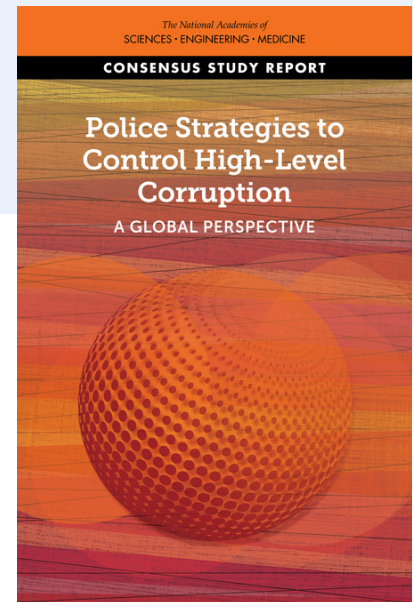


Police Strategies to Control High-level Corruption: A Global Perspective

High-level corruption in its many forms has been shown to curb economic growth, contribute to poor health outcomes, and exacerbate inequalities and poverty, among other negative consequences. This corruption is associated with lower levels of trust and legitimacy in political institutions and poses a fundamental threat to the rule of law. Where crimes are committed, the pursuit of corrupt actors could ordinarily fall within the mandate of the police. Police institutions do not occupy a prominent position in an anti-corruption architecture in many countries. Yet, they could.

A large network of international and regional organizations, bilateral donors, financial institutions, and civil society organizations work with governments to curb corruption and build criminal justice system capacity to address corruption. As a part of that network, the U.S. Department of State, through its Bureau of International Narcotics and Law Enforcement Affairs (INL), provides foreign assistance and supports capacity building for criminal justice systems and police organizations in approximately 90 countries.

To inform efforts to design and deliver programs in partner countries, INL requested the National Academies of Sciences, Engineering, and Medicine to convene a committee of experts to gather scientific evidence and assess research needs for effective policing. The committee, whose expertise includes criminology, economics, international and organized crime, law, policing, and political science, was charged with producing five reports addressing questions of interest to INL and the State Department. This fifth report, *Police Strategies to Control High-level Corruption: A Global Perspective* (2022), examines the police role in efforts to combat high-level corruption. The report is a first step in envisioning a research program that could produce the knowledge necessary to develop robust methods of policing corruption.



Available evidence is inadequate to answer the question of how police can contribute effectively to anti-corruption efforts. Existing research on corruption suggests there may be space for police in combatting high-level corruption, albeit with legitimate concerns about engaging in such efforts. History has shown both the power of investigative and prosecutorial functions in the fight against institutionalized corruption and the perils of engaging police where investigations are susceptible to politicization. Therefore, the committee recognized that any future police engagements should be built on scientific evidence where possible and tracked to check for unintended consequences. Given the need to develop evidence and comparisons across countries, the committee suggested the following actions could be undertaken:

- **Creation and continuous update of a database comprising a comprehensive set of case studies of successes and failures in police efforts to guard the rule of law against threats by national or local governments.**
- **A variety of independent analyses, engaging multidisciplinary research teams across multiple countries, to examine the proposed database for key predictors of success. With sufficient time and accumulation of cases analyzed, multivariate analyses can at least develop correlations that could be useful as guides to planning, training, and policies.**
- **Bringing together analysts of the database with supported program developers and trainers working in specific language groups and regional clusters. These partnerships should then develop and test programming for police leaders that can be tailored to local contexts.**

DEFINING HIGH-LEVEL CORRUPTION

The committee recognized a precise definition of high-level corruption may not be necessary for the objective to maximize the beneficial role of police. Nonetheless, having some sense of the target to be controlled is important. The term is often used when referring to malpractice or fraudulent behavior by governments, businesses, or individuals, where in the exercise of public authority private interest outweighs public interest. Transparency International has proposed a definition of “grand” corruption, describing it as “...a well-organized plan of action involving high-level public officials that causes serious harm, such as gross human rights violations”¹. The expression and implications of high-level corruption vary by country. However, common or particularly problematic harms caused by corrupt high-level governance include violation of human rights, extortion from business owners and citizens, harassment of journalists or political opponents, mismanagement and filtering of financial and other resources away from social services, systemic bribery, weakened institutional controls and accountability, inequities in the administering the rule of law, miscounting of ballots in ostensibly democratic elections, and systematic violence against specific groups of people viewed as undesirable by a political regime.

¹ See <https://www.transparency.org/en/our-priorities/grand-corruption>.

POLICE ENGAGEMENT IN ANTI-CORRUPTION EFFORTS

Police are one of many actors with the capacity and duty to participate in controlling corruption. The ability of the police to assist in controlling high-level corruption is tied to related actions and motivations of stakeholders both inside and outside the government. Such actors include regulatory agencies and bodies, auditors, tax enforcement officials, special and standing anticorruption commissions, prosecutors, investigative journalists, civil society, international courts, and even international donor organizations. It is quite common across the globe to raise awareness of high-level corruption, prompting formal investigations, through investigative journalism or other civil society action. Including police in the work of other agencies, such as anticorruption commissions, can be one way of engaging police in controlling corruption. Police role in anti-corruption efforts can be seen as helping to gather and disseminate information on corruption to other actors in the anti-corruption ecosystem. In many countries today, the police are a pervasive feature of social life; they have a geographical jurisdiction often unmatched by other institutions. This places them in a unique position to procure information. That flow of information, moreover, may be enhanced by the public viewing police as legitimate.

CORRUPTION ASSESSMENT TOOLS

Numerous assessment tools have been developed to assess levels of governance and corruption. These include aggregate indices, expert country assessments, public opinion surveys, business surveys, and company assessments. Utilizing these tools could be an initial step for those seeking to identify countries where engaging police in anti-corruption efforts may be most productive. Subsequent phases will require deeper assessment than traditional assessment tools can provide, as that depth is necessary to uncover the local issues, stakeholders, opportunity levers, and other contextual factors relevant to specific communities and countries.

A contextual understanding of the drivers of corruption and the broader political economy need to be the first consideration when deploying anti-corruption measures. Without a comprehensive understanding of these factors, programs may not reach their full potential. Identifying local-specific problems is crucial to designing anti-corruption strategies, and the success of interventions depends both on internal project design and implementation as well as external environmental factors. Assessments may be carried out by an agency, an independent expert or team, or through a hybrid approach, and are usually conducted with mixed methods such as: key informant interviews, focus groups, document reviews, bespoke surveys, etc. These assessments will be lacking if they fail to engage in political economy analysis, which is a structured approach to examining power dynamics and economic and social forces that influence development.

THE NEED TO GENERATE KNOWLEDGE

Throughout its work on all five reports of this study, the committee has recognized that corruption is a major obstacle in efforts to reform police activities in the international context. Success of any intervention in reducing high-level corruption may have important consequences for the effectiveness of any other strategy aimed at police ability to promote the rule of law. This report has focused on the police role in efforts to combat high-level corruption. The scientific evidence for answering key questions has been limited by a lack of data for statistical analyses and by a longstanding lack of research on these issues in countries of most relevance to foreign assistance donors.

In the previous four reports, the committee was able to draw on research done primarily in Australia, the United Kingdom, and the United States, some of which has recently been replicated in other countries, and to point to contextual differences where research interpretations will matter. For the questions of this final report, there is little systematic research to draw on.

The best opportunity to begin to learn how police can protect the rule of law against high-level corruption lies in case studies—detailed descriptions that can generate hypotheses for discussion and further research. The best case studies for these purposes would provide great detail about which roles in policing use which strategies that gathered adequate evidence to help combat high-level corruption. While such detailed case studies are not readily available, many examples can be identified as targets for further research.

The report itself provides an illustrative overview of some anti-corruption efforts. The examples recognize efforts to investigate and prosecute high-level targets in Brazil, Guatemala, Republic of Korea, and the United States and efforts to address systemic corruption in Italy, Malawi, Nigeria, and Uganda. These case studies highlight that multiple approaches in different countries have succeeded in achieving measurable reductions in corruption. The goal of future research programs should not be focused on general solutions applicable to all countries, but instead should focus on identifying contextual features that provide opportunities or barriers for police to contribute to anti-corruption efforts in specific partner countries.

Research on how police can and have contributed to efforts to combat high-level corruption is noticeably absent. Existing research on rule of law, policing, and corruption points to both the opportunities and perils of engaging police in fighting high-level corruption. Given these tensions, efforts to engage police should be informed by scientific knowledge to the extent possible and monitored for any unintended consequences. This work will be challenging but critical to determining where police best fit in the fight against high-level corruption.

COMMITTEE ON EVIDENCE TO ADVANCE REFORM IN THE GLOBAL SECURITY AND JUSTICE SECTORS

Lawrence W. Sherman (*Chair*)

University of Cambridge Institute of Criminology

Beatriz Abizanda

Inter-American Development Bank

Yanilda María González

Kennedy School of Government,
Harvard University

Guy Grossman

University of Pennsylvania

John L. Hagan

Northwestern University

Karen Hall

Rule of Law Collaborative,
University of South Carolina

Cynthia Lum

George Mason University

Emily Owens

University of California, Irvine

Justice Tankebe

University of Cambridge
Institute of Criminology

STUDY STAFF

Julie Anne Schuck

Study Director

Sunia Young

Senior Program Assistant
(from October 2021)

Abigail Allen

Associate Program Officer
(from November 2021)

Emily P. Backes

Associate Director,
Committee on Law and Justice

FOR MORE INFORMATION

This Consensus Study Report Highlights was prepared by the Committee on Law and Justice based on the Consensus Study Report *Police Strategies to Control High-Level Corruption* (2022). The study was sponsored by the Bureau of International Narcotics and Law Enforcement Affairs of the U.S. Department of State. Any opinions, findings, conclusions, or recommendations expressed in this publication do not necessarily reflect the views of any organization or agency that provided support for the project. Copies of the Consensus Study Report are available from the National Academies Press, (800) 624-6242; <https://www.nap.edu>.

To read the full report, please visit
<http://www.nap.edu/26781>

Division of Behavioral and Social Sciences and Education

**NATIONAL
ACADEMIES** Sciences
Engineering
Medicine

The National Academies provide independent, trustworthy advice that advances solutions to society's most complex challenges.

www.nationalacademies.org