

**The Bill Blackwood
Law Enforcement Management Institute of Texas**

=====

Ethics in Law Enforcement: The Effects of Entitlement

=====

**An Administrative Research Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**

=====

**By
James M. Williams**

**Shenandoah Police Department
Shenandoah, Texas
July 2004**

ABSTRACT

During the past few years, law enforcement officer's ethical standards have been highly scrutinized. Major news events such as Ruby Ridge, Rodney King, and O. J. Simpson, just to name a few, captured the nation's attention. One of the central traits to values deterioration is the development of a culture of perceived "Entitlement." When the effects of entitlement is not discussed an agency loses an opportunity for officers to understand the potential impact of this belief and its impact on core values for the police officer. Lecturing working police officers about the evils of gratuities or special treatment and how they lead to the "slippery slope" of corruption are usually met with sarcastic sighs and closed minds. Officers can develop a sense of victimization and an intense resentment toward the supervisors and administrators who control their job-role. The only way to change this sense of entitlement is to foster an environment of accountability . . . both organizational and personal accountability at all rank levels. Entitlement spans the entire rank structure. From the top administrator to the newly hired recruit, without effective ethics training, values-based understanding and self-evaluation, they may become the next headline news.

TABLE OF CONTENTS

	Page
Abstract	
Introduction.	1
Review of Literature	3
Methodology	7
Findings	8
Discussions/Conclusions	9
References	11

INTRODUCTION

During the past few years, law enforcement officer's ethical standards have been highly scrutinized. Major news events such as Ruby Ridge, Rodney King, and O. J. Simpson, just to name a few, captured the nation's attention. This attention is directed towards the moral standing of the law enforcement community. With each new headline more and more officer's reputations become tarnished. Not only do these events affect the public's view of the profession, it undermines the true beliefs of the good, hard working law enforcement professional. Ethics is simply defined as what is "good" and what is "bad" with customary behavior generally setting the standard. It is believed that this standard is not sufficient to maintain and support the integrity of police officers. It has been said countless times that police officers should be held to a higher standard. Whether at work or in private life, a police officer's actions and behavior do come under the microscope. The law enforcement officer, as the most visible representative of the formal social control system and our representative of the democracy we live in, is given a special trust (Barker, 1987).

The issue to be addressed in this research is the rising amount of incidents involving some type of officer misconduct. As these situations take place this special trust is broken and impacts the master status law enforcement has in society. It is important to understand that while just a few of these events make it to front page headlines, thousands more are handled everyday out of the public's view. Agencies across the country spend an increasing amount of time investigating, disciplining and prosecuting officers for their illegal or unethical actions.

The purpose of this project is to examine the ways law enforcement officers' ethical behavior is compromised with the main focus being the acceptance of "Entitlement." This belief will be discussed by how it affects an officer's ability to rationalize, thus promoting the justification of behavior, which is clearly unacceptable by society as a whole. Grasping this belief one perceives that by virtue of being a law enforcement officer he or she is owed certain privileges or special considerations whenever their behavior is questioned.

It is hypothesized that law enforcement agencies, whether large or small, spend too little time in making each and every officer aware of the challenges involved in maintaining basic core values. It is further hypothesized that the acceptance of entitlement is a major problem throughout the entire structure of the profession. There must be an understanding that there is a distinct possibility that any officer, from the cadet in the academy to the chief administrator, may fall victim to the consequences of this belief.

Several sources of inquiry will be utilized to investigate this problem. Several leading authors, literary writings, or reviews will be examined. Documented events will be identified. There will be an effort to obtain code of conduct policies from various agencies to establish behavioral boundaries. Also, a survey will be conducted to identify the frequency of ethics training, the most common area of misconduct, and the disciplinary standards addressing these events.

It is the anticipated findings of this research that agencies are acknowledging, but not successfully addressing even the most minor infractions of ethical behavior, which may ultimately lead to the situations that put their

department in headline news. The implications of this research is to convey to law enforcement agencies the absolute need to establish or re-define the manner or processes used to properly maintain the ethical healthiness of each and every individual of the department.

REVIEW OF LITERATURE

One of the central traits to values deterioration is the development of a culture of perceived "Entitlement." This belief suggest that law enforcement officers rationalize and justify their behavior that is clearly unacceptable and would warrant enforcement action if engage in by members of the community at large. The unrealistic expectations of special treatment or privileges being granted embody entitlement. Entitlement can take many forms and can appear at initial review to be a relatively small unimportant issue. Thinking that an individual, by virtue of his/her position as a law enforcement officer, is owed certain privileges is the core of this belief. The old military adage of "rank has its privileges" would represent another example of "Entitlement." In law enforcement, however, like any other authority-based system, the potential for the abuse of authority exists and requires consistent vigilance for prevention. When the concept of entitlement is transferred to the law enforcement culture, it can take the form of "as cops we deserve "Professional Courtesy"; "Speed limits don't apply to us." Each of these statements is the embodiment of entitlement. A belief develops that "you owe us cops for all we put up with on the streets to serve and protect you". Pride in being able to serve as a member of a given police agency is

not entitlement. The belief that as a member of a police agency we're special and the rules don't apply to us" is however, "Entitlement" (Gilmartin,1998).

When new recruits are appointed as police officers, they enter a new subculture that includes special privileges as a part of their newly appointed status. They learn early in the process how to obtain certain items identifying them as officers. Decals, emblems and stickers placed properly on a vehicle may provide an expectation of special consideration, not only to them but also to a family member. Early in the indoctrination into policing, some officers receive the message that they are special and are above the law (Thompson, 2001).

Law enforcement by its nature is required to perform tasks the majority of society cannot or will not perform. The tasks can range from dealing with violent situations, responding to tragic events, or dealing with the most unsavory aspects of society. Officers by seeing themselves dealing with situations that they alone must handle and control learn early in a police career that the position permits them authority to transgress certain social norms to perform job duties. Impacting freedom of movement of citizens, ingress and egress into citizen's private homes, emergency movement due to exigent circumstances that permit traffic laws to be suspended, even the capacity/responsibility to make lethal force decisions are part of the officer's regular routine. Being exposed on a regular basis to "special authority" and at the same time being exposed on a daily basis to that element of society that operates without values combine to severely challenge an officer's core values system (Gilmartin,1998).

The "continuum of compromise" is a framework for understanding and teaching how the transition from "honest cop" to "compromised officer" can occur (Gilmartin & Harris, 1995). Law enforcement agencies can help prepare their officers for the ethical challenges they face during their careers. However, that will require changing the way this topic is approached by the organization and teaching and integrating the information throughout the organization. Breaking small rules, that seem inconsequential or which stand in the way of "real police work" is the first step. This can set the stage for continued progression down the continuum. Acts of administrative commission are seen in many ways . . . carrying unauthorized equipment and/or weapons, engaging in prohibited pursuits and other activities, drinking on duty, romantic interludes at work, not reporting accidents and firing warning shots are just a few examples. Department sanctions are typically the only risk that officers will face at this point. For most officers this is the extent of their personal journey down the continuum of compromise.

The "evolutionary view" of corruption is useful in explaining how this situation can open the door to increased corruption in the police (Sherman, 1983). The police member begins committing minor violations when it is clear that detection is unlikely. In having to deal with the disjuncture from being totally honest to being able to break a regulation, the member may find ways of trying to justify what they did. Often such justifications are based on a sense of entitlement, e.g. "I do not get paid enough and therefore I should be entitled to make use of my police powers and opportunities to suit my personal needs."

Although this is a useful theory in understanding how some police members become corrupt, it does not explain why some members carry on until they are involved in serious criminal corruption. However, the point needs to be made that effective supervision, discipline and accountability of police members is can go along way to preventing "good cops" from embarking on what may become a slippery slope towards difficult moral justifications and increasing levels of misconduct and corruption.

The energy spent on trying to ensure a basic level of service keeps attention away from warning signs of competent yet corrupt cops. Many police officers believe that the disciplinary system is ineffectual and therefore start to develop a sense of impunity. Consequently, perceptions of individual accountability can start to break down and some police members may become more open to engaging in corrupt practices (Newham, 2000).

An Australian research project supports this position by also identifying a number of reasons that reduced the willingness of employees in the public service to take action against corruption (Pope, 1996). These included: a belief that the behavior was justified in certain circumstances; the attitude that there is no point in reporting corruption as nothing useful will be done about it; a fear of both personal and professional retaliation; possessing a relatively low position in the organization; the nature of their relationship with the perpetrator and their supervisor; concerns about insufficient evidence. Issues around discipline, ethics and corruption need to be worked into the processes of recruitment and selection

from the very beginning. At the very least greater attention needs to be paid to training and education throughout the lives of police members.

METHODOLOGY

When the effects of entitlement is not discussed an agency losses an opportunity for officers to understand the potential impact of this belief and its impact on core values for the police officer. Lecturing working police officers about the evils of gratuities or special treatment and how they lead to the "slippery slope" of corruption are usually met with sarcastic sighs and closed minds. Discussing entitlement provides officers the information necessary to conceptualize independent values-based decisions. Whether or not the free cup of coffee is a harmless expression of appreciation by a member of the community or represents a contingent gratuity such as; "if I keep the cops in my restaurant the added security is good for business" is actually a moot point for officers trained in core values maintenance. The more appropriate questions for a police administrator would be, by permitting the members of the department to accept free coffee or reduced priced meals are we permitting to be created a belief system in the officers that they warrant a different standard of accountability than the general population. Secondly, it should be asked if a different standard of accountability does exist, is it one where the officers are less accountable for their behavior than the general community. Many a police administrator that would consider reduced priced meals inappropriate would permit officers to accept "special prices for law enforcement" for cellular phones or pagers without a second notice. The law enforcement administrator would also need to evaluate

if a sense of "Entitlement" is being cultivated within the departmental hierarchy, and expressed as an extension of the military "rank-to-privileges" relationship. "As a commander I can bend the rules, but you folks down the chain better behave", represents in-house entitlement in operation.

Information obtained for this research study was collected largely from literary authors using the latest information available.

An informal survey was conducted during the course of this study. Whether by phone, email, or in person the topic of entitlement was not readily received as one to discuss. Many agencies are providing ethics training but there is no continuing evaluation of that training.

FINDINGS

The reference material used in this research overwhelmingly referred to the sense of entitlement as a major cause of officer misconduct. Officers can develop a sense of victimization and an intense resentment toward the supervisors and administrators who control their job-role. The only way to change this sense of entitlement is to foster an environment of accountability . . . both organizational and personal accountability at all rank levels. Entitlement spans the entire rank structure. Many times there is even a stronger belief at the top of the organizational chart. Administration officials, while justifying a round of golf paid for by a member of the community, may discipline an officer for accepting a free meal. This would clearly define a double standard and any attempt to create an environment based on values would be fruitless. Although there is a common

challenge in police agencies to develop and maintain an ethical/values-based system, there cannot be a different political-based system for ranking officials. For the law enforcement administrator, the challenge of the selection of competent and ethical police candidates may be significantly less demanding than the maintenance of a values-based police agency. In promoting a sound values/ethics core, helping officers to understand their perception of values and ethics in policing as a changeable state by challenging them daily in an attempt to reduce their own respective resistance to the issue. Officers with well-developed supports systems and priorities consistent with their core values are more resistant to deterioration. There is a clear understanding that the sense of entitlement is dependent on the presence or lack of foundational ethics. An officer's behavior is related directly to his or her core beliefs or character traits.

DISCUSSION/CONCLUSIONS

The effect of entitlement has been an ever-increasing dilemma for law enforcement professionals. This corruptive belief is not a new phenomenon. It is a belief that has lead to some of the highest profiled police related incidents in the country. With each new incident, law enforcement officer's behavior becomes the subject of increased scrutiny. On any day you may find stories of police misconduct, which undermines the publics trust and confidence of our criminal justice system. While police departments across the nation may have increased the number of required ethics related classes, the training itself has not changed dramatically. The information is not appreciated at the street level, nor is it at the administration level. Many officers see ethics training as nothing more that a

knee jerk reaction to the media attention of a police related event involving some type of officer misconduct. Without effective and significant changes to the way this problem is addressed, the number of officers falling victim to this belief will continue to rise. Double standards cannot play a part in the every day philosophy of what is right and what is wrong. Commitments to the highest level of professional and personal integrity apply to all members of a police agency and have to be consistently demonstrated throughout the department. From the top administrator to the newly hired recruit, without effective ethics training, values-based understanding and self-evaluation, they may become the next headline news.

REFERENCES

- Barker, T. (1996). *Police ethics-crisis in law enforcement*. Springfield, IL: Charles C. Thomas.
- Braswell, M., McCarthy, B., & McCarthy, B. (1996). *Justice, crime and ethics*. Cincinnati, OH: Anderson.
- Braswell, M., & Miller, L. (1992). *Police perception of ethical decision-making: The ideal vs. the real*. American Journal of Police (11), pp.27-45.
- Donahue, M., & Felts, A., (1993). *Police ethics: A critical perspective*. Journal of Criminal Justice. 21, pp. 339-352.
- Gilmartin, K. (Unknown) *Ethics-based policing: Undoing Entitlement* [online]
Available: <http://www.rcmp-learning.org/docs/ecdd1220.htm>
- Gilmartin, K. & Harris, J. (1998) *Law enforcement ethics: The continuum of compromise*. [online] Available: <http://www.rcmp-learning.org/docs/ecdd1222.htm>(January 1998)
- Jetmore, L., (1997). *The path of the warrior*. Flushing, NY: Looseleaf Law
- Newham, G., (2000) Towards Understanding and Combating Police Corruption: In Crime and Conflict, No. 19, pp. 21-25.
- Pope, J. (1996) *Reinventing Government? Removing Corrupt Incentives In National Integrity Systems: The TI Source Book*. Berlin: Transparency International
- Sherman, L. (1983) *Becoming Bent*. In F. Elliston and M. Feldburg, eds. Moral Issues in Police Work. Totowa, New Jersey: Rowman & Allanheld
- Thompson, D. (2001) *Above the law*. Law and Order, Volume 41 (1), pp.77-79