



Training Key® #475

Police Ethics: Problems and Solutions Part I

This is Part One of a two-part *Training Key*®. In this first part, we examine the nature and importance of police ethics and discuss some of the factors that affect police integrity in today's world. In Part Two of this *Training Key*®, we will present specific suggestions that may help law enforcement agencies resolve some of the problems identified here.

Ethical Standards in the 1990s

Beyond question, one of the greater challenges faced by law enforcement in the 1990s is establishing and maintaining higher ethical standards for police personnel. Whether the current level of ethical and moral behavior among police officers is any worse today than it has been in the past is sometimes hotly debated. Indeed, some observers feel that the problem of police ethics is no worse now than it has ever been, but is simply more widely publicized today than in years past.

Whether the level of police integrity in the United States is actually worsening or is merely becoming more widely publicized is irrelevant. The point is that there is a problem, and police personnel of all ranks, from the chief down to the newest recruit, need to address this problem and work together to rectify it.

The issue is not a trivial one. Police ethics and morals involves far more than simple issues such as whether or not a police officer should accept a cup of coffee or a free meal from a local restaurant. The dilemma runs far deeper than that. The hard fact is that any lowering of ethical and moral standards among police personnel affects every area of police operations and adversely affects the ability of law enforcement agencies to accomplish the mission that society has entrusted to them. At best, a lack of integrity among a department's personnel leads to a lowering of that department's level of professional competence; at worst, it spreads corruption through the department and leads, inevitably, to lawlessness and brutality among officers on the street. In turn, the very fabric of our society is threatened.

The public—aided in part by widespread media coverage—inevitably becomes aware of incidents of incompetence, corruption, or brutality within a department. Even though only one or a few officers may be involved in a particular incident, such episodes lead the people of that community to perceive all members of that department as incompetent, corrupt, or brutal. It is a well-documented and unfortunate fact that a few

incidents of corrupt or brutal police behavior can overshadow or even negate years of efficient and honest police service and cause long-term damage to an agency's reputation.

Illegal and unethical acts by police officers, as others in positions of authority, often have a long afterlife and have resulted in resignations by police leaders and the undermining of officer morale. This, in turn, generates further problems in the community—increased officer antagonism toward what appears to be an unappreciative or even hostile public, less citizen cooperation, more friction in police-citizen interactions, more invitations to corruption, and more confrontations that may lead to the use of excessive force. It is a classic vicious circle, with worsening community relations, an increase in hostility between police and citizenry, and a concomitant growth of public contempt for the police all generating a downward spiral that far too often ends in tragedy.

The foregoing statements will come as no surprise to perceptive and responsible police agencies in the United States. Many police executives, well aware of these unpleasant facts, have made significant efforts to improve the level of professional ethics, personal morals, and overall integrity within their departments. For example, many departments have drafted and promulgated a code of ethics for their personnel, setting forth the ethical do's and don'ts for that department. Others have approached the issue by developing a statement of values for the agency designed to establish the framework for decision making among officers and to guide them in the use of their discretion on enforcement and other issues. While such codes and values statements are an essential step in the right direction and certainly constitute a helpful beginning, they are not, by themselves, sufficient. To deal effectively with the problem, law enforcement executives and supervisors must do more than admonish their personnel to be ethical. They must go further than that if they hope to succeed, and the first step is to achieve an understanding of the root causes of the problems being experienced today.

Factors Negatively Influencing Police Ethics

Many factors negatively influence police integrity. Recognizing some of the key factors involved is an essential first step in efforts to strengthen the foundation of police ethics. These factors include the following:

Changing Moral Standards of Contemporary Society.

Most observers agree that the moral standards of contemporary society have fallen far below the norms of the past. This is not just a nostalgic longing for imaginary good old days. All arguments to the contrary, the fact is that the social environment in which we live today reflects a significant and continuing decline in moral and ethical standards in many areas of life.

But this is not to say that the history of police in the United States is free from charges of and documented instances or periods of corruption, brutality, and inefficiency from which police have just recently shown a general decline. In fact, the early reforms of this century were replete with efforts to bring police under some reasonable form of political and community accountability in an effort to stem corruption. Findings of numerous administrative and political investigations of police misconduct over the past 60 years - such as the Wickersham, Kerner and Knapp Commissions, among others - have made it all too clear that police can and have failed to adhere to ethical standards. What is being said, however, is that the fabric of American society (if not Western culture) in many important respects has suffered from a change of values that has diminished the importance of such things as personal and social responsibility, virtue, honesty, civility, and general adherence to standards of conduct based on traditionally honored moral codes.

Americans "lack a moral consensus" according to one authority, and are essentially "making up their own rules and laws."¹ A representative survey conducted by the same source found that only 13 percent of all people believe in the 10 Commandments and nine out of 10 lie regularly. It is much more difficult for police officers, as well as others in our society's business and social worlds, to hold strong to ethical standards while so many around them - particularly those who hold positions that should serve as examples to all - are compromising or failing to adhere to the same code of conduct.

Unfortunately, these lowered social standards are becoming accepted as normal by our society. Conduct that, a few years ago, would have been considered intolerable has become routine - even, to some, admirable. Dishonesty is now not only common but almost expected, not just in politics but also in other areas. Drug use is expected. Cheating is expected. Sexual misconduct is expected. Violence is expected. Many citizens are no longer outraged, or even surprised, by such things. As a culture, the United States is becoming numb to the widespread use of drugs, corruption of politicians, and violence in our streets. When these things become so commonplace in the eyes of the community, participation in them takes on a semblance of acceptability and as such, carries far less social stigma as immoral. Some in this environment even come to feel bad about being honest. According to Gary Edwards, Executive Director of the Ethics Resource Center in Washington, D.C., "people come to feel like suckers if they are honest, if companies they are competing against are not."²

Failure of Individuals to Accept Responsibility for their Actions. Another significant phenomenon we find in this

changing moral environment is the increasing number of individuals who reject responsibility for their own actions. The perpetrators of crimes are usually outraged when they are called upon to accept the consequences of their acts. Typically, they blame their actions upon other people and other things - never upon themselves. Lacking any feeling of personal responsibility, they proceed to repeat the behavior again and again, each time denying personal accountability. Unfortunately, this atmosphere is perpetuated by many of our political and social institutions, including the legal system, which often fails to assign guilt or impose punishment upon the perpetrator, instead blaming the perpetrator's upbringing or environment or a host of other alleged causes of, and purported excuses for, the misconduct. Without a society that sets defined boundaries on behavior and calls wrongdoers to task for their bad or illegal acts, many Americans today feel little inclination to avoid unethical or immoral behavior. They are not required to accept the consequences of their unethical or immoral acts, and thus do not see themselves as bearing any responsibility for them.

The combination of these two factors - the lowering of moral standards and the failure of individuals to accept responsibility for the consequences of their own acts - produce a "what's wrong with that?" mentality across a broad spectrum of U.S. society. The abnormal has become normal; the immoral has become commonplace. Obviously, the police are not to blame for this state of affairs; it is a phenomenon of modern society as a whole. However, it would be naive to believe that the police are not directly and drastically affected by it.

One of the effects of society's decline upon the police is very simple and very obvious: Police officers' attitudes inevitably reflect the environment in which they were raised and in which they work.

This is first apparent in the recruiting process. Applicants for police careers are a cross-section of our society, and, in general, they reflect the moral tone of that society. Fortunately, many police applicants are ethical, moral, dedicated people of high integrity, but it is only realistic to expect that, as a class, police applicants bring to their work attitudes of the culture in which they grew up and live in.

In addition, once they become police officers, police personnel are affected by, and may adhere to, the values of the environment in which they perform their police duties. They may not - and often do not - understand or accept the idea that, regardless of what they see going on around them, they as police officers hold a position of trust, a very special position in society, a position that demands high ethical and moral standards precisely because of its unique nature.

The Officer's Working Environment

Another of the major factors that negatively affect the moral standards of the police is the very high degree of frustration being experienced by today's police officers. Frustration often leads to disillusionment, cynicism, frustration and anger, and these in turn can result in reduced performance, corruption, and, all too often, brutality.

These frustrations arise from many sources. For example, many (if not most) officers perceive the legal system as being weighted far too heavily against law enforcement and in favor of the criminal. Further, police officers far too often see other

individuals or segments of society - criminals, criminal lawyers, politicians, etc. - flouting the law and getting away or even being rewarded for it, while the honest cop labors year after year in a relatively low-paid and often dangerous and thankless job.

Of course, there are other causes of job frustration that may or may not contribute in some manner to the deterioration of police ethics or integrity. Slow promotion, inadequate pay scales, departmental infighting, low morale, domestic strains caused by police work, constant danger or threat of danger, frequent temptations, and all the other stresses of modern police work can take a heavy toll. All of these are familiar subjects that have been explored in other publications, and no attempt will be made to discuss them here.

However, there is another, seldom-mentioned factor that contributes significantly to police frustration and the downward spiral of declining ethical standards, and it needs to be understood and addressed if significant changes are to occur: the expectations that are held about police ethics.

Organizational Expectations of the Police

Our society has certain perceptions, images, and expectations of the police, not all of which are realistic or accurate. Failure of the public in general and political and community leaders in particular to gain a clear and realistic conception of the role and capabilities of the police has had serious consequences for law enforcement in the United States. Misinformed or conflicting perceptions of the proper role of the police and conflicting expectations about what is or should be expected from the police often contribute to an environment of confusion built on mixed or even conflicting goals and objectives. This in turn directly affects the working environment of police, their morale, and their susceptibility to corruption and brutality.

For example, the public - the same public that is itself so often lacking in moral and ethical standards or a feeling of responsibility for its own actions - generally expects higher standards of the police. Whatever they may think or do themselves, people expect police to adhere to higher norms. Even the perpetrators of the foulest crimes are often contemptuous or even indignant when a police officer fails to follow the rules or otherwise displays a lack of integrity in some manner. Beyond doubt, and with good reason, police are held to a higher standard by the public, and any failure to meet these public expectations usually arouses the scorn of the public and leads to calls for punishment or reform. As everyone in law enforcement well knows, police are expected to be better than everyone else - to be, in effect, superhuman. This puts incredible pressure on the individual officer, pressure that some officers, not being superhuman, simply cannot overcome. When it comes to police transgressions, there often appears to be little in the way of understanding or forgiveness on the part of the public, the media and others.

Ironically, in attempting to address the problem of police integrity, some agencies may complicate the problem if they send mixed signals to their personnel. That is, most police agencies place great emphasis on, or attach great importance to, making arrests, issuing traffic citations, or other enforcement matters. This is an issue of great political and social significance and is understandable in isolation. The problem comes when law enforcement agencies fail to clearly draw the

legal, ethical and moral lines - in the form of clear policies and procedures, training, supervision, and discipline - that must be followed in order to meet these enforcement objectives. This often becomes even more acute in communities that are experiencing high and/or growing crime rates and are placing greater pressure on their police agency to do something about it. In an effort to do something about crime, (and also to meet implied or formal agency performance criteria), some officers may feel compelled to bend the rules of due process in order to fulfill their perceived mission. Unfortunately, overzealous enforcement has played a significant role in many cases of alleged police brutality or excessive use of force. Likewise, informal police practices that bend, circumvent, or even overlook personal due process requirements in order to make a case can collectively establish an environment in which such irregularities are condoned, ignored, or even accepted under the theory that the means are justified by the ends (e.g. reduced crime). Carried to its extreme, such an environment can inadvertently support the notion among some officers that they are justified in pursuing criminal activity no matter what they have to do, and, that they are justified in protecting one another in any instances of legal rule bending or rule breaking. These are environments in which police corruption can grow or even flourish.

In the above situation, the agency inadvertently set in motion a working environment where, on the one hand, it demands strict adherence to legal procedure and the police code of conduct but establishes other conflicting or even contradictory roles. Add to this an environment in which many officers feel that the courts are working against their interests and the interests of law and order, and a community that generally does not understand or appreciate their job, and one can come to appreciate the organizational dynamics that often lead to confusion, conflict, cynicism, and, in some cases, corruption.

Due to the standards of the culture in which most officers were raised, the environment in which they work, and the fact that police officers are, after all, only human beings, these departmental pressures may merely add to the frustration level of officers who are trying to do a difficult job in a complex world where the realities of the street are far different from the ideals that departmental personnel are expected to meet. This is not an excuse for police lack of integrity; it is merely one of the unpleasant realities that one must understand if efforts to improve the ethical standards of police departments are to succeed.

The Role of the Police in a Democratic Society

The root causes of corruption in police agencies should also be understood from the perspective of misunderstandings about the role of the police in American society. Unfortunately, it is not just the public that misunderstands this role; often the police misunderstand it as well.

Public Perceptions. The public misunderstands several things about the role of the police in modern society. In some instances, these views are more a matter of socio-political attitudes than true misunderstandings. For example, some segments of the population see the police as an instrument of oppression, maintained by the establishment to crush all opposition or dissent. This viewpoint has been present in virtually every culture since time immemorial; fortunately, it is not presently a majority view in our own society. However,

this jaundiced perception of the nature of the police function can be a serious problem in a given community, and cannot be ignored by law enforcement agencies in that community. In the context of the present discussion, this hostile view may be broadened and strengthened when a lack of police integrity in a community leads to overt police misconduct, especially the use of excessive force against a group or individual members of a group. As noted above, a low level of police ethics almost inevitably leads to increased brutality; when this is perceived by the public as being directed at one segment of the community, serious results can ensue. We have had numerous examples of these consequences in recent years, particularly in urban areas.

Less evident, but perhaps even more serious, is another perception about the police, one that is held by the vast majority of the public: that the prevention and detection of crime, the apprehension of criminals, and the protection of the public from criminal activity are the sole responsibility of the police. The belief by the public that crime is the province of the police alone, and that the public in general has no responsibility to take part in this process, places an impossible burden upon law enforcement.

This public perception is, of course, totally erroneous. The simple fact is that, no matter how much the public (and often the police themselves) may wish it to be true, the police alone cannot eradicate crime. Practice and research clearly show that most crime is solved through information provided by or gathered through a cooperative public. Without such cooperation and assistance, police would be ineffective. Until the public is educated to (1) understand this basic reality, (2) accept the fact that they as well as other elements of the criminal justice system (e.g. courts and prison systems) share responsibility for public safety and (3) is brought into a constructive partnership with the police into efforts to control crime, people will continue to expect more of the police than the police can possibly provide. As such, the disparity between expectation and reality will continue to generate a downward spiral of disappointment, discontent, and outright hostility toward the police even among many law-abiding citizens, which will fuel the belief among many officers that they are neither understood or appreciated by the public.

Police Self-Perceptions. Another of the great ironies of the present situation is that the police themselves do not always fully understand their own role and their own capabilities. Often law enforcement personnel, from chief to new recruit, do not accept the fact that even the best police force, however brave, diligent, and skillful its personnel may be, cannot eradicate crime without community cooperation and must not be expected to do so.

Unfortunately, the law enforcement community has to a large extent fostered both the public perception that the police are solely responsible for eradicating crime and the perception of the police themselves that the eradication of crime is their sole province and their sole responsibility. At the upper levels of command, police executives sometimes quite naturally wish to emphasize to the community and the community's governing body the role of their department in dealing with crime and their success in doing so. Further, at all departmental levels, police officers tend to feel that they should (and indeed must) have the sole responsibility for combating crime. Encouraged by political rhetoric about "the war on crime" and the "the war on drugs," officers often come to believe that, as

the "soldiers" in the front lines of this "war," only they have the capability to do the "fighting," and they resent any implication that other segments of the community can or should have some of that responsibility.

The result is that the police themselves often encourage the public to expect the police to do the impossible. Again, frustration results, both on the part of the public and of the police. With frustration comes discouragement, cynicism, and eventually (sometimes at least) the feeling among officers that "everybody else does it, so why shouldn't I get in on some of the action too?"

There are no simple quick fixes for the problems outlined above. However, clearly one of the steps necessary to resolve some of these difficulties is to redefine the role of the police in our society.

The public must understand that it is not just the police, but the community as well, that bears the responsibility for combating crime. Only then can the misunderstandings and frustrations described above be resolved.

Not only must the community understand the true role of the police, but the police themselves must understand it as well. Such insight will greatly reduce the frustration being experienced by police personnel today, particularly at the street level.

This redefinition of the police role includes the requirement that police officers understand what they must be, and what they must do, both individually and as police officers. This in turn requires a clear understanding of what is expected (and in fact necessary) in terms of police ethics and conduct.

There are many different views as to what the role of the police is (or should be) today. To attempt an exhaustive definition of this role is beyond the scope of this *Training Key*®. However, in the context of police ethics, it is clear that, no matter how it may be defined by politicians, sociologists, etc., the police role includes certain elements that must be articulated and understood, both by the public and by the police themselves.

To begin with, everyone concerned must understand both the meaning of, and the need for, law and order. Unfortunately, the term "law and order" has, to many minds, become a synonym for oppression by the "establishment," with the police serving as the instrument of that oppression. This attitude must be addressed and refuted. Notwithstanding the fulminations of the demagogues, no society can survive unless it is governed by law. But the laws must be just laws, and they must be administered in a manner that maintains order while preserving the individual rights and freedoms upon which our country was founded.

It is the role of the police to assist in this task. For there to be "law and order" - and justice - in our society, there must be what has been termed a "social compact" between the public and the police, a mutual obligation in which each segment - public and police - performs its part. In addition, there must also be a similar social compact among the police themselves - a realization by all departmental personnel of the need to fulfill their role in a manner that contributes to law and order, rather than endangering it. Adhering to principles of due process for the accused cannot be regarded as an abstract principle to be employed when convenient or dismissed when deemed irrelevant, troublesome, or cumbersome. To deny these fights or employ them only when convenient is inconsistent with a democracy and counter to the very principles that

police officers, as agents of government, were sworn to uphold. To act otherwise is to bring law enforcement down to the same level as the wrongdoer. One may be better able to achieve conformance with the law by removing all restrictions on the police, but these very restrictions are what separates the democracy from the totalitarian state.

This is where ethics, morality, integrity, and personal responsibility play such a large role. Police officers must realize that they occupy a position of unique trust, and that, whatever may be the norm of the society in which they work, the police officer who fails to maintain appropriate standards of behavior violates his or her responsibilities both to the public and to fellow members of the law enforcement community. Police personnel must clearly understand that unethical or immoral police behavior at any level endangers the social compact, reducing respect for the police and severely damaging the ability of the police to fulfill their role in upholding the law and maintaining a safe and orderly society.

Enhancing Integrity in Law Enforcement

It is the responsibility of police executives and supervisors to work to reduce police frustrations and help their personnel to understand their role and their responsibilities. This task has many facets, but if it is to be accomplished, a clear perception by all personnel of the necessity of upholding appropriate standards of conduct is essential. Police personnel must understand what a police officer should be and how a police officer should act.

But, as previously noted, this cannot be done merely by posting a code of ethics on a bulletin board. Officers must comprehend not only the necessity of professional ethics and personal morality, but also the meaning of these terms in the police context. And, above all, they must understand why these qualities are essential to law enforcement and to law enforcement officers in today's society. This is a challenging task, given the difficulties involved. But it is a challenge that must be met if our society is to survive.

In the second part of this *Training Key*®, we will discuss specific steps that can be taken to realize these objectives.

Endnotes

¹ See J. Walter Thompson and Peter Kim, *The Day America Told the Truth: What People Believe About Everything that Really Matters*, as quoted in "Values" by Cornelius J. Behan, *Issues in Policing: New Perspectives*, Autumn House Publishing, Lexington, KY, 1992.

² *Ibid.*, p.41.

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questions

The following questions are based on material in this *Training Key*®. Select the best answers.

1. Which of the following statements is true?
 - (a) *The issue of whether the level of police integrity has worsened is an issue of debate.*
 - (b) *Media coverage of unethical or corrupt police practices sometimes fuels a public perception that there is widespread police wrongdoing.*
 - (c) *Police wrongdoing and citizen reactions to those acts often create a vicious circle of increased friction between the police and citizens.*
 - (d) *All of the above are true.*
2. Which of the following statements is false?
 - (a) *Many observers believe that today's society is in a moral decline that negatively affects the efforts of all professions to adhere to high moral and ethical standards.*
 - (b) *In comparison to today, the police profession of prior decades experienced very little police corruption or wrongdoing.*
 - (c) *In some social settings, lowered ethical standards have become the normal or accepted way of doing business and living life.*
 - (d) *Not all people in the United States recognize or agree with what is "right" and what is "wrong."*
3. Which of the following statements is false?
 - (a) *The frustrations experienced in police work sometimes fuel officer disillusionment that can contribute to police wrongdoing.*
 - (b) *Police are not generally held to a higher standard of ethical conduct than is the general public.*
 - (c) *Officers sometimes "bend the rules" in order to be more effective in crime control and prevention.*
 - (d) *In U.S. society, the police are generally and improperly regarded as solely responsible for crime control and prevention.*

answers

1. (d) All of the statements are true.
2. (b) The police of prior decades, like those today, faced charges of police corruption and wrongdoing.
3. (b) Police are generally held to a higher standard of ethical conduct.

have you read...?

Edwin J. Delattre, *Character and Cops: Ethics in Policing*, The AEI Press, Washington, DC, 1996.

This is a comprehensive treatment of the issue of ethics as it affects the full range of police activities.

