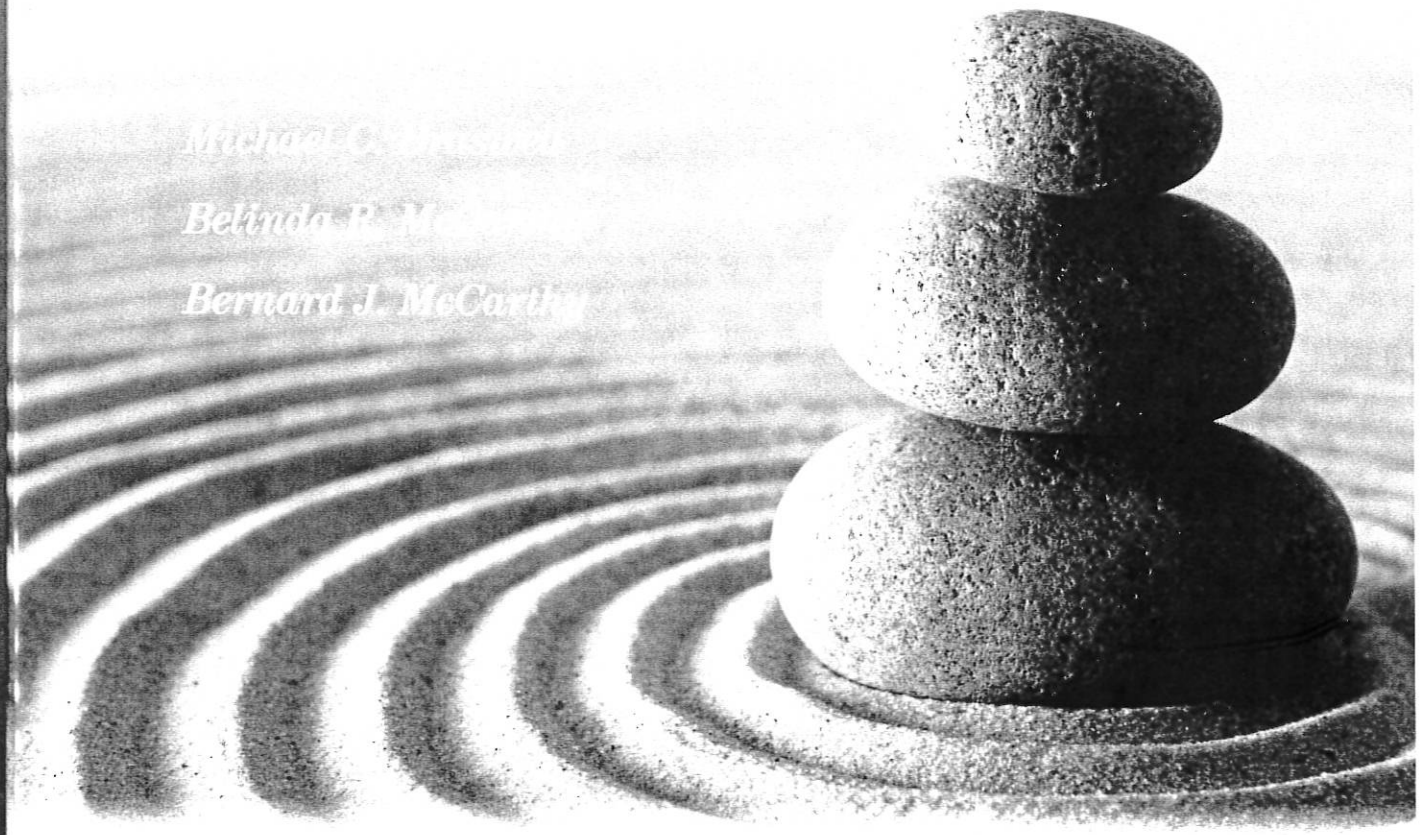


JUSTICE, CRIME, *and* ETHICS

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How police officers learn ethics

Steven J. Ellwanger

KEY CONCEPTS

apologia
black swans
contingencies
instrumental value
latent content
manifest content
noble cause
occupational predisposition
subculture
terminal value
values-learned perspective
value predisposition

One of the most defining characteristics of the police occupation is the potential use of coercive force, especially deadly force, to impose the will of the state (Bittner, 1970). Another defining yet less well-understood characteristic is ethics. Just as medicine, law, engineering, or other professions are characterized by ethics that guide individual and group behavior, policing as an occupation contains its own values and value system. These values provide a basis by which individual behaviors and attitudes can be measured. In contrast to other professions, however, learning ethics in policing is not entirely the product of education, socialization, and training. In fact, learning often predates formal education and socialization efforts as a result of individual, social, and historical factors. What is more, the process of on-the-job police socialization and enculturation may both purposefully and inadvertently threaten the positive ethical ideals and values brought to the police profession by new recruits. A strong and pervasive deviant subculture may exist in some instances, which can passively or actively teach unethical behaviors to new police officers.

Ethics in policing bears directly on issues of reform, control, and the legitimacy of law enforcement institutions in a democratic society. The first step in meeting such challenges is to better understand the sources and content of police ethics, so that administrators, citizens, legislatures, and the courts can more effectively

promote responsible police behavior. This chapter attempts to first identify and discuss the various frameworks for understanding the sources of police ethics, followed by the identification of several occupational ethics that run the risk of violating legal, organizational, and societal standards. The chapter concludes with a brief discussion of the various aspects of ethical transformations and implications that police ethics hold for reform, control, and legitimacy in today's world.

VALUES, VALUE SYSTEMS, AND POLICE ETHICS

Policing as an occupation is characterized by a distinct subculture (Crank, 2004; Van Maanen, 1974). The term *culture* is often used to describe differences among beliefs, laws, morals, customs, and other characteristics that set large groups apart. Sometimes, however, there can be cultural differences among people who form a single culture or group. Such a unique group within the larger social group is referred to as a *subculture*. The primary distinction between cultures and subcultures is that while sharing many of the values and beliefs of the larger culture, the subculture shares values and beliefs that set them apart from the larger culture in which they exist (Kappeler, Sluder, & Alpert, 2005).

When considering individual behavior within the subculture of policing, it is often useful to consider the values embraced by and transmitted among its members. In fact, Milton Rokeach (1973) argued that individual or group norms and behaviors can often be attributed to particular patterns of adherence to universal value orientations. A *value* as defined by Rokeach is "an enduring belief that a specific mode of conduct or end-state of existence is personally or socially preferable" (Rokeach, 1973:5). Thus, values can be distinguished by the extent to which they prescribe a specific mode of conduct or the extent to which they prescribe a socially preferable end state. A value that identifies a socially preferable end-state is a *terminal value*; a value that represents the preferred means to achieve that state is an *instrumental value* (Rokeach, 1973; Zhao, He, & Lovrich, 1998).

Values, Rokeach continued, could be arranged into a *value system*. Rokeach defined a value system as "an enduring organization of beliefs concerning preferable modes of conduct or end-states of existence" (Rokeach, 1973:5). Rokeach also contended that the total number of values of primary interest to people was relatively limited. It is these value systems that identify preferable end-states and modes of conduct and provide a basis for human decision-making. For example, police may hold the value of "protecting the public" as a terminal value, whereas "arresting criminals" might be an instrumental value.

VALUE-PREDISPOSITION PERSPECTIVE

There are two competing views that seek to explain the source of police ethics: learned and imported. Most students of policing are quick to point to the forging of the "police personality" resulting from the influence of basic training instructors,

field training officers, and the impersonal bureaucratic organization that shapes the new recruit during his or her first few years. A competing—yet related—view argues for the existence of an *occupational predisposition*. Such a predisposition suggests that people who possess certain traits and personality characteristics are attracted, or *predisposed*, to the profession of policing. In other words, policing is just one of many occupations from which individuals choose. Those with a police occupational predisposition are attracted to careers in law enforcement; those with other personality traits and characteristics will choose alternative occupations (Alpert & Dunham, 1997; Rokeach, Miller, & Snyder, 1971).

Chief among these traits and characteristics is a value predisposition. This *value-predisposition perspective* argues that individuals bring with them an identifiable set of broader societal values into the organization. Personnel selection techniques may actively screen for these values, while the processes of professionalization and enculturation reinforce some and modify and/or replace others during the officer's career. These values ultimately find expression in officer behaviors and attitudes, or ethics. Pollock (1998) makes a distinction between morals and ethics that is useful in distinguishing between the sources that guide behaviors in both one's personal and professional lives. She notes that in contrast to morals, which are the sum of a person's actions in every sphere of life, ethics are behaviors that are related to an individual's profession. In this context, police ethics are behaviors and attitudes of police officers that find expression while they are acting "under the color of law." If one adopts this value-predisposition model and subscribes to this definition of ethics, several value predispositions and their sources come to mind.

Conservatism and conformity

One of the primary goals of police personnel systems is to identify and retain individuals who are conservative—compared to society as a whole—and conformist. In fact, Wilson (1968) first observed that Chicago police officers tended to be unresponsive to change, while Bayley and Mendelsohn (1969) noted that the Denver police tended to be more conservative and more Republican than the community as a whole and that age was not related to political orientation. This latter finding suggests that it is the initial selection of officers rather than their socialization that explains the tendency toward conservatism.

The literature seems to suggest that police work often tends to attract local and family-oriented individuals who tend to be from the working class (Niederhoffer, 1967). Individuals who are attracted to police work are also inclined to espouse "old-fashioned" values. They tend to see the world in black and white while overlooking the fact that the outcomes of many decisions often involve value tradeoffs. These individuals may possess military experience and come from families with a history in law enforcement (Caldero & Crank, 2010). Finally, such people often perceive police work to be socially significant. They view police work as having a point, weight, interest, and impact on the lives and well being of other people (Van Maanen, 1974).

This tendency toward political and practical conservatism is reinforced by police personnel selection systems that place a premium on conformity to middle-class values. In fact, police selection practices such as the use of physical agility tests, background investigations, polygraph examinations, psychological tests, and oral interviews are all tools used to screen out applicants who have not demonstrated conformity to traditional middle-class values (Gaines & Kappeler, 2005). Many of these selection techniques may have less to do with actual police work and more to do with assessing an applicant's "adequacy" to be a moral agent of the state. Kappeler et al. (2005) note that these techniques are designed more to determine an applicant's physical prowess, sexual orientation, gender identification, financial stability, employment history, and abstinence from alcohol or other drug use than to determine their ability to perform the typical functions and duties associated with police work (p. 285).

Noble cause, efficiency, and utilitarianism

In addition to the relative conservatism and conformity among those with an occupational predisposition toward policing, there is also a commitment to the *noble cause*. The noble cause is a moral commitment by police officers to make the world a safer place in which to live (Caldero & Crank, 2010). According to Caldero and Crank (2010), it is this moral predisposition that attracts people to the occupation of policing, while those who are not committed to the "noble cause" are quickly eliminated from the organization (Conti & Nolan, 2005). The source of this value predisposition can be traced to enduring societal values.

A longstanding but now debunked myth is that police neutrally and evenhandedly implement the law (Bayley & Bittner, 1984; Bittner, 1970; Lipsky, 1980). The reality is that police exercise an enormous amount of discretion, and their values shape behavior in the absence of objective standards by which behavior can be measured. An enduring social value that is imported into the occupation is one that has historically evaluated individual and group police performance based on the crime control mandate (Manning, 1997). Society expects police to "control" crime. Unfortunately, the emphasis on the "ends" of catching criminals may often come at a cost to the institution's "duty" or "means" to protect the sanctity of the law (Pollock, 2005). In other words, police behaviors were often considered to be ethical if they achieved the desired end of getting the bad guy off the streets—even if it meant compromising individual civil liberties in the process.

The "ends justify the means" value system is reinforced by other imported U.S. values as well. Specifically, police, like U.S. citizens in general, tend to favor the underdog (or the victim), emphasize that no one stands above the law (Caldero & Crank, 2010), and often stress professional efficiency at the cost of other values, such as effectiveness, equity, and responsiveness (Ford & Morash, 2002; Giacomazzi & McGarrell, 2002; Manning, 1997:31). Efficiency as a criterion by which police performance has traditionally been measured has been rationalized by the concept of *utilitarianism*. In other words, ethical police behavior is that

behavior that leads to the realization of the "greatest good for the greatest number." The greatest good for the greatest number has often come to mean, under the professional paradigm of policing, that efficiency (crime control) is *primus inter pares* ("first among equals") among competing values such as equity in due process (individual rights) (Caldero & Crank, 2010; Packer, 1968) and responsiveness in police services (Cordner, 1997).

Crime fighting

Related to efficiency in crime control is an individual's commitment to the role of "crime fighter." Several theoretical frameworks have been offered by police scholars to distinguish the various roles that police adopt in the performance of their duties (Broderick, 1977; Coates, 1972; Muir, 1977; White, 1972). Although these popular frameworks have yet to yield empirical support (Hochstedler, 1981), they are useful in organizing thoughts and comparing popular notions of various police roles. Consistent among these frameworks is the ideal of police as crime fighters. Police do more, however, than question suspicious persons, make arrests, collect evidence, and conduct interviews. In fact, police often fulfill a social worker or human services role. Some empirical evidence suggests that this is the role that occupies the majority of an officer's time (Wilson, 1968). Police often spend more time acting as brokers who connect citizens with valuable community resources, assist stranded motorists, provide directions, resolve family and neighbor disputes, and help citizens in other important ways. Many new recruits come to policing with a *Dirty Harry* conception of police work, whereas older, more experienced officers tend to emphasize the human service as well as the crime-fighter role because it yields the greatest social rewards (Kraska & Kappeler, 1997; Manning, 1996, 1997).

WHERE DO POLICE VALUES COME FROM?

According to the predisposition model, ethics in police work is the product of values that are imported (or brought from the larger society) into the organization. They are enduring social values that are actively screened for during the recruitment and selection processes, with conservatism and conformity being the product of individual and family life experiences. They are also the product of one's socio-economic status and commitment to "old-fashioned" values that view reality as an objective truth with no shades of gray while seeing efficiency as a neutral and desirable goal of individual and group actions.

The commitment by individual officers to get the "bad guy" off the street not only comes from previous life and family experience but also longstanding U.S. values that have favored the underdog, with psychological roots grounded in the idea that anyone can achieve the American Dream if they just work hard enough (Messner & Rosenfeld, 2001). Values predisposition is also the product of the

perceived legitimacy of the law resulting from a democratic process and the neutrality and fairness of its application ("all are equal under the law"). The reality is, however, that even the most open and democratic processes run the risk of becoming unduly influenced by either a majority or a minority group who may choose to distort the "will of the people" (Green & Shapiro, 1994; Hummel, 1994; Mastrofski, 1988; Stone, 2002). Similarly, the myth of neutral application of the law has long been debunked as institutional and extralegal factors have often been shown to determine how and when the law is applied (Klockars, 1988; Mastrofski, 1988; Spears & Spohn, 1997).

Social construction

Popular media depictions along with societal expectations may influence not only who will be attracted to the police occupation but also who will be deemed qualified for employment. The occupational predisposition perspective argues that individuals with certain traits or characteristics will be attracted to the profession. Much of this attraction is socially constructed—often inaccurately—by images of police in the media. The popular conception of police portrayed in the media is that policing is primarily about fighting crime.

Despite the various roles played by police and the importance of the social services role in occupying an officer's time, that of crime fighter and "supercop" are the dominant images portrayed by the media (Manning, 1996). Such images misrepresent the reality of police work, most of which is more mundane and tedious. The media also convey images of officers with nearly superhuman abilities, capable of deducing the motivations of criminals using highly complex and sophisticated forensic approaches. The reality is that in most crimes the criminal is "known" to the complainant or to the police at the time the crime comes to the attention of law enforcement (Reiss & Bordua, 1967:43). Such crimes are solved the "old-fashioned" way—through interviewing and traditional evidence-gathering procedures. These images not only reinforce the crime-fighter role to attract individuals with such an orientation, but also they have implications for the overall organization of police and the provision of their services.

Crime-fighter images attract to the profession people whose view of police work is congruent with the dominant media image, while the police institution in turn reacts to the media's depictions (Manning, 1996). For example, partly as a result of popular television shows such as *CSI*, police are now feeling increased pressure from juries, the public, and victims to—in short order—provide forensic evidence to secure a conviction. Programs such as *CSI* shape the public's perception of the relationship between police and the criminal justice system. In response, agencies are specializing—creating crime labs and/or specialized investigative units—and relying on reactive forms of policing (science and technology) to control crime (Kraska & Kappeler, 1997).

Equally important is the potential impact of the media on the police institution with respect to ensuring due-process protections for citizens. Of particular

relevance are those images depicting officers using “dirty means” to achieve good ends, such as those popularized in the *Dirty Harry* movies. Historically, these movies were a response to widespread societal sentiments that the police had become “handcuffed” by the Warren Court through such landmark cases as *Mapp v. Ohio* (1961) and *Miranda v. Arizona* (1966). What we can see is that the media and society both influence which types of individuals will find policing a desirable occupation while simultaneously shaping the police agency’s response to these images. The result is that agencies may feel pressure to actively recruit and screen for both people who adopt a predominantly crime-fighter orientation and those who view efficiency rather than ensuring due-process protections as the dominant value to be pursued in police work (Caldero & Crank, 2010; Manning, 1997; Pollock, 1998).

As the occupation of policing has become more professionalized through education requirements demanding 2- or 4-year degrees, individuals entering law enforcement occupations are increasingly exposed to courses such as criminal justice ethics. Such courses have the potential to transmit positive police values. Although the probability of exposure to ethics in policing is greater in some academic programs than others, curricula in most programs do not *require* such training. As a result, exposure to police ethics is most likely to occur informally—if at all—in introductory policing courses. In addition, many policing courses are taught by part-time faculty who usually work, or have worked, in law enforcement (Caldero & Crank, 2010).

Ethics taught by these instructors usually is conveyed through real-world examples that may on occasion tend to reinforce the crime-control model and its emphasis on efficiency at the cost of other important values such as protecting individual rights. Because most students interested in law enforcement may already be predisposed to the moral mandate of policing (to make the world a safer place), they may not recognize this value tradeoff. Fighting crime and protecting individual rights can be a difficult balance to maintain. Should instructors be critical of certain aspects of the policing institution, students who are morally predisposed toward the noble cause may misinterpret that to mean the professor is antipolice (Caldero & Crank, 2010).

THE VALUES-LEARNED PERSPECTIVE: SOCIALIZATION AND CULTURE

A competing perspective of the source of police values argues that police values are not imported from society at large but are instead learned on the job. This *values-learned perspective* argues that police values are learned through the process of socialization and culturalization within a particular police agency. Although these two frameworks are analytically distinct, in practice they are related (see Figure 4.1). The *socialization* model of police ethics argues that norms and values are learned through the process of *professionalization*. In this

regard, police are no different than other professionals, such as physicians and lawyers, who learn their ethics through training and practice (Alpert & Dunham, 1997; Gaines & Kappeler, 2005; Kappeler et al., 2005). The process of organizational socialization seeks to “fuse” the officer to the organization by providing him or her with a set of rules, perspectives, prescriptions, techniques, and tools necessary to participate in the organization (Van Maanen, 1974). In a sense, this

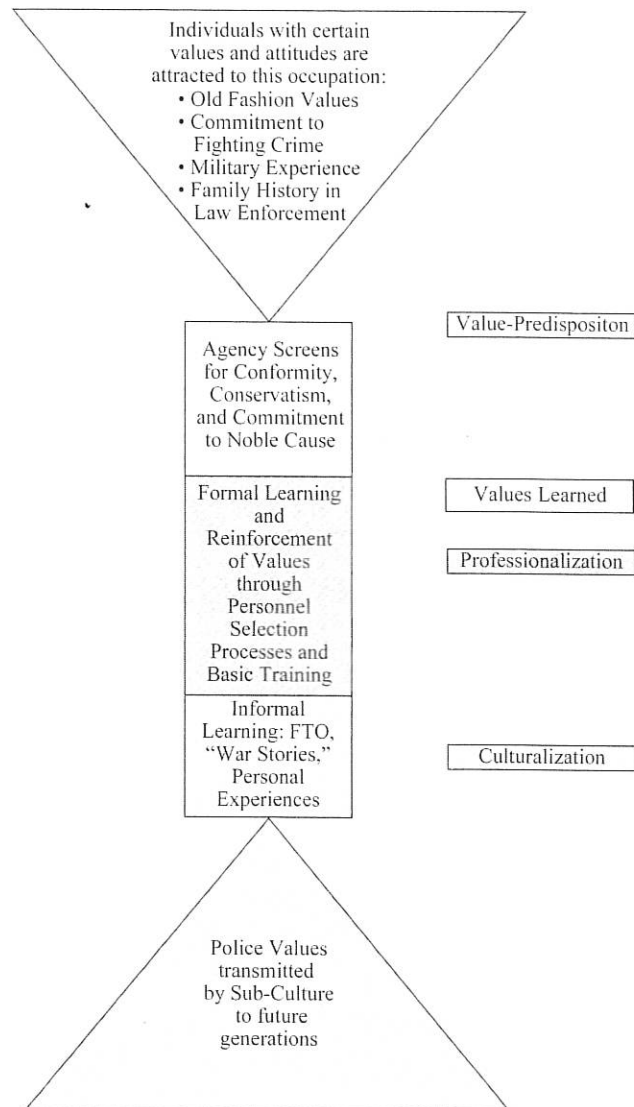


FIGURE 4.1

Relationship Between Value Predisposition and Values-Learned Perspectives.

socialization process seeks to create a "working personality" or "police personality" within the new recruit as she experiences distinct occupational phases during her career: choice, introduction, encounter, and metamorphosis (see Figure 4.1).

Choice

As stated previously, although the values-learned perspective is analytically distinct from the value-predisposition perspective, in practice there is much overlap, and it is at this stage where most of that overlap occurs. This values-learned perspective does not deny that police work attracts individuals with certain traits and characteristics. It further elaborates on the role that police personnel selection systems share with shaping an individual's value system. To a large extent, individuals choose the occupation for what the profession is perceived to offer. Chief among these benefits is the type of work.

The qualities of police work that prospective candidates find most appealing are the nonroutine, out-of-doors, active, and socially significant aspects afforded by the occupation. In contrast to other occupations in which workers are confined to cubicles performing repetitive, routine tasks under relatively close supervision, police work promises much the opposite. It promises individuals the opportunity to go to work each day not knowing what events or circumstances they will encounter during their shift. Although calls for service may be classified similarly, no two calls are exactly alike. Because most work by police officers is performed in the absence of direct supervision and because most circumstances encountered by police are too complex to be strictly regulated through standard operating procedures, decision making is highly discretionary (Wilson, 1989). Such discretion and freedom are attractive lures, especially for people with previous experience in more stagnant, highly bureaucratic work environments.

Perhaps the most important virtue of the occupation for those who select police work is the perceived meaningfulness of the work. In contrast to occupations that primarily exist to generate net profits (such as that of the stockbroker, banker, or salesperson), police work offers the promise of providing a net social benefit. Individuals are often attracted to policing because they believe that the work has a positive impact on the lives and wellbeing of others. These characteristics of police work are also buttressed by job security and a reasonable salary with respect to the education requirements.

The value-predisposition perspective would stop here without acknowledging the role of the organization in shaping officer ethics. The values-learned perspective goes further, however, in exploring and examining how the police are socialized by the profession itself to act and behave in a manner that allows them to *continue* their participation in the organization. This process of forging the "working personality" begins when an individual makes a decision to join the organization. It does so by first employing a rigorous and protracted selection process. This process not only ensures a homogeneous group of individuals possessing

middle-class values but also has the effect of creating a sense among the new recruit that the organization is elite.

Some studies indicate that the recruitment and selection process takes an average of 8.1 months in large departments (Walker & Katz, 2002). In some agencies, it is estimated that only one in 100 applicants will make it to the employment ranks (Gaines & Kappeler, 2005). The fact that the organization would devote so much time and money before selecting an individual to become a member of the organization signals to the prospective recruit that the police agency is an important and challenging place to work (Van Maanen, 1974). It is also during the recruitment and selection phases that the police agency attempts to portray itself in the most favorable light. In addition, potential recruits receive support and encouragement from existing officers through generational and friendship networks.

Introduction

The optimistic and uncritical view held by the recruit of the agency and police work in general soon begins to fade as the process of professionalization continues during basic training. The novice officer begins to learn what police work is really like. Aside from the technical and mechanical aspects that dominate police recruit training, such as instruction in firearms usage, driving, first aid, self-defense, and other use-of-force tactics, the new recruit begins to experience subtle shifts in values and attitudes during this phase of his career. Prior to this socialization process, the recruit is said to be at his ethical zenith—having entered the profession with high ideals and positive values. It is during basic training, though, that the rookie begins to adopt negative values that are in conflict with a number of legal standards and core societal values (Conti & Nolan, 2005).

The once-positive view of the agency held by the new recruit is quickly challenged as the recruit learns that the bureaucracy in which he or she now works is highly formal, mechanical, and often arbitrary. The supportive and positive view of the agency the recruit held during the *choice* stage may now give way to one that begins to see the agency as a control instrument, concerned primarily with predictability, stability, and efficiency. The new recruit is also taught the value of group cohesion and solidarity as a result of distinguishing training garb, group exercises, training officers' commands to "show unity," and shared experiences with other recruits. The rookie officer also learns that good behavior is likely to go unnoticed, whereas bad behavior will be punished. Finally, the recruit learns that bad behavior is often punished arbitrarily, based on the context in which it occurs. The new recruits quickly learn that it is in their best interest to remain "under the radar" or become "invisible" to protect themselves from hostile and unsympathetic administrators and other outside groups (Crank, 2004).

Aside from the organizational forces that begin to shape new recruit values and attitudes at this stage, the rookie officer receives lessons in police work through formal and informal instruction. Formally, recruits are introduced to police work through veteran officers and outside experts. The primary goal of this type of

instruction is to satisfy criminal and procedural requirements while reducing exposure to civil liability (Buerger, 1998). Informal learning occurs primarily through the use of "war stories," and it is this type of learning that has the greatest potential to generate unethical behavior.

War stories are narratives presented to an academy class that describe a particular incident or circumstance (Ford, 2003). These narratives are meant to provide direction for officers by giving them guidance as to how they should experience the world if they are to act as "real" police officers (Shearing & Ericson, 1991). War stories also serve to give concrete meaning and highlight the reality of police work. These stories are often used to complement formal instruction and are shared at the discretion of the trainers who themselves are police veterans. War stories often contain two sources of content: manifest and latent.

The "overt or obvious message of the story" is referred to as *manifest content*; the *latent content* is the covert message of story—or "the message beneath the message" (Ford, 2003). Not all war stories contain latent content, and some instructors inadvertently or unknowingly send a message they do not realize is being sent. The latent content of some stories may contradict the primary message of instruction. Such messages are sometimes referred to as *black swans*. For example, Buerger (1998) cites the following anonymous quotation from police trainers, illustrating how war stories often contradict the primary message of instruction:

... we're just spouting the official line on everything, all the while strongly suggesting that it was all bullshit and that we would learn the real stuff out on the street—"ya know, we can't tell you to slap the shit out of those punk gang-bangers back in the alley here, but don't worry about that, you'll learn soon enough."

Although all war stories don't necessarily send messages that contradict social, legal, and societal standards, many still have the potential to transmit negative values and attitudes that threaten to erode positive ones. For example, in his analysis of 269 war stories, Ford (2003) notes that the manifest and latent content of the majority of these stories contained useful messages that taught recruits street skills while emphasizing the danger and uncertainty surrounding the occupation. There were, however, other stories that contained content ranging from ways to obtain "freebies," to meet women while on duty, and to sleep and shirk duties. In addition, several of these stories contained justifications for using excessive force, such as "just hit the brakes and have the big mouth get waffled on the screen" (p. 92). In the end, Ford's analysis demonstrated that the range of content in police war stories is wide and includes everything from encouraging the violation of rights, making racist comments, poor treatment of citizens, failure to perform one's duty, and verbally berating citizens.

Encounter

The previous stages of the police socialization process set the stage for a fundamental shift in values rather than the fine tuning of existing ones. It is here that

the popular images constructed about police by the media—the core American values, the lofty ideals of police practice professed in basic training—are transformed and replaced by distinct police subculture values. The primary mode of value transmission is through the field training officer, who enjoys the privilege of evaluating the rookie's job performance and ultimately making a recommendation regarding her continued employment at the end of her probationary period.

A field training officer (FTO) is a veteran officer who has been on patrol for several years. The FTO is the primary person through whom recruits learn how to perform "real" police work. In fact, the new recruit quickly learns that much of what is learned in the academy does not readily translate into practice on the street and that the police subculture exists to protect itself from hostile and unsympathetic forces. As a result, often the first thing the FTO tells the new recruit is to "forget what you learned in the academy."

Instruction by the FTO is often reinforced when many of the war stories told during basic training actually come to life. The new recruit discovers that there often exists a difference between the theory (as taught in basic training) and the practice (as experienced on the street) of policing. For example, Van Maanen (1974) recounts one officer's experience with attempting to explain to a citizen the law regarding speeding:

... Keith was always telling me to be forceful, to not back down and to never try and explain the law or what we are doing to a civilian. I didn't really know what he was talking about until I tried to tell some kid why we have laws about speeding. Well, the more I tried to tell him about traffic safety, the angrier he got. I was lucky to just get his John Hancock on the citation. When I came back to the patrol car, Keith explained to me just where I'd gone wrong. You really can't talk to those people out there, they just won't listen to reason.

Because some of the lessons learned from the recruit's basic training experiences fail to easily translate into practice, the FTO becomes the primary mechanism by which the new recruit learns which type of behavior is appropriate for each different situation.

The police uniform and gun are key elements of the occupation that serve to distinguish police from others. They are symbols of power, and such power often provokes challenges from those who are subjected to it. As a result, police often experience open criticisms and taunts, especially from juveniles and minorities (Kappeler & Gaines, 2005). Hostile reception by the public does not square with the recruit's reasons for becoming an officer—to serve the public. The new recruit also soon discovers that some citizens will attempt to manipulate the recruit's inexperience, to achieve some desired end. The result of such experiences is that the recruit may come to view citizens with suspicion and, in some cases, as enemies and outsiders who can't be trusted (Crank, 2004).

These experiences are subsequently combined with the new recruit's increasing awareness that much of police work is about "patching holes in the social fabric rather than weaving webs to catch criminals" (Sherman, 1982). Recruits also

become aware that the administration, legal system, and media are as adversarial as the general public (Crank, 2004). The FTO quickly imparts to the new recruit that most police work is mundane and tedious and that only a few calls constitute "real police work." Those calls that do constitute real police work are often referred to as *hot calls*, or calls for service that may result in bodily harm for the officer or their partners. The way rookie officers respond to these types of calls often serves as the primary basis by which the FTO makes a recommendation for a rookie's retention or severance. Such calls measure the rookie's willingness to share the risks of police work (Van Maanen, 1974). Responses to these calls take on new significance and present opportunities to reinforce in the FTO's mind that the rookie is not afraid to use force, protect other officers, and remain loyal.

In addition to testing an individual's commitment to the group by evaluating their response to potentially dangerous calls for service, the new recruit's solidarity is further tested by assessing the extent to which the recruit will support or ignore behaviors that run counter to department policy. Examples include conducting personal business while on duty or accepting gratuities. The assessment of an individual's willingness to engage in or ignore behaviors that are prohibited by department policy is a product of the group's recognition that the administration (or the "brass")—like the public—cannot be trusted, because they are primarily interested in protecting their own "asses" (Crank, 2004). As a result, officers often attempt to resist administrative control by limiting the flow of information to their supervisors (Manning, 1977, 1997). Recruits who are unwilling to participate in—or, at the very least, ignore—such behaviors quickly find themselves isolated within the police subculture (Caldero & Crank, 2010; Kappeler et al., 2005).

Not only has this phase of the recruit's occupational career taught him or her to view the public and administration with cynicism and suspicion, it has also significantly altered the rookie officer's view of police work. The new officer has learned at this stage that the legal system tends to be "soft" on crime. Costello (1972) noted that 75 years before the "due process revolution" of the Warren Court, the police were inclined to believe that the courts would not back them up and that punishment, when it did come, was not swift. The new recruit observes that the legal system appears soft on crime when "bad guys get off on a technicality" or prosecutors decide that a case lacks merit or is better adjudicated with a plea-bargain deal.

In contrast to the legal system, which evaluates its decisions and behavior based on some legal standard (e.g., the decision to prosecute based on the worth or merit of a case), police officers tend to evaluate their behavior based on the "ideal policeman" as described in occupational lore and imagery (Manning, 1978). The "ideal policeman" standard is to get the bad guy off the street, which means using the law or any other tool at the officer's disposal. It is assumed that the ideal police officer is more discerning than the law and knows who is bad (Crank, 2004). In response, the new recruit is often taught to leverage and manipulate the law to achieve the standards of the ideal officer. The new recruit will often have his or her loyalty tested by being encouraged to engage in several legal violations: such as to "testily" (to give false testimony), to "dropsy" (remove drugs from a suspect

during a pat-down and then discover them in plain sight on the ground), to do "the shake" (similar to dropsy only conducted during a vehicle stop), or to "stiff in a call" (calling and reporting a crime as though one is a citizen who had witnessed it) (Caldero & Crank, 2010), all in an attempt to outsmart criminals and leverage the law when they believe someone is guilty.

The idea of an inept legal system also teaches the recruit that because the system is soft, slow, and at times arbitrary, deterrence can only be achieved through the immediate concrete exercise of coercion in an attempt to be more aggressive and smarter than criminals. This "street justice" not only includes legal abuses such as those described here but can also include psychological abuses such as the use of racial epithets and intimidation, or even physical abuses such as administering the "third degree." Each of these examples of misconduct is aimed not only at distributing justice when it is perceived that the legal system cannot be counted on to do so but also provide a measure of deterrence as well.

Metamorphosis

The final stage of the recruit's occupational career is *metamorphosis*. This is where the "rookie" morphs both socially and psychologically into a full-fledged officer. This transition in social status and occupational self-identity occurs at the end of the probationary period when the recruit is assigned a position free of institutional dependency and where his or her responsibility and autonomy are more or less equalized with respect to other officers (Van Maanen, 1974). It is during this stage that the officer adopts the self-conception of "cop" that is in part the product of the cynicism, sense of abandonment, and, ultimately, disenchantment that the recruit now has for the occupation.

After becoming more independent, officers learn within a short period of time all the aspects of their work. They learn the geography of their "beat" or district, the social skills of policing, what forms to fill out, and the nuances of the bureaucracy. At this point, police work can become more mundane, tedious, and mechanical. In addition, the police officer begins to realize that police work is more about providing social services and adhering to legal and organizational standards to avoid trouble than it is about solving crimes.

Through war stories, the supervision of their FTO, and finally through recruits' own experience, cynicism, and a sense of abandonment may crystallize in their minds. It is at this point—after achieving institutional independence and assuming equal responsibility—that the forging of the "working personality" may be completed with a psychological morph. Psychologically, the officer may become more cynical while feeling a sense of abandonment from what appears to be a hostile, unappreciative, and sometimes unsupportive public. This cynicism and sense of abandonment are further reinforced by the realization and perception that the police bureaucracy is often arbitrary, mechanical, impersonal, and home to an adversarial administration concerned primarily with self-preservation. These sentiments are further strengthened by a legal system that appears to be more concerned

Stage:	Values
Choice: 	The Desire and Ability to become a Police Officer: Imported Values: Perceived social significance of job, desire to be a "crime fighter" and work for an elite organization, previous military or family law enforcement experience. Values Screened for and Reinforced by the Agency: Commitment to <i>noble cause</i> , conformity and conservatism, adherence to middle-class values.
Introduction: 	Learning of the Skills and Behaviors Required to be a Police Officer: Loyalty, solidarity, conformity, cynicism for bureaucracy, and distrust of "brass" from "war stories" and experience with the organization.
Encounter: 	Bridging Theory and Practice: Field Training Officer teaches realities of police work and how to behave in situations where skills learned in Basic Training don't match reality. Officer learns to distrust citizens, courts, media, and administration; becomes highly cynical; and experiences a sense of abandonment and disenchantment for the profession.
Metamorphosis:	Psychological and Social Metamorphosis: Officer achieves the "full status" of a police officer both psychologically and socially. The officer then becomes a source for the future transmission of learned police values.

FIGURE 4.2

Occupational Stages and Values Learned.

with ensuring due process protections, achieving high conviction rates, and effectively managing correctional populations than with helping police get the bad guys off the street.

What emerges from the socialization process is a relatively consistent set of values that are continually transmitted and reinforced among the police subculture through the process of *culturalization*. Whether the new recruit accepts these subcultural values is in part determined by the extent to which individual and organizational factors are able to counteract the influences of a corrupt and deviant subculture. The content of values transmitted and embraced by this subculture that may contribute to unethical behavior includes the use of force, time, group loyalty, fringe benefits, justice, and discretion (see also Sherman, 1982).

THE CORE OF POLICE VALUES

Force

Use of force should not be viewed as a last resort for controlling a situation. In fact, the use of force is necessary to achieve deterrence, convey group loyalty, and achieve some measure of justice. Instead of being an act of last resort for controlling a situation (Fyfe, 2005; Manning, 1997), force is often extolled among

the police subculture for its ability to signal to the public that the police are not weak. Use of force also conveys to other police officers that the officer can be counted on should a violent encounter occur. Force demonstrates loyalty to the group while providing a measure of deterrence for those who may consider future attacks against the police. Force also acts as a crime deterrent for its immediate and concrete properties, as opposed to the legal system, which operates more on the threat of punishment.

Time

Officers can never respond too quickly to a call for "real" police services, nor can they respond too slowly to a "garbage" call. When not responding to calls for service, an officer's time is his or her own. Given the complexity of police work and the difficulty in maintaining direct supervision, officers enjoy considerable latitude in defining their work. The consequence of this situation is that some officers relegate certain calls for service to the status of "garbage"—those that usually relate to the social work or order-maintenance roles such as in domestic violence cases. "Garbage calls" do not conform to police officers' conception of what constitutes "real" police work, as depicted in the media and reinforced by their FTO and basic training instructors. Those calls for service related to the crime-fighter role (e.g., a robbery in progress) are elevated to a much higher status because they afford the greatest opportunity for social rewards from the public, administrators, and other officers. When not responding to calls for service, an officer's time is his or her own and the officer should not be required to engage in proactive forms of policing. This belief is reinforced by quotas used by administrators that are reinterpreted by officers as production maximums, not minimums. Thus, once an officer has met the minimum quota, there exists a strong incentive to shirk duty through sleeping, ignoring opportunities to engage in proactive forms of policing, and/or pretending not to hear a call for service.

Loyalty

Don't trust anyone except your fellow officer—not the public, the "brass," nor the media. Group loyalty provides protection from the real dangers of police work and from a hostile and unsympathetic public and administration and serves to provide emotional support for performing a difficult task. Officers often feel socially rejected by a public that once inspired them to join the occupation. They learn that even the most seemingly innocuous events and people may pose a problem for an officer later (e.g., a female motorist smiling and flirting with a male officer while he's issuing a ticket, only to later file a complaint). The officer also learns that the "brass" is more concerned about reducing exposure to civil liability, managing the department's public image, and satisfying other organizational demands than about helping officers get the bad guys off the street. In a world filled with adversarial and unsympathetic groups, police learn that unbending loyalty is essential for the group's survival. This

loyalty comes in the form of physical (use of force when necessary to protect other officers and the institution), legal (fabricating evidence, corroborating false testimony, etc.), and emotional support. Officers who do not provide unconditional loyalty quickly find themselves isolated within the police subculture.

Fringe benefits

Police perform a difficult task, one that can be dangerous and that requires that they deal with society's "undesirables." Given the dangers of the occupation and the clientele with whom they often interact, police often feel they are underpaid. The corollary is that any rewards extended for their service or in appreciation are a form of deserved and appropriate compensation. Departments generally prohibit the acceptance of gratuities. Although citizens and merchants may want to extend a gratuity to officers in the form of a discount or a free cup of coffee as a gesture of appreciation, organizational policy generally prohibits the acceptance of such gratuities. Despite these potential problems, officers see gratuities as a form of just compensation for doing a difficult job that is otherwise woefully undercompensated.

Justice

The legal system is untrustworthy. As a result, justice is sometimes best served on the street, based on personal rather than legal considerations. Due process protections are often at odds with the crime control mandate of police. At the very least, these protections postpone and prescribe punishment in accordance with state statutes. A police officer's conception of justice is more personal and immediate. To the officer, it is the concrete exercise of coercion to control situations and individuals. Police generally resist making an arrest for misdemeanor public order offenses if another strategy can resolve the problem. If, however, a suspect is guilty of not being deferential and respectful to an officer (often referred to as "contempt of cop"), an arrest may be desirable for its ability to mete out immediate justice. This form of "distributive justice" is different than "legal justice." Distributive justice is more about the officer's personal conviction that the individual deserves punishment rather than about legal rights. Many times officers are aware that arrests under such circumstances will not be carried forward by prosecutors, so they may make an arrest based on false charges. At the very least, officers recognize that the arrest—even if charges are not formally filed by the prosecutor—is itself punishment. The social stigma associated with arrest, lost time from work, and legal expenses borne by the citizen are all forms of punishment, regardless of the legal system's response.

Discretion

Enforcement of the law, except in the most serious instances, should be based not only on what the law says but also on individual characteristics. Whether or not to enforce the law may be as much about the characteristics of the individual suspect as it is about legal considerations. Age, race, socioeconomic status, gender,

relationship to the victim, and a suspect's demeanor are all extralegal factors that determine how and when the law is applied. The young, the poor, minorities, and people who are disrespectful to police are more likely to experience the full enforcement of the law.

MORAL CAREER

Although the prevalence and strength of questionable values are not as widespread today as in the past, the way officers react to these factors can be described as an officer's *moral career*. The moral career values, according to Lawrence Sherman (1982), consist of distinct aspects that threaten to move officers from the pinnacle of positive values that drove their desire to protect persons, property, and constitutional rights in an impartial and exemplary manner, to the adoption of behaviors that are contrary to departmental, legal, and societal standards. The stages of an individual's moral career identified by Sherman are illustrated in Figure 4.3.

The working environments officer's experience contain a variety of factors that may encourage or discourage the adoption of unethical behaviors. Some of these *contingencies* may include things like levels of supervision and oversight experienced by officers and the type of work they do. Levels of supervision and type of work (e.g., patrol vs. vice crime) may create opportunity and temptations to engage in certain types of unethical behavior. For example, all things being equal, officers experiencing low levels of supervision or working vice crimes are more likely than others to have unethical behavior go undetected, while they experience

Aspect:	Experience:
Contingencies:	Factors experienced by the officer within his or her working environment that encourage or discourage unethical behavior.
Moral Experiences:	Particular experience by officers that challenge their existing morality, or allow for the interpretation of others' morality based on behavior.
Apologia:	Situational justification of unethical behavior.
Stages:	"Slippery slope" progression of unethical behavior.

FIGURE 4.3

Aspects and Environment of an Officer's Moral Career.

more opportunity and temptation to engage in such types of misconduct as stealing. Similarly, many types of unethical behavior require the transmission of skills. For example, planting evidence such as a firearm to justify a police shooting may require teaching another officer how to do so without being detected. This may not only include how to obtain an untraceable firearm and remove fingerprints but also placing the firearm in the victim's hands and subsequently discharging the firearm to leave gunpowder residue to support claims that the officer was fired on. Contingencies within the individual's work environment, therefore, can produce opportunities, incentives, and skills that encourage or discourage the assimilation of unethical behaviors.

The road to becoming a corrupt, or "bent," police officer is also riddled with *moral experiences* that challenge an officer's sense of existing morality. For example, a moral experience will likely arise when an officer witnesses another officer violate department or legal standards. Violation of these standards may run counter to values held by an ethical officer. In these instances, officers will have to make a choice as to whether they should allow or participate in such behavior or challenge or escape it through quitting their job or requesting a transfer. A moral experience often leads to the adoption of unethical behavior when it is accompanied by rationalization.

Apologia encompasses situation-based justified rationalizations that reduce the psychological pain and sense of responsibility experienced by those who engage in behaviors that are not congruent with their ethical values and sense of responsibility. The only way, then, for the individual to continue the behavior is to provide a rationalization. For example, an officer may steal something from the site of a burglary and justify that behavior by convincing herself that "no one really gets hurt" because the item is covered by the insurance company. Other rationalizations may include convincing oneself that one deserves such rewards because of the level of danger or nature of the work.

The final aspect of an individual's moral career identified by Sherman (1982) concerns stages. The concept of *stages* recognizes that the process of becoming "bent" is progressive. Unethical behavior begins on a "slippery slope." The transformation of an ethical officer to an unethical one begins with more mild and seemingly innocuous forms of behavior, such as accepting gratuities and small bribes. These actions provide the contingencies, moral experiences, and learning of situational justifications that lead to more aggressive and active forms of unethical behavior, such as stealing, testifying, extortion, and physical and legal violations (or worse, if left unchecked).

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CONCLUSION: POLICE ETHICS AND CONTROL, REFORM, AND LEGITIMACY

Police misconduct is not new. It is as old as the institution itself. What has changed since the emergence of the public police force is the *form* of misconduct. The learning and teaching of police ethics bear directly on issues of control, reform, and legitimacy of policing in a democratic society. Of particular relevance is the role of emerging police paradigms and changing social sentiments. Police misconduct today is characterized more by the abuse of authority (noble cause corruption) and economic corruption than misconduct associated with using police as political instruments. This is in large part the product of changing social conditions and the "professional era" of policing that has adopted a crime control mandate.

Community-oriented policing (COP) and problem-oriented policing (POP) present issues with respect to control of the institution where the learning and teaching of police ethics are to some extent the residue of informal on-the-job learning. Specifically, these emerging police paradigms require that officer discretion be increased so that police can effectively engage in proactive forms of policing to *solve* problems. If standard operating procedures (SOPs) are going to give way to discretion, officer behaviors and attitudes are going to have to be informed by positive police values. The informal on-the-job learning that currently exists and that may facilitate the transmission of negative values presents real challenges for today's police administrators.

If administrators are going to manage the transition to COP and POP effectively while also controlling police misconduct, learning and teaching police ethics must rely more on formal mechanisms. Administrators may consider recruiting officers who hold a more realistic view of police work while simultaneously increasing education requirements. They will also have to rely on teaching police ethics through leading by example. This includes not only emphasizing and acting at the highest ethical standards of conduct but also modifying administrative processes to create incentives favoring such behaviors. For example, individual police performance has historically been evaluated on output measures that may inadvertently introduce incentives to engage in unethical behavior (e.g., "number of arrests or crimes cleared"). Measures of individual police performance that may increase the likelihood of ethical behaviors might include measuring citizen satisfaction with respect to an officer's police work. Administrators will also need to be cognizant of the role that informal messages convey in shaping officer behavior and consider formal training in ethics by internal affairs departments, other investigative divisions, or other outside consultants.

Not only do these emerging police paradigms present challenges to organizational and administrative reforms, but changing social sentiments also introduce challenges with respect to the legitimacy of the institution. The importance of police services has increased in recent years, as demonstrated by the increasing variety of police roles. As with other occupations, society views police as experts capable of solving many different problems. The extent to which the police are

unable to fulfill these expectations is the degree to which the legitimacy of the police institution will likely decline in the public's eyes. This is particularly problematic in the era of the "war on drugs," the "war on terror," and the "war on crime." Politicians have deliberately framed these problems as "wars" because the metaphor implies a sense of urgency, constructs a "we-versus-them" mentality among the police, and fuels the idea of dangerous "foreign enemies." Encouraging such perceptions is useful for generating political capital for (re)election, engaging in deficit spending, and ultimately expanding police power. Police administrators have often been quick to embrace these "wars" because they often increase citizen and fiscal support.

The reality is, however, that politicians may be charging police with impossible tasks. In other words, it may be very unlikely that these "wars" will ever come to an end. In an era of experts, society expects that "wars" will end with clear winners and losers. The reality is that the sources of these problems span several institutions (economics, politics, education, and religion), many of which are beyond the direct control of the police. These "wars" create incentives among the police subculture and administrators to do whatever it takes to achieve what may be an impossible mandate. Police administrators may do better—in the long run—by educating the public regarding their limits so that reasonable expectations may serve as a guide for evaluating present and future officer behavior.

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