

The Bill Blackwood
Law Enforcement Management Institute of Texas

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Ethics and the Police – Need for Training and Leadership

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An Administrative Research Paper
Submitted in Partial Fulfillment
of the Requirements for the Institute

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March 21, 2004

ABSTRACT

Police officers are held to a higher standard of conduct than other members of the community, due to the power granted to officers by the public. Ethics has become a major issue in law enforcement, due to the many documented incidents of unethical conduct by law enforcement officers. This paper addresses the need for training, ethical leadership and the benefits of such training and leadership to the agencies and the public. The research will address the question of; are there needs for training of officers in the academy, for continuous training after being hired, and for leaders in the department to take an active role in ethics training? The methodology will include a survey questionnaire of 27 law enforcement officers representing 25 agencies within the state of Texas, where four “yes” or “no” questions regarding ethics in law enforcement, the importance of ethics training, and whether or not management should be held to the same ethical standards as other members of the agency, along with an examination of different training methods for law enforcement officers, including more training for officers in the academy, continued training by the department once hired, and field training. Also, the importance of effective and ethical leadership by administrators, supervisors, and fellow officers will be examined. This paper shows that ethics training that begins in the academy, and is continued by the agency once an officer is hired, is steps in providing ethical officers. Also, that effective, ethical leadership by administrators, supervisors and fellow officers, will not only provide the departments with the officers needed to perform daily duties, but will reduce liability concerns for the department and restore the trust and respect of the community they serve. But more important, that such training and leadership will benefit the individual officers, by reinforcing one’s own ethical behavior.

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INTRODUCTION

Police officers are held to a higher standard of conduct than the other members of the community. Police officers should be held to such a standard because of the power granted to officers by the public. Unfortunately, officers abuse or misuse this power and unethical conduct occurs.

Ethics in law enforcement has become a major issue in law enforcement and to the community. The unethical conduct of law enforcement officers has been widely documented on television and newspaper articles. Recent incidents show that there is an urgent need for training and leadership in the law enforcement community, regarding ethical conduct. For use in this research paper, the definition of ethical conduct will be (Carlton) “doing what is right, even when no one is watching”. Unfortunately, there are officers who do not do what is right, even when someone is watching. This paper will address this need for training, ethical leadership, and the benefits of such training to law enforcement agencies and the public that they serve. The research will address the question of: What are the needs for training for officers in the academy, for continuous training after being hired, and for leaders in the departments to take an active role in ethics training?

The methodology used in this research will include a survey questionnaire of 27 law enforcement officers from 25 law enforcement agencies within the state of Texas. They were asked four “yes” or “no” questions regarding ethics in law enforcement, the importance of ethics training, and whether or not management should be held to the same ethical standards as other members of the department. An examination will be done of different training methods for law enforcement officers, including more training for

officers while in the academy, continued training once hired by an agency, and field training. Also, the importance of effective and ethical leadership, by administrators, supervisors, and fellow officers, will be examined.

It is anticipated that this research paper will show that ethics training for officers begins while in the academy, and continued by the departments once an officer is hired, are steps in providing ethical officers. Also, effective, ethical leadership by the administrators, supervisors, and fellow officers, will not only provide the departments with the officers needed to perform daily duties, but will reduce liability concerns for the department, and restore the trust and respect of the communities they serve. More important, the research will show that such training and leadership will benefit the individual officer, by reinforcing one's own ethical behavior.

REVIEW OF LITERATURE

Police officers are too often being seen on nightly news and in newspapers because of the unethical behavior of a few officers. Why do these officers commit such breach of trust by the public and abuse power? Could it be because of a lack of training or leadership or both? It is a general consensus that there is a great and urgent need for training in ethics in order to combat the breakdown of bad decisions made by officers in the field.

In order to insure that departments and the community can have confidence in their officers, there must be a higher priority placed on ethics training. Citizens view police officers, and police officers often view themselves, as law enforcements officers first, and part of the community second . They are often seen as overseers of human

conduct, standing over and against, rather than with the public they serve, and because of this, police officers have difficulty relating to normal social relations or activities (Klening, 1996).

Many ethics educators feel that the idea of making people moral is both naïve and unrealistic. (Delattre, 2002). Others however, believe that teaching people how to make moral decisions is the whole basis for ethics education, and for that reason, members of the 1978 Police Foundations National Advisory Commission on Higher Education for Police Officers, stressed that every law enforcement educational program should include in it's required curriculum, value choices and how to deal with the ethical dilemmas faced during police work (Delattre, 2002).

Training in ethics should be an on-going proposition. After leaving their academies, and going to their respective departments, the new recruits need to have in place a program for continuing education in ethics. However, this training should not and cannot be limited to new officers.

Service training for experienced officers should include issues faced by patrol officers, investigators, and undercover agents (Jones, Owens, & Smith, 1995). Such training might cover making prudent decisions, implementing aggressive of proactive patrols, and acting ethically in undercover operations. A discussion of the core ethical values of policing, such as honesty, fidelity, and personal integrity, are key components of the training program.

This continuing training in ethics should also include all supervisors. This training is very important, because the supervisor is the person that the officers are looking to for guidance. If the supervisor fails in the ethical decision making process, chances are great

that the officers will also fail. This training is just a longer arm of training that the officers get, with supervisors holding discussions, role-playing, and critiquing other officer's dilemmas (Jones, Owens & Smith, 1995). Continued training in ethics should be a high priority in every department. Continued training in various areas of law enforcement is mandated by the Texas Commission on Law Enforcement Standards and Education, but no such mandate exists for ethics training.

O'Malley (1997) noted that there was near unanimous support that exists for the value of training in promoting ethical behavior. It is believed that formal training programs can help to (Jones, Owens, & Smith, 1993):

- *Ensure that officers fully understand their department's code of ethics and what is expected of them.

- * Emphasis the importance of ethics throughout an agency, and the importance of management's support.

- * Provide assistance in areas directly related to ethical behavior (e.g., stress management, use of force, violence reduction, and behavioral science classes)

It is argued that ethics training should be an integral part of law enforcement training, but who should take on the responsibility of how that training is presented and instilled?

Ethics training is used to hopefully help shape a police officer's perception of right and wrong behavior both on and off duty. However, one's academy training would also include several hours spent on detailing how and where to get free or half-priced meals, product discounts and how to obtain a free apartment or live without having to pay

for utilities. The rest of the instruction would be directions on how to get off duty jobs. This is an example of how officers are given the message early on in their training that they are special and above the law (Thompson, 2001).

Training in ethics is important but needs to be presented and taught by instructors who not only believe in the concept, but who are dedicated to try and improve law enforcement as a whole. Police officers have to make difficult decisions on a daily basis. The decisions they make, must be the right ones, for the right reasons. Continued training in ethics can help these officers make the right decisions, reducing liability issues, and building trust with the public they serve (Thompson, 2001).

There is no doubt that continued training in ethics can and will play a major role in creating good, sound, and ethical officers. However, no amount of training will offset the demoralizing effect of unethical leadership. From the senior officer on patrol, to the Chief of Police, ethical behavior must be expected, even demanded, of every officer in the department. The leadership of a department must lead by example. Patrol supervisors, Lieutenants, Captains, field training officers, and the Chief of Police are the ones who will shape and mold officers into what they will become as police officers.

The question therefore arises. Why is unethical behavior of police officers tolerated, if not encouraged by administrators and officers inside a department? The Rodney King case is a perfect example. King was beaten up by at least 3 LAPD officers, while 11 other officers, including a sergeant, stood by and did nothing to stop or prevent the beating. Souryal (1992) noted that the only difference in the Rodney King case and other cases that involved the officers with the LAPD was the simple fact it had been caught on camera. Why did 11 officers, sworn to protect and serve the public,

sworn to enforce the laws of the land, stand by and allow this incident to happen? Why did a sergeant, who as a supervisor had a greater duty to act, do nothing? One observation made states “when an organization wants you to do right, it asks for your integrity; when it wants you to do wrong, it demands your loyalty” (Klenig 1996, p.65). Three officers committed assault, and violated the civil rights of a citizen, and 11 other officers, including a sergeant stood by and did nothing to prevent it, because it was the “norm.” These actions had always happened, and would continue to happen, because no one, including a supervisor, wanted to step in and demand that the right thing be done.

Bill McCarthy was quoted as saying: “loyalty in the police department means your willing to lie for someone else” (Klenig, 1996, p. 67). It has been suggested that when a recruit enters a police academy, it is more than giving him a job, it is defining who he is, and that not only is individual integrity expected of him, but also loyalty to the group, and that these two demands sometimes conflict and cause some of the most difficult problems for the officer, both morally and psychologically (Klenig, 1996).

From these brief examples, it is apparent that peer pressure, and the actions of supervisors and administrators affect the conduct of other officers. If one or all of the 11 officers who stood around in the Rodney King case would have stepped forward and stopped the other 3 officers, the outcome would surely have been different. The three officers would have been shown that this type of unethical behavior was not going to be tolerated or allowed. And had the sergeant on scene spoken up or took charge of the situation, taken that leadership role, as he should have, the message would have been the same, that unethical behavior will not be tolerated.

Not only do the public hold sergeants and other administrators to higher

standards, so do the officers in their departments. If a supervisor or administrator does not follow the law, or the rules and regulations of the department, the officers of the department will follow by example. Leaders in the department must lead by example, not a “do as I say, not as I do” attitude. Administrators must enforce the code of ethics and rules of their department, impartially and fairly, although many administrators are immediately defensive when the mere inference that they are or have been indifferent to unethical behavior. There cannot be 2 sets of rules, one for the general department, and a second for the “good old boys”.

Administrators who ignore ethical problems not only destroy the trust between them and their officers, but are seen as hypocrites and destroy any desire by their officers for self accountability (Trautman, 2003). And when new officers are placed with Field Training Officers (FTO's) who are cynical, lazy, dishonest, self-serving and who constantly degrade leaders; the new officers will develop these same attitudes (Trautman, 2003). It is believed that angry and frustrated or cynical employees can become blinded by their bitterness as they commit wrongdoing. Research by the National Institute of Ethics indicates that the three most common reasons for anger and frustration among officers are favoritism regarding discipline and promotions, and lack of manpower (Trautman, 2003).

There are many other examples of unethical conduct by administrators and the effects they have on officers. Police misconduct can and will destroy the public trust in a police department. Leader misconduct can and will destroy the trust that officers have in the department itself. All effort must be made to keep this trust, both with the public and the officers and once violated, swift action must be taken to rebuild that trust.

On December 15, 1997, Sonya Proctor, interim Chief of Police for the Metropolitan Police Department, issued a statement and set of guidelines for the police department, in response to problems within the department, including grand jury indictments of officers, corruption within the department and officer arrests (Delattre, 2002). Proctor indicates that the power of the police to function was due to community respect and confidence and their willingness to give such power to the department, and contended that community respect and confidence must be secured, but had been undermined by illegal and dishonest acts by a few members of the police department. Proctor asserted and that all officers should work hard to gain back the trust of the public. Proctor suggested that to gain these goals, all members of the department should regard their position as one of public trust, and act accordingly, with honesty and fairness to all, and that all members would administer the law fairly and equally, being impartial and not abuse their power, to understand the limitations of their authority, and to not use their position for personal gain. Proctor also advised that all members would work with the public, and be courteous to all citizens and helpful in their needs and that all members would conduct themselves professionally, on and off duty, and would not do anything in their professional or personal lives that would bring into question their integrity, loyalty, fidelity or honesty, or that would bring discredit to themselves or the department (Delattree, 2002).

This statement given by Chief Proctor is just one example of an administrator taking the steps necessary to bring about ethical conduct within a department. It is obvious that the previous administrator had done nothing to correct a problem that apparently had been on-going, and was allowed to continue, either because he/she refused

to admit to a problem, was so out of touch he/she was not aware of a problem, or simply because it had always been that way.

METHODOLOGY

The question for this research paper is, is there a need for training of officers in the academy, continuous training after being hired and a need for leaders in the department to take an active role in ethics training? To answer these questions, a survey was conducted, with a questionnaire being presented to 27 law enforcement officers, representing 25 law enforcement agencies thru out the state of Texas. The respondents ranged in rank from patrol officer to commander, and the agencies represented ranging from 20 sworn personnel to agencies with several hundred sworn personnel. The questionnaire asked four questions, with a “yes” or “no” answer.

A copy of the survey questionnaire that was used to help compile the information for this research is included in the appendices.

FINDINGS

Of all the books, journals, periodicals and other literature used in this research, it was almost unanimous that the writers felt that training and leadership play important roles in ethics in law enforcement. The authors stated that not only should police receive ethics training in the academy, but that law enforcement agencies should offer on going training in their departments, and should include all members of the department.

Research also showed that leadership plays an important role in ethics training within a department, and that leaders must take an active role in such training. New officers look to their peers, Field Training Officers (FTOs), sergeants and other leaders

for guidance. These leaders must lead by example, and be willing to show the officers how to act correctly, both on and off duty. Officers placed in a training position, must believe in what they are teaching, or the training process will fail. Management must show they also believe in ethics training, and lead by example, no show favoritism, but be fair and impartial in their dealings with officers.

In the use of the survey, in which 27 officers represented 25 agencies within the state of Texas, the following results was noted. When asked the question do you believe? that ethics should play an important role in law enforcement, 27 officers, or 100% answered “Yes.” When asked the question do you believe more emphasis should be given to ethics training in law enforcement, 27 officers, or 100% answered “Yes.” When asked the question do you believe management should play a major role in ethics within a department, 27 officers, or 100% answered “Yes.” When asked the question do you believe management should be held to the same ethical standards as other officers within a department, 27 officers, or 100% answered “Yes.” (Note: To this last question, two officers added comments that management should be held to a higher standard).

The survey results show that officers regardless of rank or size of agency feel that there is a need for ethical training of officers, and ethical leadership in law enforcement.

DISCUSSION/CONCLUSIONS

Law enforcement is a demanding and dangerous job, requiring quick reflexes, and the ability to make split second decisions, sometimes in life or death situations. Law enforcement officers are given a great deal of power and authority, in order for them to successfully complete their duties. When that authority and power is abused, is when the officers have crossed over the line.

In all police academies, the law enforcement code of ethics should be an integral part of officers training. Recruits are taught basics in the penal code, traffic laws, and code of criminal procedure, self-defense, and how to shoot a firearm. But very little, if any, time is allocated to ethics. Young recruits should be made aware of what they will face on the streets, not only from the criminal element, but also from the public and their fellow officers.

In research conducted by the National Institute of Ethics, analyzes was done on all officers who were “decertified” in America from 1990 through 1995 (Trautman, 2003).

The average age of a decertified officer was 32 with an average of 7.2 years of service. The average number of agencies they had worked as a sworn officer those 7.2 years was 3.6. The top 10 offenses officers were decertified for are: false statements or reports (mostly overtime reports), 20%; larceny, 12%; sex offenses other than rape, nine percent; battery, nine percent; driving under the influence, five percent; excessive use of force, five percent; fraud/forgery, five percent; drugs other than cannabis/cocaine, five percent; weapon offense, four percent; cocaine-possession or sell, three percent (Trautman, 2003).

Police agencies across America have lost the public trust and credibility, that once was unquestioned. When officers went into court, their word was undeniable, no one even thought that the officer may be lying. But, that is no longer the case. Officers have abused their powers, using excessive force, planting or falsifying evidence, lying under oath, stealing, sexual assaults, shakedowns. The list goes on and on. And yet, in spite of this problem, there are many officers out there who do their jobs, everyday, not asking for or expecting anything extra. The unethical officers are in the minority.

This paper has shown that there is a great need for ethics training in law enforcement academies, as well as continuing education by departments that hire the officers. All academies should place more emphasis on ethics training, giving the recruits every possible advantage to what awaits them on the street.

Departments that hire the officers should place well-qualified and willing instructors to teach the new recruits, making sure the new hires are trained the right way. Experienced officers should received departmental continuing training in ethics, such as Role-playing, officer dilemmas, etc. Supervisors should also receive the continuing education in ethics, so that they may better lead their officers.

It has been shown that there is a near unanimous consensus that there needs to be better training in ethics, and continued training. But, it is also shown that few departments have actually implemented such training.

Leadership plays an important, if not the most important role in teaching ethics to officers. Peer pressure is one of the greatest training tools. However, peer pressure that turns the other way when an officer does something wrong, because “it’s always been that way”, or because “we all get free meals, free rent, free gas”, or whatever, can destroy a department. Peer pressure that lets an officer know that unethical behavior will not be tolerated, can build up a department. A new officer, or even a experienced one, who transfers in from another division, would soon learn that the officers he works with, do things by the book, according to the law, and without prejudice. This type of peer pressure would soon change the unethical officer, or he/she would leave.

Leadership must demand ethical behavior, and should take the lead in such behavior. If the leaders in a department are not exhibiting ethical behavior, how can the

officers be expected to do so? There must be strong leadership, from the patrol sergeant to the Chief of Police, willing to do what is right, to stand up for what is right? If there is a breach of ethics or the rules, administrators should take immediate, impartial and fair action. The rules should apply to all personnel, with no regard to their rank or standing in the department. This action would show all officers that their leaders are sincere in their desire to have a good department, and is willing to do what must be done to ensure this end.

Officers can be taught and trained to do the right thing. Officers taught and shown how to conduct themselves in an ethical manner, are a asset to their departments and the community. Leaders of the department who demand ethical behavior, who enforce their code of ethics fairly and swiftly, are also a asset to the department, to the officers in the department, and to the community. Officers taught and trained to do what is right, can build and reinforce trust in the community, taking pride in their departments and in themselves, for a job well done.

REFERENCES

- Barker, T. (1997) Police Ethics – Crisis in Law Enforcement
- Chilton, Bradley Stewart; Constitutional conscience: Criminal justice and public interest ethics; Criminal Justice Ethics; New York; Summer 1998; issue 2, pp. 33-41
- Davis, M. (1991) Do Cops Really Need a Code of Ethics? Criminal – Justice – Ethics, Vol. 10, pp. 14-28
- Delattre, E.J. (2002) Character and Cops, Ethics in Policing, 4th edition.
- Felkenes, G.T. (1984) Attitudes of Police Officers Toward Their Professional Ethics. Journal of Criminal Justice, Vol. 12, pp. 211-239.
- Grant, Kevin J; Ethics and law enforcement; FBI Law Enforcement Bulletin; Washington; Dec 2002; Issue 12, pp.11-14
- Harrison, Bob; Noble cause corruption and the police ethic; FBI Law Enforcement Bulletin; Washington; Aug 1999; Issue 8, pp.1-7
- Jones, Tim R; Owens, Compton; Smith, Melissa A; Police ethics training: A three-tiered approach; FBI Law Enforcement Bulletin; Washington; Jun 1995; issue 6 Vol. 64, pp.22.
- Kleinig, J. (1996) The Ethics of Policing
- O'Malley, Timothy J; Managing for ethics: A mandate for administrators; FBI Law Enforcement Bulletin; Washington; Apr 1997; issue 4, pp.20-25
- Pollock, Joycelyn M; Becker, Ronald F; Ethics training: Using officer dilemmas; FBI Law Enforcement Bulletin; Washington; Nov 1996; issue 11, pp. 20-27
- Souryal, S (1992) Ethics in Criminal Justice-In Search of the Truth;
- Swope, R. (2001) Bad Apples or Bad Barrel? Law and Order; Wilmette, Vol. 49, issue

1, pp. 80-85.

Thompson, David; Above the law? Law & Order; Wilmette; Jan 2001; issue 1, pp.77-79

Trautman, Neal; Self-Accountability: The Ultimate Integrity Tool; Law and Order; Jan
2003; Vol. 51, pp. 52-58

APPENDIX

Please answer the following questions concerning ethics and law enforcement.

1. Do you believe that ethics should play an important role in law enforcement? Yes ____ No ____
2. Do you believe more emphasis should be given to ethics training in law enforcement? Yes ____ No ____
3. Do you believe management should play a major role in ethics within a department? Yes ____ No ____
4. Do you believe management should be held to the same ethical standards as other officers within a department? Yes ____ No ____