

Posted 11/6/11

N.Y.P.D. BLUE

Allegations of misconduct and corruption beset the nation's largest police force

By Julius (Jay) Wachtel. Less than a year after a fellow officer (and jilted lover) [aimed her pistol and pulled the trigger](#), leaving him with bullet holes in the arm and shoulder, officer Jose Ramos wound up in yet another bull's-eye.

In December 1998 [a tip that Ramos and a helpmate were peddling drugs](#) led internal affairs detectives to tap telephones at two barbershops that Ramos acquired as gifts from his father. One undercover officer hired on as a barber. Others posed as drug dealers and gained Ramos' confidence. During the next three years they paid him to help rip off a pretend marijuana operation and to haul loads of pretend heroin in his police cruiser. Ramos was delighted. "I could drive a dead body in the trunk of my car where I want and no one would stop me," he bragged.

There was a reason why IA spent so much time and money. Soon after opening the drug case detectives overheard Ramos talk on the phone about fixing traffic tickets. They discovered that the Bronx branch of the patrol officers' union was running a massive, long-standing scheme to fix tickets issued to officers' families and friends. Upon request, union rep's (Ramos was one for two years) [tracked down and destroyed citations](#) before they hit the courts and the motor vehicle bureau.

It was an unpaid service. It was also audacious and completely illegal. Each instance of a fixed ticket entangled violators, requesting officers, union go-betweens and the officers who actually destroyed the paperwork in a host of crimes that deprived the city of revenue and potentially imperiled public safety.

In 2011 a grand jury reviewed a sample 800 episodes of ticket fixing, representing thousands of criminal violations and financial losses of up to \$2 million. Jurors may have thought that they were working in secret, [but investigators knew that details of the case had been leaked](#) to union officials by one of their colleagues more than a year earlier.

The long-awaited [indictment](#) was unsealed last week. Two Sergeants and twelve officers stood accused of destroying 300 citations. Each was charged with multiple counts of official misconduct, obstruction, conspiracy, criminal solicitation and grand

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larceny. In addition, a well-regarded former Internal Affairs lieutenant was accused of leaking information about the inquiry. All were released except Ramos, who was charged with multiple drug counts and held on \$500,000 bail.

Dozens of officers with lesser involvement received departmental discipline. Some were forced to retire. Others got immunity in exchange for promising to testify against those indicted. One [tried to commit suicide](#).

The blame game is well underway. It's not just about fixing tickets. A spate of recent messes including [the conviction of an officer who planted drug evidence](#) and [the arrest of eight cops for smuggling guns](#) into New York (they fell prey to an FBI sting) suggests that some of the city's "finest" have fallen well short of that ideal. [Internal Affairs has taken the brunt of the criticism](#). Some question whether it's professionally up to the task. Others say that it's too small to be effective or so procedurally hidebound that its investigators have no opportunity to be proactive.

Criticisms have also been voiced about the lack of external oversight. The one agency charged with that function, "[The Mayor's Commission to Combat Police Corruption](#)," has a small staff and limited authority. Alarmed by the turn of events, [politicians in Albany recently demanded](#) that Mayor Bloomberg either convene a special panel to investigate the NYPD or the state would do it for him. But so far Hizzoner (speaking through a rep.) has said "no."

We'll put the integrity of the N.Y.P.D. up against that of any police force in the world. But for the rare instances they are needed, we already have five district attorneys, two U.S. attorneys and the Civilian Complaint Review Board in New York City, plus an extremely aggressive Internal Affairs Bureau. There is absolutely no need to creating another layer of government here.

There are other concerns. NYPD's low entry salary is said to discourage better-qualified applicants. Excluding allowances and overtime, [an academy recruit earns \\$41,975](#). After 1½ years the base increases to only \$43,644, [nearly \\$20,000 less](#) than what LAPD officers earn at that point in their careers. (After five years the gaps narrow considerably.) Still, it's a big jump to conclude that lousy starting pay makes Gotham's warriors more likely to stray. Thanks to the financial meltdown NYPD has enjoyed [a surge of well-educated applicants](#). Between 1999 and 2009 the proportion of officers with 4-year degree jumped from 17 to 24 percent. It's now commonplace for recruits to have baccalaureates. New York City's cops may be fewer in number, but in terms of formal education they're getting smarter.

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What else can explain the department's perceived moral decline? For a clue we return to the example of the drug-planting cop. At his trial [an officer who pled guilty to like charges](#) testified that the practice, known as "flaking," was how some kept their numbers up. "As a detective, you still have a number to reach while you are in the narcotics division...Tavarez [the officer he was trying to help] was worried about getting sent back [to patrol] and, you know, the supervisors getting on his case." And yes, there was a ready neutralizer. "It's almost like you have no emotion with it...they're going to be out of jail tomorrow anyway; nothing is going to happen to them anyway."

Of course, there will always be rogues. Absent a resistant culture they can and will contaminate others. That's not just a theory. "It's a Courtesy, Not a Crime" [read a sign](#) held up by one of the 350 police union members who turned out to support the Bronx ticket-fixers when they were arraigned. Their president's speech drew wild applause. "Taking care of your family," he intoned, pausing for dramatic effect. "Taking care of your friends. Taking care of those who support New York City police officers and law enforcement..is...not...a...crime."

Right. So let's "take care" of everyone!

In "[The Crime Numbers Game](#)" criminal justice professors John Eterno and Eli B. Silverman assert that NYPD's vaunted Compstat program created a culture of deception in which beleaguered superiors routinely downgraded crimes to create an illusion of effectiveness. They later [expanded their argument](#) to encompass ticket-fixing, laying blame on a management culture so obsessed with productivity that it ignored quality.

There were clear signs of trouble as early as 2005. That's when the then-chairman of the Mayor's police corruption panel [resigned in protest](#) of its toothlessness. One of his concerns was that crimes were routinely downgraded in severity to make the police look good. He was brushed off by NYPD officials. They insisted that fudging stat's (something to which they didn't admit) wasn't really corruption, thus none of the panel's business.

Five years later, in February 2010, the *New York Times* reported the results of [a survey](#) by professors Eterno and Silverman. Of nearly 500 NYPD officers who retired at the rank of captain and above, more than one-hundred reported that statistics had been manipulated so that New York City would compare favorably with other areas.

Natch, police officials said that the professors got it wrong. Three months later the *Village Voice* ran the [first in a series of investigative pieces](#) about the NYPD. Drawing heavily from tapes secretly recorded by a whistle-blowing cop in Brooklyn, it concluded

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that officers were under pressure to record a lot of activity while reporting as little crime as possible:

[The tapes] reveal that precinct bosses threaten street cops if they don't make their quotas of arrests and stop-and-frisks, but also tell them not to take certain robbery reports in order to manipulate crime statistics. The tapes also refer to command officers calling crime victims directly to intimidate them about their complaints. As a result, the tapes show, the rank-and-file NYPD street cop experiences enormous pressure in a strange catch-22: He or she is expected to maintain high "activity" – including stop-and-frisks – but, paradoxically, to record fewer actual crimes.

Then another whistle-blower surfaced, this time [in the Bronx](#). He too had tapes. They confirmed that officers were being pressured in countervailing directions. On the one hand they had to make lots of "chickenshit" arrests, tickets and stop-and-frisks. On the other they had to avoid taking crime reports or downgrade what was passed on. "It happened all the time. The reason was CompStat. They [supervisors] know what they are going to be asked for in CompStat, and they have to have a lower number – but not too low."

This time NYPD couldn't deny everything – after all, there were tapes of roll calls and such. Police Commissioner Ray Kelly ordered an investigation. [Five heads promptly rolled in Brooklyn](#), including a Commander's. But that wasn't the end of it. Only three weeks later [two memos from Brooklyn's 77th. precinct](#) landed on the pages of the *Daily News*: "For the week of 10/18-10/24 we need 25 double-parkers, 15 bus stops, 50 seat belts, 75 cell phones...Thank you."

In January 2011 Commissioner Kelly [anointed three former prosecutors](#) to investigate the integrity of NYPD's crime statistics. Questions were promptly raised about how the panel would work. As we await its findings the department's controversial stop and frisk policy, [on which we've extensively reported](#), has come under renewed criticism. Three weeks ago a Federal grand jury [returned a civil rights indictment](#) against a Brooklyn cop who stopped a black man and allegedly arrested him without cause.

Making tickets disappear, planting evidence, needlessly stopping people and downgrading crimes strip policing of all meaning. How could officers be so base and self-serving? How could they so thoroughly devalue their work? While it's not the only answer, NYPD's preoccupation with numbers must rank near the top. Instead of promoting a passion for excellence – the "quality" orientation that professors Eterno

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and Silverman mention, and which your blogger has long championed – managers substituted measures for goals. Compstat helped transform the exercise of coercive power, a tinderbox in any democracy, into an elaborate insider's game. It's no surprise that some officers turned into moral entrepreneurs.

NYPD has plenty of smart, highly skilled cops. All they require is an opportunity to practice their craft at the level it deserves. If only their superiors would let them.