 1975 through 1996. In 1996, the now-late James J. Fyfe offered his graduate student (the first author of this volume) an opportunity to help design and conduct this study of career-ending misconduct in the New York City Police Department. That study, known as Bad Cops, was ultimately funded by the National Institute of Justice and gave the research team unprecedented access to NYPD records and data. That study is the foundation for this book. Bad Cops sought to explore the nature and prevalence of police misconduct in the NYPD from 1975 to 1996, as well to identify relevant personal and career history characteristics most responsible for distinguishing between officers who engaged in career-ending misconduct and officers who did not. In the end, the research team collected information on more than 3,000 police officers (half of whom had been separated from the department due to misconduct), hired approximately 20 NYPD employees, who worked on the study in the evenings after their regular shifts ended at 1PP, and spent almost three years post-study assembling data at different units of analyses in order to tell the story of Bad Cops. Though we refer the reader to Fyfe and Kane’s NIJ final report for complete coverage of the study’s methodology, the sheer scope and breadth of the study’s design warrants some discussion here.

The first methodological step involved identifying the population of officers separated from the NYPD between 1975 and 1996 for reasons of misconduct. At the time of the study, the NYPD maintained no central file or database that provided information on employment separations, whether for misconduct or other reasons. Instead, usually one to three times per week, it published Personnel Orders and disseminated them to every departmental unit. These orders reported every change in status (e.g., appointment, promotion, transfer, change in designation, resignation, retirement, vesting, dismissal, termination, or death) of both sworn
and non-sworn NYPD personnel. The authors gained access to all Personnel Orders, which were contained in multiple filing cabinets inside Police Headquarters. The Personnel Orders represented a starting point for the identification of separated officers.

In addition to reviewing the Personnel Orders described above, the authors accessed all other available NYPD record sources, most notably the personnel files held by the Personnel Records Unit (PRU). The most substantial part of the personnel file (known as the PA-15 in NYPD vernacular) was a lengthy application and information form completed by all police officer candidates and used as the basis for pre-employment investigations. Also from the PRU the authors accessed files containing officers’ performance appraisals during recruit training, annual job performance evaluations, reports of disciplinary actions, information concerning changes in marital status, educational achievement, assignments, sick leave, injuries, and various other noteworthy events (e.g., commendatory letters, departmental recognition, serious vehicle accidents, reports of line of duty injuries). Finally, the authors accessed and coded information from the Central Personnel Index (a computerized database that captures all critical career events), Management Information Systems Division, Internal Affairs Bureau, and the Department Advocate (the prosecutor in serious internal disciplinary actions). The only data that the authors could not gain access to included the results of testing and interviews conducted by the NYPD’s Psychological Services Unit—as these were protected by doctor/client confidentiality.

Review of the Personnel Orders produced an original pool of about 3,000 officers who had career-ending events that may have been related to misconduct. The authors then reviewed the personnel history of each of those 3,000 officers to determine whether the cause for separation was related to misconduct. We identified several categories of employment separation that met our criteria for inclusion in the study. First, “dismissal” is the term used to describe the firing of tenured civil servants in New York, including the police. Since dismissal is always a penalty for misconduct, all officers dismissed by the NYPD between 1975 and 1996 were included in the study. Second, the NYPD has traditionally followed a practice whereby it forced some officers to retire or resign under honorable conditions in return for their cooperation in investigating and prosecuting wrongdoing of which they had been a part. The authors reviewed the Personnel Orders as well as the personnel files of all officers whose resignation notices gave any indication that they had been in trouble when they left the
The lead author questioned internal affairs and Trial Room personnel for their recollections of any such cases.

In addition to identifying categories of inclusion, we also identified several categories of separation that excluded officers from the study. First, any officer who had left the department in good standing—e.g., for employment with another police agency—was excluded from the study. Second, prior to the award of tenure, the NYPD typically does not dismiss officers, because this category of involuntary separation requires some due process, beginning with the specification of charges. Instead, probationary officers typically are “terminated,” a designation that only requires a statement from the Police Commissioner that an individual has shown to be an unsatisfactory probationer. Such terminations can occur because of misconduct or because of candidates’ failure to satisfactorily meet the police academy’s standards for performance in the academic, physical, or firearms and tactics training programs. If the termination occurred because of failures or inadequacies rather than misconduct, the officer was excluded from the study. Approximately 1,000 of the initial 3,000 cases were excluded because of performance failures. Probationary officers, however, whose terminations were obviously rooted in misconduct, including failure to abide by the police academy’s disciplinary rules or, quite often, failure to take or pass a drug test, were included in the study. The misconduct “screening” process produced a sample of 1,542 study officers.

To generate a comparison group, the authors first identified the police academy classes to which all study officers belonged (based on start dates). Next, from police academy ledgers we obtained rosters for all relevant academy classes (classes ranged from 1948 to 1996) and then matched each study officer to a randomly selected academy classmate. Note that the matching process did not stratify comparison officers on the basis of static (e.g., race, age, etc.) or other characteristics. The matches were made strictly on the basis of academy class. This procedure allowed us to compare study and comparison officers who had been hired under the same screening requirements, similar social and political contexts, and who likely had similar entry-level experiences with the organization. In the end, the authors derived a sample of 1,543 control officers. These 3,085 officers—half of whom were jammed up—are the focus of this book.

What Does It Mean to Be Jammed Up?
Readers familiar with the TV show, NYPD Blue (ABC, 1993–2005) can likely recall any number of exchanges among the show’s main characters
in which they made reference to getting “jammed up”—a ubiquitous shorthand term used to describe when the organization launches an investigation into alleged misconduct (administrative or criminal). Within the New York City Police Department (as with many others in the United States), officers can get *jammed up* by bosses (i.e., supervisors who represent the formal police organization), civilians (citizens who make complaints), and the CCRB (Civilian Complaint Review Board), which has the authority to initiate its own investigations. The previously described cases of Mitchell Tisdale and Paul Barrett illustrate the complexities of defining and studying what it means to be jammed up, particularly when using a retrospective design that requires researchers to work backwards to piece together officers’ personal and career histories, and when relying on official police department records to do so. The methodological discussion above highlights the challenges of such an approach. When we entered the NYPD in 1997 to begin the study on which this book is based, we thought we had a fairly valid and reliable a priori definition of police misconduct: behaviors proscribed by administrative policies and/or criminal law for which the offending officer(s) was/were dismissed from employment. We presumed that in order to label an incident as police misconduct, the officer(s) involved must have used their office in some way to gain access to the misconduct opportunity. Very shortly into the study, however, we were faced with a series of questions that challenged some of our most basic presumptions about how to characterize police misconduct. The following are examples of actual misconduct cases we encountered, which illustrate the difficulties of defining the police misconduct construct:

1. An off-duty officer driving his private vehicle stops at a convenience store on Long Island, after having just worked a ten-hour shift in Brooklyn, to steal a six-pack of beer at gun point. Is this police misconduct, or is this a robbery committed by someone who happens to be a police officer? The officer was still wearing his uniform pants and brandished his on-duty firearm to commit the crime. (In fact, it was precisely because the officer was wearing his uniform pants that the store clerk figured out that it was a police officer who had robbed him.)

2. A police officer is disciplined no less than six times in three years for failing to comply with administrative standards and is finally dismissed from employment for losing his NYPD shield (badge). Is this police misconduct? This officer never had been disciplined for official corruption or abuse of authority but while on duty did wear an
Unauthorized shield, which he purchased from a pawn shop to escape disciplinary charges. (At some point in his NYPD tenure, he lost the shield that was assigned to him.) A citizen then misidentified him to supervisors because of the false badge number, which the department used to terminate his employment.

3. The NYPD of the 1970s suspended officers for up to ten days for taking a free cup of coffee, but then fired different officers for the same behaviors in the 1990s. What does that say about the organization's reliability in its patterns of adjudicating disciplinary cases over time? After all, the latter officers are included in this study, but the former officers are not. To what extent is career-ending police misconduct a moving target, and to what extent is the definition of career-ending misconduct conditioned by when the misconduct occurred?

4. An officer was fired for abusing his sick time, but then further investigation showed that the officer was found not guilty in a criminal trial during which he was accused of using his position as a police officer to protect drug and prostitution enterprises. Should this officer be classified as being dismissed for administrative rule violations (the sick-time abuse) or serious/illegal misconduct? Most officers charged with abusing sick time are not fired, they are suspended. It seemed clear in this case that NYPD administrators believed this officer was guilty of the criminal charges, and they sought to have his employment terminated.

As challenging as they are in their own right, these cases lead to a set of vexing conceptual quandaries: Do the theories that explain illegal police misconduct also explain administrative non-conformity? To what extent do changes in the value system of the organization over time influence, if not the prevalence of misconduct, then the distribution of misconduct over the study period? If the organization became more or less "strict" in the way it responded to certain types of misconduct over time, does this book represent a study of organizational responses to known police misconduct as much as it does a study of the correlates of police misconduct? We believe that the data collection experience described above gave us valuable insights into the complexity of studying police misconduct and allowed us to consider these difficult questions. It also shaped our discussion of prior research and conventional definitions of police misconduct (see chapter 2) and led to the development of our own classification system of misconduct (see chapter 4).
Selznick\textsuperscript{11} wrote that by “institutionalizing”—or integrating—the informal personality orientations of its influential members, large formal organizations tend to define deviance in ways that represent the value systems of individuals, perhaps regardless of any public definitions of deviance. This reasoning suggests the difficulty of using organizational records to identify police misconduct, particularly if the definition by design needs to hold constant across multiple generations. Thus, Selznick presents us with two challenges: (1) the importance of looking “deeper” than official dispositions of “terminated” or “dismissed” to measure misconduct; and (2) the need to maintain a sense of the organization’s value system over time so that the definition of career-ending misconduct remains as consistent as possible.

From Selznick and others,\textsuperscript{12} this volume assumes that being \textit{jammed up} is as much a behavioral issue as it is an organizational designation. When studying police misconduct using police department records, the definition of misconduct becomes inextricably linked to the organization’s response to the misconduct. To some extent, this represents a limitation of studying police misconduct via a quantitative research design. On the other hand, however, studying misconduct by using official records—particularly when the researchers are able to dig deeper than the traditional “termination” and “dismissed” separation designations—allows researchers to understand the kinds of behaviors police organizations are unwilling to tolerate. This is particularly the case if it appears that a person has been labeled a “problem” by the organization and is forced to leave the job for reasons that normally do not lead to separation (e.g., abusing one’s sick time).

As an illustration, chapter 4 of this volume reports on the prevalence of career-ending police misconduct over the study period, showing that over the 22-year time span, only 1,543 officers out of a total of 78,000 different officers employed by the department were separated for misconduct. This amounts to a 2 percent rate of career-ending misconduct in the organization over the study period. Despite this overall low rate of career-ending misconduct, the annual rates of misconduct varied greatly. For example, when the city entered a fiscal crisis in the early 1970s and reduced the number of police officers by 11,000, the annual rate of career-ending misconduct declined sharply from slightly over 2 officers per 1,000 to just over 1 officer per 1,000. Does this decline suggest that the “bad” cops were those who were laid off, allowing the organization to retain only the non-problematic officers for employment? Perhaps. A more likely expla-
nation, however (and one that was supported during focus group interviews of police officers during the study), is that, by reducing its workforce from 32,000 to 21,000, the department may have been forced to retain as many officers as possible for coverage purposes. In simple terms, the organization was forced to alter its tolerance for misdeeds committed by its officers.

As Doug Perez aptly noted in his book, *Common Sense about Police Review*, while line supervisors are generally concerned with unit-level discipline, the chief administrator (i.e., the police commissioner) is generally concerned with the proper functioning of the organization at large. This “proper functioning” may relate both to ridding the organization of “problem” officers, and retaining as many sworn personnel as possible during times of economic crisis. During the NYPD’s hiring freeze and layoff period of the early to mid-1970s, it may have been the case that officers who normally would have been separated for certain types of misconduct (abuse of authority, abusing sick time, fraternizing with known drug dealers) in more economically stable times were given greater than average suspension sanctions (e.g., 10 to 30 days off) that would punish the offending officers yet allow the department to retain them as needed.

As chapter 4 also shows, when New York City emerged from its fiscal crisis in the late 1970s, allowing the NYPD to hire and rehire enough police officers to bring the department back up to pre-fiscal crisis personnel strength, rates of organizational misconduct during that rapid hiring period sharply increased. As the research team found, many officers hired between 1980 and 1984 were appointed as police officers before the Personnel Division completed their background investigations. Indeed, many of those officers had already gotten into trouble by the time the Personnel Division completed its background investigations of the officers. In Perez’s terms, it may be that, while the police commissioner was attempting to increase the human resource capacities of the NYPD for the “proper functioning” of the organization, he may have done so at the expense of quality control. That is, many officers were hired during this time period who, if the background investigations had been completed, never would have been appointed as police officers in the first place.

As the empirical chapters show (chapters 4 and 5), being *jammed up* can mean different things at different times, depending on the needs of the organization. This reality represents both a limitation and an opportunity for the purposes of examining career-ending misconduct using official police department records: While the individual-level predictors of
misconduct remain constant over the study period, changes in the organization over time (e.g., hiring and retention practices, the introduction of drug testing, and changes in enforcement strategies) likely have influenced the rates and distribution of career-ending misconduct at the level of the organization.

It should also be noted that, although large formal organizations tend to sanction known deviants with respect to the organization’s value system, police departments generally are not as “free market” as other publicly accountable agencies. Police departments tend to be governed more strictly than other organizations by law and civil liability risk. In basic terms, it can be very costly for police departments to retain “bad” cops. Moreover, for serious cases of misconduct (drug dealing, weapons trafficking, protecting gambling enterprises, etc.), both policy and law leave police departments with very little discretion as to how to respond to the offending officer(s). In this sense, and as noted, using official records to identify cases of career-ending misconduct is analogous to using official data to study crime. We develop the greatest understanding of the most serious acts of deviance—i.e., those that are most important about which to learn.

The Remaining “Characters”

In addition to Mitchell Tisdale and Paul Barrett, this book will also introduce as case studies several more police officers who served in the NYPD at various times over the study period and who were forced to leave the job due to misconduct. These include Ricky Tolson, who was appointed to the NYPD in 1968 and worked most of his 15-year career in the Midtown South Division. A Brooklyn native, Tolson had a high school diploma when he entered the NYPD at age 21. He had never been arrested, and by the time he stood trial in federal court, he had been the subject of just one internal investigation early in his career for violating a fairly low-grade administrative rule.

Some time during his twelfth year of service, Tolson became involved with a group of officers—also working in Midtown South—who began stealing drugs from known drug dealers, and then selling them on the open market. Stealing drugs versus buying them is an important distinction to make because, during focus group interviews with NYPD officers at multiple levels of the organization, we (the original research team) learned that many officers placed different values on buying versus stealing drugs—even drugs they intended to sell. Buying drugs with the inten-
tion of selling them was often viewed as behavior in which “crooks in uniform” or “assholes” engaged. Stealing drugs from known drug dealers (even with the intention of selling them later) was often viewed as less morally objectionable because drug dealers were regarded as lowlife offenders who deserved to be victimized.

Tolson serves almost as the archetypal “corrupt” cop: he worked narcotics in a very busy section of Manhattan under conditions that were largely unsupervised and very frequently undercover; he routinely contacted low-visibility drug offenders, learning their patterns and lifestyle habits; and he engaged in his misbehavior with a small group of similarly “dirty” police officers. It was not clear how long Tolson and his group engaged in their misconduct before getting caught. Tolson’s personal history, however, makes him somewhat anomalous in that he had no obvious risk factors for misconduct at the time he was hired, and his background investigators recommended he be given the job as a New York City police officer. Was Tolson a “good” cop who happened to fall in with a group of corrupt officers, or did he always have deviant intentions, which led him to seek out similar officers? This question is addressed more thoroughly in other sections of the book, and particularly in chapters 5 and 7.

In some contrast to Ricky Tolson was Colin Ahearne, a ten-year veteran narcotics officer, who was also convicted in federal court after being arrested by the Drug Enforcement Administration (DEA) on drug trafficking charges. One primary difference between Ricky Tolson and Colin Ahearne was that, while the former stole drugs from drug dealers, the latter bought drugs from the dealers and then sold them on the open market. Ahearne and his co-defendants actually participated in the drug trade and profited from it, making them, in NYPD nomenclature, criminals who happened to be employed as police officers. Another primary difference between these two officers was that, at the time of his hiring, Ahearne had two previous arrests for possession of drugs, and after taking the job with the NYPD, he maintained close social ties with “known drug dealers,” whom he knew before taking the job. It was with these individuals that Ahearne participated in the drug trade.

Colin Ahearne was one of the many officers hired in the early 1980s when New York City emerged from its fiscal crisis, during which it laid off more than 11,000 sworn police officers and did not hire anyone from 1974 to 1979. During the rapid hiring spree of the early 1980s, the department hired 12,000 new and formerly employed police officers, hundreds of whom were hired without the benefit of full background investigations.
As a result (and as we discuss this more thoroughly in chapter 5), a large group of officers who would ultimately get jammed up for serious misconduct never would have been hired had the department learned more about them during the recruitment process. Colin Ahearne serves as a fairly representative example of how poor organizational administration (i.e., hiring people faster than the organization can properly vet them) can contribute to the rates of organizational misbehavior. We return to Ahearne and others like him when we describe how changes in organizational hiring and retention practices can influence patterns of organizational misconduct above and beyond the individual characteristics of those who actually engage in the misconduct.

Rochelle Bearie was hired as a New York City police officer in 1993 during Ray Kelly’s first tenure as Commissioner. She was fired just three years later, during the William Bratton era (the last commissioner during our study period) for committing welfare fraud. Bearie came to the NYPD as a 24-year-old, high school-educated, divorced mother of three who probably had little intention of ever becoming a police officer. She was an academy “holdover,” meaning that she failed to successfully complete her police academy training on her first try, so the department allowed her to repeat the parts of the academy curriculum she originally did not pass. She was legally receiving public assistance income before joining the police department in 1993, but state and federal law required her to give up public assistance once she entered the police academy as a paid police recruit. For reasons that our data cannot address, Rochelle Bearie continued receiving welfare benefits while she was employed by the NYPD, and three years into her police service her ex-husband (who shared custody of their children) reported to the Internal Affairs Bureau that she was illegally receiving welfare benefits. Because Bearie had been an academy holdover, she was still on probation during her third year at the time the allegations were made against her. As a result, the department terminated her employment for “failure to perform” her duties (an administrative violation, though the underlying misbehavior was welfare fraud) without due process considerations that normally would be given to tenured (non-probationary) members of service.

Female police officers represent a special category of those who engage in misconduct. In our data, female officers made up 16 percent of all officers who were separated for misconduct (compared to 13% representation among comparison officers), and they displayed marked contrasts (in terms of charges) to their male counterparts. For example, men were far
more likely to be involved in official profit-motivated misconduct (men = 19%; women = 10%) and off-duty public order/crimes against persons (men = 18%; women = 9%) than women; while women were more likely than men to be jammed up for drug possession (including failed drug tests) (women = 38%; men = 29%) and administrative/probationary failures (women = 36%; men = 24%). On average, female officers who got into trouble tended to be “problems” for the organization, while men tended to be “problems” for the community.

**Bridging the Gap between “Bad” Cops and “Good” Policing**

With the early Bad Cops work as a foundation, *Jammed Up* makes a number of additional contributions to the study of police misconduct. First, we employ a character-driven model to make our way through more than 20 years of history in the NYPD. Tisdale, Barrett, Tolson, Ahearne, Bearie—as well as other supporting characters—will demonstrate in real terms the major themes of the book. Second, *Jammed Up* includes new multivariate analyses (chapter 5), a strong treatment of ecological and historical context (chapters 3 and 6), and a theoretical chapter which explores the value of several prevailing criminological theories for explaining the cause of police misconduct (chapter 7). Last, and most important, *Jammed Up* seeks to broaden our conceptions of good and bad policing. As the discussion thus far suggests, *Jammed Up* is a book concerned primarily with investigating the multiple dimensions of police misconduct; and although inquiries into “bad” cops and “bad” policing are important, they probably do little to help us understand “good” policing, which many readers may regard as the logical opposite of bad policing. If, however, we strip away the misconduct events that led to the “bad” cops leaving the job, we are left with a group of police officers who scored high on the risk factors of bad policing, but who did not look much different from the comparison group officers on what we might consider to be the indicators of good policing. For example, compared to the comparison officers, the “bad” cops on average had higher instances of pre-employment arrests, were fired from more previous jobs, had more derogatory comments made about them by their prior employers, had lower educational attainment, lower rates of being married, more dependent children, more disciplinary problems in the NYPD leading up to the events that precipitated separation, and had higher rates of absenteeism and sick-time abuse (the meaning of these risk factors are discussed thoroughly in chapter 5). Based on these differences alone, it seems fairly evident that the average “bad” cop engaged in
dysfunctional behavior both before and after getting a job as a police officer, and that the continuation of the dysfunctional behaviors ultimately led to their separation.

These risk factors notwithstanding, when it came to the dimensions that many believe are indicators of “good” policing (or at least a good career), the study and comparison officers did not exhibit substantial differences. For example, the two groups achieved very similar academic and physical education ratings during the police academy. About half the officers in both groups remained at the rank of patrol officer during their careers; and less than 10 percent of both groups ever reached the rank of sergeant. The problem with these measures, which probably distorts the actual differences between bad cops and good cops, is that it is much easier to develop quantitative dimensions of bad policing than it is for good policing. At the very least, although the risk factors of bad policing (i.e., misconduct) may help us identify officers at risk for misconduct, the presumed protective factors tell us nothing about how “good” cops benefit the community and the organization as a whole. For these reasons, we argue that a relative absence of bad cops or bad policing does not necessarily translate into good cops or good policing.

That is, the present study does not distinguish bad cops from good cops. Rather, the present study distinguishes bad cops from all the other cops. To move beyond the study of police misconduct (the quintessential definition of bad policing) and into the realm of studying and identifying good policing requires different data collection procedures and a broader conceptualization of what constitutes “good” policing. Indeed, we argue that good and bad policing probably do not exist at opposite ends of the same continuum. Bad policing has one spectrum, and good policing has another. Although this book is mostly concerned with understanding the spectrum of bad policing, we argue that developing an understanding of good policing begins with identifying the dimensions of good policing in substantive terms, rather than as just an absence of misconduct. We further argue that an independent focus on good policing is long overdue, and we try to weave discussions of good policing into the text where possible throughout the book, particularly in chapter 8.

**Organization of the Book**

This book covers much ground over a more than two-decade period in the New York Police Department. Chapter 2 is a literature review that pro-
vides the foundation for the present volume. Specifically, chapter 2 reports on the literature that has attempted to define police misconduct and describe its prevalence. It also reports on the empirical literature that has examined the causes and correlates of police misconduct. Just as important, the chapter highlights what we don't know about police misconduct and sets the stage for the current study. Chapter 3 describes the research setting and provides a historical treatment of police misconduct in the New York City Police Department. It is divided into two primary substantive areas. First, the chapter briefly describes the organizational structure of the NYPD with respect to the units that investigate and adjudicate known cases of misconduct. It then describes how allegations of misconduct make their way through the NYPD disciplinary system. Finally, chapter 3 provides a comprehensive examination of how misconduct has manifested in the NYPD over the study period.

As noted, chapters 4 and 5 provide the empirical foundations of the present study. Chapter 4 examines the prevalence and patterns of career-ending misconduct at the organizational level and provides our definitional framework for misconduct. Specifically, chapter 4 identifies eight categories of career-ending misconduct, ranging from on-duty profit-motivated misconduct to off-duty public order crimes to administrative violations and "failure to perform" designations. Chapter 4 then describes the annual patterns of organizational misconduct over the study period, as well as examining the distribution of misconduct across the eight categories. Notably, chapter 4 also includes a separate discussion of on-duty abuse of authority (i.e., excessive force and/or brutality), given that this form of misconduct was rarely observed in the present data (e.g., 119 cases of on-duty abuse out of a total of 1,543 cases of misconduct). Last, chapter 4 presents results from bivariate analyses examining characteristics of officers who got jammed up and their matched counterparts.

Chapter 5 tests the bivariate relationships identified in chapter 4 by employing multivariate techniques to examine the individual-level predictors of police misconduct both for the total sample and for distinct racial/ethnic categories. As noted, because race and ethnicity were the strongest predictors of career-ending misconduct, much of chapter 5 is devoted to explaining this relationship. This is done by interpreting the findings in the context of a few theories of race and justice (tokenism and conflict theory), as well as by examining the extent to which the predictors of misconduct are salient for both white and nonwhite police officers.
In terms of analyses, chapter 5 reports the results of a logistic regression, a multinomial regression, and a CHAID analysis. These multivariate analyses formed the bases of hypothesis testing for the present study.

Chapter 6 is a summary of several journal articles the first author published between 2002 and 2006, which examined the social ecology of police misconduct, the consequences of police misconduct in structurally disadvantaged communities, as well as the crime reduction potentials of arrest-based policing strategies. Chapter 6 is unique in that it not only examines the causes and consequences of police misconduct at the precinct level, it also examines the consequences of overly aggressive policing strategies that often lead to the very behaviors the police are trying to control—i.e., violent crime. This discussion is particularly important because it extends the examination of the NYPD and its practices well into the twenty-first century. It is also in chapter 6 that we begin the transition from focusing exclusively on “bad” cops to a more focused consideration of good policing.

Chapter 7 is devoted to theoretical explanations of police misconduct. The chapter begins with a review of previous theoretical work (of which there is not much), and then explores the application of criminological theory to police misconduct. As noted, the empirical examinations (primarily in chapter 5) do not explicitly test criminological theories, though they are informed by several theoretical frameworks. Chapter 7 describes in detail how mainstream criminological theories such as strain, social learning, control, and life-course perspectives might ground future examinations of police misconduct. Discussions in chapter 7 use as examples findings from chapter 5 to highlight both the prospects and limitations of using criminological theories to explain police misconduct.

Finally, in chapter 8, we summarize the findings, draw some conclusions, and discuss both the strengths and limitations of the research that drove the current study. We also build on Frye’s research to develop a model of good policing that is distinct from police misconduct—or the absence of it—and that might ground future studies of police behavior.

Beyond Serpico

In the end, Jammed Up represents a 22-year journey through the largest police department in the United States. The study begins in the wake of the Serpico scandal and Knapp Commission, and it ends at the time of the Mollen Commission—though several lines of discussion carry us through to present time. As the most extensive study of police misconduct ever
undertaken, this book allows us to explore causes and correlates of police misconduct at the individual officer level using advanced multivariate techniques, as well as in its proper organizational and ecological context. Although the present volume attempts to answer research questions through rigorous empirical analyses, it also leaves several of these issues open for discussion, recognizing that there is no single best way to study police malpractice. Whereas we identify the limitations of many prior studies of police misconduct (both on conceptual and methodological grounds), and we intend to fill many of the gaps that currently exist in the literature on police misconduct, we also hope this book highlights some of the subjective nature of trying to identify and define police misconduct, as well as the difficulties of conceptually distinguishing between police deviance and organizational responses to police deviance. We also hope to drive home the critically important distinction between the constructs of good and bad policing. In short, while this book may answer some old questions about police misconduct, at the same time it introduces new ones that we believe provide fertile ground for future research endeavors in two separate lines of inquiry; one for bad cops who get *jammed up* and one for those who excel in the profession— the good cops.