Assessing Law Enforcement Ethics

A Summary Report Based on the Study Conducted with the Oregon Department of State Police

POLICE
FOUNDATION

POLICE
FOUNDATION

Assessing Law Enforcement Ethics:

A Summary Report Based on the Study Conducted with the Oregon Department of State Police

by Karen L. Amendola

TABLE OF CONTENTS

TABLES

FOREWORD

*E*very hour of every day, America's police officers are on the streets enforcing the law and maintaining order. Some can be seen patrolling on horseback, regulating traffic and observing the movement of the crowd. Others, on foot patrol, engage in frequent and direct interactions with the public. Many cover the highways or the city streets from marked patrol cars. All face growing challenges as the job of policing becomes more dangerous and complex.

The only certainty about a police officer's job is its uncertainty. Police officers know that at any moment during the course of their tour of duty, they may be faced with a potentially life threatening situation. Thus, even during periods of apparent calm, experienced police officers are aware that they may be forced to confront a crisis at any moment. The crisis could come at the end of a gun that places either the officer's or someone else's life in jeopardy. It may involve domestic violence or child abuse, forcing the officer to address family problems in an environment fraught with emotion, tension, and conflict. Police officers deliver babies, perform CPR, and comfort crime victims and their families. These multiple and varying responsibilities and expectations make policing one of the most complex, unpredictable, and stressful occupations.

Police are confronted daily with some of society's most demanding and difficult problems, which are exacerbated by a culture that feeds upon violence, sex, and drugs. With increasing frequency, in city after city, we see the impact of working in this environment as more officers succumb to its corrupting influences.

How can we better prepare to resist corruption? What character traits, personality types, knowledge, skills, or abilities will enable officers to handle the pressure of the job, resist the temptations inherent within the environment, and uphold the public trust? How can we test for them? Who should get screened in or out during the selection process? What type of training will best prepare officers for the challenges and pressures that they will confront on a daily basis? How can we eliminate the influence of race as a factor in the way officers discharge their public responsibilities?

With the national spotlight on the O.J. Simpson trial, the issue of police corruption took center stage as a result of the revelations on the Mark Fuhrman tapes. The dissonance between Mark Fuhrman's stoic, professional demeanor while testifying and the racist, criminal conduct he described on the audiotapes shocked many Americans and caused them to question the veracity and integrity of all police officers. The public wants to know how an officer with the tendencies and character of Fuhrman could have remained on the job for so long, and how many others like him exist in other departments.

The news from other cities is not encouraging. In Philadelphia more than fifty criminal cases have been reversed because six sworn officers engaged in a pattern of obstruction of justice and planting and fabrication of evidence, primarily against poor African American citizens. In 1994 sixteen members of the New York City Police Department operating in Harlem were shown to have engaged in a systematic pattern of abuse against citizens. Among the various criminal activities to which they have admitted are stealing cash from drug dealers, selling stolen drugs on the street, extortion, random assaults on citizens, breaking and entering, and perjury before grand juries. Since 1992 in New Orleans dozens of officers have been

arrested for criminal activity, including rape, drug dealing, bank robbery, and auto theft. One officer, Antoinette Frank, was convicted of murdering a police officer and two Vietnamese workers at the restaurant she was attempting to rob—while she was a member of the force.

These cases and others demonstrate the failure of existing methods, practices, and procedures to provide police management with notice of the potential for a corruption problem. Sadly, it also points to the failure of police administrators to take effective measures to prevent corruption, the inadequacy of existent training to instill professional values, and a general failure of police leadership to address the problem effectively. The accumulation of cases of this nature is creating a crisis in confidence for law enforcement across the country and demands a creative and direct response by police executives.

The first step is to get past denial—beyond the "one bad apple" syndrome—and to examine critically a department's values. The highest professional standards of conduct and integrity must be established and enforced.

The job of keeping departments honest and true to their mission is more important today than ever to our democracy. It requires leadership, and that begins at the top. A police chief must examine the culture within his or her department in order to ensure that it comports with our democratic ideals. The Oregon Department of State Police (OSP) has taken a rare initiative in this process of self-examination.

The ethical dilemmas presented to the Oregon officers in the Police Foundation's survey may seem to be far removed from the criminal conduct by police that has riveted our attention elsewhere. However, as was discovered by the Mollen Commission, which in 1994 investigated the criminal activity of New York City cops, corruption usually begins with small, unpunished abuses. Departments must address concerns and deal with issues as they arise. At the end of this summary report is an afterword in which Superintendent LeRon R. Howland discusses the steps that OSP has taken as a result of this examination.

As we continue to examine the role of policing in America, the Police Foundation hopes that issues related to integrity and institutional values in the police culture will be given the high priority required to maintain the public trust, which is the *sine qua non* for policing in a democratic society.

Hubert Williams
President,
Police Foundation

AUTHOR'S ACKNOWLEDGMENTS

INTRODUCTION

Since the inception of the first municipal forces, the police in our society have been charged with the difficult and stressful responsibility of maintaining order in our communities. Citizens' respect and trust in the police is essential if we are to keep a sense of confidence that our rights and freedoms will be protected, without fear of injury, harm, or victimization. The police have a duty to serve and protect and to uphold the laws they are sworn to enforce. This often translates into an expectation by citizens that police officers be held to a higher standard.

However, those high standards and duties that set officers apart from ordinary citizens also create a barrier to full involvement in the community. This can create or foster an "us versus them" subculture, which leads to estrangement from other citizens and the adoption of a different set of rules of ethical conduct. Issues like drunken behavior by officers and floggings of citizens were among early complaints of municipal era police. In the 1930s the Wickersham Commission recommended efforts to manage systematically the ethical conduct of police officers through improved selection criteria and the enforcement of rules of conduct. In the 1960s and 1970s several Presidential commission reports pointed to a relationship between police use of force and civil unrest in the nation's cities.

In many police jurisdictions, highly publicized events of misconduct have recently stirred public controversy and divided cities and communities. Some of the more significant examples in recent years include use of force in Detroit, MI, and Los Angeles, CA; criminal conduct by police in New York, NY, Washington, DC, and elsewhere; public disclosure of incidents involving conflicts of interest in New Orleans, LA, and Rochester, NY; and concerns regarding discretion in Milwaukee, WI.

Unfortunately, corruption and misconduct by a few police officers and leaders are detrimental to entire departments and the profession itself because they diminish trust and weaken the capacity of law enforcement agencies to be responsive to community needs. Although many departments have been faced with ethics-related concerns, few have attempted to investigate their officers' views regarding professional ethics. For the most part, when agencies do confront this vital issue, they do so in a reactive way.

The Oregon Department of State Police (OSP) management team took a proactive approach in attempting to understand the prevailing ethical culture in their agency. When a department takes on the task of self-analysis, it demonstrate a willingness to deal with new and changing law enforcement challenges. Improving the public perception of the police requires an in-depth understanding of the mechanisms by which professional ethical integrity can be achieved and maintained. A police department's commitment to enhancing service delivery by investigating officers' values represents a new era of police professionalism.

The Oregon project may ultimately improve the quality and efficiency of service provided to that state's residents. The Police Foundation was asked to make recommendations regarding a variety of issues related to professional ethical development. The results of the survey should prove useful to individuals at OSP who have the task of evaluating existing views on ethics, establishing professional goals, understanding others in the department, and making decisions regarding

subsequent behavior. As a whole, the survey results will assist the department in interpreting the organization's values, beliefs, and expectations.

In surveying the ethical attitudes of its officers, OSP attempted to examine:

♦ whether or not there was an agreement on values within the organization,
♦ whether members of subgroups shared values that differed from other groups',
♦ whether various groups receive consistent information with regard to policies or organizational values,
♦ which particular issues need to be further clarified or considered, and
♦ how OSP officers view the integrity of the organization and its subunits compared to others.

Since the completion of this study, OSP has taken efforts the process a step further by developing a plan of action to address more aggressively the issues arising out of this report. In the afterword to this summary, Superintendent LeRon R. Howland outlines those actions he has taken to further his commitment to this critical aspect of policing.

2

SUMMARY OF MAJOR FINDINGS

ABOUT THE SURVEY

Participation rates in surveys often reveal interesting issues regarding organizational culture, individual motives, and commitment of organizational members. Though typical response rates to surveys are generally not high, the response rate obtained in this survey was. Out of a possible 780 current sworn personnel, 615 surveys were received, resulting in a 79 percent return rate for the survey. Included were 36 telephone interviews conducted with individuals (5 percent of the department) who volunteered and were randomly selected within stations or assigned areas in order to obtain further clarification of the issues. This is probably indicative not only of the effort made in following up with officers to solicit their participation, but also the conscientiousness of OSP officers as well as their interest in matters connected with professional, ethical conduct.

MAJOR DATA PATTERNS

1. Supervisory values matter: Values espoused by supervisors have an effect on officers' attitudes and, ultimately, their behavior. Supervisors play a significant role in influencing the behavior and values of those working under their command. However, there was a lack of consistency in the way that supervisors responded to various questions. When supervisors are perceived as having good values and behavior, they often receive more loyalty. Bossard (1981) claims that conditioning, motivation, and role modeling for ethical behavior must be continually supplied by supervising officers. Therefore, consistency in expectations and values by supervisors should help in establishing a standard of professionalism, as opposed to disparity in interpreting expectations.

2. Rank plays a significant role in determining professional ethical stance:

    a. Rank is associated with various ethical values: The findings herein suggest that as rank goes up, so too does one's rating of one's own values and behaviors in relation to OSP, troopers within the district, other personnel in the district/reporting area, one's own division, and other districts or assigned areas. Additionally for higher ranking officers, overall ratings of troopers within the district are slightly lower, and ratings of supervisors higher. This may suggest that those in a supervisory capacity are tougher on their own personnel. Additionally, higher ranking officers see the following behaviors as more inappropriate: officers removing supplies from OSP to be used by their children and taking extra time on breaks. The latter may be partially explained by a) management concerns of efficiency, or b) having desk jobs (typically), and thereby being somewhat removed from patrol and its demands.

    b. Number of years in patrol affects beliefs: Senior trooper is the second and final level of patrol officer. Those in this rank tend to have more years in their rank than those of other ranks in the department. They rate their own values and behavior as less

stringent in comparison to other personnel and troopers in their district/reporting area. They also exhibited less agreement among themselves regarding attitudes and behavior, perhaps a result of varied supervisory values displayed. It is possible that this rank carries with it a certain level of "cynicism." Senior troopers are also split on several issues, for example, whether or not it is appropriate to accept a discount from a proprietor who gives discounts to upstanding community citizens.

      c.   The position of sergeant carries with it some role ambiguity: There is evidence that sergeants' attitudes differ widely, with some favoring the management role and others the fellow trooper position. Sergeants have to balance management considerations with fellow officer concerns, a role that is sometimes quite difficult and can lead to alienation from the ranks or ranking officers. This leaves quite a bit of discretion and ambiguity on the part of sergeants, and thereby strongly influences behavior of troopers working for any particular sergeant.

3.   Management staff working at General Headquarters (GHQ) rate their ethical values and behavior higher across the board: Others may believe that those at GHQ are treated differently and perhaps receive more direct communication as well. This may be problematic in that officers may perceive a different standard and set of expectations. It could also reflect a misconception about the values and beliefs of nonmanagement personnel or even a sort of "us versus them" subculture.

IMPLICATIONS

In establishing a set of standards for professionalism and ethical behavior, the department should attempt to clarify supervisory roles—especially those of the first line (sergeants)—in setting a standard through the modeling of professional, ethical conduct. In addition, supervisors should be afforded an appropriate mechanism by which to hold individuals accountable.

An opportunity for officers at all ranks to communicate more openly and directly may reduce the misunderstandings or disparity in perceptions about others' values and behaviors. In addition, professional development opportunities for those at the rank of senior trooper should be explained. Supervisory training should be evaluated to determine what could be provided to address the issue of role ambiguity. Additionally, more communication and coordination among sergeants may help provide a shared understanding of the responsibilities and techniques associated with setting an ethical standard.

Finally, communication between management staff at GHQ and the rest of the department should also be evaluated. For example, how could the flow of information be made more efficient and effective? Enhancing the department's capacity to communicate clearly and consistently to all operational and administrative units may increase cohesiveness and shared understanding throughout the department.

4

METHODOLOGY

Approach

Perhaps the most distinctive aspect of the survey of professional ethical views was its self-assessment methodology, which involved substantial preliminary investigation of ethical issues by a range of individuals from within the department. These individuals shaped the ethical issues and dilemmas that became the basis for the survey. In so doing, the final survey instrument represented the organization's most fundamental ethical concerns.

Objectives

In developing the methodological strategy for the survey, various considerations were weighed. The outcomes contributed to the definition of objectives guiding the project. Key objectives, all of which were achieved, are outlined below:

Objective one: To involve OSP officers in the process so that the final product would be highly representative;

Objective two: To generate a large enough sample so that results related to the larger organization could be generalized;

Objective three: To protect respondent confidentiality;

Objective four: To minimize bias in the survey and its administration;

Objective five: To ensure reliability and validity in all of the findings.

The final survey consisted of a written mail-out survey as well as structured telephone interviews with a random sample of willing officers. The opportunity for all sworn officers to provide input regarding the ethical values expressed in the department was deemed essential for obtaining an accurate and representative assessment. A complete methodological strategy is presented in Appendix A.

Means

Means to achieving objective one: To involve OSP officers in the process so that the final product would be highly representative.

Ethical dilemmas faced by policing agencies vary widely based on geography, leadership, characteristics of citizens and police officers, actual incidents, public demands, and a host of other considerations. Therefore, in determining which issues are critical to a particular department, information must be obtained and representatives from the department must be consulted. Initially, the Police Foundation reviewed departmental materials and community information. Additionally, the consultant team requested that a focus group be established to develop the survey. The group of high-performing officers, both men and women, represented various ranks, ages, ethnic backgrounds,

districts, divisions, and experience, thus improving the validity and representativeness of the survey process.

These individuals, in cooperation with Police Foundation professional staff, were charged with developing scenarios reflecting ethical concerns within the department. The focus group was made up of 12 people who, through their diverse experience and knowledge, made significant contributions throughout the process. Several of these individuals agreed to allow foundation team members to ride along on shifts, an effort that proved invaluable in the early stages of the project. Focus group members also made revisions to scenarios generated during the focus group sessions.

The focus group sessions met over a three-day period in late August 1993. Focus group members were asked to identify typical ethical issues encountered in the department. The ethical dilemmas and issues generated in the focus groups were evaluated for quality and relevance by fellow officers during the sessions. Subsequently, various dilemma and question formats were pilot-tested by other officers in the field to determine their usefulness, ease of understanding, and clarity. Finally, the focus group members were asked to modify or edit the questions and scenarios and to return them to the Police Foundation. Therefore, the scenarios, particularly those utilized in Part I of the survey, as well as many of the other issues *were generated largely by OSP staff*, with the Police Foundation facilitating the process, generating other survey sections, and editing the final questionnaire. This allowed for the survey to be truly reflective of the concerns of OSP officers.

Means to achieving objective two: To generate a large enough sample so that results related to the larger organization could be generalized.

The survey instrument was finalized in January 1994, at which time an introductory letter signed by Superintendent LeRon R. Howland was sent to all sworn OSP personnel to introduce the survey concept and encourage a high response rate. Subsequent to that, Police Foundation President Hubert Williams sent a letter and an initial data sheet to all sworn OSP personnel underscoring the importance of the survey. The purpose of the data sheet was to gather general demographic information and determine who was willing to be interviewed by telephone. Once received from the officers, surveys were numbered for tracking purposes and distributed in late February. Several follow-up mailings were conducted, consistent with research indicating that response rates increase with follow-up mailings (Dillman, 1978).

Means to achieving objective three: To protect respondent confidentiality.

Confidentiality, or keeping personal identity hidden, is essential to the process of obtaining honest and accurate responses and ensuring the representativeness of findings through a high response rate. On the other hand, survey administrators need to have a system of tracking individuals. One way to do this is to assign numbers to participants. This should be done openly so as to avoid the appearance of deception, an ethical issue in itself. In keeping with these principles, survey numbers were clearly printed on the front cover of the questionnaires.

Strict anonymity, or the elimination of all identifying information, may be optimal for getting an unbiased result, but it is impractical in that follow-up mailings cannot be sent. Response rates to anonymous surveys could be reduced if follow-ups were not conducted, even though certain

6

The scenario describing a social meeting with a person encountered on duty during the investigation of a traffic accident reflected the ethical diversity among the officers sampled. Fifty-three percent of officers found it acceptable to meet with the person, while 45 percent suggested the action was not appropriate. Most officers believed that interest expressed by the citizen made further contact more acceptable.

Officers have quite different attitudes about private contacts with citizens. Many believe that one's personal time is just that, and should be distinct from time on the job. Others, however, believe that one's professional and personal life cannot be separated. Training to clarify the boundaries of this type of contact may be useful, as would consideration of the proper policy to apply in this area of conduct.

The incident related to copying a booklet of instructions for a community youth group at the station again brought up an area of controversy, especially in connection with the department's shift towards Service-Oriented Policing (SOP). Fully 24 percent of officers thought it was acceptable if it furthered an SOP objective, while 52 percent said it was wrong because it involved using departmental property for personal use. Others indicated that it was acceptable if done on the officer's own time (3 percent) or if paper was purchased by the officer (7 percent).

Interestingly, those at GHQ saw this as a clear policy violation, indicating that they believe it to be a straight policy consideration rather than a discretionary one. The appropriateness of these activities within an SOP philosophy should be examined and clarified through training for the department as a whole.

The scenario of an officer waiting for back-up before going into the "hot call" of a bar fight again reflects an area of controversy. Fully 48 percent of officers thought no action was required against the officer, while 21 percent conversely indicated that they would confront that officer and 12 percent indicated they would report the officer for "failure to perform." Many respondents felt that several of the answer choices implied that inaction was wrong, whereas they believed it to be the appropriate response. However, that implication was not what was intended by the survey scenario, which was designed instead to elicit a distinction.

The variation may be explained in part by differences in what officers believed to be correct tactical responses. The larger issue, however, is that many believed that officers should take the risk, whereas many others believed that this could endanger the officer and thereby others as well, making the situation worse. The responses may reflect a need for training on tactical doctrine, discretion with regard to risks and consequences, and the ethical duty for an OSP officer to take or not take action without back-up in "hot calls" such as the one described.

The scenario about an OSP officer's child inadvertently, but illegally, shooting a doe during a hunting trip reflected substantial agreement on the part of OSP officers. Fully 82 percent of officers responded that they would report the incident explaining to the son that he would probably receive a citation. Only 2 percent of the officers thought that they should leave the deer where it was and less than 1 percent suggested they would transport the deer to their cabin. However, many noted that a citation might not be issued given that it was an accident by a youngster.

The responses suggest a strong sense within the culture of OSP that an officer should model appropriate lawful behavior in personal circumstances. This sense of duty is an important characteristic to build on in training and organizational development.

The scenario involving a sergeant driving while intoxicated reflected some differences on the part of the OSP officers. One hundred ninety officers suggested that they thought the trooper would arrest the sergeant, whereas 214 officers responded that they thought the trooper would call the supervisor for advice. Seventy-six thought the trooper would discuss the matter with a fellow officer first, while 28 said the trooper would either caution the sergeant or in one case, give the sergeant a ride home. The responses are reflective of camaraderie among officers and the need to defer to supervisors in what appears to be a somewhat ambiguous situation. However, this may in fact be a very clear-cut situation, not requiring supervisory intervention and, therefore, some attention should be paid to this issue.

The responses indicate some ambivalence about the obligation to arrest the sergeant suggesting the need to hold officers to a high standard of obedience to the law when fellow officers are involved. The reliance on calling a supervisor in this matter should be considered by OSP managers to raise an important policy consideration related to whether an officer or supervisor in this type of situation should make a decision to arrest. Training in this difficult decision area might also be considered.

Section Two

The second section in the survey consisted of two sets of rating scales of behavior and attitudes regarding subgroups of Oregon State Police Officers and officers from other jurisdictions, as well as individual behavior in comparison to other groups.

There was a small but statistically significant difference between the groups, indicating that patrol officers rate troopers within their districts more highly (about one-half point on a five-point scale) than those in the Criminal Investigations Division (CID) do. Perhaps CID officers are somewhat separated from patrol and make assumptions regarding the values and behavior of patrol officers. Though the converse—that patrol officers overrate themselves—is a possibility, no other group's rating of patrol officers differed significantly from the patrol officers' own, suggesting that this is not the case.

The respondents tended to rate OSP and personnel within their district or assigned area as having high ethical standards. Other police jurisdictions were perceived less favorably and, interestingly, so were supervisors within OSP. While 54 percent of officers rated personnel within the assigned area as a 4, and 25 percent as a 5, the numbers for supervisors were lower: only 43 percent rating them as a 4, and 23 percent as a 5.

This trend suggests that respect for supervisors is an important issue for OSP managers to consider. It is obviously important that supervisors be perceived as having ethical standards at least as strong as those of other officers. Training of supervisors in communicating and enforcing ethical standards among troopers may be a useful effort for OSP to undertake. Additionally, as ratings of supervisors within their districts or assigned area go *up*, there is a slightly greater likelihood that they would not find the trooper described in the scenarios as typical, and slightly more agreement that training is needed. Also, as ratings of supervisors' ethics rose, officers found the following types of conduct more improper: accepting free coffee, taking extra time on breaks, and removing office supplies for home use. Moreover, officers believe that they would be more likely to be reported for excessive use of force or getting traffic citations dismissed after filing them. Those rating supervisors the highest believed that officers were less likely to get citations dismissed; obtain free admissions, meals, or discounts on big-ticket items; engage in sexual activity on the

job; conduct personal business while on duty; and use excessive force. The correlations are provided in Appendix B.

As ratings of the department's ethical behavior went down, individuals were slightly more likely to believe that:

◆ fellow officers would obtain free admission to sporting events and movies,
◆ engage in sexual activity on the job,
◆ obtain free or discounted meals and drinks, or
◆ use his or her position to obtain discounts on big-ticket items.

It is not clear whether it is the diminished belief that causes the behavior to worsen, or the poor behavior that results in a negative belief. Does witnessing others behaving in these ways cause one to assume OSP has lower ethics overall, or do the lower opinions lead to this perception of fellow officers?

The same relationships are true for ratings of personnel within the district or area. For this category, as ratings descend, officers are slightly more likely to believe that fellow officers would:

◆ obtain free admission to sporting events or movies,
◆ engage in sexual activity on the job,
◆ obtain free or discounted meals and drinks,
◆ conduct personal business while on duty,
◆ cover up for other officers using excessive force, or
◆ use their positions to obtain discounts on big-ticket items.

Also of interest in this section, is that people at GHQ rated themselves higher than other groups or entities, suggesting that there may be an "us versus them" attitude among those at GHQ. Perhaps those at headquarters get information more directly, and hence are more able to respond accordingly. Given the chain of command and varied locations, it is possible that those at GHQ view themselves as an "elite" where ethical standards are concerned. Whether this could be explained by rank or by the direct link to policy decisions is not clear. However, it suggests the need to investigate further the perceptions of sworn personnel regarding those at headquarters.

This finding runs slightly contrary to the suggestion by some that ethics should emanate from above, or at the higher levels of authority. Some indicate that this has not been the case, although others have suggested that this has begun to change under the direction of the new superintendent. One individual said that he/she has more confidence in the new leadership under Superintendent LeRon Howland and Deputy Superintendent Dennis J. O'Donnell, who appear to have higher standards than previous administrations. Additionally, the findings suggest the need to consider whether those at GHQ are indeed privy to information that does not, but should, get out into the field.

The respondents tended to rate themselves as having more stringent ethical standards or at least about the same as others in OSP. Interestingly, officers perceived themselves in general as having ethical standards most like others within OSP, but as having more stringent standards than those in other agencies, with 80 percent of officers indicating they had more stringent standards than officers in other agencies. This trend points to an OSP culture marked by a strong sense of ethics, one that should be maintained as the agency moves forward to meet challenges such as diversifying its work force and addressing increasing demands within the community.

Officers with more years in their present rank rated themselves as having slightly less stringent values in comparison to officers within the district or assigned area and to troopers within the district. Also, those in higher ranks are slightly more likely to rate their own values as more stringent than those of personnel in the district or assigned area or of other districts or assigned areas. Interestingly, the higher the rank, the more likely (slightly) respondents were to rate the values and behavior of troopers within the district as low. Additionally, females are somewhat more likely to rate their own values and behavior as more stringent than those of personnel in other districts or assigned areas. (Correlations for these relationships are reported in Appendices B and C).

Many of the relationships between ratings and behavior in other sections indicate that OSP sworn officers generally believe that unethical values and behavior are espoused by those in other divisions, districts, reporting areas, or ranks. This may be caused by denial or unwillingness to believe that certain behaviors go on among one's peers. It may also be that these officers are underestimating other divisions, districts, reporting areas, or ranks without reason. It is recommended that since these distinctions cannot be removed, management work to increase communications among divisions, districts, and ranks.

Section Three

The third section of the survey allowed respondents to state their own definitions of professional ethics, since subjective views of what *ethics* really means are important indicators of ethical climate. The number of similar types of definitions and the corresponding label/sample description for each are as follows:

- Eighteen percent wrote in responses best characterized by "a code of conduct reflecting honesty, integrity, fairness, leading by example, and not being biased."
- Fifteen percent described things like "conforming to the standards/norms of your professional community."
- Twelve percent identified "moral values and principles used in my job and personal life (self set)."
- Nine percent said "honesty and doing what is right in the job, according to the Department."
- Eight percent defined it as "professional values and beliefs which we abide by and which reflect favorably on the Department/image projected to public."
- Eight percent listed "the way an officer conducts himself on duty above and beyond reproach."
- Eight percent noted "working within a framework of the constitution, law, department rules, policies, and procedures guided by morality."
- Four percent indicated "setting higher standards than those of the general public."

♦　　　　Four percent explained "not using position for financial or personal gain."

Participants were also asked whether or not there was a difference between professional and personal ethics. Fifty-nine percent said there was, whereas 37 percent said there was not. For 34 percent of those indicating a difference, the following general distinction was made: personal values and beliefs do not always match professional ones; they can be higher or lower. (Some said personal ethics are not set externally). Another 11 percent wrote in responses like "professional ethics are higher standards, can affect more people." Four percent said that professional ethics are rooted in personal ones. Three percent noted that professional ethics are defined by society, whereas personal ethics reflect upbringing, personal standards, or religious beliefs. Two percent indicated that personal ethics are higher standards. For those indicating no distinction, about 16 percent said that they go hand in hand because one is a police officer 24 hours per day.

Section Four

The fourth section consisted of nine questions about personal beliefs regarding conduct and its appropriateness. Participants rated the propriety of various types of conduct of an ethical nature, including gratuities, sex on duty, taking extended breaks, and using department property for personal reasons.

The respondents in these situations differentially perceived actions as very improper or extremely improper. Actions perceived as most improper included accepting cash from motorists in lieu of a ticket, with 97 percent deeming it extremely improper--one person even stating that OSP should "fire the son of a gun." However, the fact that 1 percent of people did not find it at all improper is cause for concern. Although this number could be explained by individuals responding sarcastically or not understanding the rating scale, it could represent actual belief. Furthermore, given those not responding, the number could be higher yet.

Another issue, engaging in on-duty sexual activity, was also seen as highly inappropriate, with 93 percent calling it extremely improper. Using one's ID to get into football game was categorized as extremely improper by 71 percent. There was less agreement regarding failing to file a citation for an OSP officer (51 percent deeming it extremely improper) or that storing narcotics evidence in a locker was improper (49 percent calling it extremely improper). Explanations for the former come from the fact that some say citations may later be found to have been issued in error. For the latter, many suggested that forensics/CID may have technical reasons, such as time constraints that make this less of a serious problem—this view being suggested by 2 percent of respondents. However, this action would be considered more improper in the case of a patrol officer. In fact, 21 percent of troopers and senior troopers saw storing narcotics as only somewhat or not at all improper.

With regard to engaging in sexual activity while on duty, those in the rank of sergeant or of captain and above (but not lieutenants) find it more likely that fellow officers would engage in sexual activity on duty. Perhaps this can be explained by the role that these ranking officers play when the issue arises.

Regarding free admission to a football game, those at the level of captain or higher were the least certain about whether fellow officers would obtain free admission or if they would get caught if

they did. The item drawing the most comments was the issue of taking extra time on breaks. Eight percent of officers said that it was okay to make up shortened breaks on other days, or that extra time helps in developing community contacts, indicating that it all balances out.

Finally, with regard to taking extra time on coffee breaks or lunch hours, there was a statistically significant group difference. Specifically, forensics found this significantly more improper than did patrol. However, this difference was between extremely improper and very improper, indicating that both groups found this to be a serious offense. Some of the comments written in for this item included: "A super tough day may justify taking longer breaks, e.g., delivering a death notice," and, "It's not appropriate [to take longer breaks] when you work a straight 8 hour shift."

Section Five

The fifth section of the survey instrument consisted of 22 questions on the perceived risks for officers who engage in unethical conduct, as well as the expected likelihood of a colleague engaging in such conduct. Among those issues examined were the likelihood of being reported for and the likelihood of fellow officers engaging in such behavior as dismissing previously issued citations, accepting bribes or gratuities, engaging in sexual activity while on duty, conducting personal business on duty, covering up for other officers using excessive force, or even stealing.

Once again, the acceptance of free or discounted meals or drinks elicited some comments about needing to leave big tips when bills are not given, and suggesting that officers not go to establishments that take this approach. Some indicated that repetitive use of duty time to conduct personal business was problematic. One respondent said that if personal business does not interfere with work, it is probably okay. Yet another said that management does it all the time, and others said that a few minutes of personal business was okay. On the issue of force, one person pointedly stated that "we should not use public/media as a barometer of what's acceptable." Another person commented that any use of force must be reported and yet another respondent claimed that it doesn't happen often, but that some officers are heavy-handed, using physical rather than personal means to defuse situations.

Concerning the solicitation of money in lieu of issuing citations, those with the most years in their present rank find it the least likely that individuals doing that will be reported, perhaps indicating some cynicism. Further, the longer one has been in his/her present rank, the less likely he or she is to believe that a fellow officer would be reported for removing merchandise from an unlocked business (correlations reported in Appendix B).

Throughout this section, there were scattered comments regarding inequity at different levels or for different groups. One interesting comment suggested that small town officers are more likely to get caught up in an atmosphere where special favors are the norm, due to familiarity with community members. The substantial discounted item in this section left a few commenting that some current and past managers have done this. One commented that some dealerships make their money in volume sales, and thus the officer saw no problem in accepting gratuities. One person said that most members would not consider behavior of this nature.

Some officers perceived what they believed to be rank-based differences. One commented that this section of the questionnaire seemed to point the finger at troopers and not lieutenants or captains. Another commented that management committed more of the violations, and another, that "many non-union supervisors commit serious infractions and get no punishment whereas union members commit minor infractions and get severely punished." Such concerns suggest a possibility that the outcome of some situations is perceived as inequitable, whether intended to be so or not. This underscores the importance of the Oregon State Police Officers' Association and Superintendent's Office to continue to work cooperatively toward the goal of equity across the entire organization while balancing sound management principles and practices that help to establish a strong ethical culture.

Section Six

The sixth and last section of the survey consisted of four summary questions including whether additional training in ethics should be provided. The vast majority saw a need for further training. Eleven percent of officers wrote in comments generally agreeing that there was a need for training, while a few saw the need only at certain levels, either entry level or management. A small number indicated that non-sworn personnel should also be trained.

There were differences in perception of need among subgroups. Recruits see the validity of ethics training more than troopers and senior troopers, but to the same degree as sergeants. As rank increases beyond sergeant, the perceived need for training also goes up. Perhaps people at management levels get an overview of problems in the department, or perhaps they see themselves as being excluded from any training. As age goes up, so too does perceived need for training, as do those at GHQ (compared to all other districts). For the former, it may be more a factor of rank than of age, given the aforementioned relationship between the two. Perhaps most interesting is that those who expressed a willingness to be interviewed by telephone, were also those most likely to believe that more training is needed. This presents a bit of a paradox in that it is possible that those who are least likely to participate or provide input may also be those who need more training, although they are less willing. Six people noted that unions both help and hurt, describing that what should be done does not always happen, making it "difficult to weed out undesirables."

Subgroup Differences

There are some statistically significant differences between various subgroups for a number of items. These will be discussed according to the specific subgroup and the actual correlations for age and gender reported in Appendix C.

Assignment Differences

For the item about taking extra time on coffee breaks and lunch periods, those at GHQ found this the most improper (average 2.6 on a 5 point scale), differing from all four districts, which averaged about 2.1, or a half point difference.

Age

Those under age 36 rated the department higher with regard to ethics and behavior, indicating either that cynicism comes with age or that officers have confidence in recent training. Four percent of those 36 and older said they would not interfere in the sexual harassment scenario, whereas less than 1 percent of those under 36 said they would not. As age increases:

- individuals see more need for training (however, age and rank are strongly related, which means that the higher perception of need may be a function of either age or rank);
- ratings of troopers within one's district go down slightly; and
- ratings of other divisions go down slightly.

Gender

There is some evidence that females find certain behaviors more inappropriate (e.g., conducting personal business on duty, employing state equipment for personal use, getting an issued citation dismissed, and using a job contact to establish a personal relationship). It is likely that women are rating men, given the vast majority of male officers. One possible explanation for these differences is that women may, in general, judge men as less efficient and moral, and as getting differential treatment (i.e., men can get away with more). Also, women are slightly more likely to rate their own behavior and values as more stringent than that of personnel in other districts or reporting areas. Finally, females' rate of participation in the survey was lower than that of males, perhaps indicating a higher level of apathy. This suggests that the issue of sexual behavior, relationship building, and the definition of work place harassment should be more closely scrutinized, perhaps in the context of training.

Telephone Interviews

The telephone survey consisted of the same questions as the mailed survey, which participants were asked to complete in advance of the interview. However, additional probing questions were asked regarding the development of the survey and its purposes. For example, officers were asked whether or not the survey was a good idea, with the vast majority replying yes. Interviewees were also asked whether or not people in the department have a clear understanding of expectations regarding professional ethics. Many indicated that expectations are made clear, but some choose not to abide by the rules. Two people indicated that more training was needed to help clarify the policies, and several others also noted a lack of clarity in the rules (e.g., "too murky and subjective").

Participants were also asked what they see as the major constraints, if any, in achieving excellence in professional ethics departmentwide. Some of the responses included individual differences (e.g., honesty or training received), unequal application of policies, the Association (union), supervisory styles, and inability to get people together or communicate consistently.

CONCLUSIONS AND RECOMMENDATIONS

GENERALIZATIONS FROM DATA

The Police Foundation survey team agreed to the following generalizations about results observed related to the professional ethical culture within OSP.

1. The effort by OSP represented a preventive, proactive stance towards an issue that has rarely been addressed as forthrightly within law enforcement.

2. The results of the survey suggest that most sworn OSP personnel
    a. perceive their agency as having a strong level of integrity,
    b. evince respect for the norms of the agency and profession,
    c. demonstrate a strong belief that integrity is essential to the operations of the department, and
    d. generally perceive that officers within the agency and its leaders will conform to these standards.

3. There was general agreement in response to some of the scenarios posed to the officers:
    a. that sexual harassment should be responded to directly;
    b. that most OSP fish/wildlife officers would not issue a citation for a mistake, and
    c. that a sergeant observed driving while intoxicated should be arrested or referred to a supervisor.

4. There was much more variation in officers' beliefs regarding
    a. whether a social contact should legitimately emerge from a professional contact, and if so, under what conditions,
    b. what considerations should be weighed in determining whether or not to go into a "hot call" without back-up, as well as the appropriateness of that action, and
    c. what activities constitute service-oriented policing, and what are appropriate uses of departmental resources in these efforts, as well as the degree of discretion involved in making such a determination.

5. Special areas for management to focus on include:
    a. the role of supervisors in maintaining professional ethics,
    b. the basis for declining standards (as opposed to behavior) among senior troopers, and
    c. the perception that higher ranking members of the department have lower ethical standards and are treated differently from other organizational members.

POSSIBLE POLICY CONFLICTS AND CONFUSION WITH REGARD TO ETHICS

There were several areas where the survey data suggested that OSP managers might need to clarify policy—for example, how the department should share costs of off-duty community policing activities or what rules should be followed by officers in initiating social contacts with citizens.

The issue of supervisory status as evidenced throughout the questionnaire (e.g., the decision to involve a supervisor prior to arresting the sergeant) suggests that a reconsideration of the role of supervisors in maintaining ethical integrity should be undertaken. Some possibly productive questions are:

♦ What is the role of supervisors in the ethical "coaching" process?
♦ What can OSP do to equip supervisors to handle ethical conflicts appropriately?
♦ How should supervisors be trained to supervise line officer conduct effectively?
♦ What can be done to ensure consistency in supervisory practices, as well as shared organizational values?
♦ Is there anything available to assist sergeants in the transition from line officer to supervisor?

EXPLANATIONS FOR OFFICER CONDUCT

Some theorists have argued that societal values may play a strong part in explaining police conduct in that citizens' expectations of the police may encourage a reciprocal ethical tone by officers. Others have suggested that there are often contradictory expectations that lead to differing behavior on the part of officers. For example, sergeants must balance their challenging role as peers to the people they supervise with that of implementor of managerial policy. They must use discretion in determining how to respond. This suggests a need to further examine and clarify what a sergeant's role should be, and how he or she can best manage this difficult dual role. It is also possible that the culture of the organization may dictate behavior based on the norms established in the department. Still other approaches explain ethical conduct in terms of role modeling by peers, superiors, and potentially even subordinates. More sophisticated psychological approaches explain ethical conduct in terms of moral maturity, which is assessed through the type of reasoning officers use to justify behavior. Throughout the survey, there were indications that all of these explanations have some validity.

A model policy statement on handling citizen complaints (Police Executive Research Forum, 1985) describes a number of ways to prevent misconduct in police agencies. Among the factors discussed are training in police ethics and procedures, recruitment and selection, and specific supervisory training. Given the findings regarding supervisory values, it is highly recommended that OSP undertake a comprehensive training program for professional ethics in policing that includes a supervisory module. It is also recommended that the recruitment and selection process be reviewed, and changes made accordingly. Bossard (1981) posits that the cultivation of police ethical conduct can be accomplished through the proper structuring of staff recruitment, training, policy, and police-public relations. The Police Foundation is confident that the Oregon Department of State Police will continue to further these aims.

22

Overall, OSP officers have a strong sense of common, shared, and reinforced ethical values. This is particularly true in areas where there is a clear duty, though less true where competing responsibilities conflict (e.g., the decision to arrest the intoxicated sergeant). There was also evidence that OSP officers have evolving views in certain areas, for example:

♦ in relationships between men and women (as illustrated by the sexual harassment scenario and the incident in which a personal contact was established after an accident);
♦ balancing safety considerations (e.g., the bar fight incident); and
♦ in areas related to service-oriented policing and off-duty responsibilities (e.g., the photocopier scenario).

These evolving areas may serve as a basis for training and reemphasis of organizational values.

24

TABLE 5. METHODOLOGICAL STRATEGY	
Stage	**Actions Taken**
Conduct initial assessment and gather information	Held planning meetings to determine appropriate sample and strategy, collect departmental materials, research
Conduct job observations and ride-alongs	Interviewed officers and conducted job observations
Establish focus groups	Identified high-performing men and women representing a variety of ranks, ages, divisions, and races.
Develop survey	Focus group members generated issues and questions
Pilot test survey	Conducted pilot test on a variety of formats for a number of questions and scenarios
Revise survey	Incorporated suggestions and findings from pilot test and selected appropriate questions
Conduct second pilot test	Conducted second pilot test (22 officers) to determine appropriateness of format, rating scales, etc.
Finalize survey	Incorporated all additional comments
Introduce survey	Letters from the superintendent and Police Foundation president introducing the survey process were sent
Distribute surveys	Mailed surveys as data sheets came in from officers
Make follow-up contact	Sent follow-up mailings to increase response rate
Analyze data	Conducted statistical and qualitative analyses on data
Present the results	Briefed key OSP staff and distributed report

TABLE 6. RELATIONSHIP OF RATINGS OF OSP OFFICERS TO ETHICAL BEHAVIORS AND OTHER CHARACTERISTICS	
Supervisory ratings and:	
"Trooper X is typical "	$r = -.12^{**}$
"Training is needed"	$r = .11^{**}$
OSP ethics/behavior ratings and:	
officers would obtain free admission to sporting events and movies	$r = -.12^{**}$
officers would engage in sexual activity on the job	$r = -.13^{****}$
officers would obtain free/discounted meals or drinks	$r = -.13^{***}$
officers would use position to obtain discounts on big-ticket items	$r = -.11^{**}$
Ratings of personnel within the district/area and:	
officers would obtain free admission to sporting events or movies	$r = -.17^{***}$
officers would engage in sexual activity on the job	$r = -.17^{****}$
officers would obtain free/discounted meals or drinks	$r = -.21^{****}$
officers would conduct personal business while on duty	$r = -.16^{****}$
officers would cover up for other officers using excessive force	$r = -.12^{**}$
officers would use their position to obtain discounts on big-ticket items	$r = -.13^{****}$
Years in present rank and ratings of values in comparison to:	
those within the district or assigned area	$r = -.11^{**}$
troopers within the district	$r = -.10^{**}$
Rank and ratings of values/behavior:	
in comparison to personnel in the district or assigned area	$r = .12^{**}$
in comparison to troopers within the district or assigned area	$r = .16^{****}$
of troopers within the district	$r = -.11^{*}$
in comparison to other districts/assigned areas	$r = .12^{***}$
of supervisors within the district	$r = .14^{****}$
in comparison to OSP	$r = .10^{*}$
in comparison to one's division	$r = .10^{*}$
in comparison to other divisions	$r = .08^{**}$

Note. r = Pearson product–moment correlation
p = probability (statistical significance level) $^{*}p < .05$ $^{**}p < .01$ $^{***}p < .001$ **** $p < .0001$

TABLE 7. RELATIONSHIP OF GENDER, AGE, AND TIME IN SERVICE TO ETHICAL BEHAVIORS AND RATINGS	
Gender and	
ratings of values/behavior in comparison to those at other districts or assigned areas	$r = .11**$
Age and	
ratings of ethics/behavior of OSP	$r = -.09*$
belief that more training is needed	$r = .12***$
rank	$r = .41****$
ratings of troopers within one's district	$r = -.12**$
ratings of other divisions	$r = -.11**$
Years in present rank and belief that a fellow officer would be reported for	
soliciting money in lieu of issuing citations	$r = -.12*$
belief that fellow officer would be reported for removing merchandise from an unlocked business	$r = -.13***$

Note. r = Pearson product–moment correlation
p = probability (statistical significance level) $*p < .05$ $**p < .01$ $***p < .001$ $****p < .0001$

REFERENCES

Babbie, Earl. 1990. *Survey research methods.* 2nd ed. Belmont, CA: Wadsworth Publishing.

Bossard, A. 1981. Police ethics and international police cooperation. In *Social basis of criminal justice - Ethical issues for the 80s,* ed. F. Schmalleger and R. Gustafson, 23-28. Lanham, MD: University Press of America.

Dillman, Don A. 1978. *Mail and telephone surveys: The total design method.* New York: John Wiley and Sons

Police Executive Research Forum. 1985. Police agency handling of citizen complaints, A model policy statement. Washington: Police Executive Research Forum.

28

AFTERWORD

No one is compelled to choose the profession of police officer, but having chosen it, everyone is obligated to perform its duties and live up to the high standards of its requirement.
—Calvin Coolidge

*T*he reasons we chose to undertake this are diverse and, in some aspects, unique to our agency. However, the underlying motivation of assuring the citizens of Oregon that their police perform with integrity and their officers are held to the highest ethical standards was a pre-eminent factor. As noted in Hubert Williams's foreword to this summary report, police in America have come under severe scrutiny because of the unethical actions of a few officers and the questionable practices of some police agencies. We did not enter into this project in a defensive posture. The integrity of our agency and its officers was not in question. Mark Fuhrman and the Mollen Commission report were unknown to us and to America when this project was conceptualized. Instead, we embraced a proactive approach to conducting self-examination of the attitudes of our police officers and the agency towards ethical conduct.

As this process was under way, other fundamental internal philosophical changes were taking place in the agency. The manner in which we conducted business was changing from a long history of command and control to one more focused on solving the problems faced by the communities we serve. The concept of Service Oriented Policing, where services focus on results rather than statistics, was being implemented. Oregon's Cooperative Policing initiative, which unifies public safety service in individual communities toward problem solving, was being finalized. Moreover, we face a 50 percent attrition rate in our sworn ranks due to retirements over the period of a few years. In other words, our agency was, and is, facing monumental and profound change.

Significant change in any organization carries with it elements of risk. It would be fundamentally unfair to the agency, its people, and the citizens we serve to enter into an era of evolution unprepared and ignorant of the associated inherent hazards. The primary risks we faced in this case were those that lay in empowering our people at all levels to make decisions with less oversight and supervision and our high attrition rate, which takes with it a great wealth of organizational history.

Why then survey the ethical attitudes of our police officers? Simply stated, in order to effect the necessary changes, we had to ensure that our policies, procedures, training, and standards of ethical conduct were realistic and understood. We needed to ensure that, as an agency, we adequately prepared our people with the freedom they required to do their jobs effectively.

We expect our work force to make decisions without the need to always seek approval from higher authority. We expect or people to use initiative and originality in their approach to solving community crime and public safety problems. We expect or officers to be evaluated on the results of their hard efforts and their innovation, rather than the number of arrests made or traffic citations issued. We want to reduce the number of management personnel and better direct our scarce resources to our essential mission of providing police officers to serve the law enforcement needs of our citizens.

When the results of the survey process were presented by the Police Foundation, I commissioned three groups—a Policy Action Committee, a Training Committee, and a Sergeants' Focus Group—to conduct analysis and make recommendations based on the survey results. The committees were designed to be representative of the agency and, accordingly, included both management and non-management employees. The work of these committees identified several areas of policy, training, and procedures that required modification and which I will briefly address.

The revisions in policy primarily served to eliminate language that could be construed as vague or contradictory. We found that, while we had Rules of Conduct in place that were primarily written when the organization was formed in 1931, we were deficient in providing a clear values statement of our standards of ethical conduct. In order to rectify this finding, a customized Code of Ethical Conduct was introduced. This code was developed by a representative group, adopted as policy, and new officers are now required to affirm its principles as a condition of employment.[1]

The Training Committee made several recommendations that have been, or will be, adopted in the near future. Among these was a recommendation that new officers be provided with increased training on ethical decision making. The consequences of unethical conduct or breaches of integrity are strongly emphasized in basic training classes. The near future will bring ethics scenarios to the new employee through interactive video. Additionally, an interactive video training component was recommended for line supervisor training.

The most difficult work connected with this project fell to the Sergeants' Focus Group. It was disturbing to find divergent opinions about ethical conduct among our line supervisors. The sergeants' group conducted in-depth discussions regarding the findings in this report and made several recommendations, many of which focus on additional training. Training is not the only answer to this problem and we are still working to determine why this condition exists and to identify what actions should be adopted to address it appropriately.

The overall results of the survey indicate, as stated in the conclusions and recommendations section of this report, that there is "a strong sense of common, shared, and reinforced ethical values" within the Oregon State Police. Areas have been identified where more work is needed, and we are committed to doing that work. We are just as committed to the ideals, standards, and sense of purpose that placed us in a position where the above quoted statement could be made. We recognize that maintaining our fundamental commitment

---

[1]The text of this Code of Ethical Conduct can be found in the technical report of this study, which is available from the Police Foundation.

to our foundational convictions serves to support progress and continued improvement. Perhaps an editorial statement printed on October 6, 1995 by the Salem *Statesman-Journal* best summarizes our position on ethics and integrity. That statement is quoted below:

> In the aftermath of the O.J. Simpson trial and the verdict of guilty rendered against the Los Angeles Police Department, look for good news wherever you can find it. We find it in the reputation of police forces in Oregon. One force sets the standards of excellence, and that's the Oregon State Police. When internal problems have come up, they've been quickly and effectively remedied—fixed, not glossed over. Luckily, most of our city and county law enforcement agencies also measure up to public expectations.

We agreed at the onset of this project that the results, regardless of what they showed, would be published. One reason for that was the prospect that what we undertook would assist other law enforcement agencies that are coping with issues of integrity and ethics. I hope we have accomplished that purpose.

LeRon R. Howland
Superintendent,
Oregon State Police

About the Author

Karen L. Amendola is manager of technology and technical assistance for the Police Foundation. She is currently a doctoral-degree candidate in industrial/organizational psychology at George Mason University, where her dissertation topic is the justification of unethical conduct.