Handling Conflict of Interest among Police Officers

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**Abstract**

If police officers can handle conflict of interest, the chances are high that they would avoid legal cases against them, and the confidence of the public in the force will increase. It is essential for the public to have confidence in the police forces and criminal justice institutions. Conflict of interests occurs when the private interest of employees influences, interferes, or in a way appears to influence the execution of official duties and responsibilities. Therefore, police officers must be in a position to properly handle cases of conflict of interest that may occur while on duty.

**Introduction**

Conflict of interest may occur where a person's interests are likely to influence or compromise decisions or judgments in the place of work (Steffen, 2008). Various factors may lead to a rising conflict of interest, including social, family, friendships, or social factors. In the law enforcement profession, measures and protocols must be established to help report the conflict of interest. If left unchecked among police officers and other government institutions, justice is likely to be compromised. And for this purpose, the government has established regulations that will help to oversee that conflict of interest is properly managed. In this paper, we shall look into how a conflict of interest may be handled among police officers and the benefits of avoiding conflict of interest.

**Background**

Many conflicts of interest cases have been reported, and the relevant authorities have been tasked with investigating such claims. Conflict of interest exists in the police force and other professions, and as a result, ethics and regulations have been put in place. Generally, conflict of interest may make a person make decisions that favor his or her side because one has the power to influence the outcome. Such activities may be at the expense of other parties who may be influenced directly or indirectly by such decisions.

Currently, the law requires that officers report conflict of interest as soon as they know about it. The purpose of such activities is to ensure that one is not put in a situation that will make them compromise their decisions. For example, in the police profession, an officer may be tasked to investigate a case where at first, he or she does not know the suspects and later finds out that they know the suspects from past interactions. The dilemma may arise on whether they should leave the case to other officers or continue with the case. To the officer, the dilemma comes up on whether to report to the relevant authorities or continue with the case to achieve personal gains. In response to conflict of interest dilemmas, some officers have done what is required by reporting to their superiors, while some have pursued personal gains only to be exposed later.

Recognition of conflict of interest is important, and the available ways to monitor and manage them should be put in place. Conflicts of interest create the risk of misconduct since, in most cases, they may remain hidden and maybe poorly managed. The other issue that may arise from a conflict of interest in the police force is that it undermines public trust and confidence. The confidence that the public would have in the organization would reduce. However, having sound methods to regulate conflict of interest would benefit both the force, government and citizens.

The public and the police will benefit from cases and allegations concerning conflict of interest or inappropriate conduct. Promoting integrity in all police functions will help ensure that police administer their duties and mandate effectively. Where cases of conflict of interest are high, the partiality of the police in administering justice will be questioned. Therefore, proper management of conflict of interest will ensure that independent, fair, legitimate, and justifiable decisions are made.

**Theory Application**

1. **Kant's categorical imperative (either form) theory.**

Kant's categorical imperative ethics are based on the categorical imperative, which suggests that people should always respect humanity with other people (Basara, 2018). A person should only act with the guidance of the rules that govern every person. Rules are meant to establish order and offer direction to people when faced with problems in their day-to-day work in society. According to Kant, the categorical imperatives should always be followed despite the desires and urges people may develop. Kant further states that moral law encompasses the truth of reason and that the same moral laws bind all rational creatures. Therefore, each individual is then expected to adhere to these laws for the good of everyone in society.

Individual passions and desires should be exercised in a manner to ensure that whatever is expected and required of people is done without any troubles. People should be guided by rational acts which comply with the accepted moral laws. Kant's theory also requires that individuals should believe in God, free will, and immortality of the soul. Reflection on moral laws leads to justified belief in the particular laws. Kant's law can be used effectively to help handle conflicts of interest in the police departments and other professions in general. Kant's theory would be suitable to handle this dilemma as it would urge all officers to do the right thing and put other people's needs before their own needs. Once the rules regarding the conflict of interest and the procedures to be followed in reporting them, then officers involved would do what is required of them.

1. **Aristotle's virtue ethics**

Aristotle's virtue ethics can also be referred to as the virtue theory. It emphasizes that a person's character is the key to ethical thinking rather than the existence of rules about various acts (deontology) or their consequences (consequentialism). Aristotle made the proposals that the highest good and end to which human activities are directed is happiness (Kruggel, 2010). Happiness can be obtained by a virtuous life and the gradual development of reason and theoretical wisdom. By developing virtues, people are likely to make the right choices when faced with ethical dilemmas.

When it comes to handling conflict of interests, this theory can be used. Employees, staff, and all other officers should be encouraged to develop virtuous habits which will help them make the right decisions when faced with ethical dilemmas. This is also advantageous in that it requires fewer follow-up efforts. Individuals tend to use reason and personal beliefs to make the right decisions if they have developed virtuous habits. The virtue theory can be used to handle cases of conflict of interest among police officers as it advocates for individual responsibility to do the right thing.

**Professional Code Application**

**Integrity**

According to the Council of Europe (2002), police officers are expected to adhere to the established police values of integrity and professionalism. They are expected to follow such activities on their own without fewer efforts on follow-ups being done. The public usually expects that the police exercise impartiality at all times without having any ulterior motives. In order to properly manage conflict of interests, all police staff should be alert for them to identify potential, actual, or perceived conflicts of interest. When these conflicts of interest are identified, they should be reported and declared to the appropriate channels.

Superior officers tasked with handling such cases should be encouraged to work with employees to help them assess the risks involved and identify appropriate strategies to mitigate the identified risks (Dobel, 2017). Integrity requires that people be as truthful as they can be at all times, with or without permission (Westmarland & Conway, 2020). Following the code of conduct will ensure that people avoid putting themselves in scenarios that would make them impartial to administer justice or their mandate.

Integrity would require that a person does not pursue individual interests at the expense of other parties. Professionalism requires that one conducts him or herself in an honest manner, which they are required to uphold at all times in their work. Professionalism requires officers to conduct themselves ethically and professionally while on duty. Ethics and professionalism require them to perform duties and responsibilities as required and where need be. If events that would compromise them arise, they should follow the stipulated guidelines.

**Persuasive Argument**

In the line of duty, there are some cases where personal interests may arise, which may hinder how individuals execute their responsibilities and duties. Conflicts of interest occur where the individual interests of officers may influence or seem to influence how police officers attend to official duties and responsibilities. Therefore, police officers should commit themselves to resolve conflicts of interest not only for the benefit of their organizations but also the public's interest. There are steps that are recommended that would help deal with conflicts of interest which should be followed at any time (Corcoran, 2014).

Police officers are expected to identify perceived, actual or potential conflicts of interest and take the necessary steps that would help them avoid conflicts of interest. If it is possible, officers should seek advice from them whenever they are faced with situations that they are not sure of what to do. For example, in some instances, an officer may be investigating a case only to realize that a familiar party was involved. Due to the involvement of these parties, the outcome of the investigation may be questionable. As a result, the officers ought to report the new development and hand off the case to the relevant authorities.

Necessary structures may exist in the police force and criminal justice institutions, but it is essential that the steps meant to encourage officers to disclose conflicts are established. Education of officers on the importance of avoiding conflicts of interest needs to be established. The first benefit that would arise to them is that they can easily be vindicated from such claims whenever complaints arise. The other benefit is that the police force, in general, will enjoy good relations with public members as well as other stakeholders in the society. However, if officers tend to put private interests before the public interest, the integrity of the entire force would be compromised. Many legal cases may also be initiated against officers and the entire force. Such activities would be against the reason as to why police institutions exist in the world.

Different theories have been established that talk about ethics and how individuals must behave in different situations. The virtue theory and Kant theory are similar in that they promote and encourage people to adhere to ethics. According to Aristotle, people should develop virtuous habits that would push them towards proper handling of conflicts of interest. Habits can be learned over time by different people in the long run. Happiness can be obtained through the application of proper virtues, which can come in handy in the police career. If a person likes to perform certain tasks, the chances are high that the effectiveness and the urge to help people would be high. This helps the institution, the individual police officer, and the public in general.

On the other hand, Kant's theory requires that one puts humanity before the individual needs of people. In handling conflict of interest issues, people are supposed to put public interests before individual needs. The benefits that are likely to be enjoyed due to using Kant's theory when it comes to proper handling of conflict of interest cases include; impartiality and improved public confidence. Other benefits that are likely to be realized include ease in implementing corruption resistance strategies, dealing with cases of misconduct, and eliminating bias in the given institutions (Boullanger, 2020). Kant's theory is suitable in dealing with perceived or actual cases of conflict of interest. Individuals would automatically know what is required to be done. The theory proposes that a person should be obligated to put other people's needs before individual needs.

Professional codes of ethics may differ from one profession to the other depending on the type of services that are administered. The codes of ethics should be defined in detail to help the different people be aware of what is required of them in different contexts (Boullanger, 2020). Integrity can be a core value that may govern police officers in how they should administer their duties. Sometimes, it may be difficult for other parties to show that conflict of interest actually exists.

In these scenarios, integrity may be applied to help individuals do the right thing as expected in such situations (Dobel, 2017). According to Kant's theory, this may bring happiness to people as they would have done the right thing without being supervised. If staff members are motivated to perform what is required in the organization, the output in the organization can be said to be effective. Employers should find ways to motivate staff in order to achieve the desired outcomes. The motivation of employees who show integrity at work would encourage others to practice integrity so as to receive rewards.

The benefits of handling conflicts of interest bring more benefits as compared to the consequences that may arise. The risks that are associated with conflicts of interest may not always be eliminated with totality (Coleman, 2005). Therefore, there is the need to establish relevant strategies that would help minimize the risks associated with conflicts of interest. In some cases, it may be hard to avoid conflicts of interest, and the existence of such conflicts would not necessarily lead to misconduct to the officers involved in such cases. If the conflict of interest is unlikely to result in misconduct, this would require that action is taken only in cases where an officer fails to identify a conflict of interest when it is obvious or when one fails to avoid conflict of interest; it could be avoided. Other scenarios that would warrant investigations include where an officer takes action that will result in some personal gains; one fails to cooperate with authority, or where they fail to comply with established policies.

Therefore in order to avoid putting themselves in such positions, officers should then adhere to the established protocols. Public interest should always be given priority no matter what the situation that people face. Acting in the public interest would mean that an officer carries out official responsibilities from which the public would benefit. They are supposed to conduct themselves in a fair and unbiased manner, and the decisions that these officers make should not be anchored to personal gains or benefits. The benefits earned may be either directly or indirectly. Other factors that may influence the decisions to be made include personal values, individual opinions, or individual affiliations to different parties or organizations. It is required that officers are fair in their operations and administering their duties. This would encourage various people to seek help whenever they are faced with challenges. When public confidence is high in government organizations, more so organizations criminal justice institutions, people are likely to be contented with the decisions that are made (Persson et al., 2016).

Standard principles and guidelines need to be established to help various institutions to be able to deal with conflict of interest. Codes of ethics also need to be reviewed from time to time to help cover loopholes that may be discovered or have been in existence for a long time. It is, therefore, necessary to encourage officers to be able to identify and report cases of conflict of interest. This can be achieved during their training and recruitment periods. It would help them develop the required ethics and virtuous habits. Less time will be spent following up on cases where members of the public have reported conflict of interest. In so doing, justice would be served to aggrieved parties, and satisfaction will be attained both to the officers and members of the public. To the officers, satisfaction comes in terms of being at peace knowing that a case was handled to the best of one's ability. On the other side, members of the public will be satisfied as they would have received justice, and service to them was done without compromise.

**Conclusion**

Police officers are provided with various ways that they can use to help them handle conflicts of interest. They are required to familiarize themselves with cases of potential, actual, or perceived conflicts of interest, and from there, they should be able to report them to the relevant authorities. There are risks associated with conflict of interest among officers of the law. They tend to compromise partiality, and the general public is likely to lack confidence in the entire force. This, therefore, requires that all stakeholders commit themselves to ensure that cases of conflict of interest are dealt with accordingly.

There are rules and regulations that have been established in various institutions that help avoid conflict of interest. It is required that when an officer assesses that potential conflict of interest is likely to occur, then the officers should excuse themselves from such cases. With the proper guidance from the relevant authorities, they are likely to avoid legal cases that are likely to occur in the future between them and the aggrieved parties. Adhering to the stipulated procedures to handle conflict of interest should be done voluntarily among police officers. This will be for their own benefit as well as public interest.

Kant's categorical imperative theory and Aristotle's theory can be used to help officers in handling conflict of interest cases in the line of duty. Kant's theory requires that individuals should be guided by the commonly accepted principles that people are expected to follow. Police officers are expected to follow the established rules concerning what is expected from them when it comes to conflict of interest. They should take personal initiatives to put their personal desires aside and help other people. Aristotle's virtue theory can also guide an officer in handling conflict of interest. Police officers should be encouraged to develop virtuous habits. These habits will help them avoid compromising themselves when it comes to conflict of interest. In conclusion, proper handling of conflict of interest will help increase the public's confidence in police efforts towards criminal justice.

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