



Drug-related complaints against police

Complaints
against police

Some findings from a New South Wales study

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Abstract

Purpose – To examine the incidence and prevalence rate of drug-related complaints against police in the New South Wales Police Service (Australia) and compare these rates to officer demographics.

Design/methodology/approach – Seven years of complaints data (1993-2000) are examined. The data showed that of nearly 40,000 complaints amounting to over 80,000 allegations, less than 2 percent relate to drug-related allegations. These allegations were isolated and the pattern of officer demographics from these incidents were compared to the police service as a whole, with the aim of exploring if particular groups (such as length of service, age, gender etc.) were particularly susceptible to attracting drug-related allegations.

Findings – The most common drug-related allegation was for supplying drugs. The distribution of drug-related complaints follows the general demographic pattern of officers in the police service, though female officers attracted fewer drug-related allegations. Adverse findings, while rare, are most likely to be recorded against lower ranking police officers who have served less time in the police service.

Practical implications – The paper shows that demographics alone are not sufficient to identify officers at risk of being on the receiving end of a drug-related complaint. The age, service and rank analysis conducted in this paper has not revealed any particular groups that are more susceptible to allegations of drugs misconduct. This paper therefore supports the idea that a more thorough early warning system tailored to individual officers may be necessary for an effective strategic complaints system.

Originality/value – With a pool of nearly 80,000 allegations to draw upon, the research employs one of the largest data sets ever examined. The findings are therefore sufficient to provide robust statistical comparisons, and are of interest to police practitioners, law enforcement managers, and researchers.

Keywords Police misconduct, Drugs, Complaints against police, Australia

Paper type General review



Introduction

Complaints made against police officers are both a burden and a reality of modern policing. They create an administrative burden on the service as a whole, by requiring

resources to investigate and respond to complaints, irrespective of whether or not the complaints are substantiated. Beyond the administrative cost, complaints may also remove from duty or hinder the working patterns of officers with allegations pending or under investigation. If justified, they can remove officers either temporarily or permanently from the resource pool through disciplinary action or dismissal. Although there are therefore administrative and personnel costs involved in the management of a complaints system, there are also significant advantages for police management. Strategic management of police complaints can act as a litmus test of public perception of police in general, and of individual officers in particular. Monitoring of complaint patterns can provide law enforcement executives with an insight into police operations that is not available through traditional management practices. With careful monitoring, complaints can be used as a proxy measure of police behavior and can signpost potential problematic behavior in individual officers, or in the behavior of a group of officers at a particular station or unit. We say that complaints are a proxy measure of police behavior, because until investigated, a complaint is not a firm indication of any wrongdoing on the part of a police officer.

Whether justified and an indication of inappropriate or corrupt behavior, or malicious and unwarranted, complaints impose a moral burden on the police service. They can hinder the effective operation of officers or groups of officers who may be wary of performing necessary functions in case they are complained against, and the morale of a police service can suffer if complaints are a constant hindrance to daily life (Moss, 1998). The standing of a police service in the eyes of the public can also suffer, as is the case with high profile investigations. This can affect public confidence and trust, and in turn the enthusiasm of the public to assist law enforcement's crime prevention and detection efforts. The very legitimacy of the police service can be called into question.

In Australia, it is probably fair to say that no police service has received as much attention and scrutiny in regard to complaints against officers as the New South Wales Police Service (NSWPS). The NSWPS is Australia's oldest and largest police organization. Headquartered in the state capital, Sydney, it has approximately 17,000 employees including over 13,000 sworn officers. The state of New South Wales is an area twice the size of Great Britain with a population of over six million. One service-wide management objective of the NSWPS is to "reform the police service to attain a high level of public trust and confidence in police integrity" (NSWPS, 2001, p. 6). This objective is a direct response to a considerable amount of bad publicity and a number of adverse internal and external investigations that have affected the police. The NSWPS has, in recent years, attempted a process of significant change since receiving considerable criticism as a result of a royal commission. The royal commission into the New South Wales Police Service, headed by Supreme Court Justice James Wood, ran from 1995 to 1997 and unearthed a substantial degree of police corruption, much of which was directly or indirectly connected to the illicit drug trade. As a measure of the media interest, the file of paper clippings held by the Australian Federal Police library in regard to corruption in the NSWPS going back to the mid-1990s is over four inches thick.

In recent years, the police service has moved to professionalize its approach to the investigation of complaints against police, both from a tactical, investigative standpoint, and from a more strategic, management perspective. While the majority of

allegations of criminal misconduct made against police officers are in regard to assault, criminal allegations in relation to drug involvement continue to receive more media and investigative scrutiny in Australia. For example, a Police Integrity Commission investigation known as Operation Florida has been examining the conduct of drug squad detectives alleged to have stolen money found in drug raids in Manly (*Daily Telegraph*, 2002). Furthermore, many of the allegations reviewed by the Wood Royal Commission were in regard to the relationship of police officers and drug syndicates (Dixon, 1999). Given the destructive effect that involvement with the illicit drug trade can have internally in regard to operations and morale, and externally in relation to public and media perception of the legitimacy of the police, investigating complaints against police officers in relation to illicit narcotics is a high priority for the police service. Even though this is the case, the focus is often on managing public perception and minimizing damage to the police department rather than unearthing corruption. Police commanders tend to view complaints as a threat to be managed, and place the focus on individual investigations rather than gaining a considered insight into complaint trends (Moss, 1998).

Arriving at a strategic overview of allegations requires the collection and analysis of a variety of data sources, including complaint data, individual demographics, and geographic and temporal factors. The compliant information system of the NSWPS Internal Affairs department categorizes complaints into major and minor categories, and (usefully for researchers) stores basic demographics of the officer receiving the allegation, such as age, service, rank and gender. This is the main source of management information in regard to complaints for the police service.

In this paper we describe the incidence and prevalence levels of drug-related complaints against police in the New South Wales Police Service. We examine police complaints over a seven-year period in the New South Wales Police Service and focuses on the number and severity of complaints in relation to drugs involvement. The paper aims to describe the number and range of allegations, as well as the distribution of different investigative outcomes in relation to the demographics of the police service as a whole. We begin with an overview of the use of complaint information for police management.

Police complaints

Citizen complaints against police can serve as a useful performance measure for police managers, providing one indication of public satisfaction with officer behavior and service. While there can be problems with the over-interpretation of complaint statistics as a management function, understanding and responding to complaints against officers is a necessary administrative role for senior police managers. Increasing difficulty can occur when over-emphasis is placed on complaint allegations. There is a significant difference between allegations and substantiated allegations, though this distinction is sometimes blurred by the media and the public. From a police perspective, the choice of an appropriate measure of public satisfaction is a difficult one for police commanders. Like most Australian police services, the NSWPS has to report annually and to detail total allegations, but this number depends on the integrity of the system to honestly report allegations, and the method of classification. In the next section we describe how a number of allegations against different officers can arise from a single complaint letter. While the use of substantiated allegations may be a

better measure of actual inappropriate behavior, there are also different levels of adverse finding, resulting in questions about what counts as substantiated. As Kessler (1999) notes, the use of complaints is an indication of the level of dissatisfaction of the public with officers, while complaints with adverse findings can indicate the level of inappropriate officer behavior. Reliance on the latter statistic depends on the adequacy of both the reporting mechanisms and the investigative ethics and ability of the scrutinizing agency. It is worth noting that police are able to use both total complaints and substantiated allegations as strategic management data.

Many studies have examined overall numbers of allegations while acknowledging some of the difficulties with this choice of analytical data (Lersch and Mieczkowski, 2000). Determining from the literature a suitable strategy to reduce complaints can be difficult. Previous studies appear to have two main foci: an individual focus which examines the particular characteristics of complainants and officers, and an agency focus which looks at strategy and structure of police agencies and the resultant levels of complaints.

Examples of the individual focus include studies of the characteristics of complainants (Lersch, 1998a), attempts to determine profiles of officers accused of violence (Herzog, 2000), and prediction of the race of an officer based on complaint data (Lersch, 1998b). Individual-level analyses also include relating external complaints to internal complaints (Lersch and Mieczkowski, 2000). Studies with an agency focus include predicting the likelihood that a complaint will be sustained based on the type and origin of complaints (Griswold, 1994), studies across a number of agencies (Dugan and Breda, 1991), and the impact of civilian review boards and departmental composition (Cao *et al.*, 2000; Cao and Huang, 2000). In one local example, Holland (2000) recorded the volume of complaints for one Australian police service, but did not delve beyond the descriptive and avoided any detail in regard to officer demographics. Furthermore, findings can have conflicting messages for police management. Kessler's (1999) study of 344 public complaints in the wake of the introduction of community policing in a number of areas of Houston found that the change in strategy appeared to reduce the overall number of complaints, though criminal allegations increased.

The subset literature on drug-related complaints is less expansive. Although the unearthing of corruption related to drug trafficking and involvement in the associate trade is often the catalyst for wide-scale investigations of police, Carter and Stephens (1991) believe the more significant issue is recreational drug use by officers. This may not be an inconsiderable problem if Carter's estimate that up to 30 percent of all officers have used an illicit substance since becoming police officers is accurate (Carter, 1990a). Although qualitative research suggests a problem within the ranks of law enforcement, identification of police officers actually involved in illicit drug use (often off-duty) is not easy (Carter and Stephens, 1988) and often relies on techniques such as informant use, trained supervisors, self-reports, polygraph tests (where legal) and voluntary or mandatory drug testing (though in the US there are 4th amendment issues in regard to mandatory testing) (Carter, 1990b). Clearly 30 percent is a rough estimate, and any drug activity that comes to the notice of management, and appears in a complaint information system, is only the tip of an iceberg of indeterminate size.

While caution should be exercised in the use of complaint information to determine management strategies, it remains the case that the careful use of complaint data can be used to monitor and manage police services. In Australia, the NSWPS responded to

the criticisms of the Wood Royal Commission by developing a system of employee management (EM). EM is designed to focus on a quick and equitable resolution of a complaint against an officer (Brammar, 1998). The principles of a more effective management system of complaints, one that seeks to learn from incidents on a broader sense rather than concentrate on the individual investigation, is one that has received broad agreement from all parties, including the police union (Chilvers, 1998).

The ability of the NSWPS EM system to fulfill this vision has not yet been determined, however the NSWPS has instigated a new computer system, called the complaints information system (CIS), to better manage complaints. This system does give us an opportunity to get an overview of the scope of the problem in regard to drug-related complaints against officers. The next section will provide a quantitative summary of the NSWPS database for a seven-year period.

Source data

The source data for the following study was obtained from the CIS database of the Internal Affairs department of the New South Wales Police Service (NSWPS), as part of an Australian Research Council (ARC) sponsored project conducted by the Centre for Applied Philosophy and Public Ethics (CAPPE) in collaboration with the NSWPS. The database covered the period from approximately June 1993 to September 2000, and forms the source data for the remainder of the paper.

There were 39,797 separate complaint files in the source database over the seven-year period specified, but each complaint file can generate more than one allegation against one or more officers. For example, a relatively “simple” incident might be a complaint by one member of the public of rudeness against one officer. This would result in one complaint file generating one allegation. A more complex incident might be a person complaining that officer A has been dealing in drugs, officer B was rude to the complainant, and officer C conducted an illegal search. The NSWPS Internal Affairs database would record this incident as one complaint file generating three allegations. Another type of complex allegation might involve a complaint of both an illegal search and of rudeness against three officers. This would generate one complaint file and six allegations (one of rudeness and one of illegal search against each officer). In this manner, the 39,797 complaint files generated a total of 81,036 allegations. While there were a few complaint files with large numbers of allegations, most incidents that resulted in complaints generated close to the mean of 2.04 allegations per complaint file.

Complaints against members of the NSWPS are categorized (for administrative purposes) by the Internal Affairs department into a major and a minor category. Allegations of impropriety involving drugs all fall into the major category of “criminal allegations”. Table I shows that criminal allegations make up nearly 20 percent of all allegations leveled against members of the force. This major category covers a wide variety of allegations, only six categories of which are drug related. Of the 39,797 complaint files, 1,031 related to complaints of officer involvement in illegal drug activity. These complaint files resulted in 1,463 drug-related allegations (1.8 percent of the total number of allegations in the database).

Table I.
Frequency of major
complaint categories

Major complaint category	Frequency	%
Conduct/departmental matters	18,474	22.8
Criminal allegations (including drugs)	15,638	19.3
Customer service	13,848	17.1
Investigations	12,418	15.3
Custody	6,568	8.1
Harassment	5,140	6.3
Misuse of powers	3,294	4.1
Courts	2,456	3.0
Traffic offences	2,147	2.6
Receipt of summons/orders or subpoenas	705	0.9
Shooting incidents	242	0.3
Media complaints	106	0.1

Drug-related allegations

There are six drug-related minor categories (cultivate, manufacture, possess, smoke/use, supply, and other drug offences). Of the 1,463 drug-related allegations, few are for manufacture of drugs, and the majority are for supplying. These are clearly serious allegations, and there are nearly double the number of allegations relating to supplying compared to smoke/using and possession. Table II shows the distribution of drug-related allegations, both as a percentage of drug-allegations and of the whole database. It can be seen that supplying drugs is the most prevalent drug-related allegation, followed by a rather catch-all minor category of "other drug offences". This category could include allegations against officers of planting drugs or drug paraphernalia on suspects, or stealing drugs from dealers. Allegations of possession and the generation of illegal narcotics are infrequent.

As indicated above, over 98 percent of allegations do not refer to drugs. Some complaint files only have allegations referring to drug matters, and a number have a mix of drug and non-drug allegations. Most complaint files that contain a drug-related allegation have only one narcotic allegation, while other complaint files can document a number of drug-specific allegations. Some are the same allegations against a number of officers while others have a range of different allegations against one or two officers. A number of cases examined appeared to contain a blanket allegation of planting drugs on an arrested offender, made against every police officer involved in the offender's arrest. The highest number of drug-related allegations within one complaint file was 11.

The source of the complaint is available for 973 of the drug related complaints files (94 percent). A total of 8 percent of the complaints originate from officers self-reporting

Table II.
Frequency of
drugs-related allegations

Allegations	Frequency	Percent within drugs category	Percent of all allegations
Supplying drugs	626	42.8	0.77
Other drug offences	334	22.8	0.41
Smoke/use drugs	243	16.6	0.30
Cultivate drugs	118	8.1	0.15
Possess drugs	132	9.0	0.16
Manufacture drugs	10	0.7	0.01

drug-related incidents or drug use. A total of 208 (21.4 percent) are internal complaints with an officer complaining about another officer, and just over 70 percent (70.6 percent) are complaints that originate outside the police department.

The identification of an officer involved in an incident is not always guaranteed and is only relatively easy in certain police/public interactions. When a complaint is made against an officer involved in an arrest or other incident that has to be reported to the command and control records management system, it is easy for the internal affairs investigation to identify the officer involved in the complaint. The identification of other officers who attend an incident and assist, but do not take the lead with regard to arrest or report production, is often harder as their identification is not always officially recorded. Many law enforcement incident management systems only record the lead officer at an incident. For example, it may be that an officer makes an arrest at a traffic accident, and is assisted by colleagues who direct traffic around the accident. If a complaint is made against the arresting officer then it should be easy to identify that individual as this information will be recorded on the arrest sheet and in the incident log (although it is often electronic, a “paper trail” exists for the lead officer at an incident). However it is unlikely that the identity of the officer directing traffic will be recorded anywhere. The identification of all officers who have allegations leveled against them due to attendance at an incident can be a difficult problem for investigators. This may be a reason why little action is taken by police in regard to some complaints.

Consider the “paper trail” (albeit a digital one in the NSWPS) for the range of major categories described in Table I. It can be seen that officers with allegations can be easily identified in many situations. In departmental and internal matters both parties usually know each other or there is a paper trail. The paper trail also exists with criminal investigations, custody matters, court appearances and behavior, traffic tickets, summons, and shooting incidents. However, complainants can often be more vague in regards to the identification of officers in allegations of harassment and misuse of powers.

With the available database, it was not possible to determine the identity of the officer in 27.3 percent of the drug-related allegations. This contrasts considerably with a lack of identity in only 9.4 percent of the remaining cases across the rest of the database. This difference is statistically significant to $p < 0.001$ [1]. This significant lack of identification might be skewed by the more than one-fifth of (non-drug) allegations that relate to departmental and conduct matters. These have a high officer identification rate due to the paper trail that is the nature of modern policing. The NSWPS also has a culture that does not appear to inhibit officers making complaints against other officers. To control for this, we isolated alleged criminal activity, and examined the identification rates of drug-related allegations and other (non-drug related) criminal allegations. The unidentified rate for drug allegations was 27.3 percent while non-drug criminal allegations had an officer unidentified rate of only 10.3 percent. Again, this difference was statistically significant to $p < 0.001$ [2].

The reason why fewer officers are identified in drug-related allegations is not clear. It may be that the public complain about people they see in social situations that are, or they are told are police officers, but who are not known to them personally. Another possibility is the one already mentioned, that a blanket allegation against a number of officers fails to identify all officers at an incident. This alone, however, would not

account for the low number of identified officers given that blanket multi-officer allegations are not particularly common. Of the 1,031 complaint files, 77 percent only contained one allegation, 15 percent had two allegations and only 8 percent had three or more allegations. A less benign possibility is that investigating officers are responsive to the impact that an adverse finding could have against a colleague and do not pursue the identification process as diligently as possible. This may especially be the case for drug-related allegations. It is hoped that an opportunity to examine the individual case files will present in the future and help to answer this question.

While drug-related allegations only comprise 1.8 percent of the total allegations against the members of the NSWPS, complaints that contain drug-related allegations do generate more allegations per complaint than non-drug complaints. While non-drug complaint incidents have a mean number of 2.02 allegations, the mean number of allegations for drug incidents is 2.67. Drug-related incidents therefore require a greater degree of investigative effort, given that each allegation must be responded to by the Internal Affairs department.

While it is only possible to identify about three-quarters of the officers whom have drug-related allegations leveled against them, we can examine the demographics of those identified officers. Most officers with drug-related complaints appeared in the database only once or twice. A few individuals had more drug-related allegations, but this could have been caused by being in a department (such as a drug squad) that might attract more drug-related complaints. As can be seen in Table III only 23 officers had five or more allegations of a narcotics nature against them over a seven-year period. Given that the NSWPS is a force of over 13,000 officers with a relatively high turnover, this can be seen to be a very low number. Two officers had 12 allegations made against them during the seven years covered by the database. At the time of the last allegation, both officers were of Sergeant rank and were still serving in the force (again it should be stressed that allegations are not indications of guilt in any way).

Demographics of officers with drug allegations

The demographics of the identified officers can be compared to the demographics of the NSWPS as a whole. Of the 1,063 complaint files (comprising 1,463 allegations) in our database, we were able to identify 674 individual officers. A total of 400 allegations involved unidentified officers and a number of identified officers appeared in our database more than once. In the following section one count is made per officer per complaint file, irrespective of the number of allegations against an officer at the time. This number better reflects the distribution of officers and prevents skew of the data where an officer has multiple allegations stemming from one complaint incident.

Table III.
Frequency officers
appear in the drug-related
allegation subset

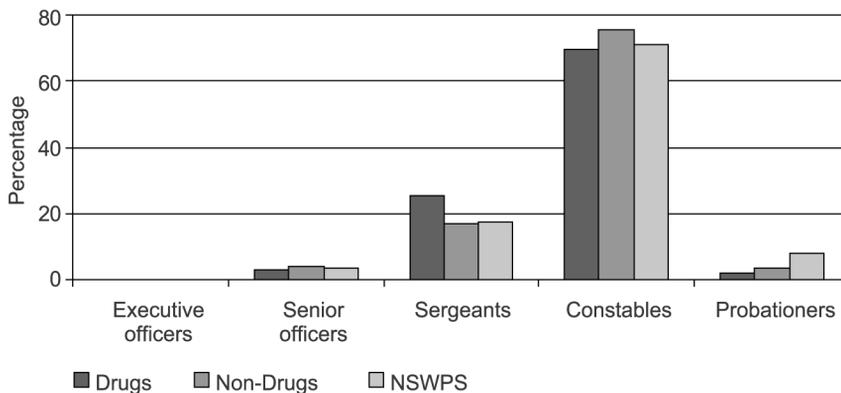
Times an officer appears	Frequency
1	469
2	126
3	41
4	15
5 or more	23
Unidentified officer allegations	400

There are 13 ranks in the NSWPS, from probationary constable to commissioner. All ranks had complaints leveled against them, and the majority of drug-related allegations were made against constables. However, the majority of officers in the NSWPS are constables, so this in itself is not that illuminating. The distribution of ranks in the NSWPS was taken from the 1999-2000 New South Wales Police Service annual report (NSWPS, 2000). Although this report only documents police strength in the year July 1999 to July 2000, it was assumed that the relative distribution of officers to ranks would have remained stable over the period of the complaint database. While actual numbers would have fluctuated, relative numbers in each rank would be expected to remain steady. To assist with this, we aggregated a number of smaller ranks and reduced the 13 ranks down to five: executive officers, senior officers, senior sergeants and sergeants, senior constables and constables, probationary constables.

Figure 1 shows that senior officers (inspectors, chief inspectors, superintendents, chief superintendents and commanders) receive drug and non-drug complaints relative to their numerical strength within the force. Sergeants (at all levels of that rank) have non-drug allegations made against them relative to their strength within the service, though a higher number of drug-related allegations are made. Constables (of all ranks) have slightly lower levels of drug complaints, but slightly higher levels of non-drug complaints. Probationary constables receive fewer complaints than their strength within the force, however this figure should be interpreted with caution. A number of changes took place in regard to probationer training during the period 1993 to 2000, and indeed change is still the order of the day. These changes impact on the amount of time probationers spend in training on the streets and this impacts on the number of opportunities they have to come into contact with the public, the main source of complaints for police officers.

While Figure 1 shows some minor variation in the levels of complaints by rank and complaint type, the variations are not statistically significant[3]. We therefore concur that the rank of officers with drug-allegations is not a significant factor in discriminating drug and non-drug allegations.

Similar findings occur with the age of individual officers as this is due, to a degree, to the correlation of officers' age and rank. When officers' age was broken down into



Note: Each complaint file counts as one allegation per officer

Figure 1.
Relative distribution of
drugs allegations,
non-drugs allegations and
police strength by rank.
Each complaint file counts
as one allegation per
officer

five year bands, no significant differences were found between subsets of drug and non-drug complaints and the distribution of officers within the NSWPS. The NSWPS has in recent years attempted to recruit from an older pool of applicants, but political necessity to maintain and increase officers numbers, combined with a high turnover of serving officers has meant that this has often been difficult to achieve. A positive outcome from this study indicates that age is not a factor in determining an officers' susceptibility to drug-related allegations.

Length of service may be a more influential indicator of vulnerability to drug-related allegations. Figure 2 shows the distribution of allegations and overall police strength relative to the length of service of the officers. Most noticeably, the level of drug-related complaints is higher for officers with six to ten years service, both in comparison to their level of non-drug related allegations and the number of officers in the NSWPS with the same length of service. The numbers of allegations (both drug and non-drug) for officers in the next group, 11 to 15 years service, is much lower.

In a three-way Pearson non-parametric test, there were some slight differences between the drug-allegation group and the other groups, however while this difference was significant statistically, the statistical difference disappeared when the drug allegation group was compared individually with the non-drug allegation group and the service as a whole[4].

Gender was the final demographic factor examined. Gender could only be determined from the police complaint database when an officer was identified. Again, this part of the study examined the gender issue from the count of officer involvement in complaint files, and not allegations, to prevent repeat occurrences of an officer in the same complaint file. Of the 55,934 complaint files where drugs are not a complaint issue, 49,822 involve male officers and 6,082 female officers (10.1 percent). Of the 1,063 drugs-related complaint files, 984 involve male officers and 77 female officers (7.2 percent).

It is difficult to ascertain the gender composition of the NSWPS over the years, but the following structure has been determined from Australian Institute of Criminology

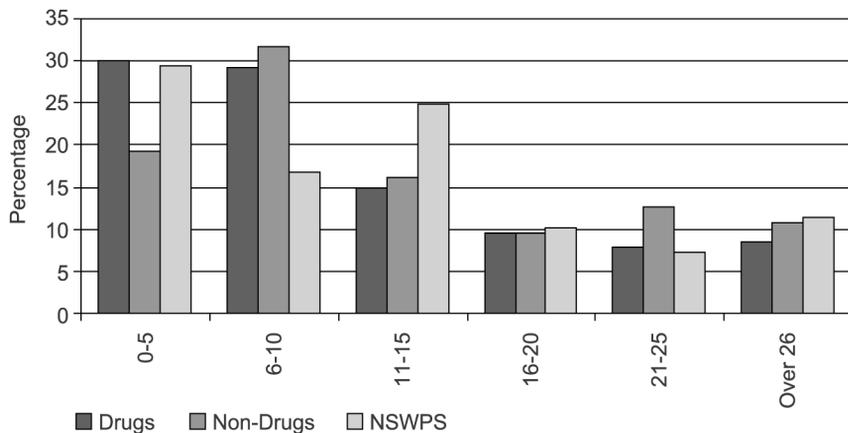


Figure 2. Relative distribution of drugs allegations, non-drugs allegations and police strength by length of service. Each complaint file counts as one allegation per officer

Note: Each complaint file counts as one allegation per officer

figures derived from unpublished data. The NSWPS has been increasing the proportion of female officers within the ranks, complicating any longitudinal analysis of female officer involvement in complaints. Figures are only available for three years of the study. From 1995 to 1996 female officers made up 13.1 percent of the NSWPS, from 1998 to 1999 16.8 percent, and from 1999 to 2000, 18.3 percent.

We extrapolated the unavailable figures by simple linear regression, and arrived at an average strength of 14.3 percent over the seven years of the study. If this average figure of 14.3 percent is used to compare with the whole database, we can conclude that generally female officers receive fewer complaints than their distribution within the police service, and even fewer complaints in relation to allegations concerning drugs, although the differences are not statistically significant.

Complaint outcomes

The NSWPS has a number of avenues available to resolve a complaint and these are reflected in the result field in the available database. These outcomes range from adverse outcomes, such as finding a complaint is “sustained” or has an “adverse finding”, to a number of different conciliatory options. When the database was made available a number of investigations were underway and this is the predominant reason that a number of allegations do not have a recorded result, though a small number of investigations appeared to have been outstanding for some time, suggesting that the database might be incomplete in this area. Just over 11 percent of drug-related investigations and about 7 percent of non-drug related investigations did not have a recorded result at the time of receipt of the database.

Table IV describes the range of possible results that were applied to complaint allegations over the period of the database. Numerical columns show the number of

Result	Drug-related		Non-drug related	
	F	%	F	%
No further action	436	29.8	19,088	24.0
Not sustained	348	23.8	15,228	19.1
No adverse finding ^a	205	14.0	9,676	12.2
Not investigated	175	12.0	4,850	6.1
Sustained	51	3.5	7,155	9.0
Adverse finding	32	2.2	1,029	1.3
Conciliation – unsuccessful. Investigated	30	2.1	1,042	1.3
Managerial action	15	1.0	2,448	3.1
Conciliation – successful	0	0.0	11,789	14.8
Informal resolution – successful	0	0.0	2,075	2.6
Conciliation – unsuccessful. Not investigated	0	0.0	1,859	2.3
Informal resolution – unsuccessful	0	0.0	273	0.3
No result recorded	171	11.7	3,061	3.8

Note: A note of caution should be exercised in the interpretation of this table. The NSW Police Service Annual Report 1999-2000 notes that; “A change in legislation in March 1999 saw a number of enhancements made to the complaints information system (CIS).”^aThe “no further action/not investigated” category was abolished, contributing to an increase in figures in the “no adverse finding” category” (NSWPS, 2000, p. 53)

Table IV.
Recorded results from the investigation of drug-related and non-drug related allegations

allegations in each result category, with the percentage of each complaint category (drug-related and not).

It can be seen from Table IV that the majority of complaints are disposed of without further action, or after investigation, are determined to be not sustained or with no adverse finding. The “not investigated” category would likely to be greater than shown here if not for the change in recording practice in March 1999 which removed this option from the CIS. The inability to identify the officer complained about is certainly a contributory factor to the prominence of the “no further action” category. In over 27 percent of drug-related allegations the officer is not identified, compared to a non-identification rate of less than 10 percent for non-drug related allegations.

We now compress the results into two broad categories. Of the 12 final result categories for complaints, two can be considered as reflecting negatively on the officer investigated: “sustained”, and “adverse finding” – adverse outcomes. All other categories of result are classed as vindictory outcomes. From Table IV we can calculate that in drug-related allegations adverse outcomes are recorded in 6.4 percent of cases where a result is indicated, compared to adverse outcomes in 10.7 percent of non-drug related allegations.

The high vindictory rate for both categories of allegation, and especially for drug-related allegations (93.6 percent), makes identification of officers at risk of attracting significant drug-related allegations difficult. However the rank of the officer is one possible indication of the outcome for a drug-related allegation. As indicated earlier, the majority of drug-related allegations are made against constables in the NSWPS. There are 1,063 allegations where an officer is identified in the database, although for a number of these no result is indicated. Where it is possible to establish the rank of an officer and the result of the allegation, the summarized findings are shown in Table V. Note that in this table the percentage after the frequency indicates the percentage for that rank alone.

It can be seen from Table V that lower ranks tend to have a greater percentage of adverse findings, while higher ranks have a near complete record of vindictory findings. This demographic converts to an equivalent age group. When arguably more serious allegations (supplying drugs, cultivating drugs, manufacturing drugs, other drug offences) are distinguished from allegations of drug possession or use, it is noticeable that the adverse outcome rate is significantly lower for the more serious drug allegations (less than 4 percent compared to 18 percent). For the more serious allegations there are no adverse outcomes of complaints in the seven years of the study for officers with 16 years service or more (0 adverse outcomes from 304 allegations).

Table V.
Adverse and vindictory
outcomes for allegations,
by aggregated ranks,
where a rank and result is
recorded

	Adverse		Vindictory	
	<i>n</i>	%	<i>n</i>	%
Probationers/police students	3	16.7	15	83.3
Constables	73	11.2	577	88.8
Sergeants	3	1.3	227	98.7
Ranks above sergeant	0	0.0	26	100

Conclusion

As researchers in the area of police drug use note:

A major difficulty for the police in addressing any type of misconduct is identifying those involved in inappropriate behavior (Carter and Stephens, 1988, p. 59).

The concerns regarding the involvement of police officers with the illegal drug trade are numerous, and include the implications of officers unable to perform their duties while at work, their potential to be blackmailed as a result of drug use while on and off duty, and the possibility of involvement in corruption at any stage in the process. An effective complaint management system can work as an early warning indicator of possible impropriety at both the level of the individual as well as provide a strategic overview at the organizational level.

With recreational drug use by police officers, much of the concern is in regard to cannabis use, the most popular illicit drug used by police officers (Carter and Stephens, 1991, pp. 87-88). In Australia, this creates a situation complicated by the decriminalization of cannabis for personal use in a number of Australian states. For example in South Australia, the Northern Territory and the Australian Capital Territory, while still illegal, minor possession and growing offences have been decriminalized to the extent that offenders pay a small fine and no conviction is recorded against them. In other states, cautions are common. Given that drug use by police officers is a sociocultural phenomenon (Carter, 1990b), and that complaints may be tied to the degree of social acceptance, the levels of drug use by police officers recorded by the NSWPS complaint system is likely to underestimate substantially the actual incidence of drug use by police officers.

Building on the idea that drug use within the ranks is correlated with levels of drug use in mainstream society, it is worth noting that in the last 30 years or so, there has been a lessening of the rules for police employment in regard to people who have experimented with drug use in the past (Carter and Stephens, 1991). If police organizations have moved to a situation that they routinely employ people with a, albeit recreational, history of drug use, then it is reasonable to expect that a degree of recreational use among some officers is almost inevitable. Even if they have a zero-tolerance policy at the point of recruitment, drug testing new employees is only moderately effective and does not give any indication that the applicant has used drugs in previous years or in previous occupations.

With regard to any involvement of officers in drug-related corruption, there can exist a state of organizational denial, even in the face of contradictory evidence. In mitigation, this is often not malicious but a genuine disbelief that the situation could be as bad as it appears (Carter and Stephens, 1991). Yet few complaints attract public suspicion and media scrutiny, and require investigative effort, as involvement in illegal narcotics and the accompanying trade. This involvement is a serious concern for police departments as the worldwide narcotics trade has an apparently bottomless pit of money and resources to tempt officers, and the ensuing corruption of officers can have a demoralizing impact on law enforcement and effective government.

As this paper has shown, it is difficult to identify a discernible subset of vulnerable officers. Demographics alone are not sufficient to identify officers at risk of being on the receiving end of a drug-related complaint. The age, service and rank analysis

conducted in this paper has not revealed any particular groups that are more susceptible to allegations of drugs misconduct. Interestingly the number of women accused of drug-related allegations is lower than that of their male colleagues (though not to a statistically significant level) and there is some evidence that female officers are less susceptible to the temptations of corrupt behavior than men. A Police Research Unit report concluded that female police officers do adhere to higher ethical standards than their male colleagues (Byrne, 1996).

The high vindication rate identified in the results analysis creates problems for the identification of particular demographics within the police service that may attract more drug-related allegations worthy of investigation. From a strategic management perspective, the lack of a high adverse outcome could probably be construed as a positive sign, however it makes the prediction of officers in problem demographic groups difficult due to the small adverse outcome sample size.

A more strategic understanding of drug-related complaints may have to be attained through a more substantial and broad ranging investigation into the backgrounds of officers and the quality of investigations. Issues of education, type of assignment, length in rank, geography of the posting, and the changing narcotics markets on a macro scale may all be relevant. The situation is complicated by recent work by Lersch (2002) who has identified that officers who are more productive tends to attract more complaints. Issues such as type of assignment, length in rank, workplace location and productivity will require a much more sophisticated investigation but may ultimately prove rewarding and make for a more robust employee management system.

Notes

1. Chi-square test statistic = 521.65, df = 1.
2. Chi-square test statistic = 355.13, df = 1.
3. Chi-square test statistic (using standardized values) = 7.55, df = 8.
4. Chi-square test statistic on the standardized data = 13.17, df = 10.

References

- Brammar, M. (1998), "Role of internal affairs", *New South Wales Police News*, Vol. 78 No. 7, pp. 23-5.
- Byrne (1996), "Women lead fight against police graft", *Sydney Morning Herald*, 5 March.
- Cao, L. and Huang, B. (2000), "Determinants of citizen complaints against police abuse of power", *Journal of Criminal Justice*, Vol. 28 No. 3, pp. 203-13.
- Cao, L., Deng, X. and Barton, S. (2000), "Test of Lundman's organizational product thesis with data on citizen complaints", *Policing*, Vol. 23 No. 3, pp. 356-73.
- Carter, D.L. (1990a), "Drug-related corruption of police officers: a contemporary typology", *Journal of Criminal Justice*, Vol. 18 No. 2, pp. 85-98.
- Carter, D.L. (1990b), "Overview of drug-related misconduct of police officers: drug abuse and narcotic corruption", in Weisheit, R. (Ed.), *Drugs, Crime and the Criminal Justice System*, Anderson Publishing, Cincinnati, OH, pp. 79-109.
- Carter, D.L. and Stephens, D.W. (1988), *Drug Abuse by Police Officers*, Charles C. Thomas, Springfield, IL.
- Carter, D.L. and Stephens, D.W. (1991), "An overview of issues concerning police officer drug use", in Carter, D.L. (Ed.), *Police Deviance*, Anderson, Cincinnati, OH, pp. 101-22.

- Chilvers, G. (1998), "EM: beyond blame and discipline", *New South Wales Police News*, Vol. 78 No. 7, pp. 17-21.
- Daily Telegraph* (2002), "Police corruption inquiry widens", *Daily Telegraph*, 8 July.
- Dixon, D. (1999), *A Culture of Corruption*, Hawkins Press, Sydney.
- Dugan, J.R. and Breda, D.R. (1991), "Complaints about police officers – a comparison among types and agencies", *Journal of Criminal Justice*, Vol. 19 No. 2, pp. 165-71.
- Griswold, D.B. (1994), "Complaints against the police – predicting dispositions", *Journal of Criminal Justice*, Vol. 22 No. 3, pp. 215-21.
- Herzog, S. (2000), "Is there a distinct profile of police officers accused of violence? The Israeli case", *Journal of Criminal Justice*, Vol. 28 No. 6, pp. 457-71.
- Holland, R.C. (2000), "Citizen complaints against police: the volume received, and the complaints classification system used by the Queensland Police Service, Australia", *International Journal of Comparative and Applied Criminal Justice*, Vol. 24 No. 1, pp. 31-41.
- Kessler, D.A. (1999), "The effects of community policing on complaints against officers", *Journal of Quantitative Criminology*, Vol. 15 No. 3, pp. 333-72.
- Lersch, K.M. (1998a), "Police misconduct and malpractice: a critical analysis of citizens' complaints", *Policing: An International Journal of Police Strategies & Management*, Vol. 21 No. 1, pp. 80-96.
- Lersch, K.M. (1998b), "Predicting officer race in internal and external allegations of misconduct", *International Journal of Comparative and Applied Criminal Justice*, Vol. 22 No. 2, pp. 249-58.
- Lersch, K.M. (2002), "Are citizen complaints just another measure of officer productivity? An analysis of citizen complaints and officer activity measures", *Police Practice and Research*, Vol. 3, pp. 135-47.
- Lersch, K.M. and Mieczkowski, T. (2000), "An examination of the convergence and divergence of internal and external allegations of misconduct filed against police officers", *Policing: An International Journal of Police Strategies & Management*, Vol. 23 No. 1, pp. 54-68.
- Moss, I. (1998), "Using complaints to improve policing", *Current Issues in Criminal Justice*, Vol. 10 No. 2, pp. 207-13.
- NSWPS (2000), *New South Wales Police Service Annual Report 1999-2000*, NSWPS, New South Wales.
- NSWPS (2001), *New South Wales Police Service Annual Report 2000-2001*, NSWPS, New South Wales.