The Bill Blackwood Law Enforcement Management Institute of Texas

PROMOTING ETHICS IN A POLICE AGENCY

An Administrative Research Paper Submitted in Partial Fulfillment of the Requirements for Graduation from the Leadership Command College

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ABSTRACT

Ethics in all professions is important. Professionals must use ethical guidelines when accomplishing goals and relating with people. A vital ingredient in the law enforcement profession is ethics. Law enforcement agencies must be committed to establishing and maintaining ethical guidelines. Agencies must explore new ways of instructing and enforcing proper behavior.

The need for ethics training is evident in major newspapers and journal articles across this nation. A police officer's actions are under more scrutiny now than ever before. Those very actions contribute to the public's perception of the police. To ensure ways of promoting ethical behavior by law enforcement officers, agencies should develop and implement a comprehensive plan. A comprehensive plan should include directives on how to promote ethical behavior, how to choose new recruits that will be prone to act properly, and ways to change unethical behavior by police officers. Also, departments should use police academies that promote ethics training within their curriculums.

The comprehensive plan for promoting ethics should include detailed guidelines on hiring procedures, such as setting the highest possible standards for accepting applications. A pre-employment background investigation is essential to hiring officers that will compty with ethical standards. Training should be addressed in the plan to ensure continued compliance and knowledge of revised department policy. Role modeling should be implemented and used as an effective way for police administrators to exhibit proper conduct. Last, policies and procedures should reflect the department's position on ethical behavior and set clear disciplinary procedures for improper behavior.

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INTRODUCTION

This Administrative Research Paper is in reference to "Promoting Ethics in a Police Agency". Ethics is not a new term to law enforcement. However, due to the importance of the public's perception, ethics and the police officer's behavior is under more scrutiny now than ever before. In the 1990's we have seen unethical acts of police officers caught on camera and displayed in every home in America. The public's assessment of police officers is greatly affected by these exhibitions. It is due to this that police departments need to ensure the integrity of each and every staff member. Officers that disregard ethical behavior can do a tremendous amount of discredit to the profession and to every individual that carries a badge. The responsibility falls upon each department to make certain that it promotes ethical behavior of its officers.

The purpose of this research is to explore new awareness of ethics as it relates to law enforcement and to develop a comprehensive plan for promoting ethics in a police agency. Four research questions were constructed to assist in this project. The questions are as follows.

- How can police agencies effectively promote ethical behavior?
- How can police academies effectively instruct ethics and proper conduct to police recruits?
- How can police departments predict that police applicants will conform to proper ethical behavior?
- > How can aver's all behavior by police officers be changed?

The intended method of inquiry for this research project will be through extensive exploration of recently recommended steps by experts in the field of ethics. To accomplish this objective, this project will include modern and novel suggestions that have been examined and published by professionals in law enforcement. State guidelines on ethics training will also be examined as well as in-service requirements.

It is believed that the anticipated findings of this research project will reflect numerous approaches to promoting ethics in police officers. Most police agencies across this nation have policy and training that actively promote ethics (IACP, 1997). However, due to the increased scrutiny of police behavior, it is necessary for agencies to evaluate their training, policies, and procedures.

The conclusion of this research project will benefit police agencies by promoting evaluations of their existing ethics training and policies. Law enforcement will always receive benefits from ethical behavior. We must not allow the public's trust in the police to be diminished or tarnished. Even the new recruit that patrols the neighborhood streets is a role model and must accept the responsibility of the profession. Each police agency should set goals and expectations to ensure integrity within its ranks. The true winners of ethical police departments are not only the public, but also every officer in that agency.

REVIEW OF LITERATURE

The image of law enforcement in the year 2000 can easily be debated. Whereas, a percentage of the public will straightforwardly agree that police are needed and have a positive image. Another percentage of the public will state that police are just a necessary evil and reflect poorly on their profession. Why is there a noticeable difference in the perception of a professional that is trained and educated similarly across the nation? Many factors contribute to the public's image of police. A police officer's actions are one of the primary factors that the public relies on to establish an image. If the officer's actions are of a positive nature, then routinely the public will have a positive image of that officer and other officers that they come into contact with. However, the results are the same with the actions of a bad cop. Those negative actions reflect on every person that wears a uniform and a badge. The media's role in the police image is an important avenue to whether the public has a positive or negative impression. Negative actions caught on tape and played on the evening news mean big ratings for broadcast stations. It also means that every officer in the country will be affected by the bad publicity. High profile media reports document law enforcement's and the community's concern with downcrating ethics (Prazier, 1995). Likewise, if a cifizer gets pulled over for a fraffic offense and the citizen's perception of the officer is poor, then that citizen will develop the same poor perception of other officers. The public's image of police is fragile. Every officer has the duty to protect his or her image for everyone's sake.

One reason that a positive police image is important is due to the sensitivity of the public's trust. An officer's trust with the public can be tarnished in just a few seconds. That same trust will take years to rebuild. The public's trust with police is probably one of the most important ingredients of a positive police image and can boost efforts, to fight crime.

The role of police officers is changing from pure law enforcement to one of dealing with people and their problems; therefore, police officers are taking a more holistic approach to the community (Tyre, 1992). If the public does not trust the police, then the public is not going to work with law enforcement to solve problems in their own neighborhoods.

The immediate reduction of trust in the police could result in a decline in the number of convictions. Jurors will not believe officers on the stand unless that trust is present. Community service programs that are supported by police would abruptly become failures but for trust in the uniform. Programs such as D.A.R.E. (Drug Abuse Resistance Education) would not be effective without the trust that young people have in the police officer that teaches them to avoid drugs and violence.

Policing is a noble profession, and police officers – by simple virtue of working in that field – are presented with unique opportunities to build and strengthen character in themselves and others (Carlson, 1999). Law enforcement should not abuse or misuse the trust that the public places on them. A positive police image is important and should be cultivated into a partnership that is designed to fight crime. The absolute success of law enforcement rests on the trust of the public. Police officers must live and work as role models in their communities. Trust and ethics are a winning combination to ensure the safety of the community, just enforcement of the laws and protection of the rights of citizens.

Ethics is our greatest training and leadership need today and into the next century (IACP, 1997). This statement sums up what should be the focus of police training for every law enforcement agency in this country. The need for ethics training is evident. Research suggests that if current trends continue, the manner in which police misconduct is reviewed and adjudicated will remain a critical issue (Frazier, 1995). Without effort, articles can be found in newspapers and professional publications that focus on the misconduct of police officers.

The need for ethics training and the development of a comprehensive plan for promoting ethics can be related to the following research questions:

- ➤ How can police agencies effectively promote ethical behavior?
- How can police academies effectively instruct ethics and proper conduct to police recruits?
- How can police departments predict that police applicants will conform to proper ethical behavior?
- How can unethical behavior by police officers be changed?

Recently, the Department of the Treasury was forced to review its existing department noticy after several federal state, and local law enforcement officers were disciplined for participating in what was called the "Good O' Boys Roundup" (Department of the Treasury, 1996). Initial allegations focused on the display of racist signs, slogans, and t-shirts. This event, which happened at an annual retreat in Tennessee, was characterized as a "whites only" event. This event seems to prove that ethical behavior training needs to be utilized not only at the local level, but also state and federal agencies both large and small.

A 1991 survey of police executives in Florida revealed that sheriffs and police chiefs were aware of the many ethical dilemmas facing their officers. They indicated that drug use,

alcohol abuse, financial temptation, and dishonesty while protecting other officers led to termination more frequently than use of force (Braunstein, 1992). This survey suggests that police administrators have knowledge of the ethical problems in police agencies. Therefore, police administrators must be a vital part of the solution.

In many reports, supervision seems to be a key to either promoting ethical behavior or the path to destruction for a police department. In a 1994 report on corruption in the New York City Police Department, the Mollen Commission used a very descriptive term – "willful blindness" – to characterize the utter failure of some supervisors to recognize and respond to blatant police misconduct occurring in their presence (Carlson, 1999). Most reports focus on supervisors in larger police agencies. However, small departments must be experiencing the same type of faulty supervision even though there are no reports to sustain that conclusion. Although resources are limited in smaller agencies, those departments must implement procedures to promote ethical behavior within their ranks. Managing ethical behavior is just as important for small agencies as it is for larger departments. Virtually every significant case of employee misconduct had warning signs that leaders either ignored or failed to recognize as important (Trautman, 2000). In preventing misconduct in police departments, accessions play an important role. Perhaps, if administered correctly, this role could solve a large percentage of ethical wrongdoing. When supervisors are involved in, or have knowledge of wrongdoing, and take no corrective action, that sends a message to their subordinates that ethics is not important within the agency.

Police administrators play a much more direct and powerful role in both the prevention and promotion of misconduct. This type of behavior completely upsets the fragile balance of law and order. The administration of law and justice becomes corrupted by unethical decisions and practices, such that injustice and the abuse of authority is the outcome (Souryal, 1998).

The need for officers to be trained in ethical behavior can be linked to the officer's value system that he was taught during childhood. A police officer's personal value system has been carried through childhood and adolescence into adulthood. This personal value system has been forged during that time period by parents, peers, and significant events in the officer's life. If this value system is not as strong as it should be, the officer's behavior might be compromised in the stressful or demanding situations encountered during a law enforcement career.

Three factors shape a police officer's conduct: personal values, professional ethics, and community standards (Donohue, 1992). These factors are very important in the behavior of police officers. Personal values must be investigated at the time the officer applies for the job. Professional ethics must be taught to officers for the duration of the officer's employment.

Community standards must be addressed and recognized, as standards differ from community to community. The need for these three factors to be acknowledged and considered during the officer's training is crucial to the success of the criminal justice system.

Another need for ethics training is situations were the officer's actions may be videotaped with or without the officer's knowledge. For example, in 1999 a major television station in the Dallas Fort Word, area decided to investigate the way police agencies accept and investigate complaints on officers from the public. In this situation, a person was sent into a police station to ask about filing a complaint against an officer without giving any information. The people used for this investigation were of different races and were sent into the police departments at different times of the day and night. The results of this research ended with most police officers acting very professional. However, there were a small number of agencies that made mistakes when dealing with this type of situation. Unfortunately, these mistakes were shown on television more than the appropriate responses. Police officers must be made aware of ethical behavior and be trained to act appropriately even when they may be provoked in a bad situation.

During the spring of 1997, the International Association of Chiefs of Police conducted an extensive ethics training survey. Over 900 completed surveys were returned and the results were analyzed. One question asked of the participants was, "What do you see as the more pressing ethical issues in law enforcement today?"

A sampling of the answers for this question follows:

Cultural diversity/racism/sexism Lack of a sense of responsibility

Corruption/gratuities Respect

Personal values/morals Public trust

Honesty Decision-making skills

Lack of role models Loyalty

Abuse of force/authority Professionalism

The above answers are a reflection of the concerns that police administrators have in reference to ethics in law enforcement. In a comprehensive plan for promoting ethics in a police agency, some of these issues will be addressed and focused upon. The need for ethics training in law enforcement is clear. Officers have to be aware that their behavior, good or bad, reflects upon the entire profession. Police of ministrators have to be responsible to their officers by setting positive examples. Law enforcement agencies need clear and applicable policies for dealing with training ethics and also the disciplinary actions associated with undesired behavior. Good or bad, ethics training is our greatest challenge to day.

METHODOLOGY

Four research questions were created for the purpose of exploring a new awareness of ethics. Upon the complete examination of these research questions, law enforcement agencies will be capable of developing an inclusive plan for promoting ethical behavior. The questions are as follows.

- How can police agencies effectively promote ethical behavior?
- How can police academies effectively instruct ethics and proper conduct to police recruits?
- How can police departments predict that police applicants will conform to proper ethical behavior?
- How can unethical behavior by police officers be changed?

The anticipated findings of these research questions will produce numerous suggestions for law enforcement agencies and police academies to implement to ensure ethical conduct.

Many police agencies have existing policies and procedures on proper conduct and ethics.

However, these research questions are designed to assist agencies that desire to evaluate their training, policies, and procedures.

The method of inquiry of these research questions will be through an examination of the most recently published information on ethics. Information from articles, books, journals, and other sources will be used to answer the research questions. These answers should provide law enforcement administrators valuable information for evaluating policies concerning ethics.

FINDINGS

A. Hiring Procedures

Hiring procedures may be the most important aspect of promoting ethical behavior in a police agency. If police departments do not hire applicants with good morals and sound principals, then departments will fail in other aspects of promoting ethics. Departments should set the highest possible requirements, in areas such as education and experience when hiring officers and support staff. However, the key issue on hiring is background investigations. The best predictor of future behavior of police officers will always be past performance. The use of vigorous and intensive pre-employment background investigations by law enforcement agencies can ensure that only the most qualified individuals are recruited (Wright, 1991). The first step to a successful background investigation is the completion of a personal history booklet, which requires the applicant to disclose important details of his or her personal and professional life. Falsifying or failing to disclose information should be grounds for an applicant to be ineligible. The main focus points of a background investigation are: preliminary interview, education, military history, credit, criminal history, previous employment, and the applicant's driving record. Sections of the background investigation can include a polygraph examination and a psychological evaluation. Also, the applicant's spouse should be interviewed to determine if there is family support. An important element to a successful background investigation is to ensure that the person conducting the research is well trained and experienced ir this type of investigation.

B. Training

academies should be the first real-life step in teaching ethics to police officers.

Academies are waking up to the fact that ethics training can be very effective at an early stage of a police officer's career. Examples of topics that should be taught to academy students include: decision making skills, exercising discretion, on/off duty

behavior, honesty, code of conduct, and accepting gratuities.

Ethics training needs to begin as soon as a recruit enters the police academy. Police

The Field Training Officer program (FTO) is another important avenue to promote ethical behavior to recruits. The FTO is the recruit's first link to the department and perhaps the first ethical challenge. It is vital that the FTO program is monitored to ensure the promotion of ethical behavior. The officers selected for the program should be of the highest moral character and should reflect the standards of the department. FTOs can promote ethical behavior by assisting the recruit to think through ethical problems that may arise in a career.

In-service training is the most important long-term tool that police agencies have to promote ethics. The suggested cope of ethics in-service training would include discussions of the classical ethical models, the development of laws, lawbreaking, the exercise of discretion, the use of force, equal protection, rewards in various forms, and loyalty (Hyatt, 1991). Ethics must become a component of all in-service training. A relatively new approach to ethics training is to instruct officers how to intervene in the unethical behavior of fellow officers. Intervention could help save a good officer that perhaps makes a wrong decision.

C. Role Models

Role modeling can be a very effective way of promoting ethical behavior in a police department. Role modeling can also be a successful step in changing unethical behavior in an agency. Police chiefs must be the primary role models in their departments, especially in smaller agencies. Small agency chiefs have the ability to reflect the ethical standards of the department to the officers in their departments. Other police administrators must be included in setting examples of proper ethical behavior. These administrators must have a readiness to "walk the line" by becoming benchmarks for their subordinates. As a result of supervisors' contact and formal power as trainers, counselors, and mentors for their employees, they become major role models. A positive relationship between supervisors and their subordinates is important for building loyalty, honesty, respect, and dedication. FTOs must also act as role models for ethical behavior and attitudes (Hyams, 1991). Often left out of ethics training are civilian employees of a police department. Improper behavior by civilians can damage a department's image as quickly as corruption by sworn personnel. Civilians that work around certified officers must be made aware of the same temptations and persuasions that officers experience. Therefore, civilian employees of police departments should be required to attend the very same ethics training that certified officers attend. Also, a class of officers that should not be overlooked is detectives and employees that work undercover. These officers are exposed to corruption and other situations that will test their commitment to ethical excellence.

D. Policies and Procedures

Police departments and administrators must have clear and detailed policies to sustain the correct path for proper ethical conduct by police officers. Administrators should review existing policy and procedures to ensure reflection of modern ethical philosophies. These policies should explain that only ethical behavior will be accepted. Officers need to understand the boundaries in reference to their behavior. Written policy should describe the disciplinary action that will occur if officers violate the ethics policy. Ethical behavior should be a part of a department's evaluation procedure. Officers need to be aware that their behavior will be monitored and measured in performance evaluations. Policies should cover both on and off-duty behavior. Comprehensible guidelines describing the importance of ethical behavior while off-duty should be integrated into department policy. Officers need to know that their positive behavior off-duty is required for proper respect from the public and peers. A very important topic to address in a department's policy is the procedures for handling citizen complaints. Citizen complaints should be handled fairly, consists thy, and quickly. Policy should explain both, the officer's and the citizen's rights, and have built-in safeguards to prevent abuse by either side. Policy should also address the issue of officers reporting unethical behavior by others in the same department. Last, a police department's policies and procedures should reflect the "Police Officer's Code of Ethics" as shown in Appendix 1 and the "Police Officer's Code of Conduct" as shown in Appendix 2.

DISCUSSION/CONCLUSION

The public's perception of police officers and their job performance should be one of the most important aspects of policing today. Police agencies must effectively promote ethical training and reinforce ethical behavior to all employees. Unethical behavior by a small percentage of officers can completely destroy the public's confidence in law enforcement. Even the public's confidence in individual officers could be damaged. The need to ensure the integrity of every staff member is due to the fragile state of law enforcement's ethical foundation.

The purpose of this research was to explore the awareness of ethical behavior of police officers and to develop a comprehensive plan for promoting ethics in a police agency. Every police department should implement a plan for promoting ethics and proper behavior in its officers and employees.

Four research questions were constructed to assist in this project. The questions are listed below.

- > How can police agencies effectively promote ethical behavior?
- ➤ How can police academies effectively instruct ethics and proper conduct to police
- How can police departments predict that police applicants will conform to proper ethical behavior?
- > How can unethical behavior by police officers be changed?

The findings of this research project reflect numerous approaches to promoting ethical behavior by police officers. The benefits to law enforcement will always be positive when officers act ethically. The conclusion of this research project shows that police departments can and must promote ethical behavior. A summary of ethical improvements for police departments is listed below.

Hiring Procedures

- Set the highest possible hiring requirements
- Extensive background investigations

Training

- Real life situational training in police academies
- High standards for Field Training Officer programs
- Include ethical thinking with in-service training
- o Instruct officers in intervention techniques for unethical behavior

□ Role Models

- o Police chiefs must be the primary role models in their departments
- All administrators must be willing to become a benchmark for ethical behavior
- Build a positive relationship between supervisors and subordinates

Policies & Procedures

- Clear and detailed policy to guide officers for proper conduct
- Setting of boundaries for on and off-duty behavior
- Procedures for handling citizen complaints
- Utilize the "Code of Ethics" and the "Code of Conduct"

The results of this research clearly show that police agencies can effectively promote ethical behavior by adhering to set principles established by the administration. As stated before, many factors contribute to the public's image of police. It is solely up to police to promote a positive image. Positive actions by police result in positive attitudes among the public. Positive actions by police usually indicate ethical behavior by officers. The rewards from proper behavior by police are many. The public's trust is the best reward any officer could receive. Therefore, police agencies have an obligation to the public to ensure the proper conduct of officers. By taking a proactive approach to promoting ethical behavior, all of law enforcement will benefit.

Trust and ethical behavior must be evident in every police agency and instilled into every employee within a law enforcement organization. Not only would law enforcement benefit from ethical behavior, but the true winners would be every citizen that relies on the police to protect their lives and property. The benefits would be far reaching and have a positive impact on each community.

Ethical behavior is the greatest challenge for law enforcement. It is a challenge that each law enforcement agency should be freely willing to accept and to succeed in. Only when police departments effectively promote and succeed in implementing ethical standards will the true benefits will be evident. Ultimately, the responsibility falls upon every individual that wears a badge and takes an oath of office. Citizens of our communities deserve this.

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APPENDIX 1

LAW ENFORCEMENT CODE OF ETHICS

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 of ravor, mance 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.

APPENDIX 2

LAW ENFORCEMENT CODE OF CONDUCT

The International Association of Chiefs of Police recommends the following code of conduct.

PRIMARY RESPONSIBILITIES OF A POLICE OFFICER

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace and ensuring the rights of all to liberty, equality, and justice.

PERFORMANCE OF THE DUTIES OF A POLICE OFFICER

A police officer shall perform all the duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration, and dignity. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

DISCRETION

A police officer will use responsibly the discretion vested in his position and exercise it within the law. The principle of reasonableness will guide the officer's determinations, and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be

difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advise rather than arrest – which may be correct in appropriate circumstances – can be a more effective means of achieving a desired end.

USE OF FORCE

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances. While the use of force is occasionally unavoidable, every police officer will refrain from unnecessary infliction of pain or suffering and will never engage in cruel, degrading, or inhuman treatment of any person.

CONFIDENTIALITY

Whatever a police officer sees, hears, or learns of that is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise. Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

INTEGRITY

A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers. The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gift, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.

COOPERATION WITH OTHER POLICE OFFICERS AND AGENCIES

Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. An officer or agency may be one among many organizations that provide law enforcement services to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

PERSONAL - PROFESSIONAL CAPABILITIES

Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

PRIVATE LIFE

Police officers will behave in a manner that does not bring discredit to their agencies or themselves. A police officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.