

Definition

Noble cause corruption is defined as the corruption that happens when law enforcement officials engage in unethical means to attain a justified end. The main aim of these officials is to keep the community and the society at large clean and safe for existence at whatever cost, even where the acts are a violation of law and a suspension of the constitution. It is founded on the culture of the end justifying the means.[1] Rather than focusing on the 'means' which is regarded as the sound action in investigations and prosecution process, these officials are more result oriented and focus greatly on the end result. While traditional corruption focuses strictly on personal gains of a person in authority, noble cause corruption is concerned majorly with the gains to the society.

Circumstances defining noble cause corruption cases

To achieve their main aim, these officers engage in unethical policing principles such as:

- Lying, either while writing their reports, talking to investigators or giving a testimony under oath.
- Use unwarranted force and threatening language on crime suspects to obtain their confession
- Suppressing any little evidence that could prove a suspect's innocence
- Willingness to involve themselves in the fabrication of evidence to ensure that a notorious criminal is kept behind bars

Wrongful conviction

This form of noble cause corruption occurs majorly as a result of prosecutorial carelessness. It is a form of conviction that leads to capital punishment such as death or life sentence. Where the police do not carry out effective investigations, or even suppress evidence that might prove the innocence of a suspected criminal in a crucial case, there might be wrong convictions of individuals.[2] In the event that the true offender does not surrender, or police investigations do not unmask the true perpetrators of a given crime, innocent individuals end up with capital punishments whose basis they know nothing about. This is especially evident in the 1989 murder case involving the shooting of Carole Stuart as she and her husband were driving back home from a birthing class at a hospital in Boston. In his report, Charles Stuart, the husband to the late Carole gave a detailed description of the alleged shooter. While the officials were on the hunt for the black man described by Stuart as the killer, separate investigations showed that the alleged killer was in fact Charles Stuart. Had he not committed suicide which further proved his involvement in his wife's murder, the black assailant would have been wrongfully convicted for a murder he did not commit. Studies show that wrongful conviction arise mainly as a result of shoddy investigations done by the police officials who threaten suspects to confess to crimes they did not commit and further suppress any evidence that might prove a suspect's innocence.

Moral panics

This occurs majorly where prosecutors and law enforcement personnel apprehend and convict innocent individuals just so they would remain relevant in their duty posts. For the fear of having dangerous criminals in the society, especially offenders involved in crimes considered to be morally degrading to the society, prosecutors engage in a number of unethical practices such as referring to facts that are not part of the evidence, appeals to passions of the jury, improper dissemination of information to the key parties in a case and errors in the trial courts. An example of noble cause corruption case arising from moral panic is that involving sexual abuse to kindergarten and daycare children in the 1980's and early 1990's across the state. Several administrators and workers in daycare and kindergarten centers were arrested to be prosecuted for child abuse charges as well as performing other satanic acts on the children.[3] The prosecutors involved in these cases used their influence to lock up the suspected rapists and child molesters in prison. They are considered to have used unethical means to reach their ultimate goal which is having an abuse-free society.

Similarly, during the same period, the law enforcement officers also invaded the houses of two couples whom they suspected to have been a part of a child molesting group. To ensure these culprits stayed behind bars, the officers tried to threaten and pressure them into confessing that they were child molesters. However, the couples did not give in to their demand which further forced them to use evidence fabrication and false witnesses to testify against the couples. They obtained statements from eleven children who claimed that the couples had lured them into their houses and did some satanic acts on them. The children were even forced to lie that the couples boiled and ate some children.[4] Exercising their authority further, the district attorney and his officials made a press release in the Los Angeles times identifying the couples by their real names, their home addresses and the supposed satanic acts pinned on them. Additionally, the officers stepped on the suspects' rights by holding them in the prison cells for a period of sixteen days. However, before the preliminary hearing, all the children dropped their testimonies and the court dismissed the charges. The foster children case of 1984 had a similar foundation and facts of child abuse and witnesses withdrawing their testimonies later. The only difference being that the testimonies in the

foster children case were found to be inconsistent and therefore invalid.[5] This also proved the extent to which the law enforcement officers are willing to go to prosecute criminals.

After a thorough review of these case scenarios, one would wonder if it is right to use the concept of the end justifying the means in law enforcement and justice administration. Is it right for police officers and other law enforcement personnel to use their status to facilitate the improper conviction of a crime suspect? The rightful answer to these questions can only be given after a thorough analysis of the intended and unintended consequences of noble cause corruption case.

Intended consequences

In carrying out their duties, prosecutors and police officers focus on the crime control model of criminal and justice administration. This model focuses more on keeping the streets clean y locking away suspects even where it is not yet proven that a crime suspect is guilty. The greatest intention of every law enforcement officer involved in a noble cause corruption case is to control crime in the community. This might mean weeding out certain individuals with a tedious criminal record owing to the assumption that they are most likely to commit a similar or even worse crime in the community. The only positive side to this form of corruption is the fact that the streets eventually become safe and peaceful place to live in. However, this single benefit derived from this form of thinking is overshadowed by the negativity it creates in the community as well as within the agency.

Unintended consequences

One of the downsides of noble cause corruption is the mistrust it creates between the agencies and the citizens it is trying to protect. In contrast to the sole principle of law enforcement departments which is to always be truthful, the engagement in evidence fabrication and suppression has subsequently led to the prosecution of innocent characters. This has in turn led to lose of trust in the law enforcement officials and increased the level of doubt on their ability to protect them.

The suspects when released file law suits against the officers on the basis of false arrest and imprisonment, defamation and civil rights violation.[6] As a result of these charges, the suits lead to unwarranted losses to the criminal department which has to part with huge amounts of money in the form of damages to the aggrieved parties. Additionally, the criminal and justice administration departments receive a poor public image as the public begin to doubt the validity of all the cases and prosecutions that have been initially made.

Lastly, noble cause corruption has led to the dismissal of many law enforcement officials. Unlike traditional corruption which mostly involves the rotten eggs of the law enforcement agencies, officers participating in noble cause corruption cases are usually the best officers in the agency. They are the top performers that the agency would always prefer to keep. However, when the truth about their fabrication of evidence and engagement in some other unethical acts come to light, the criminal and justice department is left with no choice than to dismiss the officers involved. This would enable it maintain the trust level between the department and the public. This is because to the department, attaining public trust and confidence in an officer's services is its ultimate goal.

Conclusion

Having discussed all the basic facts of noble cause corruption, is it just to use it in the law enforcement process? The simple answer is 'No'. This is because applying this technique puts a lot of law enforcement principles and concepts at stake. Due to the fact that the sole aim of noble cause corruption is to raise the moral standards of individuals in the community, these moral standards should first be implemented within the law enforcement agencies.[7] The officials should be encouraged to participate more in the means and not the end in the investigation and prosecution process. This would enable the agency to reduce the number of wrongful convictions, unlawful arrest, false imprisonment and unwarranted law suits. Additionally, law enforcement agencies would also be able to retain their top talent while at the same time maintaining the optimum level of trust from the public.

Reference

Grometstein, R. (2010). Prosecutorial misconduct and noble cause corruption.