

# Police discretion: Ethical decision-making by Belgian police officers

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# Police discretion & moral dilemmas

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## Police discretion

- *“the freedom street workers explicitly or implicitly have and in which they can make decisions within the legal boundaries of their job”* (Gilleir, 2013, p.73)
- Police discretion allows for individual solutions
- Police discretion can lead to moral dilemmas

## Moral dilemmas

- *“situations where conflicting values are at play and there is no obvious right or wrong solution”* (De Schrijver & Maesschalck, 2015, p.102)
- Integrity quite often studied, e.g. using hypothetical scenarios (e.g. De Schrijver & Maesschalck, 2015; Dormaels, 2015; Klockars, Ivkovic, & Haberfeld, 2006)
  - Usually focus on absence of police misconduct
  - Research concerning decision-making **process** in Belgium?

# Outline research project (1)

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## Ethical decision-making Belgian police officers (moral dilemmas)

- Aim: studying if there is a gap between the intended decision-making process (how police officers think they make decisions) and actual decision-making process (how police officers actually make decisions in practice)
- Focus on
  - Local police (Belgium)
    - Flanders
    - Intervention & criminal investigation
  - Decision-making **process**
  - **Factors** impacting on this process

# Outline research project (2)

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## Mixed-methods design

- Exploratory phase
  - Exploratory interviews moral dilemmas & factors (N=12)
  - Exploratory survey integrity policies (N=63)
  - Scoping review (2020)
- Online survey factors (N=494), all Dutch & French speaking police forces
- Semi-structured interviews (N=50), five different police zones
- Systematic social observations (N=600), same five police zones
- Field check (focus groups and/or individual interviews)

# Results (1) – Exploratory interviews

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## Exploratory interviews (N=12)

- All police functionalities (anonymous police zone)
- Identifying moral dilemmas and factors
- Respondents experience great amount of discretion
  - Exceptions (e.g. complex situations, obligations)
- Describing ‘moral dilemma’ rather difficult
  - *“If something is not black and white right? I guess. Basically nothing in our job is black and white. I do not actually know.”* (R7)
  - *“If there is a discussion. It starts with a discussion, or else there would be no dilemma. A dilemma is usually choosing between things and choosing is losing. (...) That determines if it is a dilemma or not, if there is a discussion that is not prescribed by the law. Or else there is no discussion.”* (R10)
- Both ‘general’ (e.g. law vs. gut feeling) and function specific moral dilemmas

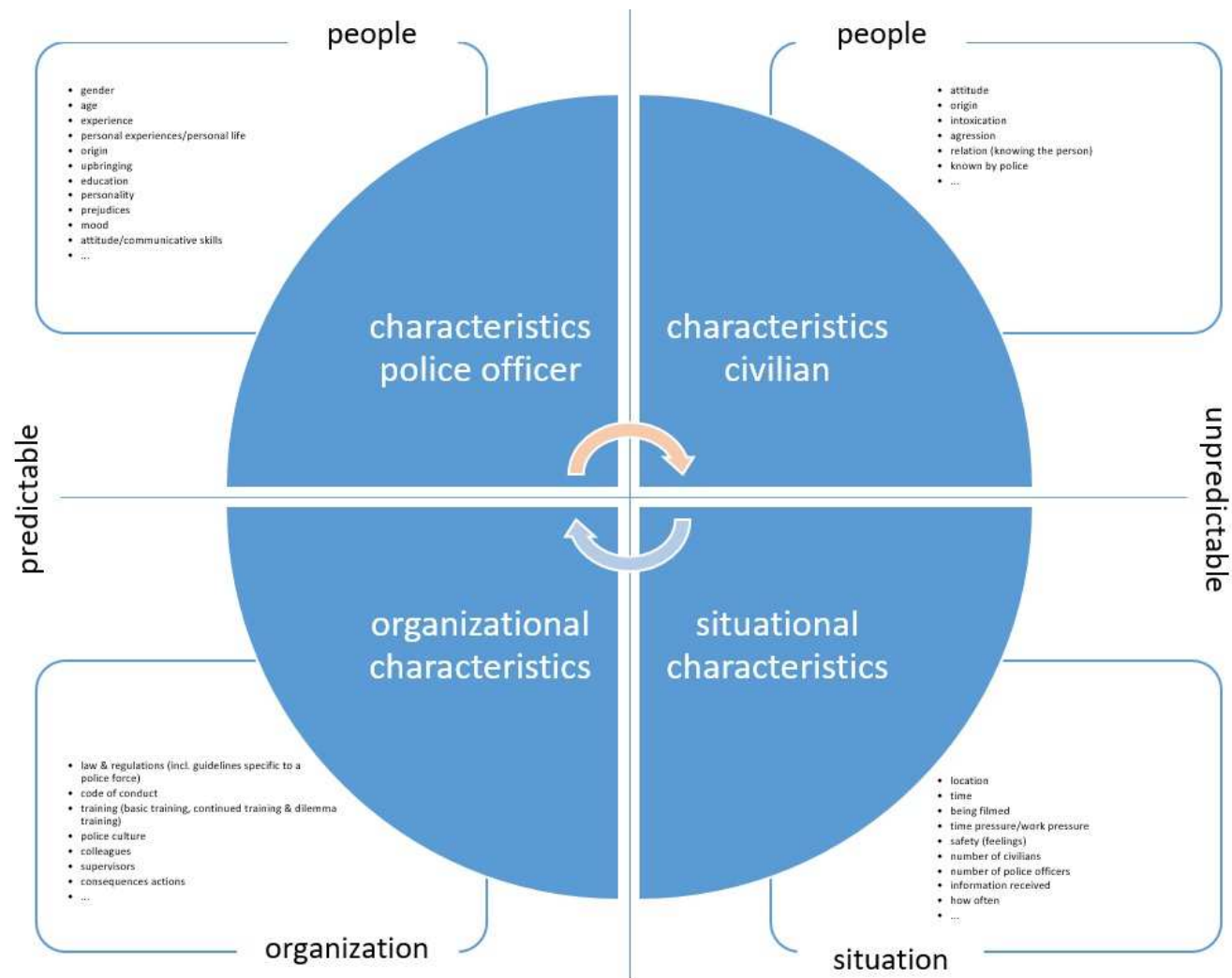
## Results (2) – Exploratory interviews

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### Exploratory interviews (N=12)

- Factors decision-making process
  - Characteristics police officer (e.g. experience, age, private experiences)
  - Characteristics civilian (e.g. attitude/behaviour, intoxication, aggression)
  - Characteristics organization (e.g. colleagues, laws and regulations, code of conduct)
  - Characteristics situation (e.g. location, number of police officers and civilians)
- All groups may influence decision-making process
  - Established in current interviews
  - Differences between factors within groups

# Results (3) – Exploratory interviews





# Discussion

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## Ethical decision-making process Belgian police officers

- Important field of study, mixed-methods design
- Decisions made in sensitive situations → can have impact on perceptions of civilians on police
  - Impact on trust in police?
  - Impact on police legitimacy?
- Insights into how decisions are made
  - Support in making difficult decisions? (e.g. dilemma trainings, specific trainings)
  - Practical recommendations

# Questions/remarks?

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Thank you for your attention!

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Feedback is highly appreciated!

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