

**The Bill Blackwood
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The Need for Ethics Training in Law Enforcement

**An Administrative Research Paper
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ABSTRACT

The need for a heightened awareness of ethics training is becoming evermore present in the field of law enforcement. The media has become a major catalyst in bringing unethical officers into the public eye. The unethical actions of a single officer can bring shame and distrust to an entire law enforcement agency, and reduce the public trust that is vital for this profession. The methodology used in the research of this topic included a review of literary works and a survey of 26 law enforcement agencies located throughout the State of Texas.

The findings from the literature and the survey revealed that most law enforcement agencies have an oath or a code of ethics in place. The findings also revealed that officers feel that having ethics is an important aspect of the law enforcement profession. However, a little more than half of the agencies surveyed actively conduct ethics training. The ethical actions of officers on and off duty are now seen nationally and a heightened awareness of the desired ethical standards an officer should follow needs to be positively reinforced.

Ethics training should be implemented in every phase of an officers training. This should start at the police academy and continue through the career of the officer. Law enforcement agencies that do not have a code of ethics or an oath of ethics should strive to develop a set of behavioral standards for officers to live by. These policies should be a guide on how officers must conduct themselves in their professional and private lives.

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INTRODUCTION

The law grants police officers a great amount of power and control over the community in which it serves. The law also affords a new rookie officer the same powers as the most seasoned veteran officer. The powers given to a police officer demand that the officer follow strict ethical guidelines that will dictate police behavior and conduct. Historically, ethics training has not been given the same level of importance as other areas of training; however, with increased scrutiny from the public sector, ethics is becoming a more common facet of law enforcement training.

The concept of an ethical philosophy can be traced back to the time of the Roman Empire. The emperor Marcus Aurelius said of ethics, "if its not right don't do it; if its not right don't say it." This philosophy of ethics is still believed and practiced in today's society. The code of ethics police departments administer to officers represents a personal commitment to follow the guidelines set forth by law enforcement professionals. Police departments expend vast amounts of resources to investigate complaints of police misconduct to ensure organizational integrity. A reduction in complaints will allow police departments to focus on the more important issues that affect the community and the citizens.

This administrative research will explore the need for the development and implementation of ethical standards in law enforcement. Police officers are in the public view while on duty as well as off duty. Hence, the actions and behavior of an officer are always under scrutiny by the media and the public. Rising public interest in the ethical standards of police officers and its associated misconduct has become headline news. The unethical performance of one officer can create negative perceptions of the police

department and City. Due to this increased interest, police departments must focus on hiring people with high moral standards and then must ensure that the newly hired officer continues to live up to those after gaining employment.

The primary purpose of this research is to determine the use and compliance of ethical guidelines and standards in the law enforcement community. Several sources will be used in the research of this paper. The sources will include literary works and reviews from the authorities on the topic of ethics. In addition to the literary works, a survey will be conducted of several law enforcement agencies represented at the Leadership Command College Module I, Class 66. A sample of code of ethics statements will be collected from various police departments to compare and contrast the value concepts listed in those statements. This will assist to determine a baseline philosophy of ethical core values in law enforcement. The predicted findings will be that the majority of police departments will have a code of ethics for their officers. Through the results of the research, a determination will be formulated answering the question: "do law enforcement agencies provide ethics training and truly attempt to maintain the ethical standards stated in their code of conduct or oath of ethics statement."

REVIEW OF LITERATURE

When a police officer accepts the authority as symbolized by the badge of a law enforcement officer, a public trust has automatically been accepted that the officer will protect the rights of the people and maintain their safety in the community served. The officer is also expected to be an example for others in the community to emulate. The officer should be a good example to the citizens in his professional life as well as in his

personal life. Cohen & Feldberg (1991), list five ethical standards every law enforcement officer should strive to maintain. The five ethical standards are as follows: officers must provide fair access to their services to all member of the community; officers must insure that their power is held and used as a public trust, and will not be abused; officers must see their primary duty as the safety and security of citizens before the unreflective enforcement of law; officers must acknowledge the coordination of governance with their officials in the system. This includes legislators, other officers, prosecutors and judges. Subsequently, there must be coordination, cooperation and communication between all members involved. Additionally, officers must maintain an attitude of non-partisan objectivity in carrying out their functions. Police work is a social profession that requires the officer set feelings aside and demonstrate objectivity.

A case study of the police department in the City of Farmers Branch demonstrates how the five main ethical standards were tested in the summer of 2006. A city council member, Tim O'Hare, suggested a city ordinance dealing with illegal immigration. The proposed ordinance created a heated debate and demonstrations on both sides of the immigration issue. During the demonstrations the police department was thrust into the middle of the issue. The officers and supervisors did an excellent job following the five basic ethical standards in their response and actions dealing with the immigration issue. In relationship to the first ethical standard, the police department served all demographics of the community regardless of who requested police assistance.

The Farmers Branch Police Department was also conscious of the second ethical standard during an immigration demonstration by the League of United Latin American Citizens (LULAC). An immigration opponent entered the area where the LULAC

members were speaking and began to be confrontational. Police officers quickly removed the immigration opponent from the LULAC crowd and avoided any incident. During the demonstration the third ethical standard was tested. Although there were demonstrators on both sides of the immigration issue the officers of the department did not take sides. The officers were at the demonstration to keep the peace and ensure the safety and security of all of the demonstrators regardless of their stance on the immigration issue. In accordance with the fourth ethical standard the police department maintained a good line of communication with all parties involved in the demonstration. The police department stayed in contact with members of the City, LULAC, and other law enforcement agencies in planning for the proper police response to the demonstration. The fifth ethical standard is successfully demonstrated by the Farmers Branch Police Department, as it should be with all law enforcement agencies. The officers do not take a partisan stance on issues. Their job is to serve the citizens, who ever those citizens may be.

The five ethical standards as described by Cohen & Feldberg (1991) can be considered the minimum standards of behavior an officer should try to achieve in professional and personal dealings with the public. The public makes judgments on what is seen and how it is perceived. When a member of the general public sees or hears a tale of officers going above and beyond the call of duty the officer and possibly the entire law enforcement agency are seen in a revering light. This perception can also be inverted to the degree that it creates a negative perception on the department. The unethical actions of one officer can cast a dark cloud on the entire agency. Examples of unethical behavior by officers can be found in the media on a regular

basis. Although the unethical conduct may be by a single officer, the public often perceives the act as department wide and the department will then need to begin to improve its public image. A law enforcement agencies image is directly correlated with public trust. In many professions, including law enforcement, the citizen perception is considered reality. The average person relies on previous contact with officers and media reports to make their determination on the credibility of the law enforcement agency. The citizenry of the jurisdiction served by the law enforcement agency can often assist in the success or failure of the agency through its political ties and ability persuade public officials.

After reviewing the basis for ethical guidelines and how its application or misapplication by an officer can affect the agency and the community, departments should focus their efforts on how to best manage ethical behavior. The first step to having an agency of ethical officers starts in the hiring process. Law enforcement agencies take great strides to research and evaluate the potential behavioral characteristics of new officers. Many of the hiring procedures include a written application, knowledge testing, physical agility test, background check, polygraph, oral interview, and a psychological test. Although these tests screen for honesty, psychological stability, and a criminal history they do not screen for the value predispositions of the potential officer (Caldero & Crank, 2000). When a new officer has passed all of the requirements for hiring it is assumed that the officer will be of good ethical standards because he had a clear background and has successfully completed the applicant screening process. Every new officer hired has personal and cultural value systems that are formulated, nurtured, and shaped throughout their lives. The

challenge for the law enforcement agency now will be to hone the values of the new officer and teach the ethical standards that the officer will be required to adhere.

Once the officer has been hired the foundation of ethical training commences in the police academy based on current police theories and concepts. The new hire furthers their ethical education in the field training program. The field training program is where the real life training of the police profession will occur. The recruit officer will test his knowledge, skills, and ethical values daily. The training will vary from trainer to trainer due to their perceptual filters. Law enforcement, like other professions, has its own subculture of practices and policies. One of the first aspects of the new officers training should include is training on ethical standards. The new officer must understand that law enforcement officers are skilled professionals and their primary consideration constitutes providing a service that benefits the community.

Because law enforcement has been licensed and viewed as a profession, ethics and ethical conduct are key components in community application. Citizens expect law enforcement officers to work in a professional manner without expressing personal views or emotions. A new officer, as well as veteran officers, must strictly adhere to the agency's code of ethics and a code of conduct (Grant, 2002). The citizens of the community often have a preset value system that they believe law enforcement should follow. Continued respect for the agency from within the community can be validated when all officers strive to conduct themselves in an ethical manner while on and off duty. The code of ethics of an agency has no true meaning unless it is supported by the supervisors of the agency and reinforced to the subordinates their own personal

demonstrations and through training on the standards to which officers are expected to adhere.

Officers can be trained on ethics, but in reality not every officer in the agency will refrain from making unethical decisions in their career. Training of ethical standards cannot make officers ethical, but such instruction at least forewarns officers and limits the organizational liability. This knowledge cannot entirely protect the officer from the wrong decision, but it does protect them from being deceived that their decision is the ethical decision (Delattre, 1989). In the event of policy violations of ethical standards, many agencies have an ethical standards or internal affairs division to investigate officer misconduct.

The need for ethics training is two fold. First, officers are tasked with uncovering crimes that many people are reluctant to reveal and may resist arrest when their crime is discovered. Officers must constantly adjust their behavior and actions to circumstances, which most often, can have an unpredictable outcome. Officers must always remember the parameters they are required by law to work within. Although the fruits of a crime may be apparent if the officer violates the law or department procedure in obtaining evidence or a confession the case the officer is filing can be dismissed, or even criminal charges filed against the officer in severe cases of misconduct.

The second need for ethics training is because of an officer's independence while on patrol. The daily patrol functions of officers will allow them to follow their personal ethical value system in dealing with crime and public disorder. Officers are out of direct supervision when on patrol and their encounters with citizens begin and end with discretionary decisions on how to handle the call for service (Caldero & Crank,

2000). For example, an officer searching a jewelry store, where there has been an alarm and an open door is located, may come across many diamonds, rings, and bracelets that are not locked in a vault or a display case. An officer with strong ethical values will not fall to temptation in a situation such as this.

The addition of ethics into the training cycle can be an advantage to any law enforcement agency. Currently, the training on cultural diversity and family violence issues are required by the State of Texas as mandated peace officer courses and the courses must be completed every four years. The regular exposure to these class topics helps the officer stay current on issues of public concern and the classes act a refresher. Conventional wisdom would dictate that ethics training should be a mandated requirement. Annual refresher courses on ethics training will remind and reinforce the need for continued and expected need for moral and ethical conduct by all officers. Many of the basic licensing academies have added ethics training as a core course for the new recruit officers. The ability to instill the need for ethical behavior and decision making will focus the new recruit on the correct path for moral behavior in his career. Since the need for ethics training has been introduced at the basic academy level the training should become mandated by the State of Texas and included in each training cycle to help reinforce the need for ethical behavior by officers.

METHODOLOGY

The instrument used to gather the information was a survey questionnaire where four survey questions were asked to determine the use of ethics in law enforcement, and if any training was conducted in the area of ethics. Twenty six surveys were passes out to law enforcement officers from police agencies throughout the State of

Texas and represented at the Leadership Command College Module I, Class 66. All 26 surveys were returned completed. After a review of the answers any law enforcement agency will be able to determine how their agency follows the basic trend in ethics training. The survey questions are:

- Does your department have a code of ethics?
- Does your department conduct ethics training?
- Do you feel ethics needs to be emphasized at all levels in the police department?
- Do you feel ethics training should be a TCLEOSE requirement?

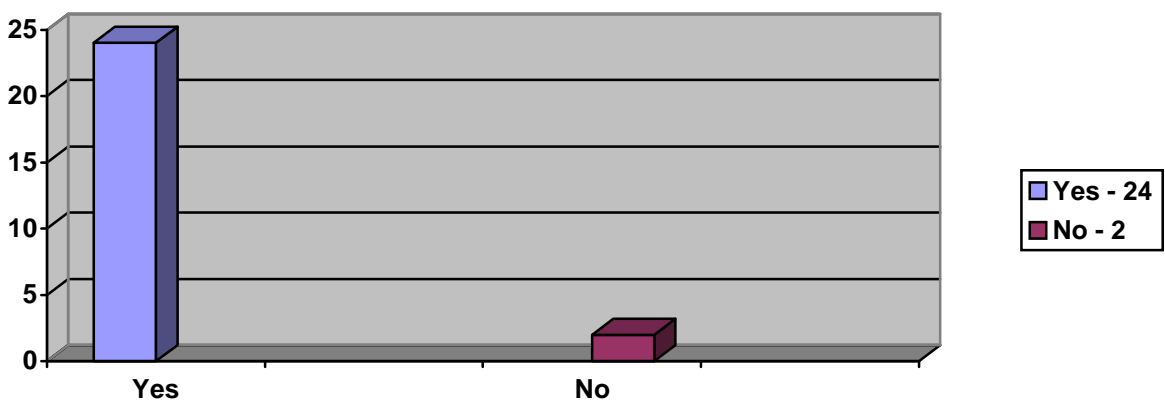
The anticipated answers to the aforementioned questions will give law enforcement agencies and training provider's information on the current status of ethics training and the research results to determine if more training in the field of ethics is needed. Although the majority of law enforcement agencies currently have a general orders or other policy in place to govern officer's behavior, the findings in this research will allow the agency to review the latest trends and enhance their existing policies. The research questions will also be able to give law enforcement administrators an overall view on how the majority of officers feel about the need for ethics training. It is expected that most law enforcement agencies will have a code of ethics, and some agencies will even go a step further and provide standard ethics training. Since officer misconduct has become more prevalent in the media, it is expected that the survey result will illustrate that officers feel more ethics training is desired and should be made a Texas Commission on Law Enforcement Officer Standards and Education mandate.

FINDINGS

The review of literature used in the research of this paper affirmed that ethical standards in law enforcement are paramount in maintaining the image of the agency in the public eye, and that reinforcement of ethics through training will help solidify ethical behavior of officers. The primary feeling of the authors is that the ethical standards of an officer are inset before the officer is hired. The value system of the new officer is then honed in the basic police academy and molded as the officer proceeds through the field-training program. Finally the officer will need to receive periodical ethics training to continually re-enforce the values that have been learned and practiced.

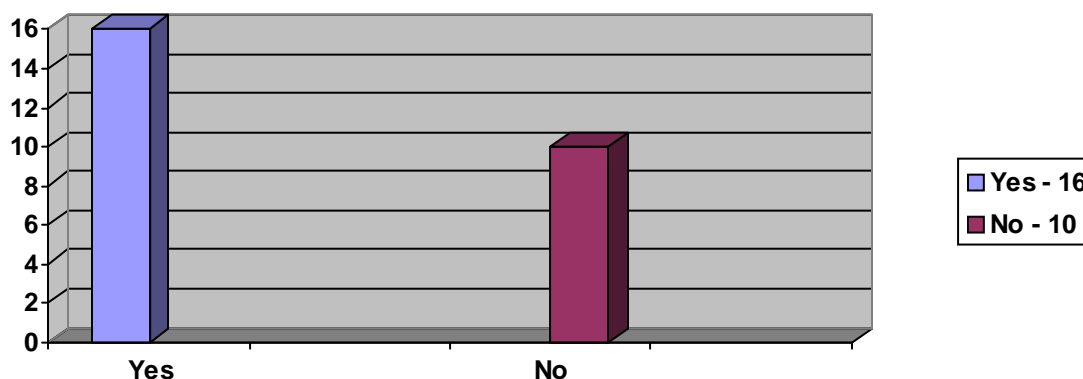
The survey was representative of 26 officers from agencies throughout the State of Texas. The law enforcement agencies represented municipal, county, school districts, universities and transit police. The smallest agency was 14 officers and the largest agency was approximately 3,300 officers. The questions asked in the survey allowed for an answer of “yes” or an answer of “no.”

The first question asked was “does your department have a code of ethics?”



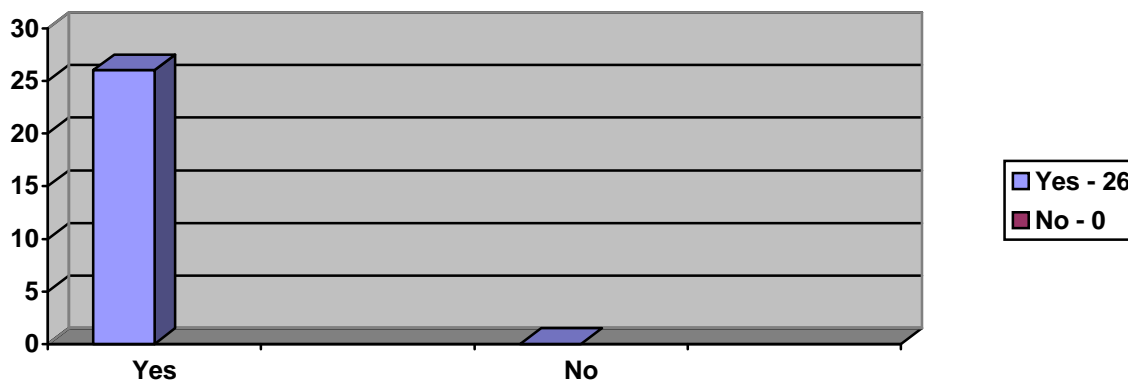
The graph demonstrates that the majority of law enforcement agencies surveyed do have an code of ethics. The challenge for law enforcement to maintain high standards dictates that agencies should have some form of ethical standard to which officers are held. The results of this survey question were anticipated to be a 100 percent. The finding that 92 percent of the departments surveyed is still an acceptable result, but 100% of departments having an code of ethics was the desired result of the findings.

The second survey question asked was “does your department conduct ethics training?”



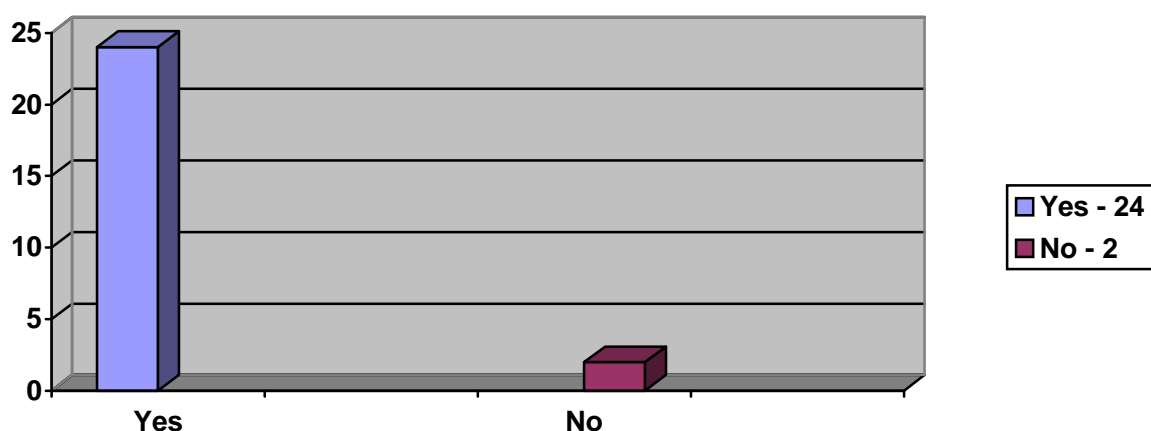
A review of the answers to question two revealed that 62 percent of the law enforcement agencies surveyed do conduct training in the area of ethics. This result is higher than anticipated. The expected result was that less than half of the law enforcement agencies surveyed would be conducting ethics training. The determination from a random sample of law enforcement agencies that the majority of agencies are conducting ethics training is a positive note. The goal of this research is to allow administrators to get a view of what other agencies are doing in the field of ethics training and use the information to add ethics training or improve the ethics training within their own department.

The third survey question asked was “do you feel ethics needs to be emphasized at all levels in the police department?”



The response to this survey question was 100 percent positive. This question was placed in the survey to assist administrators in understanding the need for ethics training and ethical behavior at all levels of the agency. The survey question receiving 100 percent of a “yes” answer was the predicted result. Management plays a vital role in any law enforcement agency and the supervisors of the agency must be held to the same or higher standard as an officer. Management sets the example in any law enforcement agency and it is common practice for the subordinates to mimic the actions and attitudes seen on a daily basis. The response to this survey question re-enforces the need for management to obtain ethics training and add it as part of the agencies training curriculum. Authors and scholars alike believe that leadership and ethics should start at the top of any organization’s management and work down through the ranks of the agency.

The final survey question was “do you feel ethics training should be a TCLEOSE mandate?”



The result of this survey question was 92 percent in favor of ethics training becoming a TCLEOSE mandate. The expected result was 100 percent. Taking into consideration the previous survey question obtaining 100 percent for ethics training at all levels in the agency it was expected that this survey question would also receive 100 percent in favor of the TCLEOSE mandate. One possible reason for the lack of 100 percent in favor of making ethics a TCLEOSE mandate could be the amount of mandated training currently required by TCLEOSE. TCLEOSE currently has several mandated courses officers must complete each training cycle. Many of the officers feel that training requirements are overly repetitive and possibly would not desire another course placed on the list of mandates.

The results of this survey demonstrates that officers feel ethics training is important and should be taught at all levels in the agency. Regardless of the size of the law enforcement agency, ethics training is coming to the forefront of concern in maintaining a positive public image. The survey provided information on how many law enforcement agencies take an approach to ethics and how officers feel about ethics training. The main goal of the survey was to provide information for administrators on ethics training and how the majority of officers feel on the subject of ethics.

CONCLUSIONS

Law enforcement officers are given a great deal of autonomy while on patrol and the individual ethics and actions of each officer can affect an entire agency. The increased media coverage on officer behavior had become national news. The purpose of this research was to identify the need for ethics training in law enforcement and allow individual agencies a glimpse into the general consensus of how officers feel about the need for ethics training. The initial hypothesis was that most law enforcement agencies surveyed would have an code of ethics, but would not do any training in the field of ethics to re-enforce the standards set by the department. Overall, the findings from the survey were positive. The majority of the agencies surveyed had an oath of ethics or code ethics in place and actively conduct ethics training. All of the officers surveyed felt that ethics should be emphasized at all levels in the agency, and the majority of officers felt that ethics training should be a TCLEOSE mandate to be taught during the training cycles.

The results of the research, literately reviews, and the survey all supported the initial hypothesis that ethical standards are a vital part of any agencies image and training on officer ethics should be a continual process. The basic police academy provides the first exposure to law enforcement ethics the officer will experience. After completion of the basic academy the responsibility for ethics training will fall on the officer's law enforcement agency.

The most widely used code of ethics was developed by the International Association of Chief of Police (IACP). The IACP code of ethics is as follows:

“As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice. I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty. I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities. I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the

pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.”

The sentiments in the IACP code of ethics have been echoed in the research and findings of this paper. The ultimate responsibility for ethical behavior and conduct will always fall on the shoulders of the individual officer. Officers are trained in all areas of law enforcement, and ethics should be one of the areas instilled in the officer’s course curriculum. Officers must always take pride in themselves, agency, and in their community. Law enforcement is a profession and the officer must without fail conduct themselves as professionals.

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APPENDIX

Ethics Survey

Name: _____ Rank: _____ Phone #: _____

Department: _____ Department Size: _____

Type of Agency: _____

1) Does your department have an oath or code of ethics?

Yes

No

2) Does your department conduct ethics training?

Yes

No

3) Do you feel ethics needs to be emphasized at all levels in the police department?

Yes

No

4) Do you feel ethics training should be a TCLEOSE requirement?

Yes

No