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Decision Making by Law Enforcement Supervisors Regarding Professional Courtesy and Discretion

Jennifer Marie Hollifield
Walden University

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Walden University

College of Social and Behavioral Sciences

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Jennifer M. Hollifield

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Walden University
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Abstract

Decision Making by Law Enforcement Supervisors Regarding Professional Courtesy and
Discretion

by

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MS, Walden University, 2019

MS, South University, 2012

BS, Liberty University, 2009

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Criminal Justice

Walden University

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Abstract

Recent studies suggest a negative shift in the way the public views U.S. law enforcement officers (LEOs), including an increased lack of trust. Mistrust may be attributed to misuse of power, abuse of discretion, or the extension of professional courtesy by LEOs. While discretion, and the misuse of discretion has been studied by many scholars, decision making process related to professional courtesy has not been studied as a contributing factor. The problem addressed in this study is the negative environment of mistrust between law enforcement and the public that can make it difficult for an officer to do their job effectively. The purpose of this qualitative multiple case study was to understand how LEOs, specifically supervisors, decide whether to follow their written policies and procedures when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. Bandura's social learning theory was used as the theoretical framework. Data were collected through in-depth interviews and scenarios with 15 former law enforcement supervisors who worked in the southern region of the United States. Data were analyzed to identify common themes, and four key findings emerged: (a) political interference, (b) religious motivations, (c) lack of training and confidence, and (d) fear of public reprisal. The themes and findings were discovered using open coding, sorting, notes and memos, and analytical techniques such as pattern matching for thematic analysis. The knowledge gained from this research study may expand knowledge in the fields of criminal justice, law enforcement, and ethics to further facilitate positive social change through better training, education, and policy development for law enforcement.

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Dedication

This project is dedicated to all my ethical law enforcement brothers and sisters who are struggling in a world of corruption. This project is also dedicated to all who, like me, refuse to cover up, lie, cheat, or defile our oaths just to get ahead. To us, loyalty, integrity, ethics, and professionalism are words of honor and good character. Lastly, but most importantly, this project is dedicated to all the officers who didn't get to come home. Your sacrifice will forever be remembered.

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I would first like to acknowledge my husband, Josh, for always pushing me and encouraging me to overcome obstacles in life to complete this project and to focus on making the profession I love better. When I was discouraged, he encouraged me. When I was heartbroken, he held me and sometimes cried with me. When I was exhausted, he allowed me to rest my mind and body. When I needed peace, he prayed for me. Words will never express the thanks and love I have for him.

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I also would like to acknowledge those in my field who cared enough to take the time out of their busy days to either complete my interview or track down someone who qualified. To those who were helpful, encouraging, and strong, instead of resentful, thank you; your kind words will always mean the world to me.

I would like to thank my mentors in the field, you know who you are. You took time out of your days to explain, assist, and grow my love for this profession. You taught me everything I know about this profession. Thanks for sharing your knowledge with me and always letting me pick your brain when I needed help on something. Thanks for our

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Chapter 1: Introduction to the Study

Introduction

When law enforcement officers (LEOs) make decisions the public considers unfair, corrupt, or politically motivated, the public's confidence in law enforcement begins to decline (Albrecht, 2017; Mears et al., 2016; Tyler, 2016). Yet, many officers have a hard time dealing with the decision to arrest another police officer, firefighter, or political official (Donner et al., 2016). The misuse of discretion by some LEOs is a noted problem across the United States (Albrecht, 2017; Tyler, 2016). Discretion can be explained as the act of an officer using their judgment to decide without allowing any bias or corruption to cloud that judgment (Albrecht, 2017; Mears et al., 2016; Tyler, 2016). The misuse of discretion includes the act of an LEO whose judgment changes through corruption, racism, or bias and then acting on that bias (Albrecht, 2017; Mears et al., 2016; Tyler, 2016).

Professional courtesy is a term often explained as a part of law enforcement's discretion or the unwritten understanding that those in a certain profession will be offered certain privileges, rights, or duties as a member of a field or profession (Donner et al., 2016). For example, an LEO may be given a warning instead of a citation for speeding in another state as a professional courtesy (Donner et al., 2016). Unfortunately, professional courtesy does not stop with speeding tickets and is often extended to another officer, firefighter, or public official in instances of driving under the influence, domestic violence, or other arrestable offenses (Donner, 2016). The abuse, or misuse, of

professional courtesy is a social problem in the U.S. law enforcement community (Donner et al., 2016; Hickman et al., 2016; Tyler, 2016).

Many officers view discretion and professional courtesy as part of the job or a perk of the job (Donner et al., 2016; Hickman et al., 2016). However, these two issues, especially when combined, could be a career-ending combination (Hickman et al., 2016). LEOs struggle with situations that involve having to use their discretion when the person who committed the arrestable offense is someone they would normally extend professional courtesy to (Donner et al., 2016; Hickman et al., 2016; Tyler, 2016).

Within the last 15 years, there has been a paradigm shift in the public's perception of law enforcement from positive to negative (Albrecht, 2017; Atieno, 2009; Donner et al., 2016; Tyler, 2016). Throughout many major U.S. cities, police confidence in law enforcement, at all levels, is failing (Albrecht, 2017; Donner et al., 2016; Tyler, 2016). Once a profession the public taught their children to respect, law enforcement has now shifted to a profession that receives little respect from the public (Albrecht, 2017; Tyler, 2016). The lack of public confidence has occurred because of unethical discretion, including the misuse of professional courtesy in many difficult situations (Albrecht, 2017; Donner et al., 2016; Hickman et al., 2016; Tyler, 2016).

The purpose of this qualitative multiple case study was to understand how LEOs, specifically supervisors, decide whether to follow their written policy and procedure when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. Identifying themes in the decision-making process of the participants will help to develop better training for LEOs. I used in-depth interviews and

predetermined scenarios to identify certain common themes among former law enforcement evening shift supervising officers who participated in similar experiences that involved extending professional courtesy when the offense merited an arrest. I analyzed the data to identify common themes regarding how former LEO supervisors justified their decision of whether to extend professional courtesy, even when extending the professional courtesy went against their department's policy and procedure manuals.

Background

Previous researchers have studied law enforcement and discretion but have focused on the use of force, different types of bias, and/or the arrest of the public (Brandl, 2012; Chappell & Piquero, 2004; Eldridge, 2011; Fitch, 2011; Kane & White, 2013; Schatmeier, 2013; Solomons, 2010; Waddington; 2009). An officer may have a strong sense of duty to a fellow officer and this sense of duty may cause the officer to act in an unethical way (Garrett, 2015). In addition, professional discretion does not properly function if clouded by favoritism (McElreath, 2009).

In Georgia, officers are required to become certified mandated officers through the police academy, that is overseen by the Georgia Police Officers Standards and Training (GA POST), and Georgia informs officers of a mandatory code of ethics (GA POST, 2020). Hired officers are sworn in by their highest-ranking supervisors to uphold the law, and there are no provisions provided to allow the officer to extend professional courtesy for any reason. Departments provide officers with a policy and procedure manual detailing the requirements of the officer, including required behaviors both on and off duty. Officers are required not only to learn the laws they are enforcing but also

to understand them. Officers must understand what violations require a mandatory arrest. Most law enforcement agencies have policies regarding the limitations of officer discretion (Donner et al., 2016). While officers are issued discretion, they are not advised to extend a warning and must make an arrest in cases like domestic violence situations, possession of narcotic drugs, and driving under the influence of alcohol or drugs. However, some officers have been found to have not followed these policies (Donner et al., 2016; Garrett, 2015; McElreath, 2009; Snyman, 2012).

Researchers have studied officer ability to make ethical decisions from a social constructivist perspective (Snyman, 2012). Snyman (2012) found that new officers often rely on supervisors when faced with a scenario they find ethically difficult. The training and messaging that an officer receives from supervisors can affect officer confidence in the use of their discretion. Researchers have studied LEOs and their use of discretion in use-of-force situations (Brandl, 2012; Schatmeier, 2013; Waddington, 2009); however, none of these researchers provided scholars with the knowledge of how seasoned LEO supervisors decide whether to follow their written policies and procedures when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense.

LEOs who committed some acts of misconduct were found to be more likely to plan to commit additional misconduct in the future (Donner et al., 2016). Professional courtesy can be a type of misconduct, but this depends on the decision-making process behind the professional courtesy. There is a need for future research related to LEOs use

of discretion and professional courtesy and the decision-making process in the context of social learning and/or strain theories (Donner et al., 2016).

Problem Statement

The misuse of both professional courtesy and discretion among U.S. LEOs is creating a paradigm shift in the public perception of officers (Albrecht, 2017; Bradford, 2014; Donner et al., 2016; Hickman et al., 2016). This has led to confidence in law enforcement becoming increasingly narrow due to wrong decisions made by officers (Bradford, 2014; Donner et al., 2016; Ginn, 2000; Snyman, 2012; Young, 2011). Professional courtesy has been found to be a common practice among LEOs (Balko, 2014; Bibbs, 2016; Jones, 2016; Kirkland, 2018; O’Conner, 2012); the loyalty of police officers to other first responders or public officials is also a documented phenomenon (Fitch, 2011; Ginn, 2000; Gleason, 2006; Martin, 2011; McCafferty et al., 1998; Mears et al., 2016; Westmarland, 2005). When encountered with a mix of these two components, a true dilemma is born (Eldridge, 2011; Klockers, 1980 & 2004; Mears, 2016; O’Connor, 2012).

There has been a decline in respect for and overall positive public perception of U.S. law enforcement by the public (Donner et al., 2016; Hickman et al., 2016; Oliver, 2019). This change from positive to negative, over time, is known as a paradigm shift (Albrecht, 2017). This decline in public perception of law enforcement has often been due to some form of misuse of officer discretion (Balko, 2014; Bibbs, 2016; Brandl, 2012; Chappell & Piquero, 2004; Donner et al., 2016; Eldridge, 2011; Fitch, 2011; Garrett, 2015; Jones, 2016; Kane & White, 2013; Kirkland, 2018; McElreath, 2009;

O’Conner, 2012; Schatmeier, 2013; Snyman, 2012; Solomons, 2010; Waddington, 2009). The Ferguson Commission Report (2014) and Mears et al. (2016) studied the interactions between citizens and law enforcement and how the unfair use of discretion has led to a decline in the public perception of law enforcement.

Donner et al. (2016) suggested that future researchers should conduct comprehensive investigations on several theoretical constructs and study the participants regarding their peers, self-control, strain, prior experiences with departmental discipline, and routine work activities. This type of research may lead to a better understanding of police misconduct and may have an impact on policy recommendations. Therefore, the problem addressed through this study was the negative perceptions of LEOs and agencies by the public due to officer misconduct related to the use of professional discretion with other public service professionals such as other police officers, firefighters, and political officials.

Purpose of the Study

The purpose of this qualitative multiple case study was to understand how LEOs, specifically supervisors, decide whether to follow written policies and procedures when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. I used in-depth interviews and topic-specific scenarios that were presented to former law enforcement supervisors. The results of my study may expand the knowledge of the use of professional courtesy and discretion by LEOs and their supervisors. In furthering the knowledge in the disciplines of criminal justice and ethics,

and in the field of law enforcement, scholars may find additional opportunities for research.

Research Question

RQ: How do LEOs make the decision to use their discretion and extend professional courtesy or to follow their agency's policies and procedures and make an arrest when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense?

Theoretical Framework for the Study

The framework for my study was social learning theory (Bandura, 1977). Social learning theory is a theory concerning social learning and is based on the idea that learning is a cognitive process through vicarious reinforcement (Bandura, 1977). When a particular reward is continually granted for certain behavior, the behavior will persist, and if a particular behavior is consistently punished, it will most likely stop (Bandura, 1977). For a behavior to be learned, four requirements must be met: (a) attention, (b) retention, (c) reproduction, and (d) motivation. While external (environmental) factors are important to social learning, even more important are intrinsic factors, that are internal rewards such as pride, satisfaction, and accomplishment (Cook & Artino, 2016).

LEOs may not always be concerned with their agencies' policy and procedure manuals but may rely more on the positive reinforcements or praise they receive from their supervisors, their coworkers, the media, and the public (Donner et al., 2016; Garrett, 2015; Newburn, 2015). Therefore, according to the theory of social learning, officers may

feel pressured to extend professional courtesy when they should be making an arrest (Garrett, 2015).

I used the tenets of social learning theory to shape the interview process and develop scenarios and open-ended questions (Bandura, 1977). I also looked at the answers given in those interviews and applied deontological and consequentialist ethics to them. Deontological ethics are decisions based on the intent of an action, while consequentialist ethics are decisions based on the consequences of an action (Eldridge, 2011).

Nature of the Study

I used a qualitative multiple case study with participants who are former law enforcement supervisors. Qualitative research allows a researcher to gain knowledge of participants' reasonings and motivations behind a decision, that was appropriate for this research in that I was studying discretionary decision making (Yin, 2018). Extensive interviews were conducted with former LEO supervisors involved in these types of situations (Yin, 2018). The data generated by the interviews were compared, contrasted, and categorized based on ethical justification (Yin, 2018). The first ethical argument category was deontological, based on the philosophies of Kant (1787), who stated that one's actions are often the reason and motivation for their decisions. The second ethical justification category was consequentialist ethics proposed by Bentham (1789). Bentham explained that a person decides by weighing the consequences of the actions and whether the effects of those actions are favorable.

Definitions of Terms

Ethics: A branch of philosophy about the study of questions of right and wrong, good or bad (Singer, 1995).

Favoritism: Unfair breaks or special treatment to friends or relatives (O’Conner, 2012).

Misconduct: Wrongdoing violations of departmental policies and procedures (O’Conner, 2012).

Morality: A code of conduct that, given specified conditions, would be put forward by all rational persons (Stanford Encyclopedia of Philosophy, 2011).

Professional courtesy: A form of discretion among most LEOs, professional courtesy is typically used by LEOs to get out of a slight infraction such as speeding (Balko, 2014).

Assumptions

Several assumptions were related to this research project. First, I assumed that participants of this study have been a party to, a witness to, or have been the officer of record when dealing with the decision of extending professional courtesy when an offense committed merits an arrest. Second, I assumed that those who participated worked for an agency with a policy and procedure manual that summarizes, at least in part, when an officer should use discretion and when they should make an arrest. This assumption is based in part on the legal requirements outlined in Georgia state law. The next assumption was that the participants would be open and honest concerning their knowledge of policy and procedures and their experiences, background, training,

attitudes, and perceptions when discussing this topic (Donner et al., 2016). Lastly, another assumption related to my study was that I have constructed an interview schedule and three scenarios approved by a panel of experts (Yin, 2018).

Scope and Delimitations

Former LEOs in the southern region of the United States were the population for this study, and results of the study can only be generalized to similar individuals. The scope of the study was based in this region due to travel limitations and known mandatory arrest policies and procedures for these states and agencies. The generalizability of the results of this study are limited to those who participated in the study, although further generalization of results may occur with others with similar characteristics.

Limitations

The selection of participants provided rich and informative data for my research. In qualitative case studies, the screening and selection of participants may seem biased (Creswell & Poth, 2018; Yin, 2018); however, I limited participants to former law enforcement supervisors who left their departments with no record of misconduct, who have knowledge of professional courtesy and discretion, and who agree to freely participate in the study. Further, because the concept of professional courtesy is not an unethical act within the law enforcement community, the information gathered by each participant could be biased in that the participants may offer a greater insight into the activity or have a greater sensitivity to the issue due to past experiences. I planned to continually examine and reexamine each interview to detect these biases (Creswell &

Poth, 2018; Yin, 2018). I made comparisons between each participant to discover and identify bias within the participation group (Yin, 2018). Next, I used triangulation to aid in the evaluation of the information provided by the participants (Creswell & Poth, 2018; Yin, 2018). Lastly, I was responsible for the collection of data through interviews and questionnaires to the participants (Yin, 2018).

I was also conscious of my potential bias related to my background as the researcher (Atieno, 2009; Creswell & Poth, 2018; Yin, 2018). To make this study as unbiased as possible, I employed specific strategies such as recording my reflections concerning this study at various steps along the research journey. I also allowed for peer review, the review of all data collection instruments, and the data collected were reviewed and approved by my committee to help control bias (Creswell & Poth, 2018; Yin, 2018).

Significance

There is a concern across the law enforcement community regarding the paradigm shift and decline in the confidence of U.S. law enforcement by the public due to the misuse of discretion and overuse of professional courtesy by law enforcement (Fitch, 2011). This concern has created a need to research this topic to further enhance law enforcement training (Elderidge, 2011; Fitch 2011; Fitch 2015; Ginn, 2000). The hope is that my study will provide scholars with information about how LEOs make the decision of whether to use their discretion and extend professional courtesy or follow their agency's policy and procedure and make an arrest when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. My findings

may also inform future law enforcement policy, training, and procedure development. My study may also help a variety of stakeholders have a better understanding of why some police officers choose to arrest their counterparts while others choose to extend professional courtesy, regardless of their agency's policy and procedure protocol. Researchers may be able to understand why police officers decide whether to arrest certain subjects in certain situations. If law enforcement and public policy professionals can understand this aspect of discretion, then policies and training programs can be modified to include these types of situations. I hope the research gained from this study will create and build on the development of better ethical training for LEOs, thus building respect and integrity from their peers and the community. By bringing out these changes throughout the law enforcement community, there could be a decrease in police bias and an increase in positive police perceptions of the law enforcement profession.

Summary

In conclusion, I focused on the discretionary decision-making process in former law enforcement supervisors. I used in-depth interviews and scenarios to compare the answers of each participant. Chapter 2 will include a literature review of this project and the concepts and theories used to conduct this study.

Chapter 2: Literature Review

Introduction

The purpose of this qualitative, multiple case study was to understand how supervisors decide whether to follow their written policies and procedures when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. The misuse of both professional courtesy and discretion among U.S. LEOs has created a paradigm shift in the public perception of officers (Albrecht, 2017; Bradford, 2014; Donner et al., 2016; Hickman et al., 2016). Researchers have identified need for improvement in ethical development for LEOs to address the inconsistent and inappropriate use of professional discretion (Bradford, 2014; Donner et al., 2016; Fitch, 2011; Ishoy, 2016; Kaptein & Piet, 2001). I sought to expand knowledge concerning discretion and professional courtesy by researching how officers use discretion. I aimed to bring social change to law enforcement by providing information about how LEOs arrive at such a challenge decision that may suggest how to improve initial and ongoing training around professional discretion. In this chapter, I explain my literature search strategy, discuss the theoretical framework used for my study, and also provide a review of the literature related to my topic.

Literature Search Strategy

I used the following multidisciplinary databases: Academic Search Complete, ProQuest Central, and ScienceDirect. Individually, I was able to search using Educational Resource Information Center (ERIC), LexisNexis Academic, PsycARTICLES, PsycINFO, Taylor and Francis Online, Sage Premier, and SocINDEX. I used Thoreau as

a tool to search multiple databases. I also located resources concerning writing dissertations through the Walden Library and also through Google Scholar; Walden Library (2019), Google Scholar (2018), and Liberty University Library search engine (2019). I did meet with a Walden University librarian over the phone who aided me in search terms, and I also used the online document delivery service for articles. I obtained information from books, technical and research reports published by government and nongovernmental agencies, archival documents (e.g., unpublished lectures and reports from educational institutions), and work submitted for publication. Information gathered through websites for professional agencies and news articles was also used.

I searched my topic using the last names of the seminal authors in the field of criminal justice as well as related to my theoretical framework. The following key terms, search terms, or combinations thereof were used to locate information (with Boolean identifiers) and to identify relevant articles: *discretion, decision making, misconduct, law enforcement, police, police officers, professional courtesy, blue wall, corruption, ethics, public perception, criminal justice system, police behaviors, police attitudes, police decision making, police discretion, police personality, social learning theory, slippery slope, Thorndike's law of learning, and Thorndike's law of effect and integrity.*

Theoretical Framework

Social learning theory was used as the theoretical framework for this study. Social learning theory explains that people learn certain behaviors through observation of those behaviors and the vicarious reinforcement attached to the behavior (Bandura, 1977). People are motivated more by intrinsic, or internal, rewards such as pride and ego than

they are by external factors such as a policy or procedure manual. There are four requirements that must be satisfied for individuals to learn behaviors: (a) attention, (b) retention, (c) reproduction, and (d) motivation (Bandura, 1977). The person must first be paying attention, then they must have the ability to properly store the information they have learned. Next, the person must be able to reproduce the learned behavior, and lastly, they must be able to achieve the desired motivation for the learned behavior (Bandura, 1977).

Social learning theory has been applied in the past to study and explain police corruption in Mexico (Garduno, 2019). Authors found that officers felt that positive reinforcements toward corruption were good predictors of future corruption (Garduno, 2019). This corresponds with studies conducted by Tyler (2016), McLeod (2016), and Donner et al. (2016), concerning social learning theory, use of force, and/or discretion.

Literature Review Related to Key Variables and/or Concepts

Ethics

Ethics are related to the decision-making process. Deontological ethics explain decisions as being based on the intent of the action (Eldridge, 2011). The idea of deontology ethics focuses on the duty to do the right thing based on obligation or what is right or wrong. Consequentialism ethics are decisions based on the consequences of an action and can be explained as the determination if a decision is right or wrong of an action based on the consequences (Eldridge, 2011; Wheeler & Lanham, 2016). No matter how small the consequences may seem, some choices are forbidden by society (Wellington, 1993). Often, those who use consequentialist ethics justify their actions

based on the idea that the outcome outweighs the initial wrong (Wheeler & Lanham, 2016).

Professional Discretion

The ability for LEOs to exercise their power over the public has little to do with laws and more to do with their ability to use discretion properly, yet appropriate discretion is hard to monitor (Mears et al., 2016). Professional discretion for LEOs is the capacity to choose among several courses of action based on an officer's judgment (Wheeler & Lanham, 2016). Scholars have studied LEOs ability to use discretion (Bradford, 2014; Ishoy, 2016; Jones, 2009; Mears et al., 2016; Young, 2011), including the use of discretion, resulting police action, and the impact of those actions on the public's perception of law enforcement (Mears et al., 2016). Some researchers have concentrated on the need to control the amount of discretion an officer should have (Jones, 2009; Tyler, 2016), whereas others have focused on the misuse of the discretion by the officer (Bradford, 2014; Ishoy, 2016; DeKaptein & Piet, 2001; Mears et al., 2016; Young, 2011).

There is a resulting negative impact to society's perceptions of the misuse of discretion to either society or the criminal justice community (Bradford, 2014; Kaptein & Piet, 2001; Young, 2011). Often the misuse of discretion goes along with misconduct of some kind, and there are sometimes repercussions to the officer for the misuse of discretion when it involves the use of force (Brandl, 2012; Waddington et al., 2008). Bostaph (2008) conducted a study focused on discretion and the bias of the discretion of the officer related to traffic stops. Ishoy (2016) studied discretion and planned behavior in

street-level officers from a psychological standpoint and discussed how perceived limits impact an officer's discretionary decision. Law enforcement and public policy administrators, reformers, and executives have been trying to reform discretion for years; current bureaucratic models of the police organization are not working in today's changing society and further suggest embracing principles of governance related to appropriate ethics (Jones, 2009).

Professional Courtesy

Professional courtesy is considered a form of discretion extended to other officers, family members, other first responders such as firefighters, and elected public officials (Donner et al., 2016; Hickman et al., 2016). The use of professional courtesy is not an outlined practice found in agencies' policy and procedure manuals and is often frowned upon (Donner et al., 2016; Hickman et al., 2016). This practice garners attention due to ethical concerns and other policy violations this practice brings based on the relationship the officer has with the individual engaging in the potentially unlawful behavior (Donner et al., 2016; Tyler, 2016). There is an ethical dilemma created when an officer attempts to misuse discretion and extend professional courtesy to other LEOs or someone in the community with prominent status. (Donner et al., 2016; Hickman, 2016).

Public Perception of Professional Discretion/Professional Courtesy

One of the main things that can impact the ability for law enforcement to work with the public is how the law enforcement community is perceived (Hickman et al., 2004; Hickman et al., 2015; National Research Council, 2004). Officers are held to a higher moral standard by the public than the average citizen as their purpose is to serve

and protect the public (Gleason, 2006). The public depends on the work of the police force to be ethical and within the law (Martin, 2011). Police officers are also tasked with the duty of exhibiting good judgment (Orwell, 2012). If the public finds that the ethics, judgment, and behavior of LEOs does not match the standards the public expects, a difficult relationship can result (Orwell, 2012). When LEOs are not seen as fulfilling public expectations, public confidence and trust decrease (Bradford, 2014; Ginn, 2000). There is a sharp contrast between how law enforcement gauges their actions and how the public views those same actions; what an LEO sees as appropriate in a situation may not been seen the same way by the public (Mears et al., 2016)

LEOs judge fairness by looking at the right and wrong of a situation (Mears et al., 2016). Officers refer to the constitution, policy and procedure manuals, and state and local laws interpreted by judges, attorneys, or other legal actors. The public bases their opinions of LEOs on shared experiences and whether they perceived those interactions as fair (Mears et al., 2016). The public's perception of law enforcement generally does not match the image that officers have (Mears et al., 2016). Such public perception may cause LEOs, at times, to disengage or participate in something called *depolicing* (Shjarback et al., 2014). Depolicing is defined as a systematic withdrawal from law enforcement duties such as, but not limited to, stopping, checking, investigating, frisking, pulling over, interrogating, and arresting (Oliver, 2019; Shjarback et al., 2014).

Police as a Subculture

Researchers have found that the field of law enforcement is its own subculture within wider society (Jones, 2019; Mears et al., 2016). A bond develops between officers

that has been attributed to long working hours and working closely together in dangerous and/or highly stressful situations (McCafferty et al., 1998; Mears et al., 2016; Westmarland, 2005). Some themes that exist within this subculture include authority, solidarity, personal autonomy, and being unpredictable (Hickman et al., 2015).

The role of an LEO and their moral obligation to the community include putting their lives on their line for the safety of others (Caldero & Crank, 2000). LEOs often do not share their fears, objectives, and thoughts regarding their work environment to those outside the police subculture (Ishoy, 2016). LEOs discuss their views regarding thoughts or objections to current laws and even policy and procedure with other officers from their department. An officer should feel as if they fit into their subculture with other LEOs. When an officer feels they do not mesh well with the other officers, they may develop a lack of kinship and feelings of isolation. Officers who feel pushed out or forgotten by their departments are more likely to die by suicide, participate in some form of corruption, or be a whistleblower for those committing unethical acts within their department (Ishoy, 2016). Ishoy (2016) stated moral and ethical officers do not mix well with corrupt officers.

Police Ethics and Integrity

LEOs often base their decisions on whether to report a fellow officer on the perceived seriousness of the infraction and the reporting officer's attitude toward integrity (Hickman et al., 2015; Ivkovic et al., 2018). LEOs often do not report fellow officers unless the infraction is perceived as serious (Klockers, 2004). Studies have been conducted related to the ethics and integrity of the U.S. police force to develop

frameworks for reviewing and maturing agency integrity in the law enforcement community (Hickman et al., 2015; Kaptein & Piet, 2001; Klockers, 2004, 2006). Researchers have found that certain leadership styles impact integrity, explaining that certain styles may encourage integrity violations while others discourage wrongful behavior (Huberts et al., 2007). Often one officer is blamed for issues within a department when it is other officers or those in positions of authority needing discipline (Huberts et al., 2007; Norberg, 2013; Stinson et al., 2013). The age-old analogies of the high road, middle road, and low road are often applied to professional ethics, but this relies on the perceptions and discretion of those applying the standard (Chilton, 1998). Authors have pointed out the need to develop new perspectives and actions toward law enforcement conduct and discipline (Norberg, 2013). There is a strong need for LEOs to have a strong ethical base for discretion to function properly (Jones, 2009).

Loyalty to Other Officers

Officers often have a sense of loyalty to each other, their supervisors, their department, and even fellow officers they have never met. The loyalty of those in the LEO community is often referred to as the *blue wall* (Mears et al., 2016). Many times, however, that loyalty has a price; officers do not know when to report serious infractions by their counterparts and are often taken advantage of by unethical officers (McCafferty et al., 1998; Mears et al., 2016; Westmarland, 2005). In the past, the police code of silence has been called a “most cited and least understood problem” (Vila, 2013, para.1). However, public perception has often cast a bad light on this closeness calling it a thin

blue line of silence and a way for officers to aid their fellow corrupt officers (Mears et al., 2016). While some LEOs often share the belief of serving and protecting the community, other officers have been shown to group together for corrupt reasons (Stinson et al., 2013).

Researchers have investigated the actual crimes committed by LEOs, including if other officers in a unit would report misconduct (Hickman et al., 2015; Klockers, 2004; Long et al., 2013; Westmarland, 2005; White & Kane, 2013). The seriousness of the crime was a factor in whether officers felt the need to report their fellow officer (Hickman et al., 2015; Klockers, 2004; Long et al., 2013). Officers ranked infractions that dealt with stealing goods or money to be much worse than illegal brutality or bending the rules (Westmarland, 2005). To address such a disparity, there needs to be clear communication concerning department policies and procedures (Hickman et al., 2015; Solomons, 2010).

While loyalty to coworkers and the organization worked for should not be looked upon as a bad thing, being so loyal that wrongdoings, scandals, and unethical intercessions occur is an issue and has created a negative paradigm shift in public perception of law enforcement (Christian Science Monitor, 2013). Disciplining an officer for an infraction is often difficult due to the loyalty found within the department and often LEOs are not disciplined for small infractions or violations of policies and procedures when supervising officers do not find the infraction serious (Mears et al., 2016; Vila, 2013).

Police Leadership

Officers who find themselves in questionable situations often look to their supervisor for direction (Mears et al., 2016). Because most law enforcement agencies operate on a chain of command system, when a front-line officer encounters a situation or dilemma, they will contact their immediate supervisor for advice or direct orders on how to proceed (Jones, 2009; Mears et al., 2016). Usually, this supervisor is someone who has been with the department for many years and understands that department's way of doing things. The newer officers look up to the older officers; and again, this relationship has been studied and shown to be more influential to the newer officer than that of the rules outlined in policy and procedure manuals (Jones, 2019; Mears et al., 2016). Often behaviors are learned early through training as an officer, through training for supervisors, or the ongoing training from fellow officers (Chappell & Piquero, 2004; Fitch, 2011; Fitch, 2015; Mears et al., 2015). Discretion may be necessary for an officer to do their job, but how they use that discretion has a major impact on how the public views the officer (Mears et al., 2016). Due to the very nature of police work, however, the officer's use of discretion is very hard to monitor, and the misuse of discretion often goes unreported or disciplined (Mears et al., 2016). The integrity of an entire police organization often depends on the leadership and leadership style within the department (Huberts et al., 2007). Public perception, job satisfaction of LEOs, and the amount of corruption within that department often falls on the type of leadership in the organization (Huberts et al., 2007, Snyman, 2012).

Summary/Conclusion

Researchers, such as Hickman et al. (2004), Ishoy (2016), Klockers (2004), and Mears et al. (2016), have completed scholarly research concerning law enforcement and their use of discretion and reporting fellow officers who commit unethical acts. Hickman et al. (2015) and Klockers (2004) explained that officers often weigh the decision of reporting fellow officers based on the seriousness of the violation committed. Hickman et al. (2015) explained that while reporting the fellow officer is typically based on the seriousness of the crime, the ethical base of the reporting officer, and the amount of loyalty felt within the department. Mears et al. (2016) explained that police perception is the officer's actions as seen and judged by the public. Scholarly researchers find that while discretion is a key component of a LEO's job, there is also no clear way to monitor if the officer is properly using his or her discretion (Mears et al., 2016).

In conclusion of chapter two, I have provided an exhaustive review of the relevant current literature related to key concepts of the phenomenon of extending professional courtesy and the impact on public perception. I have reviewed and synthesized studies on the prevalence and scope of professional courtesy, discretion, ethics, integrity, and police misconduct. Additionally, I have described the use of discretion and the use and misuse of discretion. Mears et al. (2016) and Worden and McLean (2014) both described discretion as being something that it is needful for an officer to do their job, but also something that needs to be properly monitored. I have described the trend of professional courtesy among officers, and I have explored how the public and officers view this trend. I have researched public perception and how the paradigm shift from the positive public

perception of U.S. law enforcement has steadily declined to a negative perception. I have also researched existing studies of police ethics and studies concerning decision making when officers choose to report fellow officers. I have also included, in this literature review a description of the search strategy and an analysis of social learning theory—this study’s theoretical foundation.

Chapter 3: Research Method

Introduction

The purpose of this qualitative, multiple case study was to understand how LEOs, specifically supervisors, decide whether to follow written policies and procedures when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. Additionally, I intended to gain a comprehensive understanding of the experiences, attitudes, beliefs, and ethical values that help to understand the decision-making process. Chapter 3 includes an overview of the study's research design and its rationale. Also, in this chapter, I discuss the role of the researcher, in a qualitative measure, as the primary tool for data collection and analysis (Bachman & Schutt, 2015; Yin, 2018). I discuss my own perceptions and biases as the primary researcher and how they relate to this study. This chapter also includes the study's methodology, including how I planned to locate study participants, the selection of those participants, and interactions between the selected participants and me (Bachman & Schutt, 2015). This chapter includes any data collection tools, such as questionnaires, scenarios, and interview questions. Lastly, in this chapter, I present the plans I intended to use to ensure this study was ethical and trustworthy. I discuss any perceived ethical concerns and how I addressed these concerns.

Research Design and Rationale

The following is the research question that guided this study:

RQ: How do LEOs make the decision of whether to use their discretion and extend professional courtesy or follow their agency's policy and procedure and make an

arrest when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense?

After researching study methods, I decided to use a qualitative multiple case study. A qualitative study is one in that a researcher seeks to understand from the data analyzed (Yin, 2018). In comparison, in a quantitative study, a researcher seeks to test a certain hypothesis for a result (Yin, 2018). Because one of the advantages of qualitative research is being able to analyze human experiences, I felt this was the appropriate method for my study and research question.

After deciding to use a qualitative research method, I began to research possible research designs. This started with a critical review of other research articles with similar topics. I considered using observation; however, this would require permission from various agencies to ride along with officers on their day-to-day job activities. I consulted with numerous sheriffs and police chiefs in my area, and due to the nature of the research, this possibility was turned down. I decided that conducting semi structured interviews would fit my study better. After looking at case studies, I found that to truly gain knowledge to address my research question, I needed to conduct a multiple case study. A multiple case study allows a researcher to explore real-life processes or systems over time through in-depth collection of data such as interviews or observations (Yin, 2018). I decided to conduct a qualitative multiple-case study to address the research question.

After reviewing several other scholars who have completed similar qualitative case-studies (Mears et al., 2016; Yin, 2018), I developed a research design that aligned with the characteristics of an interpretive strategy. In this research design, as in other

similar scholarly studies, I acted as the primary instrument for the collection of data (Yin, 2018). I also acted as the primary instrument for sorting and analyzing the data (Yin, 2018). As the primary research tool, I was responsible for designing all instruments used in the study, developing the scenarios, and then interviewing the participants (Yin, 2018). I also determined the location of the interactions with the participants (Bachman & Schutt, 2015; Yin, 2018).

I conducted a multiple case study. Yin (2018) explained that a multiple case study is used to investigate a contemporary phenomenon in the real-world context. A multiple case study is used to gather in-depth information from multiple participants to draw generalizable conclusions from patterns across contexts (Yin, 2018). Case studies are used when the research questions are how or why questions (Yin, 2018).

I collected data from the interviews and scenario questionnaires along with other significant study-related documents, such as policy and procedure manuals and laws related to the crimes committed in each scenario to synthesize and organize the findings (Bachman & Schutt, 2015). I planned to identify common themes among the data collected (Yin, 2018). I intended to use inductive–deductive logic and analysis to build categories and themes that emerged in the data analysis stage (Yin, 2018).

There are important differences between qualitative and quantitative research. Qualitative researchers use research methods different from those methods used by quantitative researchers (Bachman & Schutt, 2015). In quantitative methods, a researcher will identify a sampling of the participants to represent the entire population (Yin, 2018). However, the goal of my research was not to identify a sampling of the population to

generalize their thoughts, conceptions, and behavior patterns and apply these results to all LEOs, as in Donner et al. (2016); therefore, the participants of my study did not represent an entire population (Bachman & Schutt, 2015; Yin, 2018). While the participants in my study may, to some degree, represent the subculture of LEOs, the results of this study should not generalize to all officers in the United States.

Role of the Researcher

The qualitative researcher must first design the study and then act as the tool to collect and analyze the data (Yin, 2018). The main role of the qualitative researcher is observer-participant. A researcher in the observer-participant role must ask questions that may be considered personal to the participant to gain knowledge about their feelings and decision-making process concerning a certain topic (Sutton & Austin, 2015). The qualitative researcher must first establish their credibility and determination when faced with such a vast project (Bachman & Schutt, 2015). I first established credibility and trustworthiness.

Next, I communicated what this research would contribute to study in the areas of experience, personal perspectives, bias and assumptions, and adaptability. Yin (2018) discusses that a researcher should stay adaptive. The researcher conducting qualitative research can adapt to changing contexts and be able to explore new discussions without losing focus on the project at hand. Yin explained that a researcher should not be intimidated by newly encountered situations; rather, these should be seen as new opportunities. When conducting interviews in a qualitative case study, there are always new dynamics and dimensions to the study that may enhance one research theory while

discounting another (Yin, 2018). My role as the researcher required that I not attempt to change or control the direction of the research; rather, I listened carefully to the information provided by participants and was able to explore new information as received. However, Yin cautioned the researcher to have a clear understanding of the issues being studied. I maintained a focus on the issues being researched in this study while also being adaptive to newly encountered situations.

A researcher must be able to explore their own subjectivity and constantly changing biases, ideas, and perspectives concerning the project to understand how the researcher may influence the outcome of the study (Yin, 2018). This is reflexivity; a researcher must know how their own reflexivity can impact the study when restating and coding interview information. I understood the necessity to correctly state the views and opinions of the participants and not my opinions and views. A case study should not be used to substantiate a researcher's preconceived position (Yin, 2018). A researcher must be able to listen and document, without bias, the data being gathered.

I maintained a professional environment and relationship with each participant. Each participant agreed to answering each question honestly and without bias (Yin, 2018). If a participant expressed an inability to continue or if I viewed the participant as being too uncomfortable or upset by the interview schedule or scenarios, the interview was concluded (Bachman & Schutt, 2015). I began the research in the emic view, as described by Markee (2012) and Punch (1998), as a researcher who would be considered an insider or someone who worked closely with the participants and has experienced the studied phenomenon. I worked as an LEO for many years and, from a distance, witnessed

the occurrence of professional courtesy extended to other officers. Over time, I left the field, and I am now more of an etic researcher, or one who would be considered an outsider, viewing the participants from a distance (Markee, 2012; Punch, 1998).

To avoid bias toward any one specific law enforcement entity, I solicited participants from various law enforcement agencies within the southern region of the United States. I engaged in lengthy, in-depth, one-on-one private interviews to obtain each participant's perceptions concerning professional courtesy, discretion, and violations related to their policy and procedure manuals (Bachman & Schutt, 2015; Yin, 2018). Each participant was treated with respect, no matter what view they had on the topic discussed. I kept an in-depth journal to document my assumptions and knowledge regarding the material to account for how these types of bias may have influenced the study (Bachman & Schutt, 2015; Yin, 2018). Lastly, I relied on the members of my committee to review all data and evaluate the results to determine plausibility (Bachman & Schutt, 2015; Yin, 2018).

Methodology

Participant Selection Logic

Yin (2018) suggested that to conduct a multiple case study, one must select the proper number of participants. After carefully reviewing the literature and similar qualitative multiple case studies in my discipline, I arrived at the decision to begin with five participants. To reach saturation, 15 participants were selected and interviewed (Yin, 2018). All participants were former certified LEOs. These participants were from various law enforcement agencies who had engaged in the ethical dilemma of choosing whether

to violate their policy and procedure manuals and extend professional courtesy to other officers when the offense merited an arrest (Bachman & Schutt, 2015; Yin, 2018).

Population

The population of interest was former sworn LEOs who were assigned to some form of a supervisory role. Due to burdensome travel issues and the possibility for an overwhelming number of participants if open to the United States, I initially restricted participant selections to those living in the southern states of the United States, that have mandatory arrest laws in cases of DUI or domestic violence. Due to the COVID-19 pandemic, I was able to conduct the interviews online using the Zoom platform and was able to open participation to others. All participants were from the southern area of the United States, with one participant currently living in Texas who had served in law enforcement and military police in several states, including Texas, California, and Virginia, as well as Tennessee.

Additionally, the population of interest was former law enforcement supervisors who have experience with the use of professional courtesy, discretion, and mandatory arrest policy and procedures for certain offenses. This enabled me to garner information through an understanding of the experiences, values, circumstances, and influences that guided their decision-making process. I used time-specific parameters that included a 6-week period that I recruited the participants and collected the intended data. Data were collected by using in-depth interviews with each participant and through other sources of data such as copies of policy and procedure manuals and current newspaper articles as they relate to the topic.

Sampling Strategy and Sample Size

To obtain information concerning discretionary decision making and the phenomenon of using professional courtesy instead of following policies and procedures, I included the following sampling approach: criterion sampling by choosing participants who met the criteria discussed above; time and setting specific parameters by setting a time limit on the data collection; and triangulation to include diverse sampling types (Yin, 2018). Regarding the number of participants for this study, I conducted a review of other qualitative case studies in the criminal justice field. To increase the validity of this research, I used criterion sampling. I reviewed the information provided by those in the field of qualitative research to gain knowledge of the ideal number of participants in a qualitative multiple case study. Patton (2002) did not give a specific number of participants, and Yin (2018) also did not state a specific number for a multiple case study. Rather, Yin (2018) explained that the multiple case study carries more weight in the research community when conducting a study like this one. Yin (2018) and Patton (2002) agreed that information-rich data obtained from each participant is far more important than the number of participants. Patton (2002) and Yin (2018) further agreed that a researcher must gather enough participants to be able to extract themes and conduct a cross-case analysis. Based on this information, I planned to select between three and five participants or until saturation was reached. I was able to reach saturation with 15 participants.

Bachman and Schutt (2015) explained that after selecting the sample population, the researcher must decide the scope of the generalizations. I used cross-population

generalizability to generalize the findings from this group of former LEOs to apply it to current LEOs (Bachman & Schutt, 2015; Yin, 2018).

Inclusion/Exclusion Criteria

I established an essential criterion to select participants for the multiple case study (Bachman & Schutt, 2015; Yin, 2018). First, the participants must have been sworn, certified, LEOs with arrest powers for a minimum 5 years. Second, the participants must be familiar with the practice of extending professional courtesy to those involved in an arrestable offense such as, but not limited to, domestic violence or driving under the influence of alcohol or drugs (Georgia POST, 2017). The participants' employing agencies at the time must have had explicit policies and procedures related to the mandatory arrest for the offenses of domestic violence and driving under the influence of alcohol or drugs. Next, participants must have been employed in law enforcement supervisory roles when they experienced the phenomenon. Lastly, the participants needed to be willing to discuss their role, actions, and decision-making factors concerning the phenomenon. The selection of the participants served as the units of analysis for this multiple case study.

Participant Recruitment

IRB approval # 07-30-20-0310449 was obtained by this researcher. Participants were recruited through social media outlets such as Facebook and LinkedIn (Bachman & Schutt, 2015; Yin, 2018). A post was made on both social media sites detailing the study and the specific criteria for the wanted participants (Bachman & Schutt, 2015; Yin, 2018). Those who wished to participate were asked to send a private message or email to

me, and from there, I verified that the interested participants meet the identified criterion (Bachman & Schutt, 2015; Yin, 2018). Participants were then emailed a copy of the IRB approved consent form. Participants wishing to participate responded to the email expressing their consent to participate in the study. The participants who met the required criterion and continued to express interest in the research scheduled a time to meet with me. I conducted a short one-on-one interview with each possible candidate asking, in detail, about their experiences with professional courtesy and discretion. I reviewed the candidate's former agency's policy and procedure manual or state law for the required criteria concerning mandatory arrests for certain offenses, where available. After the initial interviews, any potential participants not meeting the criteria or those expressing disinterest in the study were dismissed (Bachman & Schutt, 2015; Yin, 2018). A copy of the recruitment announcement and consent form are included in the appendix. All the participants were former LEOs, therefore, their separation from the profession allowed them to speak freely about their situations and former agencies. Some of the participants were involved in similar situations and related well to my scenarios.

Instrumentation

I designed a list of open-ended questions that will be asked to each participant. These questions were constructed before any of the interviews. The list of pre-decided, open-ended questions were compiled into an interview schedule (Bachman & Schutt, 2015). The questions assisted me in bringing out detailed information about the phenomenon related to this study. The interview schedule also allowed the participants to elaborate on their situations, perceptions, and concerns. I also consulted with my research

committee to verify that the questions aligned properly with the research questions (Bachman & Schutt, 2015)

To check the validity and reliability of the instrument, I consulted a panel of experts in the Criminal Justice field (Bachman & Schutt, 2015). This panel had advanced degrees in Criminal Justice and professional knowledge of the law enforcement profession, including the use of professional courtesy (Bachman & Schutt, 2015). Consulting the panel of experts to assist with the data protocols assisted in content validity. These experts ensured that the questions and scenarios were unbiased and neutral (Bachman & Schutt, 2015).

Another way that I obtained validity was by choosing participants from the following different agencies throughout the study area: Georgia, Alabama, Florida, and Tennessee. The former law enforcement supervisors who volunteered for this study matched several pre-determined criteria before being chosen for this study (Bachman & Schutt, 2015; Yin, 2018). These pre-determined criteria were chosen by and approved by the research chair and other committee members.

Bachman and Schutt (2015) explained that to successfully construct the interview schedule, the researcher must ensure that they ask each participant the same list of questions, that the questions be clear and concise, that the questions do not include any nuances of expression, and that the questions are not rephrased or retailored from participant to participant. Yin (2018) pointed out that one of the most important elements to collecting qualitative data is for the researcher to be a good communicator. Yin (2018) instructed his readers to ask good questions, be a good listener, stay adaptive, have a firm

grasp of the issue(s) leading the study, and to always remember to conduct research in an ethical way. Following the advice of Bachman and Schutt (2015) and Yin (2018), I created an interview schedule that was adaptive, focused on the research issues being studied, contained clear and concise questions that can be interpreted fairly by the researcher, and ethical. The interview schedule was pre-tested, first by me, followed by the dissertation chair and committee member to ensure that the questions were understandable, not vague, and related to the research topic (Bachman & Schutt, 2015). Later, the research interview schedule was pre-tested by the selected panel of experts.

I developed three, very topic-specific, detailed research-related scenarios that were presented to each participant following the questionnaire. These scenarios were added to the interview schedule (Bachman & Schutt, 2015). The scenarios assisted in bringing out detailed information about the phenomenon related to this study. These scenarios allowed the participants to elaborate on their situations, perceptions, and concerns. Again, I first consulted with the panel of experts and the research committee to make sure that the scenarios aligned properly with the research questions. To check the validity and reliability of the instrument, I consulted the same panel of experts (Bachman & Schutt, 2015). This panel had advanced degrees in Criminal Justice and professional knowledge of the law enforcement profession, including the use of professional courtesy (Bachman & Schutt, 2015). A copy of the interview schedule and the scenarios used in this research study can be found as appendices A, B, C, and D.

Demographics

The following demographic questions were asked of each participant: sex, age, the number of years worked in law enforcement and their education level of education obtained by each participant. These were general questions asked about the participants in order to track whether certain questions were answered similarly by participants sharing the same demographics (see demographic table listed as Table 1 in the appendix).

Interview Protocol

After the careful selection of participants was made, I conducted lengthy, in-depth interviews that lasted 60 to 90 minutes (Bachman & Schutt, 2015; Yin, 2018). I recorded the interviews using the Zoom platform that allows for both audio and visual recordings (Yin, 2018). Each participant expressed their consent to participate in the study with a signed consent to both sets of interview recordings (Yin, 2018). The participants also signed a written consent for the information collected in the recorded interview to be used for a research dissertation and to express their consent to have the research study published (Yin, 2018). See appendix A.

Expert Panel Review

I conducted an expert panel review. This expert panel helped me to test the interview guide and the scenarios to obtain an idea of how the interviews should go. I recruited a panel of advanced level experts in the criminal justice field to review the interview guide, questions, and the scenarios. This panel of experts determined if my interview questions and scenarios were valid, appropriate, and unbiased (Bachman & Schutt, 2015). Using the panel of experts to review and approve the data collection

protocols, I received the proper information to answer the research questions (Bachman & Schutt, 2015).

Procedures for Recruitment, Participation, and Data Collection

To locate participants, I, knowing many current and former LEO supervisors, shared my IRB-approved announcement on social media sites Facebook and LinkedIn (Bachman & Schutt, 2015; Yin, 2018). This request consisted of an introduction about myself, the title of this research study, a description of the research project, the need for voluntary former law enforcement supervisors as potential participants, a description of privacy and confidentiality requirements, and the ability for the participants to review the data collected and the study's findings (Bachman & Schutt, 2015; Yin, 2018). When potential participants who matched the criteria needed to participate in this study replied to the request, I verified their status as a former law enforcement supervisor and also that the potential participant had experienced the phenomenon of the study (Bachman & Schutt, 2015; Yin, 2018). Once this verification was made, the potential participant was sent a confirmation of cooperation letter, an invitation, and a consent form (Bachman & Schutt, 2015; Yin, 2018).

By using former LEO supervisors, I did not need to gain approval from anyone other than the participants themselves (Bachman & Schutt, 2015; Yin, 2018). The participants were asked to sign the consent form (Bachman & Schutt, 2015; Yin, 2018). Once I retained approval from Walden University's Institutional Review Board, I began the in-depth interviews.

Recruitment of Participants

I created a solicitation post that was first approved by the IRB. This solicitation post was then posted to social media websites Facebook and LinkedIn. It was a public post so that friends and others were able to share the post in order to get the solicitation out to as many potential participants as possible. Those interested were asked to send me an initial email to my Walden email. Every potential participant who sent a request for additional information was sent an email containing the IRB approved electronic consent form. All but three potential participants returned their consent form affirming their participation in the study. One of the three potential participants was unable to participate due to their service in law enforcement being out of the United States. The soliciting post was re-posted numerous times until I felt that I had reached enough participants to reach saturation.

Once I received the consent form back from the participant, each participant was given a specific number. These participation numbers were issued randomly beginning with the number 10 and ending with the number 30 and based on order of receiving their documents. Participants were asked to only refer to themselves using this number. This number was used on the website, picktime.com in order to book their interview appointment. This number was also used to send out any correspondences or additional information. This is also the way that I will refer to them here. By using this process, I was less likely to know which participant I was meeting with until they logged onto the Zoom platform for their interview session. Participants were given the option to use only audio on the Zoom platform or to use both audio and video.

Interviews

Initially, I was going to conduct face-to-face interviews, however, due to the COVID-19 pandemic, I used the Zoom platform to conduct interviews. After recruiting the and receiving their electronic consent forms, participants were issued a participant number in order to keep with my data analysis plan and to help ensure confidentiality. Participants were asked to use this issued number instead of their personal name or any other possible identifying information. Participants were then sent a link to a private calendar on picktime.com so they could select the best date and time for their interview out of preselected dates by me.

Once a date and time was selected, I set up their personal Zoom interview. Participants then received a link to the interview and were able to decide if they wanted the interview to be audio only or both audio and video. The interview link was set up to last 90 minutes, and was guided by a self-designed, expert reviewed and approved interview schedule containing three scenarios (see appendix A). I used the interview protocol (Appendix A) to stay on track and ensure that every participant was asked the same set of questions. However, on occasion I did ask for clarification of some answers given by the participants by asking additional probing questions. This request for clarification sometimes resulted in a discussion about the research and the questions related to the scenarios. Interviews were recorded through Zoom, as well as with a personal, digital audio recorder.

Participants were allowed to choose whether they shared their video access. Participants were reminded at the beginning of the Zoom call that the interview would be

audio/video recorded. Recording through Zoom begins the moment the call is connected. I had two interviews that the zoom malfunctioned and lost connection. In both situations, I issued a new Zoom meeting and connected with the participant by text until the new Zoom meeting could connect. Both of these interviews were reconnected within 8 minutes of the call being dropped. All Interviews were then saved in a folder for later transcription. All interviews were completed during the initial interview and there were no follow-up interviews necessary.

Participation

Participants were located by posting a solicitation to the study on the social media platforms Facebook and LinkedIn. This was posted as a public post so that others could share the solicitation in order to reach more potential participants. My participants were located throughout the states of Georgia and Tennessee and one participant was located in Texas. Participants were provided with a consent form that was approved by the IRB. The consent form was sent electronically by email. Once the participants consented to the study, they were issued a participant number and sent an email link to a private calendar in order to choose their interview date and time.

Data Collection

I carried myself as a credible professional researcher who knows both the research topic, knowledge of current laws, policies and procedures, knowledge of discretion, and knowledge of the criminal justice system. It was important that I be a neutral interviewer when conducting the interviews (Bachman & Schutt, 2015; Yin, 2018). I did not show favoritism towards one answer over another (Bachman & Schutt, 2015; Yin, 2018). I did

not encourage the participant to answer any question in a particular way (Bachman & Schutt, 2015; Yin, 2018). I remained respectful and thankful for the data provided by each participant. I maintained the respect, trust, and confidence of the participants throughout the research process. During the data collection process, I allowed myself, or the participants, to reschedule meeting dates or times (Bachman & Schutt, 2015; Yin, 2018).

Procedures for Data Collection

In-person interviews offer the researcher with several advantages (Bachman & Schutt, 2015). These advantages include a higher response rate to the interview guide than by telephone interviews (Bachman & Schutt, 2015). Due to the COVID-19 pandemic, I was unable to conduct in-person, face-to-face interviews. However, the interviews were conducted via the web-based platform, Zoom. I presented each participant with a list of dates and times to select from in order to schedule their interview session. I accommodated the participants by offering a varied schedule of both weekdays/weekends and morning, afternoon, and evening times to select from.

The interviews were conducted one-on-one with just me and the participant present (Bachman & Schutt, 2015; Yin, 2018). The Zoom website, with a paid subscription will record the session and remind the participant that the session is being recorded. The website also provides a transcription of the Zoom meeting. The interviews were held in a location that was suitable for research interviews (Bachman & Schutt, 2015; Yin, 2018). Since the interviews were conducted via the Zoom platform, all interviews were conducted with the researcher at their residence, in a private office, and

the participant was located in a location of their choice. The locations met the standards of being conveniently located for the participant—quiet, comfortable, and that would ensure the privacy of the participants (Bachman & Schutt, 2015; Yin, 2018). The location sites were also receptive to audio/video recordings taking place. Before getting started with the interviews, I went over the interview process with the participants, including expectations for both of us, and the approximate length of time for the interview that was set at one hour (Bachman & Schutt, 2015; Yin, 2018). I discussed any other needs the participant may have to be comfortable such as restroom locations, water, and snacks (Bachman & Schutt, 2015; Yin, 2018). After the brief introduction to the study, I started the secondary or back up recording device.

All interviews were audio recorded (Yin, 2018). To ensure that the interview was properly recorded without failure, the researcher utilized two separate audio recording devices (Yin, 2018). This enabled me to focus more on the participant and their answers and less on trying to write down the participant's answers (Bachman & Schutt, 2015).

I informed the participant when the set time of one hour had expired. At that time, I evaluated the information received from the participant. If I had additional questions that had not yet been asked, I asked the participant for permission to extend the interview. (Bachman & Schutt, 2015; Yin, 2018).

To protect the identity, privacy, and confidentiality of each participant and their former law enforcement agencies, I provided them with a participation number that was to be used at all times during the research process (Bachman & Schutt, 2015; Yin, 2018).

The former law enforcement agencies were also given a pseudonym (Bachman & Schutt, 2015; Yin, 2018).

I conducted all the interviews, including any additional supplemental interviews, within a three-month time period (Bachman & Schutt, 2015; Yin, 2018). I recorded the interviews both with a digital voice recorder and through the Zoom platform (Bachman & Schutt, 2015; Yin, 2018). By recording the interviews, I was able to review the interviews for clarification and coding of common themes (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018). By using both the digital voice recorder and the backup recording, I had a back-up file in case one of the recorders malfunctioned. The use of the digital voice recorder also ensured my ability to upload the digital files to my desktop computer for easier review and transcription (Bachman & Schutt, 2015; Yin, 2018).

During the interviews, I took handwritten notes during the interview process (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018). As to not be a distraction, these handwritten notes were not verbatim responses from the participants (Bachman & Schutt, 2015; Yin, 2018). Instead, I recorded any thoughts, feelings, or other significant impressions to better review the information later (Bachman & Schutt, 2015; Yin, 2018). For extra clarification, I used listening techniques, such as active listening, to ensure I that I was getting the complete and correct information from the participant (Yin, 2018). I asked the participants to repeat any information that they required more clarification. I repeated certain participant's ideas to gain transparency and to make sure that my understanding of the answer is correct.

I also used an interview face sheet, along with the interview guide (Bachman & Schutt, 2015). This page allowed me to gain information such as the age of the participant, years as both a LEO and as a supervisor, certain shifts that the former officer worked, and a list of where all law enforcement agencies that the former officer worked. The face sheet also recorded the time, date, and locations of each interview (Bachman & Schutt, 2015).

I allowed any participant who wished to end participation, prior to completion, to discontinue their interview at any time without bias (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018). I asked the participant for written permission to use the data that had been gathered up until the moment the interview was discontinued—otherwise Bachman & Schutt, 2015, the data would be shredded and considered unusable because it is incomplete (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018).

After all interviews and any follow-up interviews were finished, I completed debriefing interviews with each participant (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018). These debriefing interviews consisted of a very short conversation with each participant, by telephone, to ensure that each participant felt that they had nothing further to add to the data, and I thanked them for their participation and answered any questions (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018).

Data Analysis Plan

I followed Creswell's (2012) six step of qualitative data analysis process. Creswell (2012) described the following steps as interactive and not just linear:

Step 1: Prepare and Organize

During this step, I transcribed interviews from the audio recording, scanned those transcribed interviews into a safe password protected computer file. I made sure that the transcribed interviews were clear and without errors. I sent a copy of the transcribed interviews to each participant for review. None of the participants suggested corrections. I reviewed my handwritten notes from each interview that contained my impressions and other thoughts related to the participant and the data. These handwritten notes were also scanned and saved with the recordings and transcriptions.

Step 2: Read the Data

Here, Creswell suggested that the researcher read the data several times to get very familiar with the data. Maxwell (2013) suggested getting intimate with the data. Either way, myself and the collected data became one, in mind. I made notes in the margin as impressions were made when reading and re-reading through the data. These notes were added into the field notes. As I read through the data, I began to notice reoccurring words, phrases, and began to compare and contrast the information.

Step 3: Code the Data Into Themes

Here, I began to generate themes from data using the open coding process described by Saldana (2016). I began with small phrases, even words that were repetitive throughout the data. I then wrote them on small pieces of paper, sticky notes. I laid all of these small pieces of paper onto the floor, I began to group these words and phrases together.

Step 4: Generate Themes With Descriptions

I developed the codes from Step 3 into descriptive categories for the analysis. This included combining smaller groups of categories or themes into larger ones with more of a general, yet specific description.

Step 5: Advance How the Description of the Themes Will Be Represented in the Qualitative Narrative

I combined themes from Step four into a narrative form so that the themes were able to surface from the answers of the participants. I then compared the themes to the research questions and interview schedule.

Step 6: Interpret the Meaning

Creswell explained that the researcher's background and their theoretical lens and perceptions all played an important role in the interpretation of the meaning. I was careful to correctly interpret the meaning of the participant's lived experiences, their impressions, and their factors that influenced the decisions the participants made during the interviews.

To properly code the data, I used data analysis through the process of open coding (Saldana, 2016). Open coding required me to read the transcribed text of their in-depth interviews line by line searching for common themes and concepts (Saldana, 2016). These themes or concepts were labeled or coded. This process is known as open or initial coding because the label, or code, is obtained straight from the data itself (Saldana, 2016). Other types of coding methods use pre-conceived codes based on the research question and then search the data for those codes (Saldana, 2016). I preferred to use open

coding to look for common themes and concepts within the data and assign codes to those common themes as they emerged.

I reviewed the data received from the in-depth interviews, scenarios, and field notes and began the process of coding. Interviews and answers from the scenarios were be transcribed into written text by using the transcription programs attached to the Zoom platform. During the tedious initial coding process, I was able to breakdown the information into small, manageable parts to compare them for similar ideas and differences (Saldana, 2016). These were written down on sticky notes.

I began to group these codes into patterns and large categories by separating the sticky notes into groups sharing similar ideas (Saldana, 2016). During the second, or categorization, cycle, I used pattern coding to group the larger formed categories into subsequently smaller categories and eventually into themes or concepts (Saldana, 2016). From this coding process, I was able to take a large amount of information gained from a multiple case study of in-depth interviews and scenarios to gain scholarly knowledge concerning the decision-making process in former LEOs.

Saldana (2016) explained that coding is often a subjective process. Open coding can require long hours of effort and hard work on the part of the researcher and can be a grueling and tedious process. However, with determination and perseverance, I was able to accomplish this task and find common themes.

I intended to view the data through the lens of an analytic researcher to avoid bias and misinterpretations (Saldana, 2016). Due to my having past experiences in law enforcement and with professional courtesy and discretion, I was able to understand and

interpret the meanings of the participants correctly. I avoided bias and, throughout the process, remained neutral to the best of my ability. I also allowed all research to be reviewed by the committee, and, in some cases, a panel of experts to ensure that all efforts were made to include as little bias as possible.

Issues of Trustworthiness

Credibility

Credibility is the confidence in the data, meaning that the research is a credible picture of the interpretations gathered from the raw data obtained from the participants (Bachman and Schutt, 2015). In order to ensure the credibility of my research, I used existing research concerning this behavior in LEOs and their conclusions. I also used triangulation from intensive interviews with former law enforcement supervisors, current newspaper articles discussing this phenomenon, and law enforcement agencies and procedure manuals that were provided either by the participant, the agency, or accessed online. The information was reviewed by my dissertation chair and committee members, and in some cases, by a panel of experts to ensure that the researcher's documents were properly and ethically drafted.

Transferability

Transferability addresses the generalizability of the findings (Bachman & Schutt, 2015). Bachman and Schutt (2015) discussed transferability in qualitative studies as being the ability of the reader to understand the study and then be able to compare and relate it to other situations. In my study, I used detailed, rich descriptions to explain the

selection of the participants, the participants themselves, the setting in that the research took place, the entire research process, data collection, and analysis.

Dependability

The concept of dependability can be described as the point where the results of the research study align with the collected data from the researcher (Bachman & Schutt, 2015). The concept of dependability demands that the data collected from this research study be properly and carefully documented. Bachman and Schutt (2015) explained that dependability is necessary for further researchers to repeat the study. I strove to provide all the necessary details leading up to the study; details about the selection of participants; the intensive interviews conducted and detailing both the data provided, and how the data were processed, sorted, and themed. I used triangulation by using multiple sources and multiple types of data collection. I also maintained a journal about the experiences, the data collection process, any decisions made throughout the process, and all findings whether they supported the theory of this research or not. I consulted with my Chair and committee members as needed, a panel of experts, and other members of Walden University staff, as needed, to review the research design, the plausibility of any findings, and the accuracy of the data theming and analysis.

Confirmability

Confirmability for the qualitative researcher is compared to objectivity in quantitative research (Bachman & Schutt, 2015; Yin, 2018). The idea of confirmability is to show that the findings were obtained through the collection of data from the in-depth intensive interviews with the participants (Bachman & Schutt, 2015; Saldana, 2016; Yin,

2018). Confirmability seeks to show that the researcher is presenting the experiences of the participants and not the bias interpretations of the researcher (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018). For me to be aware of my own bias and preferences, I employed reflexivity. I also used triangulation to minimize the identified biases. Further, I used dependability to ensure the study can be repeated. My journal could allow other researchers to trace the decision-making process of the researcher throughout the research study (Bachman & Schutt, 2015).

Ethical Procedures

It was important to me that all procedures, data collection, and analysis be conducted in the utmost ethical manner. This included adhering to the ethical standards of the Institutional Review Board (IRB). These standards are posted on the Walden University Website (Walden University, 2017). No participants were selected or interviewed until my proposal had been formally approved by the IRB (Walden University, 2017). After the selection of the participants, I provided each selected participant with a letter of consent (IRB, 2017). The document was drafted by this researcher and approved by the IRB. Participants were able to review this document and then provide their consent to the researcher to further participate in this study. This document also provided the participant with a bulleted list of the ethical standards and rights for participants to review and a bulleted list of the expectations of the study, the participants, and me (IRB, 2017).

Participants were informed, several times, that their participation was voluntary and that the participant may choose to leave the study at any time. I discussed the need

for confidentiality both from the participant and myself. I explained to the participant any possible risks for their participation. To obtain confidentiality, I assigned each participant with a pseudonym. I also provided pseudonyms for any law enforcement agency mentioned throughout the study. I made a point to not include the agencies in my findings in order to keep them confidential, especially if I felt that the particular agency was not part of the study.

I purchased a small two-drawer locking file cabinet to keep any paperwork concerning the research data about the participants (Bachman & Schutt, 2015). Further, any electronic data was kept on a removable thumb drive, that also stayed locked in the above-mentioned file cabinet (Bachman & Schutt, 2015). All data was securely saved on a two-step password protected database accessible only by me (Bachman & Schutt, 2015). I am the only one with access to this research data, and data will be kept in this manner for the required period of at least five years. By adhering to the IRB ethical guidelines, the guidelines and requirements for Walden University, and by implementing and maintaining a high level of security for the data in this research dissertation, I will continue to ensure that the confidentiality and privacy of the participants will always be maintained.

Summary

In Chapter 3 I provided a detailed review of the justification, the design, and the methodology of my research paper. By providing a detailed blueprint of my research strategy, I am ensuring the ability of other, future researchers to replicate this study. I showed an exhaustive explanation concerning the selection process for participants, the

process that these participants were interviewed, the process that the data were analyzed, and the process that the researcher used to ensure confidentiality to the participants. In Chapter 3 I discussed the need for the project to first be approved by the IRB and the procedures that were planned to gain this approval. Also in Chapter 3, I discussed my role, as the researcher, in dealing with the data and the participants. Lastly, in Chapter 3, I discussed the other sources that I used to gather data and knowledge about this project.

Chapter 4: Results

Introduction

I conducted a qualitative, multiple case study with the purpose of understanding how LEOs, specifically supervisors, decide whether to follow written policies and procedures when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. I sought to understand what factors play a role in the decision-making process when officers are faced with this ethical dilemma. To achieve this purpose, I explored the perceptions, lived experiences, and ideas surrounding the concepts of professional courtesy and officer discretion. The study consisted of 15 participants, all with experience as supervisors in the law enforcement community. These participants were all former officers at various law enforcement agencies throughout the southern United States. This study was guided by the following research question:

RQ: How do LEOs make the decision of whether to use their discretion and extend professional courtesy or follow their agency's policies and procedures and make an arrest when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense?

Chapter 4 contains the results of my study. I provide a summary of the various locations and types of agencies where the participants were formerly employed. I include a brief description of the study's participants with any identifying names or agency references removed. I provide the pertinent demographics of the participants as they relate to this study. I also provide tables and figures to show how I put together major categories as they emerged from the in-depth participant interviews and how those major

categories became themes. Furthermore, I discuss the strategies I used to ensure credibility, transferability, dependability, and confirmability of my study. Lastly, I present the results of my study and a summary to the findings in response to the research question.

Setting

I received IRB approval (#07-30-20-0310449) on July 30, 2020. I started recruitment on July 31, 2020, following the recruitment procedures outlined in Chapter 3. Participants were informed that the interview would take place through Zoom. The participants were able to choose between using audio only or audio and video. Participants were told the interview would be recorded. Participant 16 struggled slightly with the Zoom process and the beginning of the conversation was more about working the Zoom platform than the research. Because of this, the interview was extended to cover the missed time in the beginning. Participant 14's spouse was present for the Zoom meeting, and I needed to redirect the participant a few times throughout the conversation to the research topic.

Demographics

My participants were all former LEOs with supervisory experience. The bulk of the participants were from small to midsize police departments from Georgia and Tennessee. Other participants were from county sheriff offices from Georgia, Tennessee, and Florida. One participant was a retired military police officer and had been employed in many different states—California, Texas, and New York—and currently lived in Texas. All participants met the requirements and were former LEOs with at least 5 years

of experience and held a supervisory position (see Table 1). 4 former police chiefs participated in this research study, all of which left their agency in good standing. Three participants had formal training as a certified law enforcement instructor. Three participants worked for state agencies. None of the participants that I interviewed were terminated from their law enforcement role; all left the profession for various reasons, such as retirement, job strain, injuries, financial strain, and family or personal reasons.

As part of their jobs, many of the participants experienced situations similar to at least one of my three scenarios. Participant 10 offered a completely new situation during the question-and-answer segment. Participants 12 and 32 stated that, while they could relate to the scenarios, they had never been placed in those situations during their time in law enforcement. Participant 22 stated that as a deputy supervisor they had not been in similar situations; however, they did experience a similar situation with their officers while they were serving in a police chief role. The study's participants worked in many different roles and offered a wide spectrum of experience and knowledge to the study.

There were both male and female participants: nine male participants and six female participants. The participants ranged in age, with some retired after a full career in law enforcement to those who left law enforcement for another career after 5 years. Nine of the participants had completed some form of formal education in the field of law enforcement. Six participants did not obtain formal education degrees; however, they did complete their high school diploma or GED. and of these six participants, two had taken some additional classes since high school but did not finish their degrees for various reasons. All 15 participants were certified LEOs with their former agencies.

I collected data from 15 former LEOs who had at least 5 years of experience and, during that time of service, served in a supervisory capacity. These officers were all in good standing when they left their departments. All participants were from small to mid-size departments and familiar with the shift in public perception of LEOs as a whole and with the practice of both using discretion and professional courtesy in ethical and unethical ways. All the study participants discussed, in detail, their experience with dealing with LEOs who needed to be arrested in similar circumstances. Many expressed their frustration with upper management, upper supervisors, and elected and appointed officials who forced them to make certain decisions they felt were unethical.

Table 1*Demographics of Participants*

Participant	Sex	Age	Years in law enforcement	Education	Reason for leaving	Amount of ethics training
10	Male	57	25	Currently finishing doctorate degree	Retired	1 hour per year
11	Male	46	6	High school diploma/GED	Financial strain	1-2 hours per year
12	Female	44	10	High school diploma/GED	Job fatigue	1-3 hours per year (1 year required but usually obtained additional)
14	Female	36	8	High school diploma/GED	Job fatigue and financial strain	1 hour per year, sometimes more, but usually just the hour required by department
15	Male	48	15	Associate degree	Job fatigue	1-2 hours a year
16	Male	63	43	Bachelor's degree	Retired	Received 1 hour of ethics training in police academy and 1 hour a year every year as an officer; additional ethics training as upper administration
18	Male	52	15	College certificate program	Financial	1 hour per year
20	Male	58	37	Associate degree	Retired	1 hour per year
22	Female	48	11	Bachelor's degree	Injury	1-2 hours per year
24	Female	58	25	Bachelor's degree	Retired	1-3 hours per year
26	Male	33	8	High school diploma/GED	Job fatigue and financial strain	1-2 hours per year, sometimes additional
28	Male	62	27	Bachelor's degree	Retired	1 hour per year
29	Female	43	11	Associate degree	Retired	1 hour per year
30	Male	60	38	High school diploma/GED and some college	Retired	1 hour or 1 class per year
32	Female	34	6	High school diploma/GED and some college	Better opportunity	1 hour per year

Data Collection

I received a total of 19 initial replies to my request for participants. Of those 19 initial replies, one did not return the signed consent form and two did not meet the participation criteria for the study. One participant consented to the research but later changed their mind. Data collection was conducted during the months of July through November 2020 with the remaining 15 participants.

Data Analysis

Coding and Theming of Data

I used the special analytic technique of pattern matching, known as explanation building, set forth by Yin (2018) to explain the how and why of this phenomenon. To process the research properly, Yin suggested using four high-quality principles for social science research. First, Yin explained that researchers are to attend to all the evidence. In using this design, I attempted to follow all loose leads, even rival hypotheses (Yin, 2018). Next, I investigated all plausible rival interpretations (Yin, 2018). This process assists in the development of research data and leads to future studies (Yin, 2018). Third, I only included the most significant aspects of my study to provide a high-quality analysis (Yin, 2018). Lastly, I demonstrated familiarity with prevailing thinking and discourse about my study topic (Yin, 2018).

To properly code the data, I used open coding as it applies to qualitative data analysis (Saldana, 2016). Open coding required me to read the transcribed text of the in-depth interviews line by line, searching for common themes and concepts. These themes or concepts were labeled or coded. This process is known as open or initial coding

because the label, or code, is obtained straight from the data itself (Saldana, 2016). I preferred to use open coding to look for common themes and concepts within the data and assign codes to those common themes as they emerged. Initially, I had planned to use a software program to assist in coding the information; however, I was able to do this by hand. I also used inductive–deductive logic and analysis as prescribed by Yin (2018) to continue building themes.

I used Saldana's (2016) two cycle for qualitative research. After reading the transcripts multiple times and locating codes that aligned properly with my research question, open coding was a better choice for my data analysis (Saldana, 2016). I reviewed the data received from the in-depth interviews, scenarios, and field notes and began the process of coding. Interviews and answers from the scenarios were immediately transcribed into written text using transcription programs integrated into the Zoom platform. These transcribed interviews were reviewed for any errors and corrected. I broke down the information into small, manageable parts to compare for similar ideas and for differences (Saldana, 2016).

Then I began to group these codes into patterns and larger categories (Creswell, 2012; Saldana, 2016; Yin, 2018). During the second cycle, or categorization cycle, I used pattern coding to group the larger categories into smaller categories and eventually into themes or concepts (Saldana, 2016). From this coding process, I was able to take a large amount of information gained from a multiple case study of in-depth interviews and scenarios to gain scholarly knowledge concerning the decision-making process in former LEOs.

I viewed the data through the lens of an analytic researcher to avoid bias and misinterpretations (Saldana, 2016). Due to my past experiences in law enforcement with professional courtesy and discretion, I was able to understand and interpret the meanings of the participants correctly. I avoided bias and remained neutral throughout the process. I also allowed all research to be reviewed by the committee and, in some cases, a panel of experts to ensure that all efforts were made to include as little bias as possible.

I analyzed the data for this multiple case-study by using coding and theme development and by paying close attention to my data analysis plan and the data collected. I scrutinized the data collected through one-on-one interviews. I was able to identify common categories and themes by analyzing the collected data using the processes mentioned above (see Appendix E).

In Interview Question A1, I asked: How would you, in your own words, define professional courtesy?

Participants 12, 16, 18, 20, 22, and 24 described professional courtesy as being something (tangible or intangible) given to someone else due to their professional status. Participants 10 and 14 described professional courtesy as an action made by one LEO to someone who they recognized or identified as another LEO, first responder, or political official. This acknowledgement is done out of respect. All participants agreed that the term *law enforcement officer* would extend to city officers, county deputies, and state and federal officers and agents.

Interview Question A2: What sort of things would you consider to be okay for an officer to receive as part of professional courtesy?

Participants 11, 12, 16, 22, 24, 26, and 32 stated they felt there was nothing that should be given as a professional courtesy. Participants 15, 18, 20, and 29 stated they felt officers receiving a free cup of coffee from a local business while on duty was acceptable. Participant 14 stated they felt making a phone call to a fellow officer concerning the arrest of a family member or close friend would be acceptable after the arrest has been made. Participant 30 did state that as long as the action was something they would also do for the general public, then it was acceptable do this same action for a fellow officer in trouble. This participant further stated that this may be letting them go for speeding or even offering them a courtesy ride while intoxicated. Again, this participant stated that when they were working on the road, they often extended this same treatment to the general public. However, the participant felt that it should be noted that it has been many years since their time as an officer assigned to patrol and they felt that times have changed. This participant also stated that, today, it would be a policy/procedure violation to give anyone a courtesy ride for driving under the influence. Participants 15, 18, 20, 22, 28, and 29 agreed that letting another officer out of small speeding citation would be one thing, but letting them out of an arrestable offense was another.

Interview Question A3: What sort of accommodations might you consider to be wrong for an officer to receive under professional courtesy?

Again, participants were not in agreement as to whether officers should never receive anything just because they are a LEO. The majority of the participants—11, 12, 14, 16, 18, 24, and 32—agreed that professional courtesy should never be extended to

avoid an arrest of any kind. Participants 10 and 15 advised that they were unsure on how to answer this question. Participants 20, 22, 26, 28, 29, and 30 advised me they could not answer this question without clarifying that it depended on the totality of the circumstances, and they felt that every situation was different.

Interview Question A4: How does professional courtesy work?

Participants were not in agreement regarding how professional courtesy worked. Participants agreed that the general process of professional courtesy was one officer extending some sort of special privilege to another officer, first responder, or appointed or elected official. However, participants 12, 14, 18, 20, 24, 26, and 28 gave the example of an officer receiving a discount on a meal at a restaurant, while participant 11 used the example of an officer, in uniform, receiving a free cup of coffee at a gas station convenience store. Participant 10 still advised that this was more of an issue of showing respect from one officer of a lesser rank to a superior officer. Participants 16, 20, 22, 30, and 32 advised that, normally, professional courtesy occurred during a traffic stop and gave the example of the driver, an off-duty LEO, showing the working officer his badge or police ID in order to get out of a traffic citation. Participant 10 stated that this is used when one officer is in charge of a scene, that no matter what the rank is, you do not openly criticize that officer, especially in front of the general public. Participant 16 gave the example of someone donating items at holidays for the officers only to expect to be let out of several driving under the influence charges later on in the year.

Interview Question A5: Who does professional courtesy apply to?

All participants were in agreement that professional courtesy, when related to law enforcement, applies to any LEOs to include any city officer, county deputies, state and federal officers and agents. Participant 11 stated that professional courtesy can be applied to any officer from any agency and is often extended to first responders due to working together and getting to know each other on the job. Participants even stated that this may also be extended to friends and family members at times. Participants 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, and 32 stated that professional courtesy also applies to those in public office. There was a division between the participants as to whether or not this is applied willingly by the officer or if the officer is asked to comply by those in upper supervisory positions. While Participants 11, 15, and 29 stated that it was occasionally applied to political positions, but they felt that it remained an officer only issue.

Interview Question A6: What situations would you apply professional courtesy to?

Again, the answers from participants were the same as Interview Question A4. Participants 12, 14, 18, 20, 24, 26, and 28 gave the example of an officer receiving a discount on a meal at a restaurant, while participant 11 used the example of an officer, in uniform, receiving a free cup of coffee at a gas station convenience store. Participant 10 still advised that this was more of an issue of showing respect from one officer of a lesser rank to the superior officer. Participants 16, 20, 22, 30, and 32 advised that, normally, professional courtesy occurred during a traffic stop and gave the example of the driver, an off-duty LEO, showing the working officer his badge or police ID in order to get out of a traffic citation. Participant 10 stated that this is used when one officer is in charge of

a scene, that no matter what the rank is, you do not openly criticize that officer, especially in front of the general public.

Interview Question A7: What factors help you to decide when to issue professional courtesy and when not to?

Participants, again, were not in complete agreement about these factors. Participants 10, 11, 12, 15, 18, and 24, agreed that their policy and procedure manual was the biggest factor when dealing with these situations. Participant 10 went on to say that they looked at the situation as to whether it is legal or illegal—does it demand that the offender be arrested. Participants 14 and 16 stated that they tried to look at the situation as a whole first, stating that it was the totality of the circumstances that guided their decisions. Participants 20, 22, 26, 28, 29, and 30 all explained that they would issue a professional courtesy to a fellow officer, first responder, or political official if it was also something that they would also make the same decision for a general citizen in similar circumstances. These participants stated that this would usually include driving under the influence of alcohol. All 15 participants agreed that the attitude of the offender played a huge part in their decision-making process. Participants 16, 29, and 30 stated that the identity and community status of the offender did hold some bearing on their decision. Participants 11, 12, 14, 15, 16, 20, 24, 26, 28, 29, 30, and 32 all stated that political repercussions also contributed to their decision-making process in general. These participants stated that fear of repercussions from city council members, county commissioners, judges, and state legislatures for making an arrest they did not approve of was a huge factor in their decision-making process. Participants 16, 20, and 32 stated that

city council members, city attorneys, and county commissioners interfering in their job made it almost impossible to lead their organization, to discipline officers that were friends or relatives of that member, and to make arrests freely. Elaborating, Participant 16 advised that when the offender was someone of the political realm, there was pressure to either dismiss the arrest or certain charges or losing your appointed job. Participants 16 and 32 stated that this political power held over their heads was overwhelming, and they did not feel that they were backed by the politicians in these high positions to make the right decisions in these situations at times. Further, participants 16 and 20 stated that when they tried to go against the will of these politician figures, and back their officers for making an arrest it was the downfall of their appointed supervisory positions.

Interview Question B1: How would you, in your own words, define officer discretion?

Participant 10 described discretion as the decision an officer makes in each encounter they are given. Participant 10 states that the officer needs to be able to justify his actions and decisions in every single circumstance. Participant 10 also states that this should get easier for the officer as they encounter a broad spectrum of circumstances. Participants 12, 14, 16, 18, 20, 22, 24, 26, 28, and 32 stated that discretion is the ability of an officer to choose the outcome, whether they make an arrest or not. All 15 participants advised that discretion was the decision-making ability of the officer. Participant 11 elaborated on this idea, stating that how an officer makes these decisions usually determines what kind of officer they will be. Participants 15 and 29 stated that officers use their discretion in all situations they are faced with and further stated that every

situation is different, and an officer needs to be able to tailor their response to any situation. Participant 30 stated that officers often try to apply the same discretion they used on a belligerent DUI arrest on a Saturday evening to the same people headed to church that maybe are speeding just over the posted limits. Participant 30 further advised that this just doesn't make sense, and officers seem to be unable to use discretion in the way it was initially intended.

Interview Question B2: Would you define professional courtesy as a type of discretion, why or why not?

This answer varied with participants as well. Participant 11 stated that they did not believe that professional courtesy and discretion were one in the same by stating that professional courtesy is an action taken, while discretion is the decision-making process behind the action. Participants 14, 16, 20, 24, 26, 28, and 29 stated that they believed that professional courtesy would fall under the umbrella of discretion. Participant 29 added that whether they allowed professional courtesy or not, just the fact that there was a situation and a decision to be made, then they had to place professional courtesy as a form of discretion. Participants 12, 15, 18, 22, 30, and 32 advised that they felt that professional courtesy and discretion were two different things and did not feel that they could consider it a form of discretion.

Interview Question B3: When does an officer not have discretion? Explain.

Participants gave several instances and charges as to when they felt an officer either should not or would not have discretion. Participants 10, 11, 12, 14, 16, 20, 24, 26, 28, 29, and 30, stated that an officer would not be able to use their discretion in situations

where their policy and procedure manuals stated specific outcomes or protocol. This group of participants agreed, in separate individual interviews, that these mandatory arrests stemmed from laws in their states that require an officer to make an arrest such as domestic violence situations where there is obvious abuse, and an aggressor can be determined and any felony crime where you can identify the suspect at that time. Participants 15, 18, and 22 stated that they were unsure of how to answer the question because they felt that discretion was something an officer would use, even in a situation of mandatory arrests as listed in their state laws and their policy and procedure manuals. Participants 10, 11, 12, 14, 16, 18, 20, and 32 all listed driving under the influence as a mandatory arrest situation. Participants 16 and 30 both stated that while driving under the influence of alcohol or drugs most likely ends in arrest, there were times that they felt discretion would still apply.

Interview Question B4: What factors helped you to decide what decision to make when using discretion?

Participant 30 stated that some officers do not understand or know how to use discretion. Participant 10 stated that the offender's attitude played a huge role in discretion. All fifteen participants stated that whether or not the offense was a felony or misdemeanor was considered when using their discretion. Participants 14, 16, 18, 20, and 30 stated that one must look at the totality of the circumstances before making any kind of decision. Participant 10 stated that their integrity and the fear of losing it helped them to make decisions. Participant 16 stated that the accountability of their decision helped to shape their discretion.

Scenario One, Question 1: How would you handle this situation, step by step?

All 15 officers advised that in this scenario, the offender was going to be arrested. Participant 14 stated that professional courtesy could not apply in this situation because the driver was impaired, either by alcohol or drugs, and that the driver's infractions were brought about by the driver and not by participant. Participant 12 stated that they would immediately begin recording the situation and call for their supervising officer to meet them at the scene. Participants 10, 11, 12, 14, 15, 22, 24, and 29 were in agreement that the situation merited an arrest regardless of who the offender was. Participant 12 stated that they felt they needed the assistance of a drug dog to walk the vehicle. Participant 30 stated that they were curious if the vehicle was a government issued vehicle because this would add to the list of people they would need to call to report the activity.

Scenario One, Question 2: What factors about the scenario caused you to make the decisions you made?

All participants stated the attitude of the offender played a big part in their decision-making process. Participants 10, 12, 14, and 24 stated that they would have made the arrest regardless of if the party had been cordial or not. Participants 16, 18, 20, 26, 28, and 30 advised that in today's climate, the offender would have to be arrested due to mandatory arrest laws. However, they stated that they may have allowed the offender to explain things more, and this may or may not have changed their decision. Participant 10, 12, 14, and 32 listed fear of losing their integrity as a factor. Participants 22, 24, 26, and 28 cited their accountability with the department, either through audits or other

reviews, as a factor for their decision. Participants 12, 14, 16, 20, 24, and 28 stated that political repercussions and fear of job loss for their decision was a factor.

Scenario One Question 3: How were these factors applied to your decision?

Participant 10 stated that these factors helped to guide them in a decision-making process. Participant 12 stated that they liked sleeping at night and that making an unethical decision would keep them up at night. Participant 14 stated that the factors mattered; however, for this participant, they wanted it made clear that the easiest way to make the decision to arrest was to do what they were trained to do. Participant 14 further stated that one cannot view the offender as who they are in the community or what role they play; rather, the officer should always look at the offense the person has committed. Participant 16 stated that the factors should be gathered and considered as part of the totality of circumstances and let this guide the officer's decision. Participant 18 stated that they like to think they would do they right thing. However, had bigger brass showed up from either their department or the offender's department, they may have felt compelled to change their mind. Participant 20 stated that officers have a duty to arrest anyone who is driving impaired, and that the additional possible presence of marijuana in the vehicle along with attitude and integrity would easily guide their decision to arrest the individual. Participant 22 stated that attitude played the biggest part in their decision, and that the attitude of the offender (whether they be another officer or not) often shapes the outcome of the situation.

Scenario One, Question 4: Why do you feel that these factors played such a big role in your decision-making process?

When discussing attitude, participants 14, 16, 18, 22, and 24 stated that how the individual acts could make or break the arrest in certain situations. Because this scenario left a lot to be considered, participants seemed to have trouble navigating the outcome. Participant 29 stated that they wanted to know if drugs were actually found in the vehicle or just detected by odor. Participants who stated that there was a duty to arrest the subject, also stated that not making the arrest may result in a loss of integrity for the officers. Due to this, they felt it necessary to make the arrest regardless of who the offender was and regardless of the backlash they may receive.

Scenario Two, Question 1: How would you handle this situation, step by step?

Participants agreed, unanimously, that the offender, the girlfriend and any children present would need to be interviewed separately to determine whether or not an assault had occurred. Participants 10, 12, 16, 18, 20, 24, 26, and 28 agreed that if a primary aggressor could be identified, then that person was going to jail. Participants 11, 15, 29, and 30 stated that in many of these situations, both parties may be arrested if they both have signs of a fight such as red marks, bruising, or cuts. Participant 14 stated that based on the information presented, they were not ready to say whether or not they would make an arrest.

Scenario Two, Question 2: What factors about the scenario caused you to make the decisions you made?

Participant 10 stated that one factor they had seen in a similar situation was religion. Participants 11, 15, and 29 advised that culture could play a part in the scenario. Participants 12, 14, 16, 18, 20, 22, 24, and 32 felt that the offender's law enforcement

status was a factor. Participants 18, 20, 30, and 32 disclosed that backlash from their departments would be a factor. Participant 28 stated that lack of training of the reporting officers could be a possible factor. Participants 11, 12, 14, 15, 16, and 29 stated that they felt political pressure would be a factor. All 15 participants stated that domestic violence situations can be very dangerous situations for everyone involved. Participant 24 stated that their moral compass was a factor.

Scenario Two, Question 3: How were these factors applied to your decision?

Participant 10 elaborated on the fact that in some religious circles, aggression towards a spouse is considered an acceptable practice. Participant 10 further stated that members are asked to not get involved in these affairs, and that if the officer and the offender are both part of the same religious circle, then an officer may choose to turn a blind eye. Participants 11, 15, and 29 stated that different cultures have different views in relationships to what the American culture considers to be domestic violence. Many times, officers dispatched to these calls find that the abused party will not disclose the extent of their injuries or their abusive situations. In these cases, participant 11 stated that often an officer may feel that they are making the arrest to help the abused party only to find out later that the party has been shunned by their whole community because of the arrest. Participant 15 stated that these situations are very difficult, and if one factors in the employment status of the possible abuser, it makes it an even harder situation to navigate. Participants 16, 18, and 20 felt that because of the factor of the offender's employment in law enforcement, making an arrest would possibly lead to the termination of a career. Participants 12, 14, 22, 24, 27, and 32 stated that status was also a factor. However, they

felt that this was because the offender should know better, have better control of their anger, and they were upset that a fellow officer would place them in a situation where they would need to be arrested. Participant 24 stated that they used their moral compass to navigate situations, and they felt that they needed to make the arrest because if they did not, then it was placing their ethical character on the line.

Scenario Two, Question 4: Why do you feel that these factors played such a big role in your decision-making process?

Participants agreed that this scenario was difficult. Participant 12 stated that they encountered a similar situation as an officer. They advised that the offending officer was not arrested and eventually killed their spouse in fit of rage. Once the media leaked the information that officers had been to the offender's home on numerous occasions without making an arrest, there was public outcry. Participant 11 also stated similar circumstances, however, this participant stated that the offending officer was eventually arrested and faced losing their career, only to have their abused spouse drop the charges. Participant 11 stated that the couple was able to separate calmly after that, and against their judgement, the officer had been allowed to keep their job. Participants 11, 12, 15, and 32 stated that politics eventually stepped in and created trouble, not for the abusive officer involved in the situation, but by political figures creating obstacles for the officers who had made the arrest. Participant 15 stated that this political backlash for doing the right thing caused undo stress and eventually caused them to leave the profession as a whole.

Scenario Three, Question 1: How would you handle this situation, step by step?

All 15 officers advised that, in this scenario, the offender was going to be arrested.

Participant 14 stated that professional courtesy could not apply in this situation because the driver was impaired, either by alcohol or drugs, and that the driver's infractions was brought about by the driver and not by participant. Participant 12 stated that they would immediately begin recording the situation and call for their supervising officer to meet them at the scene. Participants 10, 11, 12, 14, 15, 22, 24, and 29 were in agreement that the situation merited an arrest regardless of who the person was. Participant 12 stated that they felt they needed the assistance of a drug dog to walk the vehicle. Participant 32 stated that if any supervising officers wanted to refuse the arrest, then they would turn the scene over to them.

Scenario Three, Question 2: What factors about the scenario caused you to make the decisions you made?

All participants stated the attitude of the offender played a big part in their decision-making process. Participants 10, 12, 14, and 24 stated that they would have made the arrest regardless of whether the party had been cordial or not. Participants 16, 18, 20, 26, 28, and 30 advised that in today's climate, the offender would have to be arrested due to mandatory arrest laws. However, they stated that they may have allowed the offender to explain things more, and this may or may not have changed their decision. Participant 10, 12, 14, and 32 listed fear of losing their integrity as a factor. Participants 22, 24, 26, and 28 cited their accountability with the department, either through audits or

other reviews, as a factor for their decision. Participants 12, 14, 16, 20, 24, and 28 stated that political repercussions and fear of job loss for their decision was a factor.

Scenario Three Question 3: How were these factors applied to your decision?

Participant 10 stated that these factors helped to guide them in a decision-making process. Participant 12 stated that they liked sleeping at night, and that making an unethical decision would keep them up. Participant 14 stated that the factors mattered; however, for this participant, they wanted it made clear that the easiest way to make the decision to arrest was to do what they were trained to do. Participant 14 further stated that one cannot view the offender as who they are in the community, or what role they play; rather, the officer should always look at the offense the person has committed. Participant 16 stated that the factors should be gathered and considered as part of the totality of circumstances and let this guide the officer's decision. Participant 18 stated that they like to think they would do the right thing; however, had bigger brass showed up, from either their department or the offender's department, they may have felt compelled to change their mind. Participant 20 stated that officers have a duty to arrest anyone who is driving impaired, and the additional possible presence of marijuana in the vehicle, along with attitude and integrity, would easily guide their decision to arrest the individual. Participant 22 stated that attitude played the biggest part in their decision and that had the attitude of the offender (whether they be another officer or not) often shapes the outcome of the situation.

Scenario Three, Question 4: Why do you feel that these factors played such a big role in your decision-making process?

When discussing attitude, participants 14, 16, 18, 22, and 24 stated that how the individual acts could make or break the arrest in certain situations. Because this scenario left a lot to be considered, participants seemed to have trouble navigating the outcome. Participant 29 stated that they wanted to know if drugs were actually found in the vehicle or just detected by odor. Participants who stated that there was a duty to arrest the subject also stated that not making the arrest may result in a loss of integrity for the officers. Due to this, they felt it necessary to make the arrest regardless of who the offender was and regardless of the backlash they may receive.

Other responses that helped shape this research:

Participants 10, 11, 12, 14, 16, 18, 20, 22, 24, 26, and 30 stated that in their experience with situations like the scenarios presented, political influence had to be included as a factor. These participants felt that it was often the influence of a political figure that created great stress for them either during the situation, while trying to control the situation, or after the situation. In their interviews, each of these participants shared similar experiences where political figures such as judges, city council members, county commissioners, other sheriffs or police chiefs, and even state legislatures had caused problems for them. This researcher feels that political pressures affecting the decision-making process for LEOs would be a viable study to delve into in a later research study. Participant 16 explained to me that they had been in a similar situation as Police Chief. Participant 16 also stated that they told the officers working under them to do the right thing. The officers made the arrest and took a judge and a retired trooper general to jail on two separate occasions for DUI. What followed was unexpected, as other local

sheriffs came to the aid of the offender, and even posting the bail for one of them. The political fallout started with the officers who had made the arrest being scrutinized by the city council making them feel unsupported. Next, the local sheriffs and other politicians in the area isolated participant 16 and eventually led to the downfall of their career in the area. Participant 1 expressed similar frustrations with political figures and elected officials. Participant 11 stated that they were shocked to learn “the ropes” when it came to making arrests. Participant 11 also stated that while training with their field training officers many years ago, they were instructed that some people were not to be arrested. Participant 30 stated that when all of these things come to light, and they do come to light, then officers lose their integrity with the general public. Participant 32 stated that once these things make the news, it is sometimes hard to determine who is the good cop and who is the bad one.

Participants 10, 12, 14, 16, 20, 26, 30, and 32 expressed to me that they felt it was a lack of training in the discipline of ethics that causes officers to make a decision that will negatively impact their integrity with the general public. Participant 30 stated that you can differentiate a seasoned officer from an unseasoned one in the way that they use discretion. I asked each officer about their own training as a LEOs. None of the participants stated that they were even given a decision tree concerning professional courtesy. Many of the participants stated that they were familiar with a use of force continuum in order to assist them with determining what level of force to use, or when to attempt to escalate or de-escalate a situation. All fifteen participants stated that they

would find a decision tree similar to the use of force continuum to be very useful in making ethical decisions.

Evidence of Trustworthiness

As stated throughout Chapter 3, I wanted to maintain an ethical and trustworthy research study, including the data collection and throughout the coding process. Patton (2002) explained that the issue of trustworthiness of a research study hinges on credibility, transferability, dependability, and confirmability. To maintain trustworthiness throughout my study, I conducted my research using the guidelines outlined in Chapter 3 to ensure credibility, transferability, dependability, and confirmability.

Credibility

I used existing research concerning behaviors in LEOs concerning professional courtesy and discretion, and their conclusions. I also used triangulation from my completed interviews with former law enforcement supervisors, current newspaper articles, and law enforcement agencies policy and procedures manuals. This information was reviewed by my dissertation chair and committee members and, in some cases, by a panel of experts to ensure that the researcher's drafted documents were properly and ethically drafted.

Transferability

Transferability addresses the generalizability of the study's findings (Bachman & Schutt, 2015). Bachman and Schutt (2015) discussed transferability in qualitative studies as being the ability of the reader to understand the study and then be able to compare and relate it to other situations. I used detailed, rich descriptions to explain the selection of the

participants, the participants themselves, the setting in which the research took place, the entire research process, data collection, and analysis.

Dependability

The concept of dependability can be described as the point where the results of the research study align with the collected data from the researcher (Bachman & Schutt, 2015). The concept of dependability demands that the data collected from this research study be properly and carefully documented. Bachman and Schutt (2015) explained that dependability is necessary for future researchers to repeat the study. I carefully maintained all the necessary details leading up to the study, details about the selection of participants, and the intensive interviews conducted. I kept records detailing both the data provided and how the data was processed, sorted, and themed. I used triangulation by using multiple sources and multiple types of data collection. I maintained a journal about the experiences, the data collection process, any decisions made throughout the process, and all findings, whether they support the theory of this research or not. I consulted with my chair and committee members and a panel of experts or other members of Walden University staff, as needed, to review the research design, the plausibility of any findings, and the accuracy of the data theming and analysis.

Confirmability

I used interviews with former law enforcement supervisors to explore the decision-making process when they encountered other police officers, firefighters, or political officials who engaged in an arrestable offense. My research also used scenarios, presented to the participants, that address similar situations. I addressed a gap in the

literature that Donner et al. (2016) documented the need for additional research to better determine why officers make decisions in order to bring about more education in ethics and decision-making for LEOs and improve communication regarding policies, procedures, agency goals, and departmental priorities. Confirmability for the qualitative researcher is compared to objectivity in quantitative research (Bachman & Schutt, 2015; Yin, 2018). The idea of confirmability is to prove that the research study's findings were obtained through the collection of data from the in-depth intensive interviews with the participants (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018). Confirmability seeks to show that the researcher is presenting the experiences of the participants and not the bias interpretations of the researcher (Bachman & Schutt, 2015; Saldana, 2016; Yin, 2018). For me to be aware of my own bias and preferences, I employed reflexivity. I also used triangulation to minimize the identified biases. I further used dependability to ensure the study can be repeated. My journal will allow other researchers to trace the decision-making process of the researcher throughout the research study (Bachman & Schutt, 2015).

Results/Themes

The following four themes emerged from the research data collected through the interviews and scenarios. These included: political interference, religious motivations, lack of training and confidence, and fear of public reprisal. Each of these themes considers the data and reflects the similarities and differences noted from participants.

Theme 1: Political Interference

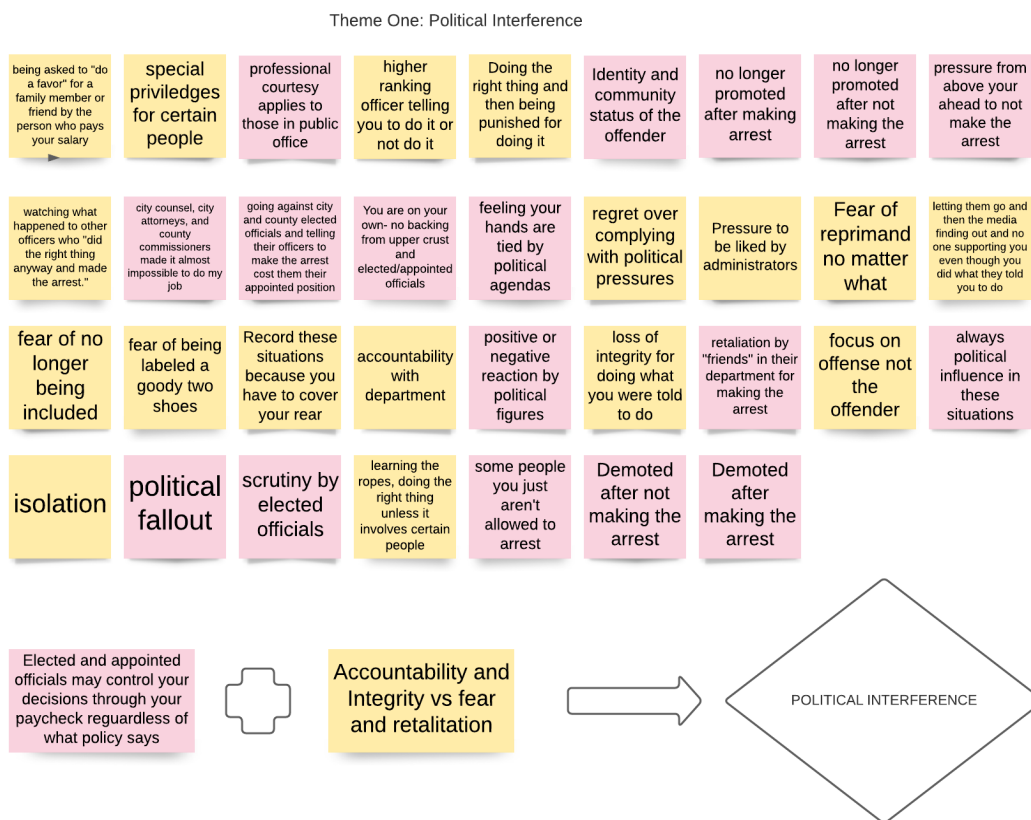
The participants perceived that political interference from high-ranking elected and appointed officials play a big role in discretion and how professional courtesy is used. Participants reported that sometimes political officials requested or demanded, that officers go against their own policies and procedures to issue professional courtesy to officers and others who are engaged in an arrestable offense. Therefore, after analyzing the data, political interference is noted as a factor decision making (see Appendix E and Figure 1).

All fifteen of the participants expressed political interference as being one of, if not the most important factor in their decision-making process when confronted with the three scenarios. Participants 16 stated that it is their belief that political interference causes a huge ethical dilemma for officers. Officers do not want to let their supervisors down but they also do not wish to lose their integrity or their employment. All the participants expressed a desire to make the arrest in at least one scenario, however, all of them expressed a fear of the potential political retaliation that may arise. Participants 11, 12, 14, 15, 16, 20, 22, and 32 stated that they were trained to follow both their policy and procedure manuals and the commands of any higher-ranking officers. These same participants explained that fear of political repercussions such as losing job, demotions, loss of promotions, and even the feeling of isolation played a big role in their decision-making process. When asked to elaborate on these statements, participants stated that if the “political powers that be” encourage officers to make the arrest and always follow policy and procedures no matter who the offender is, then officers felt secure in their

decision to make the arrest. Participant 12 stated that officers who decided to go against their training and policy and not make the arrest knew the repercussions of their actions. Further, participant 12 stated that when those same “political powers that be” ask or tell officers to do something that they know is going against their training and policy, this creates confusion and the officers begin to weigh their integrity against fear of the political influence on their career, their jobs and their livelihoods. Participant cited political interference as being one of the main reasons for ending their law enforcement career.

Figure 1

Theme 1: Political Interference



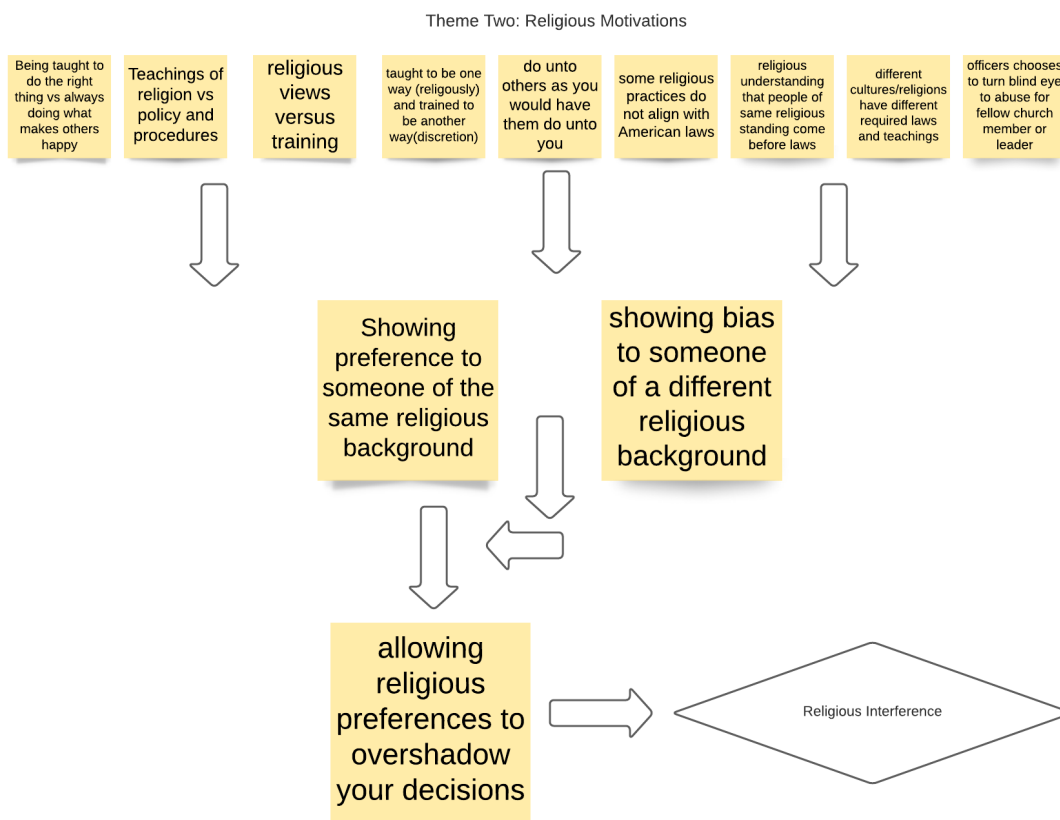
Theme 2: Religious Motivations

The participants believed that religious motivations cannot be ruled out as a factor when dealing with situations of discretion and professional courtesy (see Figure 2). While coding the data, I did not get as many responses dealing with religious issues as I did political issues. However, I felt that this theme was one I did not expect, and therefore, with responses from participants 10, 16, and 30 in numerous answers, I did feel that this emerging theme was very important. Participant 10 was the most vocal on this

interference stating that this is something they had witnessed while working in law enforcement numerous times.

Figure 2

Theme 2: Religious Motivations



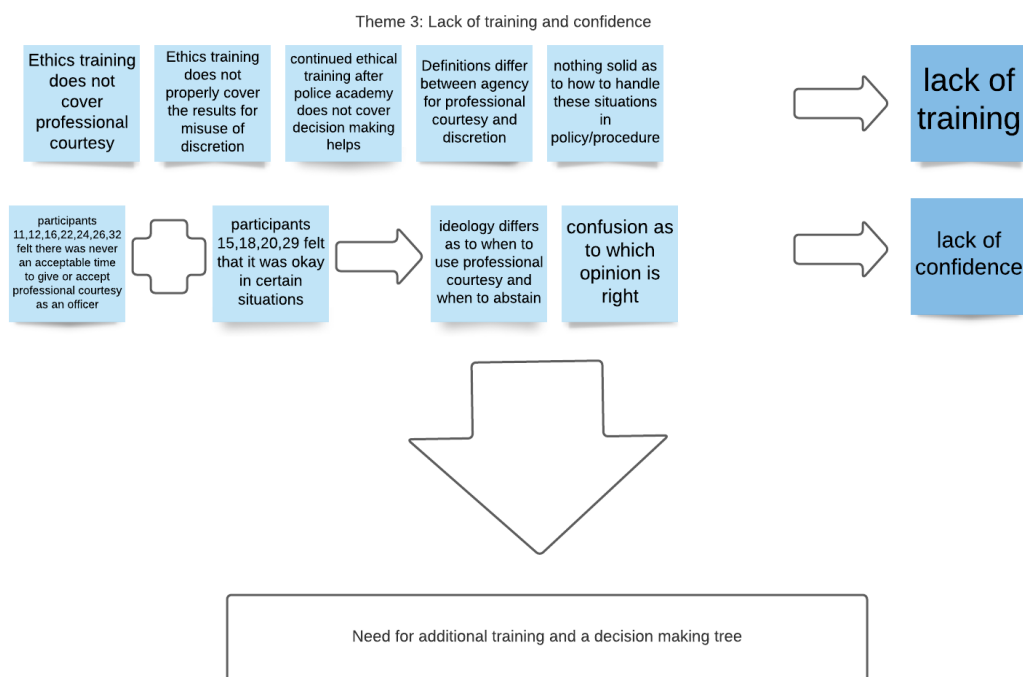
Theme 3: Lack of Training and Confidence

The participants believed that officers lack training and confidence when faced with decisions and ethical dilemmas concerning discretion and professional courtesy. The participants reported that there is a need for ethical training and a decision tree related to discretion and professional courtesy (see Figure 3 below).

Participants felt that there was a significant gap in the training when it came to ethics and continuing education for officers. Participants expressed confusion by giving numerous different answers when asked about definitions for professional courtesy and when it should apply, if ever. Participants expressed a desire for additional training in the area of ethics and professional courtesy. Participants further expressed a desire for clearer policy and procedure concerning this topic. Participants were in agreement that additional training and a decision tree to assist in these circumstances could be helpful and assist with officers feeling more confident about their decisions.

Figure 3

Theme 3: Lack of Training and Confidence



Theme 4: Fear of Public Reprisal

Participants perceived this type of ethical infraction as a reason for the paradigm shift in trust and respect of LEOs across the United States (see Figure 4 below).

Participants 10, 11, 12, 14, 16, 18, 20, 22, 24, 26, and 30 all expressed that there was always fallout when the public finds out about an officer's misuse of professional courtesy. Participants stated that when the media discovers that an officer has issued professional courtesy when they should have made an arrest, it gives the profession, a black eye. Participant 16 stressed the idea that often these decisions are brought about by the pressure of political influence, however, once the decisions are made public, there is no backing from the political figures who influenced the decision.

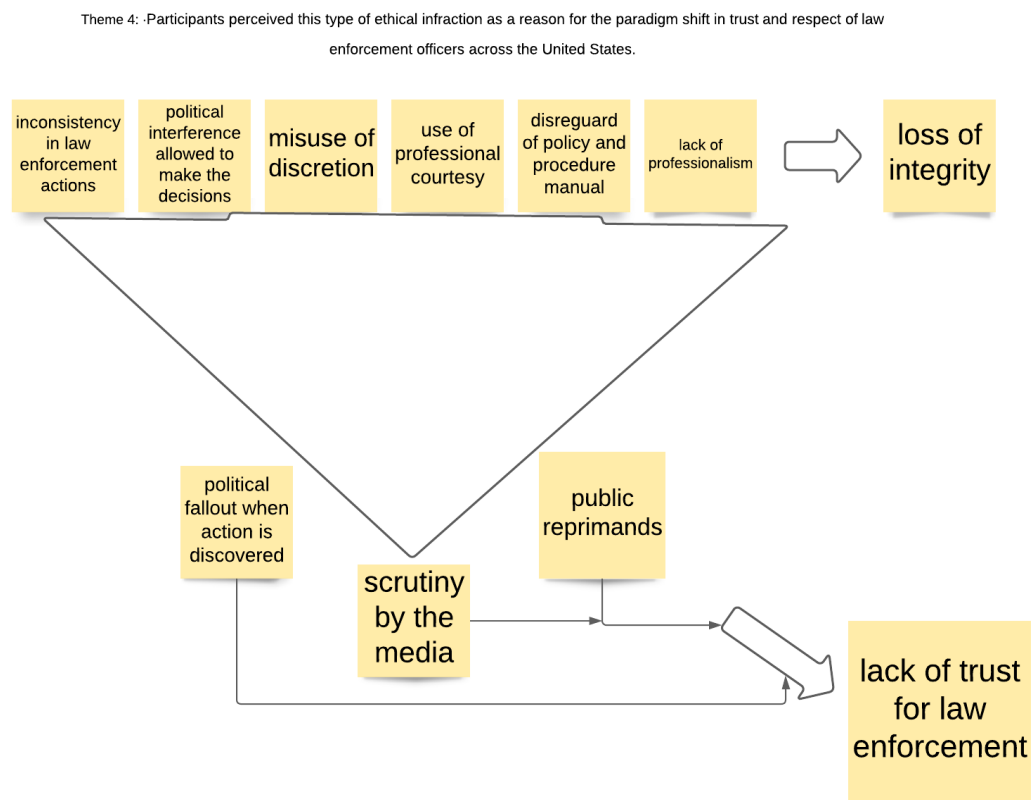
Often officers are publicly reprimanded and scrutinized in the media. Because of the public reprimands and the media coverage of these decisions, participants 11, 15, and 32 stated that it becomes hard to determine whether the officer in the spotlight is a "good" officer who made a bad decision or a "bad officer" in general. Participants further stated that the inconsistencies in decisions, the misuse of discretion and professional courtesy, and the disregard for policy and procedure showed a lack of professionalism and ultimately a loss of integrity. This loss of professionalism and integrity was not felt just by the officer(s), but as a department and even as a profession across the United States.

When enough of these types of infractions are made public, the confidence of the public and overall trust for law enforcement begins to crumble. Participant 30 stated that they often tried to balance out their use of professional courtesy and their actions with the

public by doing the same for a citizen and a fellow officer (such as issuing a warning instead of speeding ticket). Participant 16 stated that often the public wanted something in return for their kindness such as donations, and so as long as an officer was willing to bend on the rules for other officers, they are also expected to return “favors” to the general public. Participant 16 explained that this is how officers find themselves in trouble because what starts as a small favor for one turns into several riskier favors later. Participants 16 and 30 both agreed that these behaviors almost always get discovered and may even cause the officer their career depending on the magnitude of the favors. Participants 16 and 30 further stated that when these activities are discovered by the media and public, the general public loses trust in all law enforcement and not just the ones committing these actions.

Figure 4

Theme 4: Participants perceived this type of ethical interaction



Response to Research Question

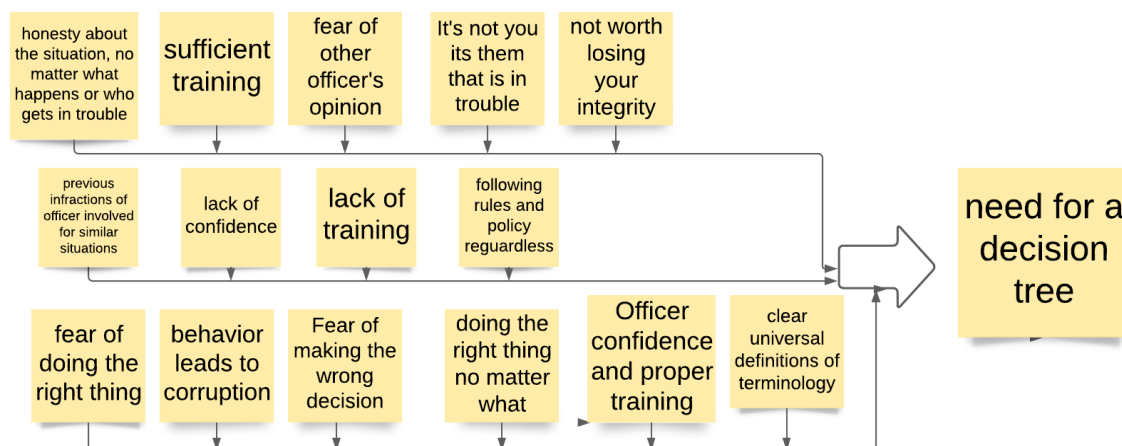
After analyzing the collected data, I looked across the main themes listed in Table 2 and then formulated the answers to my initial research question. Participants were in agreement that there was no universal definition for professional courtesy. Further participants did not agree on whether or not professional courtesy was a component of discretion. Participants explained that, as LEOs, they were tasked with making a decisions related to their training, their individual experiences, their policy and

procedures, their state and federal laws, and also what they had learned from other officers. While Participant 32 was quick to state that they do not feel that they would ever violate their policy and procedure manuals, participant 11 advised that many times there is an unwritten rule that you don't arrest certain people. When presented with scenarios, almost all the participants advised that they did consider the status of the offender, especially when presented with the scenario involving domestic violence. Participants were saddened by the fact that the offending officer would be losing their job if they were arrested, however, participants also were upset at the offender creating the situation in the first place.

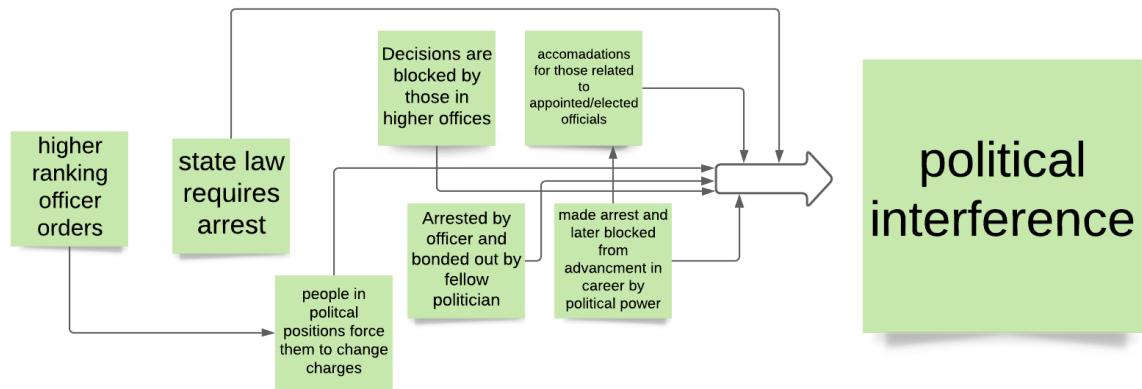
Table 2*Summary of the Key Findings Relative to the Research Question*

Research question	Key findings
RQ: How do LEOs make the decision of whether or not to use their discretion and extend professional courtesy or follow their agency's policy and procedure and make an arrest, when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense?	Theme 1: Political interference
	A. Officers consider the political interference into the situation when making decisions.
	Theme 2: Religious motivations
	A. Officers consider religious motivations when making decisions.
	Theme 3: Lack of training and confidence
	A. Officers feel there is insufficient training to assist them in making these types of decisions. Many reported that there is a need for a decision tree and extensive training when dealing with ethical decision making.
	B. Officers do not share one definition for the term of professional courtesy, nor do they agree on how professional courtesy should be applied, when it should be applied, and its function. Officers do not agree on the definition of discretion, the use of discretion and whether or not professional courtesy is a form of discretion.
	C. Officers make decisions based on the totality of the circumstances and agree that every situation they encounter is different.
	Theme 4: Fear of Public Reprisal
	A. Officers fear the outcry of the public and the media. Officers wish for better public understanding of their job and complexity of the decisions. Officers wish for better public perception.

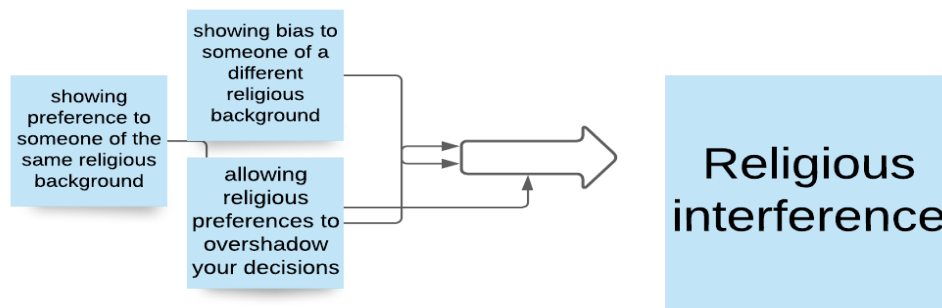
One key finding that emerged from the research concerning this research question was that often, the officers felt there is insufficient training to assist them in making these types of decisions. Along with this finding, officers do not share a universal definition for key terms such as professional courtesy and discretion. Officers also do not seem to agree on when and if professional courtesy should ever be used, and, if they agree on its use, they disagree on when and how professional courtesy should be applied. Officers also do not agree on the use and misuse of discretion. Many reported that there is a need for a decision tree and extensive training when dealing with ethical decision making. All 15 participants agreed that the development of some sort of decision tree to be used during training would be helpful for new officers. Even though there were specific instructions laid out in their policy and procedure manuals concerning certain types of arrests, the additional aspect of the offender being “one of their own” did cloud their decision at times. Even though most of the participants stated that they would make the arrest of a fellow officer, they did state that this complicated the situation. Participant 14 stated that there has not been enough training on discretion and the use of misuse of discretion. Participant 11 stated that a typical training concerning professional courtesy consisted of when an officer should accept a free meal or cup of coffee and discussed speeding infractions, but the training never discussed professional courtesy in relationship to arrestable offenses. Participant 11 stated that it almost seemed like a taboo thing that no one really discusses, yet there is an unwritten rule to do it.

Figure 5*The Need for a Decision Tree*

Another key finding was that officers consider the political aspect of the situation when making decisions. Participants explained that the political interference in these situations weighed heavily on their mind, and it included several possible consequences by political figures in the community when they chose to make the arrest and when they chose to apply professional courtesy. Overwhelmingly, participants stated that this factor was one of the biggest hurdles in the decision-making process. Some participants stated that they had been in similar situations, lived through those consequences, and felt that having to repeat the decision in a similar situation would make the political interference much stronger. Participants agreed that often when the offender is a political figure such as a judge or a member of local, state, or federal legislature, this political interference becomes even more difficult to avoid.

Figure 6*Political Interference in the Decision-Making Process*

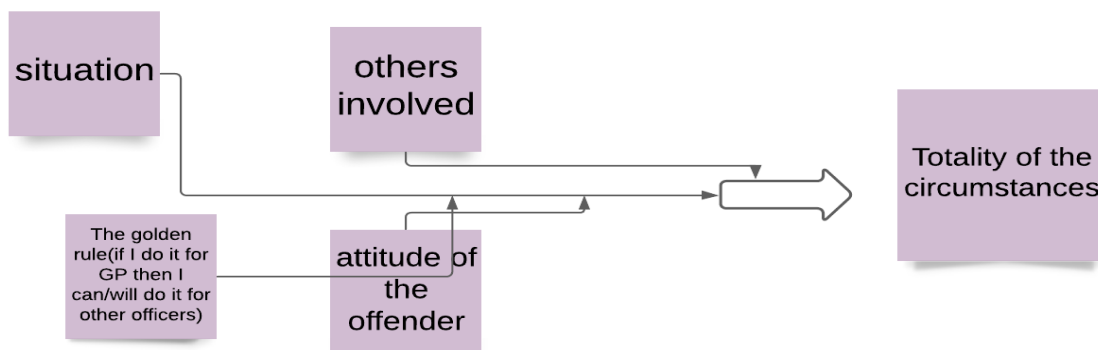
Officers also weighed religious motivations as a factor in the decision-making process. Officers of certain religions may apply certain religious laws and instructions to others when making decisions about using discretion and professional courtesy. Participant 10 advised that an officer's judgement can become clouded with religious practices and preferences when they encounter someone of the same religion or of their same religious sect. Participant 10 pointed out that certain religions and cultures see certain forms of domestic violence as acceptable.

Figure 7*Religious Interference in the Decision-Making Process*

Lastly, another finding as being a factor for the decision-making process was the totality of the circumstances. Participants stated that no matter how similar a situation may be, they are all very different, and they must include all factors surrounding the event before making a decision. Participants advised that many times the offender's attitude guided a situation as far as whether or not they would issue professional courtesy. Participant 30 explained that when they were working patrol, they used the "Golden Rule," meaning that if they would do something for the general public (such as call them a courtesy ride home after stopping them for signs of a DUI), then they would do it for their fellow officers. They also stated that if they would do something for a fellow officer, they would often return the favor to a member of the general public when the situation presented itself. Participant 16 stated that on one occasion a member of the general public had assisted them in an altercation with an offender, actually pulling over on the side of the road to render aid to the officer. Participant 16 stated that many months later the participant had pulled over that same person for speeding. They explained that professional courtesy was applied to that situation.

Figure 8

The Totality of the Circumstances in the Decision-Making Process



Key Findings and the Research Question

The key findings provide the answer the research question concerning the factors that impact the decision making process. Participants, though interviewed individually, provided rich data that could be compared and contrasted in the data analysis process. The key findings state that officers tend to factor in the political interference, religious motivations, their training or lack of training in the area of ethics, and fear of public reprisal when faced with ethical dilemmas. This study examined the decision-making process when dealing with discretion and professional courtesy.

Summary

In Chapter 4, I provided the results of my research study. I included a description of the setting, the research procedures, and the demographics of my participants. I explained my data collection processes, and I also presented the findings of my research analysis that included analytic coding and the construction of categories. I reviewed the data provided in the research interviews to find emerging themes and looked for

nonconforming data. I constructed the key findings based on the research data I received in this study. Chapter 4 explained the research process and the themes and key findings of the data. Chapter 5 will review the purpose of this study and expand upon the key findings listed in this chapter. I will provide an interpretation of my study's results as it relates to my literature review located in chapter two. I will also present an interpretation of how my study results and analysis relates to my theoretical framework. Lastly, Chapter 5 will include the limitations of the study, recommendations for further research studies, and the implications for positive social change.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

The purpose of this qualitative, multiple case study was to understand how LEOs, specifically supervisors, decide whether to follow written policies and procedures when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. As the researcher, I attempted to learn what factors guide the officers' decision-making processes. I also tried to determine if the officers leaned more on their policy and procedure manuals or other noted factors when making decisions involving professional courtesy and discretion. To realize this research purpose, I used a multiple case study research design, as outlined by Bachman and Schutt (2015), Creswell (2012), Saldana (2016), and Yin (2018). Qualitative research, more specifically multiple case studies, are used to examine the many different aspects and opinions of contemporary occurrences, address research questions that ask how and why, and explore certain situations the researcher has little to no control over (Creswell, 2012; Yin, 2018). My study was bound to former LEOs, who had worked in supervisory capacities during their career. Due to the COVID-19 pandemic, I used the online Zoom platform to conduct interviews and therefore could reach more participants. This study was geographically bound to the southern states of the United States.

Four themes emerged in this study: (a) political interference, (b) religious motivations, (c) lack of training and confidence, and (d) fear of public reprisal. These themes answer the research question of how LEOs make the decision of whether to use discretion and extend professional courtesy or follow agency policy and procedure to

make an arrest when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense. These themes explain the factors that officers consider during the ethical decision-making process.

Interpretation of the Findings

In this section, I interpret the key findings of the study as they relate to the literature review and the theoretical framework. The organizational structure of this interpretation is structured around the research question that guided my study. Several key findings emerged from my current study related to my research question. The research question guiding this study was,

RQ: How do LEOs make the decision of whether to use their discretion and extend professional courtesy or follow their agencies' policies and procedures and make an arrest when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense?

Interpretation of Findings Related to Theoretical Framework

Lack of Training and Confidence

Ethics training should consist of scenario-based training and the development of a decision tree to assist the officer in making decisions. This key finding relates to the theoretical framework of Bandura's social learning theory (1977) by showing that officers learn how to extend professional courtesy and use their discretion by observing the behaviors of other officers and the reinforcement attached to those behaviors. Participants relayed their experiences to me as they related to training and the use/misuse of discretion and professional courtesy. Further findings revealed that officers do not

share a universal and uniform definition for professional courtesy or discretion.

Participants also provided that the use of discretion and professional courtesy differs greatly between each agency and often may differ per shift and each individual officer.

Participants did not agree as to whether professional courtesy was a form of discretion and whether the same procedures apply to professional courtesy as discretion.

Participants agreed this causes confusion among officers and a lack of respect from the general public. Participants agreed this lack of definition and expression of use for both professional courtesy and discretion caused some of the participants to make unethical decisions in the scenarios presented to them. Because of the lack of universal definitions, officers are unable to agree on how to apply professional courtesy and discretion in certain situations.

The second key finding relates to the theoretical framework of Bandura's social learning theory (1977). Officers are taught by supervisory officers from their first day the definitions as they apply to their specific department. Therefore, without one uniform definition for both professional courtesy and discretion, the meanings are being lost in translation. Two participants from the same prior agency had different views and opinions on both professional courtesy and discretion. Bandura's (1977) social learning theory explains that someone must be paying attention, have the ability to learn the information, be able to reproduce the behavior, and achieve the desired motivation for their learned behavior. This can be demonstrated by officers using or misusing discretion as they are taught and then replicating that same behavior to obtain the desired outcome. Officers are taught that professional courtesy applies to small infractions such as

speeding; however, they quickly learn that it can also be applied to more serious offenses such as driving under the influence of alcohol/drugs or domestic violence.

Next, political interference is easily applied to Bandura's social learning theory (1977) by indicating that officers see their peers either praised or disciplined for their decisions by those who hold a political office. Officers begin to relate and factor in that praise or discipline to their own decision-making processes. Some participants used consequentialist ethics (Wheeler & Lanham, 2016) to justify their actions based on the idea that the outcome outweighs the initial wrong, whereas others preferred deontological ethics (Eldridge, 2011) and stated that no matter how good the consequences may be, some choices are forbidden. The participants who make deontological decisions stated that they did so because of a driving force of right and wrong, whether their conscience or their religious obligations.

The key finding of religious motivations is supported by my theoretical framework of social learning theory (Bandura, 1977). Social learning theory posits that anyone can learn a behavior from someone else, particularly when they observe the rewards from that behavior and feel that they are beneficial. Therefore, someone who is a part of a religious group where they are taught there is a greater benefit to extend courtesies to others in their religious group will extend professional courtesy to another officer in that same religious group. After discussing this factor with the participants, I found that religious interference could be present regardless of whether officers' training and policy and procedure manuals stated otherwise.

Lastly, the fear of public reprisal is a key finding that also relates to the theoretical framework. This implicitly relates to social learning theory (Bandura, 1977) and to deontological and consequential ethics in that officers are trying to weigh out their decisions based on watching others who made similar decisions and received promotions, loyalty, and acceptance. Further, officers who are reprimanded publicly become a role model of what not to do. However, in situations where officers are praised for extending professional courtesy at the insistence of a political figure and praised or rewarded for that action, officers may be influenced to repeat these actions.

Interpretation of Findings Related to Literature Review

The first key finding related to this research question was that officers feel that there is insufficient training to assist them in making these types of decisions. The participants all agreed that while there is training called and considered *ethics training*, it is very limited and does not address this topic. Further, the majority of participants thought that a decision tree to assist them with these decisions would be helpful. This finding was supported by some of the existing research concerning how officers learn to use their discretion. Mears et al. (2016) explained the difficulty in teaching an officer to properly exercise their discretion, especially in extreme or stressful situations. Tyler (2016) further stated there is a need to control and conform the amount of discretion an officer is freely given. How an officer is trained concerning discretion and professional courtesy will follow the officer throughout their career (Mears et al., 2016; Tyler, 2016). Mears et al. (2016) explained that officers often judge fairness by looking at the right or wrong of each situation; when faced with hard decisions, LEOs will refer to their policy

manuals, state and local laws, and their training. If an officer is not sufficiently trained to navigate a certain type of situation such as the ones presented in this study, they may struggle to make a decision. Other research studies presented in the literature review that can be applied to this finding is based on police leadership. Huberts et al. (2007), Snyman (2012), and Jones (2019) all found that officers put more confidence in the training they receive from their field training officers and other supervisors than they do their policy and procedure manuals. Therefore, officers should be receiving training concerning professional courtesy and discretion that is in-depth and effective.

After analyzing the data, I realized there is no universal definition for either discretion or professional courtesy. This finding relates to the literature review by exposing there are several different definitions of both discretion and professional courtesy throughout the literature (Bradford, 2014; Ishoy, 2016; Mears et al., 2016; Worden & McLean, 2014; Young, 2011). While definitions were similar, they were different and allowed for an interpretation of the definition as it was applied to certain situations. While discretion is difficult to explain, professional courtesy is not. The literature, as it relates to professional courtesy, defines professional courtesy as a form of discretion (Donner et al., 2016; Hickman et al., 2016). There is no concrete expectation or rule for whom that professional courtesy applies found in the literature.

The third key finding related to the research question was that officers consider political interference into the situation when making decisions related to professional courtesy and discretion. Some participants gave very personal explanations as to why they felt that had to make certain decisions based on political interference. One

participant explained that when they arrested a retired, high ranking law enforcement official for speeding and driving under the influence, they were chastised and treated poorly for making the arrest. Other political figures came to the aid of the offender and not to the participant. Several participants shared similar experiences with political figures in their community and felt blocked to making arrests of judges and other higher ranking law enforcement officials (retired or current status), city council members, and state and federal representatives. This pressure also applied to the families of those political figures.

Participants expressed frustration over the insertion of politics into their decision-making process; stating that in order for discretion to work properly, they needed to be able to make the right decision for any offender. Participants stated that this same frustration also applied to professional courtesy; stating that if their policy and procedure manuals gave them direct instructions concerning the concept, there would be little to no confusion concerning the application of professional courtesy.

Some of the participants stated that they were disciplined for not extended it to the “right person” and then disciplined for extending it to the “wrong person.” With properly laid out policies and procedures concerning the concept of professional courtesy, there would be fewer instances of ambiguous disciplinary action. While the confusion was frustrating, other participants stated that being disciplined for arresting someone based on the offender’s status in the community was much worse. One participant stated that they were told on multiple occasions to extend professional courtesy to the same person for driving under the influence. Once this information was leaked to the press, they were

disciplined, publicly, for not making an arrest. Officers need to be able to do their jobs without fear of political interference.

Religious interference is the fourth key finding that related to the research question. Officers consider the factor of religious interference when faced with making decisions. While not every participant mentioned religious interference, it was addressed by several participants. Many stated that, as part of their religious affiliation, that they needed to make the “right” or “most ethical” decision. Others stated that it was their conscience telling them what decision to make and that they “wanted to be able to sleep at night.” One participant pointed out that in their experience, some officers feel a certain religious duty to extend professional courtesy to a fellow member of their religious group. One participant pointed out that in certain religions it is acceptable to strike a domestic partner for disciplinary reasons. Due to this, an officer who shares the same religious views may be willing to extend professional courtesy to the offender or use their discretion in a way that would be considered unacceptable by their peers. Moreover, this should be a violation of their policy and procedure manuals; however, most participants informed me that the policies and procedures may say one thing, yet they occasionally did something else. This fourth key finding is not supported by the literature review. I did not include religion, and none of the previous studies noted in my literature review make reference to religion being a factor in the decision-making process for use of force, discretion, or professional courtesy.

Lastly, the fifth key finding related to the research question was that officers make decisions based on the totality of the circumstances and that every situation they

encounter is different. Ultimately, officers fear public reprisal and wish to change the negative public perception. This is why many participants stated that policy says one thing, but you end up doing something else. Participants explained that they would often do for the general public the same as they would a fellow officer. Participants elaborated on this by saying that if they extended professional courtesy for speeding then they would let the next person off with a warning for a similar speeding infraction. One Participant explained to me that sometimes giving someone a courtesy ride over arresting them was a better decision. This Participant stated to me that if they could offer someone a courtesy ride in lieu of perhaps ruining their career or their reputation, then they often tried to do so. The same participant advised me that they did not do this for the same person over and over, and the situation depended on several things such as prior offenses, attitude, property damage, type of substance used (alcohol vs illicit drugs), etc.

Participants explained that professional courtesy is most often used for speeding or minor traffic offenses, and anyone driving under the influence of alcohol or drugs, domestic violence or other person-on-person crimes, or theft charges should be arrested. However, participants were quick to interject that every situation is different, no matter how similar or by the book it may seem. For this reason, participants made it perfectly clear when explaining their decision-making process and the factors they used to make those decisions, that their decisions had to be based on the totality of the circumstances.

This final key finding can be supported by the literature review through studies on discretion and use of force. Hickman et al. (2015) discussed the totality of the circumstances when addressing why officers make the decisions they make concerning

corruption and the use of force. Mears et al. (2016) stated that officers make decisions by taking the entire situation into consideration and judging fairness by looking at the situation as either right or wrong. Officers often try to justify their use of professional courtesy in order to remain loyal to their fellow officers and departments, to gain promotions, or to gain acceptance (Mears et al., 2016).

Limitations of the Study

Limitations of trustworthiness frequently occur from the research design in any study. One limitation of the current study was my use of former law enforcement supervisors. My use of former law enforcement supervisors may or may not have represented current and actively working law enforcement supervisors. Furthermore, these former law enforcement supervisors may not have had similar or shared experiences when dealing with the use of discretion and professional courtesy. By using former officers, this limited the transferability of the study's findings to other law enforcement agencies.

Another limitation was that the study relied on the experiences of self-reporting respondents, that could have been biased based on an effort to share insight into the police decision-making process as it relates to discretion and professional courtesy. An attempt was made to minimize participant bias by examining and re-examining the interview data. Also, the limitation was considered that the participants would recollect their experiences accurately. Meaning that some participants may have recalled certain experiences in error.

Lastly, I was the sole researcher and accountable for this project including the research design, the data collection, data analysis, and interpretation of that data. There is always potential for researcher bias. To offset bias, I attempted to use reflexivity, triangulation, credibility, transferability, dependability, and confirmability into this qualitative multiple case study research project.

Recommendations

Based on the findings of my study, and after comparing those findings to the studies included in my literature review, the first recommendation is to conduct additional research on current LEOs to understand their perceptions on the decision-making process concerning discretion and professional courtesy (Mears et al., 2016). This type of research may assist in building an evidence base for training and the development of future law enforcement policies, procedures, and protocols (Donner et al., 2016; Hickman et al., 2016; Ishoy, 2016; Mears et al., 2016). Another recommendation would be to conduct the study using a quantitative method. Continuing research in the discipline of criminal justice, ethics, and decision making has the potential to add to the knowledge base. Moreover, this study, along with other emerging studies could bring focus to the areas of discretion, professional courtesy, and the law enforcement decision-making process. Therefore, research is needed to properly evaluate the effectiveness and relevance of law enforcement training programs across local, state, and federal law enforcement agencies.

Another recommendation for future research would be to conduct further studies concerning the many different definitions of professional courtesy. One such study, a

Delphi study, could be very beneficial. Lastly, I would suggest research using grounded theory. Delphi studies using chiefs, Sheriffs, LEO training supervisors, and experts in the criminal justice field could provide knowledge to the researchers about how LEOs define professional courtesy.

Implications

Professional courtesy, discretion, and the decision-making process are not new topics among the law enforcement community (Donner et al., 2016; Hickman et al., 2016; Ishoy, 2016; Mears et al., 2016). However, there has been a paradigm shift from positive to negative concerning the public and police perception. Over the course of the past few decades, law enforcement has begun to face new challenges concerning the use of discretion, the use of professional courtesy, and how officers go about making decisions concerning these concepts (Albrecht, 2017; Bradford, 2014; Donner et al., 2016; Hickman et al., 2016).

This qualitative multiple case study has potential to bring about positive social change by contributing to the knowledge base in the disciplines of human services, criminal justice, law enforcement, and ethics. This study provides a deeper understanding of how LEOs, specifically supervisors, decided whether to follow their written policies and procedures when they encountered other police officers, firefighters, or political officials who were engaged in an arrestable offense. This study provides knowledge received from former LEOs with supervisory experience who experienced this phenomenon. These participants provided valuable insight into their decision-making process concerning professional courtesy and discretion.

The findings of this study also supports a need for upgraded training in the areas of ethics and decision making among our American LEOs. Participants requested the development of a decision tree for the training of new LEOs concerning the use of professional courtesy as a form of discretion. Participants agree that additional and reformed training in ethics and decision making could produce officers who are more confident with their decisions and the consequences of those decisions.

I plan to continue research in this field using Delphi studies and grounded theory to learn how LEO command staff arrive at a definition of professional courtesy, and whether they place professional courtesy under the umbrella of discretion. I plan to attempt to create one universal definition of professional courtesy using the data obtained in these future studies.

Lastly, I hope to bring about potential positive social change in the law enforcement community through building a better perception of the American LEO by the public. Through the knowledge of this study, officers who are better trained in ethical decision making will also be able to navigate the political and religious interferences that also is present during certain situations. Officers who are confident in their decisions are also able to understand the consequences of those decisions. The knowledge gained in this study could also be applied to other areas of law enforcement training where decision making concerning discretion is required such as in use of force situations. Officers who make more ethical decisions concerning professional courtesy and discretion could also receive more respect from the public.

I plan to use the findings in my study by offering to present the results and key findings to various law enforcement communities. I plan to approach training programs such as Police Chief and Sheriff trainings, law enforcement conventions, scholarly and private journals and magazines. It is my hope that administrators in law enforcement agencies will embrace the need to further educate their officers in this area. I would also like to compile a committee of scholars and law enforcement officials to review definitions of discretion and professional courtesy to make these practices more understandable for all officers across the United States. I would also like to work with this committee to devise a decision tree to further train officers in this area.

I also would like to conduct future research with LEO agency heads such as chiefs, sheriffs and training officers in an effort to create a universal definition of professional courtesy. By creating a universal definition, this could help create better training regarding the practice and assist in creating better policies related to professional courtesy and if, when and how it applies.

Conclusion

There has been a paradigm shift concerning the general public's respect for American LEOs from positive to negative. The current study explored how do LEOs make the decision of whether to use discretion and extend professional courtesy or follow their agencies policies and procedures and make an arrest when they encounter other police officers, firefighters, or political officials engaged in an arrestable offense? The study revealed that former LEOs, who held a supervisory role during at least five years of service, relied heavily on other factors when extending professional courtesy to other

officers, first responders, and political officials. The study further revealed that officers often explain professional courtesy as a form of discretion. The study also revealed that some officers chose to extend professional courtesy in situations where their written policy and procedure manuals, and state laws required an arrest. Lastly, the study exhibited some of the challenges that officers face concerning factors such as lack of training in this area, political interference, religious interference, and being able to make decisions based on the totality of the circumstances.

These issues revealed in this study by the participants such as not having one solid definition for professional courtesy and discretion show some of the challenges of the decision-making process for today's American LEO. Being an LEO in America today is very complex. Officers should have the proper training to aid them in making the right decisions. This study was only able to provide data concerning a small area of the decision-making process concerning professional courtesy and discretion. It is hoped that this study will help to initiate better training for both LEOs as well as elected political figures and bring about a positive impact on the integrity of the profession of law enforcement.

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Appendix A: Interview Schedule for Participants

I. Opening

- A. (Establish Rapport)** [Shake hands/Introductions]. My name is Jennifer Hollifield, I am conducting a qualitative case study concerning former law enforcement supervisors in the area. As you know, this study is focused on ethical decision making and how law enforcement officers make decisions related to their discretion as it pertains to professional courtesy. As you also know, you were selected for this study based on your qualifications and experiences as a law enforcement supervisor and dealing with this specific phenomenon.
- B. (Purpose)** It is the goal of this researcher to bring a better understanding of this phenomenon to the scholarly society in order to bring about social change in the law enforcement community.
- C. (Motivation)** I hope to use this information both individually and also compiled with the answers of other participants in order to get a clearer understanding of how you and other former law enforcement officers arrived at certain decisions and the common factors, if any, that helped form those decisions.
- D. (Time Line)** I do expect this interview to be in-depth and lasting about an hour. I will allow you to take a break halfway through, in needed, ok? If you need a break before then, just let me know.

E. (Honesty) I do ask you to answer each question with complete honesty and to the best of your ability.

II. Body

(Transition: Let's talk about professional courtesy)

A. Topic: Professional Courtesy

1. How would you, in your own words, define professional courtesy?
2. What sort of things would you consider to be okay for an officer to receive as part of professional courtesy?
3. What sort of accommodations might you consider to be wrong for an officer to receive under professional courtesy?
4. How does professional courtesy work?
5. Who does professional courtesy apply to?
6. What situations would you apply professional courtesy to?
7. What factors help you to decide when to issue professional courtesy and when not to?

(Transition: Thanks for explaining that to me, now, let's move on and discuss discretion).

B. Topic: Discretion

1. How would you, in your own words, define officer discretion?
2. Would you define professional courtesy as a type of discretion, why or why not?
3. When does an Officer not have discretion? Explain?

4. What factors helped you to decide what decision to make when using discretion?

(Transition: I am now going to present you with three separate scenarios. When you are finished reading the scenario, we will go over the questions at the bottom of each one.) I want you to really think about the scenarios, put yourself in the scenario and tell me what you're thinking about when you were trying to make the decision you made.

C. Topic: Scenarios: Present and discuss the Scenarios

(Transition: Ok, I would like you to reflect back to your former agency's policy and procedure manual and what you can recall about that- ok?

A. Thinking on all three of these scenarios, have you ever been involved in a similar situation, and if so, would you like to tell me what happened? What decision you made and Why?

Topic: Policy/Procedure

1. Are there certain offenses that demand an immediate arrest? If so, what are they? Why?
2. So, for these offenses, why would discretion not apply?
3. Why Would professional courtesy not apply?
4. What factors would cause you to go against policy and procedure and not make an arrest in these situations?

(Transition: Let me close out by asking you some questions about your background and experience in law enforcement)

III. Closing**A. Topic: General background information**

1. How long were you employed in law enforcement?
2. Tell me about your training? How much training was devoted to ethics and decision making and how much was devoted to other things?

B. Closing questions

1. Do you have any questions for me?

Appendix B: Scenario One

It is 0200 hours on what has been, up until now, a calm Tuesday summer evening. You receive a call advising you of a possible intoxicated driver on XYZ Road, a very curvy two-lane back road. The caller has advised the dispatcher that the car has left the roadway several times and they were able to get around the vehicle and are no longer in the area. They give you the description of the vehicle, a dark colored Chevrolet Impala, tinted windows, headed south on XYZ road not far from the where XYZ road intersects with 123 road. Due to being shorthanded on your shift, and the fact that you are nearby the location, you advise dispatch that you will take the call.

You pull onto XYZ road and immediately observe the dark colored Chevrolet Impala driving very slowly. You fall in behind the Impala. You observe the Impala as it weaves in and out of its lane of traffic, unable to maintain a steady lane of traffic. The driver is speeding up and slowing down and unable to maintain the posted rate of speed. As the Impala reaches the end of the road, the driver fails to stop at the stop sign and continues to make a wide left turn onto ABC road. After almost striking a mailbox, you activate your lights and sirens and initiate a traffic stop, notifying dispatch of your location and of the tag information on the Impala.

The Impala pulls over onto the side of the road. You exit your vehicle and make your way up to the driver's side of the Impala. The driver's side window is down and the you can smell alcohol coming from the driver. The driver immediately begins to curse at you and ask you why you pulled him over. Immediately you recognize the driver of the Impala as one of the detectives from a neighboring department, you went to police academy together.

1. What, exactly is going through your mind at this moment? What are you depending on to help you through this decision making process?
2. How would you handle this situation, step by step?
3. What factors about the scenario caused you to make the decisions you made?
4. How were these factors applied to your decision?
5. Why do you feel that these factors played such a big role in your decision making process?
6. Have you been in this situation before? What decision did you make as an officer, and what was the outcome?

Appendix C: Scenario Two

You are assisting your shift with patrol. Again, it is night shift patrol. It is 2300 hours. You are dispatched with another officer to a residence to a possible domestic situation. The call comes from a neighbor who states that they can hear yelling and screaming from the apartment next to them and they are worried about the wellbeing of the woman and child that live there.

You arrive to find the residence belongs to Jane Doe, the girlfriend of officer LNU on the dayshift. Officer LNU meets you at the door, extremely apologetic, and stating that everything is under control. He explains that he had gotten home and found his house a mess and his wife, Jane had been nagging him the minute got home. He stated that had a stressful day at work and he just wanted to come home, relax, drink a few beers and watch tv. He did not want to have to entertain the kids and do a bunch a crap for Jane. You can hear the cries of a small child in the background. Officer LNU really does not want to let you inside. You can see Jane in the background and she appears to be trembling and cleaning up broken pieces of glass in the kitchen area. When you ask her to come closer, you can see the imprint of a hand on her right cheek. She has red marks on her arms that appear to be hand prints. You ask her if she is okay. She looks to Officer LNU first, and then responds that she is fine while looking down at the floor.

7. What, exactly is going through your mind at this moment? What are you depending on to help you through this decision making process?
8. How would you handle this situation, step by step?
9. What factors about the scenario caused you to make the decisions you made?
10. How were these factors applied to your decision?
11. Why do you feel that these factors played such a big role in your decision making process?
12. Have you been in this situation before? What decision did you make as an officer, and what was the outcome?

Appendix D: Scenario Three

It is 0730 hours on a rainy and very busy school morning. It has been a long morning, and your shift just started at 0645 hours. You are already gearing up for a morning filled with traffic accidents due to the wet roads when dispatch advises a BOLO for a red sports car, weaving in and out of traffic and at a very high rate of speed of 3A Parkway. This is troublesome because the road is four lane road, very busy this time of morning, with a high school, an elementary school and a primary school along the long straight stretch of roads. It is just a matter of time before someone traveling at a high rate of speed causes a major accident. You immediately make your way to the parkway and begin to look for the vehicle.

No sooner than you turn onto the parkway, you observe the red corvette traveling at a high rate of speed heading towards your location. A radar check clocks the vehicle at 68 mph. The speed limit is only 40mph. You immediately initiate lights and sirens and attempt to make a traffic stop. The sports car pulls over in a fast food restaurant parking lot. You radio in the tag information to dispatch.

You approach the vehicle and immediately the gentleman in the driver's seat begins to curse you and tell you that he wants to speak with your superior immediately. He slings his driver's license and insurance card at you and rolls up the window. You detect a slight odor of marijuana coming from the car. You walk back to your patrol car, radio in the license and insurance information. While you are waiting for dispatch to return the information to you, another officer arrives. He motions for you to come to his vehicle, and you do. He advises you that the man in the red corvette is a former and retired decorated state patrol official.

Your phone begins to rings. You see that dispatch is calling you. You answer the phone. Dispatch confirms that the man in the red corvette is John LNU, a retired and well known state patrol general in the area. You place a call to your supervisor, but the call goes straight to voicemail.

You approach the vehicle and again, you detect the faint odor of marijuana. Mr. LNU requests his information back, asks if you have figured out who he is yet, tells you to tell your boss hello for him, and asks if he is free to go...

13. What, exactly is going through your mind at this moment? What are you depending on to help you through this decision making process?
14. How would you handle this situation, step by step?
15. What factors about the scenario caused you to make the decisions you made?
16. How were these factors applied to your decision?
17. Why do you feel that these factors played such a big role in your decision making process?

18. Have you been in this situation before? What decision did you make as an officer, and what was the outcome?

Appendix E: Post for Social Media

I am looking for volunteers to participate in a study concerning law enforcement and ethical decision making. I am inviting former law enforcement officers who worked in a supervisory capacity and had a strong knowledge of their policy and procedure manuals, as well as an understanding of discretion and professional courtesy. These officers need to have worked for an agency with mandatory arrest requirements for driving under the influence of alcohol and/or drugs and/or mandatory arrest requirements for the primary aggressor during a domestic violence situation. **Former or current students of Jennifer Hollifield will be excluded from participation.**

I will be conducting audio recorded face to face interviews that will last ninety (90) minutes. You will be asked to commit to the full ninety (90) minute interview, and if necessary, an audio recorded sixty (60) minute follow-up interview. These interviews will include open ended questions and topic-based scenarios.

Background Information:

The purpose of this study is to understand how law enforcement officers, specifically supervisors, decided whether or not to follow their written policy and procedure when they encountered other first responders, or political officials who were engaged in an arrestable offense. This study will examine the use and misuse of both discretion and professional courtesy.

Voluntary Nature of the Study:

This study is voluntary. You are free to accept or turn down the invitation. No one at Walden University will treat you differently if you decide not to be in the study. **If you decide to be in the study now, you can still change your mind later. You may stop at any time.**

Please note: Not all volunteers will be contacted to take part, however, the researcher will follow up with all volunteers to let them know whether or not they were selected for the study.

Risks and Benefits of Being in the Study:

Being in this type of study involves some risk of the minor discomforts that can be encountered in daily life, such as fatigue, stress or becoming upset. Being in this study would not pose risk to your safety or wellbeing.

While there are no benefits to the participants in this study, the potential benefit of this study is to expand the scholarly knowledge in the disciplines of ethics, criminal justice,

and law enforcement by providing a better understanding of how law enforcement supervisors make decisions concerning discretion and professional courtesy in certain situations.

Georgia law, O.C.G.A 19-7-5 requires certain persons, including this researcher, Jennifer Hollifield, to report suspected child abuse to the Division of Family and Children Services located within the Department of Human Services.

Privacy:

Reports coming out of this study will not share the identities of individual participants. Details that might identify participants, such as the location of the study, also will not be shared. The researcher will not use your personal information for any purpose outside of this research project. Data will be kept secure by the researcher.

If you wish to take part in this study, or for additional information, please notify me via private message or contact me directly via email at Jennifer.Hollifield@Waldenu.edu.

Appendix F: Questions and Answers from Participants

QUESTION	ANSWERS FROM PARTICIPANTS	SUBTHEME	THEME	
<i>A1: How would you, in your own words, define professional courtesy?</i>	# Answer	Officers do not share one definition for the term of professional courtesy, nor do they agree on how professional courtesy should be applied, when it should be applied, and its function. Officers do not agree on the definition of discretion, the use of discretion and whether or not professional courtesy is a form of discretion. Professional courtesy Can be something tangible or intangible that is given from one officer to another Officers need additional training concerning professional courtesy and a universal definition	1. Political Interference 2. Religious Interference 3. Lack of Training and Confidence 4. Fear of Public Reprisal .	
	10			dealing with law enforcement in general and how they interact with other law enforcement officers, out of respect for other officers you may encounter
	11			Something given to an officer such as a free cup of coffee
	12			Something given between two professionals- officer to officer, doctor to doctor.
	14			Respecting higher ranking officers
	15			An officer assisting another officer
	16			Something you may receive from another officer
	18			Getting a “free pass” to do things others cannot do such as speeding
	20			Helping each other in a certain profession
	22			Something an officer receives from another officer
	26			Not sure how to describe this- its just an action made by one officer for another officer
	28			Respecting another officer
	29			Officer receiving an item such as free meal
	30			One agency to another agency
32	I believe professional courtesy is extended by an officer in the event that a minor violation may have occurred but no necessary action			

	<p>other than bringing the violation to the offender's notice and educating that person on the law related to the offense occurs. Example: A driver doesn't signal, runs a stop sign, or some has a brake light out. Bringing attention to the violation or informing the driver of the infraction might resolve the issue from occurring again.</p>	<p>Officers find the idea of a decision tree and additional training to be refreshing.</p> <p>These sorts of behaviors and "exceptions" are what is driving the negative paradigm shift across the nation.</p> <p>Officers fear loss of integrity</p> <p>Officers fear the outcry of the public and media. Officers wish for better public understanding of their job and complexity of their decisions.</p> <p>Officers wish for better public perceptions.</p> <p>Officers lack consistent training in this area</p>										
<p><i>A2: What sort of things would you consider to be okay for an officer to receive as part of</i></p>	<table border="1"> <thead> <tr> <th>#</th> <th>answer</th> </tr> </thead> <tbody> <tr> <td>10</td> <td>Coffee/food</td> </tr> <tr> <td>11</td> <td>nothing</td> </tr> <tr> <td>12</td> <td>nothing</td> </tr> <tr> <td>14</td> <td>Respect, making a phone call</td> </tr> </tbody> </table>	#	answer	10	Coffee/food	11	nothing	12	nothing	14	Respect, making a phone call	<p>1. inconsistent understanding of the terminology and the process of professional courtesy, how it</p>
#	answer											
10	Coffee/food											
11	nothing											
12	nothing											
14	Respect, making a phone call											

<i>professional courtesy?</i>	after the arrest of a friend/family member of another officer.	works and what, if anything, it applies to
15	Coffee provided for free for uniformed officers/letting an officer out of a speeding ticket	2. Some officers consider receiving a discount or free meal is an okay "perk" to the job
16	nothing	
18	Coffee or free meal to working officers/small traffic offenses	
20	Meal provided to officers who are working in a certain area, at holidays/never okay to let an officer out of an arrestable offense, but a traffic thing would be okay	
22	Nothing/but would consider letting another officer out of a traffic offense such as slightly speeding	
24	nothing	
26	This is more of an action than a thing- usually its letting another officer go when the general public may have gotten an	

		ticket or worse, arrested- nothing is acceptable	
	28	Respect- not embarrassing another officer with correction in front of the public/letting officer out of speeding ticket	
	29	A free meal or small speeding citation	
	30	Nothing is really okay, however if I can extend it to the general public(warning over a speeding ticket) then of course I will extend it to fellow officer. Willing to issue courtesy ride for DUI(no property damage or injury) to officers, but also to the general public- everyone has a bad day(in their day this was acceptable, however, now it is considered a policy violation)	
	32	nothing	
<i>A3: What sort of accommodations might you consider to be</i>	#	answer	
	10	I am unsure how to answer this question	1. officers are mixed in their opinions of whether or not

<i>wrong for an officer to receive under professional courtesy?</i>	11	Officers are not above the law, should not avoid an arrest	extending professional courtesy as an accommodation.
	12	nothing	
	14	nothing	
	15	I can't think of an answer to this question	
	16	Officers should never be allowed to avoid arrest, if an officer is doing these things, they need to be disciplined.	
	18	nothing	
	20	It really just depends on the situation	
	22	Officers have discretion to extend professional courtesy.	
	24	nothing	
	26	It's the totality of the circumstances, I can't say without knowing the whole situation	
	28	Obviously, the big stuff- murder etc, but I can not really answer this question without a scenario or knowing the details. Totality of circumstances	
	29	Depends on the totality of circumstances, officers use this	

		to make decisions
	30	I cannot talk in absolutes without knowing the details surrounding the situation
	32	I do not believe an officer should be treated any differently than a civilian.
<i>A4: How does professional courtesy work?</i>	#	answer
	10	I am not sure how to explain this in words. It is a respect issue from one officer to another one, usually a higher ranking officer
	11	Officer in uniform walks into a gas station and gets a free cup of coffee
	12	Officer/1 st responder getting a free meal or a discount
	14	getting a free meal when you're working
	15	I am gonna pass on this one
	16	Typically occurs during a

	<p>traffic stop but could also be food being donated to the department – maybe for a holiday</p>
18	<p>Chick-Fil-A often gives free meals to officers</p>
20	<p>Officer gets pulled over, usually off duty in their personal car. Working officer, who pulled the other over, approaches window, sees the officer and lets him go for speeding</p>
22	<p>Even in other jurisdiction, officers notify other officers of their status and they get a free pass</p>
24	<p>Free or discounted meal when working if officer enters the restaurant and eats inside</p>
26	<p>Officer in uniform gets free</p>

		food or coffee
	28	free food or drinks
	29	An officer pulls over a car for speeding and then realizes that the driver is an off duty officer, so he lets them go.
	30	Driver is pulled over and flashes badge and is flagged on by officer pulling over the driver
	32	I believe professional courtesy to be similar to a "lucky break" almost due to something minor again and only in minor violation incidents.
<i>A5: Who does professional courtesy apply to?</i>	#	answer
	10	Any post certified officer- sometimes though it doesn't matter because it comes from above their heads
	11	Any officer from any agency and also extends to first responders like EMT's and firemen

	12	Any police officer and those in public office or anyone the administration tells you to issue it to
	14	Any officer- city state or feds, and elected officials
	15	Any officer, not political figures, however, often it is extended to friends and family members of the "powers that be."
	16	Any officer- usually Post certified. Sometimes, it is whoever you are told to extend it to
	18	Those in public office, judges, officers, first responders
	20	First responders, fire, EMTs, political figures, elected and appointed
	22	Public officials(sometimes whether you wanted it to or not, and other officers
	24	Whoever your supervisors tell you to apply it to
	26	Everyone
	28	Officers, judges, people like that
	29	All officers
	30	Any officer, even in another jurisdiction
	32	Everyone
Question A6:	#	answer
What situations would you apply	10	Respecting a higher officer-

<i>professional courtesy to?</i>		<p>when an officer is in charge of a scene and a higher ranking officer arrives to take over the scene.</p> <hr/> <p>11 Coffee at a gas station</p> <hr/> <p>12 Meals</p> <hr/> <p>14 Meals</p> <hr/> <p>15 Traffic stops</p> <hr/> <p>16 Traffic stops- showing badge and leaving</p> <hr/> <p>18 Meals</p> <hr/> <p>20 Meals</p> <hr/> <p>22 Traffic stops</p> <hr/> <p>24 Meals</p> <hr/> <p>26 Meals</p> <hr/> <p>28 Meals</p> <hr/> <p>29 Traffic</p> <hr/> <p>30 Traffic</p> <hr/> <p>32 Minor traffic infractions</p> <hr/>
<i>A7: What factors help you to decide when to issue professional courtesy and when not to?</i>	<p>#</p> <hr/> <p>10</p> <hr/> <p>11</p> <hr/> <p>12</p> <hr/>	<p>answer</p> <hr/> <p>Policy manual, is the situation legal or illegal, does it demand an arrest?</p> <hr/> <p>Policy and procedures, am I going to get in trouble for arresting this person?</p> <hr/> <p>Policy and procedure, training from others/politics</p> <hr/>

14	Totality of the circumstances, repercussions from political figures
15	Policy and procedure manuals- fear of being fired for making the arrest, and fear of being fired for not making the arrest
16	Totality of the circumstances- opinions of others, fear of loss of job or embarrassment- often being unable to make the right decision will be the downfall of an officer or whole department
18	Policy and procedure should always be the guiding force for these decisions, cannot train younger officers because of the double standards
20	Anything that I can extend to the public, I would extend to an officer, including DUI's, politics
22	Can I do this same thing for anyone else?
24	Procedure manuals and

	trying to please supervisors and political people such as judges, chiefs/sheriffs/
26	Any situation, including DUI, if I can and would do the same thing for anyone else, like the general public, and attitude, demeanor, fear of retaliation
28	Can I do the same thing for everyone else I encounter tonight? Fear of political repercussions
29	Attitude, sure I would call a courtesy ride for another officer, I would do that for anyone, stress from above supervisors and political stuff
30	Identity and status, attitude, extend the same thing to an average citizen later in the same shift, fear of politics
32	The infraction, attitude, demeanor, politics interfering with my job made it almost impossible to lead

<i>B1: How would you, in your own words, define officer discretion?</i>	#	answer
	10	An officer needs to be able to justify their actions and decisions in every circumstance. This should get easier as the officer's spectrum of knowledge grows.
	11	The ability of an officer to make a decision based on the totality of the circumstances. Often one can tell what kind of officer someone is going to be by the decisions they make.
	12	The officer chooses the outcome
	14	Officer ending a situation
	15	Not always an arrest, this is more with the decisions made by the officer
	16	An officer taking in the totality of the circumstances in any situations, and making an educated decision. Could be an arrest, could be a warning. Anytime an

	officer makes a decision they are using discretion
18	Decisions made by an officer
20	What the officer decides to do
22	Whether or not the officer will make an arrest or not
24	Decision of an officer
26	Determining what to do in a situation.
28	What an officer uses to make decisions
29	Every situation is different, and officers tailor decisions to fit the situation
30	Decisions made by officers based on what they know. You cannot use the same discretion on every situation otherwise you'll be treating a belligerent drunk on Saturday night like you would a little church lady who was late to church, and vice versa.

	32	Officer Discretion is the decision of the officer to cite or not cite in certain minor situations.
<i>Question B2: Would you define professional courtesy as a type of discretion, why or why not?</i>	#	answer
	1	No, they are different
	0	
	1	Professional courtesy is
	1	an action, and discretion is the decision making process behind the action
	1	No, professional courtesy
	2	should not be confused with discretion
	1	Yes, both require a
	4	decision on the part of the officer
	1	No, one is a decision and
	5	one is action
	1	Yes, I think it could fall
	6	under this umbrella
	1	No, I can't make that
	8	jump- often those who do this are using it as an excuse.
	2	Sure, both are decisions
	0	made
	2	No, I am not ready to
	2	place them in the same box
	2	Yeah, I guess so, you
	4	have to decide to accept the free meal or coffee or even the speeding pass, and you have to decide how to handle every situation, so yeah, they could be interchangeable
	2	yes
	6	
	2	yes
	8	
	2	Well, because both
	9	require some sort of decisions, I have to say that it's a stretch, but yes.

	3	No, one is an action and
	0	one is a decision
	3	Yes because it is the
	2	decision of the officer
Question B3:	#	answer
When does an	10	Policy rules, state
officer not have		laws
discretion?	11	Policy rules, state
Explain.		laws
	12	Policy/procedure
	14	Things in your
		policy and
		procedure should
		clear this up
	15	I can't say for sure
		anything specific
		because an officer
		always has
		discretion on how
		to handle every
		situation.
	16	DUI, but
		sometimes this
		could change,
		hence discretion
		kicks in
	18	DUI, most
		felonies, once they
		are charged- until
		then discretion
		should apply.
		Sometimes, an
		officer decides not
		arrest someone so
		that they can learn
		more from the
		suspect
	20	Murder, assault,
		child molestation,
		most felonies.
	22	Unsure, should be
		based on state
		laws
	24	Should be all the
		big stuff!
	26	Policy procedure,
		state laws should
		be the guidance
		for this
	28	DUI, primary
		aggressor, all the

		big personal injury crimes, drug possession and sales, stuff like that
	29	State laws should govern this
	30	DUI murder, battery, theft, most felonies
	32	When there is a serious infraction, an immediate danger, a domestic, a violent crime of any kind. Ga state law requires an arrest for Violent Offenses, Serious Crimes, Murder, Assault, Domestic Violence, Child Abuse, Sexual Abuse, DUI, etc- there is no discretion in these situations
<i>B4: What factors helped you to decide what decision to make when using discretion?</i>	#	answer
	10	The offender's attitude, severity of charge, integrity and fear of losing it
	11	Severity of charge
	12	Severity of charge
	14	Severity of charge; totality of circumstances
	15	Severity of charge
	16	Severity of charge; totality of circumstances- accountability

		of their decision
	18	Severity of charge; totality of circumstances
	20	Severity of charge; totality of circumstances
	22	Severity of charge
	24	Severity of charge
	26	Severity of charge
	28	Severity of charge
	29	Severity of charge
	30	Some officers just don't know how to properly use discretion and they let outside factors cloud their judgement. Whether charge is misd or felony- totality of circumstances
	32	Common sense, the infraction and seriousness, the result of the action, the attitude of the offender, the events that may have led up to the infraction.
<i>Scenario One, Question 1: How would you handle this</i>	#	answer
	10	Arrest- doesn't matter who the offender

<i>situation, step by step?</i>		is, they are drunk
	11	Arrest- who it is should not cloud your decision
	12	Arrest- record the entire event(for protection), call for supervisor to meet at the scene.
	14	Arrest- professional courtesy cannot be applied to this situation because the DUI is a mandatory arrest and the driver is impaired. The action was brought on by the offender not the officer.
	15	Arrest- it will be difficult, but you have to remember that the offender did this to themself this is not something you are doing to them

16	Arrest- your decision was made by their actions.
18	Arrest- need drug dog to walk vehicle
20	Arrest
22	Arrest- shouldn't matter who is behind the wheel
24	Arrest- the who should not matter, but all too often it does. Very difficult situation
26	Arrest
28	Arrest
29	Arrest. Law requires the party to be arrested, law doesn't have exclusions
30	Arrest-I am curious if this is a government or private vehicle?
32	Arrest- maybe you're putting your job on the line, but your integrity should mean something

Scenario One, Question 2: What factors about the scenario caused you to make the decisions you made?	#	answer
	10	Attitude- but they will be arrested regardless; fear of losing job for making wrong decision
	11	Attitude
	12	Attitude matters, but even friendly, I would arrest them, fear of losing integrity both of the department and of the general public which they serve, political repercussions
	14	Attitude, but still getting arrested; fear of losing integrity, thoughts of political repercussions for either making the arrest or not making the arrest
	15	Attitude, political issues
	16	Attitude- climate today requires arrest, political retaliation
	18	Attitude matters, and may have changed things in the past, but today these things are pretty spelled out
	20	Attitude , explanation, political repercussions
	22	Attitude; accountability with department
24	Attitude will play a big role, but ultimately if I determine what I suspect to be true, they will be arrested,	

		accountability from audits and body cam reviews, public panels, political interference, job loss, demotions
	26	Attitude, accountability of decision
	28	Attitude-accountability through audits, reviews from supervisors, demotions, public embarrassment (even if you make the arrest and do the right thing)
	29	Attitude
	30	Attitude- offender's reasoning
	32	Attitude, fear of losing integrity
<i>Scenario One</i>	<i>#</i>	<i>answer</i>
<i>Question 3: How were these factors applied to your decision?</i>	10	These factors all played a major role in the making of my decision
	11	Totality of the circumstances, including the thought process I experienced to get to the decision
	12	I just like sleeping at night, and these decisions keep me up at night. If I feel like I made an unethical decision based on political pressure, I would have

	trouble sleeping. However, if I made ethical decision and knew I was facing termination for that decision, it is also troubling
14	All of the factors mattered but if you do what you are trained to do, it should be easy. You cannot look at the person and who they are in the community, you have to look at the offense and the consequences of that offense.
15	Factors play a huge part, but you can get hung up with these and let them guide your decision process and that can get you into trouble.
16	Factors should be gathered and considered as part of the totality of the circumstances
18	I like to think that I would make the right

	<p>decision, but all too often the bigger brass from the offender's dept will show up and show out</p>
20	<p>Duty to make the arrest of anyone driving impaired and adding in the possible presence of marijuana, attitude and integrity should easily guide the arrest</p>
22	<p>Attitude is the biggest part of my decision, and the attitude of the offender often shapes the outcome of the situation</p>
24	<p>Factors shouldn't matter that much, it should fall back on your training and/or orders from supervisors</p>
26	<p>Totality of the circumstances</p>
28	<p>Hard to say, because you have to take it all in and evaluate it in order to make a decision. Once that decision is</p>

	made, you have to stand behind it.
29	You have to revert to your training and stop focusing on who the offender is, and focus on what the offender has done
30	All of this is what is going to bother you in the morning when it is all said and done. To some you will be a hero for making the arrest and to others you may be the scumbag that arrested another officer.
32	Officers should always remember that the offender placed them into the situation. Training and laws should be at the forefront. Yes, you have discretion, and yes there is a lot of stuff clouding in your head, but this is what will determine whether or not you are an ethical or unethical

		officer. Can you withstand the political pressure.
<p>Scenario One, Question 4: Why do you feel that these factors played such a big role in your decision-making process?</p>	#	answer
<p>Scenario Two, Question 1: How would you handle this situation, step by step?</p>	#	answer
	10	Interview everyone on scene separately, talk to neighbors- is this common? If assault occurred- identify primary aggressor and make arrest
	11	Interviews, determine assault, identify aggressor, make arrest. They may both have to go
	12	Call Dfacs for the kids, interviews, arrest them

	both if you can't identify an aggressor.
14	Based on the scenario, I cannot say for sure whether or not I would make the arrest comfortably. Interviews would need to be made, and there is a need for more information first.
15	Interviews. These situations can get really bad quickly. Settle kids, arrest. If you can determine they both were at fault, they both take the ride
16	Separate all parties and interview, make sure you record everything-take pictures of any injuries, verify assault and level of assault, identify primary aggressor

	and make arrest. Counsel other party on how to leave an abusive situation, offer resources
18	Talk to all parties, identify aggressor and make arrest
20	If you can determine that an assault has occurred in front of the children through interviews, then you have to make the arrest
22	Hard to say for sure, but sounds like interviews need to be conducted and someone, if not both of them are going to be arrested
24	This is a tough one- because it will end a career, but they knew that too going into it. Interviews will go along way

	in determining the degree of the argument and possible assault. Separation or arrest must be made
26	Interviews, arrest, DFACS
28	Separate, interview, arrest, counsel, children's services
29	Interviews, arrest primary aggressor or both parties, DFACS
30	Call supervisor, call DFACS, interview and arrest them both.
32	Divide and conquer. Speak to each person separately. Contact DFACS for children. Give information on domestic violence services to the victim. Make the arrest, contact supervisor.

Scenario Two, Question 2: What factors about the scenario caused you to make the decisions you made?	#	answer
	10	Religious factors
	11	Culture, political pressure
	12	Offender's law enforcement status, political pressures
	14	Our offender is a cop, he knows better, political pressure
	15	Culture, political pressure
	16	LEO status of offender, political pressure
	18	LEO status of offender; backlash from department
	20	LEO status of offender, negative response from other officers for making the arrest
	22	LEO status of offender
	24	LEO status of offender
	26	Moral compass, dangerous situation
	28	Lack of training of the reporting officer could be big factor
	29	Culture, political pressure

	30	Backlash for handling the situation incorrectly by department (by incorrectly, I mean that officers may not like the fact that I arrested and ended a career)
	32	Domestic Violence progresses each time. It is obvious there are issues here that need to be addressed. Shouldn't matter what department wants. These are very dangerous situations.
<i>Scenario Two</i>	<i>#</i>	<i>answer</i>
<i>Question 3: How were these factors applied to your decision?</i>	10	Aggression towards spouse may be a religious response and acceptable, often advised from upper supervisor, or political powers to not get involved in these situations, or if the reporting

	officer is of the same faith, may turn a blind eye to the abuse
11	Was it really abuse, different cultures see this differently – will the abused party truly disclose the extent of their injuries?
12	Status, but the officer should know better and know how to diffuse a situation without violence
14	Employment status of the offender makes this situation so much worse, but the officer should have better control of their anger
15	Some cultures see disciplining their spouse as acceptable- officer makes the arrest to help the abused party only to find

	out later they have been shunned by their whole community and blamed for the arrest.
16	LEO status will lead to termination of a career if arrested
18	An arrest will be a career ender for this offender
20	Making an arrest will end this officer's career and possibly make the situation worse
22	LEO status, but not in the way that you may think, I feel that the officer should be held to a higher standard and he knows better.
24	LEO officers should handle themselves better than this, I would be mad that I have been placed in this situation

	by this officer
26	These situations are one of the most dangerous for any reporting officer, and finding out that the offender and aggressor is also a LEO, makes it even more dangerous because this could be a career ender upon arrest. If the offender is drinking too, it can be very scary. I am upset that I have been placed in this situation by someone who should know better
28	I have to use my moral compass to make these decisions. If I feel that they need to be arrested and I don't then it is placing my ethical character on the line
29	Cultural differences

		can play a big part
	30	This is just too hard to navigate. I am going to revert back to training.
	32	As an officer, we handle these situations daily. There is no excuse.
<i>Scenario Two, Question 4: Why do you feel that these factors played such a big role in your decision-making process?</i>	#	answer
	10	Very difficult and dangerous situation.
	11	Difficult situation to navigate. If you make the arrest- you face backlash from the political powers that be. If the spouse drops the charges and they separate, does the officer keep his job? I have seen this several times and they do. Is it right- I just do not know.
	12	I encountered a similar situation and the offending officer was not arrested and later killed their spouse in a fit of rage. Once the media

	leaked the information that officers had been at the offender's home on numerous occasions with no arrest, there was public outcry.
14	Make the arrest and you will face trouble, if this officer is one of the "chosen" ones of the upper brass, then you'll face all sorts of trouble and obstacles
15	Politics will eat you alive for whatever decision you make here. Political backlash for doing the right thing caused me all sorts of heartache and eventually this played a huge factor in me leaving this field.
16	This is such a difficult situation to navigate, I am unsure how I want to respond
18	Officers face all sorts of trouble with this one.

20	If we don't make the arrest and something happens, is that blood on our hands?
22	Again, it is the totality of the circumstances, if the offending officer has committed this horrible act, then he has to take the ride. Politics are always going to get involved here, but we still have to do the right thing for every abused victim. We can't pick and choose.
24	This is a toughy but I am going to make the arrest and let the chips fall where they may
26	It is a career ender if you make the arrest
28	Moral compass, training and experience will always guide you to the better decisions. But we barely get enough training as it is and rarely

	do we discuss these issues
29	Taking into account the culture factor, you have to make sure that you are making the right decision for everyone involved- we need more training in this area.
30	It is probably going to be a bad day for everyone involved including the arresting officer. There is always need for additional training in these situations
32	Because we know the never ending and escalating damage done by these offenders. There is also a great concern for how this is affecting the officer at work. Is he acting out on his emotions at work. Is there so much going on at work that it is causing him to take it out on his wife and children?

		These need to be addressed.
<i>Scenario Three, Question 1: How would you handle this situation, step by step?</i>	#	answer
	10	Arrest- doesn't matter who they are
	11	Arrest- who should never matter that much
	12	Arrest- record everything and cover yourself, call a supervisor and a drug dog
	14	Arrest, professional courtesy cannot be applied to this decision just as the same for scenario one.
	15	Arrest, similar to the first one
	16	arrest
	18	arrest
	20	arrest
	22	Arrest- who/status does not matter
	24	Arrest them! I don't care who they are or think they are
	26	arrest
	28	arrest

	29	Arrest- they know better!
	30	Arrest
	32	Arrest- if the supervisor wants to change this, then turn the scene over to them
<i>Scenario Three, Question 2: What factors about the scenario caused you to make the decisions you made?</i>	#	answer
	10	Attitude- but they will be arrested regardless; fear of losing job for making wrong decision
	11	Attitude
	12	Attitude matters, but even friendly, I would arrest them, fear of losing integrity both of the department and of the general public which they serve, political repercussions
	14	Attitude, but still getting arrested; fear of losing integrity, thoughts of political repercussions for either making the arrest or not making the arrest
	15	Attitude, political issues
	16	Attitude- climate today requires arrest, political retaliation
	18	Attitude matters, and may have changed things in the past, but today these things are pretty spelled out

	20	Attitude , explanation, political repercussions
	22	Attitude; accountability with department
	24	Attitude will play a big role, but ultimately if I determine what I suspect to be true, they will be arrested, accountability from audits and body cam reviews, public panels, political interference, job loss, demotions
	26	Attitude, accountability of decision
	28	Attitude- accountability through audits, reviews from supervisors, demotions, public embarrassment (even if you make the arrest and do the right thing)
	29	Attitude
	30	Attitude- offender's reasoning
	32	Attitude, fear of losing integrity
<i>Scenario Three, Question 3: How were these factors applied to your decision?</i>	10	These factors all played a major role in the making of my decision
	11	Totality of the circumstances, including the thought process I experienced to get to the decision

12 I just like sleeping at night, and these decisions keep me up at night. If I feel like I made an unethical decision based on political pressure, I would have trouble sleeping. However, if I made ethical decision and knew I was facing termination for that decision, it is also troubling

14 All of the factors mattered but if you do what you are trained to do, it should be easy. You cannot look at the person and who they are in the community, you have to look at the offense and the consequences of that offense.

15 Factors play a huge part, but you can get hung up with these and let them guide your decision process and that can get

	you into trouble.
16	Factors should be gathered and considered as part of the totality of the circumstances
18	I like to think that I would make the right decision, but all too often the bigger brass from the offender's dept will show up and show out
20	Duty to make the arrest of anyone driving impaired and adding in the possible presence of marijuana, attitude and integrity should easily guide the arrest
22	Attitude is the biggest part of my decision, and the attitude of the offender often shapes the outcome of the situation
24	Factors shouldn't matter that much, it should fall back on your training and/or orders

	from supervisors
26	Totality of the circumstances
28	Hard to say, because you have to take it all in and evaluate it in order to make a decision. Once that decision is made, you have to stand behind it.
29	You have to revert to your training and stop focusing on who the offender is, and focus on what the offender has done
30	All of this is what is going to bother you in the morning when it is all said and done. To some you will be a hero for making the arrest and to others you may be the scumbag that arrested another officer.
32	Officers should always remember that the offender placed them into the situation. Training and laws should be at the

		forefront. Yes, you have discretion, and yes there is a lot of stuff clouding in your head, but this is what will determine whether or not you are an ethical or unethical officer. Can you withstand the political pressure.
<i>Scenario Three, Question 4: Why do you feel that these factors played such a big role in your decision-making process?</i>	#	answer
	10	How the offender handles himself or herself can often make or break an arrest
	11	This should merit an arrest, but making the arrest may cause the loss of my popularity and integrity by other officers
	12	Backlash shouldn't matter, but it just does. I will make the arrest, but it will bother me. I just have to keep reminding myself that

	the offender did this to themselves not me doing this to them
14	Attitude goes along way with me
15	There is a duty to make the arrest, and not making the arrest could cause issues with my job later- like integrity.
16	Again, going back to attitude- this can be a huge factor in the process
18	I just think that it goes back to attitude, the scenario leaves a few "ifs" out there
20	You have to make the arrest no matter what happens. If your current department reprimands you then you're in

	the wrong department
22	Attitude- you can always make an arrest later
24	Attitude and reasoning behind the action can sometimes change the outcome for me in certain situations
26	The arrest has to be made. Discretion cannot really apply here. That is the easy answer. The truth is that too many times, we get caught up in the thoughts of political drama
28	Make the arrest- make the arrest! Training should trump the thought process. If you over think it then you'll regret it
29	I can't say for sure,

		were drugs found actually found in the vehicle or just odors?
	30	If you were properly trained, you know the factors matter and you have to make the arrest
	32	Nothing is hidden. The right thing is always the right thing even when it is hard to do.
<i>Would a decision tree be helpful in ethical training when discussing these issues? Why?</i>	#	answer
	10	Officers need to know what they are facing and how to navigate political pressures
	11	Yes, anything in the ethical arena could be helpful- there isn't enough discussion on these topics
	12	Everyday, you read of another

officer
making a
bad decision
– it hurts all
of us. We
need to
educate and
train our
upcoming
officers on
how to
handle
situations-
not wait and
see what
happens.

14 We train
officers for
a physical
fight, but we
need to train
them for the
fight in their
minds when
they are
faced with
these
situations,
so yes, I
think this
could be
very helpful
if it was
developed
with these
situations in
mind

15 Yes, I don't
think you
can truly
teach
someone to
be ethical,
but you
might could
teach them
the proper
response if
they went
over it in
their head
enough to
know what

	they are supposed to do
16	Most definitely. We are never going to regain the trust of the people if we continue to let each other slide for this kind of stuff. We need more training on how to deal with all of this stuff-ethics, bad officers, etc. We also need a better process of how to determine a bad officer way before they embarrass us in such a way
18	Yes. Something like this needs to be discussed more in training classes both in ethic refresher courses and also in police academy. Officers need to know the consequence for these actions

	20	Yes, sounds like a good idea
	22	I would support something like that
	24	I have no idea how you would develop that but if you do- I think it sounds promising
	26	We need to simplify the answers based on what is lawful and in our policy and procedure manuals.
	28	It is a great idea. It needs to be discussed more
	29	I think it couldn't hurt anything
	30	You can tell a seasoned officer from a new one. Something like this would be helpful
	32	Yes, sure.
Have you been in a similar situation before? What did you learn?	#	answer
	10	I have experienced similar experiences like the ones presented in the scenarios

	and the religious and political factors were very ever present
11	Yes, and for me, the political pressures put on me by political people who should have had my back, but didn't, was very gut wrenching. I was shocked to "learn the ropes" when it came to these situations. I was told to always make arrests in training and then privately taught by FTO's and seasoned officers that there were "exceptions."
12	Yes, and it was a real struggle- having to explain to superior officers and defend my reasons for making an arrest.
14	Yes and no. I did see these situations a lot and it became obvious to me

	that it will be bad no matter what you decide. Some officers and supervisors will praise you and others will punish you
15	I did not experience these situations in my career personally, but I did learn of them and I always felt bad for everyone involved
16	Yes, as an upper supervisor, and police chief I told my officers to always make the arrest in these situations. One of my officers made the arrest of a judge and another one of a high ranking state trooper general. A sheriff in another county actually bailed out the trooper general and backlash and criticism of both my officers and myself over

	the arrests. It became a political circus
18	Yes, I have seen this many times throughout my LE career. It just never ends well- no matter what. Too many times, The support system that is supposed to have your back, just isn't there.
20	Yeah. I learned that if you are working for an ethical elected official, it will be much easier to make this decision with confidence knowing that they have your back.
22	Opposition comes from the strangest of places sometimes. Why are we training officers to treat the public one way and then teaching them that there is an elite group of people who cannot

	be touched? I never liked that
24	I did not experience this myself, but I did see the politics in these decisions and knew of several officers in my area who were both chastised and blocked from promotions for doing the right thing and arresting the DUI officer, and then I saw officers who didn't make the arrest have their names drug through the media and fired. So, it can go either way. You have to be confident in your decision that no matter what happens, you did what was best in that situation
26	Yes, I have seen it. It is a nasty place to be when the media learns all about it. A lot has changed over the years in law

	enforcement and we are scrutinized enough for our decisions.
28	I have learned that once these things make the news, it tarnishes law enforcement as a whole, and makes it difficult to determine who is a "good cop" and who is not.
29	I have, and I see it as a lack of training and understanding of that training.
30	It always come to light, and when it does, officers who compromise their integrity lose it for good.
32	I have been contacted by people in powerful positions request favors for friends or relatives. It is a difficult place to be in and I have seen other officers do what is asked as favors. The unfairness

often leaks
out and
becomes a
favoritism.
This sheds a
terrible
shadow over
all of law
enforcement
and creates
bias.