

To many in law enforcement, snitching against another cop is a betrayal that can't go unpunished.

Those who enforce this code - the blue wall of silence - have stuffed dead rats and feces into fellow officers' lockers. They've issued death threats, ignored requests for backup, threatened family members and planted drugs on the officers who reported wrong. Department leaders often condone these reprisals or pile on by launching internal investigations to discredit those who expose misconduct. Whistleblowers have been fired, jailed and, in at least one case, forcibly admitted to a psychiatric ward.

The pattern of behavior is both destructive and widespread throughout policing, a USA TODAY investigation found. Departments across the country have adopted an unofficial system of retaliation that allows misconduct to persist and helps police leaders avoid accountability. And while communities of color and other marginalized groups bear the brunt of police brutality, the profession is blind to race, gender and seniority when it comes to punishing officers who try to expose these practices.

USA TODAY set out to establish, for the first time, the extent of law enforcement's blue wall of silence and its impact on the individual officers who have defied it. In building a catalogue of more than 300 examples from the past decade, reporters found there is no wrongdoing so egregious or clear cut that a whistleblower can feel safe in bringing it to light.

In South Carolina, an officer leaked the fact that fellow deputies beat a prisoner who later died in custody. In Florida, a detective who specialized in child sex crimes reported a captain who had impregnated a 16-year-old girl and then paid for her to have an abortion. In Oregon, a sergeant complained that a co-worker bragged about killing an unarmed teenager.

After speaking out, all of them were forced out of their departments and branded traitors by fellow officers.

"Whistleblowing is a life sentence," said Shannon Spalding, a former undercover narcotics officer in Chicago who faced death threats and resigned after she exposed a corruption scheme that has led to dozens of overturned convictions. "I'm an officer without a department. I lost my house. I lost my marriage. It affects you in ways you would never imagine."

Meanwhile, USA TODAY found that many of the cops that whistleblowers accused of misconduct kept their jobs or faced only minor punishments. And officers who lied or stayed silent in support of an accused colleague later secured promotions, overtime and admiration from their peers.

USA TODAY spent a year examining thousands of documents from police and sheriff's departments, prosecutors, oversight groups and regulators around the country, including previously confidential federal labor records. In addition, reporters reviewed a decade of media reports and court cases. Then they traveled to Georgia, Illinois, Texas, Oregon, Louisiana, New York and Florida to interview officers and victims of police misconduct, among others.

- Officers who report wrongdoing are often forced to navigate procedures that derail their efforts. Sometimes they must report up the chain of command to the very people they want investigated. Federal, state, and local agencies can take years to intervene or decline to investigate altogether. When agencies do take action, they often direct complaints back to the police department, compromising officers who expected anonymity.
- Police leaders weaponize internal affairs, pursuing minor rule infractions such as breaking the chain of command, in order to discredit whistleblowers and get rid of them. In Amite, Louisiana, a detective who admitted to helping the FBI investigate fellow cops was fired for accidentally mislabeling two evidence bags, including one that simply had an extra zero. In Hillview, Kentucky, an officer who testified against his chief was targeted for firing after he tried to add \$2.50 to the accounts of two jail inmates who cooperated in an unrelated investigation.
- Police unions play a critical role in enforcing the blue wall of silence. They often back cops accused of misconduct during court and disciplinary hearings but not those who turn them in. In East Haven, Connecticut, a sergeant who tried to intimidate a fellow officer by holding a gun to his chest was hired by the union to help officers involved in on-duty shootings. Unions have also lobbied for rules that make things harder for officers who want to come forward and easier for departments to hide misconduct, according to USA TODAY's review of more than 80 union contracts.

- Police chiefs and sheriffs who retaliate against whistleblowers rarely face serious consequences. Top law enforcement officials kept their jobs or were allowed to retire or resign in nearly all instances documented by USA TODAY. In a rare exception, the director of a training academy in Albuquerque was fired after she was caught on tape threatening to expel students who had complained about her to human resources.

Experts said the patterns USA TODAY identified are critical to understanding many other issues plaguing law enforcement.

“It goes to the core of what's wrong with American policing,” said Jeffrey Schwartz, a consultant who has studied hundreds of police departments and prisons and helped write numerous reforms, including federal consent decrees, during his 40-year career.

Justin Hansford, a law professor at Howard University and executive director of the Thurgood Marshall Civil Rights Center, said coverups have historically been framed as part of "police culture," instead of a phenomenon with actual mechanisms that can be addressed and changed.

"Cultural norms can't be litigated," Hansford said, "but retaliatory policies can."

Not every officer who comes forward is punished. Some of the cases identified by USA TODAY show departments rewarding whistleblowers and holding accountable those they accused. In Del City, Oklahoma, a detective who testified against a fellow officer for shooting an unarmed man rose up the ranks to major.

In Perth Amboy, New Jersey, an officer who testified against the chief ended up replacing him. There are undoubtedly other departments with similar stories that did not make it into the public record.

But for every example of retaliation USA TODAY found, countless others likely remain concealed. That's because the system works. Officers have seen or heard of other careers destroyed over speaking up.

So when they witness misconduct or find out about a cover up, many officers keep their mouths shut.



The world saw it happen in the spring of 2020, when three Minneapolis officers stood by as one of their own, Derek Chauvin, murdered George Floyd. The officers' statements immediately afterward justified Chauvin's actions. Video that contradicted their accounts sparked international outcry, mass protests and criminal charges against Chauvin and the other officers.

Most cases don't get so much attention. In Cook County, Illinois, four corrections officers lied on their incident reports after they saw a fifth beat a handcuffed man in 2012. The witnesses denied that their fellow officer used excessive force, but a security video showed them watching as he kned the man in the face. After the video surfaced, the officer who assaulted the man was fired and the four witnesses were suspended for giving false statements.

In a statement to USA TODAY, a Cook County Sheriffs spokesperson said the case demonstrates how video surveillance and improved training have helped the department expose cover ups and hold officers accountable.

USA TODAY sent more than 400 requests for records of misconduct and retaliation to federal, state and local agencies. Dozens fought or refused to release documents, video and other evidence, even in closed investigations. Some said they had no records related to specific incidents. Others charged thousands of dollars for the files.

In addition, reporters contacted more than 20 police and sheriffs departments for comment, including each one named in this article. Many did not respond or declined to answer questions.

All of this is on top of holding an Executive Board position with my Union and being directly responsible for filing several grievances against the employer these grievances resulted in the Employer having to pay thousands of dollars to the officers and directly blocking their attempts to secure "Cheap Labor". Due to this retaliation I have lost income, and have been forced to take on additional expenses. My reputation has been damaged by the employer because I have been branded as some rogue officer that broke into an office and stole departmental documents. My health has suffered due to the stress of knowing I did what was required by me being a police officer, and requirements of departmental orders, but still am being punished. I am fearful as to what will happen to me if I become a "whistleblower". There is an unwritten rule that you don't tell on the department and I have seen bad things happen to people who just threaten to tell. I was hoping that you could advise me on what direction "legality" I could take or should I just continue to sit in silent and leave all of this alone?

A 2017 complaint filed by a deputy in Illinois with the state inspector general. Officers around the state wrote to officials outside the department looking for safe ways to report misconduct because they were scared of internal reprisals.

The others broadly acknowledged that there is a tendency in law enforcement for officers to remain loyal to one another, sometimes to a harmful extent. But they said it wasn't a problem in their own departments and that an open-door policy welcomes anyone with a complaint.

In interviews and court filings, police leaders denied retaliating against anyone. They said these officers were not whistleblowers but problematic employees who committed legitimate policy violations that warranted discipline. For those who choose to expose wrongdoing among their peers, the personal consequences can be devastating.

Moses Black's life unraveled just before midnight on Good Friday, 2015. Black, then a veteran officer at the Gonzales Police Department in Louisiana, saw a sergeant twice kick a handcuffed man who had just been pepper sprayed. "Get the f--- up!" the sergeant barked, according to Black. The man, who had epilepsy, hit his head on the concrete floor and began to convulse. He later recovered at the hospital.

Two other officers witnessed the incident but didn't report it. Black did.

An internal investigation cleared the sergeant of wrongdoing. Citing the other two witnesses, Police Chief Sherman Jackson wrote in a memo that the sergeant's use of force was not excessive because it "wasn't like a football kick but a gradual kick."



JARRAD HENDERSON, USA TODAY

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I just feel like a convicted felon because, you know how a convicted felon goes to get a job and he's looked at a certain way? Because I'm telling the truth, that's why I can't get a police job anymore. Now I know how a convicted felon feels.

Moses Black, former Gonzales (La.) Police Department officer

Soon after, Black received a 90-day unpaid suspension - which was later overturned by the city's oversight board- for being late to a shift and cursing about his supervisor. The chief later fired him for questioning a neighbor about a seat belt ticket she had received from another officer. After an appeal hearing, the board upheld it.

"He investigated his fellow officer without any approval from superiors," Jackson testified at the hearing. The chief also maintained that the discipline was warranted and unrelated to the Banks incident. "If I was allowed to let such actions take place in my police department, it would be total chaos," he said.

Jackson declined multiple interview requests from USA TODAY but said in an email statement that proper procedures were followed.

Black filed a retaliation lawsuit against the department, but a judge threw it out.

5 I'm not going to sit there and not tell the truth of
6 what happened to this guy or just cover it up like
7 it didn't happen. So I just took it as, you know,
8 being honest, the police officer just telling the
9 truth of what happened to the guy.

10 Q And why did you make this report?

11 A Because it was -- what he done was
12 illegal. It was a violation of the man's Civil
13 Rights, and then I made the complaint because I knew
14 that these kind of issues shouldn't go on in the
15 police department. I don't agree with officers
16 putting their hands on somebody that's handcuffed or
17 just because of I can do it because of your color,
18 they are not going to believe you.



Moses Black's 2019 deposition in his civil trial against the Gonzales Police Department, which he ultimately lost. He said he was retaliated against after reporting a superior to internal affairs for kicking a handcuffed inmate, as well as several other grievances he sent to federal labor officials.

Black, a towering man with broad shoulders betrayed by a slouch, told USA TODAY he spent his life savings on legal bills in a fruitless effort to fight the case.

He applied for jobs at law enforcement agencies all over the state but believes he was blackballed. So now he fixes air conditioning units in sweltering attics for \$19 an hour. It gets so hot - up to 150 degrees in the summer - he changes his shirt twice a day.

"I'm miserable," he said in an interview. "Since all this happened, my life has just been s---."

His wife, determined to move on from the episode, declined to be interviewed for this story. But during a deposition, she said Black had grown profoundly depressed and their marriage became strained.

For hours at a time, Black would lie without moving, his wife said. "It's just changed him as a person and in turn, it's just changed me," she said through tears. "Nothing is the same."

'GREATER THAN THE OMERTA OF THE UNDERWORLD'

For nearly a century, police leaders and federal civil rights officials responsible for accountability, and other experts have identified a systemic culture of silence within law enforcement as a key reason police misconduct is pervasive yet so easily concealed.

Evidence of the problem was documented as far back as Prohibition, when departments around the country failed to rein in a wave of violence tied to illegal alcohol sales. In 1929, President Herbert Hoover commissioned a group of experts to figure out why.

One of those commissioners, August Vollmer, the Berkeley, California, chief now considered the father of modern policing, concluded that local police departments valued loyalty over accountability. "It's unwritten law in police departments," he later wrote, "that police officers must never testify against their brother officers."

In the late 1960s, a patrolman named Frank Serpico, later immortalized on film by Al Pacino, exposed widespread bribery and kickbacks throughout the New York Police Department. Serpico was branded a rat and was later shot in the face during a drug raid, an incident that many believe was orchestrated by his fellow cops.

In response to Serpico's allegations, New York Mayor John Lindsay formed the Knapp Commission, which in 1972 found widespread corruption covered up by officers who refused to talk about it. Police leaders were more concerned with image and "inhibited any officer who wished to disclose corruption and justified any who preferred to remain silent," the commission found.



Former New York City police officer Frank Serpico appears on a New York television program, June 16, 1974. In response to Serpico's allegations, New York mayor John Lindsay formed the Knapp Commission, which in 1972 found widespread corruption covered up by officers who refused to talk about it.

During the hearings, one veteran police captain testified: "It is said there is a code of silence among police that is greater than the omerta of the underworld."

The department adopted many of the commission's recommendations, such as stricter performance standards and holding superiors accountable for the actions of subordinates. But the code of silence survived.

In 1994, the Mollen Commission found more of the same issues at the NYPD. Officers stole drugs and sold them, sometimes shooting those they robbed. They admitted to pouring ammonia and boiling water on inmates, taking bribes from prostitutes, and routinely beating suspects with nightsticks.

Question: Were you ever afraid that one of your fellow officers might turn you in?

Answer: Never.

Question: Why not?

Answer: Because it was the Blue Wall of Silence. Cops don't tell on cops. And if they did tell on them, just say if a cop decided to tell on me, his career's ruined. He's going to be labeled as a rat. So if he's got fifteen more years to go on the job, he's going to be miserable-because it follows you wherever you go.



New York Police Department Officer Bernard Cawley testified before the Mollen Commission in 1994. He was one of several who testified to the prevalence of a code of silence inside the department.

Dozens of officers told the commission they were afraid to report the crimes they witnessed because of what happened to those who had done it before. Outspoken detectives and internal affairs investigators found their lockers burned, tires slashed and dead rats on their windshields. Fellow officers told them directly: You will be alone on the streets.

Some officers were so scared to testify they wore disguises. One said they were trained at the academy to never report against fellow officers. Doing so ends careers, several officers explained, because it's impossible to shake the reputation of being a rat.

"If the department ever hopes to make lasting improvements in corruption control," the Mollen commissioners concluded, "it must do something it has failed to do in recent history: acknowledge that the code of silence exists and take steps to overcome it."

Around the same time as New York's Mollen Commission, Los Angeles created the Christopher Commission in response to the police beating of Rodney King. Its members calculated that less than 2% of citizens' excessive force allegations against the LAPD from 1986 to 1990 were sustained.



Rodney King, shown here during a 1992 news conference, was beaten by Los Angeles police in 1991. Bystander video of the incident led to civil unrest.

"Perhaps the greatest single barrier to the effective investigation and adjudication of complaints is the officers' unwritten code of silence," investigators wrote.

Five years later, the city tasked two law firms with studying how the Christopher Commission's recommendations were implemented. The authors concluded that the LAPD continued to allow police witnesses to cover up for one another and lie with virtually no consequences. "Absent a concerted effort to combat the 'code of silence,'" they wrote, "the concerns raised by the Christopher Commission will persist."

In 2012, a federal jury ruled against the City of Chicago in a brutality case after concluding there was a widespread practice of ignoring misconduct and upholding a code of silence. City officials responded with several recommendations, including firing officers who lie on behalf of others.

But meaningful action never occurred, according to a report by expert witness Timothy Longo, a former police chief in Charlottesville, Virginia, who is now a public safety professor. The minor reforms that police officials adopted did not address the "systemic failures" within the Chicago Police Department's disciplinary system, Longo wrote.

Then-Chicago Mayor Rahm Emanuel publicly admitted years later that there had been a defacto policy for officers to ignore, deny or cover up the bad actions of colleagues. The former head of the city's police union - among the largest in the country - said the same.

"There's a code of silence everywhere; everybody has it," he told Al Jazeera English in a 2016 documentary. In the interview, he compared police secrecy to Catholic church sex abuse cover ups. "So why should this profession be any different?" he said.

Judges in individual cases around the country have acknowledged the perils whistleblowers face. A Kings County Superior court judge in 2015 blasted the Seattle Police before the start of a trial for Sgt. Ella Elias, who sued the department claiming one of them bullied her after she exposed one of them for giving plumb overtime assignments to his favorite officers.

"Quite frankly, I'm surprised she's still working for the Seattle Police Department given the incredibly hostile environment she was subjected to," the judge said.

A jury later awarded Elias and two other officers \$2.8 million in damages. Similarly, a Chicago jury awarded Lorenzo Davis \$1.1 million after concluding he was fired from the city's oversight board when he refused to change his findings in a handful of officer-involved shootings he deemed unjustified.

participated in the cover-up of the assault of the prisoner with both of these defendants, Chris McPartland and Tom Spota and the others that you mentioned?

A Because I knew what would happen if I refused.

Q What do you mean?

A If you cross Tom Spota, Chris McPartland, Jimmy Burke, you cross one, you cross all and you've made sworn enemies out of the three most powerful men in Suffolk County, and you will face dire consequences.

Q What do you mean by that?

A They will destroy you personally, professionally, financially, criminally. They will go after your family. They'll go after my men, go after my mens' family. They know no bounds.



Testimony of Lieutenant James Hickey during the criminal trial of former Suffolk County, NY District Attorney Thomas Spota. Spota, Burke (the former police chief) and McPartland (the former anti-corruption prosecutor) were all convicted of federal crimes, including witness tampering and obstruction. When Hickey was asked how he could know all this, he responded: "I was in their inner circle for ten years. I know how they operated."

In other cases, cities have paid millions more in taxpayer dollars to settle police whistleblower lawsuits.

Earlier this year, some commentators and pundits declared that the blue wall was crumbling after Chauvin's fellow Minneapolis police officers testified against him. However, USA TODAY's examination of cases found the circumstances in which Chauvin killed Floyd - an incident that occurred in broad daylight with multiple civilian witness and several video angles - to be unique. Far more often, an officer who speaks out against another does so with only the victim of misconduct as a supporting witness.

Hansford, the law professor, said the Minneapolis officers had no choice but to sacrifice one of their own in an attempt to avoid protests that could lead to systemic reform.

"They're throwing him under the bus to keep the bus running," Hansford said of Chauvin. "That's a situation where they're always going to act through the lens of self-interest."

Nowhere to turn Out of the spotlight, departments tolerate an "us vs. them" culture that implicitly condones the code of silence.

In 2011, a "hurt feelings" poster hung on the wall at police headquarters in Minnetonka, Minnesota, a suburban city less than 20 minutes from Minneapolis. The sign instructed officers who wanted to report a grievance to "check all that apply." Among the choices:

I am thin skinned.

I have woman like hormones.

I am a queer.

I am a pussy.

I am a little bitch.

All of the above.

HURT FEELINGS REPORT

DATE: _____

TIME OF HURTFULNESS: _____ AM/PM

A. Which ear were words of hurtfulness spoken into: LEFT / RIGHT / BOTH

B. Is there permanent feeling damage: YES / NO

C. Did you require a tissue for the tears: YES / NO

Reasons for filing this report. (Check Box)

- 1. I am thin skinned
- 2. I am a pussy
- 3. I have woman like hormones
- 4. I am a queer
- 5. I am a little bitch
- 6. I am a cry baby
- 7. I want my mommy
- 8. My butt is easliy hurt
- 9. All of the above

Name of "Real Man" who hurt your sensitive little feelings: _____

We, as a company, take hurt feelings very seriously. If you don't have a mommy that can give you a hug and make it all better, please let your supervisor know and we can provide you with a surrogate. If you need them, diapers, midol and a "blanky" can also be supplied.

Name little sissy filing report: _____

Girly-man signature: _____

Real-man signature: _____
(person being accused)

Supervisor: _____

A Minnetonka officer who has since left the force reported the poster to Minnesota labor officials.

"I cannot go to anyone and have to stay silent," she wrote in her journal at the time.

A department attorney downplayed the poster to outside investigators, saying the officer had mis-characterized its meaning in order to "heighten and distort its significance."

After USA TODAY sent a copy of the poster to police officials, city spokesperson Andrew Wittenborg said an external review in 2011 determined other officers did not have qualms about reporting misconduct.

He added that the department mandated additional ethics training and reprimanded the officer who put up the poster.

"The 'Hurt Feelings Report' is offensive and disturbing," Wittenborg said. "We regret that it was posted."

There were no such regrets expressed by officials in charge of the jail in Churchill County, Nevada, a stretch of mostly unincorporated mountain ridges an hour east of Reno. The county seat of Fallon boasts a population of 8,400 and an annual cantaloupe festival. Mike Erwine, then 26, started working as a sheriff's deputy at the jail there in late 2015. He aspired to one day become a detective in a big city like Las Vegas.

Just weeks after his first shift at the jail, he saw his sergeant, Shawn Summers, mop up urine and spray it on sleeping inmates, Erwine said in court filings and a recent interview with USA TODAY. He asked another deputy about the sergeant's actions. "It's just the way things are," he said the deputy replied. "It would be best to look the other way. "

During another shift, a woman in custody told Erwine that a guard had told her to drop her pants and then watched as she urinated. She filed a complaint, records show. Erwine told Summers about the incident.

"Oh, Jesus Christ, Erwine, why don't you just hug them all?" Summers responded, according to Erwine. "They are inmates, for Christ's sake."

Months later, police officers in the neighboring jurisdiction of Fallon arrested a man after a traffic stop and brought him to the jail. There, one of the Fallon officers heard a loud smack and turned to see Summers grab the handcuffed man by the throat to bring him inside, according to an email the officer sent to her supervisor.

"I'm not going to lie to you," Summers told USA TODAY in a recent interview. "That's probably the way it went down."

But Summers told Erwine to write a report stating that the arrestee was the aggressor, Erwine said. He also issued a threat, according to a recording Erwine made of the conversation.



Mike Erwine witnessed several incidents during his short term as a rookie jail deputy with the Churchill County Sheriff's Office. He was terminated 10 months into the job in part because he prepared a memo about inmate neglect.

"This is just - just - between you and me," Summers told Erwine. "If I hear it coming out anywhere, I'll beat your f---ing ass."

Summers, who no longer works at the sheriff's department, said he didn't recall that conversation or the other incidents Erwine described. Erwine was the real problem inside the jail, Summers said, because he was unwilling to take direction or responsibility.

"He's reporting all this s---, yet he was worse than everybody," Summers said. "He's just not a good person."

Erwine said he reached his breaking point in October 2016, 10 months after he joined the sheriff's department.

He arrived at the jail to find Andrew Beaulieu bleeding in what was known as the drunk tank - a 4X4 padded cell with a drain in the middle of the floor that served as a toilet.

Beaulieu told Erwine that for two hours he'd begged the other deputies for water and they responded by flushing the floor drain to drown out his cries.

Erwine gave Beaulieu some water and bandaged his bleeding hand, which he had injured before his arrest. Then Erwine checked the security video. He told USA TODAY it confirmed what Beaulieu had described.

"Maybe it was a culmination of everything I saw there," Erwine said. "I was like, 'You know what, I'm going to write this down.'" He sat at a computer and composed a memo, planning to present it to department leaders.



Dear Candidate: MICHAEL ERWINE

All candidate files are carefully reviewed to ensure that accurate and thorough investigations are completed. Based on review of your background history, you will no longer be considered for the position(s) of POLICE RECRUIT C16-001 NOVEMBER with the Las Vegas Metropolitan Police Department.

Candidate does not meet LVMPD hiring standards based on EMPLOYMENT HISTORY.

You are not eligible to apply with LVMPD for any position indefinitely, and your name will be removed from all eligibility list(s) and processes.

The background investigation is designed to evaluate candidates based on characteristics of a person's complete life history and suitability for employment and based on the LVMPD hiring standards. Details of a background investigation and the information obtained cannot be disclosed. The release you signed during the background interview waived your rights to privacy as outlined in Title 5 of the U.S. Code.

The Las Vegas Metropolitan Police Department denied Mike Erwine a job because he did not pass an employment background check. He said he did not know for years that his former employer had included a negative memo in his employment file that went to future employers. Las Vegas was once a dream job for Erwine.

Then-Sheriff Benjamin Trotter concluded Erwine had gone outside the chain of command and launched an unauthorized personnel investigation against his co-workers, according to a report Trotter wrote at the time.

"It is as if Erwine is siding with the inmate against his own agency or, possibly, encouraging civil action against his own agency," Trotter wrote.

Trotter told Erwine he could either resign or be fired.

Trotter's report also claimed Erwine had threatened a different inmate by unholstering his Taser. In sworn statements, that inmate said he never felt threatened and believed the department had blown the incident out of proportion as a pretext to fire Erwine. "It seems to me like it's a setup," the inmate said, adding that another deputy told him Erwine "got fired because he was a rat."

Erwine was the only deputy who lost his job as a result of either incident. Eight different Nevada law enforcement agencies - including his dream location, Las Vegas - rejected him for jobs because he failed the employment background check, records show. He said no one would tell him why and the Churchill County Sheriffs Office refused to provide him with a copy of his personnel file. Two years later, Erwine obtained the file and saw that it contained Trotter's report.

He believes the department wanted to discredit him in case he was called to testify in misconduct lawsuits.

"It was to make sure my word never was worth anything," he said.

Erwine filed a lawsuit against the sheriff's department in 2018, which is ongoing. The department has broadly denied Erwine's claims, arguing he was a probationary employee who took it upon himself to investigate the Beaulieu incident without immediately telling a supervisor what had happened.

In an interview with USA TODAY, Trotter, who is now a justice of the peace, denied Erwine's account. Trotter said he never tolerated officers covering up for one another and he had an open-door policy for deputies who needed to circumvent the chain of command.

"I hated and still hate what some of the police issues are with the code of silence," Trotter said. "I didn't allow it in my agency."

**I hated and still hate what some of the police
issues are with the code of silence.
I didn't allow it in my agency.**

Benjamin Trotter, the former sheriff of Churchill County in Nevada

He said Erwine did not present him with evidence of misconduct at the time and he didn't believe Erwine intended to deliver him that memo about the Beaulieu incident either.

"He was supposedly the bastion of justice," Trotter said, "and that's just not true."

During court hearings, Trotter said the Beaulieu episode and other allegations of misconduct were investigated. But when USA TODAY requested those records, including video, the sheriff's department said none could be found.

Asked to explain the discrepancy, Trotter said in an interview: "Not everything makes it onto paper."

Beaulieu told USA TODAY he was never interviewed by anyone in the department about what happened in the jail that night. But he said he knows Erwine's story and it taught him a lesson.

"Don't do the right thing," Beaulieu said. "It's too risky."

'RIGGING THE SYSTEM'

At both the state and local levels, unions have lobbied for laws and negotiated contracts that protect problem officers and deter those inclined to turn them in.

At least 10 states have adopted statutes known as the "Law Enforcement Officers' Bill of Rights." In states without them, unions have fought for similar provisions during contract negotiations with city officials.

Originally intended to ensure police defendants are treated fairly, in practice, they grant those officers protections never afforded to other people accused of crimes.



Police officers have left dead rats in the lockers and on the property of co-workers who spoke up against misconduct.

USA TODAY analyzed more than So state laws and municipal union contracts and found that about 30 contained at least one provision that could be used to shield officers accused of misconduct or make it more difficult for another officer to expose it.

In Minnesota, for example, police officers under investigation have a right to know the identity of accusers and witnesses before any hearings.

Officers in Florida receive all evidence, including witness statements, before internal affairs can interview them. In Louisiana, investigators must wait up to 14 days to question both the officers accused of excessive force and those who witnessed it.

The Chicago police union contract allows officers under investigation to view video footage and then change their statements. What's more, officers there can only be charged with lying to investigators if they "willfully made a false statement" that was "material to the incident under investigation." Anonymous complaints against Chicago cops are not investigated unless the allegations are criminal.

Many police department policy manuals also lack specific protections for officers who want to report misconduct. In a sampling of 43 manuals reviewed by USA TODAY - from urban departments to small sheriffs offices around the country- just three include the word "whistleblower." About half include anti-retaliation provisions, but most of those are directed toward employees reporting their own harassment or discrimination.

Date: APRIL 15, 2015

RE: GRIEVANCE POLICY

After reading the grievance policy, I feel that there is no way you can guarantee that there will not be any retaliation from whom the grievant is filing against. After a grievance form is filed, I've personally seen sergeants, lieutenants, and commanders often use the practice of moving/transferring the person that filed the grievance to a different department or shift and use the reason that "the department is short staffed" or "manpower shortage". I feel that some additional measures or steps must be put in place in order to guarantee no form of retaliation from any of the parties involved.

A detective in Jackson, Miss. wrote to city administrators in 2015 to say he had no faith in the department's complaint procedure because others had been retaliated against after they used it.

At the Los Angeles County Sheriffs Department, co-workers and policies made it more difficult for Deputy Austreberto "Art" Gonzalez to expose a violent gang of deputies known as the Executioners, according to a lawsuit he filed earlier this year.

Members of the gang, who have been involved in high-profile shootings and beatings, have matching tattoos of a skeleton with Nazi imagery and an AK-47, according to the suit and reporting by the Los Angeles Times.



Deputy Austreberto "Art" Gonzalez, shown here with a boy who recovered after being shot in the head, said he faced obstacles when he tried to report a gang of Los Angeles County Sheriff's

Gonzalez, a Marine Corps veteran who joined the department in 2005, alleged that a member of the gang beat a fellow deputy in February 2020. Gonzalez reported it to an internal affairs tip line that was supposed to be anonymous. But within days, he was identified within the department as the caller.

Deputy Austreberto "Art" Gonzalez, shown here with a boy who recovered after being shot in the head, said he faced obstacles when he tried to report a gang of Los Angeles County Sheriff's deputies known as the Executioners.

Gonzalez claimed supervisors forced him to resign from his position as a training officer, resulting in a pay cut, and that other deputies refused to partner with him. The deputy in charge of scheduling, who allegedly had ties to the gang, changed Gonzalez's shift, making it impossible for him to care for his medically fragile daughter, the suit says.

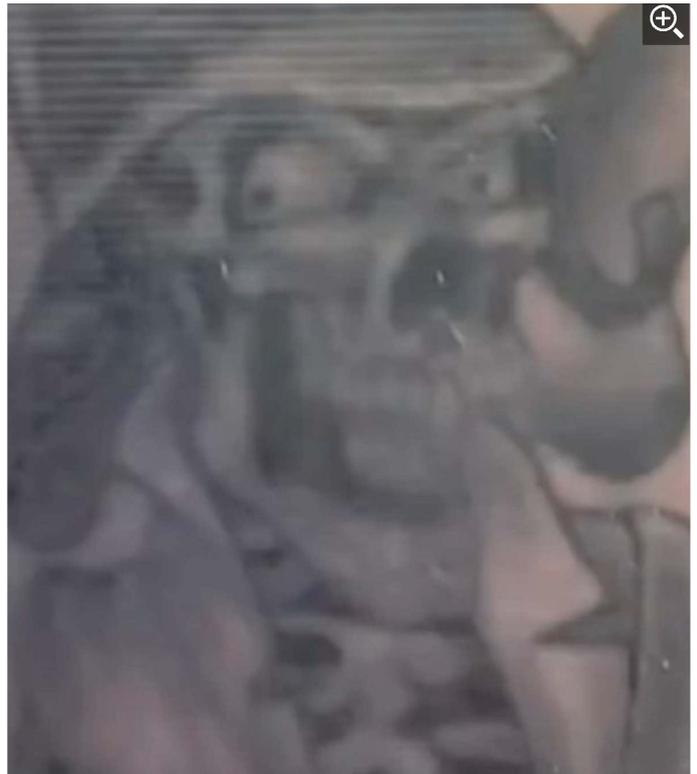
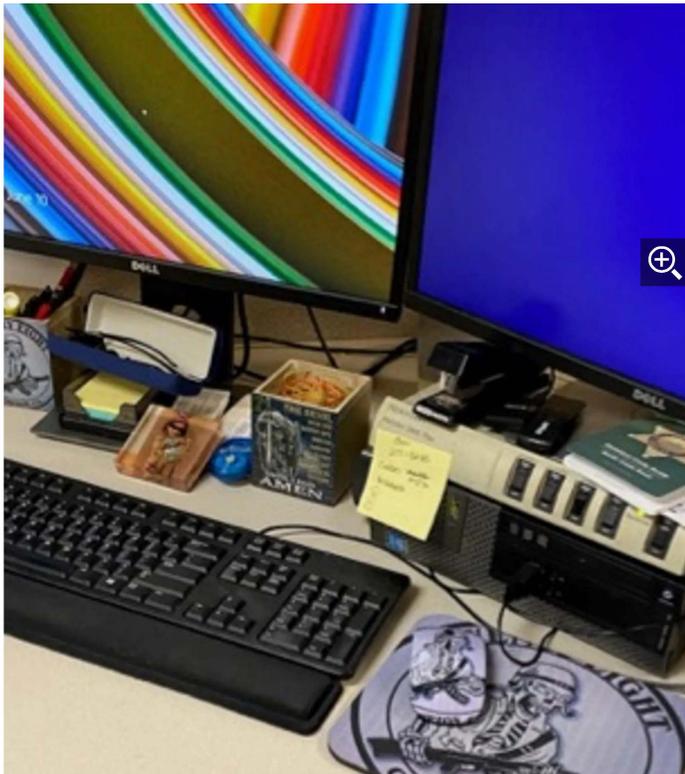
A fellow deputy sent Gonzalez a picture of graffiti at the station that said, "ART IS A RAT," and a dead rat was left at the home of the deputy who had been beaten, another deputy said in a deposition.

Gonzalez turned to the union. Instead of helping, they discouraged him from moving forward with his complaint, according to his attorney, Alan Romero. The union has not assisted any of the two dozen sheriff's department whistleblowers he's represented, Romero said.

Annie Kim, communications manager for the Association for Los Angeles Deputy Sheriffs, said no one there could discuss Gonzalez's case without his permission. She added that the union is "obligated to provide legal assistance for all those who require this guidance" and does so without bias.

In an emailed statement, Captain John Satterfield of the Los Angeles County Sheriff's Department called Gonzalez's allegations unsubstantiated.

"Sheriff Alex Villanueva expects all department members to hold themselves to the highest ethical and professional standards at all times," Satterfield said.



LEFT: Los Angeles County sheriff's deputy Austerberto "Art" Gonzalez alleged in a lawsuit that a deputy gang known as the Executioners displayed their logo on office equipment at the station. RIGHT: Members of the Executioners gang at the Los Angeles County Sheriff's Department got tattoos featuring a skeleton with an AK-47, according to allegations Deputy Austerberto "Art" Gonzalez made in a lawsuit.

He also noted that a judge dismissed Gonzalez's civil suit on the eve of trial earlier this month. Gonzalez's attorney, who plans to appeal, said the decision had nothing to do with the merits of the case.

Although Gonzalez had been relieved of duty while the case was pending, he is still employed as a deputy. Department rules prohibit using the press "as a means of publicity for personal reasons," and his lawyer advised him not to comment for this story.

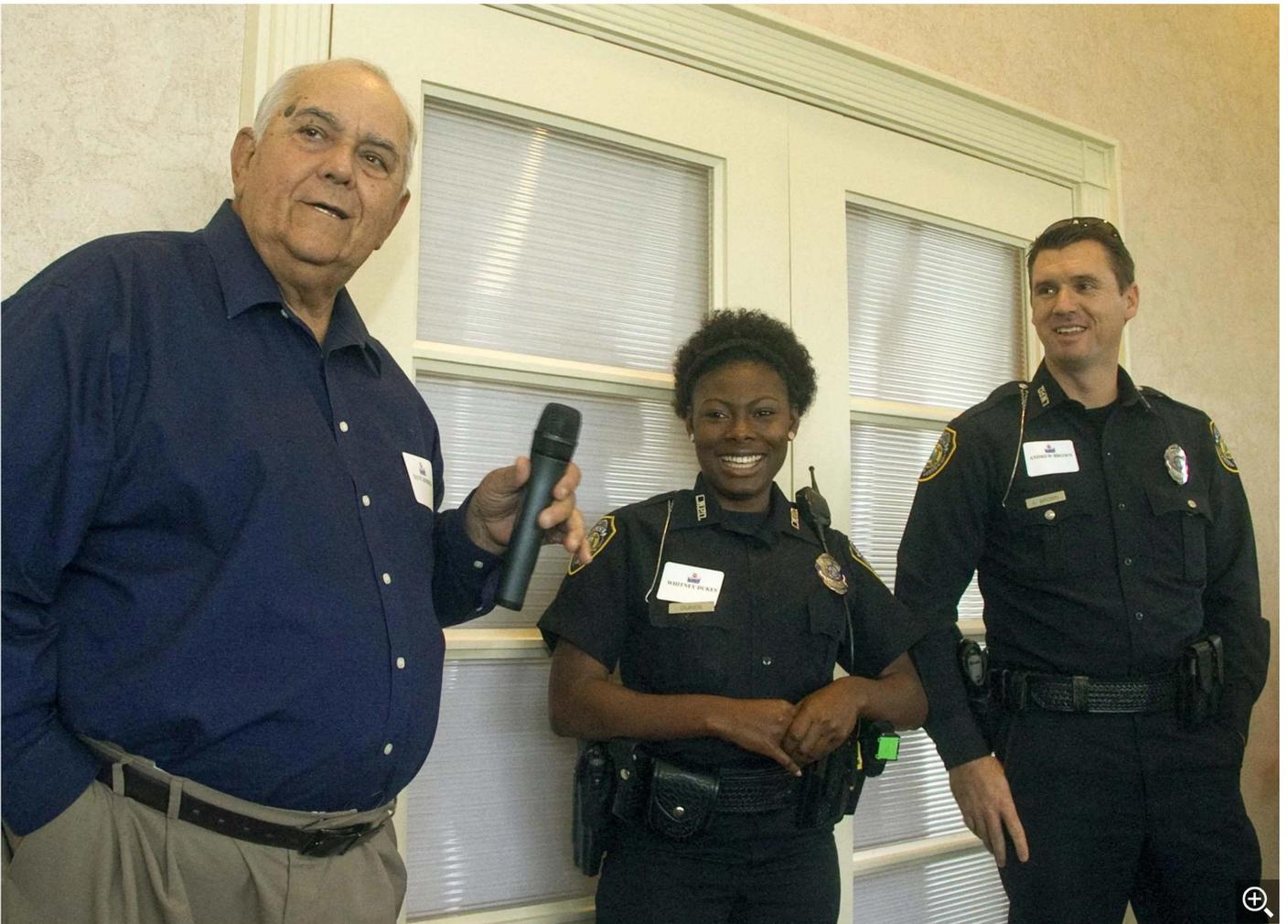
For Gonzalez, the battle with the sheriff's department has been worse than his time at war, according to his attorney.

"Because at least in Iraq, his friends were on his side," Romero said. "In this case, his friends and his whole department are against him."

'I FELT LIKE I WAS DROWNING'

The city of Lake Wales is the seat of Polk County, Florida, a landlocked former Ku Klux Klan stronghold now known for phosphate mines and citrus groves. Whitney Dukes was the only Black female officer in the department when she said she heard a co-worker, Travis Worley, use a racial slur against a Black man in 2016.

Worley, who is white, shouted, “F--- you, n-----” at the man he was trying to arrest, Dukes said. She said she reported the incident to a supervisor, who said of the Black man, “Well, did he deserve it?”



Whitney Dukes, center, then a Lake Wales, Florida police officer, alleged that Detective Travis Worley used a racial slur in 2016.

Worley was named the 2019 Lake Wales' Officer of the Year. Then, in 2020, a police officer in a nearby town resigned after he was accused of using a racial slur, and Dukes reiterated her complaint about the incident with Worley.

This time the department investigated and concluded Worley had used “profane language” but found no evidence he used a racial slur. He was suspended for a single day.

Dukes said her supervisors began disciplining her for trivial infractions, including for time she missed while serving as an Army reservist. She said she felt her superiors were looking for a reason to get rid of her.

In a letter to the chief, Worley described Dukes as an officer who “will do everything in her power to ruin lives of good people to better herself.” He added, “I feel that the longer she is allowed to continue working here, the more of a chance she will have to harm good officers and their families.”

"It was overwhelming," she said. "There was so much anxiety. I felt like I was drowning."

It was overwhelming. There was so much anxiety. I felt like I was drowning.

Whitney Dukes, former Lake Wales, Fla., police officer

She eventually resigned and took a job as a school resource officer in a different jurisdiction, but says she holds no animosity towards her former bosses even though they didn't believe her.

Worley, meanwhile, has been accused of using the same racial slur at least twice more since Dukes first reported him.

A high school principal asked the Lake Wales chief not to send Worley back to the school after he said it in front of students. Another man said Worley called him the slur as the officer beat him, cracking one of his teeth. A charge of battery on a law enforcement officer against that man was dropped after video revealed that another officer involved in the incident had lied when he said the man instigated the violent confrontation.

Worley, who did not respond to requests for comment, was cleared of wrongdoing. He remains employed with Lake Wales Police.



Lake Wales is the seat of Polk County, Florida, a landlocked former Ku Klux Klan stronghold now known for phosphate mines and citrus groves. Whitney Dukes was the only Black female officer at the police department there when she accused a fellow officer of using a racial slur against an arrestee in 2016.

Lake Wales Police Chief Chris Velasquez told USA TODAY he investigated every instance and found that "the facts as they presented have never given us the ability to find that they were true."

He added that he immediately investigated Dukes' complaint, saying he only heard about it last year as she faced discipline on an unrelated matter. She never faced retaliation, he said. Velasquez said he concluded that Dukes' allegation about the racial slur was false, pointing to a transcript of an interview in the investigation where the man Worley insulted appears to say Worley did not call him the slur that night.

But that man, Deandre Ward, told a relative in a jail call soon afterward that Worley did use the slur. In a recent interview with USA TODAY, he denied telling anyone it did not happen.

“He called me that word and he called me a monkey and everything else,” Ward said. “Whitney Dukes was standing right there. Whatever she told you happened, that’s what happened.”

Members of Lake Wales' Black community said watching the police department's treatment of her has bred further distrust.



A police officer exposed a video showing a death in custody. Now he's facing prison time.

Terry Christian Sr., 56, a former correctional officer and whistleblower himself, is now a community patriarch who runs the local Elks Lodge. He said and his family members have filed multiple complaints against the police department, including one that alleges Worley stole \$1,100 during a traffic stop. Each complaint has been rejected.

"People around here see that the police don't believe a Black woman, even when she's one of them," Christian said. "So what does that say?"

WEAPONIZING INTERNAL AFFAIRS

Law enforcement agencies around the country have resisted calls for outside investigations and civilian oversight by arguing that internal affairs personnel have the training and skills to handle misconduct complaints effectively and impartially.

In dozens of cases reviewed by USA TODAY, department leaders twisted the process, opening inquiries against whistleblowers and even their own internal investigators.

Earlier this year, an anonymous individual posted several videos on YouTube of officers from Seat Pleasant, Maryland, a tiny city on the border of Washington, D.C. They depicted incidents that had not been made public before. One shows an officer pointing a gun at a man’s head and shouting, "I'll blow your f---ing head off."

Another shows the same officer video-chatting with a friend while filming a naked man under the influence. Yet another clip shows officers tasing and tackling an unarmed National Guardsman during an arrest.

In 2017, an unarmed National Guardsman was stopped by Seat Pleasant, Maryland police for expired tags. Two body cam clips show officers tasing and tackling the man during an arrest. A jury recently ordered the department to pay the guardsman \$500,000 in damages for excessive force.

Elected officials were outraged - not only by the behavior shown on the videos, but by the fact that they had been released at all. In a written statement, city council President Kelly Porter said officials would be looking into "the unlawful publication of law enforcement records."

Porter did not respond to requests for comment.

Under the direction of the police chief and city council, county detectives are now investigating R.J. Ploof, a deputy chief who released several body-cam videos to USA TODAY and other news outlets in response to public records requests.

Ploof was suspended along with two officers depicted in the videos, pending investigations. He also received a cease-and-desist order from an attorney working for the city after he wrote to the city council that he was being retaliated against, emails show.

"I'm a prime example of why other good cops will not come forward," Ploof told USA TODAY, "because they see what will happen."

**I'm a prime example of why other good cops
will not come forward. Because they
see what will happen.**

R.J. Ploof, deputy chief of the Seat Pleasant police department in Maryland

Ploof was recently reinstated in an administrative role and assigned to a basement office in city hall, he said. Then, when he heard the department planned to move him to an even more isolated location at public works, Ploof filed for sick leave.

Seat Pleasant Police Chief Devan Martin declined an interview request but told USA TODAY in an email that the city did not retaliate against Ploof. Martin said Ploof "neglected his responsibility to investigate, intervene, and or report possible policy violations," while instead releasing the videos without authorization.

Ploof said he was never before required to get approval before responding to such requests because following Maryland's public records law was part of his job.

Lt. Scott McKee in Springfield, Oregon, also thought he was just doing his job.

In 2016, he investigated a complaint from a prisoner who claimed he'd been framed by a police detective and one of his informants. McKee found that the allegation had merit, and then worked with the prisoner's lawyer to free him seven years into his 20-year sentence.

While the prisoner's release was pending, McKee began investigating a fellow officer for excessive force, he said in a recent interview.

His actions outraged his fellow officers, McKee said. One wrote an offensive term on the back of a lithograph of the Rev. Martin Luther King Jr. that was hanging in McKee's office. Another replaced a family photo with a meme of the officer's severed head and the caption, "HEADHUNTING- It's not just for natives." A third told other officers he would take McKee down.



Gary Tiffie, left, speaks with Scott McKee, a former lieutenant at the Springfield Police Department in Oregon. McKee says he faced retaliation after he worked to free Tiffie from prison and investigated a fellow officer for excessive force.

Union officials accused McKee of perjuring himself during a disciplinary hearing for the officer in the excessive force case. McKee said it was all a misunderstanding, but the chief nonetheless placed him on leave.

While he was out, someone leaked word of his suspension to the media. Contrary to past practice, McKee said, the chief publicly confirmed it.

When McKee, a former public information officer, defended himself in his own media interviews, internal affairs investigated him for violating a department rule that forbids officers from speaking with reporters without prior authorization, he said.

After six months, an independent auditor concluded there was no evidence McKee had intentionally lied, but the chief didn't let him come back to work, McKee said.

In 2019, McKee filed a notice of claim – a precursor to a lawsuit – with the city and the department. In an agreement reached before the case went to court, McKee agreed to resign in exchange for a cash settlement.

“If you lose the support from your chief and you’re under scrutiny that’s initiated internally, you’re probably not going to win,” he said. “You can’t.”

Andrew Shearer, who was sworn in as interim police chief in May, did not specifically address McKee’s allegations.

In general, he said, he is trying to root out retaliation and discrimination from the department and build a process "to ensure that we learn from our mistakes and hold members accountable for misconduct."

Springfield Police Association President Robert Conrad said McKee was a sloppy investigator, not a whistleblower. The law requires the union to assist members who want to appeal discipline, he said.



Gary Tiffée was a single father of two young children when he was sent to prison. He was freed with the help of Lt. Scott McKee, who has since left the Springfield Police Department, and is trying

"To say that we deliberately attacked him because he came after a bad cop is simply not true," Conrad said of McKee. "If we have a bad cop, we're the first ones who don't want him around."

Gary Tiffée, whom McKee helped free from prison, is trying to rebuild a life for himself and his children, who were 4 and 5 when he was locked up and are now teenagers. He said he feels lucky that McKee bothered to follow up on a complaint from an inmate.

"He had the integrity to bring true justice to the surface," Tiffée said. "This guy gave up his 34-year police career for me - to be honest and to tell the truth."

'ALL I WANT IS ANSWERS'

Law enforcement's code of silence can also leave families longing for justice that may never come.

Beth Anne Thomas has been waiting 16 years for the arrest of the driver who killed her son, 11-year-old Robby Silva, in Blue Island, Illinois.

Police identified a suspect in the December 2005 fatal hit-and-run: A man who drove a white truck that matched witness descriptions and was dating the mother of one of the boys who was sledding with Robby when he died, according to police reports. After the accident, the man seemed on the verge of tears when he saw Thomas and repeatedly told her he was sorry, even though he'd never met her and hardly knew her son, she said in an interview with USA TODAY.

Detective Sgt. Michael Cornell was assigned to investigate. In 2007, he wrote a report saying the suspect's girlfriend had passed a polygraph. Cornell made little progress after that, Records show.

Two years later, Thomas convinced Detective Ismael Haro to review her son's case. He quickly realized Cornell's report was wrong.

According to the polygraph examiner's report, the girlfriend had not passed the test – it was inconclusive. While polygraphs aren't always reliable, the discrepancy in Cornell's report made Haro want to dig deeper. The chief authorized Haro to do so quietly. By then, Cornell was serving as deputy chief.



BethAnn Thomas prepares to celebrate her late son Robby Silva's birthday, which was July 2. Robby, 11, was killed in a hit-and-run while sledding with friends on this small hill in Blue Island, Illinois in December 2005. A police whistleblower claims the case was botched. It has never been solved.

Haro discovered that the suspect was close with the owner of the towing company that held the police contract, according to his lawsuit. Both the owner and Cornell supported the same influential politician, according to a civil suit later filed by Haro.

Haro reported Cornell to the state's attorney, he said in the lawsuit. Cornell responded by reassigning Haro to patrol on the midnight shift and opening several internal investigations against him for infractions such as making disparaging statements and failing to notify the chain of command about incidents involving other officers.

Cornell, who in 2013 became acting chief, suspended Haro without pay for 90 days - 60 days longer than any other suspension in the history of the police department, the suit says. Haro then took a medical leave due to stress. The day he returned to work, he was suspended for another 90 days.



Robby Silva

FAMILY PHOTO

Cornell has since retired. He could not be reached for comment and did not respond to a certified letter.

During a deposition in a civil suit Thomas filed in 2014, Cornell said his report reflected what the polygraph examiner told him about the girlfriend's test and that he didn't recall reviewing the written conclusions. He also said the driver of the white truck remained a person of interest afterward.



Family and friends of Robby Silva gather to remember him on his birthday, July 2, in Blue Island, Illinois. Robby was 11 when he was killed in a hit-and-run.

"We followed up on all the information that was given to us," Cornell testified.

Current Blue Island Police Chief Geoffery Farr did not respond to phone messages and emails and did not come to the lobby when a reporter asked for him in person at the police station.

Records show that the suspect in Robby's death has moved around the country and was arrested for drunken driving in at least three states. In 2013, he was charged with leaving the scene of a crash in Cook County, Illinois. USA TODAY is not naming him because he has not been charged in the Robby Silva case.

Thomas said she had no knowledge of the retaliation Haro faced until he sued the city and the police department. His claims were later settled for \$1.3 million.

"All I want," she said in an interview, "is answers to who killed my son."

Haro has finally begun to recover from the emotional distress of being targeted by his own department, he told USA TODAY earlier this year.

"I'm just now picking up the pieces of my life," he said. "It took a lot out of me. I was unable to function, unable to speak, I had panic attacks. I'm just getting over that."

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