

# Ethical Behavior in Law Enforcement

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## **Abstract**

*The law enforcement profession demands their employees to maintain a high level of ethical behavior. This level of behavior does not stop when the law enforcement officer takes off their uniform at the end of the shift. This ethical behavior is expected and demanded even in the officer's private life. Agency's administrators continue to change their procedures in the hiring process, trying to weed out the bad apples before they are employed as a law enforcement officer. They want to hire the individuals who have high moral values instead of hiring those individuals who are fit and muscular. An anonymous survey was created as part of this paper and the results show the expectations of not only current and retired law enforcement officers, but the general public and those currently enrolled in a law enforcement academy. They demand the individual officer have high values, good moral character and they expect accountability from their administration for those who make unethical decisions.*

## **Introduction**

Ethical behavior is an important role in every professional organization. Large corporations and small businesses establish policy and procedures that deal with ethical behavior for their employees. Professional organizations strive to maintain ethical integrity in their particular profession. There is one profession in particular which demands a higher ethical standard from its employees. Even though some professions may claim to have similar ethical standards, nothing compares to the demand placed on this particular profession. There is one main difference which separates this profession from every other profession. High ethical standards are not only required while the employee is working, but it is also demanded in the employees' personal life when they are not working. There are very few professions which expect and demand their employees to constantly maintain this level of ethical behavior twenty-four hours a day, three hundred and sixty-five days a year.

The profession I'm speaking about is law enforcement. Law enforcement is considered one of the more noble and selfless occupations in society (IACP, 2013). In law enforcement, ethics is the foundation of right and wrong and is a crucial part of the officer code. Agency administrators try to keep control over unethical behavior and have changed some of their procedures to weed out unethical employees, both before they are hired and during their employment. In 2008, a Gallup Poll was conducted and the results showed 84% rated nursing as having high or very high ethical standard and law enforcement only received a 56% rating (Martin, 2011).

## Literature Review

The vast majority of law enforcement officers takes pride in their profession and strives to maintain ethical integrity. Officers publically take the oath of office when they are hired to demonstrate their commitment to the high ethical standards expected of them. There are several variations of the oath, however they are all similar. The International Association of Chiefs of Police (IACP) oath is, "On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the constitution, my community and the agency I serve" (IACP, 2013).

According to the IACP the meaning behind this oath is a solemn pledge someone makes when he or she sincerely intends to do what he or she says. They break this oath down by each word to show the true meaning behind them. Honor means that one's word is given as a guarantee. Betray is defined as breaking faith with the public trust. Badge is the symbol of the police agency where you were hired. Integrity is being the same person in both private and public life. Character means the qualities that distinguish an individual. Public trust is a charge of duty imposed in faith toward those you serve. Courage is having the strength to withstand unethical pressure, fear or danger. Accountability means that you are answerable and responsible to your oath of office. Community is the jurisdiction and citizens served (IACP, 2013).

Taking this oath of honor will reconfirm the significance of integrity within an agency and help bring the entire profession together to show that the vast majority of law enforcement officers are not only good, decent individuals, but also will step forward to stop unethical acts by any members of our profession (IACP, 2013).

When an individual decides to become a law enforcement officer they must realize that every decision they make is looked at and judged by the public. The public doesn't distinguish the difference in duty status of the officer; they still expect and demand the officer maintain their ethics in every situation. Officers must live their life as if they lived in a fishbowl. They must be aware the public is always watching and judging them. Writer Timothy Roufa described it best when he wrote "Every officer knows, or at least should know by now, that they live in a fishbowl. Friends, relatives, neighbors and strangers watch every move law enforcement officers make, both on and off duty. The fact is that the public scrutinizes police officers more than most other professions, either because they're cynical or hope to catch them screwing up or because they're hopeful and are looking for a good example and a strong leader. In either case, it's up to the officer to be above reproach in both his public and private lives" (Roufa, 2013).

The law enforcement profession is not a profession for everyone. It takes a certain type of individual to be able to withstand the constant pressure of being watched and judged all the time. The biggest reminder is the media, as they are always ready to print on the front page of the newspaper or make it the top story in the evening news when a law enforcement officer does something which may be considered unprofessional and unethical. No other profession has this level of standards that a simple lapse of judgment or wrong decision can possibly end their career overnight.

There is a wide range of unethical behaviors a law enforcement officer can be accused of committing, from receiving a free cup of coffee or meal at their favorite establishment to committing criminal acts. All of these decisions by the officer can be considered unethical. Law enforcement officers are faced with many types of ethical decisions on a daily basis. How they make these decisions will be based on many different aspects. They will determine what to do based on agency policy, how they were raised, and the ethical background of the officer. These decisions which may seem simple as what is right from wrong can be far more complex (Greenberg, 2010). The American Psychological Association includes six principles within its guidelines for the ethical decision-making process, they are: competence, integrity, professional and scientific responsibility, respect for people's rights and dignity, concern for other's welfare, and social responsibility (Greenberg, 2010).

Law enforcement agencies today try to weed out the individuals they feel could not live up to the high ethical standards required to be an officer. This is done through the background process which is conducted when these individuals apply to the law enforcement agency. However, some individuals still manage to get hired by a law enforcement agency. On any given day someone could open a newspaper or turn on the television and see unethical behavior being committed by a law enforcement officer. Even though these incidents are being committed by a small group of officers, it puts a dark cloud over every law enforcement officer and the profession as a whole. The public looks at the few officers who act unethically and do not think of their transgressions as isolated incidents. The public's perspective is if one officer is doing this type of behavior then the rest of them act the same way. This is what occurs when one bad apple in the group fails to live up to the ethical oath of honor they swore to uphold. They bring distrust and discredit to the entire profession.

Ethical behavior in law enforcement is an urgent issue which must continually be addressed and dealt with when someone chooses to violate it. Law enforcement administrators and law enforcement agencies are changing their tactics when it comes to hiring new officers. In the past they would look for individuals who were considered an average applicant. Their prerequisite would be an individual who was simply bigger, stronger and tougher than other applicants (Stephens, 2006). Agencies today are looking for individuals who have the high moral character they desire and expect. They are conducting a more intense background investigation on the applicants they see as possible candidates. The applicant's past will be scrutinized very thoroughly and in great detail. The applicants are quickly finding out decisions they chose and felt were innocent when they were young adults may come back to haunt them as they attempt to start a new career. At the time of committing these decisions they thought it was no big deal and there would be no repercussions. However, agencies today have stepped up their hiring process and have included polygraphs, psychological testing and very intense interviews to determine if the applicants can meet and maintain the high level of expectations which would be placed upon them once they were hired. (Stephens, 2006)

Writer Norman Stephens says, "The mission of policing can safely be entrusted only to those who grasp what is morally important and who respect integrity. Without this kind of personal character in police, no set codes or rules or laws can safeguard that mission from the ravages of police misconduct" (Stephens, 2006). Police administrators are trying to keep the wrong person from being hired. Even with all the

investigations and screenings of individuals being conducted prior to hiring them, there are still many who simply slip through the cracks.

Police corruption is a constant battle for police agencies. Senior officers may test the newest members of the law enforcement profession by seeing how amiable they are to accepting gratuities (Martin, 2011). This practice can be a gateway to more serious corruption as it provides the opportunity for corrupt intent. The free cup of coffee example is the most commonly used and it is believed this small ethical decision may have influence on future engagement of minor illegal or corrupt behavior (Martin, 2011). This small test is sometimes considered a test of loyalty. The test is to determine if the new officer can be trusted and fit in with the normal activities of an unethical person. The more experienced officer wants to see if they are loyal to the few corrupt officers or if they are loyal to the oath they took and their own ethical values.

The biggest issue is when the officer's loyalty becomes too strong to the few corrupt officers and it affects the ethical values of the officers. The typical "us versus them" mentality complicates the mission of the agency and even the profession (Martin, 2011). A law enforcement "Code of Silence" is sometimes developed among officers which means they will not tell on their fellow officer for any misconduct they may have observed (Kaariainen, et al, 2008). This unwritten code among officers can be so strong it covers up not only minor ethical issues which have occurred, but criminal issues. Some examples of issues which were covered up by this code of silence are excessive force, receiving free meals, accepting bribes, having sex on duty, and stealing items from a crime scene. This is only a few of the long list of unethical behaviors law enforcement officers have committed.

An officer choosing to receive a free meal is nothing compared to some of the criminal conducts which were not reported by fellow officers. This code of silence is something very difficult to break among corrupt officers.

Because of this unwritten code, police misconduct has very rarely been studied using a self-report method or anonymous type of survey. It is assumed this code of silence is too difficult to break. They feel officers will respect this code and not report violations of their fellow officers. Several years ago a self-report type survey was conducted on a law enforcement agency in Finland. The survey included several questions asking if they had ever committed an unethical or criminal act. The officers were also asked if they ever knew of a fellow officer who committed these offenses. The survey was provided not only to regular officers but also to supervisors and administrators. The results were somewhat surprising. They learned if an officer was provided an anonymous way to report unethical and criminal behavior they would report it (Kaariainen, et al, 2008).

The solution to keeping every officer ethical and upholding the oath of honor they swore to uphold is not easy. There is no quick fix and these violations will continue to occur. There are many factors to consider when figuring out how to stop this never ending cycle. Administrators are constantly working to fix this issue before it even starts, by changing their method and procedures for hiring. They are also serving severe discipline on individuals who are caught committing these unethical acts. As long as they are consistent in how they handle these offenses it may make a person think twice before they choose to make an unethical decision.

## Methods

A short anonymous self-report survey was created to determine what the current opinion is of ethical behavior in law enforcement. The target audience of the survey was current and/or retired law enforcement officers, those who are currently enrolled in a law enforcement academy and the general public. The survey was designed to be completed online so there would be one data-base for all the information received. There were two options for completing the survey, one was to send out an email with a special link to the survey and the other was to print out the survey on paper. The current and/or retired law enforcement officers mainly received and completed the survey online, via email. The survey for the individuals currently enrolled in a law enforcement academy was conducted by distributing hard copies of the survey. The survey completed by the general public was completed by utilizing both collection methods. Some completed it by going online and some were given hard copies of the survey to complete.

The data obtained from all of the hard copies was transferred into the data-base on the online survey site. Current and retired law enforcement officers who completed the survey were employed by state, county and municipal law enforcement agencies. Those individuals who are currently enrolled in law enforcement academies were located in Pensacola and Havana, Florida. The general public was contacted in various areas in Pensacola, Gulf Breeze and Tallahassee, Florida.

This survey consisted of thirteen questions. The participant was asked questions to determine their sex, age, if they are a current or retired law enforcement officer and their years of service. They were asked if they were related to a law enforcement officer or currently enrolled in an academy. There were several ethical questions asking what type of disciplinary action should be taken in different situations involving law enforcement officers. The time frame used to complete the survey and gather all of the information was approximately forty-five (45) days.

There were a couple of flaws I discovered with this survey. The first is some of the questions needed to be more detailed in how they were asked. I had several participants ask me if the unethical behavior was to be considered as a first offense or multiple offenses. I should have been more specific in how I asked the questions. The other flaw I discovered was the question of ranking the professions from the most ethical to the least ethical profession. This question seemed to confuse several individuals due to them skipping the question or not reading the directions carefully enough to answer correctly. I could have reworded the question to make it a simpler way to rank the professions.

## Results

There was a total of five hundred eighty-three surveys sent out to be completed during the assigned time frame. A total of five hundred twenty-two surveys were completed by the targeted audience, which gives an overall return rate of 89.53%.

The first two questions of the survey dealt with gender and age. Three hundred ninety-nine (76.44%) males compared to one hundred twenty-three (23.56%) females. The largest age bracket who participated in the survey was twenty-one to forty years of age for a total of two hundred ninety-three (56.13%) responses. There were one hundred eighty-six (35.63%) responses from those forty-one to sixty years of age. There were twenty-two (4.21%) responses over sixty years of age and twenty-one (4.02%) who were under twenty years of age.

There was a total of two hundred thirty-five (45.02%) responses from those who are currently employed as law enforcement officers. There were one hundred seventy-one (32.76%) responses from those currently enrolled in a law enforcement academy. The general public's responses totaled one hundred four (19.92%) and there were twelve (2.30%) retired law enforcement officers who responded. In regards to the participants years of service there were two participants who skipped this question, which gave five hundred and twenty total responses for this question. There were two hundred eighty-five (54.81%) participants who answered this question as not applicable. Sixty-one (11.73%) participants had zero to five years of service. Forty-five (8.65%) had six to ten years of service. Thirty-three (6.35%) had eleven to fifteen years of service. Twenty-seven (5.19%) had sixteen to twenty years of service and sixty-nine (13.27%) had twenty-one years or higher of service.

Participants were asked if they were related to a current or retired law enforcement officer. One participant skipped this question giving a total of five hundred twenty-one responses. Three hundred nineteen (61.23%) were not related, seventeen (3.26%) have spouses, nine (1.73%) have children, fifty-three (10.17%) have parents, twenty-seven (5.18%) have siblings and ninety-six (18.43%) have other family members employed in the law enforcement profession.

Question number six of the survey asked the participant which profession, law enforcement, medical personnel, firefighter or the private sector was the most ethical. They were to rank the professions from one through four, with one being the most ethical and four being the least ethical profession. Some of the participants skipped or did not follow directions when answering this question by only receiving between five hundred seventeen to five hundred nineteen responses. The survey site totaled up all the responses and gave an average ranking score for each profession based on the answers. Law enforcement was rated the highest ethical profession receiving a ranking of 3.39. Medical personnel received a ranking of 2.95, Firefighters received 2.39 and the private sector received 1.27 ranking.

Participants were asked if the high ethical standards a law enforcement officer is held to while on duty should be enforced even when they are off duty. Three hundred ninety-one (74.90%) responded as always, one hundred twenty (22.99%) responded as sometimes, five (.96%) say seldom and six (1.15%) responded as never.

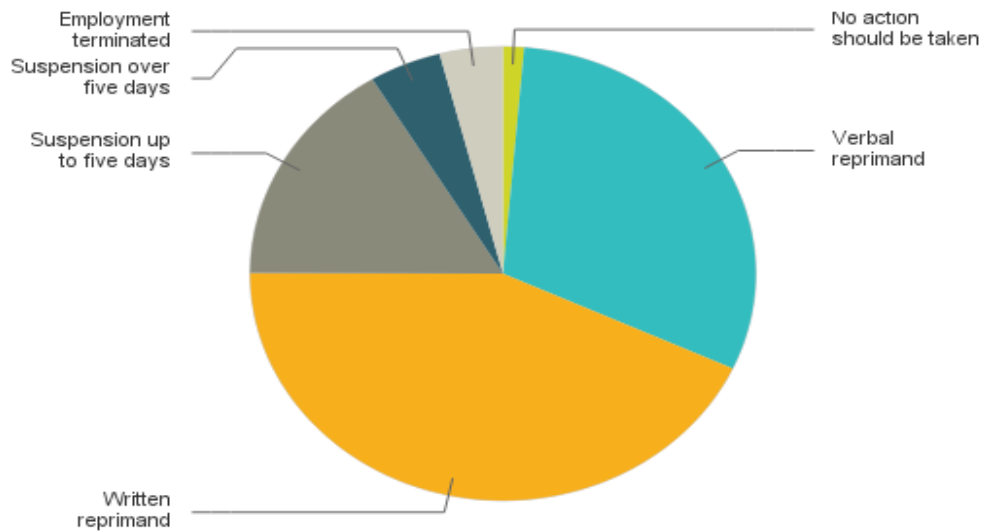
The question was asked if a law enforcement officer was stopped for speeding when they were not on duty should they be given professional courtesy and not given a

speeding citation. Two participants skipped this question giving only five hundred twenty responses. Two hundred seventy-eight (53.46%) responded professional courtesy should not be given while two hundred forty-two (46.54%) responded professional courtesy should be given. It was also asked if it was okay for a law enforcement officer to receive a free meal/drink from a business as long as it is offered and not requested or expected by the officer. Four hundred four (77.69%) responded it was okay for the officer to receive this gratitude while one hundred sixteen (22.31%) stated it was not okay to receive it.

The next three questions asked about what type of disciplinary action should be given to officers who are caught doing unethical behavior. One person skipped each of these three questions only receiving five hundred twenty-one responses. If an officer was caught sleeping on duty what disciplinary action should be taken? Two hundred twenty-five (43.19%) responded a written reprimand, one hundred fifty-nine (30.52%) responded a verbal reprimand, eighty-five (16.31%) responded to suspend up to five days, twenty-four (4.61%) responded to suspend over five days, twenty-one (4.03%) responded to terminate employment and seven (1.34%) said no action should be taken.

**Q10 If a law enforcement officer is caught sleeping on duty, what type of disciplinary action should be given?**

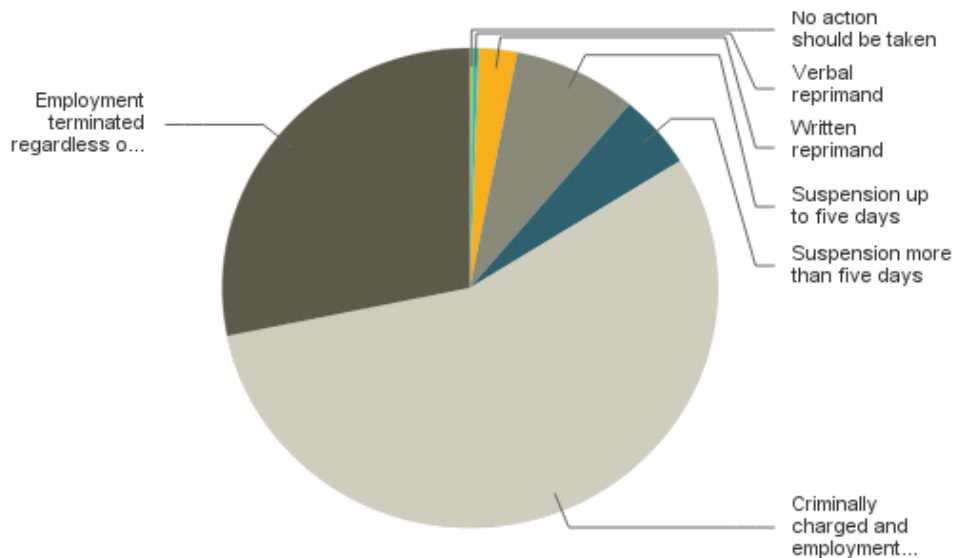
Answered: 521 Skipped: 1



If an officer was caught stealing what type of disciplinary actions should be taken? Two hundred ninety (55.66%) responded to criminally charge and terminate employment upon conviction. One hundred forty-seven (28.21%) responded to terminate employment regardless of criminal outcome, whether the officer was found guilty or not guilty. Forty-two (8.06%) responded to suspend up to five days, twenty-six (4.99%) responded to suspend over five days, thirteen (2.50%) responded a written reprimand, two (.38%) responded a verbal reprimand and one (.19%) responded no action should be taken.

### Q11 If a law enforcement officer is caught stealing, what type of disciplinary action should be taken?

Answered: 521 Skipped: 1

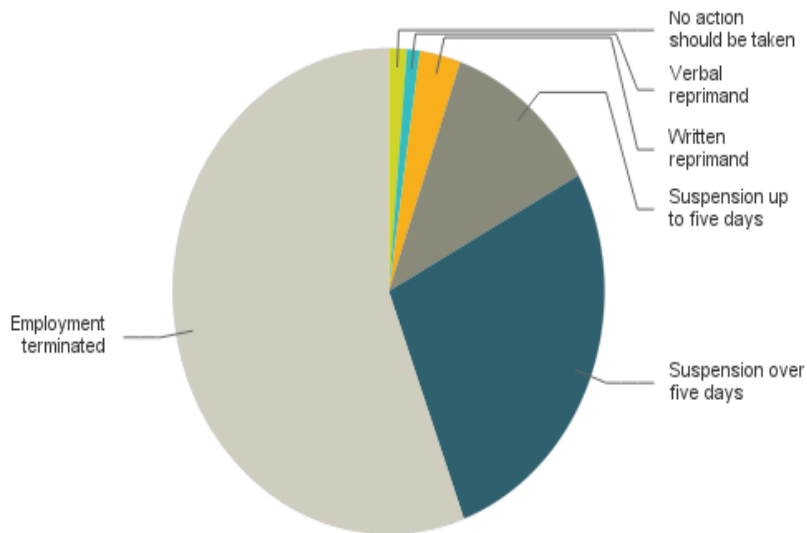




If an officer was arrested for driving under the influence while they were not on duty what type of disciplinary action should be taken? Two hundred ninety (55.66%) responded to terminate employment. One hundred forty-two (27.26%) responded to suspend over five days, sixty-one (11.71%) responded suspend up to five days, sixteen (3.07%) responded a written reprimand, five (.96%) responded a verbal reprimand and seven (1.34%) responded no action should be taken.

**Q12 If a law enforcement officer is arrested for driving under the influence while he/she is not on duty, what type of disciplinary action should be taken?**

Answered: 521 Skipped: 1



The final question for this survey asked about the satisfaction of the current system in place to investigate law enforcement officers who have committed an unethical or criminal violation. Two participants skipped this question giving only five hundred twenty responses. Four hundred fourteen (79.62%) responded they are satisfied with the current system while one hundred six (20.38%) responded they were not satisfied with the current system.

## Discussion

Upon examining the results of this survey, it is obvious the law enforcement profession is expected to constantly maintain a higher level of ethics than other professions. Based on this survey, not only did the general public and those individuals currently enrolled in a law enforcement academy expect this high level of ethical standards, but current and retired law enforcement officers expected this level as well. It has been said the law enforcement profession is considered to be one of the more noble and selfless occupations in society, (IACP, 2013). Most law enforcement officers today continue to hold their self and the profession to the highest level of standards and strive to constantly uphold the law enforcement ethical oath.

I feel officers understand the profession they have entered comes with a high price which must constantly be paid. They understand they must constantly be vigilante in how they conduct themselves not only while they are in uniform and working the streets, but even when they are not on duty and in their private life. They know every action and every decision they make will be scrutinized not only in the public, but inside their administration. They truly understand they live in the fishbowl where everyone is watching and judging. This survey also shows the administration is doing their part in helping to maintain the high level of ethical standards a law enforcement officer must have. The administration is conducting good thorough background investigations, polygraphs and psychological screenings to ensure they are hiring only those individuals with good moral character. This is confirmed by the responses from those men and women who are currently in a law enforcement academy who participated in this survey.

This survey showed the hype of an officer receiving a free meal or drink from a business is acceptable and not considered to be unethical. The response to the question asking about the free meal or drink had a positive result of 77.69% of individuals who thought this was okay. Only 22.31% considered this practice to be unethical.

The question which caught me by surprise was the question concerning an officer being arrested while off duty for driving under the influence. A total of 55.66% responded the officer's employment needed to be terminated. This figure is double to the next closest form of discipline which was a suspension over five days which received 27.26%. The difference in these percentages tells me the law enforcement profession is indeed different from all other professions. It did not matter to the participants of this survey the officer was not on duty they still expected and demanded the same high value of ethical behaviors.

## **Recommendations**

What was learned with this research was already general knowledge to most individuals based on other previous surveys and articles written about this topic. Ethical behavior in law enforcement is very important and a must to continue to maintain the standards of the profession. Those individuals who dream of becoming a law enforcement officer need to ensure their values and morals are maintained throughout their journey. Current law enforcement officers need to remember their oath and continue to do what is right each and every day, on and off duty. Administrators need to continue to hold those individuals who violate the sacred trust and ethical oath of the profession accountable. Everyone needs to continue to do their part in preserving the sacred oath of a law enforcement officer. By constantly maintaining the high level of standards the men and women who have chosen this noble profession can continue to take pride in the profession.

I believe the ethical standards and the expected/demanded behavior of a law enforcement officer will continue to become greater in the future.

Lieutenant Mark E. Burke has been in Law Enforcement for over 24 years starting his career in 1989. He has worked with the City of Gulf Breeze Police Department, Escambia County Sheriff Office and the Office of Medical Examiner, District One. He has served as a Patrol Officer, Field Training Officer, Traffic/Motor Officer, Crime Scene Investigator and a Senior Investigator. In 2005, Mark was hired by the Department of Agriculture and Consumer Services, Office of Agricultural Law Enforcement. In 2006 he was assigned to the Special Operations section serving as a VACIS Officer (Vehicle and Cargo Inspection System) and in 2007 he was promoted to Sergeant. From 2007 to present he is one of three primary Training Instructors for the agency. In 2009 he was promoted as a Regional Lieutenant being one of only four in the Bureau of Uniform Services. In 2012 he was selected as Sworn Supervisor of the year for his agency. He is stationed at the Pensacola Interdiction station. Mark is currently attending Pensacola State College working on his Associates of Arts Degree.

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## Appendix A

### Ethical Behavior in Law Enforcement

#### 1. What is your gender?

- .Female
- .Male

#### 2. Which category below includes your age?

- .Under 20
- 21-40
- 41-60
- .Over 60

**3. Are you a current or retired law enforcement officer or are currently enrolled in a Police Academy?**

- .Current
- .Retired
- .Enrolled in an academy
- .No

**4. If you are a current or retired law enforcement officer, how many years or service do you have?**

- .Not Applicable
- .0 to 5 years
- .6 to 10 years
- .11- to 15 years
- .16- to 20 years
- .21 years or higher

**5. Are you related to a current or retired law enforcement officer, if so what relation?**

- .No, I'm not related
- .My Spouse
- .My Child
- .My Parent
- .My Sibling
- .Other Family Member

**6. Out of the following professions, who do you think maintains the highest standard of ethics? (Rank them 1 thru 4 with 1 being the most ethical and 4 being the least ethical)**

- Law Enforcement
- Medical Personnel (Doctors, Nurses, Paramedics, Etc.)
- Firefighters
- Private Sector

**7. Do you feel the high ethical standards a law enforcement officer is held to while on duty should be enforced even when they are off duty?**

- .Always
- .Sometimes
- .Seldom
- .Never

**8. Do you think law enforcement officers should be given professional courtesy by other law enforcement officers if they are stopped for speeding when they are off duty?**

- .Yes
- .No

**9. Do you think it is okay for a law enforcement officer to receive a free meal/drink from a business as long as it is offered by the business and not requested or expected by the Officer? So long as the business does not expect special treatment or services from the officer/agency by providing the free drink/meal.**

- .Yes
- .No

**10. If a law enforcement officer is caught sleeping on duty, what type of disciplinary action should be given?**

- .No action should be taken
- .Verbal reprimand
- .Written reprimand
- .Suspension up to five days
- .Suspension over five days
- .Employment terminated

**11. If a law enforcement officer is caught stealing, what type of disciplinary action should be taken?**

- .No action should be taken
- .Verbal reprimand
- .Written reprimand
- .Suspension up to five days
- .Suspension more than five days
- .Criminally charged and employment terminated upon conviction
- .Employment terminated regardless of criminal outcome, (Found guilty or not guilty)

**12. If a law enforcement officer is arrested for driving under the influence while he/she is not on duty, what type of disciplinary action should be taken?**

- .No action should be taken
- .Verbal reprimand
- .Written reprimand
- .Suspension up to five days
- .Suspension over five days
- .Employment terminated

**13. Overall, are you satisfied with the current system in place for investigating law enforcement officers if they commit an unethical or criminal violation?**

- .Yes
- .No