

Recommendations for Reinforcing Ethical Law Enforcement

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## **Abstract**

### Recommendations for Reinforcing Ethical Law Enforcement

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#### Statement of the Problem

On any given day, one could search the internet for acts of police misconduct and they will find a recent incident in which the actions of a police officer are being investigated. No matter how the situation is resolved, the officer and the agency they work for can experience mistrust from the citizens they serve. When substantiated the root of these problems is often grounded in the ethics of the officer and/or the ethics of the law enforcement agency. A study conducted by the International Chiefs of Police Association (IACP) in 1997 confirmed there are ethical issues that must be addressed by the law enforcement community (2013). Since the IACP study there have been other studies using the Klockars and colleague integrity survey and a study completed by the US Department of Justice substantiating the fact there are ethical deficiencies within law enforcement that need to be addressed (Klockars, Ivkovich, Harver, & Haberfeld, 2000; Ivkovic., Haberfeld., & Peacock, 2013; Kane & White, 2009; Weisburd, Greenspan, Hamilton, Williams, & Bryant, 2000).

#### Methods and Procedures

The current study provides a literature review of police ethics, police training, and police misconduct. This will be done in order to provide recommendations for reinforcing ethical law enforcement. In order to ground these recommendations, the social learning theory will be utilized.

## Results of Study

The study supports the need for a focus on ethics by the law enforcement community. The primary focus should be on ethical training of all law enforcement personnel which can occur through other methods besides classical training such as field training, leadership, discipline of unethical behavior, modeling ethical behavior, and reinforcement of ethical behavior. The social learning theory was used as a way to examine how ethical or unethical behavior can become part of a law enforcement agency.

Law enforcement ethics can be reinforced when all levels of law enforcement are committed to the importance of ethics within an organization. Leaders can reinforce ethics by selecting ethical candidates for their agencies as well as ethical field training officers and first-line supervisors, modeling ethics to their subordinates, disciplining officers who act unethically, and recognizing officers who act ethically. The law enforcement community can reinforce ethics within their community by increasing the amount of training devoted to ethics in the recruit academy as well as mandating in-service ethics training for veteran officers. By focusing their attention on ethics, the law enforcement community can limit and possibly eliminate police misconduct including the adherence to the “code of silence”.

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## **SECTION I: INTRODUCTION**

### **Recommendations for Reinforcing Ethical Law Enforcement**

#### **Statement of Problem**

Sir Robert Peel developed the nine principles of modern policing in the 1800's (Schmallegger, 2009). The creation of these principles was the fundamental step in policing becoming a profession. Not only did Peel's principles explain how police should treat citizens, they explained how police should act while enforcing the law. This was the first formal introduction of ethics into law enforcement. Peel's principles became the framework for modern law enforcement and thus established the requirement of ethics within the profession.

Most law enforcement officers in the United States must take an ethical oath upon entering the profession. Unlike many other professions, if a law enforcement officer violates their oath, not only will they have to deal with the legal consequences of their actions, they have to deal with the wrath of public opinion fueled by the media. Due to the fact that not all citizens have personal contact with law enforcement, the media at times may be the citizen's primary source of information when it comes to determining their perception of law enforcement misconduct. A study conducted by Miller and Davis (2007) about the public's attitude about police misconduct concluded that news media coverage of police misconduct affects the attitude of the public. Peel's principles require that the public's perception of the police who are responsible for protecting and serving them must be favorable in order for police to be effective.

The actions of an individual officer can be harmful not only to the officer who commits the infraction but also to their agency and the law enforcement community as a whole. There have been several large cases of police misconduct which have caused mistrust of not only the police

officers involved but also the departments the officers served. Grant (2002) acknowledges that the public scrutinizes the actions of law enforcement more now than ever before. In the 1970's, police corruption began to be exposed and special commissions were created to look into the extent of the corruption in the New York Police Department. In the early 2000's, a huge police scandal was exposed in the Rampart Division of the Los Angeles Police Department (Schmallegger, 2009). These scandals brought the attention of the media and the public to the corruption that can occur within police agencies. Though not all of the police officers in these departments were involved, all officers and agencies were called into questions

Studies conducted since these incidents of police misconduct have revealed that there is a need for ongoing ethics training at all levels (IACP, 2013; Weisburd, Greenspan, Hamilton, Williams, & Bryant, 2000). Other studies confirm there are flaws in the ethical foundation of law enforcement (Klockars, Ivkovich, Harver, & Haberfeld, 2000; Ivkovic., Haberfeld., & Peacock, 2013; Kane & White, 2009). The law enforcement community must reexamine the priority that is being placed on the ethical culture within their agencies. Other issues such as the use of deadly force and emergency vehicle operation have been high priority training issues because of the media and public attention that is drawn by these types of incidents. As part of their proposed in-service training plan, the IACP (2013) reminds the law enforcement community, when police officers act immoral or unethical it diminishes the respect the public has for law enforcement making it difficult for law enforcement to protect and serve their communities. Ethics, a deterrent for police misconduct, must become a high priority training issue.

## **Paper Purpose**

The purpose of this paper is to examine research which has been conducted in regards to ethics within the law enforcement community in order to evaluate how to improve the ethical environment within law enforcement agencies. The information collected during the study can be used by administrators to create an ethical environment within their agency.

### **Method of Research**

The current study provides a literature review of police ethics, police training, and police misconduct. Due to the limited amount of information about police ethics, police misconduct will also be reviewed to evaluate ethics deficiencies. This will be done in order to provide recommendations for reinforcing ethical law enforcement. In order to ground these recommendations, the social learning theory will be utilized.

## **II. LITERATURE REVIEW**

The following section will begin by defining integrity and ethics. The code of silence will be explained. Then types of misconduct will be examined. Studies about ethics training and police ethics will be reviewed next. The importance of background investigations will follow. A review of the training needs of a recruit will then be discussed. A discussion about in-service ethics training as well as special assignment ethics training will follow. Next there will be a discussion about how ethical leadership trains all officers. Finally, there will be a review of studies about police misconduct.

### **Ethics and Integrity Defined**

Often ethics, morals, and integrity are often used interchangeably. Ortmeier and Meese (2010) explain, “The word ethics is derived from the Greek word ethos, meaning character, conduct, or custom” (p. 59). Morality is what is right and wrong while ethics is the actions that occur based on one’s morality (Wright, 2008, p. 11). Ethics is conduct that occurs because of one’s belief about what is right and wrong. Grant (2002) clarifies, “Ethics and ethical standards involve doing the right thing at the right time in the right way for the right reason” (p. 11). Thus it is not just doing the right thing, but doing it for the right reason. Schmallerger (2008) explains that police ethics is “the special responsibility to adhere to moral duty and obligation that is inherent in police work” (p. 211). For the purpose of this paper, this will be the definition used for ethics. In an attempt to measure ethics, a researcher often looks at the integrity of an individual officer or the agency as a whole. Klockars et al. (2000) defined integrity as “the normative inclination among police to resist temptation to abuse the rights and privileges of their occupation” (p. 2). For the purpose of this paper, this is the definition that will be used for integrity.

## **Code of Silence**

At times in law enforcement, ethical officers will make the unethical decision to hide other officer's unethical decision (Bills, Ching-Chung, Heringer, & Mankin, 2009). The unethical officer may have lied, used too much force, or made an unethical decision. Instead of the ethical officer who saw the violation happen reporting it to their supervisor or even confronting the officer themselves, they act as if they never saw what occurred. This type of behavior is said to be caused by the "code of silence". Often the officers, who do not tell, do so because they believe they will be shunned by other officers (Meine & Dunn, 2012). Due to the dangerousness of the occupation, officers do not want this kind of animosity between themselves and the partners that ensure their safety. This is a serious issue as this act is also unethical and allows police corruption to occur. The "code of silence" deteriorates the integrity of law enforcement as a whole.

## **Types of Police Misconduct**

Police corruption can be defined in many different ways. For example, the Knapp Commission divided police involved in corruption into two categories: "grass eaters" and "meat eaters" (Schmallegger, 2009). The commission identified "grass eaters" as police officers who become involved in illegal activity occasionally during the course of their duties. An example would be an officer who is offered a bribe to not expose an insurance fraud. Conversely, "meat eaters" were identified as officers who actively look for ways to profit from their official position. They seek bribes or intimidate citizens to gain financially from their occupation. These types of corrupt officers were the focus of the Knapp Commission in the 1970's, yet this does not address all police corruption.

Kane and White divide police misconduct into three categories: police crime, police corruption, and abuse of authority (2009). Police crime involves police officers violating criminal statutes such as stealing property from a crime scene. Police corruption occurs when an officer uses their official position to profit personally such as accepting money in exchange for not issuing a speeding citation. An example of the final type of police misconduct, abuse of authority, is an officer who uses more force than is needed when apprehending a suspect.

Meine and Dunn identify another type of police corruption: “noble cause corruption” (2012). This type of corruption can be placed in the abuse of authority category. “Noble cause corruption” occurs when an officer acts unethically to successfully solve or prosecute a case (Meine & Dunn, 2012). This type of corruption can involve an officer lying while testifying or lying while writing a report to ensure a suspect is charged with a crime. Often officers can justify this type of behavior because they believe the system is so complex they have no choice but to act as they have to ensure the community’s safety (Meine & Dunn, 2012).

Schmallegger (2009) divide police corruption into ten categories: gratuities, playing favorites, minor bribes, being above “inconvenient laws”, role malfeasance, major bribes, property crimes, criminal enterprise, denial of civil rights, and violent crimes (280). These categories are listed from less severe to most severe. “Noble cause corruption” and officers’ adherence to the “code of silence” according to Schmallegger’s hierarchy of police corruption are placed in the middle of the scale under role malfeasance.

A serious problem when identifying police corruption is the fact some agencies do not identify certain acts as corruption. For example, accepting free coffee and meals is acceptable in some policing agencies (Chappell & Piquero, 2004). Yet many believe this is the most common

type of police misconduct (Martin, 2011; Chappell & Piquero, 2004) and officers that engage in this minor corruption are more likely to engage in other types of corruption (Martin, 2011).

### **Current Training Requirements for Law Enforcement**

Reeves reported in 2006 there were 648 local and state law enforcement training academies in the United States (2009). Also in his report, he determined the average length of a training academy was 19 weeks or 760 hours and the average amount of ethics training per academy was 8 hours. In looking at Midwestern states (WI, IL, & MN), all require preparatory training of law enforcement officers. In Wisconsin, a law enforcement candidate must have sixty college credits before they can attend the 520 hour academy (Wisconsin Department of Justice, 2012). Ten hours of the 520 hours are devoted to ethics training. Wisconsin mandates officers to have 24 hours of annual training each year but only has a mandate involving emergency vehicle operation (State of Wisconsin, 2001). Though Illinois's academy is only 400 hours, it the only state that mandates any type of ethics training after preparatory law enforcement training. In fact, Illinois requires all of its employees to participate in annual ethics training (State of Illinois, 2013). Minnesota does not have a specific academy or amount of hours. They require those interested in a law enforcement career to go through a two year or four year program and then take an exam to be licensed. Minnesota does require colleges to address ethics and ethical decision making. Minnesota also requires officers to have forty-eight hours of continuing education every three years but there is not requirement for it to involve ethics (Minnesota Board of Peace Officer Standards and Training, n.d.).

## **Two National Studies involving Police Ethics Training**

Due to the police misconduct referenced earlier, the ethics of law enforcement became an important issue for the leaders of the profession. The IACP which is comprised of law enforcement executives created a committee in 1995 to look at ethics training within law enforcement. In 1997, the committee sent out 4,500 surveys to its members (law enforcement command staff) regarding ethics training within their agencies. Twenty percent of the surveys were returned (IACP, 2013). The majority of the survey consisted of fixed-answer question but there were some open-ended questions. Only half of the surveys returned had complete responses to the whole survey.

Relevant findings about ethics training were collected from the 874 police agencies that responded to the survey. Eighty-three percent reported they provided ethics training to their new officers. Seventy-two percent reported they provided some ethics-related training beyond the initial training. Seventy percent provided four hours of training while approximately 17 percent provided eight hours of training. Two thirds of the agencies responded revealed they did not evaluate their new officers in the area of ethics during their field training program though 63 percent did report giving their field training officers formal ethics instruction.

Based on these responses, the committee came to the conclusion that agencies were not dedicating the amount of time to ethics training that is need. The committee outlined recommendations about how to enhance ethics within the law enforcement community in their final report. They proposed recommendations that involved training, an oath of honor for all law enforcement officers, and leadership that models ethics. In their final comments, they argued ethics and integrity has to be imbedded in all areas of the organization such as policies, hiring, and training (IACP, 2013).

Interestingly, while the IACP was surveying their members (police management), the National Institute of Justice (NIJ) initiated a study conducted by Weisburd, Greenspan, Hamilton, Williams, and Bryant which surveyed police officers about their attitudes about abuse of power. Nine hundred and twenty five American police officers from 121 agencies were randomly contacted by phone and asked 92 questions about their opinion about abuse of authority (Weisburd, Greenspan, Hamilton, Williams, & Bryant, 2000). Though this survey was not specifically about ethics, it revealed officers opinions about the ethics that revolve around abuse of power.

One of the areas the survey covered that is important to the current study involved officers willingness to report other officers' ethical violations. Though 80 percent of the officers surveyed did not acknowledge a belief in the "code of silence", responses to other questions related to reporting police misconduct were to the contrary. Approximately a fourth of those surveyed agreed or strongly agreed they did not believe it was "worth it" to report misconduct and more than two-thirds reported believing an officer who reports misconduct will often be given the "cold shoulder" by other officers. The majority of the officers surveyed agreed or strongly agreed that it is not uncommon for officers to ignore other officers' misconduct. The survey revealed a surprising admission: over 60 percent reported they would not disclose even serious criminal violations that involved police abuse of power by other officers.

Another area of the survey responses important to the current study were the questions that focused on leadership's role in the prevention of misconduct. Several questions on the survey asked about the officers' opinion of the role of the chief and the first-line supervisors in the prevention of police misconduct. Almost 85 percent of the officers surveyed believed the chief's strong attitude opposing police misconduct can discourage officers from abusing their official

power as police officer. The survey respondents believed the role of the first-line supervisors was even more significant than that of the chief. Overall, 90 percent believed good first-line supervisors who serve as role models are important in preventing police misconduct by the officers they lead. The respondents in this survey that were supervisors shared in this belief as 97 percent stated they believed that good first-line supervisors assisted in preventing police misconduct.

There were several questions on the survey that explored specialized training as a deterrent to police misconduct. These questions involved ethics training, interpersonal skills, cultural sensitivity training, and diversity training. Over three quarters of those surveyed reported these types of trainings assisted in preventing police misconduct.

Although this survey was focused on abuse of authority, it provided valuable information about police ethics. The officers involved in this study acknowledge there is a likelihood of officers to act unethically by failing to report the misconduct of other officers. They also recognize that leadership within their agencies can deter or permit unethical conduct by officers. Finally, they reported that training can be helpful in discouraging unethical conduct by officers.

From these studies, it is evident that all levels of law enforcement (patrol officers through commanders) recognize ethics is an issue that must be addressed. A surprising finding is it does not appear that officers involved in the NIJ study realize the failure to report other officer's misconduct is also an ethical violation that along with the initial police misconduct erodes the integrity and ethics of the law enforcement community.

### **Studies Evaluating Police Ethics with an Integrity Survey**

Klockars, et al. (2000) created a survey that would analyze law enforcement officers' opinions about police corruption to measure police integrity. Before this survey, researchers investigated police misconduct primarily by looking at official records (Ivkovic, Haberman & Peacock, 2013). The researchers recognized even when assured of confidentiality many law enforcement officers are opposed to being involved in direct investigations into police corruption whether it be another officer's conduct or their own.

As they began their research, they decided to investigate the matter from an organization or occupational approach instead of the administrative or individual bad apple theory that had been the focus of past studies. Not only did they provide a definition for police integrity, they provided a means to assess it. They identified four dimensions that were critical to determining the extent of police integrity: (a) the quality of official rules and the manner in which they are made, communicated, and understood within a police agency; (b) the quality of the detection, investigation, and disciplinary actions taken by the agency; (c) the willingness of officers to report another officer's misconduct; and (d) the influence of the agency's environment on its level of police integrity (Ivkovic, Haberman & Peacock, 2013, p. 152).

The survey contained 11 hypothetical case scenarios and asked officers seven questions about each of the scenarios pertaining to the seriousness of the case, the discipline that should be associated with the case, and the willingness of officers to report officers involved in the hypothetical cases. The questions ask for the individual officer's opinion and what they believe other officers believe (Klockars et al., 2000, p. 4). The survey was completed by 3,235 officers from 30 police agencies. Sixty-three percent of the officers were patrol officers and only one of five indicated they were supervisors. The sample had an overrepresentation of municipal police officers and police agencies from the Northeast. Sixty percent of the agencies that took part in

the study were very large agencies with over 500 officers. Also, the study was only completed by agencies that wanted to participate. Respondents were told the agencies involved, the individuals involved, and their responses would be confidential yet not all agencies asked to participate did.

An important finding from this survey was that the more serious an officer considered a behavior, the more willing they were to report it. So it is important to analyze the seriousness that was assigned to the case scenarios by the respondents. Overall, the scenarios fell into 3 categories of perceived seriousness. Off-duty operation of a security system business, receiving free meals, receiving holiday gifts, and covering up an off duty officer's OWI related accident were categorized as not very serious. The use of excessive force on a car thief after a foot chase, a supervisor who offers a subordinate time off during holidays in exchange for tuning up his personal car, acceptance of free drinks in exchange for ignoring a late bar closing, and receiving a kickback scenarios were categorized as having an intermediate level of seriousness. Stealing from a found wallet, taking a monetary bribe, and stealing a watch from a crime scene were rated as very serious offenses. These same three categories were recognized when officers reported on the amount of discipline that should occur. Officers reported they believed officers who commit the offenses in the not very serious category should receive no discipline, officers who commit the offenses in the intermediate category deserved a written reprimand or period of suspension, and those who commit the offense in the very serious category should be fired. The majority of participants reported they would not report the not very serious category offenses but were likely to report the intermediate or very serious offenses. This finding is contradictory of the NIJ study where the majority of the participants said they would not report even serious infractions.

There are several findings from this study which relate to the current study. First, it acknowledges the code of silence does exist as the majority of officers involved in the study reported being hesitant to report other officer's misconduct. It appeared officers in this study also did not recognize failure to report other officer's misconduct is an ethical violation on their part. This study also provided a view of the unique perspective of law enforcement. The officers that contributed to this study did not feel that covering up a drunk driving accident by an off duty officer was very serious, though most of the public would not agree.

Researchers of police integrity found the information that was collected during the initial Klockars and colleagues' survey to be beneficial so the tool has been used for several other studies. Ivkovic (2005), one of the original researchers, used the information from the first study of United States Police Officers and combined it with survey results from Finland Police Officers and Croatian Police Officers. Croatia and Finland have a similar population while the United States population is 60 times larger. The Croatian sample consisted of 1,649 returned surveys while the Finnish sample consisted of 378 responses. Croatia has the highest rate of police per 100,000. Croatia and Finland have national police agencies while the United States is highly decentralized.

Responses from the three countries confirm that line officers were the most tolerant of corruption. The results showed there are differences in the perceptions of supervisors and line officers in seriousness of violations in all three countries though there were only two of substantive importance. The scenarios the supervisors found more serious were the ones involving the acceptance of gratuities. This could be because there is so much debate about the topic. Ivkovic found there was a varied response across the three countries about the least serious case but there was a more consistent response about the most serious crimes. The

researcher did not publish findings about the officers' likeliness to report misconduct of other officers for this study. Ivkovic study found that though there are many differences between the officers based on the differences in their country of origin, all of the officers have an appreciation for how serious police misconduct can be to the field of law enforcement (2005).

Another follow up study that used the original Klockars and colleagues survey was conducted by Schafer and Martinelli (2007) at the Sunnyville Police Department (SPD). This study focused on the first-line supervisor within the department. As a part of the consent judgment the department entered into with the Department of Justice (DOJ), the department was required to provide ethics and integrity training and they decided to provide this training to middle management in the form of a 16 hour training curriculum presented by one of the authors of this study. The Klockars and colleagues' survey was used as a pre-training survey and was completed by 478 of the supervisors who attended the training. It should be noted that all of the first-line supervisors were supposed to attend the training, but only 60 percent attended.

The supervisors found the offenses in the hypothetical scenarios as more serious than those in the original study. In the original study, the respondents rated three of the eleven scenarios as not very serious whereas the supervisors rated ten of the eleven scenarios as having some level of severity. The supervisors believed seven of the scenarios were approaching very serious while the original respondents only rated three of the scenarios as being very serious. The supervisors reported that in nine of eleven of the scenarios they would report the officer's actions, but they also reported they did not believe their subordinates would report the officer's actions.

The SPD researchers also included questions specific to the integrity issues of the SPD. The participants in the SPD study were aware the department was under review by the DOJ. As part of the customized survey, the first-line supervisors asked why upper management was not

required to participate in the mandatory training. It appears the SPD administration believed by requiring first-line supervisors to attend the required training; the knowledge gained by these officers would spread up and down the chain of command. This appears to have back fired though as the first-line supervisors who attended instead felt the upper level management was not being held accountable for their actions such as favoritism and double standards.

The SPD study is important to the current study because it illustrates that junior officers whether they are patrol officers or first-line supervisors expect that their leaders should also be held to the same standards. It also confirms that the supervisors believe that there are ethical issues within the SPD as they believe they would act more ethically than their subordinates or their leaders.

Klockars and colleagues recognized their original survey focused on misconduct motivated by personal gain and police misconduct does not just involve conduct motivated for personal gain but also other offenses such as mistreatment of citizens and special treatment for other officers who violate laws such as drunk driving (Ivkovic, Haberfeld, & Peacock, 2013). So a second generation survey was created in 1998 to take into account these other types of police misconduct. This second generation survey was used for the Rainless West study. The police department involved in the study remained anonymous though it had been one of the agencies that had completed the original Klockars and colleagues' survey and was only the fourth agency to use the second generation survey (Ivkovic, Haberfeld, & Peacock, 2013). The department in the study has 700 to 900 sworn police officers including supervisors and is considered diverse in that one of every five officers is a minority. Ninety-two percent of the agency completed the survey, but only approximately 89 percent were evaluated as 2.6 percent of the respondents reported not being honest.

The second generation survey included five of the original scenarios from the original survey. The second generation survey includes scenarios that looked at police abuse of power for reasons other than personal gain. All of the behaviors in the scenarios were violations of the department's official rules. As part of the survey, the researchers asked the respondents to identify whether the behaviors were in fact violations of the department's official rules. As part of the study, the researchers also compared the results of the Rainless West study with the three other agencies that had also completed the second generation survey. Two of the other agencies that had taken the second generation survey had been recognized as being high integrity agency when they completed the initial Klockars and colleagues survey.

Rainless West respondents did not recognize that the scenarios they indicated were minor misconduct were also rule violations for their department. They selected acceptance of gifts, verbal abuse of citizens, and the cover-up of a police drunk driving accident as the least serious offenses. The ranking provided by the Rainless West officers closely matched the responses to the other agencies who took this same survey. The survey results indicate that the more serious the Rainless West officers believed the offense to be, the more likely the officers were to report the violation.

The Rainless West study is very current and reveals there are still ethical issues even years after the IACP published their recommendations about the need for the law enforcement community to focus on ethics. Some of the Rainless West officers did not even realize that all of the scenarios reflected violations of their agencies rules and regulations. Ivkovic et al. (2013) concluded, "The confusion among police officers from Rainless West likely stem not only from lack of clear communication and ethics instruction in academy/in-service training, but also from the potential inconsistency in the agency's actions" (p. 168).

## **Thorough Background Investigations: An Ethical Beginning**

Before an applicant is allowed to begin their career as a police officer, they must submit to a background investigation. Selecting appropriate applicants for a career in law enforcement is crucial in ensuring ethical law enforcement (IACP, 2013). How an applicant has acted or what they have done in the past is a good indicator of how the applicant will perform in the future (Prevost & Trautman, n.d., p. 2). If an applicant has acted unethically in the past, there is a high probability they will act unethically in the future. The background investigation cannot predict what will happen in the future, but it can reveal areas where there may be issues in the future (O'Malley, 1997, p. 26).

Thorough background investigations involve more than looking at the applicant's past work history and can take a significant amount of time. Law enforcement officers have to be ethical at all times (IACP, 2013) thus all areas of their life must be investigated. A complete investigation will involve investigating previous employment, criminal activity, military service, driving record, credit bureau reporting, and drug testing (State of Florida, 2013). Along with the use of illegal drugs, the use of an intoxicating substance should also be investigated (FBI, 2013). An investigator should also interview the applicant's personal references as well as any others suggested by the references. Speaking with neighbors of the applicant can also reveal important information about candidates.

Some agencies require the use of a polygraph or computer voice stress analyzer to evaluate the truthfulness of the candidate (FBI, 2013; State of Florida, 2013). These tests can corroborate the accuracy of the information provided by the applicant and reveal any information that may not have been verifiable by official records. For example, an applicant may be asked, "Have you ever been involved in any serious undetected crime?" (State of Florida, 2013, P. 13). If the

applicant were to provide a deceptive answer to this question, it would indicate further investigation is needed into this area of the applicant's background.

### **Recruit Level Ethics Training: Ethical Decision Making**

Due to the enormous amount of power law enforcement officers are given, they are held to a higher standard of conduct by our society (Gleason, 2006; IACP, 2013). Police officers are everyday citizens who choose a life of public service in a career that will require them to act quickly and make decisions about dangerous situations in a short period of time. In preparation for this career, police recruits are required to undergo psychological, medical, and physical tests. Once they have completed these tests, they begin the initial training necessary to becoming a police officer.

A large part of the academy consists of teaching these recruits how and when to use the tools of the trade such as their service weapon, pepper spray, and baton. As mentioned earlier, recruit school or law enforcement preparatory training can vary in length. During this training, officers learn about various subjects to included but not limited to the history of policing, constitutional law, juvenile law, child abuse investigations, domestic violence investigations, sexual assault investigations, traffic laws, crash investigation, defense and arrest tactics, cultural competence, and ethics (Wisconsin Department of Justice, 2010).

Wright (2008) explains that teaching someone when and how to use a firearm is a complicated task and it must be reinforced with ongoing training. Just as recruits must learn to use their firearms, they must also learn about the ethics of law enforcement and practice the use of these principles. Wright argues there is a disparity in the amount of training officers receive in ethics as compared to firearms. He explains officers are required to make ethical decision on a

daily basis whereas it is a very rare occasion that an officer is required to use their service weapon. Cartwright (2010) agrees by explaining officers will be required to make ethical decisions on a regular basis while they may never encounter a time where they need to use their firearm. Wright suggests that if recruits are expected to make good decision very quickly, they must learn how to make ethical decisions and then practice this skill (2008).

Wright explains the limited amount of ethics training may be due to the fact that most believe they are ethical. Fitch (2011) acknowledges the fact that recruits have undergone some sort of background to ensure they have high moral values before they enter the academy. Yet, the situations police officers face regularly are not similar to those the public face. Officers must not only know what is ethically right, they must also have the courage to take action. Stephens (2006) confirms there are not many occupations that require the personal ethical foundation that law enforcement personnel must possess. Schafer (2002) explains police officers must have prevailing integrity because they are required to make difficult decisions in the real world. They need to acquire decision-making skills to combat the ethical dilemmas they will encounter. Thus the ethical background that these citizens enter the academy with is not sufficient for an officer who is policing our society.

The IACP (2013) suggests ethics is not addressed at the recruit school level because there is a mistaken belief that there is not enough time for something so minor and that you cannot teach someone to be ethical. The IACP stresses the importance of recruits leaving the academy knowing the standards that are required of them. They recommend reality-based training that involves more than just discussion. They suggest instructors should discuss real life issues that challenge police officers. The IACP recommends recruit level training should include decision making tools that will assist them in make intelligent/ethical choices (2013). They also

recommend recruits leave recruit training with the understanding of their own personal responsibility for their actions. Gleason (2006) recommends ethics trainings contain the following proponents: recognition of ethical problems or dilemmas, identify options, make a rational/ethical choice, take prompt action based on the option, and take responsibility for the outcome (p. 1).

### **Junior and Veteran Level Ethics Training: In-Service**

After an officer has been in the law enforcement field for several years, there is a continued need for ethics training. These officers have been exposed to some of the stresses of the job as well as the environment of the agencies they work for. Pollock & Becker (1996) clarify that ethics training must be relevant to the experience of those participating in order to be effective. Junior officers have most likely encountered some ethical dilemmas and will have a framework from which to address the training.

Jones and Owens (1995) suggest in-service training should begin with a discussion about the rights and privileges used by officers to do their jobs. An example would be a discussion about an officer's use of discretion. They believe the discussion should move to the core ethical values of policing. They also believe there should be a discussion about how these two topics are critical to community policing. Pollock and Becker (1996) recommend allowing officers to discuss ethical dilemmas presented by the participants of the class.

Fitch (2011) believes ethical fitness is similar to physical fitness. Just as an officer must exercise regularly to be prepared, he believes ethics should be discussed frequently so officers will be ready to make ethical decision. He suggests case studies are an efficient means to strengthen the ethics of an agency. Fitch recommends presenters not simply present the case

studies with a monologue about why it's important to ethics but instead challenge the students to discuss options and consequences of the actions of the officers in the case study. This type of training can be used with junior officers as well as veteran offices. Cartwright confirms in order for police officers to make good decisions when faced with ethical decisions, they must be prepared with the means to be successful in making these decisions (2010).

### **FTO and Supervisor Ethics Training: Specialized Training**

Field training officers and mid-level supervisors are very important to the ethical culture of an agency. Though field training officers are not formal leaders, they are often informal leaders. As Fitch explains frequently those with informal authority have more influence than those with formal authority (2011). Field training officers often have a large amount of informal authority because they serve as mentors for rookies and junior officers. The IACP (2013) believes the position of field training officer is so critical it should be a stepping stone for promotion to first-line supervision in an agency. The IACP recognizes the field training officers of an agency will develop the ethical foundation and attitude of the agency through their interactions with new officers and thus only officers with the highest integrity should be cultivated as field training offices. The IACP stresses that field training officers must be passionate advocates of ethics and integrity in law enforcement (2013). A formal leader must ensure the officers who are promoted to supervisors or field training officers are role models of the ethics they want in their agency because these are the officers that rookies and junior officers will imitate (Fitch, 2011).

These two groups of officers must have specialized training on ethics as their duties will require them to not only work ethically but teach and model ethics. The IACP (2013) recommends field training officers have specialized training in adult learning so they have a

strong understanding how trainees will learn to behave ethically. They must also be reminded of the enormous responsibility they have of teaching these rookies to perform satisfactorily and to act ethically while doing it. Field training officers must find ways to intertwine ethics into all calls rookie officers encounter during a shift.

Those promoted to first-line supervisor must also receive ethics training specific to their new duties. Not only will they be required to continue to act ethically in their own duties, they are required to correct officers who do not act ethically. The supervisor must believe in the ethical standards of the agency, follow them, and enforce them consistently (IACP, 2013). The IACP recognize supervisors as critical in determining the ethical atmosphere of law enforcement (2013). Supervisors are more likely than administrators to witness or have to address unethical behavior. First-line supervisors are responsible for reviewing officers' efficiency and how the officers interact with citizens (Ortmeier & Meese, 2010). This point was confirmed with the results of the NIJ study in that 90% of the officers and 97% of the supervisors acknowledge first-line supervisors serve as role models and have an impact on the ethical culture of an agency.

### **Ethical Leadership: A Training Tool for Every Officer**

The ethics of the leaders of a law enforcement agency is a significant component to the ethics of all the officers of the agency. An ethical leader is a leader who makes decisions based on their ethical foundation and not the circumstances or personal preference. The example a leader set for their subordinates is in itself an ethical training tool. Inventor Robert Noyce, co-founder of Intel Corporation, explained to his colleagues in a speech that if the ethics at the top of an organization are lacking, they will be lacking throughout the organization (as cited in Eastvedt,

2008, p.65). The IACP (2013) confirms the ethical standard for an agency is set by the leader of the agency. Fitch (2011) explains leaders must cultivate the ethical environment of their agency.

Zuidema and Duff (2009) suggested the following ways leaders can encourage ethical behavior by their subordinates:

- (1) Incorporate ethical ideals in the mission and values of the organization.
- (2) Make the focus on ethical behavior part of organizational functions such as having officers recite their oath during public ceremonies.
- (3) Emphasize ethical behavior in their organizational philosophy. Officers are human and will make mistakes. Even leaders will make mistakes. Mistakes can be used as learning lessons.
- (4) Agencies should not tolerate unethical behavior or decision making. (p. 8-9)

Zuidema and Duff acknowledge it is impossible for leaders to completely eliminate corruption in their agencies, but they can create an environment where unethical behavior is unacceptable and when it occurs it is not tolerate. Words without action will not benefit a law enforcement agency. O'Malley (1997) reports that even supervisors are reluctant to acknowledge misconduct. He reports during examination of police misconduct cases, administrators were found to have a "willful blindness" to police misconduct (O'Malley, 1997, p. 24).

Bills, Ching-Chung, Heringer, and Mankin (2009) explain supervisors throughout an agency should consistently educate and emphasis adherence to the law, the department's policies and procedures and the code of ethics to all of their subordinates. There will be times when supervisors must confront misconduct and provide remedial training to their officers to ensure such actions do not occur again. Cartwright (2010) affirms that besides being role models of the

ethics administrators expect their subordinates to possess, leaders must address unethical behavior with appropriate consequences. Leaders' failure to act when there is unethical behavior will in fact encourage unethical behavior. Wright (1999) explains if an ethical violation is discovered, supervisors must respond as their policies and procedure dictate with an appropriate amount of discipline occurring if the violation is substantiated. Fitch confirms that a successful law enforcement leader inspire their staff to be ethical by ensuring they know what is right and they do it (2011).

Not only do leaders have to model ethical behavior, they must ensure their ethical foundation is reinforced. Zuidema and Duff remind leaders they must keep leadership training and development at the forefront of a department's strategic planning. Zuidema and Duff encourage leaders to be open-minded while leading, to investigate innovative methods of leadership, and to stay committed to ethics and integrity no matter how difficult it may be (2009).

### **Ethical Issues Revealed by Police Misconduct**

Another perspective of police ethics can be gained by looking at studies that deal with police misconduct. Kane and White's research into the characteristics of New York City officers who were involuntarily separated from employment during the time period of 1975 through 1996 revealed some important information to consider when focusing on ethics and law enforcement. Their study involved comparing 1,543 officers who were involuntarily separated with a comparison group of officers from the same recruit class (Kane & White, 2009, p. 737). Though the number of officers who were involuntarily separated seems like a large number, it is only 2 percent of the officers hired during this time period (Kane & White, 2009, p. 750).

Significant findings from the Kane & White (2009) study that apply to the current study were that officers who were involuntarily separated were more likely to have been recommended to not be hired upon the completion of their background. Had the administrators followed the recommendations of the investigators, some of those who committed this misconduct may not have entered the law enforcement field. The involuntarily separated officers were also more likely to have below standard performance ratings, and were more likely to have received formal citizen complaints (p. 752). These issues could have been addressed with ethics training which may have resulted in the officers not being involuntarily released.

In 2013, White and Kane published a follow-up study to their original study. As part of this study, the researchers focused on patterns in the officers who were fired and the response of the NYPD to the misconduct. One of the patterns the researchers found was that an officer who had a problematic background such as a criminal history or problems in a prior job, issues which may have caused a background investigator to recommend against hiring, was likely to be fired quickly. Officers that received a citizen complaint after two years on the job or were assigned to the academy or field training were also common traits of those who were fired quickly. They also found that there were factors that protected the officer from being fired early in their career. Some of these factors were having a college education, getting or being married, and following an upwardly mobile career path. These findings confirmed O'Malley's opinion that a flawed hiring practice allows an agency to be more vulnerable to unethical behavior (1997).

A finding from this study relating to the current study is the reasons the officers were fired. The study looked at the time period in which the officers were fired. Those released in the early part of their career were released for administrative violations. Those who were released a

decade into their career were released for serious/criminal misconduct. Ethics training later in these officers' careers may have been beneficial to reinforce the officers' integrity.

As mentioned earlier, the study group participants who were released within the first two years had some type of issue in their background. The study group was two times more likely than the comparison group to have been recommended by the background investigator to not be hired. Departments must train their background investigators to identify ethical issues in candidates and then the departments must listen to the investigator when they make recommendations not to hire the candidate. This practice can increase the ethics in the law enforcement community.

A case study of police misconduct that dealt with the misconduct of one officer, a supervisor, exposes how the misconduct of one officer can affect the careers of numerous officers. Giannetti (2003) reviewed an incident that involved a hit and run unattended vehicle accident caused by Philadelphia Police Captain Brady after he drank approximately 64 to 80 ounces at a local bar and then attempted to drive his city-issued vehicle home. This study seemed relevant to the current study as it dealt with the cover-up of a police officer involved drunken driving accident, one of the scenarios the majority of officers in the other reviewed studies ranked as less serious. Brady struck another vehicle causing his vehicle to sustain major front end damage. Police Officer Colon observed the vehicle and attempted to initiate a traffic stop. When he did finally get Brady to stop, Colon requested backup and Police Officer Yacilla, also an officer with less than a year on the job, responded. Upon approaching the vehicle, Brady identified himself as a police captain and the officers requested their supervisor. Lt. DiLacqua responded and spoke with Brady. After speaking with Brady, he ordered Yacilla to drive the city-issued vehicle onto the sidewalk against a pillar to make it appear as if Brady was

attempting to avoid a vehicle that had come into his lane of travel and thus hit the pole.

DiLacqua then ordered Colon to write the police report reflecting this story. DiLacqua spoke for Brady to other officers who arrived due to the fact a city owned vehicle was involved. DiLacqua then ordered Yacilla to take Brady home and Brady was never tested to determine his blood alcohol content.

It was obvious from the accident investigation photographs that the accident did not occur as reported. The truth was reported to Internal Affairs by an officer that had been at the scene. When the rookies were asked what happened, they told the truth and thus avoided punishment because they had been ordered to act as they had. DiLacqua continued to lie about the incident. The Internal Affairs Division (IAD) forwarded a memo to the District Attorney and the District Attorney decided not to file charges against anyone. Then the IAD recommended to the Philadelphia Police Department the both Brady and DiLacqua should be charged with “Conduct Unbecoming an Officer” and “Neglect of Duty”. Before discipline could occur, DiLacqua was promoted to Captain. It was decided that the two would be punished for “Neglect of Duty”, the least severe of the charges, and each Captain was suspended for twenty days which they were allowed to use accumulated vacation to cover.

That may have been the end of the incident except the *Philadelphia Inquirer* ran a story titled “How a Top Cop Drank Drove and Covered It Up” (Giannetti, 2003, p. 35). This caused the investigation to be opened again and charges to be filed against Brady and DiLacqua four years after the incident occurred. Both officers were cleared of their charges. Everyone’s actions were called into question from the Police Commissioner to the District Attorney’s Office. In the end, all of the officers involved were reinstated to some position within the department though the

Police Commissioner left the agency for another agency. DiLacqua and Brady were not promoted beyond the rank of Captain.

Giannetti (2003) explains that the District Attorney's office summed up the importance of the case when replying to a question from the *Philadelphia Inquirer*:

It's an important case. It has important implications for the city, for the integrity of the police department and for the appropriate examples set by commanding officers. No commanding officer can expect the honest kind of job that every citizen wants from a police officer when people in command and control instruct subordinates to lie, to obstruct justice and to change reports. (p. 36)

This type of incident had been identified by many of the officers in the earlier reviewed studies as being the least serious scenario within the Klockars and colleagues' integrity survey. This case study reveals how a case like this can affect so many within the department from the rookie officers who initially responded to the Police Commissioner who failed to act upon the information he had about police misconduct. Brady's unethical decision to drive while intoxicated caused another officer to make an unethical decision of ordering junior officers to cover-up the accident. Even after confronted with the statement of the junior officers, the lieutenant continued to lie. This should have been enough for his dismissal but his superiors continued to cover his unethical, illegal actions. This study confirms the fact that a culture of unethical behavior can taint an entire department.

## **Summary**

Over ten years ago, the IACP, a group of law enforcement leaders, recognized there needed to be more attention placed on the ethics of the law enforcement community. They made

recommendations they believed would assist departments in ensure the integrity of their officers and their agencies. The IACP has not done a follow up study to determine if its recommendations have been implemented. As this has not occurred, other studies must be considered to determine if there has been an ethical change in the law enforcement community. Though limited, the studies using the Klockars and colleague's integrity tool allows a glimpse into the ethical atmosphere of the law enforcement community. These studies reveal there are still ethical issues that have not been addressed such as officers not recognizing failure to report other officers' misconduct as an ethical violation that also erodes the integrity of the law enforcement community. This type of unethical behavior happen after preparatory law enforcement training and thus exposes that continued ethics training must occur beyond the initial training a police officer receives. The review of three states' ethics programs verify that the IACP'S recommendations have not been fully implemented in this area of the country.

### **III. Theoretical Framework**

There have been many explanations proposed as to why officers act unethically. Some researchers have asserted the officers who act unethically had ethical issues from the beginning. As Fitch (2011) asserts this explanation of police misconduct does not explain why officers who have not displayed any ethical issues outside of their law enforcement career become involved in unethical behavior. A theory that can explain even the smallest ethical violations by law enforcement officers is Akers social learning theory. Though this theory has primarily been used to explain criminal behavior, it can also be applied to law enforcement.

#### **Social Learning Theory**

Aker's social learning theory is an extension of Sutherland's Theory of Differential Association (Chappell & Piquero, 2004; Cullen & Agnew, 2006). Sutherland explains behavior is learned by interacting with others or modeling their behavior. People learn from the people they associate with and internalize the attitudes and behaviors of these people. Sutherland's theory explains that these definitions (attitudes and behaviors) influence how a person acts. If a person has a significant amount of definitions that are favorable to violating the law, they will violate the law (Cullen & Agnow, 2006).

Akers theory suggests there are four variables that reinforce social behavior: differential association, definitions, differential reinforcement, and modeling (Chappell & Piquero, 2004). Differential association is the effect that individuals have on one another. Differential association is the most important part of the theory. It determines where and how a person defines what is right and wrong. Differential reinforcements are the consequences of a behavior.

They can be positive or negative. The person does not have to experience the consequences directly; they can experience them vicariously and still learn from the differential reinforcement (Cullen & Agnew, 2006). If a person witnesses or experiences differential reinforcement that supports a certain behavior, they will add this behavior to their definitions and it will allow this behavior to be imitated by the person. Thus they can learn that something is acceptable in the group they associate with even if it is unacceptable to the rest of society.

### **Police Subculture**

When applying this theory to law enforcement personnel, it is important to acknowledge there is a police subculture. Martin (2011) defines a subculture as “a group of individuals who generally share attitudes, perceptions, assumptions, values, beliefs, ways of living, and traditions” (p. 15). Some believe that a subculture is negative, but Meese and Ortmeier report a police subculture can be positive and promote a family environment as the members of the group have shared experiences of danger and stress (2010). Wolfe and Piquero explain law enforcement is differentiated by a strong subculture that occurs because of the rare difficulties that are placed on officers such as danger and public scrutiny that create feelings of solidarity (2004). Alpert and Duham explain this subculture involves social isolation so officers retreat into the subculture for encouragement and appreciation (as cited in Chappell & Piquero, 2004). Due to this isolation, officers are more likely to spend their free time with other officers causing the subculture to be even more important to the officer. Often this causes police officers to form an us (law enforcement) against them (the public or at times the agencies they work for) attitude.

## **Theoretical Application to Ethical/Unethical Behavior of Police Officers**

With this subculture in mind, Akers' theory can now be applied to the law enforcement field. Generally speaking, the police subculture encourages officers to look towards other officers to determine what is right and wrong. This can be a problem because past research has proposed that police officers define misconduct narrowly while the public defines it more broadly (Chappell & Piquero, 2004).

As mentioned earlier, police recruits are private citizens who have decided to pursue a career in law enforcement. They begin their pursuit by entering preparatory training where they learn the basic of policing as described earlier. Then they transition to working within their agencies where they are truly exposed to the police subculture. They will spend several months with field training officers who are to teach them, through role modeling and mentoring, how to integrate the information they learned during preparatory training into the real world. No matter what they learn in preparatory training, the social learning theory suggests it is what these officers teach them that will determine how these new officers will perform as police officers because these field training officers will assist these officers in creating their definitions. The new officers will also learn by witnessing the differential reinforcements that they may experience or watch others experience.

After these officers leave the field training program and move to a permanent shift, these officers will begin to learn from the veteran officers on their shift and the sergeants who supervise them. Again if the social learning theory is applied, it is what these officers teach the new officers that will determine how they police. Fitch (2009) explains the new officers learn the organizational norms, values and culture from their peers and supervisors. If unethical behaviors are positively reinforced, these officers will create definitions that define these

behaviors as acceptable. Thus the minimal training they learned in recruit school about ethics will be obsolete if it does not coincide with the information they receive from their peers and supervisors. Fitch explains their integration into the agency motivates the new officer to embrace the behaviors, values, and attitudes (definitions) of the subculture so they will be admitted to the subculture. These officers will determine who the informal leaders are in this subculture and replicate their behavior (2009). Thus it is important that the subculture the new officers are introduced into is a culture of ethics and the leader both formal and informal act ethically.

The social learning theory explains how an individual can come into an agency with a strong ethical foundation and then adjust their behavior over time based on differential association and differential reinforcement to that of the officers they serve with which can be unethical. Skolnick asserts that no matter what the officer's initial values were, the intensity of the organizational culture in a police department is so significant that an officer will overtime assume the agency's beliefs and definitions (as cited in Chappell &Piquero, 2004). In some cases where officers feel resentment towards the agency they work for, Fitch (2009) explains the informal leaders can transmit behaviors and attitudes that are contrary to the ethical culture a leader wants in his organization.

## **VI. Recommendations and Conclusions**

This section will discuss proposals about ethics that will reinforce ethical behavior in police officers throughout their career.

### **Proposal #1- Candidate Selection**

Agencies and preparatory schools should conduct thorough background investigations to ensure that only those “who demonstrate strong moral values” enter (Fitch, 2011, p. 18). If ethical issues have arisen in a candidate’s past, this is a significant indicator that there may be ethical issues in the future. Agencies must train their investigators in methods to identify ethical issues in candidates. Stephens (2006) explains an accurate background investigation will provide a prospective employer with everything they need to know about the candidate. Agency leaders must trust their investigators and follow their recommendations. O’Malley (1997) insists leaders should consider hiring standards as a component of achieving an ethical agency. The candidates selected for law enforcement careers are the ground that ethical law enforcement will be built on.

### **Proposal #2- Preparatory Law Enforcement Training**

Criminal justice instructors in college programs should begin the discussions of ethics with students as soon as they enter college expressing an interest in working in the law enforcement field for several reasons. The first reason is that ethics should be the core of law enforcement classes. It can be applied to all topics from juvenile law to constitutional law. Another reason for the discussion of ethics during college is it allows students to think about the importance of

ethics in the law enforcement community before they may engage in behavior that may disqualify them from the career they are preparing for. Stephens (2006) explains when students enter college, this is often their first opportunity to act independently and often they may make inappropriate decisions that will ruin their ability to pursue a law enforcement career. If students do not know already, they must understand police officer have to act ethically at all times even when they are not on duty (Grant, 2002).

Once recruits enter recruit school or the police academy, ethics should be discussed on a regular basis throughout the training. Wright (2008) suggests instructors should include ethics and integrity in all areas of study within the academy. Scenarios should have an ethical element. Though the recruit will most likely learn more about ethics through social learning at the agency they are employed by, the training they receive during this preparatory training will be the foundation of their police ethics.

### **Proposal #3- Field Training Program**

There are two important elements to the field training program. The first is who is doing the training. The new officer will model the behaviors of the officers who initially teach them how to police. So the field training officer is a core component of the field training program. Though the field training officer may not realize it, their attitudes, beliefs, and values will be transferred to the new officer vicariously. As the social learning theory suggests, field training officers will be examples that influence new officers' attitudes and behaviors (Chappell & Piquero, 2004). An agency must carefully select the officers they place in this vital position as they are the role models of their agency. The field training officer is the initial brick layer on the foundation that the recruit school created. The IACP believes agencies should ensure that those wishing to be

field training officers understand that they create the “organizational culture” of the patrol division and that only those with integrity and positive attitudes should be selected for these positions (2013). These officers must also receive specialized training in adult learning so they can be effective.

The second important element to the field training program is how the new officer is trained. Obviously, there are skills the officer will have to learn through performing the action over and over until they master the skill. Yet, ethics is not a tangible skill. There may not be instances where ethics are at issues, but field training officers must create ethical dilemmas for the new officer to address. Field training officers who have received specialized training in adult learning will be equipped with learning methods which will reinforce the training the new officer has received in recruit school. The IACP also recommends adding integrity/ethics to the Field Training Officer’s training topic list as well as make it a part of the daily evaluation form (2013). Martin recommends testing new recruits to see how they react when offered a free meal as part of their training (2011).

#### **Proposal #4- In-Service Training**

The ethical foundation of an officer must be maintained. This can be done by continued ethics training throughout the officer’s career. As stated earlier, the three states reviewed require annual training. Agencies can use some of this required time to address ethics. They can address any ethical issues the agency maybe experiencing or they can use case studies of recent national cases. Jones and Owens (1995) reminds administrators in order for there to be an ethical culture within an agency, there needs to be ethics training for all ranks and experience levels of their staff. This training need not happen in large blocks of training. Ethics training

can be the topic of roll call when issues arise. Issues that have arisen in other agencies can be addressed so the officers of the agency will not feel defensive and instead may be open to learning from others unethical behavior.

During this training, instructors and supervisors must remind officers it is their responsibility to report any ethical violations of their fellow officers. Trainers can encourage officers to confront other officers about unethical behavior or behavior that is concerning to them. Officers should be told if they cannot deter their fellow officer's behavior they should report it to a supervisor or by not reporting they are acting unethically (Bills et al., 2009).

Agencies must set up protocols for officers to report other officers' misconduct anonymously. If officers do not believe they will have the support of their leaders when reporting misconduct, they will not want to leave the security of the subculture. As the study by Weisburd et al. exposed, the majority of the officers involved in the study believed they would be given the cold-shoulder if they reported misconduct (2000). Inclusion in the subculture is important as officers depend on each other to make it home safe at night. Yet, officers have to have a means to report misconduct so the culture of the agency does not become plagued by misconduct. Agencies must have published established means for officers to report misconduct.

### **Proposal #5- Ethical Leadership**

The leader of a police organization is the general contractor in the building of ethical law enforcement. The leader selects all of the sub-contractor of their organization i.e. commanders, first-line supervisor, and field training officers. The leader must have plans for his organization that include ethics. The leader's understanding and appreciation for ethics must be strong before he can lead his staff (IACP, 2013). If the leader is not committed to building an ethical

environment or culture within their agency, it will not happen. Ethics are modeled from the top down. If the leader does not keep ethics at the forefront of his plans, it will allow for misconduct (IACP, 2013). It is the ultimate responsibility of the leader to prevent misconduct and maintain the ethical environment (Martin, 2011).

Leaders must expect and model ethical behavior to their staff. Leaders cannot allow weakness in their organization's ethical foundation (Martin, 2011). They must participate in ethics training with their officers and encourage discussions within their staff about ethics (O'Malley, 1997). When the leader senses a weakness in their organization's ethical foundation, they must demand all within their organization to conduct themselves with the highest level of integrity (Martin, 2011). When the leader becomes aware of unethical behavior or misconduct by one of their officers that has been substantiated, they must address in a timely and equitable manner (O'Malley, 1997). Discipline is necessary in assuring the ethical foundation of the organization. It is differential reinforcement as explained by Akers' social learning theory.

Yet just as discipline is a differential reinforcement, recognition of ethical behavior is also differential reinforcement within the organization. Fitch (2011) suggests agencies and supervisors recognize ethical behavior. For example, if an officer finds a wallet with a significant amount of money and turns it in, this should be recognized by the leader of the organization. This is what the officer is expected to do, but administrators should acknowledge the behavior as ethical and correct. Fitch explains if officers receive positive reinforcement, it is probable they will repeat this behavior in the future. As the social learning theory proposes, this positive differential reinforcement can be valuable and cause officers to act in ethical ways because the reward of being recognized is pleasant. Other officers who see ethical behavior recognized will learn vicariously that this behavior is correct.

## **Summary and Conclusion**

Ethics is an essential component of law enforcement. Many may say the information provided in this study is common sense. If it is common sense, why has every agency in the United States not implemented the recommendations the IACP made in 1997? Why does preparatory training for law enforcement not include more hours devoted to ethics training? Why is there not a mandate that officers receive in-service training on a regular basis?

The “code of silence” is a real issue in the law enforcement community. Though many consider this a minor ethical violation as was illustrated by the responds to the Weisburd et al. and the responses to the Klockars and colleague survey, it erodes the overall ethical environment of law enforcement. The literature review of this study exposes the extent of this problem. “The code of silence” must be combated with training that stresses to officers how detrimental police misconduct include “the code of silence” is to the integrity of the law enforcement community and how important it is for officers to confront misconduct by other officers and at times report it to their supervisors.

In order for law enforcement to uphold Sir Robert Peels nine principles of policing, ethical law enforcement must exist. There must be ethical behavior at every level of law enforcement and all within law enforcement must be dedicated to ethics. Until the law enforcement community acknowledges the need for commitment to ethics and implements changes to reinforce ethics, there will still be deficits that appear in the form of police misconduct and the continued adherence to the “code of silence”.

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