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Understanding the Psychology of Police Misconduct

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Law enforcement is a unique profession, with officers experiencing a host of freedoms not available to the general public, including the application of deadly force, high-speed driving, and seizing personal property. While these liberties may be necessary, they also can create opportunities for wrongdoing, especially if such behavior is likely to go undetected because of poor supervision. The embarrassment caused by misconduct can damage the public trust, undermine officer morale, and expose agencies to unnecessary—and, in many cases, costly—litigation.¹ Consequently, a clear understanding of the psychology underlying unethical behavior is critical to every law enforcement supervisor and manager at every level of an organization, regardless of one's agency or mission.

Law enforcement agencies go to great lengths to recruit, hire, and train only the most qualified applicants—candidates who have already demonstrated a track record of good moral values and ethical conduct. Similarly, most officers support the agency, its values, and its mission, performing their duties ethically while avoiding any misconduct or abuse of authority. Yet despite the best efforts of organizations everywhere, it seems that one does not have to look very far these days to find examples of police misconduct, particularly in the popular press.² Even more disturbing, however, is that many of the officers engaged in immoral or unethical behavior previously demonstrated good service records, absent any of the “evil” typically associated with corruption or abuse.

While it is probably true that at least some of the officers who engage in illicit activities managed somehow to slip through the cracks in the hiring process and simply continued their unethical ways, this account fails to explain how otherwise good officers become involved in misconduct. The purpose of this article is to familiarize law enforcement managers and supervisors with the cognitive rationalizations that can contribute to unethical behavior. The article also offers strategies and suggestions intended to mitigate misconduct, before it actually occurs, by developing a culture of ethics.

Moral Responsibility and Disengagement

Most law enforcement professionals are, at their core, good, ethical, and caring people. Despite the overuse of a popular cliché, many officers do in fact enter law enforcement because they want to make a positive difference in their communities. Officers frequently espouse strong, positive moral values while working diligently—in many cases, at great personal risk—to bring dangerous criminals to justice. Doing so provides officers with a strong sense of personal satisfaction and self-worth. As a result, most officers do not—and in many cases cannot—engage in unethical conduct unless they can somehow justify to themselves the morality of their actions.³

Decades of empirical research have supported the idea that whenever a person's behaviors are inconsistent with their attitudes or beliefs, the individual will experience a state of psychological tension—a phenomenon referred to as cognitive dissonance.⁴ Because this tension is uncomfortable, people will modify any contradictory beliefs or behaviors in ways intended to reduce or eliminate discomfort. Officers can reduce psychological tension by changing one or more of their cognitions—that is, by modifying how they think about their actions and the consequences of those behaviors—or by adjusting their activities, attitudes, or beliefs in ways that are consistent with their values and self-image. Generally speaking, an officer will modify the cognition that is least resistant to change, which, in most cases, tends to be the officer's attitudes, not behaviors.

One of the simplest ways that officers can reduce the psychological discomfort that accompanies misconduct is to cognitively restructure unethical behaviors in ways that make them seem personally and socially acceptable, thereby allowing officers to behave immorally while preserving their self-image as ethically good people. The following is a partial list of common rationalizations that officers can use to neutralize or excuse unethical conduct:⁵

Denial of victim. Officers who rely on this tactic argue that because no victim exists, no real harm has been done. It is probably safe to suggest that officers do not generally regard drug dealers, thieves, and sexual predators as bona fide victims, regardless of the nature of an officer's conduct. An officer, for instance, who takes money from a suspected drug dealer during the service of a search warrant might argue that because the dealer acquired the currency illegally, the dealer was never actually entitled to the proceeds. Rather, the money belongs to whoever possesses it at the time.

Victim of circumstance. Officers who utilize this method convince themselves that they behaved improperly only because they had no other choice. Officers may claim that they were the victims of peer pressure, an unethical supervisor, or an environment where "everyone else is doing it," so what else could they possibly have done? Regardless of the context, these officers excuse their conduct by alleging that they had no alternative but to act unethically.

Denial of injury. Using this form of rationalization, officers persuade themselves that because nobody was actually hurt by their actions, their behavior was not really immoral. This explanation is especially common in cases involving drugs, stolen property, or large amounts of untraceable cash where it can be difficult, if not impossible, to identify an injured party. Officers who use this tactic may further neutralize their deviant conduct by

Table 1: Rationalizing Misconduct

Strategy	Description
Denial of Victim	Alleging that because there is no legitimate victim, there is no misconduct.
Victim of Circumstance	Behaving improperly because the officer had no other choice, either because of peer pressure or unethical supervision.
Denial of Injury	Because nobody was hurt by the officer's action, no misconduct actually occurred.
Advantageous Comparisons	Minimizing or excusing one's own wrongdoing by comparing it to the more

comparing it to the harm being done by the drug dealer from whom the money was stolen.

Advantageous comparisons. Officers who depend on this explanation rely on selective social comparisons to defend their conduct. Officers who falsify a police report to convict a suspected drug dealer, for example, might defend their actions by minimizing their participation or the frequency of their unethical behavior, while at the same time vilifying a coworker as someone who “lies all the time on reports.” In comparison to an officer who routinely falsifies reports, the first officer’s conduct can seem less egregious.

Higher cause. Officers who practice this type of cognitive restructuring argue that sometimes, it may be necessary to break certain rules to serve a higher calling or to achieve a more important goal. An officer who conducts an unlawful search to uncover evidence against a suspected pedophile might reason that the nature of the crime justifies breaking the rules. “The ends justify the means,” officers might assert—suggesting that they did what was necessary, regardless of the legality or morality of their conduct, to put a dangerous criminal behind bars. This form of rationalization can be especially disturbing because it goes beyond merely excusing or justifying deviant behavior to the point of actually glorifying certain forms of wrongdoing in the name of “justice” or “the greater good.”

Blame the victim. An officer who uses this form of justification blames the victim for any misconduct or abuse. If, for instance, officers use unreasonable force on a suspected drug dealer, they can simply argue that the victim brought on this suffering by violating the law. “If the dealer doesn’t want to get beat up, the dealer should obey the law,” the officer might reason. “I’m not using force on law-abiding citizens, only on drug dealers; they give up their rights when they break the rules.” By assigning blame to the victim, the officer not only finds a way to excuse any wrongdoing, but also a way to feel sanctimonious about doing so.

Dehumanization. The amount of guilt or shame officers feel for behaving unethically depends, at least in part, on how they regard the person being abused. To avoid the feelings of self-censorship or guilt that often accompany misconduct, officers can employ euphemistic language to strip victims of their humanity. Using terms like “dirtbag” to describe law violators has the effect of dehumanizing intended targets, generally making it easier for officers to justify, ignore, or minimize the harmful effects of their actions, while at the same time reducing their personal responsibility for behaving in ways that they know are wrong.

Diffusion of responsibility. An officer who uses this excuse relies on the shared participation—and, by extension, the shared guilt—of everyone involved in an incident of misconduct to excuse or reduce any personal culpability. With each additional accomplice, every individual officer is seen as that much less responsible for any wrongdoing that might have occurred. If, for instance, money is stolen from an arrestee, officers might assert that there were many officers at the crime scene who could have done this, so an individual cannot be blamed. Similarly, if ten officers were involved in the service of a search warrant, then each officer is only one-tenth responsible for any misconduct that occurs.

Misconduct’s Slippery Slope

Higher Cause	egregious behavior of others. Breaking the rules because of some higher calling—that is, removing a known felon from the streets.
Blame the Victim	The victim invited any suffering or misconduct by breaking the law in the first place.
Dehumanization	Using euphemistic language to dehumanize people, thereby making them easier to victimize.
Diffusion of Responsibility	Relying on the diffusion of responsibility among the involved parties to excuse misconduct.

It is important to note that most officers do not jump headfirst into large-scale misconduct—instead, they weigh in gradually in a process referred to as incrementalism.⁶ The strength and ease with which officers can rationalize unethical behavior also depends, at least in part, on how they view their conduct, the people harmed by their actions, and the consequences that flow from their actions. An officer's initial slide down the slippery slope of misconduct can begin with nothing more than simple policy violations that, if left unchecked, generate a mild feeling of psychological tension or discomfort. However, by learning to rationalize wrongdoing in ways that make it psychologically and morally acceptable, officers are able to relieve any feelings of distress or discomfort, effectively disengaging their moral compasses.

Officers can employ cognitive rationalizations prospectively (before the corrupt act) to forestall guilt and resistance, or retrospectively (after the misconduct) to erase any regrets. In either case, the more frequently an officer rationalizes deviant behavior, the easier each subsequent instance of misconduct becomes.⁷ This is because the more frequently officers employ rationalizations, the easier it becomes to activate similar thought patterns in the future. With time and repeated experience, rationalizations can eventually become part of the habitual, automatic, effortless ways that officers think about themselves, their duties, and the consequences of their actions, eventually allowing officers to engage in increasingly egregious acts of misconduct with little, if any, of the guilt or shame commonly associated with wrongdoing.

As officers learn to pay less attention to the morality of their actions, the ways they think about misconduct—that is, their attitudes, beliefs, and values—may begin to change as well. Officers can begin defining behaviors that were once seen as unethical or immoral as necessary parts of completing their assigned duties. Even more troubling, however, is that once rationalizations become part of an agency's dominant culture, they can alter the ways officers define misconduct, particularly if wrongdoings are rewarded either informally by an officer's peer group or formally by the organization.

Ethics Education

Law enforcement agencies throughout the United States, as well as abroad, have begun to recognize the importance of ethics training. While such attention represents a significant step in the right direction, ethical instruction is often limited to little more than the discussion and development of proper moral values—an approach commonly referred to as character education.⁸ Proponents of this method suggest that officers who possess the right values—and, by extension, the right character—will always do the right thing, regardless of the circumstances. Although few people would argue with the importance of good moral values and character, ethical decisions are not always simple.

Before officers can act ethically, they must recognize the moral nature of a situation; decide on a specific and, hopefully, ethical course of action; possess the requisite moral motivation to take action; and demonstrate the character necessary to follow through with his decision.⁹ To further complicate matters, even the best of intentions can be thwarted by peer pressure or fear of retaliation. For example, the 2003 National Business Ethics Survey found that approximately 40 percent of those surveyed would not report misconduct if they observed it because of fear of reprisal from management.¹⁰

This cloud does, however, contain a silver lining. Research has demonstrated that ethics education can assist officers in better navigating moral challenges by increasing ethical awareness and moral reasoning—two critical aspects of ethical decision making.¹¹ However, conducting meaningful ethics education requires more than lengthy philosophical lectures on the importance of character. Rather, instructors should focus on facilitating a dialogue that challenges officers on key moral issues and assumptions; tests their reasoning and decision-making skills; and allows them to share their experiences in a safe, supportive environment.¹²

For ethics education to be truly effective, organizations must make moral discussions a regular part of the agency's training program. In the same way that officers routinely train in

defensive tactics, firearms, and law to better prime them for field duties, officers should prepare equally well for any ethical issues they might encounter.¹³ Supervisors can stimulate ethical discussions with a video documentary, news clip, or fictional story. Regardless of the stimulus, however, the more frequently officers discuss ethics, the better able they will be to recognize a moral dilemma, make the appropriate ethical decision, and demonstrate the moral courage necessary to behave honorably.

Next, law enforcement agencies must establish a clear code of ethical conduct, including a set of core values and mission statement. Merely establishing a code of ethical conduct is not enough, however; the department's top management must lead by example. It is important to remember that a code of conduct applies equally to employees at all levels of an organization.¹⁴ As most leaders can confirm from experience, officers can be surprisingly quick to point out any inconsistencies between the organization's stated values and the conduct of senior management. If leaders expect officers to behave ethically, leaders must model the way.

Departments must also work to create systems that reward ethical conduct and punish unethical behavior.¹⁵ Core values and codes of conduct are of little value if they are not supported by wider agency objectives that reward ethical actions. Not only should law enforcement organizations reward officers for behaving ethically, they must also seriously address officers' ethical concerns by thoroughly investigating any allegations, while protecting the confidentiality of those reporting such incidents. And, finally, agencies should strive to create an open environment where ethical issues can be discussed without fear of punishment or reprisal.

In the end, mitigating and, hopefully, eliminating misconduct require regular ethics training, high ethical standards, appropriate reward systems, and a culture in which ethical issues are discussed freely. While the responsibility for creating a culture of ethics rests with leadership, individual officers must do their part to behave ethically, support the moral conduct of others, and challenge misconduct in all its forms. Only by remaining vigilant to the psychology of misconduct can law enforcement professionals focus attention back on the positive aspects of their profession, while enjoying the high levels of public trust necessary to do their jobs. ■

Notes:

¹For a more complete discussion on the impact of police misconduct, see Adam Dunn and Patrick J. Caceres, "Constructing a Better Estimate of Police Misconduct," *Policy Matters Journal* (Spring 2010): 10–16.

²For a more complete description of police misconduct, media coverage, and public attitudes toward law enforcement, see Joel Miller and Robert C. Davis, "Unpacking Public Attitudes to the Police: Contrasting Perceptions of Misconduct with Traditional Measures of Satisfaction," *International Journal of Police Science and Management* 10, no. 1 (2008): 9–22.

³For a more complete report on the frequency of police misconduct, see Mathew R. Durose, Erica L. Smith, and Patrick A. Lanan, *Contacts Between Police and the Public*, 2005, NCJ 215243, Bureau of Justice Statistics, Office of Justice Programs, Special Report (April 2007).
<http://bjs.ojp.usdoj.gov/content/pub/pdf/cpp05.pdf> (accessed November 22, 2010).

⁴For a discussion of research on cognitive dissonance, see Joel Cooper, Robert Mirabile, and Steven J. Scher, "Actions and Attitudes: The Theory of Cognitive Dissonance," in *Persuasion: Psychological Insights and Perspectives*, ed. Timothy C. Brock and Melaine C. Green (Thousand Oaks, California: Sage Publications Inc., 2005), 63–80.

⁵For a more complete list of cognitive rationalizations, see Albert Bandura et al., "Mechanisms of Moral Disengagement in the Exercise of Moral Agency," *Journal of Personality and Social Psychology* 71, no. 2 (1996): 364–374; John F. Veiga, Timothy D. Golden, and Kathleen Dechant, "A Survey of the Executive's Advisory Panel: Why Managers Bend Company Rules," *Academy of Management Executive* 18, no. 2 (May 2004): 84–90; and Celia Moore, "Moral Disengagement in Processes of Organizational Corruption," *Journal of Business Ethics* 80 (June 2008): 129–139.

⁶For a complete discussion of incrementalism, see Ehud Sprinzak, "The Psychopolitical Formation of the Extreme Left in Democracy: The Case of the Weathermen," in *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind*, ed. Walter Reich and Walter Laqueur (Cambridge, England: Cambridge University Press, 1990), 65–85.

⁷For a discussion of implicit decision making, see Daniel Kahneman and Shane Frederick, "Representativeness Revisited: Attribute Substitution in Intuitive Judgment," in *Heuristics and Biases: The Psychology of Intuitive Judgment*, ed. Thomas Gilovich, Dale Griffin, and Daniel Kahneman (New York: Cambridge University Press, 2002), 49–81.

⁸See for example, Michael Josephson, *Becoming an Exemplary Peace Officer: The Guide to Ethical Decision Making* (Los Angeles: Josephson Institute, 2009).

⁹For further discussion on ethical decision making, see Russell Haines, Marc D. Street, and Douglas Haines, "The Influence of Perceived Importance of an Ethical Issue on Moral Judgment, Moral Obligation, and Moral Intent," *Journal of Business Ethics* 81 (2008): 387–399.

¹⁰Ethics Resource Center, *2003 National Business Ethics Survey* (NBES) (May 21, 2003), <http://www.ethics.org/resource/2003-national-business-ethics-survey-nbes> (accessed November 24, 2010).

¹¹See, for example, Cubie L. L. Lau, "A Step Forward: Ethics Education Matters," *Journal of Business Ethics* 92 (2010): 565–584.

¹²For a more complete discussion on facilitation, see Peter Renner, *The Art of Teaching Adults: How to Become an Exceptional Instructor and Facilitator* (Vancouver, Canada: Training Associates, 2005).

¹³For a more complete discussion of ethics training, see Brian Fitch, "Principle-Based Decision Making," *Law and Order* 56 (September 2008): 64–70.

¹⁴See, for example, Simon Webley and Andrea Werner, "Corporate Codes of Ethics: Necessary but Not Sufficient," *Business Ethics: A European Review* 17, no. 4 (October 2008): 405–415.

¹⁵For further discussion on ethics and supervisory influence, see James C. Wimbush and Jon M. Shepard, "Toward an Understanding of Ethical Climate: Its Relationship to Ethical Behavior and Supervisory Influence," *Journal of Business Ethics* 3, no. 8 (1994): 637–647.

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