

Basic Training Module Specifications

<u>Functional Area:</u>	II. Patrol Procedure
<u>Subject Area:</u>	B. Ethics in Policing and Interpersonal Relations
<u>Module Title:</u>	1. ETHICS IN POLICING
<u>Hours:</u>	Not less than 4 hours

Notes to Instructor:

This module should be taught after Constitutional Law.

The Michigan Commission on Law Enforcement Standards has formally adopted the IACP Law Enforcement Code of Ethics. The Commission requires that ethics be an integral part of all recruit training. The law enforcement “Code of Ethics” must be distributed as a reading assignment, and related to the pertinent objectives (e.g., II.B.1.4.a (3)).

The methods listed in objectives II.B.1.7. were not meant to be all inclusive. Instructors should expand this area and create scenarios that will allow the recruit to apply different techniques. We suggest the “not so obvious” situations for these exercises.

Module Objectives start on next page:

II.B.1.1. Demonstrate an Understanding of the Relationship Between the Police Officer and the Public in our Form of Government.

- a. Describes the overall legal constraints that the police officer works within:
 - (1) the Federal and State Constitutions,
 - (2) statutes, and
 - (3) court decisions.
- b. Describes the police officer as an agent of the government.
- c. Describes that many of the constraints on police behavior are guided by:
 - (1) Attorney General opinions;
 - (2) prosecutor policy and procedures;
 - (3) departmental policy; and
 - (4) community concerns.
- d. Describes that there is a public trust attached to a police officer in that the people expect officers to:
 - (1) be competent in the performance of their duties;
 - (2) serve the public good, not act for personal gain;
 - (3) perform in a non-discriminatory manner and not give preferential treatment; and
 - (4) treat people fairly, not abusing the power of the position.

II.B.1.2. Demonstrate an understanding of the Role of Ethics in Performing the Duties of a Police Officer.

- a. Defines ethical behavior as a standard of conduct when dealing with others that reflects the public trust attached to a police officer.
- b. Describes police work as an occupation that involves a series of choices, made on a daily basis, that may be judged right or wrong (e.g., accepting a series of small favors that may result in the officer not taking appropriate action at a later time).
- c. Describes how an officer's personal beliefs and biases may affect behavior (e.g., A police officer's "pro-choice" belief may affect actions taken at a "pro-life" picket of an abortion clinic).
- d. Describes the unwritten influences that may affect ethical behavior such as:
 - (1) peer and organizational pressure;
 - (2) cynicism;
 - (3) going along to get along;
 - (4) us versus them mentality;
 - (5) code of silence; and
 - (6) "noble causes"(e.g., the ends justify the means).

II.B.1.2. Demonstrate an understanding of the Role of Ethics in Performing the Duties of a Police Officer (continued).

- e. Describes the impact of ethical behavior on officer safety (e.g., the unethical behavior of sleeping on duty could result in the officer being killed or injured).

II.B.1.3 Demonstrate an Understanding of the Role of Ethics in the Relationship Between the Police Officer, the Organization, and the Public.

- a. Describes the ethical conflicts that may occur between the officer and the organization based on:
 - (1) department traditions and customs;
 - (2) influences from peers (e.g., FTO, senior officers, first line supervisors, etc.);
 - (3) disparate treatment of rookie officer (e.g., rookie officer more likely to be terminated for unethical behavior).
- b. Describes the conflicts that may occur between expectations of the community and the officer's personal beliefs (e.g., expectation that there will be stricter enforcement of laws in dealing with "outsiders" as opposed to locals).

II.B.1.4. Demonstrate an Understanding of How Ethical Behavior Promotes Professionalism.

- a. Describes the characteristics of a profession as:
 - (1) intensive training or study, with an identifiable academic field of knowledge;
 - (2) devotion by all members towards self-improvement;
 - (3) standards of conduct or a code of ethics;
 - (4) a license or certificate to practice; and
 - (5) self-policing of professional standards.
- b. Describes how officers must behave to promote professionalism:
 - (1) have pride in themselves, their work, and appearance;
 - (2) use proper language, profanity is always unprofessional;
 - (3) be responsible for their actions;
 - (4) give and earn respect;
 - (5) be competent in doing their job; and
 - (6) not take things personally which are said or done to them.

II.B.1.4. Demonstrate an Understanding of How Ethical Behavior Promotes Professionalism (continued).

- c. Describes why officers should be examples of high ethical and moral standards:
 - (1) to promote professionalism in law enforcement,
 - (2) to gain respect, support and confidence of peers and the public;
 - (3) to maintain a sense of self-worth and pride in being a law enforcement officer;
and
 - (4) to provide a positive role model to the community and peers.

- d. Describes how officers can establish an ethical foundation by:
 - (1) acquiring personal character that is comprised of:
 - (a) habits of just behavior;
 - (b) habits of trustworthiness;
 - (c) integrity, being the same person in private as in public;
 - (d) honesty; and
 - (2) taking responsibility;
 - (3) doing what you say your going to do; and
 - (4) having the courage to do the right thing.

II.B.1.5. Demonstrate an Understanding of the Relationship Between the Use of Discretion and Ethical Behavior as it Applies to the Enforcement of Laws.

- a. Describes discretion as the freedom to act or make decisions:
 - (1) without supervision;
 - (2) within constraints of law and policy; and
 - (3) in a reasonable manner.

- b. Demonstrates an understanding that full enforcement of the laws is not always possible by recognizing:
 - (1) to do so would ultimately lead to inefficient and ineffective use of resources;
 - (2) it would likely create a hostile relationship with the public; and
 - (3) that warnings are sometimes more appropriate than an arrest or citation.

II.B.1.5. Demonstrate an Understanding of the Relationship Between the Use of Discretion and Ethical Behavior as it Applies to the Enforcement of Laws (continued).

- c. Describes guidelines officers should consider for the use of discretion as:
 - (1) whether there was a clear violation of the law;
 - (2) the nature of the offense;
 - (3) the relative seriousness of the injury, if any;
 - (4) the degree of intent to commit the offense;
 - (5) the likelihood to commit future offenses; and
 - (6) the ability to achieve a better solution to the problem (e.g., warning may change the behavior and/or the victim may be satisfied with counseling the offender).

- d. Describes the positive aspects of the proper use of discretion as:
 - (1) increases the effectiveness of police-community relations;
 - (2) allows the department to adjust its priorities to community needs;
 - (3) allows for reasonableness to become part of the criminal justice system;

- e. Describes the negative aspects of inappropriate use of discretion:
 - (1) the officer may be placed into a position of having to justify not affecting an arrest or issuing a citation;
 - (2) the public perception may be that there is something wrong or the officer is corrupt in handling duties;
 - (3) it may result in a lazy officer;
 - (4) it may allow unscrupulous officers to use prejudices and bias as criteria for their duty related actions; and
 - (5) it could be used as a method of corruption.

- f. Describes factors that could lead to abuse of discretion and/or authority:
 - (1) a person's race, sex, age, national origin, religion, etc.;
 - (2) economic, social or political status;
 - (3) appearance or personal characteristics;
 - (4) speech patterns (e.g., accents, communication skills, etc.);
 - (5) perceived intelligence level;
 - (6) perceived attitude;
 - (7) the personal convenience of the officer; and
 - (8) the officer's personal values.

II.B.1.6. Demonstrate an Understanding of Behavior That Could Result in Compromising an Officer's Credibility, Public Trust, and/or Employment Status.

- a. Describes the primary reasons why officers may act unethically by:
 - (1) experiencing momentary lust, greed, or selfishness;
 - (2) rationalizing bad decisions;
 - (3) being afraid of "paying the price" for doing the right thing (e.g., being ostracized by peers); and
 - (4) engaging in "noble causes"(e.g., do anything to convict a serious offender, for the good of society).

- b. Describes behaviors that are destructive to an officer's character such as:
 - (1) accepting gratuities, gifts or other benefits;
 - (2) mistreating people, physically or emotionally;
 - (3) abusing alcohol or other substances;
 - (4) violating the law;
 - (5) participating in the code of silence;
 - (6) lying;
 - (7) not accepting responsibility for one's actions; and
 - (8) committing sexual improprieties.

- c. Describe methods for handling unethical and/or illegal behavior on the part of a fellow officer as:
 - (1) expressing verbal disapproval of minor infractions with the officer;
 - (2) reporting continued minor infractions to a supervisor;
 - (3) reporting serious misconduct to a supervisor immediately;
 - (4) preventing criminal behavior, if possible, and reporting it to a supervisor immediately; and
 - (5) identifying a mentor, the officer can turn to for advice and guidance (e.g., fellow officer, department chaplain, supervisor, psychologist, etc.).

- d. Describe the following formal sanctions that could result from unethical behavior:
 - (1) verbal reprimand,
 - (2) written warning,
 - (3) suspension,
 - (4) dismissal,
 - (5) criminal charges,
 - (6) civil liability.

II.B.1.7. Describe Some Methods That Will Assist in Making Ethical Decisions.

- a. Describes the Appearance Test as asking the question; Would a reasonable person, who knew all the relevant facts and circumstances, judge that this act created an appearance of impropriety?
- b. Describes the Conflict-of-Interest Test as asking the question; Would a person, with knowledge of all the relevant facts, question your impartiality in this situation?
- c. Describes the Ends-Means Test as asking the questions;
 - (1) is the end good;
 - (2) can the means work;
 - (3) is there a less harmful alternative; and
 - (4) does it undermine some equal or more important value?