



The Police Who Prey on Victims

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Although much of the press has been focused, of late, on the incidents of sexual assault in the entertainment and media industries, it is also among the most pernicious and likely under-reported varieties of on-duty police misconduct. The police are viewed by the majority of the public as among the **most trusted institutions in society**, behind the military and small business. Many of the people who come into contact with police, though, suffer the stigma of criminal records, tenuous immigration status, mental illness, intoxication or substance addiction, or some combination of these. Additionally, sex workers who operate in black-market prostitution are often targets of police stings involving sexually compromising situations. Opportunistic and predatory officers can take advantage of these circumstances to victimize individuals—most often women—who feel they have little recourse against the police.

A recent case from New York provides a troubling example of how some police officers abuse others for their own sexual gratification. Two officers were indicted last week for **raping a teenaged woman following a traffic stop arrest** for loose prescription pills and marijuana possession. The officers first admitted to sexual contact after **the rape kit test** revealed the presence of their DNA, supporting the woman's story, but **their lawyers** released a statement soon after stating that the acts were consensual. The accused detectives, Eddie Martins and Richard Hall, had been demoted and **pleaded not guilty to the charges Monday**.

Unfortunately, laws and employment policies can work in favor of officers who break the rules and allegedly harm others. Another recent case out of New York is also revealing. In 2013, NYPD Detective Lukasz Skorzewski and Lieutenant Adam Lamboy flew to Seattle to question a woman who had been raped in New York City. The two men later took the victim out for a night on the town, resulting in a nine-hour bender in which Det. Skorzewski allegedly became so drunk he was cut off by bartenders. The men then convinced the woman to stay with them in their rented hotel room for the night. In a lawsuit, the victim later alleged that, after going to sleep on the hotel couch, Skorzewski crawled into bed with her, groped her, ripped her clothes, and tried to undo her pants before she pushed him away. If true, this is obviously an incident of sexual assault.

However, Skorzewski was not criminally charged for the incident. Despite this, both he and Lt. Lamboy **pleaded guilty to administrative charges for misconduct** and were demoted and transferred, among other penalties. (Lamboy had actually been in charge of the Special

Victims—i.e., sex crimes— Unit). Still, both men were retained by the NYPD, although Lamboy has since retired. After the victim settled the case in March 2017, **Skorzewski admitted to kissing the victim**, but denied groping her. Even if his version of events is true, it is baffling that NYPD labor protections go so far as to allow a sex crimes investigator to remain a police officer after getting trashed and coming on to a rape victim.

And unfortunately, the problem of police sex abuse goes far beyond the NYPD.

One of the most notorious criminal cases in recent years involved Oklahoma City Officer Daniel Holtzclaw. He was accused of **sexually assaulting 13 African-American women** during routine traffic stops. Most of the women had previous drug or prostitution convictions. The prosecutor alleged Holtzclaw targeted these women because they were poor, black, and that no one would believe them if they came forward. He was **convicted on 18 of 36 counts**, including four counts of first-degree rape, and sentenced to 236 years in prison. While Holtzclaw was ultimately brought to justice, by targeting vulnerable and marginalized women, he could repeat his behavior multiple times before a woman was brave enough to come forward to accuse him.

An ongoing case in the San Francisco Bay area involves multiple officers from several departments. A teenage sex worker, who has used the pseudonym Celeste Guap, alleged that she had sexual relationships with two dozen officers from the **Oakland, Richmond, Livermore, and Contra Costa County departments**, including multiple allegations of sexual contact before she reached the legal age of consent. **There is corroborating evidence that some of these officers tipped her off to police activity** so she could avoid arrest. Many officers in these departments have been disciplined for their roles in the wide-ranging scandal, and at least four have been fired. Although several criminal cases against officers have fallen apart because Guap is now unwilling to testify, **three now-former officers have pled to, or been convicted of, crimes** relating to her exploitation.

These are just a few of the countless cases each year. In November 2015, the Associated Press published the results of an investigation that looked at five years of police officer decertifications—that is, stripping officers of their law enforcement licenses for misconduct—from 41 states, focusing, in particular, on acts that fit the U.S. Department of Justice definition of sexual assault. From **the report**:

Of those [states] that did release records, the AP determined that some 550 officers were decertified for sexual assault, including rape and sodomy, sexual shakedowns in which citizens were extorted into performing favors to avoid arrest, or gratuitous pat-downs. Some 440 officers lost their badges for other sex offenses, such as possessing child pornography, or for sexual misconduct that included being a peeping Tom, sexting juveniles or having on-duty intercourse. These, of course, only count those allegations made and sustained. Given the typical **opacity of police misconduct reporting and discipline**, the number of offending officers is undoubtedly far larger.

All individuals who face criminal charges are potentially at risk of exploitation, but drug users, the mentally ill, and sex workers are at a particular risk for sex-related police violence due to the stigmas surrounding them and their general vulnerability to abuse. Specifically, advocates who

organize for the decriminalization of prostitution **cite many instances of harassment, sexual assault, and other types of illegal victimization** by police officers against sex workers. Perhaps more troubling is that, according **to a Huffington Post story**, it is legal in all 50 states for police officers to engage in limited sexual contact with suspects, not including penetration, during investigations the suspect. Such laws, combined with sex work prohibition, virtually invite abuse by unscrupulous police officers.

The *HuffPo* story also features, however, a lawmaker who is working to prohibit Alaskan law enforcement from engaging in sex acts during their investigations, which would be the first law of its kind in the country. Alaskan sex workers have alleged that officers go too far and have abused their authority, **including coercing sex acts from underage girls**. The Anchorage Police Department, on the other hand, opposes the proposed law because they claim that sexual contact is necessary to a prostitution investigation.

But if engaging in sexual contact under false pretenses is required to enforce a law, shouldn't that law be deemed morally suspect to begin with? The sexual violation of suspects by police officers does not become morally justifiable simply because prostitution is illegal.

Generally speaking, police officers should be held to higher ethical standards than they are now, in more ways than one. When credible allegations against officers come to light, labor protections sometimes mean that criminal charges must be proven through a conviction before the officer is permanently removed from his job. But demotion and transfer are not the proper, or sufficient, remedies for officers who recklessly or maliciously endanger the safety of individuals they are supposed to protect. Administrative processes are important, but public trust and security should play a larger role in determining whether an officer should be returned to the street with full arrest powers.

On a public policy level, the criminalization of prostitution and drug use puts sex workers and drug users at heightened risk for police exploitation. Beyond the individual abuse that suspects may suffer at the hands of predatory officers, anti-prostitution enforcement methods are themselves morally questionable. Removing criminal penalties for consensual crimes would take police out of sex-regulation and greatly reduce the legal power corrupted officers can leverage against potential victims.

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