Corruption and Ethical Concerns in Criminal Justice Organizations

Name

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The criminal justice system is responsible for ensuring that individuals abide by the laws of the land otherwise; receive fair and just punishments for deviation from such laws. However, the justice system is compromised when it fails to adhere to ethical requirements, such as integrity in delivering justice. One of the greatest impediments to criminal justice is corruption, which often compromises the principal mandate of criminal justice organizations that are designed to curb corruption and societal injustices. A single corrupt act in any of the steps of criminal justice severely harms the entire process and might even nullify or erode public trust in such organizations. More so, such ethical issues as corruption create an environment of uncertainty in the criminal justice system, which further deters such aspects as economic and political prosperity of people or a country. More so, disrespect and unequal application of the constitution or laws have been known to contribute to impunity around the world. As a result, ethics form an integral part of justice and determine the extent to which criminal justice organizations meet their mandate. Application of theory in criminal justice is specifically essential in understanding what entails ethical criminal justice. For instance, such theories that state that punishment should be promotional to crimes committed serve as tools for promoting justice. The main ethical concerns in criminal justice are corruption, off-duty life, and profiling, which are also closely linked with professional practices and policies.

**Corruption**

Corruption is among the most prevalent ethical concerns in criminal justice and violates the agency theory that is critical to delivering justice to the public. According to an article by Chokshi (2017), over 2,000 people have been exonerated since 1989 from criminal convictions. In most of these cases, it was unethical or unlawful behavior by the government, law enforcement, or witnesses that individuals ended up behind bars. More so, out of all these cases, about 50 percent involved official misconduct, which shows that there is a failure in emphasizing accountability and integrity in criminal justice organizations. For example, cases of innocent black men, although with a criminal record being arrested for no reason and charged for crimes they did not commit, are common in the US. Officers have even, in some cases, admitted to having lied to ensure that some individuals end behind bars. All of the aspects describe the commonality of corruption in criminal justice.

However, engagement in corruption undermines the agency theory of criminal justice. In the justice system, law enforcement officers, including police officers, judges, and prosecutors, are required by the law to serve the interests of their principal, that is, the public. When agents choose to engage in corrupt acts to advance their interests at the expense of their principals’ interests, an agency problem occurs (Gottschalk, 2018). The occurrence of such a breach of contract between the two parties jeopardizes the trust the principal has in the agent. This scenario explains the common cases of the public losing trust in law enforcement due to corruption in the latter (Zhang & Kim, 2017). However, to ensure that the agent acts in the interests of the principal, that is, to ensure the prevalence of justice all the time, the principal has to design significant schemes and incentives such as oversight, bonding, and monitoring to curb potential abuses of the principal-agent relationship.

More so, according to Peters (2018), as agents, law enforcement is entrusted by the public the responsibility to protect, respect, and fulfill human rights. Access to justice is one such human rights. Any corrupt action that undermines these agency obligations violates the essentials of human rights protection. Additionally, as the state offers, either judges or police officers, it is against their primary mandate to misuse their official power status for their selfish benefits instead of delivering their responsibility to the public. As a result, law enforcement is supposed to facilitate, provide, and promote justice at all costs without favor for some parties or individuals.

**Off-Duty Life**

Another common ethical issue is the aspect of the off-duty life of officers. The public is often in constant scrutiny of the personal lives of law enforcement officers, including prosecutors, judges, and police officers, among others. Law enforcement officers are therefore held to significantly high standards of conduct, and their private lives must show the integrity expected of their positions (Westmarland & Rowe, 2016). They should also maintain a professional image as they rely on public trust in maintaining their power position. While a majority of jobs and associated responsibility end with an individual clocking out, law enforcement officers are faced with numerous ethical expectations that require them to maintain adherence to law and societal rules regardless of whether they are on duty. As a result, they tend to encounter direct conflicts with the public, especially when they show disrespect for the law or their jobs.

The conduct of police officers during off-duty hours significantly affects the public, as explained by the motivational theory of role modeling. As role models, law enforcement officers are often seen as motivating individuals to conduct themselves in novel ways and inspire them to set goals of, say, personal life away from criminal activities (Morgenroth, Ryan, & Peters, 2015). As a result, law enforcement officers are behavior models for the public, and the consistent scrutiny of their behaviors plays a role in determining whether the public engages in criminal activities or adheres to the law. More so, the role modeling theory argues that law enforcement officers could act as representations of the possible in the expectancy-value framework whereby the public views adherence to law and appropriate conduct as possible aspects of life. Overall, the theory of role model can be used to emphasize the importance of the off-duty life of officers, which affects the criminal conduct of civilians.

**Profiling**

Profiling is a significant ethical concern in criminal justice in the US, especially in dealing with populations from diverse ethnic and racial backgrounds. According to Vito, Grossi, and Higgins (2017), police officers in the US have, on several occasions, failed to engage in discretionary behavior during traffic stops, often characterized by inherent bias against people of color. Another study by Fallik (2018) further found that racial profiling influences officer decision-making during traffic stops. With the driver’s race being a focal point in the majority of traffic stops, police officers tend to make poor decisions and judgment over people of color and sometimes women. Such racial profiling is based on the stereotype or common belief that African Americans engage in more crimes than other groups, which makes them the primary target in every interaction with officers. With increased contact, they are more likely to end up behind bars, even for minor crimes (Stewart, Warren, Hughes, & Brunson, 2017). This aspect explains the systematic overrepresentation of male African Americans in prisons.

However, profiling is further intertwined with issues of diversity and inclusiveness, especially in law enforcement. According to data from Governing.com (2015), the minority police population was 64.5 percent, while the minority population was 71.5 compared to 35.4 and 28.5 percent, respectively, for whites in the Los Angeles Police Department. These statistics explain the underrepresentation of minority groups as officers in law enforcement. The trend of underrepresentation of minority police is similar and even higher at the national level with a percentage point difference of 24.5. These statistics further explain the over-representation of minorities behind bars, especially due to the stereotypes that permeate criminal justice systems and law enforcement. According to Hong (2017), increasing the proportion of ethnic and racial minorities in police force translates to a corresponding decrease in racial profiling, for instance, in such cases as traffic stops. As a result, the aspect of racial profiling is significantly tied with diversity and inclusion in criminal justice.

Profiling is a significant ethical concern in criminal justice not only in increasing injustice against people of color but also due to the effects it has on how minorities view themselves. According to the labeling theory, individuals, that is, minorities or people of color, in this case, come to behave and identify in ways that reflect how the society and law enforcement label them. Labeling of people of color as unlawfully deviant leads to poor conduct. According to van Dijk, Kleemans, and Eichelsheim (2018), these stereotypical assumptions about people of color as criminals have similar effects as self-fulfilling prophecies that only amplify deviancy. Based on this view, individuals do not end up as criminals due to their social backgrounds but instead of how authorities, that is, law enforcement, label them. This labeling theory of crime could be useful in criminal justice as it significantly points to the root causes of why some ethnic or racial groups exhibit considerably higher rates of criminal activity than others and therefore offer hints for crime control. Addressing the role of racial profiling in law enforcement contacts might help the criminal justice system address the problem of the systematic overrepresentation of minorities in prisons.

In brief, the three major ethical concerns in criminal justice, including corruption, off-duty life, and profiling, are significantly related to issues of organizational policies and practices as well as diversity and inclusiveness. The aspect of corruption permeates a majority of cases of criminal justice in the country, often due to poor oversight and punishment for perpetrators that shows significant weaknesses in leadership and organizational policies and practices. These failures lead to poor accountability among law enforcement personnel. According to the agency theory, corruption further undermines the agency obligations entrusted by the public in law enforcement officers. Off-duty life, on the other hand, is a major ethical concen, which requires that criminal justice and law enforcement officers behave in ways that maintain the reputation of the urgencies they represent. This aspect is essential in law enforcement as their conduct affects those of whom they interact with based on the role modeling theory. Most importantly, profiling in the criminal justice system, as explained by the labeling theory, is detrimental to how minorities view themselves as well as how they are treated. Profiling undermines the major principles of justice due to the inequalities it creates, which is closely intertwined with issues of diversity and inclusion in criminal justice. All of these aspects describe the major ethical concerns that plague most criminal justice organizations in the US and around the world.

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