Profile of Police Officers Convited of Bribery

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The purpose of this research was to identify the basic elements of the profiles of police officers based on court decisions rendered in criminal cases involving bribery, and to determine which police units are characterised by a greater risk of corruption, and which problems should be considered when selecting measures to protect police integrity. The research analysed 23 court proceedings within which 40 employees of the Ministry of the Interior were found guilty of committing bribery in the period from 1 January 2010 to 1 January 2015. Results indicate that the majority of those convicted of taking bribes are male with secondary education qualifications working as police officers, who are not in management positions, in the Border Police or Traffic Police Directorates, and their median age is 33.92. On average, the largest bribes were taken by police officers from the criminal police. Results also reveal the fundamental elements of the profile of a corrupt police officer and point to problems related to enhancing police integrity, which should be considered when drafting a strategy for the combatting police corruption. This research can serve as a basis for future studies, the results of which may be used for conducting a comparative analysis, as well as for outlining criminal and legal responses of states concerning police corruption.

Keywords: bribery, police, court decisions, strategy for the fight against corruption, Serbia

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1 Introduction

Corruption is commonly defined as the abuse of entrusted power for private gain (Transparency International, 2016). Police corruption corresponds to 'deviant, dishonest, improper, unethical or criminal behaviour by a police officer' (Roebuck & Barker, 1974, in Newburn, 1999: 5), and has also been described as "profit-motivated misconduct" (National Research Council, 2004: 268) of police officers.

It is extremely complicated to study corruption in general (Treisman, 2000: 438) or to analyse police corruption in a direct, quantitative and empirical manner. Most cases of corruption are never reported or recorded, while the official data on corruption are, at their best, regarded as the measures of a police agency's anti-corruption activity and not as the "actual level of corruption" (Klockars & Kutnjak Ivković, 2003: 2; Meyer, Steyn, & Gopal, 2013: 143–144). The problems faced by those who study corruption are numerous, mainly due to the fact that police officers and their chiefs reluctantly partici-

pate in such research, do not provide accurate data on corruption within their ranks, or give socially acceptable answers to such questions. In other words, respondents show "a general unwillingness to devote time to anything that is not an 'official' request for information" (Prenzler & Ronken, 2003: 157).

The largest number of cases involving police corruption investigations is based on polls conducted among police officers or citizens who are asked to share their experiences or (direct or indirect) knowledge about this phenomenon. However, data about corruption in general, as well as about police corruption in particular, are based on perceptions, impressions and judgments of respondents, and can thus hardly be considered as completely reliable sources, since they can be influenced by respondents' attitudes, prejudice and bias (Kaufmann, Kraay, & Mastruzzi, 2010: 18). The media, traditional stereotypes and political orientations can influence the perceptions of respondents and consequently affect the final outcome of the research (Ruhl, 2011: 37).

The aim of this paper is to provide an overview of police corruption through the analysis of court verdicts. The questions which arise is what can be learned about police corruption through the analysis of court verdicts? To which extent can a profile of a police officer be devised on the basis of the examination of convicting verdicts? It is undisputable that a small number of police officers prone to corruption actually appear in court, and an even smaller number of are convicted. Furthermore, it is undisputable that a court verdict is an ob-

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jective parameter, which is worth observing. The analysis of court verdicts is a neglected source of data in investigating police corruption and detecting certain aspects that are typical regarding the profile of a corrupt police officer. Apart from the fact that analysis of court verdicts can help in obtaining an overview of a sentenced police officer's profile, it is also significant in researching the specificities of the process of proving police corruption, which is the subject of another study by the above mentioned authors.

This paper consists of several parts. After the introduction, a short overview of the literature is presented, followed by an overview of the methodology which served as the basis for conducting the research of court verdicts pronounced against police officers for bribery in an Appellate Court in Serbia. The overview of research results is followed by the discussion and conclusion.

2 Literature Review

In an attempt to overcome the problem of insincerity of police officers in the scope of the research into police integrity, Klockars and Kutnjak Ivković (2003) drafted a questionnaire comprised of scenarios requesting the surveyed police officers to state whether and in which situations they observed or experienced violations of police professional integrity, and if so, to what extent. The questionnaire was used to conduct a survey among police officers in a large number of countries including Bosnia and Herzegovina (Ivković & Shelley, 2005), Croatia (Kutnjak Ivković, 2009; Kutnjak Ivković, Cajner Mraović, & Borovec, 2016), the Czech Republic (Kutnjak Ivković & Shelley, 2010), South Africa (Kutnjak Ivković & Sauerman, 2011), Armenia (Kutnjak Ivković & Khechumyan, 2013), among others. Based on the same questionnaire, police officers from different countries were surveyed, while their responses were statistically compared and analysed with the aim to compare the integrity of police officers. Another example is the study where 11 scenarios were rated by police officers from Croatia, Finland and the USA (Kutnjak Ivković, 2005). A similar method for conducting research into police integrity was used by other authors in previous papers (Schafer & Martinelli, 2008; Lobnikar, Prislan, Čuvan, & Meško, 2016).

Police integrity is essential for police work, which is why different aspects of this important concept have been studied. The research on subordinates' perceptions of police leaders' integrity, as well as its impact on transformation management, the personal engagement of employees and the positive impact on employees' moral actions should be mentioned (Šumi, Mesner–Andolšek, Pagon, & Lobnikar, 2012). The research which studies the relationship between police integrity

and community policing is also important (Ivković, Mraović, & Borovec, 2016). The same attention should also be dedicated to the research which examines security guards' attitudes regarding their trust and confidence in police officers in Slovenia (Nalla & Meško, 2015).

The code of silence is considered to be one of the most significant problems in studying police corruption (Newburn, 1999; Huberts, Lamboo, & Punch, 2003: 218). It is important to mention the works of Sanja Kutnjak Ivković (Kutnjak Ivković, 2009; Kutnjak Ivković & Sauerman, 2013; Kutnjak Ivković & Shelley, 2010) on the code of silence among police officers, which included the survey of police officers based on hypothetical scenarios.

Most of the research on corruption is related to citizens' perceptions of corruption. The most relevant and most extensive research studies include the ones conducted by Transparency International and numerous governmental and non-governmental organisations, as well as by public opinion research agencies. It is important to mention research studies which explain the impact of the perception of corruption on the willingness to report corruption. The results show that a higher perception of corruption leads to a lower willingness to report corrupt activities, which is statistically relevant for police corruption (Manzin, Šumi, Koporec Oberčkal, & Bavec, 2015).

Furthermore, it is significant to mention the so-called administrative research of police corruption based on interviews, document analysis and case-study analyses. Special attention should be paid to the reports published by the Knapp Commission (1992) and the Mollen Commission (Mollen, 1994) formed in the USA. It is also significant to mention the 2011 research conducted by the Independent Police Complaints Commission (IPCC) on citizens' attitudes regarding police corruption in England and Wales, and its influence on the general trust in the police. This research was based on the opinions of citizens and the analysis of specific cases of corruption.

The research on police corruption in the Republic of Serbia was performed by the Statistical Office of Serbia as part of a larger study on corruption in state administration bodies. In 2010, the Statistical Office of Serbia, sponsored by the UNODC, conducted a study on corruption in the territory of the Republic of Serbia, including police corruption. The results were published as *Corruption in Serbia: Bribery as experienced by the population* (United Nations Office on Drugs and Crime & the Statistical Office of Serbia, 2011). There are also non-governmental organisations dealing with the assessment of police corruption (Djordjević, 2014).

There are not many papers in the professional and scientific literature that are based on the analysis of court decisions in criminal cases involving corruption by police officers. One of the best known studies based on the analysis of court cases and verdicts was conducted by Gottschalk (2010), who performed an analysis of verdicts pronounced against police officers in Norway. The research assessed correlations between the types of criminal offences, the motives for committing an offence and the penalty imposed on police officers, and was conducted on a sample of 57 court cases (Gottschalk, 2010).

The analysis of court verdicts related to cases of police corruption is a neglected area which could be of great significance for analysing the process of proving crime, determining the profile of police officers convicted of corruption, assessing the corruption control system within the police, as well as for exploring other system-related issues and weaknesses in the anti-corruption policies of a state. In the Republic of Serbia, the Internal Control Sector may resort to an integrity test, conduct corruption risk assessments, and check the personal financial standing in order to prevent corruption (the Act on the Police, 2016; Simonović, Đurđević, & Soković, 2016: 708).

3 Methodological Framework of the Research

The research presented in this paper is based on the analysis of court verdicts pronounced against police officers for the criminal offence of bribery. The goals of the research were: 1) to determine the profile-of police officers convicted of bribery, 2) to identify services and units within the police organisation that represent a risk in terms of corruption based on the analysis of court verdicts, and 3) to identify challenges within the system which have a negative effect on the state anti-corruption policy.

Starting from the fact that previous court decisions (regardless of the fact that they do not indicate the actual degree of police corruption) represent an objective basis for researching the profile of a corrupt police officer, this paper is aimed at testing the following hypotheses:

Hypothesis 1: The analysis of court cases involving police officers convicted of corruption allows the development of a profile of processed (convicted) corrupt police officers as a subset of corrupt police officers in general.

Hypothesis 2: The analysis of court verdicts in cases of police corruption is significant for conducting a strategic risk assessment of police services and units, which represents the basis for the development and planning of further prevention measures and enhanced operative control measures.

Hypothesis 3: Based on the analyses of court verdicts pronounced against police officers convicted of corruption, an insight is gained into the determination of the state (government) to confront corruption in society and within the police (the indicators being the existence of continuing offences; the number of high-ranked police managers convicted of corruption).

Our research encompasses the entire body of case law of the Court of Appeal in Belgrade involving the cases of police officers convicted of bribery in the period from 1 January 2010, when the Court of Appeal was formed, to 1 January 2015, when the research was completed. The research was conducted from April to July, 2016.

In the territory of the Belgrade Court of Appeal's jurisdiction, there are 2,297,770 official residents, representing 32% of the total population of the Republic of Serbia (7,186,862) according to the 2011 census of the Statistical Office of Serbia.

In the sample, which was processed by the Court of Appeal, a total of 57 perpetrators were convicted of bribery. Within this number, there were 40 employees of the Ministry of the Interior included the analysis. The remaining number of convictions were concerned the accessories in the criminal offence of taking a bribe.

The convicted officers were employed in the Police Directorate. A total of 46 court verdicts were passed, including 23 first-instance verdicts and 23 second-instance verdicts. It is important to emphasise that these officers committed a total of 140 criminal offences of taking and giving a bribe, which fulfilled the conditions to be qualified as independent criminal offences (which means that 140 criminal offences were committed in total). In certain cases, the court applied the institute of a continuing offence (Stojanović, 2016: 291), as stipulated by the Criminal Code (Krivični zakonik, 2016). As a result of applying this institute, the Court grouped several criminal offences of corruption, under certain conditions, into a single criminal offence, hence the 140 independent offences of corruption were reduced to only 40 criminal offences to be proved.[4]

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[4] We find that it is necessary to mention that the prosecution, as well as the courts, have a wide interpretation of the legal institute of continuing offence, and categorise the cases, which do not always have all the necessary elements, as defined by Article 61 of the Criminal Code (Krivični zakonik, 2016). It is an even bigger problem, when several offences are treated as if they only constitute one criminal offence without even applying the institute of continuing offence. This raises a question as to why the perpetrators are met half way, in other words, why are they formally held responsible only for one, instead of several offences.

The number of cases most certainly represents a limitation to the methodology. The dark figure of crime is high, uninvestigated and unknown, which is why the number of corruption cases that were processed by the court is significantly smaller than the number of all criminal offences committed. In addition, bribery is only one of the offences within the scope of corruption, which also includes other crimes, such as the abuse of authority and trading in influence.

Apart from the aforementioned problems occurring in the research on corruption, it is necessary to indicate that surveys of police officers and citizens regarding police corruption do not represent a reliable and objective source of data, as they are based on perceptions and personal assessments of existing corruption. Hence, despite all of the aforementioned limitations, the court statistics undoubtedly represent a useful source for studying police corruption.

The profile of the perpetrator is an important and necessary segment of the police corruption risk assessment. The analysis conducted in the scope of our research focused on the following parameters: type of work, age, education, school and rank in the police hierarchy.

Data processing was performed by using descriptive statistics measures, i.e. frequency (f), percentage (%), arithmetic mean (M), standard deviation (SD) and the chi-square test (χ2) with an alpha level of 0.05 ($p \leq 0.05$).

4 Research Results

4.1 Type of Work Performed by the Perpetrator (Organisational Unit)

With respect to the type of work performed by the convicted perpetrators, it was found that 75% of criminal offences of bribery were committed by police officers from two police departments, specifically, the Border Police (42.5%) and the Traffic Police Directorate (32.5%). The remaining 25% were committed by the staff of the Police Directorate (12.5), the Criminal Investigation Directorate (10%) and the General Affairs Directorate (2.5%) (Table 1). There were no perpetrators registered in the Protection Unit, the Directorate for International Operational Police Cooperation, the Unit for the Protection of Special Persons and Affairs; Operations Centre, special police units or members of the Ministry department.

4.2 Age of the Convicted

The age of the perpetrators, which is an element constituting the profile, indicates the aspects of work experience and possible degree of professional integrity. The youngest convicted police officer in the sample was 24 years old, while the oldest was 48. The average age was 33.92 with a standard deviation of 5.97 (Table 2).

Table 1: Type of work

	N	Percent %
Police Department	5	12.5
Traffic Police Department	13	32.5
Criminal Investigation Police Department	4	10.0
Border Police Department	17	42.5
Departments for Administrative Affairs	1	2.5
Total	40	100.0

Table 2: Age of the convicted

	N	Min.	Max.	M	SD
Age of the convicted	40	24.00	48.00	33.9250	5.97167

However, in relation to the type of work performed by those convicted, there are certain differences with respect to their age (Table 3). The youngest convicted police officer in the Police Directorate was 29, while the oldest was 37, the average age being 31.20 with a standard deviation of 3.34. The oldest convicted police officer performing duties in the Criminal Investigation Directorate was 48. The highest average age was recorded precisely in this department (37.50) with a highest standard deviation (9.94).

Table 3: Age of the convicted in relation to the type of work

Directorate of the Police – type of work		N	Min.	Max.	M	SD
Police Department	Age of the convicted	5	29.00	37.00	31.2000	3.34664
Traffic Police Department	Age of the convicted	13	24.00	44.00	35.0000	6.11010
Criminal Investigation Police Department	Age of the convicted	4	24.00	48.00	37.5000	9.94987
Border Police Department	Age of the convicted	17	24.00	41.00	32.8235	5.36464
Department for Administrative Affairs	Age of the convicted	1	38.00	38.00	38.0000	0.00

4.3 Education of the Convicted

The largest number of convicted police officers, or 85% to be more precise, completed secondary school, while 15% obtained a college or university degree (Table 4).

Table 4: Education of the convicted

4.4 Position of the Convicted in the Hierarchy of their Organisational Unit

The analysis of the total sample, which does not consider the type of work performed by police officers, shows that police officers responsible for the direct performance of police tasks and powers in individual organisational units represented the largest share of convicted police officers (85%). On the other hand, operational-level managers and chiefs of individual departments were the only convicted police officers holding management positions (15%). This means that there were no convicted officers holding a middle, high and strategic rank in the management hierarchy. The number of the convicted chiefs of sections was higher than the number of convicted police officers only in the Criminal Investigation Directorate (Table 5).

Directorate of the police – type of work		N	Percent (%)
Police Department	Secondary school	3	60.0
	College	2	40.0
	Total	5	100.0
Traffic Police Department	Secondary school	12	92.3
	University	1	7.7
	Total	13	100.0
Criminal Investigation Police Department	Secondary school	1	25.0
	College	1	25.0
	University	2	50.0
	Total	4	100.0
Border Police Department	Secondary school	17	100.0
Department for Administrative Affairs	Secondary school	1	100.0

Table 5: Position of the convicted in the hierarchy in relation to the type of work

Directorate of Police – type of work		N	Percent (%)
	Police officer	3	60.0
Police Department	Chief of section	2	40.0
	Total	5	100.0
	Police officer	12	92.3
Traffic Police Department	Chief of Section	1	7.7
	Total	13	100.0
	Police officer	1	25.0
Criminal Investigation Police Department	Chief of section	3	75.0
	Total	4	100.0
Border Police Department	Police officer	17	100.0
Department of Administrative Affairs	Police officer	1	100.0

4.5 Complicity in the Criminal Offence

65% of the criminal offences of bribery analysed were committed in complicity (by co-perpetrators or accessories), while 35% were committed by a sole perpetrator (Table 6). It is necessary to mention that some court decisions indicate that the perpetrators were not only police officers (employees of the Ministry of the Interior of the Republic of Serbia), but also included natural and legal persons, whose main activity was related to the activity of police officers (for example, representatives of the Customs Administration and the Ministry of Finance, motor vehicle registration agencies).

resents 43,490.90 dinars (≈ 434.90 €) on average for action/non-action, with a standard deviation of 126,814.13 dinars (≈ 1,268.14€). The largest average sum (214,000.00 dinars ≈2,140€), as well as the largest sum in total, were taken by police officers working in the Criminal Investigation Directorate (642,000.00 dinars or ≈ 6,420€). On the other hand, police officers from the Police Directorate took the smallest sum in total (65,300.00 dinars or ≈ 653€) (Table 7).

Table 6: Complicity of the convicted

	N	Percent (%)
Accomplice	26	65.0
Single Perpetrator	14	35.0
Total	40	100.0

4.6 Sums of Money taken as a Bribe

The sums which were taken by the convicted ranged from 200 (≈ 2 €) to 600,000 dinars (≈ 6,000 €). By committing all analysed criminal offences, police officers took bribes amounting to a total of 956,800 dinars (≈ 9,568 €), which rep-

Table 7: Sums of money taken as a bribe

Directorate of Police – type of work		N	Min.	Max.	Sum	M	SD
Police Department	Sum of money taken as a bribe	5	300.00 ≈3€	25,000.00 ≈250€	65,300.00 ≈635€	13,060.000 ≈130,16€	11,981.9864 ≈119.81€
Traffic Police Department	Sum of money taken as a bribe	13	500.00 ≈5€	30,000.00 ≈300€	129,300.0 ≈1,293€	10,775.000 ≈107.75€	10,427.5095 ≈104.27€
Criminal Investigation Police Department	Sum of money taken as a bribe	4	17,000.00 ≈170€	600,000.00 ≈6,000€	642,000.0 ≈6,420€	214,000.00 ≈2,140€	334,309.736 ≈3,343.06€
Border Police Department	Sum of money taken as a bribe	17	120,000.00 ≈1,200€	120,000.00 ≈1,200€	120,000.0 ≈1,200€	120,000.00 ≈1,200€	
Department for Administrative Affairs	Sum of money taken as a bribe	1	200.00 ≈2€	200.00 ≈2€	200.00 ≈2€	200.0000 ≈2€	

4.7 The First- and the Second-Instance Verdicts

In the first-instance proceedings, all persons were convicted of bribery. However, in the second-instance proceedings, 17.5% of all verdicts were repealed, while 2.5% were reversed (Table 8).

volving chiefs of sections/commanders (66.7%). Due to the limited number of cases, the data presented above should be considered merely as a tendency and not as a normal or regular practice which could serve as a basis for drawing conclusions (Table 9).

Table 8: Second-instance proceedings

	N	Percent (%)
Confirmed	32	80.0
Repealed	7	17.5
Reversed	1	2.5
Total	40	100.0

The percentage of second-instance verdicts which confirm the first-instance verdicts varies depending on whether the convicted were police officers or chiefs of sections/commanders. There is a higher percentage of second-instance verdicts which confirm the first-instance verdicts in cases involving regular police officers (82.4%), than in cases in-

Table 9: Verdict for bribery in second-instance proceedings

Position on the hierarchy ladder		N	Percent (%)
Police Officer	Confirmed	28	82.4
	Repealed	6	17.6
	Total	34	100.0
Chief of Section	Confirmed	4	66.7
	Repealed	1	16.7
	Reversed	1	16.7
	Total	6	100.0

4.8 Continuing Offence in the Overall Sample

The fact that 57.5% of the convicted who were subject of the analysis committed a continuing offence of bribery, is an indication of a higher social threat (Table 10).

Table 10: Continuing offence

	N	Percent (%)
No	17	42.5
Yes	23	57.5
Total	40	100.0

5   Discussion

Prior to the analysis of results obtained, it is necessary to consider the problems underpinning research of corruption in the Republic of Serbia. In the Republic of Serbia, there is no system allowing for automatic tracking of criminal records from the moment they are first filed, through their processing in the scope of prosecution, and to the final verdict pronounced by the court. More precisely, there are problems related to information exchange, as well as to the record-keeping of corruption-related offences. The police keep their records according to the number of filed criminal charges and prosecutors keep data according to the number of reported persons, while court statistics are based on the number of cases. Such records are, therefore, not suitable for assessing the progress and efficiency of the criminal justice system. One of the tasks which the information system of Serbia must fulfil, is to establish a single system of reporting and tracking for each phase of case processing involving corruption and organised crime. The aforementioned problem has also been indicated in the *Progress Report for Serbia* (European Commission, 2015). Apart from that, conducting financial investigations and confiscating property in corruption cases represent another problem.

Research based on surveys indicates that 69% of citizens believe that the police are corrupt, and this impression of citizens regarding the existence of police corruption exceeds the world average which currently stands at 60% (Đorđević, 2014: 11). In order to identify the problem related to the question of which officers are under the highest risk of becoming corrupt, it is necessary to identify the elements constituting the profile of a corrupt police officer and determine the most important risk areas. The findings represent a useful basis for the planning and implementation of training activities aimed at strengthening police integrity, as well as for taking preventive and control measures in order to stop corruption.

The results of our research on the police officers who have taken a bribe found that 95% of them were male, 85% had attained secondary school qualifications, 85% work as police officers, while 75% work in the Traffic Police Directorate or the Border Police, 65% had committed criminal offences with the complicity of others, while the average age is 33.92. However, the tendency to commit a criminal offence in complicity, which can be noted in our research, should be validated on a larger sample ($p = 0.058$). The most common means of corruption was money offered and taken as a bribe.

As we have already indicated, the greatest number of police officers who were convicted of bribery, worked in the Border Police (42.5%) and the Traffic Police Directorate (32.5%). 75% of all police officers who were convicted of bribery and included in our sample come from these two departments. These results were somewhat surprising, since the Border Police has been proven to be the most corrupt, despite the fact that public opinion and survey results show that the Traffic Police Directorate is the most corrupt. The reason for this probably lies in a particular case before the Court of Appeal in which a total of 17 employees of the Border Police

were processed within a single anti-corruption action, which affected the numbers. Nevertheless, the results of our research undoubtedly highlight the existing problem of corruption in the Border and Traffic Police Directorates.

The results demonstrating that the Traffic Police Directorate is the most corrupt department (or, as it resulted from our research, the second most corrupt department), match the results of other studies based on surveys of citizens and police officers. A study of the Belgrade Centre for Security Policy indicates that 49% of Serbian citizens and 68% of police officers believe that officers from the Traffic Police Directorate are the most corrupt (Đorđević, 2014: 20). In a study conducted in 2012 involving a sample of 2,224 citizens, 30% of respondents who bribed a police officer stated that it was an officer from the Traffic Police Directorate (*n*=162). The same results were obtained by an analysis of citizens' beliefs, which indicates that the Traffic Police Directorate is the most corrupt. The same survey asked police officers if they had any knowledge of a colleague who had taken a bribe. Out of 10,168 responding officers, 1,358 stated that they had information about corrupt colleagues. They stated that according to their knowledge, 2,730 police officers had taken a bribe, the greatest number of whom worked in traffic control (Internal Police Control Sector, 2012: 39–60). According to comparable analyses conducted in the same region, i.e., Bosnia and Herzegovina, the tasks of the traffic control police are said to be the areas representing the highest risk of police corruption, which was also confirmed by a survey (Kutnjak Ivković & Shelley, 2005: 438).

The research based on court verdicts, as well as the aforementioned research studies based on surveying citizens and police officers, undoubtedly indicate that the Traffic Police Directorate is the most corrupt or one of the most corrupt police departments in Serbia. Therefore, our results are based on analysis of court verdicts correlated with the results of surveys of citizens and police officers. According to our analyses, the results of the research based on the application of different methods indicate that police management and the Internal Control Sector should implement special operative controls and prevention programmes with regard to the Traffic Police Directorate in Serbia. They may have actually started the implementation of such programmes, since in December 2016, 35 traffic officers were arrested for corruption in a single action in the Police Directorate in the town of Čačak (which falls under the jurisdiction of another Court of Appeal, not the one studied in this paper). Several months earlier, seven officers from the Traffic Police Department in Knić were also arrested (almost all of them worked in the mentioned police station).

It should be noted that regardless of its highest frequency, corruption among traffic police officers represents a typical example of petty corruption (Kolthoff, 2010: 2), since the sums of money taken are very small. Thus, the social threat which this type of corruption represents, lies in the frequency of such offences and in the erosion of the police system, since this type of corruption has the tendency of spreading and reoccurring. Predatory corruption was also observed among traffic police officers, as well as examples of "meat-eaters" described in literature (Mollen, 1994: 16; Newburn, 1999: 12; Punch, 2000: 305; Tankebe, 2010: 303). These officers are capable of taking small amounts of money repeatedly, which altogether represents grand corruption, which is why petty corruption also requires a zero-tolerance strategy (Moran, 2005: 74).

In the analysis of results obtained here, it should be taken into consideration that the profile of employed police officers differ from one department to another. In the Criminal Investigation Directorate, the number of work positions which require university education is significantly larger as compared to other departments, which is why their share in the percentage of the convicted is higher. In order to draw an objective conclusion, it is necessary to consider the percentage structure of employees in relation to their level of education. The same method should be used for the analysis of qualifications, workplace (police officer, managing position) and age. Regarding the level of established police integrity, it is significant to mention that in our research, 45% of convicted officers graduated from the Police Secondary School[5], while 55% of officers graduated from other secondary schools and then attended a course for police officers.

Among the convicted officers holding management positions, there were only managers working at the operational level, chiefs of sections and commanders of police stations (15%). None of the convicted officers held a management position in the middle, high or strategic levels of management. A higher percentage of perpetrators in management was obtained in a study conducted in 2012, when the Internal Control Sector filed 146 charges against police officers and every ninth criminal charge was filed against an officer holding a management position, including a chief of a district Police Directorate (Internal Police Control Sector, 2012: 14). However, this conclusion should be accepted cautiously, since the subject of this research only focuses on one criminal act of corruption, i.e. bribery.

When conducting a risk analysis of corruption, the formula developed by Howard Whitton should be taken into consideration: $C = O – PEN/PI$, where C stands for corruption, O for opportunities for corruption, PEN for personal

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[5] The Police Secondary School does not exist anymore.

ethical norms and PI for personal integrity (Whitton, 2009). The results of our research show that in most cases, convicted officers had secondary school education and performed work characterised by an immediate contact with citizens. This confirms our second hypothesis about the strategic significance of assessing court verdicts regarding the risk of corruption. Police officers who have the most frequent contact with citizens also have the largest number of opportunities for taking bribes. The hypothesis is also confirmed by the fact that traffic police officers rank first among the perpetrators, since they most often have vast opportunities to become corrupt as they are in regular contact with citizens. The fact that there is a great number of convicted officers from the Criminal Investigation Directorate having a college and university education does not disprove our hypothesis, since the highest number of direct perpetrators in the Criminal Investigation Directorate indeed holds a college or university qualification.

The data obtained represent a very useful basis for assessing corruption risks within the police, and all measures of prevention and increased systematic operative control should be implemented in accordance with it.

However, it should be noted that the frequency of opportunities for corruption, which is based on the number of contacts with citizens, cannot point to the grand corruption cases in the police, since they are not based on the high frequency of contacts with citizens, but manifested through large sums of money used for corruption. Primarily, this refers to police corruption related to combatting drug trafficking (close contact with drug dealers), activities performed by undercover investigators, tasks performed in the scope of working with informants, the suppression of organised crime, licence issuing, and concluding contracts with companies (Carlos Ruiz Väsquez, 2013: 406; Mollen, 1994: 2; Moran, 2005: 61; Police Integrity, England, Wales and Northern Ireland, 1999: 8; Punch, 2000: 308, 319; Stinson et al., 2013).

Our sample did not contain any such forms of corruption. These were also not processed by prosecutors and appeared in court, however, that does not mean that they do not exist in practice. Our data indicate that only police officers and/or officers holding the lowest management level positions have appeared in court. The very fact that there is not a single high-ranking officer among the convicted perpetrators is significant in a country where the corruption rate is very high. This fact is in conformity with the general situation, whereby there are also no politicians among those convicted of corruption. The negative data, as well as the lack of data, actually indicate the effectiveness of current anti-corruption strategies and the extent of political will dedicated to the suppression of corruption.

Based on available data, it is not possible to draw conclusions by stating that the level of personal and professional integrity is the lowest among police officers who do not hold management positions. In order to test the aforementioned hypothesis, it is necessary to conduct additional research, and it is also necessary to correlate factors to the existence of opportunities for criminal offences and factors related to the possibilities of hiding criminal offences and interfering with their proving. The data obtained from this research, with limitations due to the sample size, indicate a lower percentage of confirmed court verdicts for taking a bribe involving chiefs and related commanders (66.7%) in comparison with police officers (82.4%). It should be taken into account that the number of criminal offences points to the widespread presence of corruption, and the position within the hierarchy indicates a vertical level of corruption within police organisations. Our research shows that the current anti-corruption strategies are manifested on the surface. In other words, they are targeted towards police officers and low-ranking chiefs/commanders at lower management levels. From the aspect of repressing police corruption, a step deeper within the police hierarchy has not been taken yet, since there are no officers in high management positions among those convicted. Considering the sample limitations, this conclusion should be accepted with a slight reservation. Nevertheless, such a conclusion is more logical than a potentially opposite conclusion, which could be drawn from the fact, for example, that 'all officers holding high management positions in the Serbian police have fully developed or internalised their professional integrity, since they are not among the processed officers and officers convicted of corruption'. Such reasoning would lead to the next 'logical conclusion' stating that political leaders in Serbia and the members of the richest segment of society possess the highest level of integrity, as they do not appear among the persons convicted of corruption. Such a conclusion would, of course, be considered absurd, and as such, frivolous.

When it comes to the results of our research related to the amount of money obtained processed police officers convicted of corruption, it can be concluded that the employees of the criminal investigation police have taken the largest amount of bribes (642,000.00 dinars or ≈ 6,420 €). Within the total set of the convicted, 10% were members of the Criminal Investigation Directorate and 32.5% were members of the Traffic Police Directorate, who were convicted of taking bribes amounting to 129,300.00 dinars (≈ 1,293 €). This means that even though there is a much greater number of processed police officers from the Traffic Police Directorate, they have illegally obtained one-fifth of the bribes than those working in the Criminal Investigation Directorate. These results confirm our hypothesis according to which, apart from the number of criminal offences, the amount of money taken

as a bribe and other means of corruption should also be considered when assessing the level of social threat. Such a result is in accordance with the positions expressed in the research literature stating that police corruption can be divided into *petty corruption* (the Traffic Police are a typical example of this) and *grand corruption* which can be encountered in the Criminal Investigation Directorate. Unlike corruption in the Traffic Police Directorate, which is easily noticed by citizens as they are the immediate victims, the corruption in the Criminal Investigation Directorate cannot be easily observed, since it happens far from citizen scrutiny and leads to the illegal procurement of far greater material benefits. Thus, it poses a greater threat to society and endangers human rights to a greater extent. The problem lies in the fact that corruption is not visible within the ranks of the Criminal Investigation Directorate, especially in sections dealing with the suppression of organised drug crime, drug-related police corruption (Newburn, 1999: 25; Marché, 2009: 465), and economic crime, since it cannot be seen in surveys evaluating citizen opinions or analysing citizen complaints. In this respect, a warning issued by an Australian commission is very important and it states that citizens' complaints mostly refer to petty corruption cases. Relying on complaints can thus be erroneous, since the most serious corruption cases happen beyond the public eye and are related to drugs. This is why proactive measures are needed (Criminal Justice Commission, 2001: 10; the Association of Chief Police Officers – ACPO, 2013: 11). However, in Serbia, the systematic implementation of undercover police activities, integrity tests, regular polygraph testing on a random basis (for the implementation of these measures, see Prenzler and Ronken (2001: 320), and the verification of potential changes in officers' financial standing are conducted periodically, non-systematically, i.e. exceptionally, and on a sample which is, as a rule, not random.

6   Conclusion

The results of our research confirm the first hypothesis which starts from the assumption that court verdicts can represent a basis for drawing first-hand conclusions about the profiles of police officers convicted of corruption and indirect conclusions about the system of anti-corruption policy in a country. Research of court verdicts in cases of police corruption is unjustifiably neglected in previous research studies based on the perceptions of surveyed respondents regarding the matters of corruption.

The profile of a corrupt police officer, i.e. the one who is prone to corruption, cannot be fully matched to the profile of a police officer convicted of corruption. Certain officers (an unknown number of police officers within the dark sphere of

crime) take bribes or commit other criminal offences related to corruption, but are never identified or processed before a court of law.

Police officers who are convicted of corruption represent only a small number of (corrupt) police officers who were careless and not influential enough to successfully avoid detection and further proceedings before the court. We believe that even though the profiles of an undetected corrupt police officer and of a detected and processed police officer cannot be considered as equal, and that the latter should be analysed further, since it represents the only certain sample that could be researched. Undetected and unprocessed corrupt police officers are just an assumption, fiction, hidden behind the dark figure of crime, which is why it is impossible to study them directly. They just appear in anonymous surveys of citizen opinions (as a significant percentage) where citizens report direct or indirect experience with them.

By analysing and becoming familiar with police officers who appeared before the courts due to corruption, we are able to obtain a clear image of corrupt police officers in general. Therefore, by examining this part of the phenomenon, assumptions can be made regarding the phenomenon as a whole. By studying and defining the profile of police officers who were processed or convicted of corruption, we approach a hypothetic profile of a corrupt police officer in general. In order to achieve this aim, it is not enough to only analyse court cases, but it is necessary to perform a broader criminological analysis of this category of convicted police officers. Working in this direction opens a broad new field for research, which should contribute to shedding some light on corruption issues within the police.

The second hypothesis ('court verdicts' analyses are significant for the assessment of strategic corruption risks in the police service…') is partially confirmed, albeit some corrections are needed in terms of inserting indicators, such as 'police service', 'statistically most frequent forms of corruption', and 'amounts of illegal material gain'. The results of our research indicate that a clear distinction should be made between the police service within which there are *statistically the most frequent forms of corruption* (Traffic and Border Police Directorates) and services in which the *highest illegal sums are obtained*, i.e. those with the cases of grand corruption. In our research, this was observed in the Criminal Investigation Directorate.

The analysis of court cases involving police corruption reveals errors in control and surveillance systems which should be conducted by the police management. Each police officer found guilty of corruption does not merely point to a charac-

ter flaw and the lack of professional integrity of the individual in question. It also represents the error in the police system (Kutnjak Ivković, 2009), internal organisation (Punch, 2000: 301), and the internal control system. The error for which both the convicted police officer's superior and the police system as a whole, could also be blamed. In fact, this is also the reason why immediate police superiors hide and minimise cases of corruptive behaviour observed in their subordinates in order to diminish their own responsibility (Bayley & Perito, 2011: 12). This is the fundamental basis of the 'rotten apples' theory, which was widely criticised (for example, Carlos Ruiz Väsquez, 2013: 406, 414; Gottschalk & Stedje, 2010: 55–56; Mollen, 1994: 11; Newburn, 1999: 14; Punch, 2000).

Our third hypothesis is confirmed as presented in the paper. It starts from the assumption that the analysis of court verdicts pronounced against police officers convicted of corruption serves as a basis for obtaining an insight into the government's determination to face corruption in society and in the police. In this respect, we analysed the proposed indicators, i.e. the existence of a continuing offence and the number of officers holding high management positions convicted of corruption.

The fact that the courts analysed in our research applied the institute of a continuing offence is disputable both from a political, as well as from a criminal and theoretical point of view. In those cases where a certain defendant has taken a bribe several times, the court took a stand that this was a single criminal offence and did not constitute several separate criminal offences (in our sample, there were 140 separate cases of bribery which the courts grouped into 40 criminal offences by applying this institute). Another interesting fact is that there are no officers holding high management positions among those convicted. Our research also indicates that there is a greater number of second-instance verdicts which confirm first-instance verdicts against police officers (82.4%) than the number of confirmed verdicts against the chiefs of section/commanders (66.7%).

There is no doubt that the analysis of court verdicts related to cases of police corruption is a neglected area which could have a substantial theoretical and practical value.

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Profil policijskih uslužbencev, obsojenih za jemanje podkupnin

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Namen raziskave je bil prepoznati osnovne elemente profila policijskih uslužbencev na podlagi sodb, izdanih za kaznivo dejanje jemanje podkupnine, ter ugotoviti, v katerih organizacijskih enotah policije je večja stopnja nevarnosti korupcije in katerim težavam je treba posvetiti pozornost pri izbiri ukrepov za zaščito integritete v policiji. Raziskava temelji na analizi 23 sodnih postopkov, v katerih je bilo 40 pripadnikov Ministrstva za notranje zadeve spoznanih za krive kaznivega dejanja jemanja podkupnine v obdobju od 1. januarja 2010 do 1. januarja 2015. Rezultati so pokazali, da je največ policistov, obsojenih za jemanje podkupnine, moškega spola s končano srednjo šolo, povprečne starosti 33,92 let in delajo na Upravi mejne ali prometne policije. V povprečju so najvišje podkupnine jemali policisti kriminalistične policije. Rezultati so izpostavili osnovne elemente profila podkupljenega policista in težave vzpostavljanja policijske integritete, ki jih je nujno treba upoštevati pri izdelavi strategije boja proti korupciji v policiji. Ta raziskava predstavlja izhodišče za izvedbo podobnih raziskav, katerih rezultati bi bili uporabni za komparativno analizo in seznanjanje s kazenskopravnim odzivom države na korupcijo v policiji.

Ključne besede: jemanje podkupnine, policija, sodbe, strategija boja proti korupciji, Srbija

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