

The Star-Ledger

More than 1,000 cops charged each year, but few found guilty

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October 30, 2015

When suspended Linden police officer Pedro Abad was charged for the wrong-way double fatal drunk-driving accident, he joined a segment of the law enforcement community that no agency tracks: officers charged with crimes.

"There is not any government agency that keeps track of these cases," said Tim Lynch, director of the Washington-based Cato Institute's Project on Criminal Justice.

For three years, Lynch has overseen the National Police Misconduct Reporting Project (NPMRP), which collects data on the extent of misconduct by officers in the United States.

Abad appeared in court Thursday for a hearing on the indictment that charges him with aggravated vehicular homicide and manslaughter stemming from an off-duty March 20 crash in Staten Island when he was allegedly driving drunk.

There are about 17,000 law enforcement agencies nationwide, but there are no requirements for them to report cases filed against officers, said Lynch.

Most of information collected at the NPMRP comes from media reports.

"That gives us an imperfect picture," Lynch said. "It's very hard to get specific numbers of cases against police."

While he has observed an increase in officers being charged in the last year, Lynch attributes that hike to the media attention placing law enforcement in the spotlight.

"That's probably a function of the increased scrutiny," he said, referring to cases in New York City, Baltimore and Ferguson, Mo.

In New Jersey, there have been several high profile cases recently:

- Four Edison police officers are accused of plotting retaliation against a North Brunswick officer for issuing a drunk-driving ticket.

- A former Plainfield officer was sentenced to prison for threatening a woman with criminal charges unless she disrobed.

- Two Bloomfield officers currently face charges of tampering with records following an arrest and one of the officers was charged with aggravated assault allegedly committed during the arrest.

Abad has pleaded not guilty to a 27-count indictment stemming from the crash in Staten Island where two people, a fellow Linden police officer and a civilian passenger, were killed. Another Linden officer in Abad's car was severely injured. On Thursday, Abad's lawyer suggested he may have been drugged by a stripper at the strip club the men visited before the crash.

Off-Duty Incidents

Abad had two prior drunk-driving arrests, one was in Roselle in 2011 and the other in Rahway in 2013. The Roselle case was dismissed a year after the arrest when Abad's attorney complained to the municipal court that he had still not received information he had requested. Abad pleaded guilty to the charge in Rahway, where a police dashcam captured him failing a sobriety test, and had his license suspended.

Charges filed against police for off-duty conduct are among the most difficult to follow, particularly drunk-driving and domestic violence cases, Lynch said.

"I think DUI and domestic violence are two of the scenarios where police often don't make reports," Lynch said.

Officers, he said, may be reluctant to file a charge against a fellow member of the law enforcement community.

"If it had been John Q. Citizen, then the person would have been arrested for DUI," he said.

Philip Stinson, professor criminal justice at Bowling Green State University in Ohio, also tracks cases of crimes against police and shares Lynch's suspicions about domestic violence cases.

"I've been stomping my feet trying to get people to pay attention to officers involved in domestic violence," Stinson said. "Police officers don't like to arrest other officers, and that is true for off-duty crimes as well as on-duty crimes.

"Historically, police departments have not treated officer-involved domestic violence as a priority, and often officers were not arrested in situations where anyone else would have been arrested," said Stinson, who has researched such cases.

More than 1,000 charged annually

For more than nine years Stinson, a lawyer and former police officer, has collected data on law enforcement officers charged in crimes.

In each of the last seven years, more than 1,000 officers across the country have faced criminal charges, Stinson said.

In 2006, there were 968 officers arrested. That number jumped to 1,130 in 2008, and increased to 1,294 in 2011, the highest total in all the years Stinson has collected the data. In 2014, there were 1,088 in law enforcement facing charges.

"The numbers have been fairly consistent," Stinson said. "People are paying more attention (to the incidents). The general public is demanding more responsible responses from the police."

Juries reluctant to convict

Even as the public shows heightened interest in police charged with crimes for their on-duty actions, prosecutors tend to favor lesser charges, and juries rarely find police guilty at trials, say both Stinson and Lynch.

"There are biases that help to give the officer a benefit, as opposed to the average citizen," Lynch said.

From 2005 to 2014, there were 47 cases of an officer charged with murder for an on-duty incident where the officer shot and killed a person.

Only 22 percent of those cases resulted in a guilty verdict against the officer charged, Stinson said.

"It seems that juries are reluctant to convict an officer when he is charged with a crime resulting from an on-duty violent street encounter," Stinson said. "People realize that policing is violent, ugly and difficult. They don't like to second-guess the split-second life-or-death decisions of police in those encounters."

Police misconduct reports are confidential in New Jersey, as they are in 23 other states, according to a [report by Public Radio station WNYC](#). As with most public employees in New Jersey, police disciplinary files are confidential personnel records and are exempt from the Open Public Records Act.

Lynch says attitudes might be changing, in part because technology now allows more people to record incidents as they happen.