

Course Objectives/Course Outline

Spokane Community College

Course Title: Police Ethics

Prefix and Course Number: CJ 128

Course Learning Outcomes:

By the end of the course, a student should be able to:

- Define and contrast Morality and Ethics
- Identify and discuss the main theories of the major ethical systems: Virtue Ethics, Natural law, Religion, Ethical Formalism, Utilitarianism, the Ethics of Care, Egoism, Relativism, Absolutism, and Universalism
- Define justice, discuss its various concepts, and discuss how justice relates to law and law enforcement
- Discuss influences which affect law enforcement professionals
- Identify the police role in society, and its dilemmas
- Discuss officer discretion and police corruption
- Discuss the justifications for laws and the ethical foundation of Due Process and other constitutional rights
- Discuss ethical requirements and dilemmas of prosecutors, defense attorneys, and the judiciary
- Identify the ethical factors and discuss how these impact wrongful conviction rates
- Identify and discuss the rationale for corrections: retribution and prevention
- Identify and discuss the ethical frameworks used to structure of correctional facilities and programs
- Identify and discuss modern ethical dilemmas in corrections, to include prison programs, management, life without parole and the death penalty

Course Outline:

- I. Ethics and the Criminal Justice System
 - a. Morality, Ethics, and Human Behavior
 - i. Define Morality and Ethics
 - ii. Socrates, Plato, Aristotle and the Stoics: Duties and Values
 - b. Determining Moral Behavior
 - i. Virtue Ethics
 - ii. Natural Law
 - iii. Religion
 - iv. Ethical Formalism
 - v. Utilitarianism
 - vi. The Ethics of Care
 - vii. Egoism
 - viii. Relativism, Absolutism and Universalism
 - c. Justice and Law

- i. Origins of the Concept of Justice
- ii. Distributive Justice
- iii. Corrective Justice
- iv. Race, Ethnicity, and Justice
- v. Immoral Laws

d. Becoming an Ethical Professional

- i. Individual Influences
 - 1. Biological factors
 - 2. Learning theory
 - 3. Kohlberg's Moral Stage Theory
- ii. Workgroup and Organizational Influences
 - 1. Ethical climate and organizational justice
 - 2. Ethics training
 - 3. Leadership
- iii. Societal and Cultural Influences

II. Police

a. The Police Role in Society

- i. Crime Control and Due Process Models
- ii. History of Policing: from public servant to crime fighter
- iii. The future of policing and the "Ferguson Effect"
- iv. Formal Ethics for police officers (Code of Ethics)
- v. The Police Subculture
 - 1. Themes and value systems
 - 2. Police Culture and "Noble Cause"
 - 3. Loyalty and the Blue Curtain of Secrecy

b. Police Discretion and Dilemmas

- i. Discretion and Discrimination
 - 1. Racial Profiling
 - a. Implicit Bias
- ii. Factors in the Use of Force/ Use of Tasers
 - 1. Response to Uses of Force
- iii. Discretion and Criminal Investigations
 - 1. Proactive Investigations
 - 2. Reactive Investigations

c. Police Corruption and Responses

- i. Graft
- ii. Abuse of Authority
 - 1. Professional Courtesy and Ticket Fixing
 - 2. On-duty use of drugs and alcohol
 - 3. Sexual misconduct
- iii. Criminality
- iv. Costs of Corruption
- v. Explanations of Deviance
 - 1. Individual, organizational and societal explanations
- vi. Reducing Police Corruption

III. Law

a. Law and Legal Professionals

i. The Role of Law

1. Justifications for Law

a. Preventing harm

b. Preventing offensive behavior

c. Preventing harm to self (Legal Paternalism)

2. Paradigms of Law: Consensus paradigm, conflict paradigm, and pluralist paradigm

ii. Law and the Legal Professional

1. Indigent defense

2. How poverty affects due process

a. Attorneys

b. Bail

b. Discretion and Dilemmas in the Legal Profession

i. Ethical Issues for Defense Attorneys

1. Responsibility to the Client

2. Conflicts of Interest

3. Zealous Defense

4. Confidentiality

5. Duty Regarding Perjury

ii. Ethical Issues for Prosecutors

1. Use of Discretion

2. Duty to disclose

3. Conflicts of interest

4. Plea bargaining

5. Media relations

6. Expert witnesses

7. Zealous prosecution

iii. Ethical Issues for Judges

1. Conflicts of Interest

2. Use of Discretion

c. Ethical Misconduct in the Courts and Responses

i. Defense Attorney Misconduct

ii. Prosecutorial Misconduct

iii. Judicial Misconduct

d. Factors in Wrongful Conviction

i. Mistaken Eyewitness Testimony

ii. False Confessions

iii. Racial Bias

e. Explanations for Misconduct

i. Prosecutor

ii. Judges

f. Responding to Misconduct

i. Professional and Judicial Sanctions

- ii. Rethinking Prosecutorial Immunity
- iii. Training and Supervision
- iv. Conviction Integrity Units
- v. Mandatory DNA Testing
- vi. Enhanced Due Process Procedures
- g. Judicial Independence and the Constitution

- i. Judicial Activism

IV. Corrections

a. The Ethics of Punishment and Corrections

- i. Rationales for Punishment and Corrections
 - 1. Retribution
 - 2. Prevention
- ii. Ethical Frameworks for Corrections
 - 1. Utilitarianism
 - 2. Ethical Formalism
 - 3. Ethics of Care
- iii. Punishment
 - 1. Capital Punishment
 - 2. Rehabilitation, incapacitation, and retribution
- iv. Formal Ethics for Correctional Professionals
- v. Occupational Subcultures in Corrections
- vi. Treatment Professionals
- vii. Probation and Parole Officer Subcultures

b. Discretion and Dilemmas in Corrections

- i. Relationships with Inmates
- ii. Sexual Relationships and Sexual Abuse in Prison
- iii. Use of Force
- iv. Maintaining Morality in Prison
- v. Jail Staff
- vi. Treatment Staff
- vii. Community Corrections
 - 1. Caseload supervision
 - 2. Parole Officers
 - 3. Halfway Houses