

**THEMATIC BRIEF**

# Police Integrity Testing



Mençuria e shumicës është më mirë se mençuria e një të vetmi

"Të dish se çfarë është e drejtë nuk do të thotw shumë, nëse ju nuk bëni atë që është e drejtë."

Integriteti është të bësh një gjë që është e drejtë. Edhe atëherë kur askush nuk të shikon

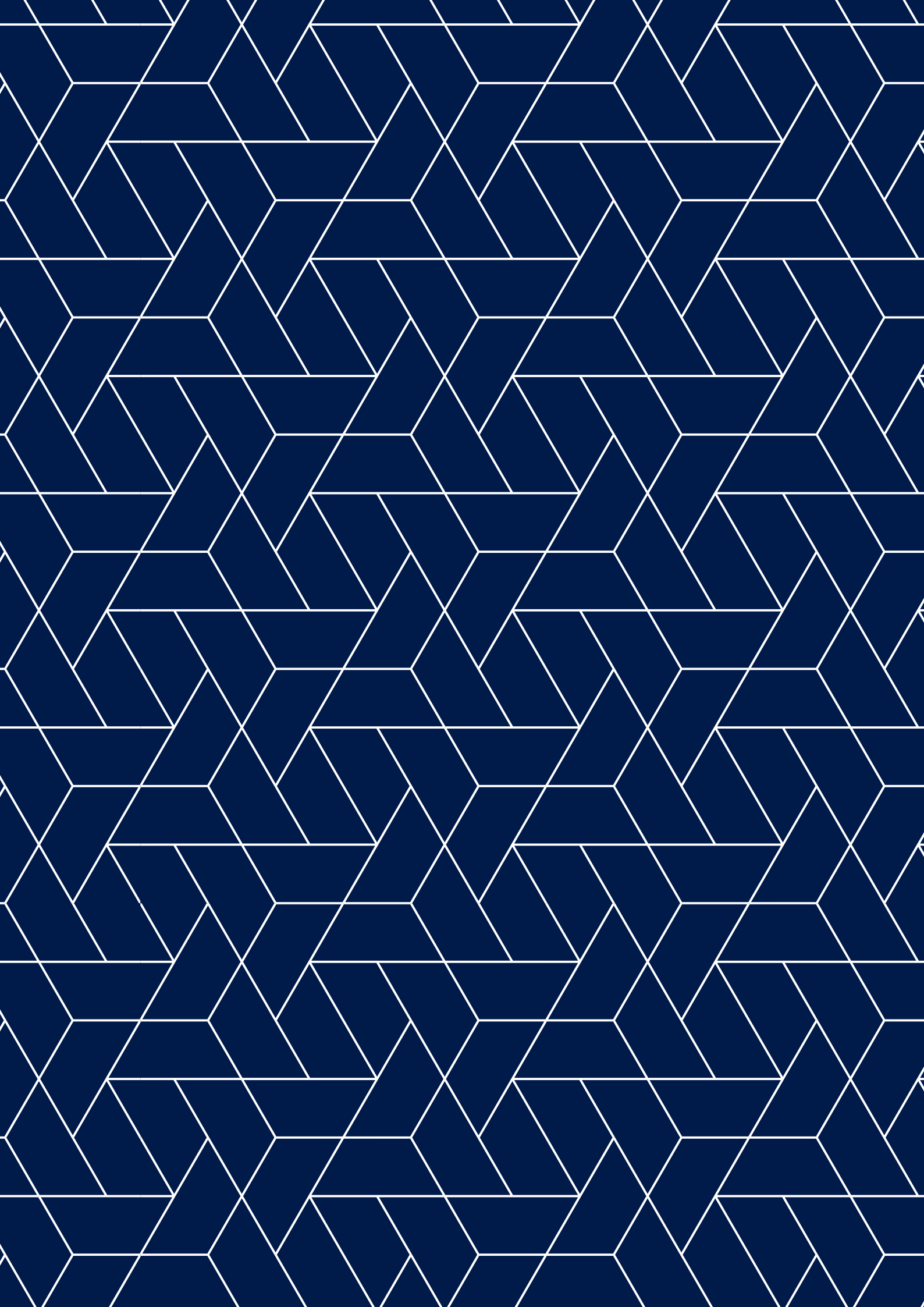
Integriteti është parimi që në vazhdimësi silltet në përputhje me vlerat etike.

Nuk ka të bëjë me ty! Bëhet fjalë që t'i ndihmohet të tjerët të mësojnë!

POP Baza: Mësimi mëson për të mirat  
"Unë kam më shumë se një mësim për të mirat e mi.  
Unë mësoj përparësi të ligjshme, kështu që  
më të lehtë shpreh mësimin të mirës."  
"Ju nuk mund t'i mësoni asgjë gjë reperi,  
përveçse mund të mësoni atë që gjë që  
brenda veta."  
"Unë kam më shumë se mësimi asgjë askuj. Unë  
vetëm mund t'i mësojë ata të mësojnë."

Mësimxënia është përvojë. Çdo gjë tjetër është hjeshtë informacion

MIRË



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## Background

This Thematic Brief provides practitioners with an introduction to integrity testing. It explores the definition of integrity testing, its differences with lifestyle monitoring, the benefits of implementing integrity tests, and what must be considered before and during their implementation.

It builds on other knowledge tools, the Toolkit on Police Integrity and the Training Manual on Police Integrity, developed by the Police Integrity Building Programme (PIBP) at DCAF. The PIBP aims to support requesting countries in the development, implementation, and evaluation of projects undertaken to establish and maintain police services that function with the highest levels of integrity and professionalism. It provides guidance to a broad range of actors (including government officials, decision makers, and senior/mid-level police managers) on how to develop and sustain police services that function in line with the democratic standards of accountability, transparency, and respect for human rights.

### Key Concepts

**Integrity:** The principle of consistently behaving in accordance with ethical values. The principle of integrity is relevant to both individuals and organisations. Individual integrity is the moral strength of aligning behaviour with ethical values. Organisational integrity exists when an organisation operates in line with a set of clearly defined ethical values.

**Corruption:** The abuse of public office for private gain, whether material or immaterial. Corruption is one type of police misconduct.

**Police misconduct:** Illegal, unprofessional, or unethical decisions, actions, or omissions made by a police officer in violation of the principle of integrity, on duty, at the workplace or in private life.

**Integrity testing:** Operations meant to identify possible corrupt activities. Integrity tests are simulated events that place a police officer unwittingly in a monitored situation with an opportunity for unethical decision making. Integrity tests are useful means to prevent and detect police corruption. They can be either random or targeted, and they can form part of the police organisation's internal control system. Targeted integrity tests could also be an effective method to investigate police corruption.

**Lifestyle monitoring/checks:** A set of techniques used to determine if the lifestyle of a public official is in line with that person's known income stream. A sudden unexplained change in an employee's lifestyle can be a clue to illicit activities.

## 1. Introduction to Integrity Testing

The first use of integrity testing in policing can be traced back to the 1970-1972 Knapp Commission Inquiry (KPMG) in New York City. With aims of reducing corruption within the New York Police Department (NYPD), the Commission suggested the use of "sting operations", i.e. the use of undercover officers to simulate corruption opportunities for officers suspected of unethical behaviour (Knapp et al., 1972). Integrity testing has since become a crucial internal control mechanism for police departments, examples of which can be found in Australia, the United States, Hungary, and Romania (Prenzler and Ronken, 2001).

## 2. Integrity Testing and Lifestyle Monitoring

Corruption and other types of police misconduct prevent the police from performing their duties, rendering it inefficient, ineffective, and unprofessional. Yet, professional and efficient police are of the utmost importance for the fight against organised crime, the improvement of public security, the strengthening of the rule of law, and the increase of public trust in the police.

Integrity tests are used to discourage malpractice and corruption. They are simulated corruption opportunities with the purpose of detecting corrupt behaviour or corruptible police officers. During such a test, a police officer, who is not aware that a test is being carried out, is placed in a monitored situation that offers an opportunity for unethical/unlawful behaviour. By doing so, integrity tests aim to replicate the everyday challenges and pressures encountered by police officers in which opportunities for misconduct are prevalent.

Although often used interchangeably, lifestyle monitoring and integrity testing refer to different internal control techniques. Integrity testing is covert, involving the creation of simulated situations, while lifestyle monitoring is overt, involving the use of different techniques to evaluate the public and private conduct of a public official. Both help to detect and prevent corruption, however, through different means.

This paper focuses on integrity testing but includes a brief discussion of lifestyle monitoring. Lifestyle checks, i.e. asset and financial reviews, aim at exposing officers living beyond their means since it is likely that they are engaged in corrupt practices to support such a lifestyle (Hope, 2015). For example, every officer in the Philippine National Police is required to submit an Annual Statement of Asset Liabilities. This measure was taken after allegations surfaced that some officers sell illegal drugs confiscated during operations (Philippine News Agency, 2019).

## 3. The Importance of Integrity Testing

Overall, there are several reasons why integrity testing is important, which are detailed below.

### I. Integrity testing to detect, investigate, and prosecute integrity violations:

The primary function of integrity testing is to detect, investigate, and prosecute integrity violations. The evidence below suggests that integrity testing, as part of an effective internal control system, can reveal and prevent corruption and other unethical/unlawful behaviour among police officers.

After implementing integrity testing in Moldova, internal reports of corruption rose by 58 %. This increase was accounted for by a breakdown of the 'code of silence' and a greater willingness of police officials to report suspected misconduct (Dumbravan et al., 2013).

Moreover, the implementation of integrity testing in the NYPD led to a substantial increase in the number of reported attempts to bribe police officers. While bribe offers previously may not have been taken seriously by officers, they seemed to be reported in greater quantities after instances of integrity testing (Pope, 2000).

In 1999, the New South Wales Police in Australia conducted 90 integrity tests with a 37% failure rate and 51 criminal charges (Prenzler and Ronken, 2001). Subsequently, 3 officers were dismissed and 10 resigned (Prenzler and Ronken, 2001).

In 2002, 486 integrity tests were conducted by the NYPD's Internal Affairs Bureau. 54 testing subjects failed the test and a significant proportion of these individuals were dismissed (NYPD, 2002).

## II. Integrity testing to build a case against an official already under investigation:

As mentioned, integrity testing can be used to gather evidence against an official already under investigation for suspected misconduct and/or unethical behaviour (Parke et al., 2011).

Note: In some countries, evidence obtained from integrity testing is not admissible in court. Hence, integrity testing must be supported by an appropriate legal framework to be effective.

*"[The primary goal of integrity testing] is to proactively 'catch' or 'clear' the target. Targeted integrity testing can be conducted as part of a formal criminal investigation relating to corruption" (Parke et al., 2011: Chapter 2, p. 5).*

## III. Integrity testing to deter:

Research has repetitively shown that the certainty of punishment has a greater deterrence effect than the severity of punishment (Homel, 2002). Integrity testing creates a sense of omnipresence with the goal of having police officials handle each assignment as if it were an integrity test (Rothlein and Reiter, 2014). It also helps to foster an organizational culture that doesn't tolerate misconduct and/or unethical behaviour.

When an officer is arrested as a result of an undercover investigation, it can have a deterrent effect on other officers who may be considering criminal conduct but fear becoming the target of an undercover investigation themselves (Rothlein and Reiter, 2014).

## IV. Integrity testing to identify risks and needs:

The results of integrity tests can be used to identify the following:

- The areas, units, or positions most prone to misconduct and/or unethical behavior: Some units in a police organisation may be more likely to engage in corrupt behaviour than others. For instance, the results of integrity tests in the Czech Republic demonstrated that the traffic police committed a disproportionately high amount of integrity violations, leading to a nation-wide anti-corruption campaign targeted specifically at the traffic police (Mandic and Djordjevic, 2016).
- The need for additional anti-corruption legislation, procedures, and the revision of existing ones: The installation of cameras in police cars in Moldova was thought to be a preventative measure against integrity violations. However, when subjected to integrity tests, according to participants at a PIBP workshop in Moldova in 2016, officials simply covered the camera or turned it the other way while accepting bribes from undercover agents.
- Training needs for police officers: The findings from integrity tests can also be used to devise training schemes for the reduction of corruption vulnerabilities. For example, the results of integrity testing in New South Wales, Australia, were used to identify 96 management issues, leading to the implementation of a regional management training scheme (Prenzler and Ronken, 2001).
- Training needs for the integrity testing units: The findings can further be used to identify additional training requirements for the integrity testing unit. For instance, the investigating officer and supervisor in the NYPD must complete an "Integrity Test Result Sheet" after every test (NYPD, 2002). This sheet describes the test and provides space for the supervisor to criticize the performance of both the subject officer and the testing team (NYPD, 2002).

*"It is dangerous to assume that complaints alone can identify all instances of corruption. The investigation of corruption must be primarily proactive and supported by strategic analysis of intelligence. Integrity testing becomes an important option in all investigations into corrupt behaviour. Integrity testing achieves a number of goals. It tests for both corrupt and ethical behaviour, the appropriateness of organizational systems and procedures, and as a deterrent to officers who may be exposed to a corruption opportunity" (Prenzler and Ronken, 2001: p. 329).*

## V. Integrity testing to support performance appraisals and promotion systems:

Finally, the results of integrity tests are often used when assessing an official's promotion: In many police forces, passing an integrity test successfully is a requirement to be considered for promotion (Pope, 2000).

In Moldova, one must successfully pass an integrity test to be considered for the position of Chief of the Police Inspectorate (Transparency International, 2014).

## 4. Types of Integrity Tests

Integrity tests fall within two approximate categories of "targeted" and "random".

Although integrity tests can be used for pre-employment and in-service screening, they are most commonly used for the latter in policing.

Targeted integrity tests are directed at specific individuals or groups. They are part of the detective control mechanism in a police organisation.

Targeted testing is both proactive and reactive. It is reactive in that it is implemented in response to allegations or suspicions of existing misconduct and proactive in that it goes beyond traditional methods of investigation and as such has a deterrent effect. Most often it is done "in response to intelligence or complaints indicating a corruption problem but without adequate proof for successful criminal or departmental prosecution" (Prenzler and Ronken, 2001: p. 321).

### Example of a targeted integrity test

An internal complaint raises suspicions about a particular police officer, alleging that the officer is stealing valuable goods from crime scenes. To establish the officer's wrongdoing, a fake burglary is staged and the officer is directed to the incident. Some valuable goods are placed at the crime scene to create an opportunity for this officer to steal.

Random integrity tests are simulations that are systematically conducted on a random basis rather than being directed at any specific person or group.

### Example of a random integrity test

An actor offers a bribe to a traffic police officer who stops him for speeding. The internal control unit monitors whether the officer refuses or accepts the bribe and whether s/he reports the attempt.

It is argued that random integrity tests have a higher deterrence factor. Many police officers engaging in corruption believe that they will never be targeted since they consider themselves to be too smart to be caught (Homel, 2002). However, properly structured random tests equally expose all officers in a police department to the chance of being tested and no cleverness can avoid such a test (Homel, 2002).

Yet, some argue that random tests are a waste of resources that could be used elsewhere (Faull, 2009). For example, honest officers who are randomly tested are temporarily prevented from attending to 'real' crime (Faull, 2009). Random tests are also more expensive than targeted tests due to their scope. Hence, the question has been raised whether random testing may be too expensive and too difficult to deliver a meaningful deterrent (Homel, 2002). In addition, evidence suggests that targeted integrity tests are more effective in exposing corruption (Henry, 1990). Some of the reasons are listed below:

- Tailoring of testing: Unlike random tests, targeted tests are usually conducted within the context of an investigation into the alleged misconduct of a specific officer (Porter and Prenzler, 2012). Hence, targeted tests are closely tailored to the underlying allegation, meaning that the officer, if actually corrupt, is more likely to repeat the misconduct during the test. For example, if the underlying allegation involves drug use, targeted testing would involve an interaction between the subject officer and (simulated) drugs.

- **Sophistication of testing:** Because targeted testing is tailored, tests can be more sophisticated (Homel, 2002). For example, during the NYPD's use of integrity tests in 1996, 3% of random tests were classified as gamma, i.e. the most complex form of testing (Girgenti et al., 1996). In contrast, 36% of targeted tests were classified as gamma (Girgenti et al., 1996). In general, random test scenarios are less complex and less sophisticated, making it is easier for subjects to realize that they are being tested and to change their behaviour accordingly.
- **Interaction with test stimuli:** It has been argued that tested officers recognize the test stimuli such as cash, simulated narcotics, or property more often in targeted tests than in random tests. For example, the tested officers did not appear to notice the test stimuli in 15 of 40 reviewed random tests by the NYPD in 1996, i.e. they did not leave the patrol car or even ask standard questions before leaving the scene (Girgenti et al., 1996). If subjects are not participating in the scenario or are unaware of the existence of the test stimuli, they cannot be tested for corrupt behaviour in any meaningful way.
- **Isolation:** Evidence suggests that officers are less frequently tested in isolation during random tests (Homel, 2002). This is exemplified by the NYPD's 1996 integrity testing programme. During the first six months of 1996, an officer was tested alone in 18 % of random tests (Girgenti et al., 1996). During the same period, an officer was tested alone in 67 % of targeted tests (Girgenti et al., 1996). Given that the presence of other officers may decrease the likelihood of officials engaging in corrupt/unethical behaviour due to fear of being reported, random testing is argued to be less effective. Additionally, random tests are normally initiated by calls to emergency numbers and therefore less likely to test suspected officers in isolation. While the use of emergency calls to initiate random tests is difficult to avoid, given that other methods may arouse suspicion, these calls often alert other officers as well, drawing them to the scene (Girgenti et al., 1996).

### **Concluding remarks on targeted and random tests**

Both random and targeted integrity tests can be useful means to fight corruption and unethical behaviour in policing. Random tests can be effective if they are exercised in a regular and highly visible manner (Homel, 2002). This can, however, become very costly, suggesting that targeted tests may be more suitable for police organizations. Further, as random integrity tests may be difficult to justify, particularly when no specific suspicion exists, targeted tests seem to be more efficient (Aeppli, 2012).



## 5. Considerations When Introducing Integrity Tests

Various considerations must be taken into account before and during the use of integrity tests.

### I. They can create a climate of mistrust within the police department:

It has been suggested that integrity testing can create a sense of mistrust within the police organization (Homel, 2002). If police officers feel like they are not trusted, their morale may decrease (Homel, 2002). This applies in particular to random testing; targeted integrity tests are generally perceived as fairer since it is suspected that the subject has already engaged in unethical/unlawful behaviour (Porter and Prenzler, 2012). It is important to consider this potential negative impact before implementing tests (Rothlein and Reiter, 2014).

However, morale decays can be avoided if the purpose of integrity tests and the limits on their use are clearly communicated to all staff. While integrity tests may initially encounter resistance from officials, they will soon realise that those who are honest have nothing to fear. By way of example, a publicity campaign was conducted in Australia prior to testing, in which they used the slogan 'honest police officers have nothing to fear from integrity testing' in order to gain approval for the programme.

Moreover, some authors have even suggested that some level of mistrust within a police organization is needed to reduce misconduct and/or unethical behaviour given the prevalence of the code of silence (Henry, 1990).

### II. They can be costly:

As formerly mentioned, it has been argued that the financial and human costs related to the implementation of integrity tests outweigh their benefits. Critics claim that integrity testing, due to its extended duration and costly equipment, diverts resources away from the primary law enforcement and crime prevention functions of the police (Goldsmith, 2001).

Although initial set-up costs may be substantial, these will likely be offset in the long run by a significant decrease in corruption and other forms of police misconduct. In general, integrity testing performs better in terms of costs and benefits than a reliance on informers or undercover operatives, who only observe (Miller, 2017). Additionally, integrity testing is the most suitable method to fight corruption. Reactive methods, such as investigating complaints, often do not work because the crimes in question do not involve complaints (Miller, 2017). However, a proper integrity testing programme needs to be in place to ensure cost efficiency; if tests are rarely or falsely conducted, they are not efficient (Homel, 2002).

### III. They can be used to discredit rivals within the organization:

Various scholars have argued that covert tactics, particularly integrity tests, can be misused to discredit rivals within the police organization (Prenzler and Ronken, 2001).

However, several measures can be implemented to reduce the likelihood of such behaviour and to improve the overall efficiency of testing. Integrity testing units should receive a specialized training on how to conduct covert operations. Moreover, legal and managerial oversight of the integrity testing unit must be supervised and reviewed. An example of this would be the presence of an oversight committee conducting regular performance reviews.

### IV. They require an appropriate legal framework:

Finally, integrity testing raises serious concerns around privacy, deception, entrapment, provocation, and the legal rights of individual police officers. Hence, legislation must exist that applies to integrity testing and contains constraints on abuse such as unjustified infringements of privacy or the inducement of an officer to commit a crime that he/she would otherwise not commit.

Note: In some countries, integrity testing may be prohibited by law.

## 6. Conclusion

As outlined at the beginning of this Briefing Note, integrity tests are a useful mechanism when addressing problems of recurring corruption. They can help to detect, investigate, and prosecute violations of police integrity and have been proven to deter future violations. Additionally, these tests can be used to identify risks and needs within police organizations and to support performance appraisals or promotion systems.

In general, law enforcement agencies should consider the following four points before conducting integrity tests:

- They are costly.
- They can create a sense of mistrust without clear communication of their purpose and limits.
- They can be misused to discredit rivals within the organization if they are not properly regulated.
- They require an appropriate legal framework to ensure efficiency and privacy.

In all cases, pilot programs should be conducted before investing in expensive tests to identify possible challenges. Nevertheless, the success of integrity testing programmes in identifying misconduct suggests that the overall benefits outweigh the costs; the introduction of police integrity testing regimes is desirable to improve police conduct.

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