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An Introduction to the Police in America
Objectives

After reading this chapter you will be able to:

- Explain the challenges associated with policing a free society
- Discuss the tension between citizens’ rights and police power
- Explain how our system of democracy is supposed to make police accountable to citizens
- Identify and discuss the controversies and difficulties of policing
- Discuss how police use of discretion and police use of force can make the police controversial
- Discuss the two main reasons why the ethical conduct of the police is of concern

Fact or Fiction

To assess your knowledge of the police prior to reading this chapter, identify each of the following statements as fact or fiction. (See page 17 at the end of this chapter for answers.)

1. The best source of knowledge about the police is your previous interactions with them.
2. There is a trade-off between citizens’ rights and police power. If there is more of one, there is less of another.
3. As long as the police avoid overpolicing, they will not be subject to criticism.
4. The use of deadly force is often considered the ultimate discretionary decision made by police officers.
5. Defining good policing is not difficult; it is simply the number of arrests made, the number of crimes solved, and the number of citizen complaints received.
6. The media tend to focus on bad police officer behavior.
7. As long as the police pursue reasonable and legitimate goals, the means used to achieve them are not a major issue.

The aim of this chapter is to introduce the fundamental purposes of and controversies involving the police and to discuss how police officers are constantly dealing with ethical and moral issues in their work.

Introduction

When you think of the police you most likely envision officers who work in local police agencies, such as the police in your city or county police departments. Officers who work in these agencies are the police you are most likely to see and with whom you are most likely to interact. However, there are many other law enforcement agencies, including state and federal law enforcement agencies. The focus of this book is on general service police agencies that have responsibility for crime prevention and investigation, order maintenance through patrol and other means, and the provision of other miscellaneous services. Although state and federal investigative agencies have an absolutely critical role in law enforcement efforts, in this book limited attention is paid to the unique and specific issues associated with the operation of these organizations.

Prior to officially becoming a member of a police force, officers take a sworn oath to support the laws of the United States, their state, and their community. This is the basis for the frequent reference in this book to sworn officers in contrast to civilians who also work in police departments. Sworn officers have the authority to make arrests and to
“Policing a democracy is not an easy task. It’s difficult and messy. Yet police in a democracy must always operate within the rule of law. They must always apply our shared values to the difficult daily tasks of resolving conflict, protecting unpopular people and causes, and always acting fair and respectful to those who at the time are not conducting themselves properly—those who are intoxicated, affected by other drugs, surly, disrespectful, and even violent. That’s what police in a Bill of Rights do.

And those who wish not to do that should not be our police.

So who can perform such a difficult task? I have said this before and I will say it again—only those who are the best of us, only those who are well-educated and well-trained, and only those who know about and can put into practice our closely-held and core values of freedom, individual rights, rule of law, fairness, and equality.”

—David C. Couper, former Madison (WI) police chief

legitimately use force. As discussed throughout this book, when all the layers of complexity are stripped away, the bottom line is that it is these two fundamental powers of the police—the authority to make arrests and to use force—that can make the police controversial. Some of this controversy is reflected in the strong and varied views of citizens about the police. Some people see the police as a problem; some see the police as the solution. Some people see the police as friend; some see the police as foe. The police are, as explained decades ago by sociologist Arthur Niederhoffer, a Rorschach test in uniform. Our views toward the police are shaped by our experiences with them, by other people’s experiences that we see or hear about, by social and mainstream media, and by the news. Different people with different experiences are likely to have different feelings and thoughts about the police. And everyone has had some sort of experience with the police.
When it comes to understanding and evaluating the police, we may be tempted to rely on our own existing beliefs and previous experiences with officers, the experiences that others have had, and perhaps media representation of the police. For example, if you were stopped by the police for speeding and the officer treated you rudely, you might think that police officers are unprofessional, or worse. If you called the police because you locked your keys in your car and the officer was courteous and friendly when working to open your door, you might conclude that police officers are respectful and considerate. However, it is important to understand that personal experience is not always a good source of knowledge. In other words, just because you experienced something or perceived an encounter in a certain way does not necessarily mean that your experience is representative of all such encounters. There are at least three reasons for this.

First, personal experiences are limited: It is hazardous to draw conclusions about police officers, police departments, and police work based on just a few contacts with a limited number of officers in a couple of agencies. As an analogy, if you have had a bad professor for one class, it does not make all professors bad, and your experience certainly does not make your university a bad one.

Second, negative information (about the police or anything else) is usually perceived as more significant and is more memorable than positive information. As evidence, people are much more likely to file complaints about the police than they are to offer compliments of them. In fact, police departments have procedures and forms for filing complaints against officers but usually do not have a system for filing compliments. The news media are also more likely to report stories of bad policing than good policing. So even though people may be more likely to hear, remember, and share negative stories about the police than positive ones, it does not mean that there are actually more negative stories than positive ones.

Finally, studies show that people are not necessarily objective when evaluating the police. In particular, research has shown that evaluations of interactions with officers are largely influenced by a person’s previously existing beliefs toward the police. So, for instance, when a person who thinks highly of the police has a contact with the police, that person is likely to assess that specific experience favorably. When a person who thinks poorly of the police has an interaction with the police, that person is likely to rate that contact negatively. For these reasons, personal experiences are not a foolproof method of developing an understanding of the police.

Research, which involves the systematic collection and analysis of data, offers a more accurate way of developing knowledge about the police—or any other phenomenon, for that matter. However, research also has limitations. In particular, on some issues research has not been conducted, so some questions remain unanswered. Sometimes research is conducted on a specific issue and then when an answer is provided, further research on the issue ends. As a result, research studies on some issues tend to be dated. Some research is not well executed, leaving one to question whether the results are accurate. And finally, many times research findings conflict. As will be discussed in this book, all of these concerns are present with research on the police. In spite of these limitations, however, a careful consideration of research findings still has the ability to provide a more accurate understanding of reality than any other source.

Not surprisingly, this book offers a discussion of the police that incorporates research findings. It incorporates the most significant research on relevant issues and also seeks to provide a “real-world” objective understanding of the police. An important goal of the book is to identify, confront, and dispel the assumptions and myths that exist with regard
to policing today. *Police in America* provides an understanding of the role and functions of the police, the controversies and difficulties associated with police responsibilities, and the effectiveness of police activities.

### The Challenge of Policing a Free Society

To understand the police in the United States, it is important first to reflect on the idea that the United States is a *free society*. What exactly does that mean? There is much philosophical discussion and debate about this issue. On a practical level, obviously it does *not* mean that citizens can behave any way they want; people are not *free* to shoot other people because they are angry with them or to disregard traffic lights because they are in a hurry. That people in our society are free means that the government recognizes that human beings have certain basic human rights. For example, people in our society have the right to work, to go to school, to express their opinions, to protest government, to have privacy from government, to worship whatever god they believe in, to reproduce, and to own property. At the same time, the police, as an arm of the government, have the power and authority to regulate the conduct of citizens. Given our free society, the police are sometimes put in a peculiar situation: They are expected to protect citizens’ rights *and* regulate the conduct of citizens.

The freedoms that people enjoy in our society are dynamic, always changing. For example, in the aftermath of the terrorist attacks of September 11, 2001, there was a massive reorganization of federal law enforcement efforts and the passage of significant new legislation (the USA PATRIOT Act in particular) that provided new powers to the government in collecting information on citizens. As discussed in more detail later in this book, for better or for worse, and accurately or not, this law was presented as a new tool in the war against terrorism. It *increased* the power of the government and correspondingly *decreased* the rights and privacy of citizens. Conversely, in the 1960s, a series of landmark U.S. Supreme Court decisions, including *Mapp v. Ohio* (1961) and *Miranda v. Arizona* (1966), gave citizens more freedoms from the government but, some argued, “handcuffed the police.”

Freedom is a relative concept. Much variation exists among societies and governments in the freedoms that are afforded to their citizens (Exhibit I.1). Therefore, in some societies, the police are oriented more toward exerting the power of the government than protecting citizens’ rights. If citizens have fewer rights, there are fewer rights to protect. If citizens have fewer rights, the government has more power. If the government has more power, the police have more power.

The U.S. Constitution—and in particular the *Bill of Rights*, which comprises the first ten amendments—articulates several freedoms of the nation’s citizens (see Appendix A). These are best considered civil liberties or freedoms *from* government. The Bill of Rights is not just words on paper. These are rules that the government must abide by in treating citizens. The *government* in this case often refers specifically to
**Exhibit 1.1**

**Governmental Power versus Citizens’ Rights**

Many countries severely restrict the rights of their citizens. For example, consider the cases of Saudi Arabia, Russia, and North Korea. For a more complete discussion of this issue, visit the website of Amnesty International.7

In Saudi Arabia, females of all ages are not allowed to travel, study, or work without permission from their male guardians. They are also not allowed to drive. Further, governmental authorities seldom notify suspects of the crimes they are charged with or of the evidence against them. Lawyers who represent suspects have limited authority to present evidence at trial.8

In Russia, laws restrict lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals and supporters of LGBTI rights from holding peaceful demonstrations to fight for equal rights. Officials have said that such demonstrations violate rules against “propaganda of homosexuality.” In addition, human rights proponents who have complained about law enforcement misconduct have been subject to harassment, death threats, and murder, or they have simply disappeared.9

North Korea is arguably one of the least free countries on Earth and is often referred to as a police state. A network of governmental police agencies in the country is engaged not only in enforcing criminal laws but also in propagating an information blackout in which access to media, radio, and phones is severely restricted among citizens. Police agencies operate in such ways as to ensure that privacy among citizens does not exist. Surveillance is constant. Violating governmental rules can mean imprisonment in political prison camps. It is not an exaggeration to say that North Korean citizens have no rights.10

Citizens’ freedoms, combined with the ability to vote, make citizens important in our system of government. The police operate in this environment. Among other things, the police are responsible for preventing crime and for identifying and apprehending offenders of crimes that were not prevented. In doing so, they are supposed to maintain order in society. However, because citizens have freedoms from government and we have an elected system of government, our society has placed limitations on the police, and officers are accountable for their actions. One could argue that these limitations have made the job of the police more difficult, or at least more difficult to do effectively. Effectively policing a free society is a challenge.
The police play an important role in the functioning of our society. Their role is so vital that it is difficult to imagine our society without the police. Although policing is an essential function, many controversies and difficulties are associated with the practice. These issues are discussed throughout this book and are introduced here.

The police are expected to prevent and solve crime

The police have been given a very difficult task: They are expected to prevent people from committing crimes and to solve the crimes they are unable to prevent. In doing this, the police maintain order in our society. However, many factors have been identified as contributing to criminal behavior, and the police do not control any of these factors. The police do not have any control over poverty, whether children grow up with proper role models, the weather, unemployment, or people's self-control. Furthermore, the police are primarily reactive, which means they are dependent on citizens to notify them that a crime has occurred so they can respond, and crimes are often not reported to police (see Figure 1.1). The police are often at a disadvantage in the "game" of cops and robbers because they are usually trying to catch up to the culprit. In addition, the police have limited resources and they have to follow laws. Criminals, by definition, do not follow the laws. Considered together, all of this suggests that the police have an impossible mandate.11

The police pay more attention to some crimes, some people, and some areas than others

Another controversy associated with the police is that they are not equally concerned with all types of crime. The police, and local police in particular, are more oriented toward what have been referred to as predatory types of crime, or street crimes, such as murder, rape, robbery, assault, burglary, and so on. Part of the reason for the greater focus on these types of crime is that police territory is the streets, literally. The police patrol the streets and sidewalks. The streets are public space; the police have the most presence in public spaces, as opposed to private spaces like living rooms or business offices. When the police are in private places, it is usually only because they were invited or needed there.

The reality is that the police spend more time in some public spaces than others.12 Because they are responsible for crime control, officers tend to have a greater presence in areas where there is more street crime. Such areas tend to have high levels of unemployment, poverty, and population density. They are often racial minority neighborhoods. So, at least in urban settings, the police pay more attention to some areas and some people more than others. This can lead to criticism about overpolicing in some neighborhoods and underpolicing in others. Citizens who perceive too much police action in their neighborhoods may be just as upset as citizens who perceive too little in their neighborhoods. Either way, the police may be subject to criticism.

A Question to Consider 1.2

Police Power and Crime Solving

In 2014 approximately 64% of homicides in the United States were solved, meaning that the perpetrator was identified and apprehended. Of all crimes, the police have the greatest success at solving homicides, yet this percentage is currently near an historic all-time low (in 2012 the percentage solved was even lower, at 62.5%). There are many reasons for this. Do you think that if the police were given more power and authority to conduct investigations they would be able to solve more homicides and other crimes? If so, what would be the consequences of this? Do you think the trade-off would be worth it? Explain.

Impossible mandate: This term reflects the idea that the police have been assigned the task of crime control, but because they cannot control the factors that cause crime, this task is difficult—if not impossible—to accomplish.

Overpolicing: The perception of too much police presence and action in a neighborhood.

Underpolicing: The perception of too little police presence and action in a neighborhood.
Law enforcement agencies other than local police departments are also more concerned with some types of crimes than others. For example, federal law enforcement agencies, such as the Federal Bureau of Investigation (FBI), devote more resources to combating predatory crimes and terrorism than other types of crimes. Although the strategies used to combat criminals differ, federal law enforcement agencies also devote more resources to certain places than others and pay more attention to some people than others.

THE POLICE HAVE OTHER RESPONSIBILITIES

Besides their important crime-related duties, local police departments have a multitude of other responsibilities. Because the police are a twenty-four-hour-a-day resource that is just a phone call away (via 911), citizens call on the police for all sorts of troubles. The local police department is often the social agency of first resort for people in need of assistance. Officers regularly deal with family members and neighbors who do not get along; they deal with homelessness issues and people with mental illness and substance abuse problems. None of these issues necessarily relate to criminal behaviors, but all require police resources.
THE POLICE USE DISCRETION IN DEALING WITH PEOPLE

Police officers often must use discretion, or their own judgment, in making decisions about how to handle situations. This discretion can affect people’s lives in dramatic ways. Whether the situation involves whether to ticket or just warn a speeding motorist, what to do about a barking dog, how to resolve a dispute between neighbors, or whether or not to use force on a resisting suspect, the use of discretion is a critical part of the job and can raise all sorts of issues. For instance, the decision made could be an improper one. Since officers make a lot of decisions during the course of a work shift, there is the potential for many mistakes. It is very important to understand that with a critical decision comes the possibility of a critical mistake.

Another issue is that often discretion involves officers making moral or ethical judgments about who is right, who is wrong; who is the victim, who is the offender. Sometimes these distinctions are easy to make, sometimes they are not. Usually at least one of the parties involved does not like the decision that the officer has made. The reality is that officers seldom leave a situation being appreciated by all the participants. It is no wonder that citizens have strong and divergent feelings about the police, either positive or negative.

THE POLICE HAVE AUTHORITY TO USE FORCE WHEN DEALING WITH CITIZENS

A critical but basic form of force is an arrest. Regardless of the situation, noncompliance on the part of citizens may lead to arrests being made by officers. Further, officers have discretion about critical actions, such as whether or not to use physical force on citizens and what type of force to use. As discussed in more detail later in this book, many scholars argue that police authority to use force is what differentiates the occupation from all others. Workers in no other occupation can use “essentially unrestricted” force against citizens. The use of force, especially deadly force, is often the most controversial discretionary decision made by police officers. Even if the force was legally justified, its use is often controversial. This fact has been repeatedly and dramatically highlighted with recent incidents in which the police have used deadly force against unarmed subjects. From these incidents have come calls for police reforms and especially for the use of body-worn cameras to provide greater transparency, accountability, and control over police actions in deadly force situations (see Technology on the Job feature).

MEASURING GOOD POLICING IS DIFFICULT

Assessing police performance is important so that corrections and improvements can be made. With police work, however, it is extremely difficult to measure good performance. For example, crime prevention is a good goal, but how do you measure crimes that do not occur? It is simply impossible for the police to accurately say that they prevented X number of crimes during the past year. Often comparisons are made to the number of crimes that occurred the previous year, but there is nothing inherently meaningful about a previous year’s numbers. If there were 100 crimes last year but only 90 this year, is that a police success? Is it possible the number of crimes may decline from year to year not because the police are effective but because citizens reported crimes to the police less often? Conversely, the number of crimes may increase because more were reported. Sometimes the number of arrests made by the police is used as an indicator of performance; the reasoning is that making more arrests equals better performance. The problem with this reasoning is that if an arrest was made, it means that a
Video cameras worn by police officers are one of the most recent technologies to be incorporated into police work. A recent Bureau of Justice Statistics survey found that 32% of local police departments equipped at least some officers with body-worn cameras. The presence of cameras on officers is an extension of cameras in interrogation rooms and squad cars. However, body-worn cameras raise a variety of new concerns and issues. Calls for the use of body-worn cameras became the loudest after the shooting of an unarmed African American teen, Michael Brown, in Ferguson, Missouri, in 2014. In December 2014 President Barack Obama issued a proposal for $75 million in federal funding to local and state law enforcement agencies to purchase body-worn cameras. The cameras are intended to make police-citizen interactions more visible and provide greater police transparency and accountability. Recent research that examines the effects of body-worn cameras shows that the cameras lead to a significant reduction in both incidents where police use force and complaints against officers. It is not clear, however, if these reductions are due to changes in citizen behavior or officer behavior. Other perceived benefits have also been reported and include:

- strengthening police accountability by documenting incidents and encounters between officers and the public;
- preventing confrontational situations by improving officer professionalism and the behavior of people being recorded;
- resolving officer-involved incidents and complaints by providing a more accurate record of events;
- improving agency transparency by allowing the public to see video evidence of police activities and encounters;
- identifying and correcting internal agency problems by revealing officers who engage in misconduct and agency-wide problems;
- strengthening officer performance by using footage for officer training and monitoring;
- improving evidence documentation for investigations and prosecutions.

While there are many potential benefits to body-worn cameras, there are also a host of other issues that need to be considered, not the least of which is cost. Most cameras cost between $300 and $500, and this does not include the storage of video from each camera, officer, and shift. In large departments, these costs can quickly add up to millions of dollars. Another significant concern involves privacy. Not surprisingly, some citizens (especially victims) may not wish their interactions with officers to be recorded. If the camera is not always on, the police may be criticized for not having video when critical incidents occur. Compounding the privacy issue is the security of the video (maintenance, custody, and security of video evidence). Another important consideration is if used as evidence, will the video assist in clarifying what happened and why it happened? Video will not show the intent of actions and may not reveal important aspects of the whole situation in which officers acted. Yet another possible issue centers on the prosecution of subjects where there is no video. Will prosecutors be at a disadvantage in establishing proof should there not be video as evidence? While police body-worn cameras are not likely to be a panacea to the problems that sometimes arise in police-citizen encounters, their potential to strengthen police accountability is a strong argument in favor of their use.
Crime was not prevented. Additionally, an arrest may not be the best or most effective way of handling a particular incident. Indeed, identifying the most accurate measurement of good policing has been, and remains, problematic for the police. Nevertheless, it is possible to identify specific examples of good policing practices and good qualities and actions of police officers. Such examples are provided throughout this book in the Good Policing features.

**THE MEDIA DO NOT NECESSARILY ACCURATELY REPRESENT THE POLICE**

Citizens often see the police through the filter of the media, including social media, entertainment media, and the news media. The problem is that the media do not necessarily accurately depict the police and their work. In particular, news media sources tend to be superficial and selective in their coverage. In some respects, they use the police
GOOD POLICING

Higher Standards and Visibility

What is one of the most important things a police officer needs to know in order to do a good job? It is critically important for officers to realize that 100% of the time, on and even off duty, they are in the spotlight; they are being watched by citizens and are held to a high standard of conduct by both those citizens and by police superiors. Of course, when on duty and in uniform, people can easily recognize police officers. People notice police officers. Police officers must realize that they are always subject to public scrutiny, even when taking a break from their duties. An officer must also be aware that when off duty and not in uniform, some people will still know that he or she is a police officer. Any questionable conduct from an off-duty officer is still subject to concern and criticism, and the officer can be disciplined for it. Bottom line: Police officers are held to a high standard of conduct and need to be aware of this at all times.

as entertainment, or, more precisely, “infotainment.” They focus on violent, random, and bizarre crimes and often call into question police abilities in controlling crime, especially when there seems to be a large amount of it occurring. The news media seldom highlight good or heroic police conduct and tend to focus on bad officer behavior, especially instances of supposed police brutality. Entertainment media also offer an unrealistic portrayal of the police, often exaggerating the capabilities and effectiveness of the police through, for example, shows such as CSI: Crime Scene Investigation and Criminal Minds. Social media are also selective in their representation and unfortunately are the sources of much misinformation about the police. As such, the media may distort citizens’ views of the police.

PHOTO 1.6 The media tend to distort the realities of policing. Some people argue that the intent of the media is more to entertain than to educate.
**RESEARCH SPOTLIGHT**

**Media, Police Misconduct, and Attitudes toward the Police**

Steven Cermak and his colleagues conducted a study to assess how citizens’ attitudes toward the police were influenced by news media coverage of a high-profile trial of police misconduct. The incident and subsequent trial occurred in Indianapolis and involved four white off-duty officers who were accused of being intoxicated, assaulting two males (one of whom was African American), and using racist and sexist slurs. This incident was portrayed by the media as part of an ongoing problem in the Indianapolis Police Department; it was one of several incidents in which excessive force had allegedly been used by officers in the last several years. Also contributing to the high-profile nature of this incident was that initial police accounts differed from witness accounts, thus fueling media claims of a cover-up. Perhaps even more significant was that just prior to the incident, the officers involved (and the police chief) had attended a baseball game at which they were guests in the mayor’s suite. During the course of the investigation, the police chief resigned. The outcome of the trial was a hung jury.

The researchers conducted two telephone surveys of citizens: one prior to the trial, the other after the trial. During each survey they asked respondents about their general attitudes toward the police and police services in their neighborhood, whether they thought that the police harassed citizens, and if they thought the officers on trial were guilty. The researchers also asked how familiar the respondents were with the trial based on media stories, about their contacts with the police, what their perceptions of crime and fear of crime in their neighborhoods were, and about their background characteristics, such as race, age, and gender.

Overall, the researchers found that citizens expressed positive attitudes toward the police (a mean general attitude score of 9.9 out of 12), but approximately 43% said that the police harassed citizens. There was very little change in citizens’ views before and after the trial. The researchers also found that, in general, attitudes of citizens with more media exposure did not differ from the attitudes of those with less media exposure. However, there were differences by race. According to the researchers, Whites who consume media coverage of the trial seemed to have directed their concerns to the officers involved in the case—the officers are bad apples but their concern did not extend to other officers. Blacks who consumed the case were somewhat more likely to generalize the coverage and think that the officers’ behavior was representative of other officers.

While one view is not necessarily more accurate than the other, it is interesting that media appear to affect perceptions among different people in different ways.

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**Ethics and Morals in Policing**

Discretionary decisions of police officers on the street are influenced by many factors. Ideally, one of them is ethical standards. Similarly, policy and strategy decisions in law enforcement agencies should be based on ethical principles. As a result, ethics are important to consider when studying the police. Issues associated with ethics and morality are discussed in more detail in Chapter 8 and throughout the chapters via the A Question of Ethics features, but the topic is introduced here.

Ethics and morality are closely related and intertwined. Both relate to fundamental questions about what is right and what is wrong, or what is good and what is bad. When a distinction is made, usually morality is concerned more with the individual and his or her internal sense of proper conduct. Ethics relate more toward the behavior of a person.
A person whose behavior is ethical is also moral. The distinction is a fine one and is debated by philosophers.

For the police, ethical conduct is an especially serious concern because the police have extraordinary power, and “with great power comes great responsibility.”23 This axiom has great relevance for today’s officers. The police have extraordinary power and authority. Nowhere is this clearer than in their ability to use discretion, to make arrests, and to use force. Officers can deprive citizens of their liberty and their life. In a fair and just society, the police are obligated to use their power and authority legally, responsibly, and ethically.

Many ethical issues in policing become relevant when considering the means-ends distinction. Ends are the goals to be achieved, such as apprehending criminals. Means are the ways in which those goals can be achieved, how things are done. When it comes to ethical concerns, usually the means are more scrutinized. Means vary from the ethical to the unethical. They are also either legal or illegal. Even if means are legal, they can still be viewed as unethical. Unethical and/or illegal means have been referred to as dirty means.24

**FORMS OF UNETHICAL CONDUCT**

One form of unethical conduct occurs when the police use illegal means in an attempt to accomplish good ends. For example, in an attempt to detect and prevent crime, some officers may stop and frisk citizens without the reasonable suspicion that is legally necessary. To solve a crime, some investigators may not inform suspects of their right to remain silent, which is legally required. This conduct is not legal, nor is it ethical. These actions are clearly problematic in a society that expects its police to be fair and just.

Sometimes ethical concerns arise even when police actions are legal. An example is when the police use deception to identify and apprehend criminals. In particular, when officers go undercover and buy drugs from an unwitting citizen or lie in the interrogation room to get a suspect to confess, there is usually little debate about the goodness of the goal, but sometimes there is concern about the appropriateness of the way by which the goal was achieved. The conduct may be legal but is perhaps not ethical.

Another type of situation that raises ethical concerns is when the law regarding police conduct is silent. For example, until recently there were no laws that explicitly prohibited or allowed the police to create fake social media accounts using the identities of arrestees. In one such case,25 the police wanted to identify associates and co-conspirators of the offender, arguably a reasonable and worthwhile goal. To do so, they used her personal information to create a fake Facebook page. At the time, these actions were neither legal nor illegal, but they were potentially unethical nonetheless.

Finally, some ethical concerns regarding police conduct lie outside of the means-ends distinction because the goals being pursued are not appropriate. These situations relate to police corruption. Legitimate goals of policing are not present in most forms of corruption. When officers accept free meals, solicit sex, or engage in theft or bribery, ethical concerns emerge. To varying degrees, these are ethical problems. As noted earlier, one of the difficulties of policing is defining and measuring good policing. At the very least, one dimension of good policing is ethical policing. It is a worthwhile challenge to figure out how policing can be made more ethical.

**A Question of Ethics**

*What Police Actions Constitute Unethical Police Conduct?*

One of the first steps in understanding and controlling the unethical conduct of police officers is recognizing what it is. Besides the examples already provided, identify five other instances of police conduct that may be criticized as being unethical. Why do you think these actions are unethical? Do your examples relate to the means-ends distinction discussed above? Explain.
Our views toward the police are shaped by our experiences with officers, by other people’s experiences with officers, and by media portrayals.

Research provides a good basis on which to develop an accurate understanding of the police.

The United States is a free society because citizens have freedoms from the government, but this puts the police in a peculiar situation. Officers are expected not to infringe on citizens’ rights and to protect citizens’ rights, but at the same time they are expected to regulate citizens’ conduct.

The Bill of Rights to the U.S. Constitution set forth the freedoms citizens have from the government.

The system of an elected government is supposed to provide for accountability of the police to the citizenry.

There are many controversies and difficulties associated with policing:

- The police are expected to control crime but they do not control many of the factors associated with criminal behavior. In addition, they are reactive, they have to follow the law, and they have limited resources.
- The police pay more attention to some crimes, some people, and some areas than others. This can lead to criticisms about overpolicing and underpolicing.
- The local police department is often the social agency of first resort for people with many different problems. The twenty-four-hour-a-day availability of the police compounds this issue.
- Police very often use discretion, or their own judgment, in making decisions. Police discretion can affect people’s lives in major ways. Often it involves taking action against someone in order to protect someone else. These decisions can be controversial.
- Discretion that relates to use of force is especially controversial.
- Measuring good police performance is problematic.
- The news and entertainment media do not accurately depict the police and their work. This can distort the reality of policing and/or create unrealistic expectations of the police.

In a fair and just society, the police are obligated to use their power and authority responsibly, fairly, and ethically.

Many ethical concerns for the police relate to whether they use unethical (dirty) means to achieve good goals. Some unethical means may be illegal, but this is not always the case.

### IMPORTANT TERMS

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<td>Overpolicing</td>
<td>8</td>
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<tr>
<td>Underpolicing</td>
<td>8</td>
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### QUESTIONS FOR DISCUSSION AND REVIEW

1. Why might personal experience with officers and media depictions of the police not be a good basis on which to draw accurate conclusions about the police?

2. What does it mean to say that a society is free? In general, how does policing a free society differ from policing a not-so-free society?
3. How is it that a system of elected government is supposed to provide accountability of the police to citizens? Does this system actually provide for accountability?

4. How can it be argued that the police have an impossible mandate?

5. What is it about police practice that raises concerns about overpolicing and underpolicing?

6. How can police use of discretion be controversial?

7. Why is good policing difficult to measure?

8. How do the media distort the realities of policing? Why is this distortion important to recognize and understand?

9. How do ethical issues most often arise in police work?

FACT OR FICTION ANSWERS

1. Fiction
2. Fact
3. Fiction
4. Fact
5. Fiction
6. Fact
7. Fiction

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FOR FURTHER EXPLORATION AND APPLICATION, VISIT THE STUDENT STUDY SITE:

- Funerals for Slain Dallas Police Officers Begin
- Videos Make Everyone a Witness to Police Shootings
- William Bratton’s Tenure in New York City
- In a Violent, Angry America, a Plea for Peace
- CNN Accused of Deceptive Edit in Charlotte Shooting
- Citizen Satisfaction with Police Encounters

TAKE A LOOK AT THE INTERACTIVE EBOOK FOR THESE PREMIUM VIDEOS:

- Illinois—Cop Coaches
- Illinois—Obama
- Why Is Policing Difficult in a Democratic Society?