

**The Bill Blackwood
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The Impact of Police Officers Working Undercover in Texas

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ABSTRACT

The idea of officers working undercover is not new within the history of law enforcement. Police officers working undercover (or assuming false identities) has long been used to infiltrate different criminal organizations and has proven to be a very useful tool. Unfortunately, working undercover does not come without consequences, which can greatly affect those who work these types of assignments.

This researcher will examine the effects of working undercover by reviewing previous studies, journal reviews, and books on the subject of working undercover and the consequences. A survey will also be presented to twenty police departments in Texas to determine if negative effects have been observed or experienced regarding undercover assignments and if a time limit is in place to rotate these undercover officers out of the positions.

The research revealed that undercover officers experience a wide range of negative effects as a result of these assignments. However, supervisors and police executives continue to let these officers remain in these positions for an indefinite period of time often resulting in severe consequences to both the officer and the department. Supervisors who manage these officers need to be aware of these potential pitfalls and set up procedures to reduce the risk to undercover officers. Simply being aware of the negative indicators found in officers working these assignments and taking steps to both address the problem and prevent further consequences is the key to success.

Based on the previous research and current study it would be beneficial to police executives to rotate officers out of these undercover assignments in order to preserve the employee for the long term employment with the department. Departments who

place officers in an undercover role for an indefinite period of time risk damaging the mental health of a fellow police officer. Supervisors often feel the need to retain these officers in these positions because of the negatives of finding and training a replacement. Ultimately a portion of these officers remain in these positions because supervisors do not want the lost time, training cost, and drops in productivity that are associated with a new undercover officer. The job should never be more important than the undercover officer's emotional, mental, and physical health.

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INTRODUCTION

Of all of the tools available to law enforcement officers, nothing quite captures the imagination or evokes the excitement, danger, and intrigue as does working undercover. Undercover work today has its real genesis in the 1920's and 1930's with the onset of prohibition. Illegal alcohol was a big ticket item and covert investigation (undercover work) became the best means to obtain information and proof about the bootleggers.

The method of working undercover did not end after prohibition and continued throughout the decades as a useful tool to law enforcement. Undercover work took center stage again as we entered the Ronald Reagan years and the "War on Drugs". It was during this time that we noted the inception of state funded narcotic task forces and a reemergence of the undercover officer. Regardless of the reasons, covert operations will continue into the 21st century as a primary means of combating crime and will always require police officers, deputies, and special agents to enter these unusual assignments.

As a result of law enforcement using this method for over eighty years, a fair amount of research has addressed undercover work to include entrapment (Stitt and James, 1985), global drug enforcement (Lee, 2004), and drug abuse and narcotics corruption (Carter, 1990). Unfortunately, the research has primarily dealt with criminal justice policy, procedures and the implications with regards to the law, but little has been studied into the consequences of working undercover and its effect on police officers (Girodo, 1984).

The purpose of this research paper is to identify the effects of working undercover and determine whether or not a time limit should be placed on how long officers working undercover should remain in that capacity. The idea of leaving officers in an undercover role for an extended or indefinite period of time may produce an experienced officer, but also has the potential of producing an officer with emotional, mental, and physical problems. Time limits on assignments are generally not the rule or common practice in police departments, but undercover work may prove to be the exception.

The intended method of inquiry includes a review of previous studies, articles, journals, and a survey distributed to twenty Texas police departments. The survey will target various law enforcement agencies that include; municipal, county, state, and federal. The survey will focus on narcotics officers, the presence of stress or negative effects, and if a time limit is in place or should be in place on how long the undercover officers remain in the undercover assignment.

This researcher's intended outcome or anticipated findings will reveal that despite the negative consequences of working undercover, most police agencies continue to allow officers to work in this capacity entirely too long. The field of law enforcement will benefit from the research by providing information to police supervisors and managers so as to implement changes to protect the officer, the department, and ultimately the public itself. This will benefit both the men and woman who work these assignments, as well as the managers who supervise them.

REVIEW OF LITERATURE

The nature of undercover work varies from police agency to agency, but most officers avidly seek out these assignments and enjoy the aspect of being specialized and removed from the day-to-day operations of patrol. Undercover assignments allow officers a wide discretionary and procedural latitude in their covert roles. This latitude, coupled with minimal departmental supervision, allows the undercover officer to operate with fewer constraints, exercise more discretion, and enjoy greater professional autonomy than regular patrol officers (Pogrebin & Poole, 1993).

To those who supervise, undercover operations offer the opportunity for increased efficiency. They allow law enforcement to penetrate criminal organizations not susceptible to other investigative techniques. Those gains, however, are not without their price. Placing officers in undercover roles exposes them to some physical and emotional dangers not normally present in police work.

The Federal Bureau of Investigation (FBI, 1980) conducted a study in which 76 agents (with extensive undercover experience) were interviewed. Results of the study reveal that among the major sources of stress (of working undercover) included supervisor/subordinate relationships, role requirements of the undercover officers, and strained on marital and social relations. Major psychological reactions observed were symptoms of paranoia, changes in attitudes of certain laws, sympathy for the views of the criminal and slow erosion of the agent's value system. The personal toll of undercover work is often high,

often breaking up of the family and a loss of ties to other officers (Linderman, 1981).

A study by Farkas (1986), of 82 current and former undercover officers of the Honolulu Police Department, revealed some interesting results. The study focused on the mental stress of these officers and the subsequent consequences before, during, and after working in an undercover capacity. Factors of lifestyle changes (resulting from undercover work), perceptions of departmental support, and attitude changes were studied before, during and after the undercover assignments. The study found that during the undercover assignment, officers experienced significant increases in loneliness, isolation, not sleeping well, poor concentration, oversuspiciousness, and marital problems. An undercover officer in most situations must operate alone and the deeper the level of cover required in the investigation, the more isolated the officer becomes (Williams & Guess, 1981).

Some interesting results are also revealed in a study by Pogrebin & Poole (1993) of three federal law enforcement agencies and eight municipal police departments located in the greater Denver metropolitan area. The study located and interviewed both current and former undercover officers in order to study a wide range of work experiences from entry to termination of the undercover position. Three categories were studied: informant relations, identification with the criminals, and relations with family and friends.

Since most undercover work must be viewed from a proactive approach, it is imperative for uncover officers to generate informants (often considered small

fish) in order to initiate contact with the active criminals referred to as the big fish. It is for this reason that the undercover officer relies heavily on his or her informant and likewise the informant relies on the officer, both counting on services that only the other can provide. Undercover officers left to their own personal devices (in working with informants) may lead to questionable practices. Pogrebin & Poole reveal that officers may be required to overlook illegal activities of the informants and may lose perspective regarding the relative importance of the crime they are attempting to stop verses the crimes committed by the informants. Informants, as active participants in criminal enterprises, are part of the cover that affords police access to criminals (Manning, 1980). However, the illegal activities informants engage in while working for the police pose a problem for undercover officers both in control of the informant themselves, but also determining what laws the informant can break and which laws are to be enforced.

Officers who work undercover under false pretenses for months or years can sometimes form close relationships with those under investigation, as well as their associates, friends, or families. Pogrebin & Poole (1993) report that prolonged and intense interaction within the criminal network leads to emotional conflicts. This conflict surrounds the tension between the loyalty to the criminals and the role of police officer. An officer working deep undercover frequently develops strong emotional ties with those they infiltrate. They have emotional problems when arrests are made (Hunter & Rush, 1994).

Pogrebin & Poole (1993) pose that some undercover officers have difficulty separating the traits and attributes associated with their deceptive criminal roles and that of their normal legal identity. They experience a strain in shifting from a role of bad guy, drug dealer, or pervert to a role of father, husband, or friend. The very nature of the job also dictates the need for secrecy and restricts communication with family and friends.

METHODOLOGY

The research question to be examined considers the effects of working undercover and whether or not a time limit should be placed on police officers working in these positions. The researcher hypothesizes that police officers working in an undercover capacity will experience a substantial amount of negative effects not normally observed in other police assignments.

Previous research has revealed that officers experience a wide range of symptoms ranging from not sleeping well, increased use of alcohol, to loneliness, isolation and oversuspiciousness. Despite these consequences, the officers remain in these positions for an indefinite period of time often resulting in problems for the officer and the department. The method of inquiry will include a review of previous studies and a survey distributed to twenty police departments in Texas. The agencies questioned varied in size from populations of more than 100,000 to cities or jurisdictions with less than 5,000.

The instrument that will be used to measure this researchers finding regarding the effects of working undercover will include a questionnaire and personal interviews with ten current and former undercover officers. The size of

the survey will consist of ten questions, distributed to twenty survey participants from the state of Texas. These agencies will include municipal, county, state and federal. The survey will focus on narcotics officers, the presence of stress or negative effects, and if a time limit is in place or should be in place on how long the undercover officers remain in the undercover assignment.

The response rate to the survey instrument resulted in six state and fourteen municipal agencies responding to the questionnaire. The interviews of ten current and former undercover officers from the municipal and county level were also obtained in order for this researcher to gain additional insight. The information obtained from the survey will be used to analyze the potential problems that face officers working undercover and ultimately impact managers and supervisors regarding the need for time limits and officer rotations. The personal interviews with current and former undercover officers will provide feedback to law enforcement supervisors regarding imposing a time limit.

FINDINGS

In October of 2007, this researcher contacted and presented a ten question survey to twenty law enforcement agencies in the state of Texas who currently have officers who work undercover. The number of surveys returned to this researcher was one hundred percent (100%) and was very helpful and informative. This researcher found that of the twenty (20) law enforcement agencies surveyed, eighty five percent (85%) felt that a time limit should be in place for officers working undercover. Seventy one percent (71%) of the departments that currently use undercover officers reported that they have no

time limits in place for the officers, but a surprisingly eighty eight (88%) report observing the negative effects of working undercover. The personal interviews of ten current and former undercover officers added some additional insight that law enforcement managers may find helpful. The undercover officers themselves admit to experiencing additional stress (consequences) with the job, but did not feel it was necessary to set a time limit. The officers felt they could or did handle the consequences of the job and felt that the greater need of experienced undercover officers outweigh the consequences of the job. Those interviewed stated a higher or equal risk existed by rotating inexperienced or "rookie" undercover officers into the job on an annual or bi-annual basis. In other words the newly assigned undercover officers will make the same mistakes and errors time and time again that experienced officers know not to repeat.

DISCUSSION / CONCLUSIONS

While most police officers experience some type of stress or negative effect as a result of conventional assignments, undercover officers tend to operate in the criminal world and therefore must blend in and become like the people around them in order to be successful in an undercover investigation. Due to this unique requirement undercover officers often experience additional stress and symptoms not normally seen in a typical patrol officer.

This researcher examined the effects of working undercover and considered whether or a time limit should be placed on the officers working these assignments. In other words should an officer working mid to high level narcotics investigations rotate out of the assignment after two years. The decision lies

when comparing the consequences of undercover work with the productivity and experience of a seasoned undercover officer. This decision can often be difficult for supervisors especially when the undercover officer themselves do not want to leave or admit they are being affected by the work.

The purpose of the research was to prove that police departments are aware of the consequences, but still allow their officers to remain in the positions for an indefinite period of time. The specific research question that was examined focused on whether a time limit should be set in place for police officers working in an undercover capacity. This researcher hypothesized that most police departments are aware of the negative consequences, but are still allowing their officers to remain in positions of working undercover without a time limit or system of rotation. Most police departments also do not have a policy or procedure of evaluating the undercover officers to determine if negative consequences from the job are apparent. Police departments have strict guidelines and policies regarding buy money for narcotics, documentation of confidential informants, and search warrants, but no guidelines for the wellbeing of the undercover officer themselves.

This researcher concluded from the findings that in many cases police officers working undercover experience symptoms such as increased use of alcohol, not sleeping well, nervous tension or anxiety, and loss of morals. This researcher found that in fact a large percentage of those surveyed still place officers in these assignments for an indefinite period of time with the knowledge of the consequences. One of the most valuable resources a law enforcement

agency possesses is the officers themselves. Managers, supervisors, and commanders must always weigh the benefits versus the consequences of any particular undercover assignment.

Of all of the varied kinds of police assignments, undercover work can put an officer at most risk of corrupting his or her integrity. At some point, the undercover officer may begin to lose perspective, and become emotionally attached to this type of work. This does not mean they become emotionally attached to the suspects, and become more criminal than cop. It simply means that the department overall and the managers who supervise them must think about maintaining its integrity by calling in anyone who has been doing this kind of work so that they can salvage their usefulness as a regular police officer.

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