

# [One dogma of police ethics: gratuities and the democratic ethos of policing](https://assignbuster.com/one-dogma-of-police-ethics-gratuities-and-the-democratic-ethos-of-policing/)

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ONE DOGMA OF POLICE ETHICS (Gratuities and the Democratic Ethos) of Introduction The police profession hasdeveloped its own culture over the years. It has its own lingo, practices, ethics and moral principles that its members have to abide by to stay in the force. It is a unique culture characterized by some features, such as the “ blue wall of silence” in which police members protect their own when it comes to sticky situations and the attitude towards gratuities. Some of its practices can be quite controversial like justifying the use of deception to catch some criminals through “ sting operations” and other kinds of practices in which good behaviors and its bad behaviors can get conflated at times which could be at variance with the law. Some members of the police force can get away with it by strong-arming some witnesses and twisting the facts. However one looks at it, the police force is a necessary social good that a civilized society needs. It is financed through the imposition of taxes and therefore exists due to a common purse. It is a vital social service similar to public education and health care that requires civic scrutiny so that a police force remains a professional force all throughout and carries out its given mandate. This paper re-examines the public discourse on the moral hazards of the acceptance of gratuities offered by certain segments of the general public and how it affects all the police force members. In particular, the paper gives a summary of an article written by Mr. Brandon del Pozo who is a member of the New York Police Department (NYPD) entitled as “ One Dogma of Police Ethics: Gratuities and the 'Democratic Ethos' of Policing” which was published in the summer of 2005 by the journal Criminal Justice Ethics. Furthermore, a critique of the same article is given. The acceptance of gratuities can be seen both ways, as one way to enhance community relations between police officers and the civilian populace they are sworn to protect and another way is to see it a roundabout way of giving bribes and pay-offs without running afoul of the law. Discussion The author argues that acceptance of gratuities, although freely offered by citizens, is a dilemma for police force members. In the article, he cites that doing so violates democratic ethos because the police force exists from the taxes imposed on citizens and so everyone should in all cases be afforded the same treatment, based on need and not on the ability to pay a surcharge for such services by giving out gratuities to gain favors from the police, no matter how trifling it is. Acceptance represents a moral hazard of sorts because it requires some reciprocity of some kind. It puts the police member in an awkward position whenever it calls for objective judgment. It can influence his decision-making capability and ultimately his actions with regards to violations. The author further states that police protection should be equally afforded to all citizens, similarly like what the laws of society are intended to be, which is equal protection of everybody. However, police protection is a unique type of social good which incidentally, also has a finite amount to it since police presence cannot be dispensed at all times to everybody because of some limitations, such as in its budget for manpower hiring and equipment. The dilemma in these kind of situations is how to embody the democratic ethos without resorting to socialist methods. A more equitable distribution of police services has to be found, not based on needs or a factor that is somewhat arbitrary that skews police distribution, whether it is preferential or not. The author argued that the use of John Rawls' theory of justice that is based on social contract is more appropriate when trying to solve a dilemma that is as prevalent as that of police gratuities. It helps to re-define the context in which this practice is viewed by most, not intrinsically as evil, but rather, dependent on the context gratuities are given, such as innocently with no strings to it. To critique, this article as written is a bit too wordy for the ideas it tried to convey to a reader. The author is fond of using roundabout ways of saying things, which could have been expressed in simpler ways or shorter sentences. The reader is often stumped on how to interpret some of his assumptions and assertions because the sentences are quite long, sometimes almost the length approximating an entire paragraph. This sentence structure makes reading the article a bit of a chore and it takes a lot of effort to absorb what was being said by the author. There is a real danger of more important ideas being lost on the reader due to this improbable structure. The author makes a good case of saying that acceptance of gratuities freely given and in small trifling amounts do not constitute a wrongful act by itself; it is only the appearance of any impropriety that is a problem. However, police officers are also required or expected to maintain good relations with the local community, and acceptance of gratuities freely given as a sign of its civic friendship is not inherently or intrinsically wrong or immoral. It must be pointed out that all police officers perform their duties under a lot of ambiguities and uncertainties in which officers exercise a lot of discretion and personal decisions during an entire day of tour duty, leading to at times imperfect judgment (del Pozo, 2005, p. 17) because after all, officers are also humans. The environment in which police officers exercise their duties and decision-making capabilities have a lot of gray areas; an example is the use of the appropriate level of force in application of legal violence since they are the only ones tasked to employ it as the law requires to subdue criminals. Conclusion Community policing requires good relationships with the citizens and in this regard, it is absurd to totally ban acceptance of trifling gratuities, as long as these are given with no intention of securing favorable treatment. The view held by Michael Feldberg is too unrealistic or stifling; refusal of gratuities can even be misconstrued as an insult by some people. Furthermore, a theory of John Rawls emphasize that a social contract involves only a satisfactory minimum in terms of police service based on his maximin principle (in which possible gains are maximized while the probable losses are minimized) with regards to the people in a society who have the least in life (ibid. p. 13) whereby author del Pozo termed it as the satisfactory minimum of police protection. As long as this minimum requirement is satisfied, then there will be no arguments on gratuities. The debate on gratuities is engrossing but it does not by itself violate the democratic ethos of the requirements for police services; as Shakespeare said, it is just “ much ado about nothing.” Reference del Pozo, B. (2005, Summer-Fall). “ One Dogma of Police Ethics: Gratuities and the 'Democratic Ethos' of Policing.” Criminal Justice Ethics, 24(2), 25-46.