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## Ethics And Corruption Of Police Officers

State police have always been a central part of this country, and their mission has remained the same since their conception in 1751. They're given their power by the state for which they serve, and are to uphold the constitution of the United States as well as the laws in place at the federal and state level. Police are public servants in the United States meaning their funding comes from taxes. It would be safe to say they have become a universal standard in the modern world. Police, at the beginning of their career, will take the law enforcement oath of honor.

"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."

The police badge is a symbol of power and is meant to be a symbol of their respect and hard work for that power. That's also why their character and integrity is mentioned. In Criminal Justice they teach and warn about The Oath of Silence, which is an unwritten rule that some police will follow, it is defined as the following... "They do not report on a colleague's errors, misconducts, or crimes, including police brutality. If questioned about an incident of alleged misconduct involving another officer, the officer being questioned would claim ignorance of another officer's wrongdoing or claim to have not seen anything." This is where the more human part comes into play, not every man and woman in policing is very principled, letter of the law kind of individual. Which is why Law enforcement comes with a certain degree of controversy because of corruption and brutality that always makes it to the news. This isn't to say they aren't passionate or bad at their job; that they don't take it seriously, it's just there is a human element. So, the research question for this paper is where do police draw the line, from considering something to be a professional courtesy to it being something they have to report, and at what point is it considered an unethical use of their position.

### Background Information

The United States has a very different system for law enforcement, compared to foreign counterparts. In *Rise of the Warrior Cop*, written by Radley Balko an investigative Journalist, found the US had more than 16000 Law enforcement agencies. Which includes the City police, County Police, state police and federal agencies. The Supreme Court has consistently ruled that police officers do not have a duty to protect any one individual, in fact their only job legally speaking is to enforce the law in general. When the use of force considered appropriate as a response to the behavior of a perp. It is well within their means to do so, this is why generally speaking if the officer doesn't have a history with on the job accidents, they are usually overlooked. Police brutality was used in the American News as early as 1872, it was reported the police beat of a civilian under arrest at the Police Station. What we know as police today is believed to be developed from the model the French used, dating back to the 17th century. In fact, by around 1910 most countries had adapted to this model of "Modern Policing".

Sources that will be used are as follows. First, *Breaking the blue Wall*, it is a personal account of the Hopson vs New Jersey case written by Justin Hopson. Hopson refuses to turn a blind eye to

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a colleague's unlawful misconduct and is relentlessly harassed, beaten, and threatened by the people he exposed. *Rise of the Warrior Cop* written by Investigative Journalist Radley Balko talks about how, in recent years, have evolved into something he classifies as grossly Unconstitutional. *The War on Cops* by Heather MacDonald is about the alienation of police and how these very broad stroke solutions to solve police corruption can effectively do the opposite of what they are supposed to do. *To Protect and Serve* was written by Norm Stamper, a retired police chief. He discusses the problems with policing and how he would fix them.

## The Blue Wall

Blue walls can exist in many forms, all it is referring to is when police choose not to disclose information. Whether or not it is illegal (typically is), it doesn't matter from a definition standpoint. The author of *The Blue Wall of Silence*, Alex Quinn, defined it as "The Blue wall around police only when a police officer is the offender. It will be revealed what tactics are used by police to ensure they or a colleague is not arrested. Police officers who abuse their power will often engage in creative report writing, in order to get someone falsely arrested or discredited. These reports are read to attorneys and judges before arraignments, pretrial, trials, and sentencing. The Words written in police reports provide a preconceived notion about the defendant." (Quinn 7). However, both civilians and other police can encounter walls, even federal agencies. Some law enforcement may slowly develop an arrogance for the position they hold, and can in some cases can think they are above the law. This is why police have Ethical Obligations in a professional setting. With that being said, many law enforcement professionals feel as though the current framework is relatively primitive. With one of them being ex-state trooper, Justin Hopson, who was assaulted and repeatedly harassed for reporting his partner for an illegal arrest. There can be many possibilities as to why officers get this aggressive. What you typically see the Police say on the causes of misconduct in policing, call it a naive explanation that includes psychological, behavioral and background factors. Hopson says that what actually causes people to crack is the unbelievable pressure to conform to the police culture, part of that being the "Code of Silence". You can see why putting crime on a pedestal when cops do it, could warp their code of ethics. Hopson goes on to say, "I had a romantic idea of law enforcement when I was growing up. I realize that all too clearly now. It was a combination of the good guys I saw on TV, and my father's own occupational adventures, which cast my perception of the police. I had seen a movie or two featuring 'police corruption,' and I figured that kind of thing existed in New York or L.A. but it seemed to awfully melodramatic. Surely police corruption didn't occur Nationwide." (Hopson 57). Meaning police, Hopson included, start to think became a cop was naïve. The only difference with Hopson is he was able to get out, according to him most just get pull in further.

## Blue Wall Effect on Law Enforcement

Interdepartmental cooperation is required in law enforcement quite often, we have many examples for this in history. In the late 19th century European police agencies undertook cross-border surveillance because of concerns political radicals. Much like when the Prussian police surveilled Marx when he lived in London. The interests of public law enforcement agencies in cross border cooperation in the control of political extremists and ordinary crime were primarily started in Europe, which ultimately led to the establishment of Interpol just before World War 2. There are many examples of cross border policing under private supporters and by public police forces dating back to the 19th century.

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Due to a long-term deterioration of the public's confidence for law enforcement in the United States, body cams started becoming more and more standard issue. Even so the police are permitted to protect private rights in some jurisdictions. To guarantee that the police wouldn't restrict in the regular capabilities of the courts, some police acts require that the police may only interfere in the cases where defense from courts can't be attained in time, and where, without interference of the police, the realization of the private rights could be obstructed. Investigative Journalist Radley Balko, believes there is a strong correlation between educated Cops and Ethically challenged ones. "It has become clear that only the educated Law Enforcement are able to competently respond ethical dilemmas. Officers who can efficiently and appropriately work through these dilemmas can be valuable to their community. He can't rely of his instincts alone, he must also must be knowledgeable in police ethics, moral reasoning, and a clear expectation for conduct in their profession." (Balko 141). Balko noticed this from his travels all over the US Speaking with numerous police captains, that officer's physical environment is less to blame compared to their social environment. The implication of ethics is that they should account for each other in all actions, they have commitments to the group. What reflects poorly on one reflects on the rest.

## **Alienation of Police/Civilians**

Law enforcement finds themselves under scrutiny for their uses of power, especially if it is lethal force. Especially, when a cop of one ethnic group injures or kills a suspect of a different ethnic group. In the United States, such occasions sometimes instigate fights and allegations of bigotry against police and accusations that police participate in racial profile. This is further explained in Heather MacDonald in her book *The War on Cops* and Jeff Roorda's *The War on Police*, MacDonald is a bestselling Political Scientist and Roorda is a retired Police chief. Roorda and MacDonald seem to agree the Ferguson Missouri was a turning point. The police department in Ferguson had a history with Racial bias and the shooting of Michael Brown sent the town into civil unrest. The people were afraid to have any kind of encounter for law enforcement because it could get very violent very quick when the individual being addressed by police.

During the pursuit of a suspect, officers can become enraged with adrenaline, which can ultimately affect their judgment in turn, leading to aggravated assault. When in this emotional state it can safely be considered an inappropriate use of force. While Officers have the legal right to decide how they respond/ treat suspects, they may justifiably escalate the situation verbally. However, these efforts to enhance police accountability only reveals that they relied on rules and punishment. Meaning the rule-based systems of accountability seem insufficient if officers hold different values or there is a subculture which nurture values different from the ideals of democratic policing.

## **The Militarization of Police**

Most larger jurisdictions also utilize specially selected and trained seemingly military units armed with military-grade weaponry for dealing with predominantly violent situations beyond the capabilities of a standard patrol officer, this may include serving warrants to dangerous suspects. In the US these units are usually known as SWAT teams. The Constitution of the US states that law enforcement personnel are legally allowed to shoot in any instance that they feel the need to protect their own lives or the life of a civilian or to prevent the suspect from fleeing arrest or a crime scene. In the case, *Tennessee v. Garner*, it legal to shoot a fleeing suspect

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only if they could cause injury to civilians, this was to make sure law enforcement couldn't shoot every suspect that tries to flee custody. Law enforcement should always focus on removing civilians from dangerous people and/or situations, to do this they are equipped with various non-lethal weaponry. Such as chemical agents, concussion grenades and rubber/beanbag ammo.

## **Criminal Justice Ethics**

Criminal procedure law has been developed to control officers' discretion, so that they do not randomly or unjustly exercise their powers of arrest, search and seizure, and use of force. In the United States, *Miranda v. Arizona* prompted the use of Miranda/constitutional warnings. In *Miranda* the court created safeguards against people making self-incriminating statements made after an arrest. The court held that the prosecution can't use statements, whether exculpatory or inculpatory, all coming from questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his freedom of action in any significant way, unless it establishes the use of procedural safeguards effective to secure the Fifth Amendment's right against self-incrimination. Police in the United States are also prohibited from holding criminal suspects for more than a sensible amount of time before arraignment, the use of torture or physical intimidation to extract confessions, using excessive force to get an arrest, and searching suspects' bodies or their homes without a warrant obtained upon a proof of probable cause. The four exemptions to the constitutional requirement of a search warrant are: Consent, Search incident to arrest, Motor vehicle searches, Urgent circumstances. The large majority of police agencies have adopted the code of police ethics, in a more or less spoken form. But, as I have already mentioned, police ethics is still at relatively still in the beginning of its development.

When you compare law enforcement ethics to medical or business ethics, police ethics is relatively Primitive. There are a few reasons for this, the big one being the misunderstanding of the need for police ethics. The intrinsic value of police officers within this framework is loyalty. Whereas Leadership is either not accountable to anyone or they are accountable only to which ever party in power. It isn't surprising that police ethics does not have this much given context. Some experts are misled by a notion that as long as police perform their work strictly by the book, they need no police ethics. Advocates of this view also deny police officers the right of discretion. Unfortunately, when one is faced with an ethical dilemma, the laws prove themselves to be insufficient. A lot of effort needs to be put into education and training in ethics, before police officers can be faced with a moral problem or ethical dilemma and make a thought-out decision in an efficient amount of time. It takes time to not make quick decisions based on prejudice or impulsively alone even the mastery of the process of moral reasoning and decision-making does not, by itself, guarantee ethical conduct, nor do all of the situations require moral reasoning and discussion. If police officer experience inconsistent behavior from their supervisors, preferential treatment of some officers and/or citizens, solidarity with, and cover-ups for, the officers who violate standards of their profession. Integrity in Law Enforcement, then, means that a police officer genuinely accepts values and moral standards of policing and possesses the virtues of his profession. That he can consistently act out of his own will, in accordance with the values, standards, and virtues, even in the face of external pressures. Of course, not all police officers have integrity. The argument is that rotating officers helps the detectives to better understand the uniformed officers' work, to encourage cross-training in a wider variety of skills, and prevent Inner circles from being formed because it can contribute to

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corruption or other unethical behavior. With technology now civilians can do a whole lot with watching and recording police when necessary.

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