



## **Frequently Asked Questions**

### **Why “Ethical Policing”?**

Police malfeasance harms community and the profession

Those who choose policing as their profession, merit clarity and transparency as to what is expected

The public deserve policing that respects the profession, the law, and the public

### **What does Ethical Policing do?**

Ethical Policing is a concept captured in legislation of the same name, which takes three critical steps:

1. Codifies high professional standards, including multiple best practices already common to law enforcement;
2. Institutionalizes transparency and accountability; and
3. Prohibits anyone incapable of engaging in Ethical Policing, from being part of law enforcement.

### **Does Ethical Policing ban chokeholds, ceratoid knee holds, or no-knock warrants?**

Only indirectly. Ethical Policing is not about individual policing *tactics* but rather, the related legislation sets the foundation from which all policing will flow.

Example:

- Ethical Policing prohibits police misconduct and it defines misconduct to include excessive use of force.
- As a result, it sets a standard against which all policing tactics must be measured.

### **How is Ethical Policing defined in the legislation?**

*The discharge of responsibilities, stemming from employment as a law enforcement officer, which is devoid of police misconduct and which is carried out in conformance with the duty to safeguard life and the duty to intervene.*

### **How will Ethical Policing impact current policing culture?**

Ethical Policing not only codifies professional standards, transparency, and accountability, it also prohibits those who are incapable of engaging in Ethical Policing, from being a part of the profession. Taken together, these steps will ensure policing is grounded in, and marked by, clear and consistently high professional standards.

### **Is Ethical Policing an anti-police initiative?**

No. Ethical Policing sets a foundation upon which professionalism and thereby, the “good cops,” will thrive.

- By codifying professional standards and setting clear expectations, it eliminates the grey areas in which missteps in the discharge of professional duties tend to happen
- Ethical Policing also requires reporting when violations occur in order to normalize a culture of clear, and consistently high, professional conduct
- It also couples the reporting requirement with clear protections for those who do so

### **How will Ethical Policing prevent troubling police-community interactions?**

Chiefly, in the following three ways:

1. Codification of professional standards and expectations eliminates the grey areas in which missteps in the discharge of professional duties tend to happen. Eliminating grey areas helps prevent the types of interactions that result in harm or death;
2. Where troubling or deadly interactions do happen, because Ethical Policing also codifies transparency and accountability, it will be easier to impose consequences; and
3. Where a law enforcement officer engages in conduct that is incompatible with Ethical Policing, that person will be ineligible to remain in the profession.

### **How does Ethical Policing increase transparency?**

The Ethical Policing legislation creates a Standard Complaint Form that all policing agencies must use to record complaints of police misconduct, internal agency decisions to impose disciplinary action, and agency decisions to reinstate any member of law enforcement previously suspended or dismissed. It also makes the information on the Standard Complaint Form public record.

### **Does making the Standardized Complaint Form a public record violate victims' privacy?**

No. The Ethical Policing legislation gives the complainant the opportunity to indicate their preference to withhold, from public disclosure, personal identifying information such as their name and address.

**Must the Standardized Complaint Form be released even if the underlying investigation is incomplete?**

Yes. Where the underlying investigation remains incomplete, for any reasons, at the time the record is requested, the record must be noted with an indication that the investigation is either ongoing or incomplete.

**Is Ethical Policing a new concept with new requirements?**

Not necessarily. Ethical Policing and the accompanying legislation is ambitious, however, at its core Ethical Policing simply codifies a culture of clear, and consistently high, professional standards. It eliminates the grey areas.

Many of these standards are already best practices within the law enforcement community.

Example:

- Ethical Policing codifies Early Warning Systems (used to identify patterns of misconduct)
- Ethical Policing codifies a Duty to Intervene
- Ethical Policing codifies the fact that sexual violence is not acceptable police conduct
- Ethical Policing codifies the expectation that individual law enforcement officials must follow their employer's employment policies and codifies the consequences for failing to do so
- Ethical Policing codifies certain data collection requirements and regular publication of the data
- Ethical Policing codifies consequences, without regard for ones rank within the policing profession, for failure to uphold professional responsibilities and duties