

## The Multiple Causes of the LAPD Rampart Scandal

Renford Reese

California State Polytechnic University, Pomona

The *Los Angeles Police Department* is a complex organization, one that is characterized by many paradoxes. The perception of the department has ranged from being the best police force in the nation to being a staunchly racist organization. The consequence of periodic scandals has taken a toll on the image of this organization. As a result of the (most recent) LAPD Rampart Scandal, 100 criminal cases have been overturned. The city of Los Angeles has paid upwards of \$100 million for the indiscretions of the Rampart Division of the LAPD. Public trust in the LAPD is at an all-time low. After the federal government initiated a consent decree for the department, it is once again attempting to rehabilitate its image. This article explores the causes and consequences of the LAPD Rampart Scandal. More specifically, it examines this scandal as it relates to issues of leadership, accountability, and organizational culture.

### Introduction

Hollywood has poignantly captured the reality of corruption in the Los Angeles Police Department (LAPD) in various films. While the film *LA Confidential* examines the malignant culture of the LAPD, the more recent film, *Training Day* focuses on one corrupt LAPD police officer. Each film shows how the LAPD has institutionalized corruption in various ways. The LAPD's Rampart Scandal is the real life version of *LA Confidential* and *Training Day*.

Some consider the Rampart Scandal the most serious man-made disaster in Los Angeles history. Who is responsible for this scandal? Some blame the lack of leadership, pointing solely at LAPD Chief Bernard Parks, for this debacle. Others blame the attitudes and the behavior of a few officers and an organizational culture that tolerated this behavior. This study attempts to outline how the Rampart Scandal was not the consequence of one factor, but multiple factors. Indeed, leadership flaws, the attitudes and behaviors of a few "bad" cops, and a seemingly unmanageable paramilitary culture created *Rampart*.

### Methodology

This qualitative case study on the LAPD Rampart Scandal is exploratory and descriptive. It does not purport to be a conclusive and definitive explanation of the causes of the Rampart Scandal but an exploration of the possible variables that led to this fiasco. This study, which relies on interviews and textual analysis, shows that there were (potentially) multiple causes of the *Rampart Scandal*. Semi-structured interviews were conducted with four LAPD officers of various rankings, one of which was the third ranking officer during the period of the Rampart Scandal.

One of the officers interviewed was the Lieutenant Officer in charge of Rampart Task Force, LAPD Internal Affairs Group. An interview was conducted with a member of the LAPD Professional Advisory Board. Interviews were conducted with a Los Angeles City Council member. The *1991 Christopher Commission Report* was used to characterize the organizational culture of the LAPD prior to the Rampart Scandal. Secondary literature was used to supplement the analysis of the LAPD. Newspaper articles from the *Los Angeles Times* were used to capture the sentiments of the various stakeholders in the Los Angeles community. (Personal knowledge of the LAPD adds to the depth of this study. In 1995, I implemented the *Colorful Flags Human Relations Program*, which I direct at Cal Poly Pomona University, into

the LAPD's South Bureau. I have also completed a case study on former LAPD Chief Willie Williams.) The analysis presented couples a theoretical discussion of leadership and organizational behavior with a model case study of police misconduct. The integration of theory and practice makes this study unique.

## Police Corruption

Although significant strides were made in the 1960s to uphold the doctrines found in the Constitution, the 1970s highlighted the recalcitrant problem of police corruption in U.S. cities. In the early 1970s, Frank Serpico, an officer in the New York Police Department, initiated a courageous crusade to expose the systematic corruption in his organization. During this period, the New York Police Department culture was colored with machismo, racism, and corruption. Few instances of whistleblowing have had the socio-political impact of the Serpico experience. This landmark case resulted in a comprehensive report on police corruption by the Knapp Commission.

The 1973 *Knapp Report* stated that there are two primary types of police officers, the *meateaters* and the *grasseaters*. The meateaters constitute a small percentage of all officers who aggressively pursue scenarios that they can exploit for financial gain. Big payoffs are found in activities such as gambling and narcotics. Lucrative gains corrupt the meateaters to the point that the only way to check their abuses is by releasing them from duty and possibly prosecuting them. Grasseaters are those officers who do not accept payoffs or gratuities. They make up the overwhelming majority of officers on the force (Knapp Commission, 1973, Peak, 2002, p.253).

Two basic theories have been posited to explain police corruption, the *rotten apple* theory and the *environmental* perspective. According to the *rotten apple* theory, there are a few bad apples within police departments who were not properly screened and came into the department susceptible to corruption. The environmental perspective suggests that police corruption is a reflection and a result of the political corruption in cities. Politically corrupt cities create environments that are conducive to police misconduct (Peak, 2002, p. 254).

## The Christopher Commission Report

The LAPD, during the early 1990s was a perfect example of the Knapp Commission's meateater and grasseater metaphor. The Christopher Commission found that the top 10 percent of officers had the highest number of excessive-force complaints or improper tactics accounted for 27.5 percent of all allegations.

The LAPD's stated mission is to:

Work in partnership with all of the diverse residential and business communities of the City, wherever people live, work, or visit, to enhance public safety and to reduce the fear and incidence of crime. By working jointly with the people of Los Angeles, the members of the LAPD and other public agencies, we act as leaders to protect and serve our community (1999 LAPD Annual Report).

Although the LAPD's mission of serving the community is noble, in practice, they have periodically fallen short of these expectations. The LAPD is a complex organization, one that is characterized by many paradoxes. The perception of the department has ranged from being the best police force in the nation to being a staunchly racist organization. For example, the LAPD has implemented a national model of community policing while being perceived as the antagonists of the community (Christopher Commission Report, 1991, xv).

On April 1, 1991, in response to the public outcry over the Rodney King beating, the "Report of the Independent Commission on the Los Angeles Police Department," more commonly referred to as the "Christopher Commission Report," was initiated by Mayor Tom Bradley and the city of Los Angeles. This report found that the LAPD was a paramilitary organization that was a bastion of racism and bias. "Bias within the LAPD is not confined to officers' treatment of the public, but is also reflected in conduct directed to fellow officers who are members of racial or ethnic minority groups" (Christopher Commission Report, 1991, xii-xiii). The report encouraged stronger moral leadership from the police chief down to the sergeant:

The Commission believes that the Chief of Police must seek tangible ways for example, through the use of the discipline system, to establish the principle that racism and bias based on ethnicity, gender, or sexual orientation will not be tolerated within the Department. We urge that the leadership of the LAPD go beyond rhetoric in carrying out its existing policies against excessive force. From the Chief of Police on down to the sergeants, this means taking a firm stand against the "bad guys" on the force and employing all the instruments available: training, discipline, assignments, and promotion...We recommend a new standard of accountability (1991, xiii-xiv).

In May of 2000, as a result of the Rampart Scandal, the Department of Justice intervened in the affairs of the LAPD. The federal government filed suit against the LAPD after the justice department conducted a series of interviews with various members of the LAPD. The Department of Justice, in a formal statement, made it clear to the LAPD that unless the department entered into a Consent Decree the Department of Justice would file a civil rights suit. This suit would allege that the LAPD engaged in a pattern of constitutional violations that included excessive force, false arrests, unreasonable searches and seizures, and the management deficiencies have allowed this misconduct to occur. The LAPD complied with the Consent Decree proposed by the Department of Justice (Krasnowski, 2000).

A *consent decree* is an agreement between involved parties submitted in writing to a court. A judge approves the agreement and it becomes legally binding. The purpose of the Consent Decree is to combat systematic police misconduct. The LAPD Consent Decree places emphasis on the following nine major areas:

- Management and supervisory measures to promote civil rights integrity;
- Critical incident procedures, documentation, investigation and review;
- Management of Gang Units;
- Management of Confidential Informants;
- Program development for response to persons with mental illness;
- Training;
- Integrity Audits;
- Operations of the Police Commission and Inspector General; and,
- Community outreach and public information.

On November 2, 2000, the City Council and the Mayor approved the Consent Decree negotiated between the City and the Department of Justice. The Court formally entered the Consent Decree into law on June 15, 2001 (Department of Justice, 2000).

## The Rampart Scandal

In November of 2000, the Los Angeles City Council approved the largest police misconduct settlement in the city's history. The council voted 13-0 to pay \$15 million to Javier Ovando, who was shot by two LAPD Rampart officers, Raphael Perez and Nino Durden. Perez and his then-partner Durden shot Ovando, who was unarmed, several times. Perez testified in court that they attacked Ovando and planted a gun on him, causing him to receive a 23-year prison sentence. He served two and a half years before the sentence was overturned.

As a result of the Rampart scandal, over 100 cases have been overturned and 3,000 cases are said to be tainted. Most of the cases overturned were cases in which Perez and Durden were the arresting officers. Prosecutors stated these two officers had no credibility. Seven other officers were also charged with crimes. A jury convicted three of these officers on corruption-related offenses, but their convictions were overturned. The city will have to pay upwards of \$200 million for the indiscretions of this division of the LAPD (Daunt, 2000).

The primary culprit in the Rampart Scandal is Perez, an LAPD officer for 10 years. He is the whistleblower who exposed the division's excessive abuses. In 1999, Perez pled guilty of taking cocaine from an evidence locker. He bargained for a reduced sentence in return for agreeing to tell all to the LAPD and district attorney about all of the "bad deeds" that both he and other fellow officers had been involved in beginning in 1995. After his testimony, it was found that innocent people had been charged with crimes they had not committed and were sentenced to prison terms. Since then, at least twelve LAPD officers, including four sergeants, have been relieved of duty, suspended, fired or have quit in connection with the department's probe. Some seventy officers have been under investigation for committing crimes, for misconduct, or for covering up such activities. Most of the 70 officers that were under investigation may never be charged with a crime because there is insufficient evidence or because statutory deadlines have expired (McDermott, 2000; Lait and Glover, 2000).

The Rampart Division is one of the 18 divisions of the LAPD. The division's community is made up of primarily a Latino population, many of whom are illegal. The Rampart area is located just west of downtown Los Angeles. It covers 7.9 square miles and is one of the busiest and largest operational commands within the LAPD, with more than 400 sworn and civilian personnel assigned. The area has the highest population density in Los Angeles with approximately 33,790 people per square mile, and the crime rate has always been among the highest in Los Angeles (Independent Review Panel, 2000).

In the Rampart Scandal, Perez and others were driven to corruption by money, racism, and power. The focal point of this scandal was the LAPD's anti gang unit known as CRASH (Community Resources Against Street Hoodlums). During the mid-1980s, the Rampart area of Los Angeles experienced a significant increase in violent crimes involving gangs, drugs, and weapons. Consequently, the department created CRASH. Its main purpose was to make the area safer. Police officers were given wide discretion in meeting this objective and they were effective. Gang-related crime in the area fell from 1,171 in 1992 to 464 in 1999, a reduction that exceeded the citywide decline in violent crime over the same period (Independent Review Panel, 2000).

These victories, however, came with consequences. By giving police officers the latitude to fight crime by any means necessary, the LAPD created a greater problem, police corruption. Raphael Perez has become the symbol of police corruption run amok in the LAPD. Perez admitted to hundreds of instances of perjury, fabrication of evidence and false arrests. He admitted to stealing drugs from police evidence lockers and reselling them on the street. He admitted stealing drugs, guns, and cash from gang members.

In court testimony, Perez stated that the police officers mimicked the gangs they monitored. They wore skull tattoos, dressed and displayed the mannerisms of gang members. According to California State Senator Tom Hayden, the CRASH units acted much like an armed fraternity. They hazed new members as a form of inculcating their norms and engaged in illegal activities such as planting false evidence, beating, framing, shooting, and turning immigrants over to the INS for immediate deportation. This unit held award parties at the police academy to celebrate accomplishments of goals (Hayden, 2000).

The CRASH unit participated in gang profiling, which is a variant of racial profiling. Any three of the following criteria are enough to classify a person as a “known” gang member, and any two define an “associate”: (1) admitting membership, (2) associating with gang members, (3) corresponding with gang members, (4) being identified by another police agency, (5) tattoos, (6) writing graffiti or (7) wearing “gang clothing.” “CRASH units routinely ‘jam’ and strip homeboys on street corners, photograph their tattoos and arrest them for trivial offenses like loitering or warrant violation,” states Hayden (2000). A 1988 California anti-terrorism law made it legal to gang profile; this law gave authorities the latitude to arrest individuals if they looked like a gang member (Hayden, 2000:2).

### Leadership in the LAPD

In order to understand the LAPD, one has to examine the leadership of this organization. In 1950, LAPD Chief Bill Parker established an organizational culture that has been popularized in television and film. Parker stressed aggressive and proactive policing. He was a stern leader who believed the LAPD should be free of politics and corruption. According to McDermott (2000), Parker “would quote whole pages from scripture, sometimes at the top of his lungs—he brought an almost religious commitment to reinventing the LAPD.” Parker created an autonomous organization that was unregulated by the democratic process.

Ed Davis followed Parker’s tenure as chief. Davis embraced and further developed the paramilitary culture of the LAPD. He also established an *Us v. Them* attitude in the department. He separated the good from bad in Los Angeles. “The God-fearing middle class was good; homosexuals, Black Panthers and a wide variety of other radicals and pornographers were bad. Davis spoke fervently about scrubbing the city clean” (McDermott, 2000).

Daryl Gates was LAPD chief for 14 years before he was forced to step down as a result of the Rodney King experience. Gates was a no nonsense leader who helped to shape the organizational culture of the LAPD. Gates had the overwhelming support of the rank and file but he ultimately lost public support. One reason the rank and file respected him was because of his unwavering support of the department. In times of crisis or controversy, Gates religiously supported his department. His staunch defense and support of the department was perhaps his biggest strength and his biggest weakness. His support of his team and his embrace of the *Us v. Them* attitude helped to create a culture that caused *Rampart*. If the department protects and defends “all” police behavior, what deterrent is there for unethical behavior?

In 1992, Willie Williams became the first black ever and the first outsider in 43 years to become the chief of the LAPD. He was selected chief in the immediate aftermath of the 1992 *Los Angeles Riots*. Williams espoused a more friendly, open, and community-based policing philosophy. His approach won him widespread approval and overwhelming support in Los Angeles. Despite his widespread public support, Williams lacked the support of his department. Williams created a situation that caused *Rampart* because officers did not respect him as a leader. Moreover, his "hands-off" macro-management approach gave officers the autonomy to play by their own rules.

LAPD Chief, Bernard Parks was sworn in on August 12, 1997 as the organization's fifty-second chief of police. Initially, Parks had the strong support of the public and the respect of the rank and file. However, after a brief period in office things changed. He has found striking a balance between the needs of the department and the needs of the community as challenging as his progenitors. Parks has staunchly supported his department even when this stance was at odds with the community. Conversely, his tough discipline and strict rules of accountability have appeased the public but undermined the morale among his staff.

Parks took a proactive stance in the Rampart Scandal by assembling a 50-person unit to investigate the allegations of Raphael Perez. This self-critique of the department's administrative failings were applauded by the police commission. The district attorney, however, accused Parks of obstructing the investigation into the crooked-cop scandal. He said Parks ordered his detectives to block prosecutors' access to reports on the investigation. Inspector General Jeffrey C. Eglash concluded that Parks had sought to bypass county prosecutors' handling of the Rampart investigation. The police commission chided Parks for his uncooperative behavior but months later, in a 3-2 vote, found Parks innocent of charges of misconduct (Lelyveld, 1999; Krasnowski, 2000b; Lait and Leovy, 2000).

Although many of the Rampart incidents took place during the Williams administration, some blame Parks for the Rampart Scandal. Critics suggest Parks actually ran the department as deputy chief while Chief Williams interacted with the public. For instance, Stephen Yagman, in an editorial printed in the *Los Angeles Times* on April 12, 2000 states "the bottom line is that Parks, as the person who, admittedly, actually ran the LAPD for the entire time during which the recently revealed brutality and corruption took place, must be blamed for the Rampart mess." Parks responded to this editorial by stating that giving him credit for running the entire department, as deputy chief, was an insult to the chiefs he worked under.

Each of the recent former chiefs of the LAPD is indirectly culpable for the Rampart Scandal. However, none of these leaders is directly to blame. The nature of pinning blame to a bureaucratic leader for actions in which they were not directly involved is slippery. The problem is more structural. As the head of the bureaucratic chain of command, the police chief has the responsibility to structure the organization in ways that monitor and check for abuses. What were the structural problems that created Rampart?

### Managerial Oversight

In a personal interview with William Yarbrough, Lieutenant Officer in charge of The Rampart Task Force, LAPD Internal Affairs Group, he states that indeed there were structural problems that led to the scandal. He identifies a problem with Span of Control. Max Weber defines *Span and Control* as the optimal number of employees an individual can supervise and remain effective. Yarbrough (2000) states "Sometimes the Span of Control is a little less on special task forces like the CRASH unit." In other words, there is much less oversight in special units such as CRASH. He goes on to state that normal rotation procedures were not in existence with the CRASH unit. "Where in 'Vice' you could only stay up to two years in an

assignment before you would have to be reassigned, you could work the same assignment in narcotics for 25 years." Moreover, the selection process in the CRASH unit was flawed. The officers selected to the unit were weighed heavily on the nominations of those already in the unit. "Rampart officers would already know who they wanted to work with."

One of the fundamental causes of the Rampart Scandal was a breakdown in managerial oversight. While the department's mission statement clearly emphasizes "Respect" and "Character," the officers in the CRASH unit were not held accountable for upholding these principles. This unit created an autonomous culture that was distant from the influences of upper management. "Pursuits, injuries resulting from uses of force, officer-involved shootings and personnel complaints had a clearly identifiable pattern...yet no one seems to have noticed and, more importantly, dealt with the patterns" (Webb, 2000). The heralded officers of the department were cutting corners and breaking laws, which made it easier for others to follow suit (Yarbrough, 2001).

Since the data suggested that CRASH was doing an excellent job in reducing crime in the region a level of trust developed between this division and upper management. Because of the trust that developed, certain oversight functions such as audits and control checks were bypassed and substituted for good faith. Suspicions of officer misconduct were overlooked because "things were going well" (Yarbrough, 2001). "Supervisors effectively deferred to CRASH to monitor itself which sent a message to its officers that they were their own police force, made their own rules, and free to take the law into their own hands" (Independent Review Panel, 2000:8).

The supervisors in the Rampart Division endorsed the "just get the job done" approach. According to one police official, a Rampart sergeant was "quarterbacking the whole thing." He encouraged the planting of weapons in shootings gone bad (Lait and Glover, 1999). Using perverse logic, many of the Rampart officers felt they were doing the right thing. They felt justified in ridding the area of an evil element. Although Sergeant Edward Ortiz, Sergeant Brian Liddy, and Officer Michael Buchanan were found guilty of criminal acts they still defended their behavior. For instance, Sergeant Ortiz stated after his guilty verdict "I believe we did our job keeping the citizens of L.A. safe from all the gangs and crime that is going on out there" (McCarthy, 2000).

### Bureaucrat Discretion

In the Rampart Scandal, Raphael Perez and others were driven to corruption by money, racism, and power. This scandal was created by a police culture that is marked by an "us vs. them" philosophy. Moral/ethical responsibilities were abandoned and minorities were victimized. By giving police officers the latitude to fight crime by any means necessary, the LAPD created a greater problem, police corruption. Perez admitted to hundreds of instances of perjury, fabrication of evidence and false arrests. He has become the symbol of police corruption run amuck in the LAPD.

Research suggests that police officers are more prone to have authoritarian personalities than the average person. Officers are more oriented towards self-control and obedience. They seek action. The nature of the officer's job makes them cynical. They constantly have to deal with the dark and unsavory aspects of society. The continuous engagement of fighting crime gives them a limited and negatively distorted view of the world (McNamara, 1999).

Because of the enormous power they wield, police officers also have an exaggerated sense of self-worth. Theorists of police culture often refer to the sense of 'mission' as a central feature. Love of action and cynicism are also held to be typical of police officers' psychic

makeup. In such a culture a sense of 'mission' may empower, excuse, alibi, or justify police in resorting to dirty means to achieve good ends. It is easy to see how police officers inducted into a police culture of this sort can begin to construe situations as *Dirty Harry* scenarios, when in fact they are not (Miller, Seumas, Blackler, John and Alexandra, 1997).

Why do problems of police brutality recur with alarming frequency? Police officers are street-level bureaucrats. According to Michael Lipky (1980), street-level bureaucrats make policy in two related ways. They exercise wide discretion in decisions about citizens with whom they interact. Then, when taken in concert, their individual actions add up to agency behavior.

It is estimated that a police officer must react to 300 to 500 unique types of incidents. In no other profession is an individual called to respond to so many types of incidents and play so many different roles. Police officers must make split second decisions in life and death situations. They must make judgment calls on how to respond to criminal behavior in the heat of the moment. Because of the nature of the police officer's job, it is very difficult to reduce discretion.

Because police specialize in, among other things, managing the most serious and dangerous breaches of social behavior, we provide them with the authority to use force, weapons, and other tools not available to the average citizen. The power we delegate to police, as well as the prestige that accompanies the special trust we place in them, enables them to fulfill their responsibilities, but it also makes it easier for corrupt officers to take advantage of people who possess less power and prestige. Thus, if providing formal social control is a fundamental problem of living in large social groups, so too is controlling police (Vila and Morris, 1997).

High-ranking police administrators, police commissions, and oversight committees are usually responsible for developing the standard operating procedures of a department. Irrespective of the rigidity of the rules and regulations outlined by those at the top of the hierarchy, police officers work in situations that are too complicated to reduce to *programmatically* formats. "Policemen cannot carry around instructions on how to intervene with citizens, particularly in potentially hostile situations" (Lipsky, 1980). Perhaps this means the objective of police reform should not involve trying to assert more control over officers, but exposing officers to enough humanistic training that they will be empowered to make the right decisions when they exercise their discretion.

Some might suggest the discussion of bureaucratic discretion dilutes the culpability of leaders in cases of police misconduct. According to the *Human Watch Campaign*, police administrators are directly responsible for officer misconduct in various ways. They suggest that police administrators are not taking misconduct seriously enough. Sloppy and incomplete internal investigations tend to favor the "bad cops." Early warning systems are not in place in many departments and disciplinary action against problem officers is not proportional to the malfeasance.

### Civilian Oversight

Civilian Review Boards are charged with the substantial task of monitoring the behavior of a police department. Their oversight responsibilities are important in checking police abuse. Stakeholders have turned to Civilian Review Boards to monitor police behavior because we have learned that policing is too important to be the sole domain of police. These oversight boards, however, are under funded by cities and undermined by police chiefs, police officers, and police unions who refuse to cooperate. The most effective police review model has three parts: an independent Civilian Review Board to monitor complaints, an independent auditing

body to get information and recommend changes, and an Inspector General attached to the police and supervised by the auditing body to oversee implementation of the recommendations (New Jersey ACLU Report, 1999; Human Rights Watch, 1998). The LAPD is a perfect example of how civilian oversight has failed.

The position of Inspector General was created in the LAPD in 1995. This person's primary responsibility is to oversee internal investigations that result from police misconduct. The 1991 Christopher Commission envisioned an Inspector General who would be the public's representation in the LAPD. Kathleen Mader, the department's first Inspector General, quit the job in frustration after a couple of years on the job.

Her frustration centered on the department's unwillingness to cooperate with her oversight responsibilities. Uncooperative behavior by police brass has caused the current Inspector General, Jeffrey Eglash, to encounter similar frustrations. The department does not want to share sensitive information with outsiders. According to Joe Domanick, "throughout the Rampart investigation, he (Chief Parks) decided which information would reach the D.A.'s office, and thus largely shaped the outcome of the probe" (2001:M1).

The insular nature of the LAPD, and most police departments, shun the investigative assistance of outsiders, especially when it comes to in-house matters. The LAPD sees investigating police misconduct as its responsibility while the Inspector General sees its role as the public's watchdog. The authority of the Inspector General is the point of contention. While periodic scandals continue to taint the credibility of the LAPD, the debate about the authority of the Inspector General is ongoing (Lait, 2000).

The *Us v. Them* philosophy is not just limited to police departments. There is a culture of complicity that goes beyond the police department. Perhaps outside watchdogs could penetrate this culture and render the department's operations transparent. Many police officers that commit heinous crimes do not get prosecuted for those crimes. Why? The district attorney is on the same team as the police. They rely on their strong relationships with police to help them achieve their objectives as prosecutors. The LAPD was notorious for sending under-investigated and poorly constructed cases of corrupt officers to the district attorney. Moreover, federal prosecutors who could prosecute police for civil rights violations rarely do partly because of the high legal threshold for guilt and the lack of resources. The Rodney King case was the exception.

Perhaps stronger and more autonomous civilian review committees could prevent scandals such as Rampart. Police departments are not rewarded for exposing internal corruption. They have no incentives for identifying misconduct within the ranks. Self-divulgence only brings negative attention to the department. They have very little motivation to clean their "dirty laundry" and then air it to the public. Consequently, civilian review boards are urgently needed to do what police departments will not do, which is clean themselves up. A public watchdog that possesses the authority to gather internal information on police misconduct helps ensure police departments are accountable to their most important stakeholders, the public.

### An Emphasis on Police Ethics

How can situations like Rampart be avoided? Among other strategies, strong leadership that creates a culture of ethical behavior is paramount. Since bureaucratic discretion is difficult to reduce, an emphasis must be put on *ethics education*.

Effective police officers display a variety of distinctive skills and dispositions. They place their well-developed powers of observation at the service of a lively sense of suspicion; they have an ability and willingness to use coercive force; they possess negotiating skill, a working knowledge of the law, and so on. Yet mere possession and exercise of such expertise is not sufficient for someone to count as a good officer—this expertise is, after all, a great aid to corrupt police in maximizing their pay-offs. Officers can only be counted as good when they use their characteristic skills in the right way, and for the right ends. That is, morality is an integral part of police work (Miller, Blackler, and Alexandra, 1997).

Conscientious field training is necessary to produce officers who act and react with prudence and circumspection. Hence, ethics education should be a serious component of police training. Ethics educators assist officers in understanding the rationale for arriving at ethical decisions. The objective of this training is to give the officers the analytical skills to resolve complex personal and professional ethical dilemmas. Officers are taught how to put the broad ethical theories into practice. One way in which this is done is by exposing officers to problematic scenarios and allowing them to sort through the moral implications of their decisions. The primary goal of police ethics training is to make moral and ethical decision-making routine and second nature for the officers (Delattre, 1996).

Imperative are considerations and discussions of fairness, of inordinate force, and of the differences (and similarities) between a fast gun and a wise, just, courageous gun. Lectures, readings, writings, stories, testimonies of senior officers, explanations of departmental policies and the reasons for them, discussions of examples from the history of the department, careful criticism by teachers, and conscientious field training are all necessary to enable an officer to grasp the reasons for behaving in particular ways that make the judicious and wise use of force fully second nature—and that enable the officer to behave as quickly as the circumstances require without being precipitous (Fisher, 2000).

Perhaps in some cases, ethics education is useless. Maybe it is unrealistic to believe that lectures, readings, and role-playing could counter the deep-rooted immorality that Raphael Perez embraced. Perez was a genuine rogue cop. He possessed no noble or altruistic sense of purpose. There was little that set him apart from the criminals he pursued. He was not motivated to blow the whistle on the Rampart division because he had an epiphany. He pled guilty of police abuse and agreed to tell all to the LAPD and district attorney in exchange for a lesser sentence.

In cases such as Perez, comprehensive psychological tests and rigorous background checks are needed to screen for potential “problem officers.” If this type of person passes the first stage and enters a police department, mechanisms that provide early warning should be implemented to monitor and appropriately respond to acts of misconduct. The ACLU has encouraged police departments to take advantage of a successful industry tool called an *Early Warning System* (EWS). The EWS, which has been endorsed by the U.S. Justice Department and the Police Foundation, tracks “problem” indicators (complaints, weapon discharge reports, court rulings on officer conduct, etc.). Officers who have been identified as “problems” are given necessary supervision, psychiatric help, education, or the discipline they need.

## Conclusion

What should we learn from the *LAPD Rampart Scandal*? We should learn that police scandals often evolve from multiple sources. On the surface, the *bad apple* theory appears to be the most substantive explanation of the *Rampart Scandal*. However, one must not be limited in their analysis of such a complex phenomenon as police corruption. Indeed, *bad apples*, leadership failures, lack of managerial oversight, a conducive organizational culture, and bureaucratic discretion were all, perhaps, causes of this scandal.

What should we have learned from the popular cop films *Serpico*, *LA Confidential*, and *Training Day*? Each of these films poignantly reflects the periodic but consistent cases of police abuse and corruption in our country. "To Protect and Serve" is a ubiquitous motto for police departments nationwide. As agents of the government, police officers are sworn to "protect and serve" by upholding the U.S. Constitution. Indeed, the staunch protection of civil liberties is what separates the U.S. from totalitarian nations. Indeed, without the Bill of Rights our Constitution would be seriously flawed. The behavior of many police officers, especially in urban centers, is undermining democracy, civility and diminishing trust among significant sectors of the American public. It is the greatest threat to human rights in this country. Racial profiling, excessive force, police brutality, and blatant disregard for civil liberties have magnified the flaws in our *democratic society*.

In an increased climate of mistrust towards urban police officers, there should be a shift in philosophies permeating urban police departments across the U.S. The traditional *paramilitary marine-style* philosophy of policing should be jettisoned for a humanistic approach. Officers should be trained in areas of abnormal human behavior, contemporary social problems, and the democratic process. Training in these areas would enable officers to use human relations skills to better serve their community. Such concepts as "sensitivity, understanding, creativity, and warmth" should all be included in a human relations training model for police officers. The goal would be to train officers to help their clients and the people in their community to develop the positive "*chemistry*" necessary to create and to maintain a healthy environment.

Police reforms have succeeded and failed simultaneously. Successful reforms have come in terms of more police oversight. People have come to realize that policing is too important to be solely the domain of police. With each high-profile case of police corruption, there is a small, incremental step toward police reform. In a postmodern era, we can not afford to revert to the public actions of a pre-modern era, one marked by barbarism. The cornerstone of a civil society is respect for the *heterogeneous*. The role of government and all of its agents is to carry out duties in ways that exemplify fairness, justice, and equity. Given this, scandals such as Rampart should not be a reality in U.S. society.

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