

Stopping Political Interference within Law Enforcement

By Neal Trautman, Ph.D.

Citizens who step forward to serve as city council or commission members, mayors and selectmen must truly be dedicated. Certainly some local politicians have self-serving hidden agendas or are driven by their egos. Yet many elected officials are unselfishly willing to dedicate an enormous amount of their time for no other reason than wanting to make their community better. They want to learn how to facilitate the efficiency and effectiveness of government operations.

Political Interference in law enforcement is certainly one of the most harmful of influences. The first step for reform is to understand the dynamics of the problem. It is not a new phenomenon. The Report on the Enforcement of the Prohibition Laws of the United States was one of fourteen documents published by the historic Wickersham Commission in 1931. A sample passage reads:

“Another cause was the influence of politics. No doubt this influence of politics is inevitable in any connection where very large sums of money are to be made by manipulation of administration, and where control of patronage and through it of interference or noninterference with highly profitable activities may be made to yield huge funds for political organizations and as means to political power. In the enforcement of prohibition politics intervened decisively from the beginning, both in the selection of the personnel of the enforcing organization and in the details of operation.

When inquiry was made into large scale violations, when permits were sought by those not entitled to them, when attempt was made to revoke permits which had been abused, recourse was frequently had to local politicians to bring to bear political pressure whereby local enforcement activities were suspended or hampered or stopped. Nor was this the only source of interference.”¹

Aristotle commented more than 2,000 years ago, “Humans are political animals,” referring to man’s natural sense of community. Research now confirms that political interference is sometimes prompted by intentional self-serving political motivation in which an official receives a concealed benefit. By definition, this is corruption.

Unaware of the Consequences

More often than not, however, political interference takes place primarily because officials do not appreciate the consequences of their actions. The root-cause of many scandals is that well-intended elected officials are not educated as to the consequences of their mandates to a law enforcement agency. In other words, if council members have never been told how devastating their order to “fast-track” the hiring of new officers can be, then the question becomes, “Who is at fault?” Although a politician must accept blame for bad decisions, police chiefs and sheriffs

¹ National Commission on Law Observance and Enforcement, Report on the Enforcement of the Prohibition Laws of the United States, Wickersham Commission Report, January 7, 1931

must also acknowledge their responsibility to educate officials in the ramifications of unwise decisions. There are so many well-documented cases of local governments having their budgets, reputations and employees shattered by the orders of city managers or mayors, it is safe to say the officials would never have given the same command if they had known the likely consequences.

Types of Interference

A decade long in-depth analysis of cases and interviews has documented that political interference is a major cause of law enforcement corruption. There are six different types of interference. Interference with:

- Hiring standards,
- Promotions and transfers,
- Discipline,
- Adequate budget,
- Fair enforcement of laws, and
- Work environment.

Example #1: Recruitment, Hiring and Budgetary Interference

One clear and convincing example of how disastrous political interference with recruitment, hiring procedures and the budget took place in the nation's capitol, namely, the Metropolitan Bureau of Police in Washington, DC. As first revealed by *The Washington Post*, the department hired 1,471 officers within a twenty month period. This was done as the result of political strong pressure to meet a congressional deadline to hire new officers quickly. "The large academy classes in 1989 and 1990 came as the department rushed to meet a mandate from Congress to hire 1,800 officers or lose more than \$430 million in federal funds each year. The new officers were chosen to strengthen patrols on city streets as homicide rates soared and more than 2,300 officers were about to become eligible to retire with generous pensions in 1992."²

More specifically, the department:

- Corrupted recruiting standards by permitting 1,000 applicants to take the entrance examination without going through the application process,
- Substantially shortened background investigations of police applicants,
- Rushed the psychological examination process to the extent that the previous rejection ratio of one out of every five applicants suddenly went to a rejection rate of only one out of every twenty,
- Employed individuals who, for a variety of reasons, plainly did not meet hiring standards just as in many other cases where lowering hiring standards resulted in scandal and civil suits,
- Quickly sent the new officers out to patrol city streets after rushing through a very condensed, inept version of their usual basic academy.

Interfering with recruitment, hiring, and training processes had the immediate impact politicians wanted. The rate of applicants who passed the written examination jumped to sixty percent.

² Mary Pat Flaherty Washington Post Staff Writers, "Law and Disorder: The District's Troubled Police," August 29, 1994.

Although the average overall hiring rate in the previous decade had been that only one applicant in twelve who applied was hired, that ratio instantly changed to one in every four who applied became an officer.³ Making the situation even more disheartening is the fact that this is the same department that a decade earlier was considered a national role model for an assortment of reasons.

The real-life consequence for this form of political intrusion is usually so horrific that it is unimaginable to the officials who cause it, before the destruction strikes. When officer misconduct begins and the resulting headlines, citizen outrage and civil litigation begin, the political finger-pointing will start. The Washington case was no exception. Elected and appointed officials blamed everyone but themselves.

Mayor Marion Barry blamed Congress and Police Chief Isaac Fulwood, Jr., even though Fulwood was appointed by the Mayor. Chief Fulwood said Barry ignored his appeals to stop the hiring debacle. He also criticized Wilhelmina J. Rolark, Barry's council predecessor, stating, "We could have minimized the problem and avoided it. That's what I blame the politicians for not doing."⁴ After adjusting for inflation, the department's budget decreased \$50 million between 1979 and 1990, the years that Barry was mayor.

The interference of politicians that resulted in the 1989 and 1990 recruits had a predictable and disastrous outcome.

- The 1,472 recruits comprise roughly 33% of the force, but accounted for more than half of the officers arrested from 1990-1994.
- The number of violations of department policy doubled between 1989 and 1994.
- By 1994 over seventy of the recruits had been officially prohibited from testifying in court due to acts of dishonesty.
- The increase in misconduct was so obvious that the FBI initiated an undercover investigation called Operation Broken Faith in which they arrested eleven of the recruits for drug and bribery offenses.
- Police involved traffic accidents rose from 500 in 1988 and 1989 to 597 in 1990 and 632 in 1991.
- The department spent \$3 million to train officers who were subsequently fired and retraining their replacements.⁵

Example #2: Hiring, Promotion and Transfer Interference

The early 1980s was a period of incredible pressure and tension. First, there was the wave of Muriel immigrants. This was followed by the Liberty City riots. The riots had been ignited by the

³ Keith A. Harriston and Mary Pat Flaherty, "District Police Are Still Paying For Hiring Binge," Washington Post Staff, August 28, 1994.

⁴ Keith A. Harriston and Mary Pat Flaherty, "District Police Are Still Paying For Hiring Binge," Washington Post Staff, August 28, 1994.

⁵ Mary Pat Flaherty and Keith Harrison, "Police Credibility on Trial in D.C. Courts," Washington Post Staff, August 30, 1994

acquittal of five white metro officers accused of murdering a black man. Miami continued to experience a very high violent crime rate.

Responding to public pressures created by two devastating riots within ten years, in addition to spiraling crime, the city attempted to revolutionize the police department. Unprecedented recruitment and the manipulation of hiring procedures resulted. Within two years, the department was transformed from a strong majority of white males to 60% minorities. It increased in size from 650 officers to 1,050.⁶ The department also endured having three different chiefs and four city managers within four years.

The City Manager recommended doubling the number of top administrators by including more blacks, Hispanics, and a woman in the top echelon. The chief complied. Several civic leaders and politicians applauded the promotions, feeling the department had finally come close to reaching the “recommended” integrated level of top administration.

From the “troops” perspective there was ample reason to be angry over the way promotions were handled. Seven officers were promoted from sergeant to major. Many lieutenants and captains were totally overlooked. Internal and political contacts appeared to be the overriding credentials necessary for these promotions. Even for officers who had always been honest and ethical, it became easy to rationalize having the “everyone is out for themselves” attitude.

The final consequence for the politically motivated incompetent hiring, leadership, and promotions was that more than 75 Miami police officers were arrested between 1980 and the end of 1986. The inside of the department was filled with suspicion and uneasiness. Officers lived with the fact that they neither respected nor trusted many fellow officers. Major drug dealing has been conducted by some officers who became known as the “Miami river boys.” Several of them were arrested for murder. The special investigation section found \$150,000 missing from its safe and several hundred pounds of marijuana missing.⁷

Example #3: Hiring Interference and Hostile Work Environment

A Florida case was documented and exposed because the city manager did not know he had called the police chief on a tape recorded phone line. The recording revealed the extent of arrogant pressure some elected officials place on a chief. In the following passage the mayor is degrading the chief for hiring an officer who was called to duty in the military reserves:

CM: “When we hired him, did you know he was in the reserves?”

Chief: “Yes sir.”

CM: “Did you know that this could happen?”

Chief: “Yes sir.”

CM: “OK”

Chief: “By federal law, I cannot discriminate because somebody’s in the reserves.”

⁶ John Dorschner, “The Dark Side of the Force,” The Miami Herald Sunday Magazine, The Miami Herald, March 8, 1987, pg. 1-8.

⁷ John Dorschner, “The Dark Side of the Force,” The Miami Herald Sunday Magazine, The Miami Herald, March 8, 1987, pg. 10-22.

CM: "That's what you say out loud, chief"

Chief: "Yes sir."

CM: "OK, you really screw up your whole G__ d__ police department hiring a guy like that. Who the f__ do you think you're talking to right now?"... but you ought to use you G__ d__ head. Just like that f__ cripple you hired. Now, G__ d__ it, we're fighting a G__ d__ battle over worker comp on his a__. Good bye."

The cripple that the city manager was referring to was an officer that the chief hired, even though he had significant ankle pain. He had been in a traffic accident. The final consequence was that the chief, who had 32 years of law enforcement experience resigned, citing the fact that circumstances existed that made it impossible for him to do his job. The mayor's reaction to the situation was, "If anyone, anywhere thinks I am unhappy with the city manager and his performance, they have the wrong impression. He is the best city manager we have ever had."⁸

Example #4: Interference with Enforcement Laws

Having spent the majority of the last decade researching and teaching about police integrity, I have had dozens of supervisors explain how they were commanded to enforce laws unfairly by local politicians. One example was to have officers quit the radar traffic enforcement in a wealthy section of the city because a city council member had ordered it. Another common interference is when an administrator gets a phone call from a politician who pressures the chief or sheriff to dismiss the drunk driving arrest or traffic ticket his or her friend received.

A retired police chief recently wrote about his experiences when he became the chief of a relatively small agency. "I was shocked to see that the court budget was actually included in the police department budget! All the funds generated by the court were earmarked for police expenses. Everyone knows that city governments use incomes generated by traffic citations. I have personally heard city clerks and council people say, "We need to write more tickets, usually when they want to spend money on something."⁹

Principal Solutions

Fortunately, the last decade has witnessed an incredible amount of research about law enforcement integrity and corruption. Valuable new knowledge awaits any police chief or sheriff. To prevent civil judgments and settlements, humiliating media stories, losing the respect of citizens and ruined careers, administrators and the elected officials must:

- Commit resources to recruitment,
- Make background investigations an exceeding high priority,
- Ensure you have outstanding, rather than disgruntled field training officers,
- Resolve employee anger and frustration,
- Ensure the reality and perception of accountability is fair and consistent,
- Have an effective, confidential employee counseling and assistance program,
- Require formal leaders be role models for integrity,
- Create an atmosphere and culture that reduces officer turnover,

⁸ Marla Weech, ABC, News Broadcast, WFTV/Orlando, Florida, October 13, 1997, and Bob Upsaw, ABC News, WFTV/Orlando, October 14, 1997.

⁹ Steven J. Newton, "You get to be the bad guy," American Police Beat, July, 2003, page 1 and page 38.

- Make wise promotions and transfers, and last but certainly not least,
- Prevent political interference.

Plan to Diminish Political Interference in Local Law Enforcement being Established

- Goal I.** Establish the Local Government Political Interference Research Center.
- Goal II.** Initiate a continuous system to conduct nationwide political interference research.
- Goal III.** Develop and offer the nationwide college credit distance-learning course, Local Government Political Interference.
- Goal IV.** Begin a nationwide public awareness campaign to diminish political interference.
- Goal V.** Establish measurable criteria and procedures that allow local governments to be assessed, statistically evaluated, ranked, and compared to others throughout the nation.

The Department of Criminal Justice at the University of Southern Mississippi is already exploring the potential and feasibility of establishing a research center to study political interference within law enforcement and other forms of local government.

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New Orleans, Louisiana

1994 – Led the nation in violent crime.
500,000 citizens; 13 million tourists each year
Murder capital of United States

Police Department

Police corruption systemic since 1980s
1,350 officers and 500 civilian members
Most brutal police department in the country
Brutality complaints were highest in the nation
Federal government created plans to “take over” department

1993 - FBI Exposed Corruption

Conducted undercover operation
Twelve officers protecting drug shipments
Paid over \$100,000
Officers committing murders

Most extensive police corruption in American history

Armed Robberies
Murders
Extortion
Officer drug gangs
One officer murdered her partner
Internal Affairs Unit corrupt – only 10% of citizen complaints sustained
Vice Squad - frequent robberies of bars
Bar owners ordered to pay money not to be raided by vice officers

1995 - Reorganization and Reforms

Solutions to Corruption:

Mission Statement

Developed mission statement to provide employees with their basic principles
Focuses on Integrity, Fairness and Service to the people

Officer recruitment improved

Goal was to increase number of quality applicants

Hiring standards improved

Officer who murdered partner had failed psychological exam, but she was admitted to the police academy.

High quality background investigations implemented - Sole discretion to reject an applicant was removed from the investigator.

24 recruits immediately fired due to felony arrests and unsatisfactory employment records

New hiring standards

Standardized hiring guidelines

Outside employment policies improved

- Officers regarded outside jobs as necessary, not a luxury
- Complete reform of the practice of outside employment
- Officers could no longer work where alcohol is sold
- Improved salary so officers did not have to have 2nd jobs

New procedures for “take home” vehicles

- Prevented abuse of department equipment

Extensive new ethics training

- Recruit academy ethics training
- Ethics training for Field Training Officers
- Field Training Officer Program improved
- Separate ethics training for leaders

Personnel compensation greatly improved

- Had been lowest paid large dept in America
- Salary today is almost 3 times what it was in 1993
- Benefits also greatly improved

Improved supervision

- Accountability for small violations improved
- Supervisors disciplined for not supervising officers

Improved discipline

- From 1995-2001:
107 fired; 660 suspended; 176 resigned under investigation
and 170 arrested

DeLay's departure makes for a better U.S. Congress

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Tom DeLay's decision to resign from Congress can only be viewed by Americans of any party who care about ethics in government as the excising of an ugly boil on the body politic. His effort to portray himself as a party loyalist falling on his sword for Republicans typifies much of what's wrong in Washington.

For DeLay, and far too many people in elected office these days, governing has become more about holding on to and extending power than about conducting the people's business in a responsible, conscientious and ethical manner. They spend far more time cynically using issues to garner support and money from special interest groups than they do attempting to articulate a vision for solving the myriad problems that confront our nation.

Perhaps it is too idealistic to hope that the men and women we elect to represent us will be honorable, decent human beings who give more than lip service to values we can admire – values like integrity, fairness and honesty. But only at great peril can we tolerate the cynical manipulation of power and the intentional exploitation of the system to undermine the legislative process practiced by DeLay.

It is especially distasteful when such people wrap themselves in a cloak of religiosity, as DeLay has done. In an interview with Christian broadcaster Pat Robertson's 700 Club, DeLay said he had “spent a lot of time praying and fasting” in reaching the decision to vacate his Congressional seat.

DeLay's decision came three days after Tony C. Rudy, his former deputy chief of staff, pleaded guilty to conspiracy and corruption charges. Rudy was the second DeLay aide to admit wrongdoing in the corruption scandal centered on disgraced Republican lobbyist Jack Abramoff. The other is DeLay's former press secretary in the House, Michael Scanlan, who is also cooperating with authorities.

Rudy told federal prosecutors of a criminal enterprise being run out of DeLay's leadership offices. Polls already showed DeLay faced an increasingly slim chance of winning reelection. Rudy's plea agreement, though it did not implicate DeLay in any illegal activities, made his reelection more unlikely by placing Abramoff's influence-buying efforts directly in DeLay's office.

DeLay, 58, who was first elected to Congress in 1984, continued to exploit the system to the end, moving out of state to give Texas' Republican Gov. Rick Perry the opportunity to call a special election, giving a Republican the opportunity to stand for election in November.

"I become ineligible to run for election if I'm not a resident of the state of Texas," DeLay said.

That means Texas Republican officials will be able to name another Republican candidate to face Democrat Nick Lampson, a former House member who lost his seat in a redistricting engineered by DeLay.

DeLay was forced to step down from his role as majority leader last year after he was indicted in connection with the alleged laundering of corporate political contributions that prosecutors say were illegally routed to state legislative candidates as part of a plan to secure Republican control of the U.S. House of Representatives.

It should be noted that DeLay was able to wield the power and influence he did in part because of his connection to lobbyists and the obscene amount of money it takes to get elected these days.

The system invites and even encourages corruption; it needs to be reformed. But that is no excuse. Honorable people will behave honorably. And as citizens, we have a right to expect the people we elect to represent us to be honorable.

According to one of Africa's top executives, the secret to doing good and doing well on the continent is simple: steer clear of politics

As chairman of the world's largest pan-African mobile phone company, Mohamed Ibrahim knows how to handle tough operating environments.

Celtel International – the company Ibrahim founded in 1998 – provides mobile networks and services to 15 African countries, including Sierra Leone, the Democratic Republic of Congo and Sudan.

Before founding MSI Cellular (Celtel's parent company) in 1998, he was technical director of UK mobile operator BT Cellnet.

Ibrahim has one message for companies considering expanding on the continent. "Africa is a wonderful place," he says.

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Celtel has more than ten million subscribers – about 10% of the African market, where the mobile phone industry almost doubled in size from 2003 to 2005.

And the growth potential is enormous, since only 14% of people on the continent yet have access to mobile phones.

The Celtel chairman says that in Africa, committed companies will be rewarded. "It is not a

terrible place to do business. Yes, there is a lack of infrastructure, which means you have to work a little bit harder,” Ibrahim says. But the obstacles are outweighed by the benefits, he adds.

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Celtel often has to build networks from scratch before offering its services to consumers. The company has invested more than \$750 million in Africa and business is growing at 40% a year.

Sidestepping politics

Ibrahim says that for companies to be successful in Africa they should avoid being tainted by politics.

He refuses to recognise any government as a stakeholder. Beyond paying taxes and obeying the law, he says, Celtel avoids further relations with politicians or bureaucrats. “We cannot, as a company, have any interference in politics – as a principle, because it’s wrong,” he says.

This does not mean that executives refrain from expressing political opinions. When asked, Ibrahim – a Sudanese national – voices strong concern over the United Nations’ failure to assist the African Union in its peacekeeping efforts in Darfur.

One Celtel director, Salim Ahmed Salim, even chaired last year’s Darfur peace talks in Nigeria.

But there is a difference between holding political opinions and engaging with politicians. For business, says Ibrahim, the latter is off-limits because of the dangers of “sleaze”.

Avoiding corruption

Ibrahim says that, aside from moral qualms, there are strong commercial reasons for not paying bribes.

Corruption, in his view, is a “self-mutilating exercise”. “It saps your resources, it damages your bottom line, and there’s no business left for you in the end.”

Ibrahim challenges those who say that companies operating in Africa must tolerate a certain level of corruption.

“You don’t have to be corrupt to be successful in Africa,” he says. “We have proved that – because we didn’t pay any bribes and we said from day one that we are not paying a dollar to anyone in bribes.”

European companies are mistaken in thinking that you have to pay bribes to do business in

Africa, he argues.

He also pours scorn on “facilitation payments” – money given to officials to speed up or obtain routine administrative procedures. “Whatever you call them, they’re bribes,” he says.

Asked how his employees avoid the temptation of oiling the wheels of bureaucratic procedures, he replies: “We just say ‘no’. It’s so simple.”

The company has refused to do business in two countries because of concerns over corruption, he says.

As Celtel continues to expand, this zero-tolerance stance looks like it is paying off. The challenge facing other companies is how to succeed in difficult operating conditions without resorting to dirty tricks.

Useful links:

www.celtel.com/en

Celtel International: key facts

- Turnover: \$714 million (2004).
- The company operates in 15 countries: Burkina Faso, Chad, Congo, Democratic Republic of Congo, Gabon, Kenya, Madagascar, Malawi, Niger, Nigeria, Sierra Leone, Sudan, Tanzania, Uganda and Zambia.
- Employees: 5,000 (99% in Africa).
- Customers: 10.5 million.
- Last year Celtel was bought by the Kuwaiti Mobile Telecommunications Company for \$3.3 billion – giving it a large platform for further expansion in Africa.

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