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WHY DO COPS LIE?

Often, for the same reasons as their managers

By Julius (Jay) Wachtel. As a retired Fed who investigated gun trafficking, your blogger was dismayed to learn about the implosion of Baltimore PD's Gun Trace Task Force. After pleading guilty to racketeering charges, three former members of that once-celebrated team [were recently back in Federal court](#), testifying against colleagues who deny being involved in a years-long scheme that involved lying about probable cause, extorting suspects and stealing large sums of cash.

Meanwhile a once-promising law enforcement career unraveled in a New York courtroom. In a stunning verdict, jurors unanimously agreed that NYPD Detective Kevin Desormeau [lied to a grand jury](#) when he testified that he and his partner observed someone selling drugs. That falsehood, which was used to justify a body search that did turn up contraband, was exposed by a surveillance camera that faithfully recorded how the cops really encountered the man. Desormeau and his colleague – she was convicted of a lesser crime but acquitted by the judge – aren't done; both are pending trial for lying in a case about illegal gun possession.

This isn't the first time that NYPD's finest have been accused of fudging. In its 1995 [report on police corruption](#), the city's Mollen Commission warned that police lying was leading judges and jurors to hold "skeptical views of police testimony, which potentially could result in the dismissal of those criminal cases where police officers were the sole prosecution witnesses." (p. 68)

Nearly two decades later, little had apparently changed. A New York judge who presided at the bench trial of a detective who allegedly planted drugs [admitted he was unnerved](#) by evidence of widespread police wrongdoing: "I thought I was not naïve. But even this court was shocked, not only by the seeming pervasive scope of misconduct but even more distressingly by the seeming casualness by which such conduct is employed."

Yes, he found the cop guilty. And that too seemed quickly forgotten. Three years later, [a report](#) by NYC's Civilian Complaint Review Board concluded that false statements by police were on the increase. Their findings became gist for [a major story](#) by New York Public Radio. It was troublingly entitled "The Hard Truth About Cops Who Lie."

What's been called "testilying" brings us to the front door of yet another NYPD sleuth, Detective Louis Scarcella. An acclaimed long-time homicide investigator with a once-

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enviable track record, his “[propensity to embellish or fabricate statements](#)” (that’s what a judge said in 2015) has so far led to the reversal of eight convictions, most recently last July, when prosecutors accused him of lying about what a witness said. Scarcella’s reputation first took a turn for the worse in 2013 when a man he helped convict was freed after serving twenty-three years. “What’s important to me is that this fellow should not be in prison one day longer,” said the Brooklyn D.A., [whose investigators had concluded](#) that the exoneree’s protests that he was “framed” by police might actually be true. Now [there’s even talk of vacating a conviction](#) not because of what Scarcella did in a case, but simply because his reputation for being loose with the facts wasn’t disclosed to the defense.

According to the [Knapp Commission](#), police corruption comes in two flavors. “Meat Eaters” aggressively use their badge to line their pockets, while “grass eaters” confine themselves to lesser sins, say, accepting a tenner to forego writing a ticket. Still, one could hope that after the twentieth century’s deplorable legacy of police misconduct – New York, Chicago, Detroit and Los Angeles come to mind – America’s cops finally turned the corner. Indeed, Baltimore-like episodes of out-and-out, self-serving venality, which seem an integral part of old-time policing, are now relatively rare. Neither Detective Desormeau nor his partner reportedly extorted anyone. As for Detective Scarcella, he’s not been accused of any crimes, only of doing shoddy work.

Taking the long view, things seem a lot better. Most cops now make a pretty decent living, and hiring standards have definitely been upgraded. Still, given the many examples of serious misconduct, there’s obviously reason to worry. Selfishness, after all, is embedded in the human DNA. Maybe we don’t recognize much of “the new police corruption” because the causes and forms have transformed. Maybe we simply don’t want to know.

Let’s return to the [New York Times account](#) about Detective Desormeau:

At his trial, prosecutors suggested that Detective Desormeau had decided that making lots of arrests was the route to glory in the New York Police Department, which was why he decided to falsify evidence.

Desormeau’s lawyer was clearly hoping that his client’s untruths, which he characterized during closing arguments as “just a little white lie,” would be justified by the arrestee’s unsavory past, which reportedly includes prison time for killing two men. But the implication that the partners were pursuing a greater social good was challenged by prosecutors, who accused the pair of being “only interested in advancing their careers by getting high arrest statistics and getting promoted.”

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Before that pesky surveillance camera intervened, Desormeau had a decidedly bright future. In the [Compstat-besotted, number-counting NYPD](#), a department where officers are expected to meet arrest quotas (and, until the Feds intervened, [make as many stop-and-frisks as possible](#)), and detectives are expected to [make lots of arrests](#), a medal of valor holder with more than 350 career arrests would definitely be on track for big things.

Let's not just pick on NYPD. In November 2012 two LAPD partners, both in the middle of promising careers, [were convicted](#) of planting drugs and lying about it in court. Again, a surveillance video saved the day, catching the pair as they allegedly manipulated evidence while engaged in a telling verbal exchange. "Be creative in your writing," said one. "Oh yeah, don't worry" replied the other.

We're not arguing that all cops are potentially evil. For most, public service is undoubtedly the main motivator. On the other hand, officers *are* people. Offering temptations such as favored assignments or promotions will inevitably encourage some to take shortcuts. "[Confirmation bias](#)," that all-too-human tendency to quickly resolve ambiguities in a way that furthers one's own interests and beliefs, has led to everything from the needless use of force [to "helping" witnesses identify the person](#) whom a cop "knows" must have done it.

In every line of work incentives must be carefully managed so that employee "wants" don't steer the ship. That's especially true in policing, where the consequences of reckless, hasty or ill-informed decisions can easily prove catastrophic. But we can't expect officers to toe the line when their agency's foundation has been compromised by morally unsound practices such as ticket and arrest quotas. This unfortunate but well-known management approach, which is intended to raise "productivity," once [drove an angry New York City cop](#) to secretly tape his superiors, with predictable consequences. And consider the seemingly contradictory but equally entrenched practice of [downgrading serious crimes](#) – say, by pressuring officers to reclassify aggravated assaults to simple assaults – so that departments can take credit for falling crime rates. (For a recent take check out the "Be Careful What You Brag About" two-parter, below.)

Why set arrest quotas? Why fudge crime statistics? Chiefs also have bosses. Mayors and city managers control department purse strings and select their chiefs. If manipulating stat's can make things look good for everybody, well...

As law enforcement professionals (that's what your blogger, retired or not, still considers himself) we like to think that we're different. Yet the picture we've laid out seems like it came straight out of "[Three Billboards](#)." (If you haven't seen it, go!) What's more, it's not just the cops. Deception is an integral aspect of our legal system, where

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advantage is everything and truth-telling is considered hopelessly naive. Imagine how long a civil attorney would last if she was always fully transparent with opposing parties. Or what would happen to a defense lawyer who demanded that his clients tell police the whole truth, and nothing but.

Ah, back to policing. Being a cop is, at heart, a *craft*. Craftspersons are supposed to pay exquisite attention to detail and be committed to the excellence of their product. Yet as the painter Robert Williams once lamented, “you’ve got legions of people who have lost craftsmanship. They’ve lost the romance of what they’re doing. The virtuosity.” (*Los Angeles Times Magazine*, June 5, 2005, p. 7.) How can we get law enforcement back on track? Let’s skip over controls. Here’s an approach that usually goes unconsidered: craftsmanship. To honor their true and only “client” – the public – police executives must forget about numbers and get back to emphasizing *quality*. Offering unwavering support for doing things as they *ought* to be done would go a long way towards helping officers navigate the moral dilemmas and resist the unholy pressures that have tarnished their highly demanding vocation. Their *craft*.

By the way, if you’re hankering for an in-depth assessment of the quantity/quality conundrum (it likens police work to, of all things, woodcarving) click [here](#). Also let us know what you think. Use the “contact” link and we’ll post your comments. And thanks!

UPDATES

12/9/25 [A Philadelphia judge dismissed more than one-hundred drug cases](#) after prosecutors conceded that three narcotics officers "repeatedly gave false testimony in court." Hundreds more cases filed by these officers are also likely to fall. According to prosecutors, the cops' accounts of what took place are so riddled with "inconsistencies" that they can no longer be called on to testify for the State. And it's not the first time. In past decades, "thousands" of Philadelphia drug cases have been dismissed for like reasons.

12/13/24 Roger Golubski, a 72-year old former Kansas City Police detective, recently committed suicide as he was to go on trial for sexually assaulting Black women during his decades as a cop. (Golubski is White.) That was soon followed by the release of Dominique Moore and Cedric Warren, who were imprisoned for a 2009 double murder investigated by the now-discredited cop. But Judge Aaron Roberts denied that the dismissal of charges was about Golubski. Instead, it was based on prosecutors' concealment of the fact that a key witness against Moore and Warren was schizophrenic, and that his accounts of what took place had shifted.

10/10/24 Former Houston P.D. detective Gerald Goines will have to serve at least

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thirty years on a pair of 60-year murder terms he just received over the deaths of two occupants of a home that was raided by his colleagues during a no-knock entry. Not knowing it was the police, the occupants opened fire and wounded four officers during the ensuing shootout. Goines, who lied about a narcotics buy to get the search warrant, was responsible for George Floyd's 2004 conviction for selling crack cocaine. (See below update)

9/26/24 In 2019 then-Houston P.D. detective Gerald Goines got a no-knock search warrant by falsely claiming that an informant bought narcotics at a residence. And when officers, thinking the warrant legit, stormed the premises, they were met by gunfire. Four officers were wounded, and their return fire killed both occupants, a 59-year old man and his 58-year old wife. A jury just convicted ex-cop Goines of their murder. (Goines, it turns out, had once arrested George Floyd on drug charges.) (See 8/8/22 and above updates)

11/21/23 Former NYPD Detective Louis Scarcella, who plied his trade thirty-plus years ago, had a "rep" as someone who could solve the toughest murder cases. Problem is, his "[propensity to embellish or fabricate statements](#)" (that's how a judge put it) ultimately led to the exoneration of more than a dozen inmates, many of whom had been locked up for decades. Settling their lawsuits has so far cost the city and state more than \$100 million. Hired in 1973, he retired in 1999. And no, he was never punished.

8/12/23 A public defender accused Orange County, Calif. Sheriff Det. Matthew LeFlore of switching 17 grams of meth seized elsewhere into the drug possession case against Ace Kuumeaaloha Kelley. And lab records seem to back that up. Evidence also suggests that Sgt. Arthur Tiscareno "manipulated records" to help conceal the switch. Prosecutors have now dropped charges against Kelley. LeFlore, who is reportedly under investigation but remains on the job, is also accused of an alleged prior switch of evidence to support gun possession charges against another accused. (See 5/16/23 update)

5/26/23 A report by Chicago's Inspector General blasts the police department for thumbing its nose at a 2019 Federal consent decree by continuing to employ scores of police officers who lied during criminal investigations. But the city's Police Board states that twenty-one officers have been fired for lying during the past five years. Before then, some were given leniency, but nonetheless received three-year suspensions. A city law requiring that officers who lie be fired has been recommended.

5/16/23 Two years ago the Orange County, Calif. Grand Jury excoriated sheriff's deputies for [failing to book evidence](#), then lying about it in their reports. One of the

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accused, Det. Matthew LeFlore, [reportedly left seized drugs and ammunition](#) in a pair of boots and labeled it “free”. A defense lawyer now accuses Det. LeFlore of transferring seized drugs from one case to another so as to support charges against his client, Ace Kuumeaaloha Kelley. And lab records seemingly back his allegation. (See 7/5/21, 8/11/21 and 8/12/23 updates)

[2/1/23](#) Two weeks into the criminal trial of notorious veteran NYPD narcotics detective Joseph Franco, an irate judge dismissed the case because prosecutors repeatedly failed to share crucial evidence with the defense. In 2019 ex-cop Franco’s alleged litany of misdeeds led to a perjury indictment. He was fired the next year and hundreds of criminal cases in which he participated were tossed. His own case has now been dismissed “with prejudice,” meaning it cannot be refiled. And his prosecutor has been demoted.

[1/20/23](#) Manhattan’s criminal court is the site of the felony trial of disgraced former NYPD narcotics detective Joseph Franco, whose litany of alleged lies has led to the dismissal of more than one-hundred cases. But his attorney argues that the five persons whom Franco is charged with lying about had, by their own admissions, been dealing drugs. If Franco provided incorrect accounts of what he saw, and where, these were simply “mistakes” caused by an “imprecise process,” and definitely not crimes (see 9/8/22, 4/26/21 and 2/1/23 updates).

[11/2/22](#) Concerns about the credibility of seven suspended members of a D.C. anti-gun squad will probably lead to the dismissal of “dozens of felony gun and drug cases.” Their bonafides came under suspicion after it turned out that the officers had been seizing guns but not making arrests, supposedly because they lacked proof as to who possessed the guns. It now turns out that body camera video from those encounters is inconsistent with their reports.

[9/14/22](#) A half-million dollars plus. That’s what Baltimore is paying out to Darnell Earl, whom the city’s corrupt gun trafficking task force arrested and sent to jail in 2015. Within a couple of years, though, a Federal inquiry revealed that the unit “routinely violated people’s rights and stole drugs and money using the authority of their badge,” and three of its cops wound up in Federal prison. So far the city’s paid out \$15.48 million to settle the unit’s misdeeds. And it’s still not done.

[9/8/22](#) Brooklyn’s D.A. is moving to dismiss 378 convictions, including 47 felonies and 331 misdemeanors, resulting from arrests made during 1999-2017 by thirteen officers who were later discredited for assorted misconduct. Former cop Jerry Bowens, who supplied drugs to informers and murdered his girlfriend, was involved in 130 of these

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cases. Sixty were connected to former cop Eddie Martins, who pled guilty to bribery. Ninety additional convictions tied to disgraced former detective Joseph Franco were dismissed last year (see 1/20/23 update).

8/8/22 Lying on affidavits to obtain search warrants goes well beyond the Breonna Taylor case, says the *New York Times*. In Houston, an officer awaits trial for [falsely obtaining a narcotics search warrant](#) in 2019 that led to a shootout in which four officers were wounded and two occupants were killed. In that case Det. Gerald Goines claimed an informant made a buy, but no such person seems to exist. (Det. Goines is responsible for George Floyd's 2004 conviction for selling crack cocaine. See [George Floyd post](#), 10/6/21, 9/26/24 and 10/10/24 updates.)

7/16/22 Despite “shaky” witness ID’s and “factual inconsistencies,” disgraced former NYPD detective Louis Scarcella and a partner allegedly used “threats, lies, sleep deprivation and physical violence” to get three teens, Vincent Ellerbe, James Irons and Thomas Malik, to confess to a 1995 arson/murder. On July 15, on motion of the D.A., who said the confessions were coerced, a judge vacated the convictions. Irons and Malik were released (Ellerbe was paroled in 2020.) Each had served more than two decades.

10/6/21 George Floyd's [criminal record in Houston](#) includes a 2004 felony conviction for selling crack cocaine. He pled guilty and served ten months. The Texas Board of Pardons and Paroles has now recommended that he be retroactively pardoned for that crime. Its investigating detective, Gerald Goines, awaits trial for murder relating to a botched drug raid, and “more than 160 drug convictions” resulting from his work have been dismissed because of concerns that he lied to obtain search warrants. For a review of Houston policing and its intersection with the life of George Floyd, click [here](#).

8/11/21 According to L.A. County Sheriff's detective Jason McGinty, a productive search turned up guns and narcotics in a suspect's home. But the deputy in charge wanted more. He asked McGinty to report that he saw a suspect handle one of the guns. McGinty refused. His colleague and another detective nonetheless included that false account in their reports, and it was used for prosecution. When McGinty realized it, he turned his colleagues in. They were recently indicted for perjury. (see 5/16/23 update)

7/5/21 In 2018 the Orange County sheriff's department learned that for years many deputies falsely reported booking evidence when in fact they delayed doing so for protracted periods. One year later the problem became known by prosecutors and defense lawyers. Dozens of cases were dismissed and several deputies were prosecuted for lying on reports. According to a [recent Grand Jury report](#), booking evidence is time-

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consuming and takes away time from making arrests, an activity on which deputies “placed a higher value.” (See 5/16/23 update)

[4/26/21](#) NYPD detective Joseph E. Franco, a veteran undercover narc, had a sterling record. Until 2019, that is, when videos showed that drug sales he “witnessed” didn’t happen. He was charged with perjury and awaits trial. Meanwhile prosecutors, having “lost faith” in the disgraced cop’s “credibility,” are moving to dismiss about ninety convictions that resulted from his work (see 1/20/23 update).

[12/16/20](#) In 2012 an FBI sting led to the arrest and conviction of former Chicago police Sgt. Ronald Watts and Officer Kallatt Mohammed, who during a “decade of corruption” extorted drug dealers and residents of a housing complex and allegedly pressed phony charges. Their activities led to the exoneration of *fifteen* persons in 2017 alone. So far *eighty* persons convicted through their testimony have had their charges dismissed, with the most recent eight coming yesterday.

[7/10/20](#) A massive [criminal complaint](#) charges three officers in LAPD’s Metro unit with falsifying official records by falsely claiming that persons they had stopped were gang members or associates.

[2/13/20](#) Lawsuits and challenges by two dozen individuals who allege that they were wrongly entered into Cal Gangs has led LAPD to remove them from the statewide gang database. Police insist that they’re properly using the system. But the State AG has opened an investigation.

[1/9/20](#) A number of LAPD officers (reportedly, more than a dozen) assigned to its stop-and-frisk campaign have been removed from duty for purposely and incorrectly portraying persons they stopped as gang members, thus inflating their productivity and minimizing errors. [NY Times](#)

[9/14/19](#) In July a New York City judge accused officers who found a gun in a car of lying when they justified their search by saying they had smelled pot. She also said the problem is widespread. Some officers agree. According to the *Times*, the practice increased after NYPD, under public pressure, cut back on stop-and-frisks.

[4/1/19](#) Under the watchful glare of five exonerees he allegedly framed, Louis Scarcella is back in court, answering questions about current prisoner Nelson Cruz. Yes, the retired NYPD detective insisted, he did his job right. No, Mr. Cruz was *not* framed.

[3/9/19](#) Houston PD’s chief accused veteran narcotics detective Gerald Goines of lying to get a search warrant that led to the fatal shooting of two citizens and the wounding of

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five officers. An internal inquiry contradicted Goines' assertion that he had informers make buys at the home.

11/26/18 As of 10/1/18 U.S. immigration court judges must complete 700 cases per year to earn a "satisfactory" rating. From 560-699 earns "needs improvement," and less than 560 is "unsatisfactory." Intended to reduce backlogs, the move is "raising concern among judges and attorneys that decisions may be unfairly rushed." But a Federal exec noted that "using metrics to evaluate performance is neither novel nor unique..." For an op-ed from a judge who resigned click [here](#).

9/13/18 Three NYPD sergeants, two detectives and two officers have been arrested and more than *three-dozen* civilians have been charged for operating a criminal enterprise that included a string of brothels and a numbers game. Their boss? A retired NYPD vice detective.

8/9/18 In California and other states D.A.'s lack full access to police personnel records. That means that unless agencies volunteer information, prosecutors may not know, and defense lawyers won't learn, that officer witnesses such as an [L.A. County deputy](#) have a truth-blemished past. [A court case](#) about that (no. S243855) is winding its way through the California Supreme Court.

3/23/18 Investigations by the New York Times found that NYPD officers probably gave false testimony [at least twenty-five times](#) since 2015. Their motives included making stops and searches "legal" and creating enough evidence to assure convictions. NYPD also imposed discipline in only [two out of eighty-one occasions](#) where civilian panels concluded that officers had lied. To reduce "testilying" [a writer suggested](#) that detectives wear body cameras, police ease access to surveillance video, and courts become more actively involved.

2/28/18 Another NYPD detective has been arrested for lying. Federal prosecutors allege that Det. Michael Foder, 41, fabricated photospreads to "prove" that a witness identified two carjack suspects. Det. Foder awaits trial, while the suspects have pled guilty to an unrelated crime.