

**POLICE CORRUPTION: FBI INVESTIGATIONS ARE NOT
THE ANSWER.**

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ABSTRACT

Police Corruption stains the badge of every law enforcement officer who lives by the Law Enforcement Code of Ethics. It buttresses the resolve of the criminal and erodes the security of American society. Police Departments across the country have traditionally attempted to combat corruption with Internal Affairs investigations which were often inadequate. The results of the various Internal Affairs investigations for the most part were inconsistent, and complaints of Police Corruption had not abated across the nation.

Because Law Enforcement's self policing had been so inconsistent, and the public concern growing in vehemence,," the Hobbs Act (18USC&18 U.S.C. § 1951) gained popularity as a weapon to be used against Public Corruption in general, and Police Corruption in particular. With the use of the Hobbs Act in Police Corruption Investigations, came the involvement of the Federal Bureau of Investigation. The United States Department of Justice's Criminal Resource Manual stated: In addition to the "wrongful use of actual or threatened force, violence, or fear," the Hobbs Act (18 U.S.C. § 1951) defines extortion in terms of "the obtaining of property from another, with his consent . . . under color of official right." In fact, the under color of official right aspect of the Hobbs Act derives from the common law meaning of extortion."¹ With the invocation of the Hobbs Act, the Federal Bureau of Investigation became involved in Police Corruption Investigations.

The Federal Bureau of Investigation has a worldwide reputation as a elite law enforcement agency. However, that reputation is quickly being overtaken by revelations of questionable integrity and crime fighting acumen. As a consequence, this paper opined that the Federal Bureau of Investigation's reputation has been impeached, and is unworthy of investigating corrupt police officers, unless there's some truth in the adage that "it takes a thief to catch a thief." Therefore, this research concluded that an independent federal agency should be created to investigate all public corruption, and that the FBI should be relieved of such responsibilities.

This paper laid a foundation for the aforementioned conclusion by setting a chronological foundation of some past cases of Police Corruption which set the stage for usage of the Hobbs Act, and subsequent FBI involvement. Research for this paper was completed by canvassing the Internet and various Metropolitan Detroit Libraries.

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INTRODUCTION

Police Corruption is nearly as old as law enforcement, itself. It is the product of the larger society's greed and avarice. In American society that greed and avarice may be caveat emptor or survival of the fittest, and its purveyor as a shrewd business person. Whatever the terminology or cause, Police Corruption represents a seemingly incurable virus that saps the strength of the law, and disfigures law enforcement. "The Problem of corruption is neither new, nor confined to the Police. Reports of prior investigations into police corruption, testimony taken by the commission, and opinions of informed persons both within and without the Department make it abundantly clear that police corruption has been a problem for many years. Investigations have occurred on the average of once in twenty years since before the turn of the century, and yet conditions exposed by one investigation seem substantially unchanged when the next one makes its report. This does not mean that the police have a monopoly on corruption. On the contrary, in every area where police corruption exists it is paralleled by corruption in other agencies of government, in industry and labor, and in the professions."²

This paper examined four incidents of Police Corruption. The four incidents examined were the Summerdale Police Scandal in Chicago, which began in October 1958. The Towing Procedures Graft, which occurred in New York City in 1960, was also a focus of this paper. This paper also targeted the Knapp Commission Report on the narcotics corruption within the New York City Police Department during the 1970's. The more recent Crash Scandal in the Los Angeles Police Department, occurring in the early 1990's, but brought to light in 2000, was also subjected to review by this research. Unmistakably, there were many more instances of Police

Corruption. However, addressing each case would have rendered this report unwieldy. The aforementioned cases provided a broad overview of the many faces of Police Corruption. In the Summerdale Scandal in Chicago, the Police Officers provided protection for criminals committing Breaking and Enterings, but subsequently matriculated to full participation in the B & E's. In the Knapp Commission Hearings concerning the New York City Police Department of the 1970's, the custom and culture of that department had become corrupt. For the right price, an officer might look the other way, as a tow driver sped to an accident scene. For a slight gratuity, an officer might intercede on behalf of a tower by convincing a driver that the tower, in question, was worthy of repairing the driver has damaged vehicle. Some officers openly recommended the services of one tower over another. There were officers who would notify their favorite tower via pay phone, upon arriving at an accident scene.

Corruption of the custom and culture of a law enforcement agency is ominous. It hints of de facto "reasonable doubt" about the integrity of its members and their investigations. Therefore, it is only reasonable that a measure such as the "Hobbs Act" be brought to bear against Police Corruption. However, to the detriment of the "Hobbs Act", the Federal Bureau of Investigation was designated as the entity to lead the assault on Police Corruption. It appeared that the custom and culture of the FBI might be more corrupt than those of their investigative targets might. "Hundreds of times during the past 10 years, federal agents and prosecutors have pursued justice by breaking the law.

They lied, hid evidence, distorted facts, engaged in cover-ups, paid for perjury and set up innocent people in a relentless effort to win indictments, guilty pleas and convictions, a two-year Post-Gazette investigation found.

Rarely were these federal officials punished for their misconduct. Rarely did they admit their conduct was wrong.

New laws and court rulings that encourage federal law enforcement officers to press the boundaries of their power while providing few safeguards against abuse fueled their actions.

Victims of this misconduct sometimes lost their jobs, assets and even families. Some remain in prison because prosecutors withheld favorable evidence or allowed fabricated testimony. Some criminals walk free as a reward for conspiring with the government in its effort to deny others their rights.”³

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BACKGROUND AND SIGNIFICANCE

During an April, 2003 class of EMU’s School of Staff and Command, Deputy Chief Gary Brown, Detroit Police Department, instructed the class on Internal Affairs. During the class, Deputy Chief Brown indicated that 25-50 Detroit Police Officers would be indicted in the next 12 months by Federal Grand Juries. The investigative arm of the grand juries was the Federal Bureau of Investigation. Such an occurrence would be devastating to the citizens of Detroit, and the self-esteem of the Detroit Police Department. However, Deputy Chief Brown’s revelation caused me to question the integrity of the respective investigations, because they were conducted by the FBI.

The Detroit Police Department has been besieged by media reports of ineffectiveness and corruption for the last twenty years. This assault by the media has had a debilitating effect on the Detroit community. The subliminal message has been that the city cannot do anything right, and those allegations of Police Corruption only plagues the Detroit Police Department. The FBI has repeatedly focused their investigations on the Detroit Police Department, often with negligible results.

Because of the fragility of its psyche, the Detroit Police Department cannot afford to be the subject of witch-hunts and lynching. Therefore, this paper opined that an investigative entity be created on the state or federal level to investigate public corruption in general, and Police Corruption in particular, in lieu of the FBI.

LITERATURE REVIEW

THE SUMMERDALE SCANDAL IN CHICAGO

In 1957, Richard returned to Chicago from Las Vegas. Before leaving Chicago, Mr. Morrison had earned a reputation as an efficient B & E man. Upon his return to Chicago from Las Vegas, Richard Morrison renewed acquaintances with some of his old neighborhood friends from the Summerdale District of Chicago, many of whom were Chicago Police Officers. Therefore, a criminal enterprise was born.

Initially the scheme was simple. Richard Morrison's friends, the police, would secure the outer parameter of a targeted B & E site that would be subsequently B & E'd by Mr. Morrison. Periodically, Mr. Morrison would be questioned by Chicago Police Detectives. Morrison's questioning by detectives was the part of the scheme that Mr. Morrison was unaware of. To ensure Mr. Morrison's continued cooperation, his police conspirators arranged for his arrest to impress with their influence when he would inevitably be released without being charged.

Having studied Mr. Morrison's techniques, Mr. Morrison's police cohorts began to commit B & E's without his assistance. There were also occasions when the officers would commit the B & E, while Mr. Morrison would act as the lookout. The aforementioned scheme began to unravel when Mr. Morrison was arrested by officers who were not participating in the scheme. Mr. Morrison made a deal with the Illinois State's Attorney, and turned in his police partners.

For the right price, an officer might look the other way, as a tow driver sped to an accident scene. For a slight gratuity, an officer might intercede on behalf of a tower by convincing a driver that the tower, in question, was worthy of repairing the driver's damaged vehicle. Some officers openly recommended the services of one tower over another. There were officers who would notify their favorite tower via pay phone, upon arriving at an accident scene.

The resulting scandal resulted in the hiring of Orlando Wilson as Police Commissioner. Orlando Wilson was a leading proponent of higher standards for police recruitment, training, and ethics. In contemporary vernacular, Orlando Wilson was change agent. Typically, Police Corruption Scandals result in the emergence of change agents to right the perceived rudderless ship.

The aforementioned Summerdale Scandal did not appear to be a result of the custom and culture of the Chicago Police Department corrupting the above miscreant officers. The concerned officers appeared to have been subject to the custom and culture Summerdale District, based on their shared background with Richard Morrison, more so that the Chicago Police Department.

TOW TRUCK GRAFT

During the 1960's, the business of towing accident damaged vehicles in New York City was quite lucrative. The tow itself was not that lucrative, but the towing company frequently was affiliated with a repair shop, and thus loomed the possibility that the repair shop would be contracted to repair the accident vehicle. To gain an advantage, some tow companies enlisted the services of New York City Police Officers. For the right price, an officer might look the other way, as a tow driver sped to an accident scene. For a slight gratuity, an officer might intercede on behalf of a tower by convincing a driver that the tower, in question, was worthy of repairing the driver's damaged vehicle. Some officers openly recommended the services of one tower over another. There were officers who would notify their favorite tower via pay phone, upon arriving at an accident scene.

In December 1970, a disgruntled tow truck driver, George Burkert, volunteered his services to aid the Knapp commission in their investigation of Police Corruption in New York City. Typically, Mr. Burkert would be solicited for payoffs by an officer or officers at an accident or towing scene. Mr. Burkert would arrange to make a payoff at a subsequent meeting.

Prior to attending the meeting, Mr. Burkert would contact the Knapp Commission's Investigators. The investigators would subsequently secrete a transmitter on Mr. Burkert's person, which recorded the proceedings of the payoff.

There were other examples of private sector business concerns conspiring with police officers in New York City, and a corrupt co-opted police department was the by-product. Finance companies made a practice of "tipping" officers assigned to the department's vehicle storage yard who assisted them with retrieving vehicles, which were scheduled for repossession that had been impounded for various criminal transgressions. Similarly, patrol officers were also "tipped" when they assisted finance companies in repossessing vehicles, which were parked on the public street.

In the New York City Police Department of the 1960's and 1970's, avarice even permeated the standard operating procedures of the department. An arresting officer "tipped" another officer for typing an arrest report. Supervisory officers were "tipped" by subordinates for plush assignments. Promotions to detective were rumored to carry a \$500.00 price tag. Disability Retirements were alleged to be for sale within the department. Thus, not only were police officers profiting from their interactions with the public, they were profiting from interacting with one another.

The New York City Police Department and Narcotics Trafficking

Narcotics trafficking has had a debilitating effect on law enforcement. According to the Knapp Commission Report, no where was that more true than the New York City Police Department. According to the Knapp Commission Report on Police Corruption in New York City, "Corruption in narcotics law enforcement has grown in recent years to the point where high ranking police officers acknowledge it to be the most serious problem facing the department. In the course of its investigation, the Knapp Commission acquainted itself with many narcotics related corrupt police practices, including:

Keeping money and or narcotics confiscated at the time of an arrest or raid.

Selling narcotics to addict-informants in exchanged for stolen goods.

Passing confiscated narcotics to police informants for sale to addicts.

"Flaking" or planting narcotics on an arrested person in order to have a law violation.

Purporting to guarantee freedom from police wiretaps for a monthly charge.

Accepting money or narcotics from suspected narcotics law violators for the disclosure of official information financing. heroin transaction.⁴

In June 1972, a dismissed New York City Narcotics Officer was convicted of extortion. He was sentenced to 4 years in prison. According to the trial transcript, the officer and six members of his crew demanded \$6000.00 from a restaurateur. In exchange, the officers abstained from arresting the restaurateur's daughter for a narcotics offense. The restaurateur

acquiesced and paid the officers. A few months later, the officers demanded more money. At this point, the restaurateur complained to Internal Affairs. An investigation was initiated and the officer was arrested when he accepted marked money as a down payment.

In testimony before the grand jury, dismissed Officer Waverly Logan related the circumstances of a heroin arrest: “After one narcotics arrest, for example, Logan and two other officers vouchered \$200.00 and held back \$300.00 to divide among themselves. Later, Logan said, he discovered that one of the other arresting officers had pocketed still another \$500.00, which he had seized during the arrest. After another arrest during which Logan had scored \$200.00, he watched from there precinct house window as another patrolman and a sergeant from his squad searched a suspect’s car. The sergeant took a black fur coat from the trunk of the car and hid it in his own, while the patrolman walked away with a stereo tape device and several tape cassettes. Other situations described by Logan indicate that theft by police of furnishings and other personal property from premises where a narcotics raid had taken place were not uncommon.⁵

Dismissed Officer Edward Droge defined and explained “padding” to the Knapp Commission. According to Mr. Droge, many street level narcotics traffickers only keep misdemeanor quantities of narcotics on their person. When encountering such a trafficker, Mr. Droge indicated that an officer might add some narcotics from his own “stash” to increase the violation to felony status.

The Knapp Commission also uncovered instances of narcotics trafficking by the officers themselves: “Several policemen have been investigated and prosecuted in the past 3 years for their involvement in large scale narcotics businesses. In the case of one officer who was

convicted for selling narcotics, it was clear from the evidence that during the period covered by the charges, from the summer of 1970 to December 1970 he had been a wholesaler of substantial amounts of cocaine. The conviction was obtained largely through the cooperation of another arrested former officer, who several occasions had acted as a distributor for him. The evidence included a secretly recorded conversation in which the defendant discussed the possible effects of his distributor's arrest on his cocaine operation, the possibility of fixing the colleague's case, and the desirability of killing the informant who was responsible for the arrest.⁶

The Los Angeles Police Department Ramparts Division Scandal

Just as narcotics were having a tremendous negative effect on American society as a whole, they had affected law enforcement in a similar adverse manner. Many police officers throughout the country had fallen victim to the temptations associated with narcotics trafficking. This was true of the New York City Police Department, and it would be true of the Los Angeles Police Department, which had a reputation in the 1990's as the most professional local law enforcement agency in the United States. However, that reputation would be soiled with the revelations surrounding the arrest of Police Officer Carlos Perez.

Disgraced former officer turned informant Rafael Perez has told investigators that an organized criminal subculture thrived within the Los Angeles Police Department, where a secret fraternity of anti-gang officers and supervisors committed crimes and celebrated shootings by awarding plaques to officers who wounded or killed people.

The more than 30 current and former Rampart Division CRASH officers who were "in the loop," including at least three sergeants, conspired to put innocent people in jail and to cover up unjustified shootings and beatings, according to transcripts of Perez's interviews with LAPD detectives and Los Angeles County deputy district attorneys, copies of which have been obtained by The Times.

The nearly 2,000 pages of transcripts, covering months of interviews with Perez, coupled with hundreds of other official investigative documents obtained by The Times, portray a police scandal far more serious than officials have previously disclosed.

More than 70 LAPD officers are under investigation for either committing crimes or knowing about them and helping to cover them up, according to one document produced by members of a special task force probing the scandal. Perez has told police and prosecutors about a string of potentially unjustified police shootings, including one in which he witnessed an officer place a gun on a dying suspect and listened to a supervisor delay an ambulance so that the officers could concoct a story to justify their shooting of the unarmed 21-year-old man. In another, Perez describes his fellow CRASH officers as sneaking up and opening fire on two New Year's Eve revelers who were shooting guns into the air but posed no direct threat to the police.

Perez said some officers specialized in certain kinds of misconduct. One officer liked "to thump people," he told investigators; another planted guns on suspects, while another--known as the "Candyman"--liked to put rock cocaine on his unsuspecting victims. Sometimes, Perez alleged, officers orchestrated the deportation of illegal immigrants who witnessed police abuses and could have testified on the victims' behalf.

"I'm going to make a very broad statement. And you're not going to like it," Perez told authorities two days after agreeing to a plea bargain on drug theft charges. "I would say that 90% of the officers who work CRASH, and not just Rampart CRASH, falsify a lot of information. They put cases on people . . . it hurts me to say it, but there's a lot of crooked stuff going on in the LAPD."

But although investigators believe they have corroborated many of Perez's admissions and allegations, and though dozens of criminal convictions have been overturned based largely on his word, the ex-officer-turned-informant has failed a polygraph test, The Times has learned.

"I answered every question truthfully. I know I didn't lie," an agitated Perez told investigators on Jan. 26, the same day that

criminal convictions have been overturned based largely on his word, the ex-officer-turned-informant has failed a polygraph test, The Times has learned.

"I answered every question truthfully. I know I didn't lie," an agitated Perez told investigators on Jan. 26, the same day that LAPD Chief Bernard C. Parks told reporters that investigators had no reason to doubt Perez.

"You can blame me for everything else, all of the things that have happened in CRASH. . . . The crimes that I've committed. Those are my fault, and I'm paying every day," Perez told investigators. "But those polygraphs are not my fault."

The former Marine and macho street cop added that he was suffering from a bleeding ulcer, stemming from the stress of informing on corrupt officers, who once were his comrades and accomplices.

"I'm dying from the inside out," Perez said.

Credibility Is an Issue

Perez's failure to pass the lie detector test could jeopardize his plea bargain, in which he is expected to receive a reduced prison sentence for stealing 8 pounds of cocaine from the LAPD in exchange for his cooperation with the corruption investigation. The poor results also could undermine Perez's credibility as a potential witness against other officers.

Many experts, however, say that polygraph tests are an unreliable gauge of a person's truthfulness. And they are not admissible as evidence in court. Nonetheless, officers who have been implicated in the scandal are certain to seize upon the development as evidence that Perez has exaggerated, even made up, stories of police misconduct.

Sources close to the investigation, though troubled by the results, still believe that Perez is telling the truth. One source close to the investigation said Perez, who is anxious and stressed because he fears retaliation, is a poor test subject. A defense expert has suggested that the test was improperly administered, the source said.

In some cases, Perez's statements registered as untruthful even though investigators independently determined that they were accurate.

Moreover, a second officer who has been relieved of duty in connection with the scandal corroborated key elements of Perez's allegations of beatings, evidence planting, false arrests and unjustified shootings in an interview with The Times last month.

LAPD officials are so convinced that illegal activity plagued the Rampart Division, west of downtown, that they believe criminal charges should have been filed weeks ago against two current and one former officer.

That belief has been fueled by the personal story revealed over the weeks of interrogation that Perez has undergone by police

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During about 50 hours of interviews with investigators, Perez paints a vivid picture of his personal journey from gung-ho rookie to corrupt cop. He talks about the first time he stole money from a suspect, and his first foray into drug dealing. In that 1997 case, Perez said, he and his partner, Nino Durden, found a plastic bag containing a pound of powder cocaine on a suspect and seized it.

"We keep that. We didn't book it," Perez told Deputy Dist. Atty. Richard Rosenthal, one of the task force prosecutors.

Back at the station, the suspect's pager--which the officers had confiscated--went off. Perez said he called the number, pretending to be an associate of the dealer--a common police ploy in which officers set up the deal and then arrest the would-be buyer.

In this case, the caller wanted a quarter of a pound of cocaine. Perez said that he made the arrangements and that he and Durden hopped in their undercover black Thunderbird to go make the arrest.

But, according to Perez, "when we first got there, Durden said, 'Screw it. Let's just sell to him.' And I completely agreed."

The partners kept the dealer's pager and executed two more deals, netting about \$10,000, Perez said, adding that they hid the drugs in a green Igloo cooler in the cot room at the Rampart station.

What ensued, Perez said, was an orgy of corruption in which the partners seemingly broke the law as frequently as they enforced it. They didn't even trust one another, according to the testimony. When they were shaking down suspects, Perez was suspicious that Durden was keeping more than half the money. "In other words, he was skimming off the top of what we were supposed to skim," Perez told investigators.

Perez said Durden initially did not know that he was stealing kilos of cocaine from department evidence facilities, but that his partner was envious when he found out.

"I want in on it," Perez quoted Durden as saying. "Hook me up."

Lawlessness Is Described

But Perez didn't talk about just himself and his former partner. He described a CRASH unit run amok in which officers shot a

suspect repeatedly with a bean bag shotgun for sport and laughed at the resulting injuries. On another occasion, he said, someone slashed the tire of a fellow officer's car. The officer and his partner found a gang member they believed was responsible, stripped him naked and dropped him in rival gang territory.

Perez told investigators that Durden once "outed" a confidential informant in front of his fellow gang members, almost certainly earning the man a beating, if not worse. In one mass frame-up, he alleged, CRASH officers roused a party and ordered several dozen gang members to their knees. He said Officer Brian Hewitt, who has since been fired from the LAPD for a station house beating for which he may be criminally charged, marched back and forth, randomly pointing at gang members and instructing fellow officers which false charges each would face. After finding a gun on the ground, he told an officer to handcuff Rafael Zambrano, to whom Hewitt allegedly said: "Lil' Man, you're through. . . . I'm gonna violate your probation." Hewitt then allegedly turned to another gang member called "Laughing Boy" and said, "You're lucky that I didn't see you before I saw Lil' Man, otherwise I'd be taking you to jail.' "

These practices were accepted--and protected--by those LAPD officers and supervisors "in the loop," Perez has told investigators. Protecting those secrets, Perez said, meant having a willingness to "take it to the box."

Det. Michael Hohan, a corruption task force investigator, asked Perez in the Sept. 17, 1999, interview, "What's the meaning of 'take it to the box?'" "

The officer responded: "Take it to the box is saying that I don't care if Officer Perez gets arrested, he will never get in front of a D.A. and in front of an Internal Affairs [Division] supervisor and say this guy did this and this guy did that.

"And you know why he wouldn't do it? 'Cause he's been right there with us. He's done it all before. He's right there--you see what I'm saying?" Perez asked, seemingly oblivious to the irony of his current situation.

At Rampart CRASH, where the motto was "we intimidate those who intimidate others," Perez said an officer learns very quickly that he is expected to fall in with the rest of his colleagues. In fact, even to join the unit, a person has to be personally "sponsored," or voted in, by the other officers.

"We have a round table and we discuss this person," Perez said. "We talk to people who he's worked with and find out the type of person he is."

Once he is in the unit, all eyes are on the newcomer as the rest

of the group determines whether he is trustworthy enough to be "in the loop," Perez said. Female officers, he told investigators, generally could not be trusted. He referred to one partner as a "weaker link" because she was female.

Perez added that CRASH cops who were regarded by colleagues as "solid" or "stand-up" guys were not the ones who were by-the-book officers. Rather, he said, they were officers who would be willing to perjure themselves, plant evidence and fabricate probable cause for searches to put gang members and other presumed criminals in jail.

Several Rampart sergeants condoned, even participated, in the framing of innocent people, Perez told investigators.

"Before I arrived at Rampart CRASH, I never put a gun on a person. Never," Perez told investigators. "When you get to Rampart CRASH, this is something that you're taught. This is how it goes."

That sort of lawless policing produced big results for Rampart CRASH. Officers brought suspects in by the carloads, Perez said.

In one interview with Perez, LAPD Sgt. Luis Segura seemed incredulous that officers would be able to haul in so many arrestees on trumped-up drug charges without supervisors scrutinizing their reports.

"I mean, it seems to me that red flags should be going off," Segura said to Perez.

"I know what you're saying," responded Perez, who lunched on pizzas during interview sessions. "All that was cared about was numbers. All they cared about was that at the end of the month was . . . how much total narcotics was brought in, how much money and how many bodies. That's all, really. That was the only concern."

Even officer-involved shootings seemed to receive relatively little scrutiny by the station's upper management. Some supervisors, Perez alleged, were in on cover-ups.

He said Rampart CRASH officers use a secret radio code that allows them to broadcast information about officer-involved shootings and other matters without alerting fellow patrol officers in the division and command officers.

The clandestine code, Perez said, is particularly useful when an unjustified shooting needed to be covered up.

"Here's how we were trained when I got to CRASH," Perez said. "If there's an officer-involved shooting, no one, but absolutely no one--not the lieutenant, not the captain-- . . . [is allowed to] come into the scene. You create some kind of diversion, something. 'Sir, we still got suspects running. Stay here for a second. We've got officers searching.'

"And what's really going on is they're discussing what's going on. Whoever's involved in the shooting, directly involved shooter-wise, will talk to the supervisor and they will figure everything out. The game plan."

Responded Rosenthal, the prosecutor: "And you're saying you learned this when you joined CRASH?"

Perez said: "This I learned when I joined CRASH."

"If we need to add something to the story to make it look a little bit better, that's what we do," Perez added. "If we need to correct something--then and there before we have the officer-involved shooting team, lieutenants and captains and everybody showing up--we fix it and correct it right there. And we always say that once we come up with a story, that's the story. That is it. You never change it. That's it no matter what."

Details of Cover-Ups

Perez said he helped cover up three unjustified shootings in 1996. The first was a shooting early Jan. 1 in which officers fired at several unsuspecting New Year's Eve revelers who were firing guns into the air about midnight. Perez said he helped collect the officers' expended shell casings so there was no evidence of the shooting, but had to put them back when officers discovered that they had wounded two men. A cover story was quickly conceived, he said, in which officers would say the men were pointing their weapons at police when, in fact, they weren't. In the second alleged cover-up, Perez said he witnessed officers place a gun next to a 21-year-old man whom they shot. As Juan Saldana bled to death, officers intentionally delayed summoning an ambulance as they huddled with a supervisor to concoct a scenario that justified the shooting, Perez alleged. That supervisor was Sgt. Edward Ortiz, the man one LAPD official has said was "quarterbacking" cover-ups in Rampart.

Perez was one of the triggermen in the third and most widely known cover-up since the scandal broke. In that case, Perez alleged that he and Durden shot an unarmed man and planted a gun on him. They then perjured themselves to send Javier Francisco Ovando to prison for 23 years. As a result of Perez's disclosures, Ovando was freed from prison in September.

Such shootings did not trouble Rampart CRASH officers, Perez told investigators. In fact, he said they were celebrated. The officers gathered and drank beer and talked about their misdeeds, he said, even handing out awards.

"Uh, the plaque that you probably saw in my house . . . you know what that plaque is even about? That CRASH plaque with . . .

a red heart and two bullets in it?" Perez asked the investigators. "Sgt. [George] Hoopes gave me that plaque for the Ovando shooting. That's what that is. We give plaques [of playing cards] out when you get involved in shootings. Uh, if the guy dies, the card is a black number two. If he stays alive, it's a red number two."

"Is it more prestigious to get one that is black than red?" asked Det. Mark Thompson.

"Yeah. I mean, you know, the black one signifies that a guy died," Perez said.

Anecdotal Evidence

Although Perez spoke in detail about the alleged crimes and misconduct of his fellow Rampart officers, he offered mostly anecdotal evidence of wrongdoing by officers outside the division.

Perez said he and other cops would trade war stories at the Short Stop bar on Sunset Boulevard or at "the benches" at the police academy across from Dodger Stadium.

"You know, 77th CRASH and Rampart CRASH get into a shooting. . . . We talk about how things went down. How they really went down and how they were fixed up," he said.

Perez told investigators that there were "so many incidents" that he could not remember them all.

"What I'm saying is specialized [LAPD] units need to be looked at, because there is--and believe me when I tell you, if there was 15 officers in CRASH, 13 of them were putting cases on people," Perez said.

"When you say 'putting cases on people' do you mean manufacturing probable cause, or do you mean actually, in essence, framing somebody who did not do something, for a crime?" one task force member asked.

"Both," Perez said. "Both."

Perez said his suspicions about what went on in the 77th Division CRASH unit were heightened upon the arrival of Durden, who transferred from that unit to Rampart a few years ago.

"When he came up to Rampart CRASH, he was talking the talk from the get-go. I mean, he was talking like he knows everything that goes on.⁷

Aided by Officer Perez's revelations, scores of guilty verdicts were reversed. Many of Officer Perez's former colleagues were fired, indicted, and sent to trial for the transgressions described by Officer Perez. As with many hideous episodes of Police Corruption, federal intervention was demanded by many segments of the Los Angeles Community. Although laboring under the yoke of a Federal Consent Decree, The Los Angeles Police Department managed to avoid the most serious catastrophe, a FBI Investigation.

The Corrupt Custom and Culture of the FBI

Like the custom and cultures of local law enforcement agencies that it revels in investigating, the FBI has a custom and culture that smells of corruption.

"Dale Brown was a poster boy for the American dream, an athletic former Eagle Scout whose start-up company near the Johnson Space Center outside Houston hustled contracts with NASA.

Brown worked seven days a week, 18 hours a day getting his company started in the late 1980s, trying to pair clients and their promising technologies with niches in the billion-dollar needs of the U.S. space program.

Like most small companies, Brown's Terraspace Technologies Inc. sometimes struggled to make ends meet. A man who bragged about his Mississippi roots and his ability to make things happen promised to change that in 1992. John Clifford told Brown he had developed a product that NASA might use and he was prepared to spend big money to get it noticed.

It was called a miniature lithotripter, an ultrasound device whose technology might one day be used to improve the medical monitoring of astronauts in space.

Brown checked out Clifford and his companies with Dunn & Bradstreet, the Better Business Bureau and the banks that worked with him. All gave the Mississippi man a thumbs-up.

"I came to believe this guy was our savior, our knight in shining armor," Brown said.

Brown, though, was wrong.

John Clifford was actually Hal Francis, an agent for the FBI. His new device was phony, though legitimate companies had agreed to help the FBI by pretending to manufacture it. It was part of

an FBI sting operation aimed at trapping Brown and several others who worked in the space program or on its periphery.

Francis and dozens of other federal agents and prosecutors had set their sights much higher: Key employees at NASA and a few of its contractors were suspected of giving and taking bribes, but the feds had failed to snare these high-placed managers.

Millions already had been spent on Operation Lightning Strike, including enormous bills for luxury hotel suites, gourmet meals, deep-sea fishing trips and booze-filled nights at Houston strip clubs. Federal agents needed something to show for their effort. So they went to work trying to lure minor space agency players into doing something illegal. Brown would be one of these consolation prizes.

It was a scenario similar to dozens of other failed government stings that the Pittsburgh Post-Gazette uncovered in a two-year investigation of federal law enforcement officers' misconduct.

Brown, now 38, eventually was charged with 21 counts of mail fraud and one count of bribery. After a jury deadlocked, all charges were dismissed, but the price of fighting for his innocence proved costly. Brown lost his business, his savings, his fiancée, his health and his belief in the American dream.

Not an isolated case

Brown was in good company.

The other 14 targets in Operation Lightning Strike were also college graduates. Most had families. Only one had previously been the target of a criminal investigation.

In 1994, two years into the government sting, federal prosecutors charged each with violating federal laws. Several of the cases started with the lithotripter. The government contended that Brown knew the device was phony, and thus every act he performed in trying to win a NASA contract for it constituted a crime, but that argument eventually self-destructed in court.

**Dale Brown discusses his
interrogation by federal agents.
Brown said he was not allowed to
call his lawyer during the
questioning, which was done in a**

Houston, Texas, warehouse. He fought a bribery charge leveled against him and won, but he lost his business in the process. (Darrell Sapp/Post-Gazette)

Brown produced a picture of the prototype he took while visiting a firm that would supposedly manufacture the lithotripter. Francis showed Brown the device to assure him it was real, and he didn't know Brown had taken the picture.

Francis cajoled other sting targets into situations that would bring criminal charges, even though several said they couldn't imagine that what they were doing might be construed as a crime.

All but two of the 15 suspects were coerced into quickly pleading guilty. Federal agents assured them that fighting the charges in court would result in long prison terms, huge fines and prolonged humiliation for their families.

The physical and psychological toll of "Operation Lightning Strike" was great. Seven small companies employing more than 100 people went bust. Three of those arrested had nervous breakdowns. One attempted suicide. Others experienced health problems that ranged from heart attacks to strokes.

"The government agents intentionally and methodically drove our companies and personal bank accounts to zero and drove our reputation to ruin," Brown said.

Court documents show the misconduct in this case originated with the government, not the people the government had charged, nor was Operation Lightning Strike an isolated case of a sting gone bad.

Time and again, the Post-Gazette found poorly executed government stings that followed a similar pattern:

- Federal agents took aim at wrong-doing in high places and spent large sums of money pursuing it. When they failed to snare their high-ranking targets, they scrambled to charge minor characters, often people with financial problems, by enticing them into actions that might be construed as violations of the law.
- Federal agents often used former criminals to pursue their quarry, promising con artists, dope smugglers and perjurers money, freedom and reduced prison sentences to help nab the targets of a sting.
- Because the charges were often flimsy or based on lies, government agents worked hard to elicit guilty pleas. They would threaten defendants and their families with adverse publicity or long trials that would deplete their bank accounts.

Plea bargains had another advantage: Once a defendant pleaded guilty, federal agents weren't required to reveal their evidence or their tactics.

That's what almost happened in "Operation Lightning Strike." The 15 people charged were told they faced decades in prison and hundreds of thousands of dollars in fines for their crimes.

They were promised that guilty pleas would bring leniency. Of the 13 who pleaded guilty, 11 got only probation. One man served five months in prison; another served two months.

Brown was the first to plead innocent and fight the charge.⁸

FBI agents' assignments frequently necessitated establishing close relationships with underworld figures to gather information. However, occasionally the concerned agent became co-opted by the "informant."

It was May 22, 1992. FBI agent Christopher Favo was briefing his boss, Special Agent R. Lindley DeVecchio, who headed the task force trying to end Brooklyn's Colombo crime family war.

Two men loyal to the Colombo faction led by Victor J. Orena had been gunned down on a Brooklyn Street the night before, Favo announced.

DeVecchio's reaction was not what Favo expected. The man charged with stopping the violence cheered for the shootings.

"He slapped his hand on the desk and he said, 'We're going to win this thing,' " Favo would recall two years later. "And he seemed excited about it.

"He seemed like he didn't know we were the FBI. It was like a line had been blurred . . . over who we were and what this was. . . . He was compromised. He had lost track of who he was."

The Post-Gazette's two-year investigation found that federal agents are often placed in positions where they can lose track and end up compromised.

Agents sometimes must make deals with the devil — criminal informants — to fight crime. The temptations to become partners with these criminals can be great. And the safeguards to prevent their defections are few.

Questionable ally

No one mentioned Gregory Scarpa Sr. by name when Favio and DeVecchio talked that morning.

Scarpa, a gangster who's lust for murder earned him the nickname "Killing Machine" in New York's tabloids, had sided with the Carmine Persico faction against Orena in the bloody Colombo crime family fight.

But Scarpa was also a government informant — common in federal law enforcement. Agents use them to get inside information about criminal conduct. Sometimes these informants are paid money. Sometimes their reward is leniency if they happen to be facing a prison term.

For three decades, Scarpa had been an informant for the FBI. His relationship with DeVecchio, which lasted at least a decade, went beyond any accepted FBI practice, fellow agents have testified.

DeVecchio not only ignored Scarpa's day-to-day criminal activities, he was accused of assisting in the Mafia killer's success.

Accusations against DeVecchio, made in sworn statements by other FBI agents, cooperating FBI witnesses, government documents and court testimony, include:

The late Gregory Scarpa Sr., shown here in a 1992 photograph, had longtime ties to organized crime and longtime ties to the FBI. His connections with one federal agent drew protests from within the FBI and charges that Scarpa was fed government information that he used against his mob enemies. (Newsday)

- Giving Scarpa the names of other FBI snitches, so Scarpa could put them in harm's way while shielding his own illegal operations.
- Telling Scarpa where the FBI was placing wiretaps so he could avoid them.
- Informing Scarpa of pending indictments against his associates — in one instance, allowing Scarpa to help his son disappear before the younger Scarpa could be arrested.
- Handing over the addresses of Scarpa's enemies in the Colombo crime family war so that he could track them down and kill them.
- Fabricating evidence against Orena and other Scarpa adversaries so they would be sent to prison.

DeVecchio has admitted accepting gifts from Scarpa. But he steadfastly has denied any other wrongdoing. In several recent court cases, he took the Fifth Amendment rather than discuss his relationship with Scarpa.

Yet the files and first-hand reports of other agents detailing his actions have resulted in more than a dozen New York mobsters being acquitted after juries learned the FBI had conspired with criminals to commit crimes.

Orena wasn't so lucky. He was sentenced to life in prison before the Scarpa-DeVecchio relationship was uncovered. His attorneys' efforts in getting him a new trial have so far failed.

And what of the Justice Department's probe into the actions of its rogue agent? The agency's investigation exonerated DeVecchio.

Victor Orena, shown being led into federal court in New York City in 1992, was sentenced to life in prison for crimes related to the Colombo crime family war. Federal agents and informants say FBI Special Agent R. Lindley DeVecchio helped Orena's organized crime enemy, Gregory Scarpa Sr., fabricate evidence against Orena. (Newsday)

The Post-Gazette's two-year investigation into misconduct by federal law enforcement officials found the kid glove treatment of DeVecchio is not unusual.

The Justice Department did not respond to questions the newspaper posed about concerns raised in this story.



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The Justice Department did not respond to questions the newspaper posed about concerns raised in this story."⁹

This paper uncovered other episodes of FBI misconduct:

BOSTON -- The \$400 that Joseph Salvati borrowed on the street ended up costing almost 30 years of his life.

He defied thugs with baseball bats who came to collect it for their partner, mob hit man Joseph "The Animal" Barboza. When Barboza became a government witness, he fingered Salvati as an accessory to a gang murder -- out of revenge.

For more than 30 years, the FBI hid memos showing that other men, including an informant it wanted to protect, were the real killers.

Salvati and three others were sentenced to finish their days in prison for a crime that, from the

start, the FBI had evidence they did not commit.

"At the beginning, I was mad -- I was real mad," Salvati, now 69, said in a recent interview.

Salvati, a truck driver and father of four from Boston's Italian North End, tried to accept what he thought he could not change.

"You try to put it out of your mind as much as possible," he says. "You do your time one day at a time."

And so he did -- almost 11,000 of them. But he kept gently proclaiming his innocence until his sentence was finally commuted in 1997 after evidence of the FBI's misconduct surfaced in a mob case.

Two of the others who were wrongly convicted died in prison, and the fourth was released just last year.

Even now, Salvati's wife, Marie, sobs when she talks about what her family went through. "I feel like I never healed from it," she said.

She and the children, who were ages 4 to 11 when their father was sent away, did time too, in their own ways.

Each week, Salvati and his wife exchanged greeting cards. She kept his on the television set, always at hand.

One day, he hinted that she should leave him, move on with her life. "She said, 'For better or for worse -- that's it,' " he remembers.

At school, classmates mocked the children of a convict. But they visited their father regularly with their mother, always asking when he could come home.

Then, one day, they stopped asking. That hurt Salvati more than the questions.

These days, he hopes for an FBI apology and mulls a lawsuit against the government.

"The bottom line is: They just don't care," he says.

Others who were wrongly jailed or who were victimized by crimes committed by FBI informants have already sued, their claims against the government exceeding \$1 billion. For some, it is too late.

Citing criminal and civil liability, FBI headquarters declined to comment on past wrongdoing in the informant program. But Louis Freeh, then FBI director, publicly admitted in 1999 to "significant mistakes."¹⁰

ALEXANDRIA, Va. - FBI veteran Robert Hanssen pleaded guilty Friday to charges of betraying his country to Moscow. He agreed to cooperate with the FBI to avoid the death penalty.

Although Hanssen is expected to receive life in prison, U.S. District Judge Claude Hilton might not sentence Hanssen until early next year.¹¹

The FBI suffered yet another humiliation last week with the indictment of its own informant, short seller Anthony Elgindy. The federal indictment revealed that corrupt FBI agents sold

sensitive, privileged information from law enforcement databases about pending investigations to Elgindy, who traded on the information before it became public, making huge profits.

According to the indictment, which makes for fascinating reading, two special agents, Jeffery Royer and Lynn Wingate, took nearly thirty thousand dollars in bribes from Elgindy and his associates in 2000 and early 2001, in exchange for information "from the FBI's National Crime Information Center database ("NCIC"), which contained confidential criminal history information, and the FBI's Automated Case Support database ("ACS"), which contained confidential criminal investigation information."

In addition, Elgindy, the founder of a market research firm called Pacific Investigations, acting as an informant, tipped off the feds about negative information unearthed by his research. He then profited by trading ahead of news of the criminal investigations he initiated.

Again, from the indictment: "The defendants AMR I. ELGINDY and TROY PETERS, together with others, sometimes reported negative information about the Targeted Companies to the U.S. Securities and Exchange Commission ("SEC") and the Federal Bureau of Investigation ("FBI") in order to initiate or hasten regulatory and law enforcement action, which they knew would cause the stock prices to fall sharply once such action became public."

The federal securities laws have always been dubious, even when honestly enforced. But now we find that the federal stock police themselves have been manipulating the market by trading ahead of news of their own investigations. Talk about insider trading! Keep this government crime in mind next time some SEC bureaucrat accuses a private trader or businessman of securities fraud or manipulating the market.

Perhaps it isn't right to hold the entire FBI responsible.¹²

There were also retired FBI Agents like M. Wesley Swearingen who revealed that breaking the law was the bureau standard operating procedure during his career with the bureau. "Wes Swearingen served as an FBI agent from 1951 until he retired in 1977. During that period he perpetrated or witnessed numerous violations of law by FBI agents and their operatives, heard revealing statements by other agents about their illegal activities, and read files which documented violations of the rights of American citizens.

The activities of FBI agents and their "informers" include warrantless break-ins, theft, fraud, kidnapping, perjury, fabrication of evidence, suborning of witness perjury, and murder. The targets were political dissidents: anyone FBI agents didn't like.

Swearingen details how members of the Black Panthers were murdered by FBI operatives, another was framed for a murder he didn't commit, and still others were prosecuted on trumped up charges.

He does not mention anything about the deaths of John or Robert Kennedy or Martin Luther King, but he describes an agency so deeply involved in criminal activity of every kind as to be capable of causing the deaths of those men and others who have died under mysterious circumstances.

He describes various files on political dissidents, called the "Security Index" and the "Reserve Index", which eventually included about 500,000 names, and which were the persons to be arrested without warrant and taken to detention areas in the event of a national security emergency. For those who are inclined to dismiss such concerns as paranoid, here is supporting evidence, notwithstanding the repeal of authorizing legislation in 1971, which would not stop people like these.

Swearingen provides an insider's view of the COINTELPRO program of suppression of political dissidents, but also tells us that the program continues to this day under another name, apparently without a paper trail.

He paints a picture of an agency riddled with corruption, incompetence, and inefficiency, composed of men who may have once been patriots, but who have been reduced to common criminals, whose crime fighting activities are limited at best and largely for show, with political repression being the primary mission.¹³

The famed FBI Forensic Laboratory was also revealed to be a repository of perjury and incompetence. "**WASHINGTON** - More than six years after the FBI crime laboratory was rocked by controversy, the Justice Department has identified about 3,000 criminal cases that could have been affected by flawed science and skewed testimony.

It is letting prosecutors decide whether to tell defendants about the problems.

Government officials told The Associated Press they are aware of between 100 and 150 cases in which prosecutors have alerted defendants of problems they concluded were material to verdicts. None has resulted in overturned convictions, they said.

One of those cases already has reached the Florida Supreme Court, which ruled earlier this month that convicted murderer George Trepal was not entitled to a new trial despite evidence the FBI's chief toxicology chemist gave inaccurate testimony.

The identification of cases and prosecutorial reviews are the final stages of a scandal that shook the FBI during the mid-1990s when a senior chemist at the famed crime lab went public with allegations of shoddy work, tainted evidence and skewed testimony.

A Justice Department internal investigation concluded in 1997 that 13 lab technicians made scientific errors in cases or slanted testimony to help prosecutors. Several were reprimanded, but none was fired or prosecuted.

FBI and Justice officials say they continue to review cases handled by those technicians to determine if there are problems that could have affected verdicts. But they say the lab today is much different after a series of changes designed to ensure scientific and forensic analyses are subjected to checks and balances.

"I had confidence in the results of FBI laboratory exams even prior to 1998, but today my confidence level is even higher after the quality review process we have implemented," FBI lab director Dwight Adams said in a recent interview.

Those changes, Adams said, include a requirement that all lab examiners' work be reviewed first by another technician with the same expertise, then by a supervisor. In addition, the lab has earned and maintained accreditation from the scientific community every year since 1998, and it just moved into a new 500,000-square-foot, state-of-the-art complex.

Despite the changes, some criminal defense lawyers are concerned by the Justice Department's decision to let federal, state and local prosecutors decide whether to notify defendants of problems.

"That's like asking the fox to guard the hen house," said former federal prosecutor Neal Sonnett. He is past president of the National Association of Criminal Defense Lawyers and past chairman of the American Bar Association's criminal justice section.

"If there is a possibility that evidence has been tainted, then the Department of Justice or prosecutors should not be the arbiter of whether it's material," Sonnett said.

"The Department of Justice ought to err on the side of caution. It should be the defense attorney who makes a decision whether it's worth filing a motion with the court and then a decision made by an impartial arbiter, not an advocate for the other side."

Bruce Yannett, a former federal prosecutor, said the government's approach in the lab matter complies with the Supreme Court's landmark ruling in *Brady v. Maryland* that defendants are entitled to know every piece of material information affecting their case.

"This is consistent with the way these sort of Brady disclosures are typically handled," Yannett said. "Prosecutors make the decision whether evidence is material and should be provided to the defense."

The head of a group that represents government whistle-blowers urged the Justice Department to divulge the problems to all affected defendants, regardless of the technical requirements of the Brady ruling.

"In this process, if you are going to do it honestly, you have to make it transparent and provide it to everyone," said Kris Kolesnik, executive director of the National Whistleblower Center. As a Senate investigator, he was instrumental in uncovering some of the lab's problems.

Kolesnik said he also was disappointed the Justice inspector general's office has not done more to highlight the number of affected cases as they grew. "We haven't heard peep from the Justice Department or the inspector general as that number rose from the original 55 cases that were identified," he said.

The FBI lab's woes came to light in the mid-1990s after FBI chemist Frederic Whitehurst went public with allegations of wrongdoing and shoddy work at the lab.

The inspector general conducted an 18-month internal investigation that concluded 13 lab technicians had performed flawed scientific analysis or provided inaccurate, pro-prosecution testimony in cases, including the 1995 Oklahoma City bombing and the 1993 World Trade Center terror attack.

The Justice Department subsequently created a task force of lawyers to review all work handled by those lab analysts and identified about 3,000 cases that could have been affected by shoddy work. About one-third are federal cases; the rest are state and local, officials said.

Adams, the current lab director, said the large number of cases isn't necessarily alarming for a facility with 650 employees that helps investigate more than 1,000 criminal cases a year.

"The numbers were that large because of the large number of cases we work on in this laboratory," he said.¹⁴

Finally, Attorney General John Ashcroft was forced into action. "WASHINGTON - Attorney General John Ashcroft signed an order Wednesday giving the Justice Department's Office of Inspector General automatic jurisdiction over the FBI and the Drug Enforcement Administration.

The surprise move is yet another blow for the autonomy of the embattled FBI, though Ashcroft publicly said the shift was made to promote "consistency."

The order takes the primary responsibility for investigating allegations of FBI or DEA misconduct from units in those agencies - called the Office of Professional Responsibility in both - and gives it to the Justice Department.

"This action now gives the Office of Inspector General the same authority to investigate misconduct allegations against employees of the FBI and DEA that the Office of Inspector General has with respect to all other components of the Department of Justice," Ashcroft said in a statement.

He added that the move would promote "consistency in the disposition of such allegations."

Before Wednesday's action, the inspector general's office could take jurisdiction over such allegations only if the attorney general or deputy attorney general specifically ordered it in an individual case.

The Justice Department inspector general's office is already conducting an investigation into what FBI officials did or didn't do in the period leading up to the arrest of FBI spy Robert Hanssen in February.

A department statement, released in March, said Ashcroft had requested the "thorough review" by Inspector General Glenn Fine.

Hanssen pleaded guilty last week to 15 counts of espionage and has agreed to cooperate with investigators as part of a plea bargain. In return, the former FBI counterintelligence specialist will escape the death penalty.

The FBI believes 27-year veteran Hanssen had been spying for Moscow since at least 1985 in exchange for about \$1.4 million in assets and cash.

Last month, Ashcroft ordered a separate comprehensive review of the FBI as a whole, including an evaluation from the private sector, as a first step in broadly reforming the bureau.

The review would be overseen by the department's new Strategic Management Council, which was ordered to submit recommendations by Jan. 1.

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PROCEDURES

Traditional research was used to formulate this paper. The Knapp Commission report was located at the Wayne State University Library. The findings of the Knapp Commission were reviewed to glean relevant information for this paper. In addition, the Internet was perused regarding "LAPD Ramparts Division." Also, the Internet was searched pertaining to, "FBI Misconduct", "FBI Lab Scandal," Retired FBI Agent M. Wesley Swearingen", "Attorney General John Ashcroft and FBI Misconduct," and the 1998 Pittsburgh Post- Gazette on Department of Justice Misconduct, "Win at All Costs."

RESULTS

The results of the aforementioned “Procedures” were manifold. True enough there were many sites on the Internet that appeared to be the work of extremists, and many sites were basically lacking credibility. However, many sites were very credible. Initially, my focus was to verify that the FBI was not fit to investigate “Police Corruption.” I believe that the aforementioned thesis was sustained. In researching this paper, I could not help but think of the adage, “he who lives in a glass house should not throw stones” It appeared that the FBI’s fundamental message is, “do as I say, not as I do.”

I believe the FBI’s realistic current reputation for being a agency out of control is well earned. The findings of this paper has shown that to be true. I believe that there is an inherent “reasonable doubt” factor in all FBI investigations. This paper has proved that to be a fact. I believe Attorney General Ashcroft’s decision to relieve the bureau of “Internal Affairs” responsibilities represents Mr. Ashcroft’s lack of confidence in the bureau’s investigations. If the United States Attorney General doesn’t believe in the FBI’s ability to conduct a criminal investigation with integrity, then no law enforcement entity should have faith in the FBI’s ability to conduct a thorough Police Corruption Investigation replete with integrity.

DISCUSSION

The decision by United States Attorney John Ashcroft to relieve the FBI of “Internal Affairs” duties should be a clue that a FBI Investigation should not be the answer for a law enforcement agency attempting Police Corruption Investigations. The custom and culture of the FBI has been shown to be arguably the most corrupt of any law enforcement agency in the United States. The FBI appeared to have a critical flaw. That flaw is that justice is not the objective of a FBI Investigation. This paper has shown that the primary focus of any FBI Investigation is a conviction. It’s understandable that allegations of Police Corruption may cause knee jerk reactions of request for FBI intervention from a concerned community. However, it must be understood that such a reaction is the result of the FBI myth, not the law enforcement reality. A FBI Investigation does not guarantee thoroughness and accuracy. A FBI Investigation guarantees headlines and glory for the FBI, and concurrently shame and guilt for the investigated agency. It must be remembered that integrity must be the main ingredient in all criminal investigations, not the missing ingredient as exemplified by many FBI Investigations.

. RECOMMENDATION

Perhaps, local law enforcement agencies and executives should request or lobby for the intervention of the Department of Justice's Inspector General as Attorney General John Ashcroft did for federal law enforcement in general and the FBI in particular. However, the intervention of the Department of Justice Inspector General in local cases of Police Corruption is unlikely, and would require congressional legislation mandating such intervention. After researching the misdeeds and shenanigans of the FBI, this paper views any type of federal intervention as anathema. Because it appears that federal law enforcement agencies have traditionally lacked minimum oversight, more federal intervention may mean more abuses of the rights guaranteed by the United States Constitution.

This paper has found that the best course of action for local law enforcement regarding allegations of Police Corruption is an investigation carried out by local law enforcement. This may mean ensuring that a Police Corruption Investigation is completed with integrity and professionalism, but so be it. This may mean dedicating scarce resources to Police Corruption Investigations, but the concerned agency cannot afford not to dedicate the necessary resources to Police Corruption Investigations. Allowing the FBI carte blanche in Police Corruption Investigations is too much akin to allowing a fox to have the keys to the henhouse.

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