

Public health and safety leadership challenges around law enforcement ethics and whistleblowing in the age of the #Black Lives Matter movement

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Abstract: Police ethics and misconduct have been in the public spotlight at very significant levels in the U.S. creating tremendous public administration challenge for many city, state, and county governments. For those in law enforcement and corrections, public trust is an important part of being able to do the job effectively. When the public believes that those who enforce the law are intentionally biased, discriminatory, narcissistic, or unprincipled, the result is that cooperation between law enforcement and the public begins to erode. This issue becomes even more complex when police officers fail to report co-workers that engage in unethical behavior and police misconduct. This paper explores complex managerial, social, and public policy nuances of law enforcement ethics, moral reasoning, and whistleblowing in the age of the “Black Lives Matter” movement in The United States.

Keywords: Black lives matter, public health, police misconduct, ethical leadership, moral judgment, organizational ethics.

Background

Police ethics and misconduct have been in the public spotlight at very significant levels in the U.S. creating tremendous public administration and organizational leadership challenges for many city, state, and county governments. Many community activists have considered it a public health and safety emergency (Cobb, 2016). To ensure that the police are held accountable, body cameras have been placed on the officer to deliver an accurate record of officer engagements for complete situational awareness and tamper-proof digital evidence (Ripley, 2017). In a Baltimore case, a grand jury indicted a Baltimore police officer on charges of misconduct and fabricating evidence in connection with a body camera video produced by the public defender’s office that showed him planting drugs (Fenton, 2018). Under the department’s body camera policy, officers are supposed to start recording “at the initiation of a call for service or other activity or encounter that is investigative or enforcement-related in nature,” and during any other confrontational encounters (Fenton, 2018). They may stop recording under certain circumstances, such as when civilians request to not be recorded in encounters with officers and during exchanges with confidential informants (Fenton, 2018).

In California, immediately after the fatal shooting of an unarmed black man 20 times in his grandmother’s backyard, Sacramento Police officers told each other to mute recording microphones on their body cameras (Fenton, 2018). Police reported that they suspected that the man who was shot was holding a gun, but investigators only found a cell phone and no gun (Fenton, 2018). The shooting along with the muting of the body cameras raised concerns about the conduct of the officers and if muting the cameras was ethical misconduct (Fenton, 2018).

A former Caucasian police officer was found guilty of murder on August 28, 2018 because of his participation in a shooting where he fired into a car leaving a party and killed an unarmed African American teenager and honor roll student (Moravec, 2018). The encounter has become a catalyst for contentious concerns in the state of Texas and across the U.S. around the abuse of power, excessive force, racism, police misconduct, and unethical behavior on the part of civil servants that are sworn to protect and serve its community citizens

(Moravec, 2018). This guilty verdict is the second officer in the Dallas Texas area to be found guilty of murder this year (Moravec, 2018). The most recent occurrences of police shootings of unarmed African-American men in the U.S. since 2013 has created the movement called "Black Lives Matter" or #blacklivesmatter, which has become a public outcry against police brutality and racial inhumaneness against Black people (Cobb, 2016). The goal of the movement is to create a world where law enforcement is held accountable for the misconduct, unethical behavior, and illegal harm inflicted on Black people in a manner that draws attention to the idea that Black lives should not be considered disposable and that they should be held to a high or equal level of importance as are the lives of others (Cobb, 2016).

Allegations of police misconduct against the New York City Police Department in the U.S. increased last year, which is the first increase in the last 10 years (Moore & Musumeci, 2018). The Civilian Complaint Review Board report outlines 4,487 complaints received in 2017 (Moore & Musumeci, 2018). This is 202 more than the year before with 58 % of allegations identified as an abuse of authority (Moore & Musumeci, 2018).

Recently, the former police chief Raimundo Atesiano, of Biscayne Park, Florida, and two officers were charged with fabricating charges on an African-American teenager to maintain a perfect case solving record (Rabin, Weaver, & Ovalle, 2018). According to reports, police chief Raimundo Atesiano urged officers to dishonestly target African Americans without legitimate provocation and to name them as suspects for unsolved cases (Rabin, Weaver, & Ovalle, 2018). Several police officers were whistleblowers on these offenses. A probe of the police department uncovered that officers were instructed to file counterfeit charges on minorities to improve the police department's crime stats (Rabin, Weaver, & Ovalle, 2018). The investigation also outlined that police leaders openly drank alcohol on duty, misappropriated funds, and that Capt. Lawrence Churchman routinely made public insults of a racist or sexist nature (Rabin, Weaver, & Ovalle, 2018).

Most police officers take the duties of their jobs seriously and honorably (Standfield, 2011). Police officers make decisions daily which not only influence the behavior of their department, but also the conduct and behavior of the people they are sworn to protect (Standfield, 2011). The stresses, pressures, and duties of the job require a unique level of leadership skills for police officers around ethical judgment, ethical sensitivity, and the critical importance of moral and ethical values (Standfield, 2011). Whisenand (2009) and Stanfield (2011) noted that when police officers fail to act ethically and beyond reproach, ethical drifting has the propensity to occur. According to Standfield (2011), ethical drifting is the incremental deviation from ethical behaviors and actions that are often ignored or unnoticed by those engaging in the behavior. Ethical drifting has the inclination to intensify gradually until even major offenses are rationalized as acceptable (Standfield, 2011).

According to the U.S. Department of Justice (2005), as many as 33% of the police force may be unaware of departmental ethical policies and procedures, and that as many as 55% had experienced an ethical conflict (U.S. Department of Justice, 2005). Millage (2005) claimed, "Seventy percent of employees from organizations with a weak ethical culture reported observing at least one type of ethical wrongdoing" (p. 13). As a result, not only is ethics important, but also is having a safe and fair apparatus for whistleblowing about ethical breaches.

The 2014 killing of 17-year-old Laquan McDonald who was shot 16 times by a Chicago police officer outlines the nature of police culture around ethics in law enforcement organizations (Simon & Aslsup, 2018). When McDonald was shot, there were five other cops on site when the shooting occurred (Simon & Aslsup, 2018). None of them shot at Laquan, but none of them disputed the official police report which was fabricated by the shooting officer and supported by police leadership (Simon & Aslsup, 2018). As reported in the initial official police report, Laquan was considered a threat to the officer's safety by advancing towards the officer at the time of the shooting (Simon & Aslsup, 2018). A police car dash-cam video later revealed that the official report was a lie and that Laquan was shot in the back and killed while walking away (Simon & Aslsup, 2018). By all accounts, police cultures can have a blue wall of silence where police create a culture called the "blue brotherhood" in a way that intimidates whistleblowers (Goff, 2016).

Keli Goff (2016) says, "Historically good officers who have tried to hold their brethren accountable have not been met with a lot of positive reinforcement. One of the most notorious examples is the New York Police Department officer Frank Serpico, who revealed corruption involving his fellow officers. For breaking the blue wall of silence, he was left to die by colleagues after being shot in the face. Who knows how many officers out there are afraid of becoming the next Frank Serpico if they speak out? After all, most of us don't have jobs where we have to worry about our co-worker leaving us to die if we upset them. But the reputational damage being done to good cops by bad ones is also putting good officers in danger. Now more than ever, good cops need to have the courage to call out the bad ones and the institutional and cultural support to do so."

Ethics and Emotional Acumen in Decision Making

The impact of ethical drifting and emotional acumen with respect to whistleblowing is an important consideration for organizations that engage in operations involving public health and safety. An individual's emotional, ethical, and moral perceptiveness in each situation correlates with his or her ability to respond appropriately and is expressed in terms of emotional and social intelligence (Goleman, 2005, 2007; Rathbone, 2012). Since the act of whistleblowing involves the ability to understand, analyze, decide, and respond, emotional acumen can be expected to play a major role in determining whether an individual will engage in it (Burke & Cooper, 2013).

Elias (2008) concluded that people usually believe whistleblowing to be essential in cases of misconduct but that they also feel fear, reluctance, and apprehension in the face of possible retaliation. Such findings point to the need for professionals to acquire ethical and emotional intelligence which are the key components of emotional acumen. Dellaportas et al. (2005) described the emotional nature of whistleblowing as complex because whistleblowers are viewed as heroes in public but as traitors within their organizations. Both the positive and negative aspects of whistleblowing deserve critical attention (Bhargava, Madala, & Burrell, 2018).

Numerous experts and researchers in business and organizational development have discussed the various types of acumen that is required for organizations and businesses to be effective (Currence, 2017; Gillin, 2015; Goleman, 2007; Morris, 2014; Saxena & Awasthi, 2010; Thompson, 2015). Emotional acumen is the ability to understand and tackle the circumstances or choices involved in complex situations rapidly and with emotional and social intelligence (Goleman, 2007).

According to Saxena and Awasthi (2010), four factors influence the nature and systems of emotional acumen, and since these four "mind-sets" play a large role in the present study, they will be explored in greater detail here.

1. **Egocentric Mind-set:** Individuals with an egocentric mind-set seek to maximize the benefits in any relationship, being self-centered and lacking consideration for the interests of others. Such a mind-set creates an atmosphere of low trust, while the individual can become extremely self-confident, even violent, and may lack compassion for others' emotions or difficulties.
2. **Flaccid Mind-set:** Individuals with a flaccid mind-set are submissive by nature, always trying to be nice rather than right and going along just to get along, thereby failing to create harmony and synergy. Such individuals lack principles, expectations, and a personal vision, remaining ever prepared to yield their benefits to others and lacking the temerity to articulate their feelings.
3. **Stubborn Mind-set:** Individuals with a stubborn mind-set are very reactive, being unable to see beyond their desire to denigrate others. Such a frame of mind can ruin the atmosphere and relationships within a business, potentially dooming it.
4. **Synergistic Mind-set:** Individuals with a synergistic mind-set take into consideration others and their organizations, striving to create harmony and contentment so that everyone may thrive. Such a mind-set promotes mutual trust, thereby maximizing cooperation (Saxena & Awasthi, 2010).

Whistleblowing flies in the face of the norm that employees should not question their superiors' verdicts and acts, especially in public (Carroll & Buchholtz, 2000). It is, however, employees' ethical duty to speak out that is at stake in cases in which they believe an organization or management to be engaging in some questionable practice. Whistleblowers who feel cut off from their fellow co-workers or superiors regarding unethical activities may seek help outside the organization (Carroll & Buchholtz, 2000). Whistleblowing involves deciding among contradictory family, legal, moral, personal, economic, and career demands and alternatives.

Novotney (2017) outlines that bystanders have great power and great vulnerability. Novotney (2017) describes how group behavior can influence individual behavior in ways that create a dynamic where some often develop a conviction that loyalty to a fellow officer means accepting or joining in whatever he or she is doing, even if the actions are unethical or abusive (Novotney, 2017). Often, law enforcement organizations have cultures where police officers are expected to have unwavering loyalty and support for their fellow officers. Officers that do not fall in line with these expectations are often detested by fellow officers and even superiors (Novotney, 2017).

Whistleblowing within a law enforcement department can be an extremely delicate and emotional subject (Millage, 2005). The willingness to be a whistleblower about an ethical concern to police supervision is often intrinsically dicey for an officer (Millage, 2005). The police subculture outlines that an officer must trust and respect those of higher rank and when this subculture is challenged with whistleblowing, the reporting

officer is often ostracized and branded as a menace with a consequence of communal segregation and marginalization (Millage, 2005).

Developing and having the emotional acumen to come forward as a whistleblower over ethical misconduct has some unique dynamics. According to McMahon and Harvey (2007), having all-encompassing ethical judgment is based on the circumstances, situation, and how both are perceived. McMahon and Harvey (2007) enumerated several facets that impact ethical decision making and the perception of whether actions and behaviors are ethical. They include:

1. The scale of penalties or consequences from the action.
2. The nature and influences of social consequences.
3. The probability of effect.
4. The temporal immediacy.
5. Proximity and concentration of effect.

The scale of penalties or consequences was the perception of the magnitude of an offense and its entire impact. This was the perceived difference between stealing a dollar and a hundred dollars (McMahon & Harvey, 2007). Justifying a minor deceit was easier because of the correspondingly smaller consequences (McMahon & Harvey, 2007). Social consequences often defined how the behavior would affect the social standing of an individual (McMahon & Harvey, 2007). The probability of effect was defined as weighing the possibility that the act would cause harm and therefore, could be a cause of consequences (McMahon & Harvey, 2007). Temporal immediacy was the perception of how much time would elapse between the offense or behavior and any potential penalties (McMahon & Harvey, 2007). Proximity and concentration of effect referred to the affiliation or relationship that the offender felt towards the victim or victims by their misconduct (McMahon & Harvey, 2007). This dynamic becomes more complex when the unethical behavior is witnessed by another and when this individual must decide to tell someone about it or decide to be a whistleblower.

With the growth of technology and new forms of crime, it has become critically important that police organizations understand the importance of embracing ethical cultures, moral reasoning, and ethical decision making. Rest (1979) framed the four-component model for moral reasoning. The steps within this model are:

1. Moral Sensitivity, which helps to identify conflicts, looks at all interested parties, the consequences of the study and any obligations to the subjects.
2. Moral Judgment, which includes forming a fair and honest perspective before action or inaction.
3. Moral Commitment, which includes reflection around the moral implications and consequences around actions and behaviors.
4. Moral Action, which includes ultimately deciding the best ethical and fair action to be taken.

Because law enforcement organizations have the responsibility to protect and serve their community constituents, it is critical to teach ethical decision making at all levels and create avenues for employees to come forward when there are concerns around ethics and gross misconduct. Beemsterboer (2010) outlined a Six-Step Model, which includes:

1. Identify the Ethical Dilemma or Problem: This is the first and most critical step in the process. Once a problem has been recognized, the decision maker must clearly and succinctly state the ethical question, but only after considering all pertinent aspects of the problem. Step two is not necessary if a clear determination of right or wrong has been made.
2. Collect Information: The decision maker must gather information as a basis for an informed decision. This may include facts about the situation as they are developed, which may come from more than one source. This step often takes time, since the information may not be readily available.
3. State the Options: After gathering all the necessary information; the third step involves brainstorming to identify as many alternatives (or options) as possible. There is also a tendency to think that a question has only one answer. This step forces the decision maker to view the situation from all angles to identify what involved parties or stakeholders might consider alternative answers to the problem.
4. Apply Ethical Principles to the Options: The next step is to view the situation with a focus on ethical principles (autonomy, beneficence, non-maleficence, and justice) and ethical values and concepts (paternalism, confidentiality, and informed consent).
5. Come to a Decision Conclusion: When each alternative has been clearly outlined in terms of pros and cons, a reasonable framework has been developed to reference in making a decision.
6. Implement the Decision: The final step involves acting on the decision. Unfortunately, appropriate decisions are sometimes not implemented. Taking no action represents tacit approval of a situation.

It is critical to create organizational cultures where ethics is valued and there is emotional acumen to report misconduct violations when they occur. McDevitt, Giapponi, and Tromley, (2007) developed a model of ethical decision-making grounded on the amalgamation of process and content analysis that is driven by questioning which includes:

1. How severe are the perils if I insist on ethical misconduct?
2. How severe are the risks if I engage in unethical behaviors?
3. Is it realistic to deliberate if the unethical misconduct justified?

On one hand, various ethical decision-making models give freedom to exercise free will which also brings responsibility to acknowledge the foundations on which ethical decision-making rests. Robbins and Judge (2017) outline that ethical decision making relies on three primary structural blocks:

- 1) Greater good for the majority of the people involved with the outcomes of decision
- 2) Alignment of decisions with fundamental liberties, rights, and privileges, as covered by Bill of Rights
- 3) Equity in the spread of justice to everyone with no conditions applied

On the contrary, other authors have also asserted on the disability of these structural blocks in decision making owing to their rigid and inert nature in general sense of application. According to Sen (1999) by employing a case-based approach examines the limited applicability of these structural blocks, their emergence from informational bases, which remain imperative in evaluative approaches tied with realms of public affairs. A hybrid approach can be extracted by an inclusive utilitarian approach, by striking a fine balance of decision making through areas of basic rights and equal justice, which corroborates pillars of ethical decision making to last long (Sen, 1999).

Lussier and Achua (2012) make another case for the interaction of three constituent elements that encourages ethical behavior or resulting in unethical decision making, which are as follows:

- 1) Individual characteristics, with desires and needs, form the trajectory of behavior
- 2) Magnitude and degree of morality in individual acts in tandem with their individualistic personality, desires, and needs
- 3) Incidental or situational aspects and their impact on the individual

Speaking from an organizational context, ethical decision making becomes corrosive when situations of whistleblowing arise, giving the way to innate responsibility of corporations and public systems to build protective ecologies to exercise ethical conduct. Lussier and Achua (2012) offer one of many alternatives in suggesting building conducive systems that promote whistleblowing by keeping disclosure mechanisms in place.

Quintessential to the preservation of ethically conducive social systems supporting whistleblowers is a psychological need to encounter trustworthy environments amid extreme vulnerabilities. Robbins and Judge (2017) investigate the hidden link between trust and vulnerabilities by formulating that trust is observed when vulnerabilities are welcomed without fear of outcomes. Though ambience for whistleblowing is more corrective than preemptive, a democratic responsibility of safeguarding trust by every side in systems of public affairs is much needed. Robbins and Judge (2017) distill research to establish vital qualities which serve as cornerstones for trustworthy environments, which are:

- 1) Determined and sustained commitment to the execution of ethical conduct and decision making
- 2) Inclusive interests and benevolence in correspondence between people
- 3) Skill or adeptness in executing of all-inclusive interests into decisions.

An ethical decision-making model that defines a specific sequence of steps assists in the thorough analysis of all aspects of the situation prior to making decisions (Swisher & Davis, 2005; Greenfield & Jensen, 2010). A variety of decision-making models have been proposed by various authors (Greenfield & Jensen, 2010; Swisher & Davis, 2005). Regardless of the framework selected to guide decision-making, it must be kept in mind that limitations may exist in any model. For example, ethical dilemmas may involve relational or emotional aspects that are not easily factored into decision-making models (Swisher & Davis, 2005). Therefore, it is essential to assure that any hidden values, biases, and implications be uncovered during the reasoning and decision-making process (Greenfield & Jensen, 2010; Swisher & Davis, 2005).

Miceli and Near (1992) have defined whistleblowing as the disclosure by current or former members of an organization of immoral, unethical, illegitimate, or illegal activities related to an organization or its employees. Other researchers have described whistleblowing as an ethical issue of great significance in protecting all stakeholders against activities that may adversely impact economic, environmental, financial, and public safety, whether locally or globally (Courtemanche, 1988; Hoffman & McNulty, 2010; Weiss, 2006).

According to Lee (2005), an individual who reveals important acts of fraud, corruption, abuse, waste, or abuse of power or authority in breach of the country's laws or regulations in either the public or private sector is known as a whistleblower. Stewart (1996) posits whistleblowing is the primary instrument for encouraging individual organizational accountability, however, for Wilde (2013), it is a complex process involving personal and organizational factors. Research into whistleblowing is essential because unethical behavior is a continuing problem in a variety of organizations. Whistleblowing can have serious consequences, both for an organization and for the individual whistleblower who may suffer bullying, termination, marginalization, and insolation in retaliation (Wilde, 2013).

Near and Miceli (1995) proposed an effective model of whistleblowing that focuses on terminating the wrongdoing in terms of the characteristics of the whistleblower, the report recipient, the wrongdoer, the wrongdoing, and the organization. These researchers defined effectiveness in whistleblowing as "the extent to which the questionable or wrongful practice is terminated at least partly because of whistleblowing and within a reasonable time frame" (p. 681). Whistleblowers report wrongdoing to put a stop to it; their intention to act is thus very much informed by their expectation of success (Burke & Cooper, 2013).

Miceli, Near and Dworkin (2008) identified personality characteristics, moral judgment, and demographic characteristics as personal predictors of whistleblowing. Personality or dispositional characteristics are internal factors that cause an event or behavior. Moral judgment refers to the ability to decide whether one's own and others' behavior is right (Burke & Cooper, 2013). Whistleblowers report unethical behavior to appropriate authorities to correct it. Again, in addition to external situational factors, individuals' decision-making processes are strongly influenced by their personality characteristics, moral judgment, and demographic identity (Burke & Cooper, 2013).

According to O'Connor and Baratz (2004), two significant factors determine the likelihood of propensity to be a whistleblower including:

1. **Transparency:** This factor involves the openness and accessibility of information or procedures for assessment and inspection; it can thus be best understood as a passive or a negative characteristic. Transparency is independent of considerations regarding the associated costs and what the various parties stand to benefit from it (Bhargava, Madala, & Burrell, 2018). Thus, for example, open meeting laws create transparency by ensuring that certain proceedings of governmental bodies remain open to interested audiences; various laws and Supreme Court verdicts have mandated that trials remain open to the public; and freedom of information laws instruct the government to make certain records and documents available upon request from members of the public. The transparency of institutions and their operational activities with the public, customers, employees, and stakeholders is a critical part of being a socially responsible organization (O'Connor and Baratz, 2004).
2. **Risk-taking:** A minority of whistleblowers—around 20-30%—suffer retaliation from management or co-workers (O'Connor and Baratz, 2004). Simple fairness and justice and the goal of encouraging a reporting environment dictates that maintaining an honest and open atmosphere in which people are treated justly and are respected is in the interest of all parties (O'Connor and Baratz, 2004). There are objective and subjective aspects of employees' perceptions of exposing wrongdoing. For instance, similar individuals may arrive at very different conclusions regarding how they have been treated depending on the circumstances and their emotional perception thereof (Bhargava, Madala, & Burrell, 2018). Individuals' perceptions, then, have direct implications for the emotional complexity of their decision whether to report an issue or not (O'Connor and Baratz, 2004).

Khan (2009) defined whistleblowers as those who not only see right and wrong but also can explore, navigate, and manage their emotional perceptions of the consequences and implications of voicing ethical, legal, or moral concerns. According to Brewer (2005), people who expose the ethical and legal lapses of individuals and organizations to their superiors, government officials, or the media may face serious risks. Thus, whistleblowers need to be clear-minded and to reflect emotionally on the possible repercussions of reporting wrongdoing (Brown, 2001). The impact of emotional acumen on whistleblowing has not, however, been examined; the aim of this study is to help fill this gap in the literature around law enforcement.

Robbins and Judge (2016) noted that infusing ethics into decision-making can be difficult. Supervisors and senior leadership should assimilate ethical decision making within an organization by developing a code of conduct and ethics and following it fairly and consistently; establishing a safe and protected process for reporting violations; removing barriers and fears of identifying misconduct issues; monitoring ethical performance; rewarding ethical conduct; and broadcast efforts (Standfield, 2011; Robbins and Judge, 2016).

Emotional considerations around ethics

According to Jagger (1997), emotional acumen may assist employees in making observations that confront the status quo by providing the first indication that something is wrong. The process of whistleblowing involves an individual's capacity to understand and interpret any given unethical situation and to act by reporting concerns to the authorities (Burke & Cooper, 2013). Comprehension and interpretation of hidden emotions (i.e., emotional acumen), deciding between right and wrong, and then reporting wrongdoing seem to be related actions (Burke & Cooper, 2013). It is for these reasons that the relationship between emotional acumen and the propensity to engage in whistle blowing merits scrutiny.

Fu's (2014) study presents related and important evidence that the honest recognition of emotions, which is one aspect of emotional acumen, is tied closely to perceptions of peers' ethical behaviors. In that study, participants with higher emotional acumen and emotional intelligence were more likely to behave ethically, including, potentially, regarding whistleblowing. Prevalent in the inducement literature, the theories of attribute and objective framing concern "how descriptive valence influences information processing" (Leven et al., 1998, p. 158), dealing essentially with two sides of the same coin, namely "obtaining the positive consequences" and "avoiding the negative consequences" (p. 167). Emotional acumen, then, involves embracing and comprehending the shades and levels of emotions that influence perceptions of deciding if it is prudent to engage purposefully in action or inaction (Bhargava, Madala, & Burrell, 2018).

The results and the literature show that emotional acumen requires a high function level of emotional intelligence (Bhargava, Madala, & Burrell, 2018). Emotional intelligence includes the ability to perceive and understand one's own and others' emotions (Goleman, 2007), so people with high emotional acumen and emotional intelligence are expected to display strong empathy (Goleman, 2007), which is defined as the ability to understand and experience the feelings and emotions of others (Fu, 2014; Burke & Cooper, 2013), and thus could interact with different framings of various consequences with a true understanding of the reasons to act or not act around medical and personal records data theft or in any ethical, fraudulent, or legal situation of concern. The emotional acumen plays a vital role in decision-making when it comes to reporting wrongdoing, fraud, and other unethical behaviors (Bhargava, Madala, & Burrell, 2018).

Methods

Based on the findings from the literature, a qualitative approach to assessing the role of emotional acumen and ethical decision-making was conducted utilizing members from the law enforcement community. According to Stringer (2013), focus groups represent an effective way to collect data and gain insight into an organizational phenomenon in that these participants have an intimate knowledge and understanding of the organization's internal culture, external regulatory conditions, infrastructure, resources, and history. Focus group participants were selected through purposive sampling, resulting in a selection of 12, 6 current and 6 former, African American law enforcement officers each with over 5 years of law enforcement experience and 4 who served as law enforcement supervisors.

To ensure reliability and trustworthiness of the qualitative research process, practices were adopted and applied based on the methodology created by Guba and Lincoln (1994). The methods and approaches performed during the focus group are outlined in:

1. Focus Group Size: Participants were placed in one of three focus groups that were conducted in independent sessions. This approach served to limit groupthink, dominance of conversation, and persuasive rhetoric among participants.
2. Unbiased Moderator: The moderator had no direct affiliation with the mortgage collections division nor had any buy-in with workforce-staffing models.
3. Peer Examination: Along with the moderator, two research assistants served as unbiased contributors of the focus group study. The research assistants had no daily association with the participants.
4. Member Checks: The moderator verified that all the participant's responses were exact and truthful. The moderator confirmed that the information provided by the participants is not devalued or misinterpreted.

The moderator, two researchers, and a peer independently examined the results and coded the data based on trends, themes, and categories. Also, the research team completed a data triangulation to establish the findings.

Findings

The recommendations of the focus groups around police ethics and reform included:

1. Ethical Expectations: There was a consensus that leadership should set clear expectations of what is proper and improper behavior and should have on-going training around those cultural norms and expectations. To elaborate one participant said, "Law enforcement agencies should not look at training

as a check the box exercise. The focus should be on the development of critical thinking skills that help develop better decision making around ethics and ethical problem-solving. This goes beyond handing out policy manuals and memos that outline what actions are expected or not. These tools also include being able to bring internal and external to the organization experts in to engage with training and insight. Workshops, easy to use reference materials, ongoing and readily available consultation from peers or mentors are just some of the many ways law enforcement agencies can make all employees more reflective and emotionally intelligent around ethical decision making.”

2. **Enhanced Performance Evaluations:** Connect ethical behavior to performance evaluation requirements and requirements for raises and promotions. The integration of ethical behavior to performance places accountability on both the officer and law enforcement leadership by requiring the detailing of any allegations of misconduct. These records provide insight to any patterns of behavior for each officer which would then necessitate appropriate actions to be taken by leadership before the point of no return.
3. **Recognition and Awareness:** Publicly reward ethical behavior and punish unethical ones. Create awards that publicly acknowledge and incentivize those that engage in ethical behavior. This will serve to reinforce the expected behavior. A participant stated, “Performance appraisals should have an evaluation measure that is honest looks at how all the officer’s behavior stacks up against the code of ethics in the department. People who act ethically should be visibly rewarded for their behavior. Just as importantly, unethical acts should be punished.”
4. **Mitigate Reporting Risks:** Create safe protected mechanisms for officers to report misconduct and unethical behavior in a manner that protects them from retaliation and reprisal. This also should include a reporting hotline, confidential employee counseling, and assistance around emotions that officers face when they evaluate the positives and negatives of whistle blowing on other officers.
5. **Deliver Educative Criticism:** A participant stated, “it is critical to address minor offenses with timely corrective feedback regarding off-target actions and behaviors. Reinforcement for behavior that is desired and corrective feedback for behavior that is not desired is critical to help create and sustain a culture of ethical behavior and consideration.”
6. **Top-Down Modeling:** Leaders and supervisors should model ethical behavior. A participant said, “If my boss is unethical, it creates the perception that unethical behaviors are okay.”
7. **Cultural Immersion:** Leaders should have conversations around ethics every day. A participant said, “It is critical to keep the conversation around ethical decision making and behavior alive every day. It should be front and center all the time.”
8. **New Beginnings:** Make ethics and ethical behavior a central aspect of the hiring criteria. A participant stated, “Include assessments that evaluate ethics as a key aspect of who they hire.” This information then becomes a part of the official employment record to and may be administered repeatedly over the course of their tenure in the department to identify any ethical drifts that may begin to take place.
9. **A Test of Character:** Make officers take polygraphs on an annual or every two-year basis. A participant said, “The intelligence organizations require polygraphs as a tool to keep employees honest and ethical. Police carry guns and can take someone’s life. Police also testify in courts in cases that can lock people away for the rest of their lives. The job carries a lot of responsibility, which makes it important that the employees act ethically and honestly. If employees knew that their behaviors and actions would come under the scrutiny of a polygraph test, they would be less likely to be dishonest or unethical.”

These 9 recommendations are critical to ensuring the possibility of ethical cultures and cultures where unethical behavior can be safely reported in law enforcement organizations. They create a framework for employees to critically think about their behaviors and reflect on the actions that are out of line with what would be deemed as ethical behavior.

"The figure below represents a flowchart model proposed by D. Burrell and N. Bhargava (2018) which represents the various levels of ethical, moral and legal decision making when emotions are involved.

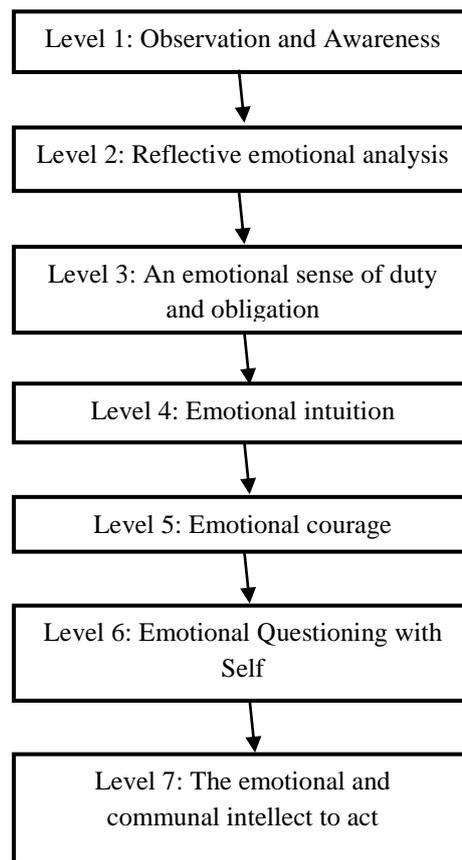


Fig. 1: D. Burrell and N. Bhargava’s Emotional Acumen Model for Ethical, Moral, and Legal Decision Making (2018)

D. Burrell and N. Bhargava’s Emotional Acumen Model for Ethical, Moral, and Legal Decision Making (2018)	
Level 1	Observation and Awareness: At this stage there is a discovery, observation, and a witness of an ethical, moral, or legal issue of concern.
Level 2	Reflective Emotional Analysis: At this stage there is a level of significant disquiet that leads to a deep reflective and critical emotional examination about the issue of concern and how serious it is or has the potential to be. At this stage an individual must try his/her best to gather the facts and be as neutral as possible while describing or analyzing those facts. One should not be inclined towards distorting the facts or information for his/her personal benefits.
Level 3	An Emotional Sense of Duty and Obligation: At this stage there is either an emotional inability to remain a bystander about the issue and not do anything about it or there is personal emotional onus and responsibility to act.
Level 4	Emotional Intuition: This stage is about intuitions or conscience. When our emotions are cultivated by compassion then they at times highlight what our cognizant and coherent mind has overlooked. Our emotions are one mode to check or to see whether one is rationalizing.
Level 5	Emotional Courage: At this stage there is a deep exploration of the range of emotions that could include fear of retaliation and apprehension of the potential backlash but still, there are compelling overriding reasons to take action and do something. Here, a prediction about the future is made which are relevant to the situation(s) at hand. Though an individual can never predict about the future, certain things are more likely than others to occur.
Level 6	Emotional Questioning with Self: At this stage an individual should always ask one’s self before acting the following questions: a) Will I be able to live with myself if I made a particular choice? b) Will I feel better or worse about myself? c) Am I willing to let other people know about the situation or my decision to act? d) Will I feel guilty or ashamed of not taking any action sooner or will I feel proud of my decision to act? Do I want everyone around me to act the way I did?

Level 7	The Emotional and Communal Intellect to Act: At this stage there is an understanding of how to manage the emotional perceptions and emotional consequences that are required to act and navigate the social interactions, politics, and fallout.
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Ethical and the emotional acumen to be a whistleblower ultimately trace back to the individual, the relationships, and the culture within the organization (Bhargava, Madala, & Burrell, 2018). Ethical drifting can be mitigated by leadership communicating a consistent vision of values, judgment, and behavior and applying the same principles to leadership, management, and subordinates (Stanfield, 2011). Leadership must emphasize an adequate and appropriate response through the use of a variety of purposeful interventions, processes, educational programs, and systems as tools to reduce ethical drifting (Stanfield, 2011). Developing a better understanding of professionalism and causes and impacts of unethical misconduct is important to the effectiveness and public perception of an organization (Standfield, 2011).

Understanding the direct causes as to why police officers start to drift from being honest with high morals and integrity to developing an ethical reputation of dishonesty, questionable integrity, and corruption may not be fully understood, so police officers must attempt to proactively correct unacceptable behavior (Standfield, 2011). Understanding ethical theories provides a framework or roadmap for officers to follow as they make decisions and offers a plausible perspective for dealing with ethical questions that arise daily within the law enforcement profession.

Goodman (2007) postulated that stricter supervision and accountability through effective leadership and management was the key to affecting the attitudes and behaviors of employees. To reduce misconduct in the workplace, Goldman (2004) asserted it was not enough to have rules, regulations, and training. Vitally important, was the enforcement of those regulations and having a very clear course of action for all employees who break rules. Critical also, was the implementation of the right set of ethics that would work for the company. Millage (2005) offered, "Organizations need to evaluate what will work most effectively, including a closer look at the role workplace culture plays" (p. 13).

"In 2005, police misconduct in New Orleans had reached an all-time high. In the weeks before and after Hurricane Katrina, several high-profile beatings and unjustified shootings by police led to intense federal scrutiny of the New Orleans Police Department (NOPD), including a 2010 U.S. Department of Justice investigation and a 2013 federal consent decree to overhaul policies and promote greater transparency and more civilian oversight of the police force" (Novotney, 2017).

"In 2017, the NOPD aspires to serve as a model for how to reduce police misconduct. Rather than standing silently by—or joining in on a fellow officer's brutality—New Orleans police are being trained to step in when they see their colleagues about to overreact in heated situations, tell them to take a break and urge them not to do something they will regret" (Novotney, 2017).

Beckner (2004) asserted that the ideal strategy for dealing with situations was to follow an ethical negotiation process: (a) get all the facts and related information; (b) identify the ethical and moral issues in the conflict; (c) identify the ethical and moral principles that are related to the conflict; (d) clarify the criteria that might lead to a solution; (e) create a number of options and develop alternative solutions to the conflict; (f) consider the possible consequences of the different solutions and line up the best options in sequential order; (g) apply the best possible option adhering to the most relevant ethical principles; (h) prepare to justify the decision to all the stakeholders; (i) bear the responsibility, announce the decision, and take action; and (j) reexamine and reflect on the decision, and prepare to make adjustments to improve the outcome in whatever way possible.

Police executives are ultimately held responsible for police corruption; however, police officers must collectively be responsible for ensuring the moral ends of policing are realized (Millage, 2005). Realization can be accomplished by holding both police leadership and officers responsible and accountable for their actions on and off duty. There must also be clear and safe mechanisms for officers that see misconduct to have safe and supportive processes to report wrongdoing without fear of retaliation (Standfield, 2011).

Scholars are urged to explore other aspects of emotional acumen and their impact on the propensity to engage in whistleblowing especially as it relates to creating work cultures that are proficient in ethical conduct at all levels (Bhargava, Madala, & Burrell, 2018). Beyond transparency and risk-taking, such factors as fear of retaliation, personal values, and the locus of control should be considered when measuring propensity to engage in whistleblowing (Bhargava, Madala, & Burrell, 2018). Overall, these frameworks explore the nature of emotional acumen and how it can influence the propensity to engage in whistleblowing and the reporting of unethical, fraudulent, and illegal behavior. Researchers should try to corroborate these study findings by examining the effect of these variables within different industry populations.

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