

Ethics in Criminal Justice Research

by
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Abstract

Ethics is used in all areas of life; business, science, criminal justice. Ethics is a code by which society lives, and leads, successful lives. Ethics are considered to be the recognized guidelines of behavior for reputable groups or institutions, but usually does not stop there. Any individual acting in a professional manner should also live by, and conduct the business by, a code of ethics. Every researcher conducting business either in a scientific or a criminological capacity would also adopt a code of ethics, no matter where the research is conducted. One should be able to safely assume that by aligning oneself with an institution, it is implied by working there that one will follow the code. Most institutions have the employees sign a code of conduct statement, in which all will act in accordance with the code. Those who do not may not necessarily come under criminal scrutiny, but could lose a professional standing within the community.

Introduction to Ethics in Research

Ethics in research has always been a source of contention for some. What may be unethical for some, may not be for others. Ethics are not just important in one aspect of life, ethics are important in all areas of life. This is what governs society into decent behavior. While some acts may not be illegal, these acts can certainly be unethical, and that would be enough to remove the offender from the community that the individual was associated with. If someone is conducting medical research, and it was discovered which researcher used unethical means in which to get the desired results, that person could be expelled from the medical community, perhaps never to set foot in or around it ever again.

Ethics in research has had a long and varied past. However, criminal justice research is not limited to the behavioral aspects of a criminal; the research can also cover crime demographics, crime stats, basically anything that pertains to criminal justice can and is researched for better means and ideas (Laub, 2011). In society, there are laws that dictates most behavior, but ethics tend to cover more than just the legalities of one's professional behavior. And, while something's may be illegal, it may or may not be unethical, and vice versa. Society also uses those ethical rules to censure, assess, and understand laws. Ethics is what keeps the professional world honest.

A good way of also looking at defining ethics is that it is also a field of learning which studies those standards of conduct. As seen with a medical or social sciences ethicist, this is someone who studies ethical standards of medicine or the social sciences (Resnik, 2011). The criminal justice field has a standard of conduct, and anyone found violating those standards, as it is with any professional community, could be suspended or expelled from the community. The code of ethics for the criminal justice community extends to informing all those participating in the research that there could be some physical risks as well as some emotional risks. However, this is not true in every scenario. Most research could just be as minor as interviewing certain individuals for certain demographical research, such as updating crime stats.

Another ethical standpoint to remember is to avoid any invasions of privacy of the members participating in the studies. If the research is to be kept anonymous, even the researcher cannot know the individual's personal information (Fobbs, 2011). When those individuals in the criminal justice field are conducting research, the conduct must be kept honorable and reliable to ensure standards are adhered to at all times. Those doing the research must embrace confidentiality at all times, regardless of who may think the need to know extends past the researcher and the participant (Fobbs, 2011). The participant in the study or project has a right to know who will be privy to this information, and if a waiver or agreement is not signed pertaining to who can see the information or results of the study, then no one but the researcher can see the results. Just because someone may be in charge of a particular project, it does not automatically give the right to see all.

Criminal justice research does not just involve interviewing subjects for a demographics study or interviewing prison inmates to determine the state of care within a prison system. Criminal justice research can also involve investigating traffic accidents, such as why a car at a certain rate of speed would flip while trying to take a corner or why certain drivers cannot see a train safety crossing while travelling at a certain angle on the road (Scott, 2011). Any research conducted by those in the criminal justice field will be considered to be criminal justice research. But the ethics still apply whether the data gathered involves human subjects or not. Anything having to do with the criminal justice system is an area which can be under discussion at any time. There just has to be a need for the information requested that potentially could be a problem, and those in the field need to find a solution. But ethics still hold – false reporting of information in order to achieve the desired result could end up not only removing that researcher, but all work and studies completed by that individual could also come under scrutiny. Like when a doctor or scientist is found to be unethical, all work related to those individuals will be looked at very carefully to determine if the work is compromised also.

Ethics is something that must be taken very serious when it comes to research, and protecting the subject or subject matter of the research. A researcher must be above reproach when conducting the research. It requires the researcher to be able to view the subject matter with an objective point of view, not putting a particular opinion in the research itself, just gathering data and reporting the facts (Hagan, 2007). The role of the researcher is one that must determine whether the presence of one more person will affect the desired results of the study. Should the researcher sit on the sidelines and observe, or would it be okay to interact with the subject that is being studied. If the researcher has to disregard the rules in order to get the desired result of the study, then that researcher needs to find a different way in which to gather the data, or change the reason of the study.

Ethics also fall under leadership capabilities and the ability to work on one's own merit. When a newly appointed criminal justice researcher starts work, the work must be monitored closely for a period of time to accuracy and validity. Those individuals that have not built up a reputation as someone who can be trusted will fall under the mentorship and leadership of a seasoned researcher, and having a high respect for ethics will ensure one's work gets taken seriously (Clawson, 2009). There are different ways in which someone will remain ethical in a professional capacity. By always reporting truthful data, having a respect for the field those individuals participating in the study, included with the importance behind proper work will gain

the researcher a reputation in which everyone in the field will support and side with as a professional, and perhaps in a personal nature. Ethical behavior in the field will ensure that the researcher in question will not only be above reproach, but the work published will be taken seriously. This work will also further the efforts of other researchers in the field, to include law enforcement and corrections personnel.

Why Ethics are Important

During World War II, certain doctors maimed and mistreated patients all in the name of science and research. Because of those cases, a code of ethics was written to protect both the researcher and those being researched from mistreatment (Hagan, 2007). In the field of criminal justice, the profession has a strict code of ethics that must be adhered to in order for those conducting the research be able to work. Never is a subject to be mistreated, even if that individual volunteered for the study. Proper research would never allow an individual to do anything that would call someone's physical or mental health into question.

The code of ethics in an important way to keep researchers honest, because usually those that have signed the written consent acknowledging the code will think twice before straying from the code. Only those individuals who have a disregard for such rules will break them. Those individuals who are in the prison system or state hospitals are off limits to testing against the will of those incarcerated, especially for the sake of research (Hagan, 2007). In certain states, some inmates were told they had to participate in a study of hallucinogenic drugs, so that the criminal justice system can better understand and deal with the results of taking those drugs. The thinking behind this was that it helped law enforcement and criminal justice professional train better if they were able to study those currently on the drug.

This practice, of course, was later determined to be not only illegal, but highly unethical, and all funding for this type of research was dropped. Using inmates and state patients as guinea pigs in the name of research is a practice that was not going to become prevalent, even if reliable volunteers was getting harder and harder to find. No study is worth ruining the mental and physical health of any individual, regardless of the type of data that can be gathered. Entrapment is another unethical practice that comes up on occasion, and is dealt with just as swiftly.

Ethics, when it comes to maltreatment of individuals is a very serious subject, as it can be viewed as fraudulent research. One of the worst things a research can go is putting false data out there for the public to see. The only way in which the criminal justice community can keep funding for research available and help research progress is for all those conducting research to do so ethically and honestly (McIntosh, 2008). If word gets out that a researcher has deliberately published false data, the researcher would be suspended or expelled from the community. Anyone who had a hand in the research project could also be asked to leave, perhaps permanently, from the academic and criminal justice community.

Publishing false information from studies not only hurts the researchers reputation, but will also diminish the public's trust in the profession, and that in itself is shaky at best. Also, those researchers may compromise any study that the individual ever conducted, and may result in

reopening the studies to check the validity of the information and data gathered (McIntosh, 2008). The work that may be considered compromised could also taint the reputation of the agency or institutions in which the researcher was associated with, and all the other researchers and scientists employed there. Once this has become public knowledge that the information was false, public apologies must be given, the study must be redone, and that is a lot of man hours. Not to mention the funding for studies conducted by that agency or institution may be withdrawn. That is why ethics must be strictly adhered to, and employees understand not only the seriousness of going outside the parameters of the code, but the emotional impact of straying outside the code.

In order for one to be aware of ethics, one should also study ethics, so when the need arises, the wrongdoing is easily recognizable. All professionals should be relatively familiar with the ethical code that was signed prior to employment, as most companies and institutions has a code (Banks, 2004). Studying ethics will enable professionals to see when something is wrong, and hopefully will give the courage needed to report the wrong and see it is corrected. It is extremely important that the ethical decision is always made, and not tossed aside with disregard so that a researcher or scientists can obtain the desired results of a study. Ethics must be taken very seriously in order for the moral attitude of this country to stay on track (Banks, 2004). Ethics is what keep people honest in all aspects of work, not just science and medicine. It is how a civilized society lives.

Ethics are not just important in criminal justice research, but in all aspects of criminal justice. From the most junior police officer to the most important researcher known to society. Ethics needs to be made important from the ground up, and no one is exempt from ethics or ethical business (Banks, 2004). Those conducting research into criminal misconduct which incarcerates innocent men for lack of conducting proper investigations will show unethical behavior, and in turn must report the findings, regardless of the repercussions.

When a researcher starts to study certain aspects of the criminal justice profession, or just data gathering in general, if anything comes up to seem unethical, the researcher must report it. When getting data together for a study, certain things may come up that seem to be out of the ordinary (Banks, 2004). It is up to the individual to do the right thing and report what is found, whether judicial misconduct, misconduct within the prison systems, even unprofessionalism when it comes to dealing with victims or witnesses in a law enforcement capacity. The researcher is bound by professional ethics to bring to light what is uncovered and not let this go on. The research being conducted may even show those things that are illegal as well as unethical.

The Use of Ethics in Criminal Justice Research

Those individuals involved in criminal justice research and other areas of the criminal justice field conducting scientific and medical research are expected to comply with the company's code of ethics or risk expulsion from not only the company, but the scientific community as well. Scientists and researchers in any research capacity have basic standards that must be met in order for any person to be a participant in social or medical research (Champion, 2006). Those persons wanting to be a part of the study or project must voluntarily join the program and all conditions of the study must be explained, both the good and the bad. Those scientists or researchers

involved in conducting the studies are bound by law and ethics to never knowingly put in harm's way those personnel involved in the research. On occasion, for the sake of the study, some researchers have been known to withhold some information, thinking that full disclosure may inhibit the participants from agreeing to be involved.

Those scientists and researchers are also bound by ethics and in some cases, by law, to protect the identity of those participating in the studies. Most individuals participating do not mind having the identities known, depending on the study, but most participants want personal information kept secret. Then, there is also the identity of the one conducting the research to consider. In case the study or project goes badly, the researcher is not going to want to be associated with that embarrassment. Endangering the lives of others for the sake of numbers is totally against not only ethics, but social norms and morals as well.

However, there is the part about non-disclosure that comes up in discussions, even though it should never be a question. Some scientists and researchers feel that the subject involved in the study does not have the need to know everything about the study and the question sometimes comes up about whether withholding information is okay (Champion, 2006). Ethics will say the end results do not justify the means when it comes to full disclosure. Those subjects involved in the study have the need to know everything involved in the study or project, even if it means the individuals may back out of the study. It is better to tell all, than hold something back and then the subject finds out and tries to sue for misrepresentation for non-disclosure.

There are various types of problems that comes up in criminal justice research, from fraud to data manipulation, to deception to the participants, to not using waivers when it comes to study juveniles or those with diminished capacity who are unable to fully understand what is going on. There are those individuals conducting research and studies who are so desperate to get the desired results out that anything can happen, and data manipulation is sometimes very difficult to prove, because of the way society changes so fast (Champion, 2006). There are also those who are so frantic to be published in direct competition with other scientists that cheating has become a way of life for some of those individuals. It is more important to publish legitimate facts, and perhaps have those facts be insignificant, than lie about the whole study just to look like a serious change had been made.

So who exactly is harmed when someone commits an ethical or moral breach in criminal justice research has been food for thought for quite some time. Well, if the researcher is caught, the individual could stand to lose not only the job, but the reputation as well, and no reputable institution will hire the person after that (Champion, 2006). Those organizations who are employing researchers with questionable ethical practices will also face public embarrassment and humiliation when the news comes out. Some researchers feel that no one should get hurt by unethical practices, but in reality all those involved in the project or study is affected. And all the studies conducted by that institution and those individuals could also come under scrutiny.

When studying certain subject matter or certain personnel, it must be made quite plain to them that the privacy ethics will remain tightly in place. Never, at any time, should a participant in a study feel as if personal data has been compromised. And, in the event that the information has

leaked out, such as someone hacking into the system and personal data availed, those individuals participating must be told immediately. If a participant is told their identity will remain anonymous, then it must remain so, even if damaging information comes out about that individual.

Ethics in research is something that must be remain strictly in place all the time. Problems in ethical research does not just stop with participant's anonymity or safeguarding research data results. Researchers must be constantly on guard when it comes to situations such as plagiarism, in using someone else's work and not giving credit (Champion, 2006). There are also problems in the scientific community with dual purpose papers and submissions to various scientific journals. There is also the practice of past students selling research papers on the internet for a price, that other student may purchase and turn in as original work. Both individuals will be found guilty of unethical practice if found out. There are a lot of things considered unethical that may not be found illegal.

Other areas in which research professionals need to be aware of is the need to quickly publish a paper to stay in competition for certain positions within the community. One should never be made to feel pressure to publish anything, as this will certainly lead to unethical behavior on the part of the researcher. Those conducting research must also stay away from any study that could be deemed harmful to human participants, no matter how enticing the end results may look like. No one's safety or well-being is worth harming someone in the name of science.

Conclusion

In conclusion, there is a great burden placed upon professional scientists and researchers to make a name for the agency or institution in which the individual is aligned with. Ethics come up in everyday business, and must be adhered to at all times. Ethics is what governs decent behavior in society, and without it, there is no need to act legally either. Ethics is used in all aspects of a professional's life.

While others may not feel the need to follow ethics in the course of their profession, it does not make it right. Just because the head of an agency or institution always cheats to get the desired end results, or plagiarize, or pads numbers to get ahead in the community, does not set a good example for those working under that individual. If unethical behavior comes to light, those that discover the unethical behavior have the moral and ethical duty in which to report that behavior, regardless of the repercussions the individuals may face.

When conducting research, the individual conducting the study must remember to treat the participants with all the professional courtesy necessary. Those participants are helping the researcher obtain the data necessary for the study, and researchers should not make the participants feel as if it is required of them to do this. No one can be made to volunteer or, in the cases of prisoners or state patients, be made to because of their current situation. All humans should be treated equally, regardless of how the researcher feels about it. That in itself is not just ethically wrong, but morally as well.

Those in the criminal justice community must remember that in order to do the job properly, the job must be done properly at all times. The data gathered on criminal behavior, crime stats, certain victim and suspect demographics all help the law enforcement and other federal agencies do the job right, and hopefully stay one step ahead of the police are trying to stop from committing crimes.

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