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ORIGINAL ARTICLE

Law enforcement corruption along the U.S. borders

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Abstract

The purpose of the study is to provide an empirical characterization of law enforcement corruption along the U.S. borders. Data were analyzed on 156 criminal cases of officers and agents employed by the U.S. Customs and Border Protection (CBP). Results from the present work advance the understanding of the significantly understudied topic of border law enforcement corruption in the U.S. context. The majority of the cases were related to organized crime activities. In terms of sex, age, and location, there were significant differences between CBP's two main workforce components, corrupt customs officers, responsible for customs operations at the country's official entry points, and border patrol agents, who patrol the border between ports of entry. Both types of employees working along the southern border of the U.S. with very short histories of service were more likely to be involved in drug-related corruption than their senior counterparts who were instead prone to immigration-related corruption.

Keywords Border corruption · Organized crime · Drug trafficking · Human smuggling · CART analysis · United States of America

Introduction

Recent political debates and multiple security concerns have elevated the visibility of border-related illegal activities in the United States. Smuggling drugs and people are among the most serious issues. Around 90% of the cocaine in the U.S. comes from Mexico (Committee on Homeland Security and Governmental Affairs 2010). Smuggling humans into the U.S., another lucrative illegal business, is worth an estimated $500 million annually (Nixon 2018). This study focuses on a specific form of such illegal activities: when border law enforcement officers were bribed to facilitate illegal transactions.

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A recent report claims that "arrests for corruption of CBP (U.S. Customs and Border Protection) personnel far exceed, on a per capita basis, such arrests at other federal law enforcement agencies" (Homeland Security Advisory Council 2015, p. 6). Some infiltrators even pursue employment in border control authorities solely to engage in smuggling activity. For example, in 2007, a customs officer in El Paso, Texas, was arrested at her duty station for conspiracy to smuggle marijuana into the United States between 2003 and 2007 and was later convicted and sentenced to 20 years in prison. Investigators suspected that she had sought employment with CBP in order to enable this smuggling operation. The estimated retail value of the drugs she smuggled over 4 years was around $288 million (GAO 2012). And perhaps this was not an exceptional case. Between 2006 and 2014, about 30 CBP applicants admitted during the polygraph test that they were sent by Mexican cartels to seek employment with the agency (OIG 2017; Spagat 2017).

Despite the importance of this topic, there is still little general knowledge about this type of corruption. The phenomenon in the U.S. context is even more understudied. Since no empirical academic research has been published on border law enforcement corruption in the U.S., this study had to rely on some nonacademic references, such as working papers and agency reports. What are the typical patterns of law enforcement corruption along the U.S. borders? Where does it happen? What type of border officers are the key actors? The purpose of this study is to provide empirical data detailing corruption by CBP employees. This exploratory research examines and classifies incidents in which CBP officers and agents were arrested for criminal offenses and associated corruption. Univariate descriptive statistics and bivariate contingency tables (χ^2 statistics) were employed to characterize border corruption cases. Classification and Regression Trees (CART) were also used to identify predictors of different types of border corruption as well as the type of sentence received by corrupt officers. This article contributes to the literature in two ways. First, it provides for the first time an exploratory analysis of law enforcement corruption along the U.S. borders. Examining actual corruption cases exposed and investigated by authorities, it advances the understanding of this surprisingly underexplored topic. Second, based on these findings, possible anticorruption strategies are discussed.

Border corruption literature

Corruption conducted by border officers is a unique form of law enforcement corruption. Border control authorities are perceived by citizens as the most corrupt government institutions in many countries (Hors 2001; Mandić 2017; Special Eurobarometer-470 2017). Despite the importance of the topic, academic literature on border-related corruption is mainly limited to the issue of corruption in customs (Chêne 2018). These scholarly works are solely based on macrolevel analyses published by economists focusing on the possible impacts of tariffs on corruption and vice versa (Dutt and Traca 2010; Gatti 1999; Sequeira 2016). Empirical research on corruption within border security agencies does not exist.

Border-related illegal practices may manifest through various forms, including (1) bribery, exchange between a border officer (bribe taker) and client(s) (bribe givers) in order to facilitate the illegal physical movement of goods and people from one country to another; (2) misappropriation, or embezzling and stealing resources from a border administration agency; (3) nepotism, or selecting and promoting people within the agency on the basis of an existing relationship rather than on merit; and (4) illicit financial flows, such as money laundering, across countries (Chêne 2018). In fact, only the first form, bribery exchange, represents genuine border corruption, since this one alone is related to physical movement of goods and people from one country to another (Jancsics 2019). Other forms either do not require physical border crossing (e.g., money laundering) or are not border specific. Although conducted by border officers such non-border-specific forms may occur in any public organization (e.g., embezzlement or nepotism). All cases selected for this study fall into the first two forms: bribery and misappropriation.

Further analyzing border-related bribery by using two dimensions—(1) the actor of the bribery exchange on the client side (individual, informal group, or formal organization) and (2) the collusive/coercive nature of the exchange—the phenomenon can be classified into six types, shown in Table 1 (Jancsics 2019). Border-crossing individuals typically bribe a border officer to turn a blind eye to an expired passport, overstay in a country, or small-scale smuggling of consumer goods, such as alcohol, tobacco products, or petrol. This is typically an ad-hoc impersonal transaction where an individual tries to bribe whoever is on duty. Another coercive version of this type of "petty" corruption is when border law enforcement officers intentionally create situations in which the individual is "forced" to pay bribes. At the border, there is a significant potential for such extortion because officers have wide discretion to block people's or goods' physical movement. Border officers often demand bribes for made-up offenses such as allegedly missing documentation, forms, or signatures. Another typical practice is where officers slow down border traffic and go back to normal pace only if they receive a bribe from the traveler (Ndonga 2013; Wickberg 2013).

A qualitatively different type of border-related bribery is when an informal network, often an organized crime group, can be found on the client side of the corrupt exchange instead of just an individual. This is typically a recurring activity, based on some level of trust and strategic conspiracy between the corrupt partners. Here criminal syndicates intentionally develop relationships with officers, often starting with gifts and small favors and expanding into more serious and regular smuggling schemes (U.S. Senate Committee on Homeland Security & Governmental Affairs 2010). Take the case of local smugglers in Central America, who often cultivate friendships with border officials and meet them on a regular basis, for example, biweekly to have drinks and arrange bribes (Galemba 2012). A coercive form of this type of corruption is when drug cartels deliberately develop dependency-based and unequal social relationships with border officers. They target people that are vulnerable and prone to infidelity or drug or alcohol abuse and exploit such vulnerabilities (U.S. Senate Committee on Homeland Security & Governmental Affairs 2010).

There are also border bribery cases when formal organizations—export/import firms or other companies moving their goods across borders—bribe border officers

Table 1 Typology of border corruption

Actors on the client side	Collusion	Coercion
Individual	Individual receives illegal advantages or avoids negative consequences	Individual pays to receive fair treatment
Informal group	Informal group reduces risks derived from its illegal activity	Organized crime group coerces border officers into facilitating illegal activity
Formal organization	Trading company increases its official profit by using illegal means	Trading company pays to receive fair treatment

Source Jancsics (2019)

to overlook overweight vehicles or undeclared goods, permit underinvoiced goods, speed up or skip inspection, permit traders to claim drawbacks for fictitious exports, issue import licenses or warehouse approvals without proper justification, or accept fraudulent VAT refund claims (Ferreira et al. 2006; Michael 2012). In a coercive version of this corruption type, border officers can extort illicit payment from importers by, for example, threatening them with misclassification of imports into more heavily taxed categories unless they agree to pay a bribe (Dutt and Traca 2010).

Border corruption in the U.S.

What forms of the corruption types discussed above can be found along U.S. borders? While corruption in U.S. police departments is a relatively well-studied phenomenon (Kane 2002; Kane and White 2009; McCormack 1996; Stinson et al. 2013), empirical investigations of border corruption do not exist. Yet, some government agency reports, official testimonies, and news media articles have focused on border corruption.

Since CBP officers and agents deal most directly with people and goods entering the U.S. from a foreign country, they are most prone to corruption. However, it is important to note that border-related bribery extends beyond these front-line officers. Other government employees who work away from the border but have access to sensitive agency information (e.g., intelligence activity) may be bribed by actors who are interested in illegal movement of things between countries (Frost 2010). CBP is the largest uniformed law enforcement agency of the United States Department of Homeland Security. It is a relatively young organization, created in the aftershock of the 9/11 terrorist attack as part of the homeland security restructuring process. CBP employed 59,178 men and women in 2017 (CBP 2018). It comprises two large operational units, the Office of Field Operations (OFO) and United States Border Patrol (USBP). The main workforce within OFO constitutes 23,079 uniformed customs officers. These customs officers are employees specific to the OFO subunit who are responsible for managing United States customs operations. They wear blue uniforms and operate at all the country's official entry points. The largest workforce component in USBP, the other main subunit within CBP, includes 19,437 border patrol agents whose mission is to detect and prevent illegal individuals and goods from entering the United States. Border patrol agents wear green uniforms and typically operate between official entry points. While CBP's uniformed customs officers are restricted to work in fixed locations, border patrol agents are mobile, patrolling across multiple places. Figure 1 presents the basic organizational chart of CBP.

One of the main goals of establishing CBP was to create a "one face" agency at all border areas and ports of entry of the U.S., rather than having personnel from multiple separate agencies reporting to different government departments as was the case before homeland security was reorganized (Homeland Security Advisory Council 2016). However, as a CBP Integrity Advisory Panel Report claims, CBP has actually two, even plainly different, faces. Each of these law enforcement organizations brought its own unique culture with it to CBP. It is a question of interest of

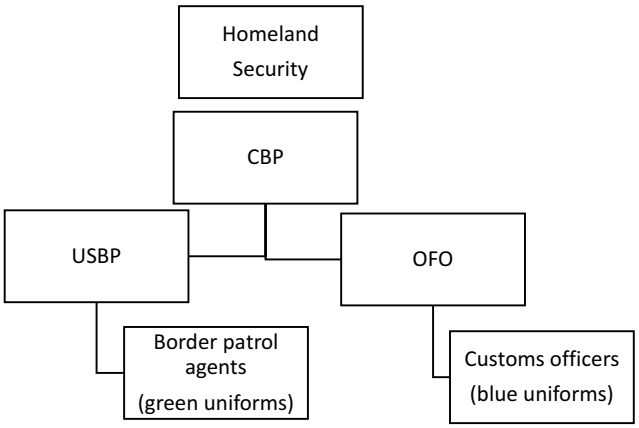

Fig. 1 Basic CBP organizational chart

this paper whether a difference in border corruption patterns can be found between these two main CBP units.

Border corruption is a particularly important issue within the federal government system since CBP "appears to have a corruption problem that is orders of magnitude bigger than other agencies" (Opening Statement of Senator Mark Pryor 2010). An estimate suggests that over the last 10 years, workers of the Department of Homeland Security have taken nearly $15 million in bribes while being paid to protect the nation's borders and enforce immigration laws (Nixon 2016). In addition, border corruption may take forms other than cash bribes, such as sexual favors and other gratuities in return for allowing contraband or border crossing of undocumented aliens (Testimony of Inspector General John Roth 2015).

CBP employees have transactions with more people on a daily basis than employees of any other law enforcement organization. They interact with and clear into the United States over 1 million people, on average, every single day (Homeland Security Advisory Council 2016). Such a dynamic environment provides especially high risk of corruption. Border patrol agents are more likely to be terminated for discipline or performance reasons than other law enforcement officers, which may also suggest higher levels of corruption (Nowrasteh 2017).

Border law enforcement expanded dramatically since the establishment of the agency. Just between fiscal year 2006 and 2009, the USBP added approximately 8000 new agents (Heyman 2017). Experts have had concerns about such rapid expansion without adequate vetting and training time (Turbiville 2011). The failure rate for job applicants' polygraph interviews at CBP is around 65%, more than twice as high as at any other law enforcement agencies (Spagat 2017). As the border policing organization in the U.S. is becoming larger and more complex, the risk of corruption grows further. For example, President Donald Trump's commitment to swiftly increase the ranks of CBP by 5000 new officers and agents will likely lower hiring standards (Budget of the U.S. Government 2018).

A report on employee corruption and misconduct within CBP published by the Government Accountability Office (GAO 2012) provides some insights into 144 cases, arrests of and allegations against CBP employees for corruption or misconduct between 2005 and 2012. About 65% (93 of 144 cases) were CBP employees stationed along the southern border (areas within the states of Arizona, California,

New Mexico, and Texas). The report, following the definition of CBP's Office of Internal Affairs (CBP-IA),[1] defines corruption as a "delinquency for personal gain that involved the misuse or abuse of the knowledge, access, or authority granted by virtue of official position". It distinguishes two main categories: (1) ordinary corruption, and (2) *mission-compromising corruption*. The first category includes cases of misappropriation, such as theft of government property or funds, fraud, and querying personal associates in a government database. Most of these cases are not border specific because they can happen in any other public agency. Mission-compromising corruption is a more severe offense and includes cases such as alien harboring, allowing loads of narcotics through a port of entry or checkpoint, and selling immigration documents. The report concludes that 72% (103 of 144 arrests) of the corrupt cases fall into the "mission-compromising" category. It is interesting that CBP-IA does not consider petty ad-hoc-type bribery by individuals or customs-related bribery by export/import firms as forms of border corruption in the United States.

The present study

There is no easy way to determine the exact number of exposed, arrested, and convicted corrupt CBP employees because the available data on corrupt cases are incomplete or inconsistent. The author of this study did not find a comprehensive list on any federal government website. Although data from multiple sources suggest a somewhat similar level of corruption within CBP, the years studied do not match perfectly. A CBP (2014) report states that between 2004 and 2013, 163 current or former CBP employees were arrested, indicted, or otherwise prosecuted on corruption charges. In another report, the Government Accountability Office (GAO 2012) concludes that between the 2005 and 2012 fiscal years, 144 CBP employees were arrested and 125 were convicted. The Project on Government Oversight (POGO 2019), a nonpartisan independent watchdog, identified 210 corruption-related cases within CBP between October 2004 and March 2018, yet in several of these cases charges were finally dismissed or the accused was acquitted. According to another report published by a think tank, the CATO Institute, 158 CBP employees were convicted for corruption between 2005 and 2016 (Nowrasteh 2017).

The quantitative data used in this current study were derived from official documents. The original dataset included a list of CBP's 160 customs officers and border patrol agents which the agency said had been arrested, charged, and convicted for corruption between October 2004 and October 2015. The majority of the data, 153 cases, were obtained from the website of *Reveal* from The Center for Investigative Reporting (2016a), and seven additional cases were obtained from the website of *The Texas Tribune* (2016). Cases which occurred in both sources, were eliminated. Although the unit of analysis here is the arrest case, it is important to note that some officers were arrested on multiple charges. Cases in which officials were found not guilty, had their charges dismissed, or allegedly committed acts of routine theft or

[1] Currently office of professional responsibility (CBP OPR).

graft were eliminated from the list. Each case involved multiple official documents and the entire collection of documents for the 160 cases total included more than one thousand pages of border agency reports, indictments, court notes, attorney letters, complaints, plea agreements, sentencing memos, and press releases.

The cases were acquired via Freedom of Information requests by the two aforementioned investigative journalist outlets. The author of this study contacted one of the lead investigative journalists of these two projects. He stated that the original list with offenders' names came from an internal website CBP maintains called "Trust Betrayed". The website serves as a "Wall of Shame", for purpose of providing negative examples for CBP all employees. Based on this list the journalist and his colleagues obtained full official documentation of the cases using multiple Freedom of Information requests between 2010 and 2015. He also contacted several officers at CBP about the list and they confirmed that with a few possible exceptions, the dataset was a comprehensive list of corrupt border officers in the examined period of time. The author of this study had no access to the raw data but took the set as created by the journalists. In order to ensure the quality of the data, the author compared the names of corrupt officers with another publicly available dataset on corrupt CBP employees, published by the Project on Government Oversight (POGO 2019). In the two independent datasets, the lists of convicted officers matched at 98% rate.

Coding and content analysis

Content analysis was conducted in order to code the cases in terms of the corrupt officer's gender, age, occupation (employing agency unit), years of service, duty station, type of corruption, and form of punishment. The documents were coded independently by the author and a research assistant by using MAXQDA software. The two coders resolved minor inconsistencies between the two code systems through discussion and clarification. Then the codes were turned into variables in a quantitative dataset. During the coding process, four cases were eliminated due to lack of information on these variables. The final dataset included 156 cases and seven variables. This section explains how content analysis was conducted in order to develop codes, create variables, and develop a final dataset.

Coding initially involved the identification of different patterns of border corruption. The patterns were originally coded using the CBP-IA's definition of corruption mentioned earlier in this article. Here two main categories, "mission-compromising" and "other" corruption, were distinguished. The "other" category includes miscellaneous misappropriation cases such as theft of government property or funds, fraud, embezzlement, querying personal associates in a government database, and unlawful access to a government computer. The mission-compromising category comprises more serious offenses such as alien harboring, allowing loads of narcotics through a port of entry or checkpoint, and selling immigration documents. In this study, we collapsed mission-compromising cases into drug-related and immigration-related activities. In cases where an officer was involved in both drug- and

immigration-related corruption cases, the most typical and/or frequent category was selected among the individual's behavior.

During the coding process, all cases were read to provide insight into how border corruption actually occurs. The results of the coding suggest that in mission-compromising cases, customs officers and border patrol agents had somewhat different roles. In most cases, participating in drug-related corruption indicated the officer's absence of action, or in other words, not performing his/her duty. Here customs officers, based on earlier arrangements with criminals, let the drug smugglers drive through the border while not properly checking the vehicle or without performing any inspection at all. Border patrol officers engaged in similar activities, but at USBP checkpoints, typically located within a few miles of the border along the major U.S. highways. In some drug-related cases, border patrol agents had specific roles. Here they advised the smugglers which route they should take in order to avoid interdiction by USBP or provided information about the locations of sensors. On a relatively few occasions, border patrol agents actively participated in corruption by helping load vehicles with drugs or smuggling the drugs in their own car. These two latter behaviors were not found among customs officers.

In contrast to drug-related cases, facilitating immigration-related corruption required a more active role from both customs officers and border patrol agents. People are quite visible in a vehicle and, in contrast to drugs, they cannot be easily hid. At ports of entry, customs officers took active steps to hide the illegal nature of the border crossing and made it appear that people were entering the country legally. This includes falsely registering license plates and entering fraudulent information about the identity of drivers and passengers into records, not swiping passports in the automated document reader but instead manually entering data, or allowing illegal persons to use impostor immigration documents. In several cases, border patrol agents personally escorted human smugglers and their illegal passengers by driving a few minutes ahead of the smugglers and advising them over the phone of the operation status of the USBP checkpoint. In some cases, they smuggled illegal immigrants in their own vehicle.

The "duty station" code refers to the state where the corrupt officer served at the time of the corrupt activity. Later, this variable was collapsed into three larger categories: (1) southern border cases, where officers were stationed in a state which has a land border with Mexico; (2) northern border cases, where officers were stationed in a state which has a land border with Canada; and (3) others. This last category includes cases in which the officer was stationed in a state without a land border with a foreign country. Examples include seaports, airports, or other inland locations.

Statistical analyses

In this study, univariate descriptive statistics and bivariate contingency tables (χ^2 statistics) were employed to characterize border corruption cases. Classification and Regression Trees (CART) were used to identify predictors of different types of border corruption as well as the type of sentence received by corrupt officers.

Classification trees are established techniques in criminal justice and criminology (Berk 2013). Topics include sex offenders (Beauregard and Mieczkowski 2012), the criminal networks of delinquents (Bouchard and Nguyen 2010), recidivism in homicide offenders (Neuilly et al. 2011), police shootings (White 2006), juvenile offenders (Jones et al. 2001; Fader et al. 2001), recruit performance in police academies (White 2008), and drug-related police corruption (Stinson et al. 2013). Classification trees, also known as decision trees, examine the entire data set and produce a graphical output (tree diagram) that ranks the variables by statistical importance and facilitates interpretation of results. In the diagram, the dependent variable is presented at the top of the tree (known as the root node). The entire dataset is set into child nodes, based on the impact of the independent variables. The most influential predictor is situated right below the root node. The subsequent nodes are ranked by the significance of the remaining independent variables. Classification trees are also useful for measuring and visualizing interactions among predictors. There are several specific decision tree algorithms. This research used CART, which splits the data into segments that are as homogeneous as possible on the dependent variable. Each subsequent level of the tree is confined to the cases in that subset of the data rather than applying to the entire sample. CART was performed with the following parameters: tree depth set to three levels, parent nodes limited to no less than 10 cases, child nodes limited to no less than five cases.

Results

Characteristics of corrupt border officers

Table 2 shows the characteristics of corrupt border officers. The majority of cases involved male CBP employees (88.5%). This echoes the findings of other research on drug-related police corruption (Stinson et al. 2013). It also confirms that border corruption, similar to other general corporate crime activities, is a male-dominated "business" (Steffensmeier et al. 2013). However, considering that only 5% of CBP employees are female—the lowest ratio among all U.S. law enforcement agencies (Ripley 2017)—one may conclude that there are more than twice as many females (11.5%) among corrupt border law enforcement officers as compared to their overall workforce representation.

About two-thirds of border corruption cases (66.2%) were perpetrated by customs officers and 33.8% by border patrol agents. Altogether, 42,516 men and women served in these two major CBP units in 2017—23,079 (54.3%) customs officers and 19,437 (45.7%) border patrol agents. This suggests that customs officers were overrepresented among corrupt officers compared to their workforce proportion.

The modal category for officer's age was 28–35 years (36.2%). The modal category for years of service was 0–5 years (38.2%). The more serious mission-compromising form of corruption dominated the cases (71.8%), while only 28.2% fell into the less severe "other" category. This confirms the GAO report (2012) that found 71.5% of the examined cases were characterized as mission-compromising corruption. Collapsing the mission-compromising category into its two main components

Table 2 Corrupt border law enforcement officers (2004–2015)

	n (%)
Sex	
Male	138 (88.5)
Female	18 (11.5)
Occupation	
Customs officer	102 (66.2)
Border patrol agent	52 (33.8)
Missing	2
Age	
20–27	12 (7.9)
28–35	55 (36.2)
36–43	39 (25.7)
44–51	33 (21.7)
52	13 (8.6)
Missing	4
Corruption type	
Drug-related	59 (37.8)
Immigration-related	53 (34.0)
Other misappropriation	44 (28.2)
Duty station	
Southern border	111 (71.2)
Northern border	19 (12.2)
Other (e.g., airport)	26 (16.7)
Years of service	
0–5	58 (38.2)
6–11	48 (31.6)
12–17	43 (28.3)
18 or more years	3 (2.0)
Missing	4
Sentence	
Prison	93 (73.2)
Probation	34 (26.8)
Missing	29
$N = 156$	

suggests that 37.8% of all corruption cases were drug related and 34.0% immigration related. It is interesting that no border law enforcement officer in the U.S. was arrested for corruption involving ad-hoc exchanges with individuals or export/import firms. These latter forms of border corruption are typical in many countries where clients bribe whoever is on duty to turn a blind eye to small-scale offenses or reduce tariffs on trade. The majority of the convicted CBP employees among the 156 cases (73.2%) received prison sentences, while 26.8% avoided detention and only received probation. Almost three-quarters (71.2%) of corrupt cases happened

Table 3 Occupation of corrupt officers

	Occupation		
	Customs officer %	Border patrol agent %	Total %
Duty station			
Southern border	54.5	45.5	100.0 (110)
Northern border	94.7	5.3	100.0 (19)
Other (e.g., airport)	96.0	4.0	100.0 (25)
Total %	66.2	33.8	100.0 (154)
$X^2 = 23.526$			
$p < 0.000$			
Cramer's V = 0.391			
Age			
20–27	33.3	66.7	100.0 (12)
28–35	52.7	47.3	100.0 (55)
36–43	68.4	31.6	100.0 (38)
44–51	84.4	15.6	100.0 (32)
52+	92.3	7.7	100.0 (13)
Total %	65.3	34.7	100.0 (150)
$X^2 = 18.744$			
$p < 0.001$			
Cramer's $V = 0.353$			
Sex			
Male	63.5	36.5	100.0 (137)
Female	88.2	11.8	100.0 (17)
Total %	66.2	33.8	100.0 (154)
$X^2 = 4.136$			
$p < 0.042$			
Cramer's $V = 0.164$			

along the southern border of the United States. This is slightly higher than the 65.0% suggested by the GAO report (2012).

Chi square statistics were used to determine if there were differences across the employees of the two main CBP units. The findings reported in Table 3 indicate that there are statistically significant differences among officers from these two units based on their duty station location. While two-thirds of corrupt transactions (66.2%) were conducted by customs officers, they were highly overrepresented along the northern border (94.7% of all cases involved customs officers) and other non-land ports of entry (96.0% customs officers). On the other hand, while only 33.8% of all corrupt action was conducted by border patrol agents, their percentage among southern border cases was 45.5%. Additionally, the youngest corrupt officers (ages 22–27) were more likely to be border patrol agents (66.7%), while significantly higher percentages of customs officers were found in older (36+) age categories. Finally, 88.2% of the corrupt females were customs officers.

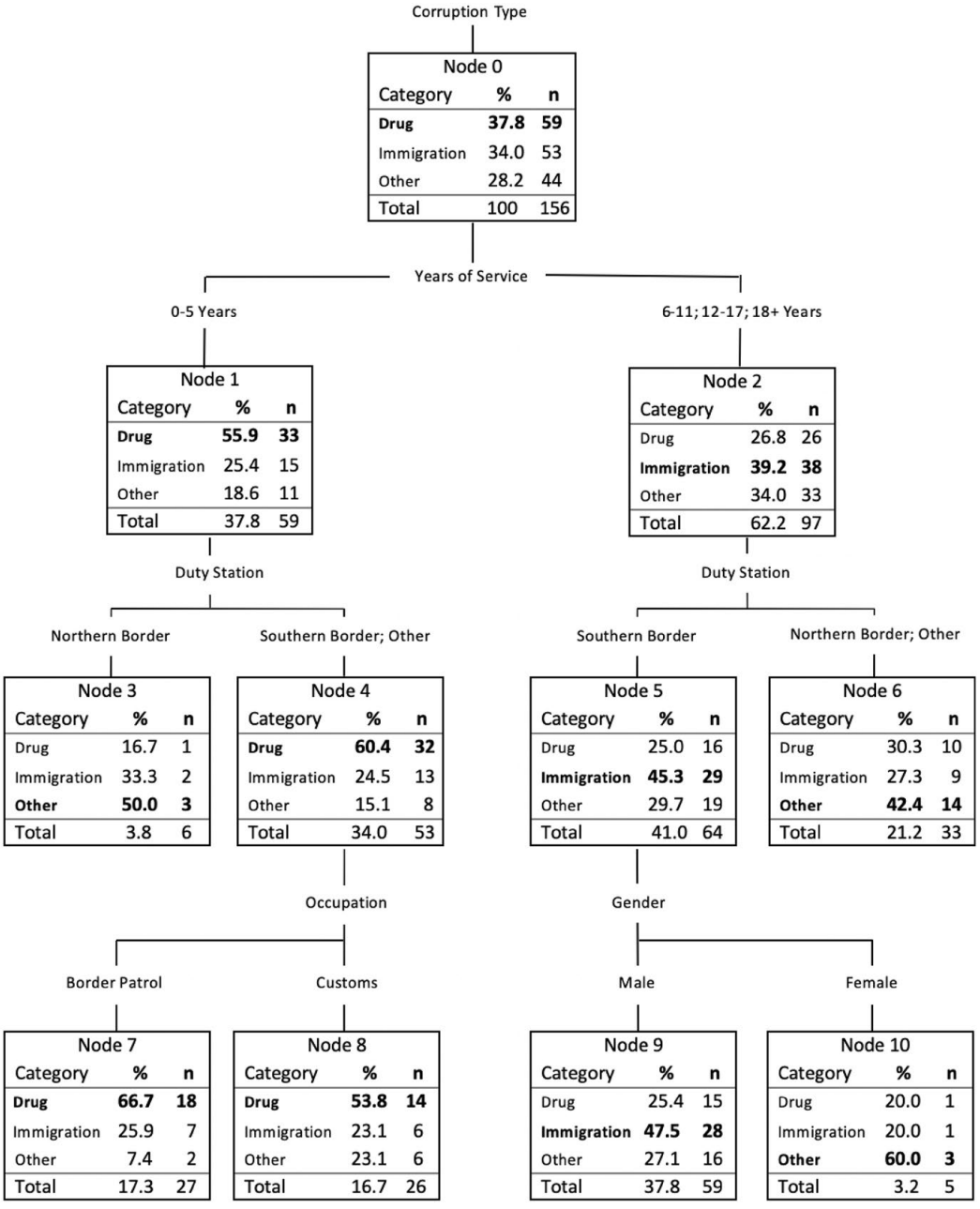

Fig. 2 Predictors of corruption patterns. Corruption types: (1) Drug-related; (2) Immigration-related; (3) Other misappropriation (CART splits the data into segments that are as homogeneous as possible on the dependent variable (root node), presented at the top of the tree. The entire dataset is set into child nodes, based on the impact of the independent variables. The most influential predictor is situated just below the root node. The subsequent nodes are ranked by the significance of the remaining independent variables)

Patterns of border corruption

Figure 2 presents the results of CART analysis showing the likelihood of conducting different types of border corruption. The estimate of risk is 0.487 with a standard error of 0.040. The percentage of pairs correctly classified is 51.3%, given in Table 4. The strongest predictor, presented at the top of the tree, is years

Table 4 Classification (corruption patterns)

Observed	Predicted			
	Drug-related	Immigration-related	Other	Percent correct (%)
Drug-related	32	15	12	54.2
Immigration-related	13	28	12	52.8
Other misappropriation	8	16	20	45.5
Overall percentage (%)	34.0	37.8	28.2	51.3

of service. Twice as many officers with the shortest service history (55.9%) were involved in drug-related corruption as their counterparts who served more than 5 years (26.8%). Conversely, compared to their senior colleagues, those who served five or fewer years were not as likely to participate in immigration-related corruption (25.4% vs 39.2%) and even less likely to conduct other, less severe forms of corruption (18.6% vs 34.0%).

For those with short service histories, the best predictor of corruption type was the duty station. Almost all of the drug-related cases within this subcategory, 32 of 33, happened on the southern border or at other inland ports of entry. Among junior officers from these two station locations, the strongest predictor at the next level was occupation. In such cases, border patrol agents were more likely to conduct drug-related corrupt transactions than customs officers (66.7% vs 53.8%).

The right-hand side of Fig. 2 shows employees who served six or more years with CBP. Among them, the strongest predictor of corruption type was duty station. Here CART distinguished between corrupt border law enforcement officers from the southern border and those who served on the northern border or other inland ports of entry. Officers represented in the southern border cell were more likely to conduct immigration-related corruption (45.3%) than people from any other border station (27.3%) and less likely to participate in the other category of corruption transactions (29.7% vs 42.4%). The percentages of drug-related cases were just slightly different for officers from the southern border (25.0%) and other locations (30.3%).

The next level of the tree for officers from the southern border was gender, although here, the female cell contains only 5 cases. Corrupt female officers were more likely to participate in these less serious forms of corruption (60.0%) than males (27.1%). They were less likely to get involved in immigration-related corruption (20.0%) than their male counterparts (47.5%). There was a small difference between females (20.0%) and males (25.4%) in terms of drug-related cases.

Due to a series of interacting factors, the proportion of drug-related cases varied among different segments (or groups, or demographics, etc.) of the CBP workforce from a low of 16.7% to a high of 66.7%, with a base rate of 37.8%. The cases of immigration-related corruption varied from a low of 20.0% to a high of 47.5%, against a base rate of 34.0%. Other less serious corruption cases varied from a low of 7.4% to a high of 60.0%, with a base rate of 28.2%.

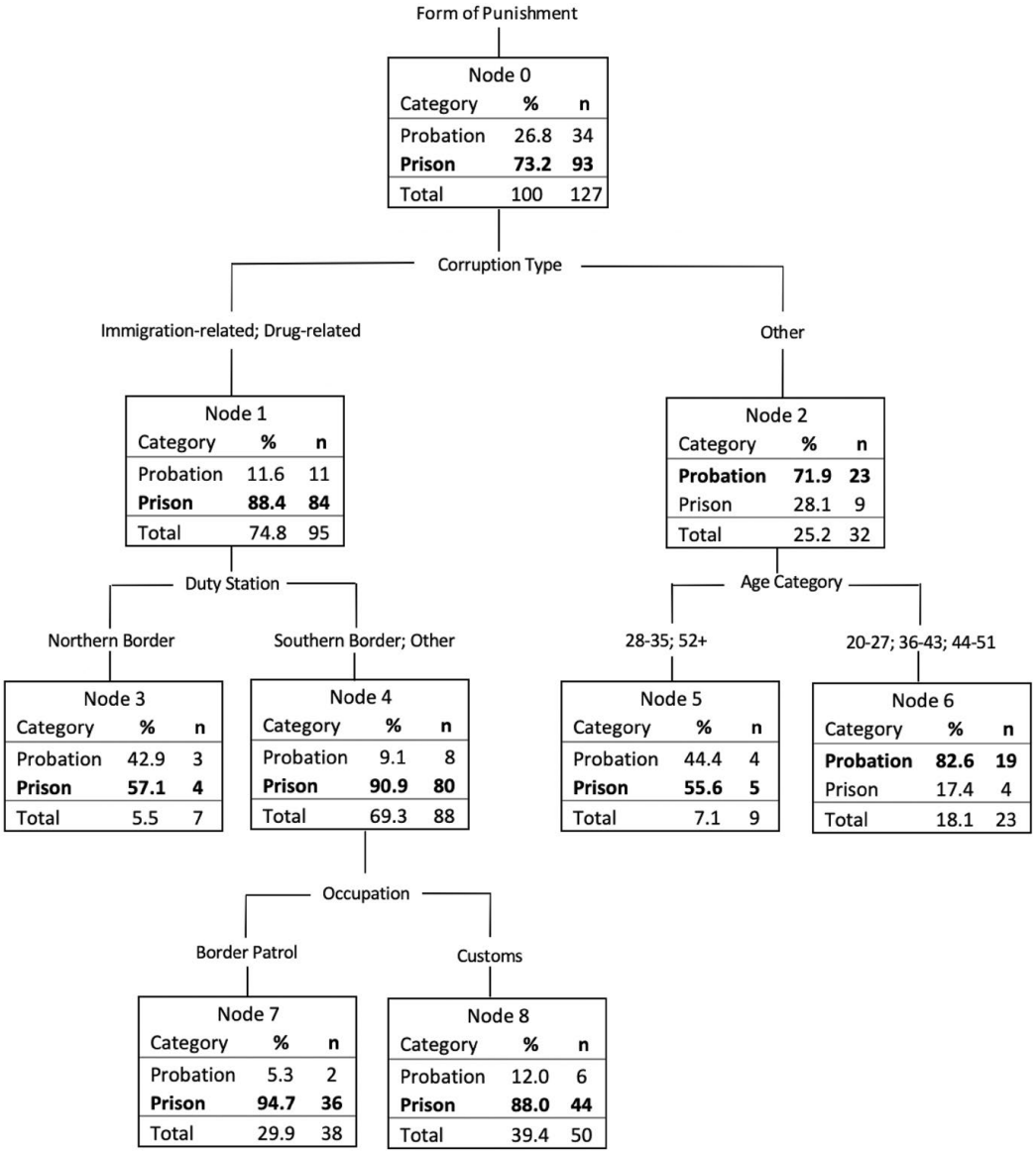

Fig. 3 Predictors of sentencing patterns

Patterns of sentencing

The forms of sentence received for corruption, i.e., probation or prison, were identified in 127 cases. This variable might be an indicator, although a rough one, of the severity of the corrupt act. Figure 3 shows the results of the CART analysis using the forms of sentence as the dependent variable along with the set of potential predictors. The estimate of risk is 0.150 with a standard error of 0.032. The percentage of pairs correctly classified is 85.0%, given in Table 5. The initial split was based on the types of corruption separating corrupt border law enforcement officers into two cells: (1) those involved in drug- or immigration-related corruption, basically mission-compromising corrupt cases, and (2) those involved in other types of corruption. Not surprisingly, the likelihood of going to prison for mission-compromising

Table 5 Classification (sentencing patterns)

Observed	Predicted		
	Probation	Prison	Percent correct (%)
Probation	19	15	55.9
Prison	4	89	95.7
Overall percentage (%)	18.1	81.9	85.0

corruption was more than three times higher (88.4%) than for other forms of border corruption (28.1%). Likewise, officers who were caught for other types of corruption were much more likely to be sentenced to probation (71.9%) than their counterparts who got involved in drug or immigration-related corruption (11. 6%). An additional split was made from the drug or immigration-related corruption cell based on the duty station: 90.9% of corrupt officials from the southern border and other inland ports of entries were sentenced to prison, compared with 57.1% of those from the northern border. Yet, it is important to note that this latter cell had only a few cases. The next level predictor for the southern border and other inland ports of entry cases was occupation. Here CART distinguished between border patrol agents and customs officers. Very high percentages of both types of CBP employees were sentenced to prison but border patrol agents were somewhat more likely to go to prison (94.7%) than customs officers (88.0%).

The right-hand side of the tree shows the sentencing distribution of officers who were convicted for other, more minor types of corruption. Among these cases, the strongest predictor was age. Officers within the age categories of 28–35 and older than 52 were more likely to be sentenced to prison (55.6%) than their youngest (20–27 ages) or their middle-aged (36–51 ages) counterparts (17.4%). It is important to note that there are relatively few cases in these two latter cells.

In this section, factors contributing to the variation in types of sentencing were identified. The proportion of probation sentences varied from a low of 5.3% to a high of 82.6%, against a base rate of 26.8%. The cases of prison sentences varied from a low of 17.4% to a high of 94.7%, against base rate of 73.2%.

Discussion

Despite the fact that border law enforcement officers are more prone to corrupt activities than employees in other law enforcement agencies, the topic is surprisingly under-studied. Most of our knowledge on border corruption in the U.S. comes from government reports, official testimonies, and journalistic investigations. This study provides data on 156 cases of border-related corruption identified through a systematic content analysis of official documents obtained via Freedom of Information requests.

Several differences were found between corrupt customs officers and border patrol agents in terms of their age, sex, and duty station. The characteristics of their jobs also indicate different activities within the same corruption type. When participating in drug-related corruption, customs officers typically facilitated the smuggler's smooth border-crossing process, while border patrol agents allowed them through CBP traffic checkpoints near the border. Border patrol agents also "sold" smugglers their knowledge about how the U.S. border protection system operates. For example, they advised them on which routes they should take in order to avoid interdiction by CBP or provided them with information about the locations of sensors. In immigration-related cases, the main "task" of customs officers was to make it appear that illegal immigrants legally entered the country. This usually required manipulation of electronic government systems. On the other hand, border patrol agents often escorted human smugglers ahead and advised them of the operation status of other agents or checkpoints.

Limitations

This study has two main limitations that need to be acknowledged. First, it is limited by the content and quality of information available for each case. Although several cases in the dataset were well documented, others were not. Since only a relatively small number of variables were available for every case, possible important variables and strong predictors may not be included in this analysis.

Second, the data are limited to cases that were exposed by authorities through formal investigations. Corruption is a criminal activity with a very high level of latency. It is often a win–win game when all involved actors consciously conspire to avoid detection. Therefore, the size, boundaries, and other characteristics of the hidden population of corrupt officers and the true levels of corruption within CBP are not known. This raises generalizability issues related to the findings of this study because without this information, it is impossible to correctly know how general the revealed behavior is among all corrupt CBP employees.

Implications for future research and practice

The study has implications for future research. The analysis identified some key characteristics of corruption among border law enforcement officers in the U.S. Yet, there is a variation of border corruption across countries and some types are more widespread in particular regions/countries than others (Jancsics 2019). This study may serve as a basis of future comparative research to understand different forms of border corruption within different national, cultural or organizational contexts. Moreover, since corruption in U.S. police departments is a relatively well-studied phenomenon this analysis would be also a good starting point to reveal similarities and differences of corrupt practices between these two main types of law enforcement institutions.

This analysis also provides some implications for practice. The majority of cases analyzed here involved drug or immigration-related smuggling schemes, which

implies some level of trust and enduring conscious conspiracy between criminal group members and border officers. As government reports indicate, some infiltrators even pursue employment in border control authorities. In such cases, the corrupt officer is a member of the criminal network and subject to the informal normative system of the organized crime group. Here, rule-based, top-down anticorruption policies such as penalties, rewards, or codes of ethics are often rendered illegitimate and subject to deceit by socially connected corrupt actors (Schweitzer 2004). These exchanges are typically prearranged and coordinated with sophistication during the corruption process, often by using text messages or phone calls. Therefore, banning officers from carrying private cell phones while on duty might be a simple but effective anticorruption tool (Balla 2018). Moreover, another popular strategy, "staff rotation", can be successful in limiting the officers' opportunity to develop social bonds with corrupt clients (Abbink 2004). Yet this tool may be less effective against corrupt relationships based on preexisting social arrangements such as family, friendship, or criminal group membership.

One of the most interesting findings of the study indicates that total years of service is the strongest predictor of different types of corruption on the border. More specifically, border law enforcement officers from the southern border of the U.S. with a very short service history were much more likely to be involved in drug-related corruption than their counterparts. The next split of this cell in the CART tree shows that border patrol agents were more likely to conduct drug-related corrupt transactions than customs officers, although this latter group also had a significantly higher proportion in this cell as compared to its base rate. A possible explanation of this result might be that these rookies can be easily tempted by quick money from a drug deal. The fact that drug-related transactions require passivity or no action rather than active participation might make this type of corruption seemingly less risky and easier to do.

An important implication of this analysis is that CBP's corruption prevention policy should focus on this particular subgroup. The first 5 years of service are critical for both customs officers and border patrol agents on the southern border because the risk of getting involved in drug-related corruption is especially high during this period. CBP has 12 months (and if one discounts the basic training, only 6 or 7 months) to evaluate and decide whether to keep a new CBP employee (Homeland Security Advisory Council 2016). Since these junior officers are especially vulnerable to drug-related corruption, this evaluation phase seems to be too short.

Finally, the study has a security-related implication. Interestingly prior to the mid twentieth century, U.S. borders were relatively open without significant boundary control (Nevins 2002, p. 25; Timmons 2017). Yet, due to multiple policy regime changes such as War on Drugs, post 9/11 and most recently, fighting illegal immigration strict border enforcement, especially along the southern border, has become a key element of contemporary national security (Kurz and Berry 2015; Gravelle 2018). However, studies show that significantly enhanced border security may have negative social effects such a fostering the climate of xenophobia (Rajan and Gabriel 2015), encouraging vigilantism (Kurz and Berry 2015) and weakening privacy and data protection (Han et al. 2017). Moreover, such strict policies are not effective to block the flow of illegal drugs into the U.S. (Brown and Benedict 2007). A

security-related implication of this study is that rapid expansion of border enforcement may also increase corruption, since organized crime groups actively target federal border law enforcement to assist with their illicit transport and thus reduce the risk of being caught by random inspections (Testimony of Inspector General John Roth 2015; Jancsics 2019). The lack of low-level ad-hoc petty corruption and the high percentage of drug and immigration-related cases—two important findings of this study—suggest that trust-based strategic conspiracy between the corrupt partners is already the dominant form of border corruption in the United States. Tighter border security may further increase the level of this type of bribery.

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Compliance with ethical standards

Conflict of interest On behalf of all authors, the corresponding author states that there are no conflicts of interest.

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