



**Ethics in Criminal Justice with an
Emphasis in Policing and Corrections**

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Since the inception of police departments and prisons, there have been ongoing corruption scandals that entail law enforcement officers hiding behind the “Blue Wall of Silence,” in which police officers cover for their corrupt fellow officers. However, anti-corruption and deterrence measures can be put in place that usually stem from upper-level management. Deterrence measures that should be put in place by police and prison officials in order to deter corruption must be effective policies, as well as having the administration in place before management can implement these policies to officers (Domonoske, 2013). *This paper focuses on reduction techniques for police corruption in America, as well as having better law enforcement policies and management procedures.*

In the history of police corruption, the Los Angeles Police Department (L.A.P.D.) had many officers involved in the Rampart/CRASH scandal. One of the main perpetrators was Officer Rafael Perez. In 1995 Perez joined the “Rampart anti-gang unit CRASH” (Young), where he discovered a large amount of corruption and misconduct in his department. By 1998, Perez was stealing, as well as dealing pounds of cocaine (Young). After he was arrested, Perez cut a deal with prosecutors and began to tell them what really went wrong. As Perez calls it, the “intoxicant of police power” was one of the main reasons he gave for stealing and selling drugs.

In addition to Rafael Perez, the controversial story of New York Police Department (N.Y.P.D.) Police Officer Frank Serpico who was a key whistle-blower in the corruption case brought against the New York Police Department (N.Y.P.D.) in the early 1970’s. It was Serpico’s longtime complaining about this widespread corruption in the N.Y.P.D. that made him a pariah on the force (Kilgannon, 2010). It was the sad turn of events in 1971 when Serpico was on a drug bust, and was shot in the face. Moreover, his fellow officers did not rush to call an ambulance for him while he screamed for help. Although Chief Police spokesman Paul J. Brown says, “It’s a different department now,” Serpico disagrees, and says, “The blue wall will always be there because the system supports it” (Kilgannon, 2010). As long as police superiors tolerate corruption, there will always be cover-ups.

In his article, *Integrity Systems and Professional Reporting in Police Organizations*, author Seumas Miller makes correlations between *Dirty Harry* and vigilante police officers. As he states, “The Clint Eastwood film, *Dirty Harry*, embodies this way of thinking: Inspector Harry Callaghan tortures a psychopathic killer to try to determine the whereabouts of the girl the killer has taken hostage, and does so with the apparent approval of cinema audiences” (2010). Even though this vigilante behavior should not be tolerated, *Dirty Harry* does this with my approval as well, even though I’m being slightly hypocritical in agreeing with my thesis.

The attitude of fellow officers protecting or keeping quiet about corrupt officers is not new. This reluctance to talk to superiors or internal affairs about police corruption is called the “blue wall of silence” (Miller, 2010). While there are questions that surround the politics of police power, Miller also describes that it is almost a religion to those who wear the uniform. Police work is an enterprise and not just another job. “The core of the police outlook is this subtle and complex intermingling of the themes of mission, hedonistic love of action and pessimistic cynicism” (2010). Seeing that if officers have a “hedonistic love of action,” just reinforces the *Dirty Harry* style of thinking, and can also make the public think that police officers have a “shoot first, ask questions later” mentality, as well as take pleasure in abusing their power. However, after interviewing law enforcement professionals, this is far from the truth.

Just as this “hedonistic love of action” is thought to be part of the police culture, another research topic of study is gypsy cops and officer shuffle. This “hedonistic love of action” could

produce correlations to both “gypsy cops” and “officer shuffle.” This occurs when a police officer has a history of wrongdoings, and moves on from department-to-department without getting terminated. Events that have caused officer’s to become “gypsy cops” include officer’s from the St. George Police Department of Saint George, Missouri, frequently pulling over a teenager and trying to ticket him, or have ticketed him for minor traffic offenses. However, the teenager finally installed a video camera in his car to disprove the police officers who have always pulled him over. Moreover, this teenager became a nationwide celebrity for videotaping these officers. Additionally, an Arnold Police Officer in Arnold, Missouri faced allegations of sexual harassment when he stopped a 17-year-old girl, referring to her as “beautiful, hot, and tempting” (Shockey-Eckles, 2011).

Although this is not a paper about media, the media does play a large role in policing, because there are visual and recording devices everywhere. In this age of technology a police officer could be recorded or photographed, sometimes with or without their knowledge. This was widely visible when L.A.P.D. officers were recorded beating Rodney King on tape. As author Peter K. Manning states, “Ethical issues cannot be extracted from the impact of the modern visual experience. Media creates a stylized context, a public, lasting, reproducible, easily and invisibly altered record of events. A natural event, once filmed, can reappear, edited and formatted, thousands of times on many channels” (Manning, 2000). What Manning is saying is that, streaming media, as well as digital recordings can be digitally manipulated and sent to news stations, only to make the officer a media spectacle. Police professionals also reinforce the hard truth that there are recording devices everywhere.

Another point that Manning makes, echoes a scene in the film *Training Day* (2001), where Jake Hoyt (Ethan Hawke) saves a teenage girl from being raped. Hoyt the chokehold as a defense tactic on one of the junkies who tried to rape the young teenage girl. After he beats up the junkies, his corrupt narcotics training Officer Alonzo Harris (Denzel Washington), says to him, “I noticed you used that chokehold. I thought that was a no-no procedure.” Jake’s response was that he was getting beat up. Alonzo then said, “You did what you had to do.”(Training Day, 2001).

In Manning’s article, he makes reference to the Los Angeles Police Department’s use of the chokehold, which caused fifteen deaths between 1975 and 1982. It was those deaths that were the reason that the chokehold is no longer used as a defense tactic. However, the ethical measures of Alonzo Harris telling Jake Hoyt that “You did what you had to do,” (Training Day, 2001) begs the question, is it alright to use illegal self-defense tactics when a police officer’s life is threatened? In this case, I agree. Seeing the situation Officer Jake Hoyt was in, he had no backup, because his corrupt partner wanted to see how that situation would unfold. Jake either had to inflict pain on the junkies, or he would end up in the morgue.

Another line in *Training Day* (2001) recited by Alonzo Harris, is “It’s not what you know, it’s what you can prove.” As Miller discusses, it’s very hard to convict experienced police officers of corruption. An experienced officer has “knowledge of criminal law and police investigative methods, and the evidentiary threshold for conviction-that is, beyond a reasonable doubt-is high” (Miller, 2010). What this means is that an officer who has enough experience to falsify evidence will be able to clear his tracks, and it doesn’t matter what other officers or citizens say. If there is no evidence, there is no case.

In addition to police brutality, officers who accept free food and gratuities are often looked down upon. In his article, *One Dogma of Police Ethics: Gratuities and the "Democratic Ethos" of Policing*, N.Y.P.D. Deputy Inspector Brandon Del Pozo discusses the problem of

police officers who accept free food and gratuities. While it is thought of as a nice gesture of grateful citizens that like when the police patrol the streets to keep them safe, it is the officer's discretion as to either accept free food or not, because police services are paid for by the city (2005). As Deputy Inspector Del Pozo says, "I have been offered discounted food by business owners and frankly told it's great to see police officers in here. It lets criminals know that this is a place not to mess around with" (2005). However, the police should pay just like everyone else.

In an interview with Retired Deputy Sheriff Rick Jacobs, he said some of the same things about accepting free food that Inspector Del Pozo said. When working the night shifts, Deputy Jacobs would go to a local fast food restaurant since it was the only place around open late at night. He would often be offered free food since the owners of the restaurant had family members in law enforcement. When he tried to pay, his money was refused, and the cashier told him that if he were to charge the deputy, he would be fired, since the owners had relatives in law enforcement. Deputy Jacobs would then leave and go without food if he could not pay for it. This is because Deputy Jacobs made up his moral values before getting into law enforcement, and felt that accepting free food was not right. In addition to the examples given by Inspector Del Pozo and Deputy Jacobs, there was a scene in the film *Serpico* (1973), which was the real story of the N.Y.P.D. scandal during Officer Frank Serpico's time on the force. A scene in the film shows Serpico and his partner having lunch. As Serpico starts eating his lunch, he sees that the meat is nothing but fat. As he goes to tell the restaurant owner about it, his partner tells him, "It's free, leave it alone."

However, on the topic of Corrections, there have been some violent attacks on inmates, such as the degrading prison abuse and torture scandals that include Abu Ghraib, where American soldiers in Baghdad's Abu Ghraib prison brutally tortured and sexually humiliated Iraqi prisoners. These acts committed by American soldiers did not only shock people around the world, but this scandal also hit home in the United States as well. These acts of corruption and humiliation clearly display that "Public corruption and prison corruption are virtually indistinguishable. They both evoke the primal forces that interact when the captors finally catch up with the captured-the urge to exploit the prey that had got away" (Souryal, 2009).

Other notorious cases of prison corruption include Nazi concentration camps and the Soviet Gulags. As Professor Sam Souryal points out, "Corruption by public officials has been traditionally considered more sinister than that by private sector employees" (2009). In an extreme situation, and under the testimony of a Corrections Lieutenant, a Georgia Prison Commissioner had, "Touched off a bloody attack on the inmates when he grabbed an unresisting inmate by the hair and dragged him across the floor" (Souryal, 2009). The Commissioner also watched other correctional officers beat and kick inmates, some of who were handcuffed, and some who were not, until the walls were filled with blood. The Commissioner then applauded the guards at a chicken dinner to celebrate what they had done (Souryal, 2009).

Just as in policing, correctional officers receive their orders from the top, and if people at top do nothing, the string of corruption will continue to unravel. After Abu Ghraib unfolded in the media, there was a lot of finger pointing as to who instigated or ordered these horrible events to happen in this abuse scandal. However, the question posed is it just a few bad apples committing these beatings, or is widespread corruption that is deep seeded in the prison system (Miller, 2010)?

Although prison officials are entrusted to see that inmates are watched, protected from other inmates, and given three meals a day, there are prison officials, such as wardens that will deny that brutality against inmates or mismanagement had taken place. In some cases, the

higher-ranking officials will ask their subordinates to falsify evidence, use deception, or make excuses to why an inmate was either brutalized, or why the prison management is disorganized. What these officials do is deceive people in order to make themselves and the agency look good. This corruption echoes the same deceptive tactics the Nazi's implemented when Jew's in concentration camps were forced to write to their families and tell them everything is all right, while it was not. This just goes to show that absolute power corrupts absolutely.

However, it is when an officer abuses their power, as well as officers who are under stress, can act irrationally when they are not thinking clearly. South Carolina Police Captain Kevin Marsee, who has seen erratic behavior first hand by officers under stress, backs up this claim. Additionally, Miami Police Sergeant Max Gabriel agrees that officers get caught up in the moment at times when they are apprehending a suspect, and violate proper arresting procedure. Sergeant Gabriel calls this behavior "tunnel vision," and sees this behavior come out in officers when they become caught up in the moment, while trying to arrest a suspect. Although, Hollywood dishes out films such as *Dirty Harry* and other vigilante cops, it sometimes hard to draw the line as to what is fact and what is fiction. When I asked Captain Marsee if he ever encountered any of these "*Dirty Harry* cops," He said, "Some people get into law enforcement because they see these types of films. It is important to recognize these officers either before they are hired or if that behavior is seen when those officers first start in the department."

This paper focuses on reduction techniques for police corruption in America, as well as having better law enforcement policies and management procedures. In order to combat corruption in the criminal justice system, having effective streamlined complaints and disciplined system, a basic code of ethics for using firearms, recruitment training, as well as ongoing professional development programs, support systems for alcohol abuse and psychological injury, intelligence gatherings, risk management and early warning systems for at-risk officers, and ethical leadership that gives priority to the job, instead of one's own self-interest (Miller, 2010).

However, while implementing risk management and ethical leadership, administration and executive management techniques are necessary for such criminal justice executives including police chiefs and prison wardens. Having and writing the proper and organized administration into police and corrections policies is one of the first steps in hammering down on corruption, which then allows management to lead in an effective organized manner that reduces communication errors, assumption, and corruption, because there will be a tighter hold on police and corrections management (Domonoske, 2013). As Clair Domonoske states, "When the police manager takes the time to make good decisions as reflected through policy, training and supervision based on the design of discretion, the line officer's delivery of discretion is better supported" (2006).

Although there are management procedures in place, not all management procedures are followed properly by all levels of command. One of the main reasons for this mismanagement is interpretation, and this kind of mismanagement could lead to corruption among officers who do not have the proper organized leaders in place to start. While combatting this problem of corruption and mismanagement may seem convoluted in many ways, some effective management techniques may include using Industrial/Organizational Psychology or organizational development techniques, which are designed to plan and create change effectively in the workplace (Baily & Cree, 2011). Moreover, the continuous use of effective police management and leadership skills will continue to boost the effectiveness of a police agency. While officers might second guess new policies or leadership decisions, it may be because old ineffective policies are either in place, or the current policies are not followed at all. Taking

shortcuts is not the answer, and either is “cronyism,” which plagues the criminal justice system. An effective leader expects policies to be followed without shortcuts being taken (Hansen, 2011). While these new policies might not be popular, they can be the first step in combatting corruption and misconduct in police departments.

Additionally, having honest leaders in place will effectively put officers on the right path, rather than leading them into a world of police corruption, where they can be scrutinized by the media. As professor, and retired Boston Police Lieutenant Thomas Nolan states, “*As a police lieutenant, I was expected to educate inexperienced (and even veteran) officers in the fine art of creative report writing so that the truth was never allowed to get in the way of a rendition designed to conceal missteps or wrongdoing (a role, incidentally, which I played in a manner considered “legendary”)*” (Nolan, 2009). Lieutenant Nolan just reinforced the need for honest leaders, as well as leaders who are teachers, and not just bosses.

As my research has proven, not every police officer is corrupt, and can personally testify to that fact since I have made friends who are police officers while living in South Florida. As any experienced officer knows, good leadership is everything, just as Lieutenant Nolan has stated. A good police leader knows that investigations take time to solve; satisfying everyone is not always possible, effective report writing and good communication is essential, and most importantly, a good honest police leader knows of above all one thing, crime doesn’t pay, whether committed by a civilian or fellow police officer. Moreover, someone summed up what I said in just two lines. “*Crime is as contagious as the pest. No one can commit it without having to pay for it*”- Napoleon Bonaparte.

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