

Issues Spanning the Justice System

Accepting Gratuities

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#### Introduction

The police department policy related to gratuities states that no officer should accept gifts and gratuities as it is against the profession. The policy applies to every officer, but its effectiveness is the one of concern. During operations officers often receive gifts and gratuities as an appreciation for their well-done jobs but law enforcement agencies fear that this action is the beginning of many corruption activities. It is the will of every officer to develop a good relationship with the community, but most people take it as an advantage to manipulate them for favors. The department relates gratuities to cash bribes and says the two have no difference since the intent is the same. Although the policy is in effect, many gratuities cases go unnoticed because most of them are between individuals and officers. Therefore monitoring gratuities is one strenuous activity in determining how ethical the officers are.

Gratuity cases in the officer's department are taken seriously, and they receive disciplinary penalties such as suspensions, and some of them may lose their jobs if the gratuity proves to be unethical. Most cases are deliberated after many considerations relating to professional code ethics. Officers who find themselves in these situations argue that it is hard for them to deny a gift from a client after performing a good job; denial would have effects to good community relations. Law enforcement agencies do not tolerate gratuities because most of them come with strings attached. The case of free coffee comes with services and favors to be rendered later. Gratuities affect the judgment of officers, and in most cases their decisions are wrong, or they possess' inequality.

Gratuities relate to the level of integrity of the officers, that is, how honest they are and how they adhere to the profession's principles. When officers accept gratuities, their integrity is put on a scale, whether the gifts are meant for good or bad. If the officers prove to be responsible, then it would be logical to allow them to make decisions on what type of gratuities to accept. Take for instance a free ride to town after offering a service, this action is an example of a gratuity, but its intentions are positive. Most officers receive free coffee in a restaurant, and it helps them to be on good terms with the community. When gratuity decision is left for the officers, then they should be able to acknowledge the motive of the giver since in most cases people want favors. If the purpose is unethical, then the gratuity should be discarded, but if it is to develop a good relationship, then it can be considered.

Most of the times when an officer starts receiving gratuities and gifts from an individual it becomes difficult to avoid. The accumulation of these gratuities results in more serious cases of bribery. If it becomes normal for officers to receive gratuities, at some point everyone will have to pay police for services. Based on the utilitarianism theory, every incidence should prove beneficial, but mostly the demerits always outweigh the merits due to the accumulation effect. If we judge every action on this theory, some gratuities that have no negative consequences would be considered permissible (Pollock, 2006).

According to the officer, the profession involves dealing with people and most of the activities they perform have effects on individuals. Services are to the good of the community and maintaining harmony between community members. Lawbreakers are apprehended against their crimes and information from the community is needed. Most of the times you encounter good-willed people who want to offer you lunch or a cup of coffee to appreciate your work. Accepting gratuities establish a good relationship between the officers and the community and

refusing small gratuities would further bridge the interactions. Many noble officers reject free coffee, and mostly they are not liked by the community. There is a comparison between gifts and gratuities, and the officer believes that gifts are offered with no strings attached, but gratuities are mostly given for later favors. It becomes difficult to rule against the people that offer you gratuities, but the officers are expected to act with professionalism.

The officer believes that when the motive of the giver is positive then it is worth to accept and the determination of the appropriateness of accepting minor gratuities should be left to the officers. Gratuities according to the interviewee are offered for several reasons which include; for service appreciation, for later cooperation, most people offer to gain officers' support, in case of restaurants free coffee to officers is an advertisement for safety or to remove problematic people. However, the officers should be careful when receiving gratuities since they can place themselves in disciplinary situations. Not every person is right since people manipulate officers to accept biased judgments.

I concur with Kania (1998) that police officers should be allowed to exercise their freedom relating to gratuity acceptance. The officers should be governed by the acknowledgment of the provider's motives. When you reject small gratuities from faithful citizens then you are destroying the trust they have in you, therefore collecting original information becomes difficult. Most of the time people with crime information call you for a lunch or dinner on their budget where you will spend time and gather valuable leads to crime. However, the policy should not be discarded but should be adjusted to fit several considerations since when officers exercise their freedom without measure, some of them become ignorant and reckless.

I also agree with Coleman, (2004) that most serious policy corruption cases begin with minor gratuities. One starts with mere coffee, then coffee and donuts, dinner and then cash. The

accumulation of these activities puts officers at risk of more serious misconduct behavior. Once these activities begin, it becomes difficult for the officer to turn back and Coleman (2004) terms this process as slippery. Therefore it is advisable for the officers not to make gratuities a behavior since their professionalism declines with time.

I believe that officers who accept gratuities often find themselves in ethical misconduct situations. It becomes a difficult behavior to stop, and in most cases, the favors given to the giver are biased (Coleman, 2004). When the deal is too good for the officers most of the most, they find themselves answering disciplinary cases, and in a severe situation they end up losing their jobs or serving a jail term. The rare situation is where individuals force officers to accept gratuities so that they can conduct criminal activities freely. Criminals issue threats to some officers and the noblest ones are killed. In conclusion, when dealing with gratuities cases, all these considerations should be discussed to avoid misjudgment.

### References

Coleman, S. (2004). When police should say “no!” to gratuities. *Criminal Justice Ethics*, 23(1), 33-44.

Kania, (1998), The influence of gratuities and personal relationships on police use of discretion. *Policing and Society: An International Journal*, 9(2), 181-201.

Pollock, J, Braswell, M., & Miller, L., (2006). Case Studies in Criminal Justice Ethics. Long Grove, IL: Waveland, pp. 131. *Criminal Justice Review*, 32(4), 474-476.