

Ethics in law enforcement essay

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Law enforcement agencies are specifically designed to implement the dictates of the law and the maintain peace and order in a given area of jurisdiction. Part of these law enforcing agencies include the police officers. Basically, policemen are considered as agents of the law or are lawful agencies entrusted with the legal power to utilize force and similar types of coercion and other legal measures in order to affect public and maintain order in the state. The very concept of the term is closely linked with the police bureaus operating within the boundaries of a state that are in turn authorized by the law to put into effect the inherent police power of that state within the confines of a legally defined or determined territory or area of responsibility.

The etymology of the word police is derived from the Latin word *politia* which essentially corresponds to “civil administration”. The term *politia*, on the other hand, is extracted from the ancient polis or city in Greek language. Historically speaking, the very first police officers which can be translated into the modern conception of policemen can be traced back to 1800 at the time when the Marine Police in London, the Glasgow Police, and the Napoleonic police of Paris were established (Rawlings, 2001).

Established in 1829, the London Metropolitan Police is considered to be the first modern police force which aimed at deterring urban crime and disorder as their primary function in the city. During the 1930s, the conception of policemen as enforcing agents of criminal law came to a height. It was the period when “law enforcement” became an analogous term for police which hid away the fact that it merely constituted a small fraction of the activity of

the police agencies where the predominant roles include the upkeep of order and the general provision of services (Porter, 1991).

Police power Police authorities are given authority by the state to have a monopoly in the utilization of certain legally enforced powers in order for them to function properly and to effectively and efficiently perform their vested tasks. Among the powers that are bestowed upon them by the state are the authorizations to interrogate relevant matters, search and seize necessary documents and other objects on specified individuals or groups, arrest suspects in criminal activity, and to use lethal force if the case requires which depends on several factors. Especially among countries where democracy is the core state function in the system along with the rule of law, the regulation of the discretion of the police officers is the primary concern of the law on criminal procedure. The main reason behind this is to guide their actions properly and according to the limits prescribed by the law, and so that these law enforcers will not resort to an unjust or arbitrary exercise of these powers (Waddington, 2006). Moreover, there are variations set upon the power of the police in holding criminals in a given stretch of time. One famous case in the criminal procedure of the United States is the case of *Miranda v. Arizona* which gave way to the popular use of “Miranda warnings” or what is termed as constitutional warnings.

More specifically, the holding of criminal suspects by the U. S. police is strictly limited to usually 72 hours and that the excess holding of suspects is prohibited. It must be noted that the holding of criminals being referred to are cases prior to arraignment, cases where the police resort to torturing the suspects in order for the former to extract confessions from the latter, cases <https://assignbuster.com/ethics-in-law-enforcement-essay/>

where excessive force is used for an arrest to take place, and cases where the bodies or the very homes of the suspects are searched thoroughly even without a warrant acquired upon an indication of a probable cause. Though the use of deception is permissible in cases of confession or proper police interrogation, coercion is nevertheless prohibited or not permitted. Yet there, too, are assumed exceptions or cases which are exigent in nature such as an articulated necessity to disarm the suspect from objects which pose an imminent threat to life and property or the case where a suspect has already been arrested but is yet searched for objects he might possess.

On the other hand, British policemen are also delimited by the same legal prescriptions and proscriptions although the main difference dwells on the fact that the British police officers possess greater powers than those of the U. S. police officers. Specifically those which are introduced within the “ Police and Criminal Evidence Act of 1984”, the British police officers are legally prescribed to search suspects who were already arrested which extends up to the vehicles they own or home and business premises even without a warrant and may collect whatever object they may qualify as a part of a body of evidences to a given case. In terms of legal position, all policemen in the United Kingdom regardless of their actual ranks are “ constables” which amounts to the fact that even a newly appointed constable already has the similar arrest powers to that of the Commissioner or the Chief Constable. Nevertheless, supplementary powers in authorizing certain fields of police-related operations are given to the higher ranks which include the power to authorize the search of the house of a suspect by a police officer with the rank of Inspector as well as the power to authorize a Superintendent in

placing a suspect beyond 24 hours of detention. In essence, these variations in the power of the police officers not only from within a specified state but in comparison to every other country highlight the fact that there are varying limits in the capabilities of the police as law enforcing units.

Critical police-related issues The critical issue of corruption among the police officers is sometimes dealt upon by the same police organizations which is at the same time usually abetted by a “code of silence” that puts even more into consideration an unquestioned loyalty to another comrade and to the entire force as a whole over the very causes and principles of justice. As with the cases wherein police officers attempt to break this revered code of silence, the officer eventually becomes faced with grave personal threats or even be killed in the end. These cases are usually addressed by the state, as with the United States, through an independent or a partially independent investigating body such as the Federal Justice Department and a specified police department’s own internal affairs department just to name a few. But nevertheless, the service of these organizations is only called for during the most extreme cases of police corruption (Juarez, 2004). Among the list of perceived police abuses include ageism against teenage individuals, racism, homophobia and sexism. Another view which the police officers are constantly being charged with is the accusation of racial profiling as well as the view that police officers are using their legally given force, specifically deadly force, when a certain police agent of a certain race kills a criminal or even a suspect who belongs to another race.

These cases, most especially in the United States, usually bring about accusations of racism and give rise to protests against the police (Williams, <https://assignbuster.com/ethics-in-law-enforcement-essay/>)

2001). A growing concern over these issues for the past years since the 1960s has correspondingly threatened the integrity and legally vested powers of law enforcing bodies inasmuch as it also weighed on legislatures and courts at every government level. Several incidents can be cited in support to this claim such as the Watts Riots in 1965, the recorded beating by Los Angeles Police Officers of Rodney King in 1991 which led to a riot after the acquittal of the police officers. It portrayed the police officers of the U. S. as dangerously wanting in terms of proper conduct and appropriate controls.

The status of police officers Although police officers are granted with the due powers they ought to have in order for them to maintain their basic roles in the state, it remains a resurging issue and a pivotal perception that the social status and the wages or pays of the police officers have a great degree of failure in terms of recruitment and police morale. States in their territorial and constitutional jurisdiction which have little or no resources or the very desire to give the police officers the due wages that they ought to receive can bring about a dearth of recruits or potential police officers. It also brings about a lack of ethical law enforcement and professionalism. Also included are lacking senses of commitment among these law enforcing units of the state and a generalized mistrust of the police among the public (Fyfe, 1994). In essence, these circumstances provide additional load of police brutality and corruption. This is a particular difficulty among nations which are still under the process of both political and social developments as well as with countries that are devoid or at least have very minimal rule of law or traditions in civil service. Furthermore, there are states or cities which have

been observed to direct traffic police officers towards a fixed or a maximum number of tickets they can be able to issue in a day, or that there are quotas with traffic ticket issuance even if the practice is illegal in others, while some other cities admit that there are existing quotas. This can be a major issue with the general population from the masses to those who belong to the upper class as well as an issue within the premises of the police division.

An inevitable consequence to this is that police officers will tend to complain about being transformed by the politicians into tax collectors thus preventing them from doing their real tasks and obligations. Unethical issues in law enforcement The excessive utilization of physical strength or force, verbal attacks, threats and assault by police agents and similar law enforcing bodies is, by convention, agreed to be the corresponding reference of the concept of police brutality. This widespread case has existed in many different countries—especially to the very same countries which prosecute such act. Police use of legal authority and force toward certain groups is perceived to be disproportionate. The molding of a perception among police officers— wherein they perceive the whole population or a specific group of the population as deserving punishment whereas this fraction of the population may view, on the other hand, the police officers as oppressors—is further heightened by racial and religious distinctions as well as political and socioeconomic differences in status. Moreover, there is the standing view that a considerable portion of police brutality are groups with little or no power at all such as the poor, the young, and the minorities. Society uses the services of police officers in general so as to preserve social order.

But by consistently dealing with and being exposed to unlawful elements within the society itself, some law enforcing bodies tend to gradually harness an attitude of authority over the entire population, specifically under conventional and traditional policing-models which are reaction-based in essence (Lawrence, 2000). The conflict is therefore staged between what is lawfully permissible in terms of the advancement of peace and order through the use of law enforcing agents as well as their consequent use of legal means or through legal force, and what is beyond the dictates of the law, such as when police officers tend to go beyond the thin line that separates proper police conduct and police brutality or misconduct of an officer. The issues involve may vary from every other state and with the experiences of each and every individual upon the hands of these police officers, but is nevertheless indicative of the common thread that is shared by these instances—that of the appalling truth that police agencies are vested by the law with certain powers which they can manipulate in several cases or if need arises, or even if there is no need for the use of force at all (Miller, 1995). There is hardly any demarcating line which will finely differentiate the cases wherein force can be applied or should be applied upon varying instances. Ethical considerations have to be looked upon for the reason that the citizens of the state have rights duly provided by the law and are to be protected by these law enforcing bodies and not to be maligned through an arbitrary use of force. Nevertheless, the reported cases of police misconduct and brutality—which ranges from subtle up to the harshest—indicative the great possibility of the abuse of this legal force among the police ranks thereby resulting to ethical issues revolving around the law and the enforcement of the law.