

ACJS CODE OF ETHICS

I. PREAMBLE

Criminal Justice is a scientific discipline and those who teach, research, study, administer or practice in this discipline subscribe to the general tenets of science and scholarship. They also recognize that the discovery, creation, transmission and accumulation of knowledge in any scientific discipline involves ethical considerations at every level.

The Code of Ethics of the Academy of Criminal Justice Sciences (ACJS) sets forth 1) General Principles and 2) Ethical Standards that underlie members of the Academy's professional responsibilities and conduct, along with the 3) Policies and Procedures for enforcing those principles and standards. Membership in the Academy of Criminal Justice Sciences commits individual members to adhere to the ACJS Code of Ethics in determining ethical behavior in the context of their everyday professional activities. Activities that are purely personal and not related to criminal justice as a scientific discipline are not subject to this Code of Ethics.

The General Principles contained in this Code express the values and ideals of the Academy of Criminal Justice Sciences for ethical behavior in the context of the professional activities of individual members of the Academy. The general principles should be considered by members in arriving at an ethical course of action in specific situations, and they may be considered by the Ethics Committee and the Executive Board of the ACJS in determining whether ethical violations have occurred and whether sanctions should be applied.

The Ethical Standards set forth enforceable rules for the behavior of individual members of the Academy in specific situations. Most of the ethical standards are written broadly, to provide applications in varied roles and varied contexts. The Ethical Standards are not exhaustive--conduct that is not included in the Ethical Standards is not necessarily ethical or unethical. The Ethical Standards should always be interpreted in the context of the General Principles.

Violations of the Code of Ethics may lead to sanctions associated with individual membership in the Academy of Criminal Justice Sciences, including restrictions on or termination of that membership.

II. GENERAL PRINCIPLES

In their professional activities, members of the Academy are committed to enhancing the general well-being of society and of the individuals and groups within it. Members of the Academy are especially careful to avoid incompetent, unethical or unscrupulous use of criminal justice knowledge. They recognize the great potential for harm that is associated with the study of criminal justice, and they do not knowingly place the well-being of themselves, other people, or non-human animals used in the criminal justice system in jeopardy in their professional work.

Members of the Academy respect the rights, dignity and worth of all people. The worth of people gives them the right to demand that information about them remain confidential. In their work, members of the Academy are particularly careful to respect the rights, dignity and worth of criminal justice personnel, crime victims and those accused or convicted of committing crimes, as well as of students and research subjects. They do not discriminate on the basis of age, gender, race, ethnicity, national origin, religion, sexual orientation, health condition or domestic status. They are sensitive to individual, cultural and role differences among peoples. They acknowledge the rights of other people and groups to hold values, attitudes and opinions that are different from their own.

Members of the Academy are honest and open in their professional dealings with others. They are committed to the free and open access to knowledge, to public discourse of findings, and to the sharing of the sources of those findings whenever possible. They do not knowingly make false, misleading or deceptive statements in their professional roles. In particular, they do not knowingly present false, misleading or deceptive accounts of their own or other people's professional work for any reason.

Members of the Academy strive to maintain high levels of competence in their work. They recognize the limits of their expertise and undertake only those tasks for which they are qualified by education, training and experience.

In some situations, the above general principles may seem to come into conflict with each other, in the sense that different principles may seem to call for different courses of action. In addition, members of the Academy might be members of other organizations with their own code of ethics, which at times might dictate different courses of action. The following Ethical Standards attempt to clarify the present thinking of the Academy of Criminal Justice Sciences regarding ethical courses of actions in some of those situations. However, to

some extent, each individual member of the Academy should evaluate the ethical requirements of a specific situation, decide on an ethical course of action for that situation, and take responsibility for those actions.

III. ETHICAL STANDARDS

A. MEMBERS OF THE ACADEMY AS TEACHERS, SUPERVISORS, AND ADMINISTRATORS

Members of the Academy and the Rights of Students to Fair Treatment.

1. When acting as teachers, members of the Academy should provide students with an honest statement of the scope and perspective of their courses, clear expectations for student performance, clear description of criteria used in grading, and fair, timely, and easily accessible evaluations of their work.
2. When acting as teachers and/or administrators, members of the Academy should refrain from disclosure of personal information concerning students where such information is not directly relevant to issues of professional competence.
3. When acting as teachers and/or administrators, members of the Academy should make all decisions concerning textbooks, course content, course requirements, and grading solely on the basis of professional criteria without regard for financial or other incentives or disincentives that may directly affect them.
4. When serving as supervisors/administrators, members of the Academy should ensure that instructors are qualified to teach the courses for which they are assigned.
5. When acting as supervisors/administrators, members of the Academy should provide students with explicit policies and criteria about conditions for admission to the program, program requirements, financial assistance, retention, employment, funding, and evaluation process.

Members of the Academy and Exploitation of Students and Others.

6. Members of the Academy should not coerce or deceive students or others into serving as research subjects.

7. Members of the Academy have an explicit responsibility to acknowledge the contributions of students and to act on their behalf in setting forth agreements regarding authorship and other recognition.

8. Members of the Academy should not coerce or obtain through manipulation personal or sexual favors or economic or professional advantages from any person, including students, respondents, clients, patients, research assistants, clerical staff or colleagues. In addition, members of the Academy should recognize that romantic or intimate relationships with individuals vulnerable to manipulation, such as current students in their programs or employees under their supervision, may create the appearance of, or opportunities for, favoritism and/or exploitation, and thus such relationships should be avoided.

9. Members of the Academy should not let their personal animosities or intellectual differences deter students from contact with other professionals.

B. MEMBERS OF THE ACADEMY AS RESEARCHERS

Objectivity and Integrity in the Conduct of Criminal Justice Research.

1. Members of the Academy should adhere to the highest possible technical standards in their research.

2. Since individual members of the Academy vary in their research modes, skills, and experience, they should acknowledge the limitations that may affect the validity of their findings.

3. In presenting their work, members of the Academy are obliged to fully report their findings. They should not misrepresent the findings of their research or omit significant data. Any and all omitted data should be noted and the reason(s) for exclusion stated clearly as part of the methodology. Details of their theories, methods, and research designs that might bear upon interpretations of research findings should be reported.

4. Members of the Academy should fully report all sources of financial support and other sponsorship of the research.

5. Members of the Academy should not make any commitments to respondents, individuals, groups or organizations unless there is full intention and ability to honor them.

6. Consistent with the spirit of full disclosure of method and analysis, members of the Academy, after they have completed their own analyses, should cooperate in efforts to make raw data and pertinent documentation available to other social scientists, at reasonable costs, except in cases where confidentiality, the client's rights to proprietary information and privacy, or the claims of a field worker to the privacy of personal notes necessarily would be violated. The timeliness of this cooperation is especially critical.

7. Members of the Academy should provide adequate information, documentation, and citations concerning scales and other measures used in their research.

8. Members of the Academy should not accept grants, contracts or research assignments that appear likely to violate the principles enunciated in this Code, and should disassociate themselves from research when they discover a violation and are unable to correct it.

9. When financial support for a project has been accepted, members of the Academy should make every reasonable effort to complete the proposed work on schedule.

10. When a member of the Academy is involved in a project with others, including students, there should be mutually accepted explicit agreements at the outset with respect to division of work, compensation, access to data, rights of authorship, and other rights and responsibilities. These agreements should not be exploitative or arrived at through any form of coercion or intimidation. Such agreements may need to be modified as the project evolves and such modifications should be clearly stated among all participants. Students should normally be the principal author of any work that is derived directly from their thesis or dissertation.

11. Members of the Academy have the right to disseminate research findings, except those likely to cause harm to clients, collaborators and participants, those which violate formal or implied promises of confidentiality, or those which are proprietary under a formal or informal agreement.

Disclosure and Respect of the Rights of Research Populations by Members of the Academy

12. Members of the Academy should not misuse their positions as professionals for fraudulent purposes or as a pretext for gathering information for any individual, group, organization or government.

13. Human subjects have the right to full disclosure of the purposes of the research as early as it is appropriate to the research process, and they have the right to an opportunity to have their questions answered about the purpose and usage of the research. Members should inform research participants about aspects of the research that might affect their willingness to participate, such as physical risks, discomfort, and/or unpleasant emotional experiences.

14. Subjects of research are entitled to rights of personal confidentiality unless they are waived.

15. Information about subjects obtained from records that are open to public scrutiny cannot be protected by guarantees of privacy or confidentiality.

16. The process of conducting criminal justice research must not expose respondents to more than minimal risk of personal harm, and members of the Academy should make every effort to ensure the safety and security of respondents and project staff. Informed consent should be obtained when the risks of research are greater than the risks of everyday life.

17. Members of the Academy should take culturally appropriate steps to secure informed consent and to avoid invasions of privacy. In addition, special actions will be necessary where the individuals studied are illiterate, under correctional supervision, minors, have low social status, are under judicial supervision, have diminished capacity, are unfamiliar with social research or otherwise occupy a position of unequal power with the researcher.

18. Members of the Academy should seek to anticipate potential threats to confidentiality. Techniques such as the removal of direct identifiers, the use of randomized responses, and other statistical solutions to problems of privacy should be used where appropriate. Care should be taken to ensure secure storage, maintenance, and/or destruction of sensitive records.

19. Confidential information provided by research participants should be treated as such by members of the Academy, even when this information enjoys no legal protection or privilege and legal force is applied. The obligation to respect confidentiality also applies to members of research organizations (interviewers, coders, clerical staff, etc.) who have access to the information. It is the responsibility of administrators and chief investigators to instruct staff members on this point and to make every effort to insure that access to confidential information is restricted.

20. While generally adhering to the norm of acknowledging the contributions of all collaborators, members of the Academy should be sensitive to harm that may arise from disclosure and respect a collaborator's need for anonymity.

21. All research should meet the human subjects requirements imposed by educational institutions and funding sources. Study design and information gathering techniques should conform to regulations protecting the rights of human subjects, regardless of funding.

22. Members of the Academy should comply with appropriate federal and institutional requirements pertaining to the conduct of their research. These requirements might include, but are not necessarily limited to, obtaining proper review and approval for research that involves human subjects and accommodating recommendations made by responsible committees concerning research subjects, materials, and procedures.

C. MEMBERS OF THE ACADEMY IN THE PUBLICATION AND REVIEW PROCESS

Questions of Authorship and Acknowledgment for Members of the Academy

1. Members of the Academy should acknowledge persons who contribute to their research and their copyrighted publications. Claims and ordering of authorship and acknowledgments should accurately reflect the contributions of all participants in the research and writing process, including students, except in those cases where such ordering or acknowledgment is determined by an official protocol.

2. Data and material taken verbatim from another person's published or unpublished written work should be explicitly identified and referenced to its author. Citations to original ideas and data developed in the work of others, even if not quoted verbatim, should be acknowledged.

Members of the Academy as Editors, Authors, and Conference Participants

3. Editors should continually ensure the fair application of standards without personal or ideological malice or favoritism.

4. Journal editors should provide prompt decisions to authors of submitted manuscripts.

They should monitor the work of associate editors and other referees so that delays are minimal and reviews are conscientious.

5. An editor's commitment to publish an essay should be binding on the journal. Once accepted for publication, a manuscript should be published expeditiously.

6. Unless journal policies explicitly allow multiple submissions, a paper submitted to one journal may not be submitted to another journal until after an official decision has been received from the first journal. An exception can be made for journals in two substantially different languages, where readers of one journal would not typically be able to read the other.

7. Members who commit to participate in the annual conference (i.e. present a paper, act as a chair or discussant, etc.) are expected to do so.

Members of the Academy in the Review Process

8. Members of the Academy should decline requests for reviews of the work of others where strong conflicts of interest are involved. Such conflicts may occur when a person is asked to review work by teachers, friends, or colleagues for whom he or she feels an overriding sense of personal obligation, competition, or enmity. Members of the Academy should also decline requests for reviews when such requests cannot be fulfilled on time, or when they feel unqualified to review the work.

9. Materials sent for review should be read conscientiously, carefully, and confidentially. Evaluations should be justified and explained clearly. Reviews of manuscripts should avoid personal attacks upon the author(s).

10. Members of the Academy who are asked to review manuscripts and books they have previously reviewed should inform the editor requesting review of this situation.

D. MEMBERS OF THE ACADEMY AS EMPLOYERS (Anyone with administrative, managerial and/or supervisory responsibilities), EMPLOYEES, AND SPONSORS

Members of the Academy and Employment Practices

1. When acting as employers, members of the Academy should specify the requirements

for hiring, promotion, tenure, and retention, and communicate these requirements thoroughly to employees and prospective employees. Voting on tenure and promotion should be based solely on professional criteria, including ethical behavior.

2. When acting as employers, members of the Academy should make every effort to ensure equal opportunity and fair treatment to all persons at all levels of employment.

3. When acting as employers, members of the Academy have the responsibility to be knowledgeable about fair employment codes, to help to create an atmosphere upholding fair employment practices, and to attempt to change any existing unfair practices within their organization or university.

4. All employees, including part-time employees, at all levels of employment, should be afforded the protection of due process through clear grievance procedures. It is the obligation of members of the Academy when acting as employers to communicate these procedures and to protect the rights of employees who initiate complaints. They should also communicate standards of employment, and provide benefits and compensation.

Members of the Academy as Employees

5. When seeking employment, members of the Academy should provide prospective employers with accurate information on their relevant professional qualifications and experiences.

6. Members of the Academy accepting employment in academic and practice settings should become aware of possible constraints on research and publication in those settings and should negotiate clear understandings about such conditions accompanying their research and scholarly activity. In satisfying their obligations to employers, members of the Academy should make every effort to adhere to the professional obligations contained in this Code.

7. When planning to resign a post, members of the Academy should provide their employers with adequate notice of intention to leave.

Members of the Academy as Sponsors in Employment Processes

8. In helping to secure employment for students and trainees, members of the Academy should make every attempt to avoid conflicts of interest. When a conflict of interest does

arise, full disclosure of potential biases should be made to job seekers.

E. MEMBERS OF THE ACADEMY AS EXPERTS

1. In situations in which members of the Academy are requested to render a professional judgment, they should accurately and fairly represent their areas of expertise, qualifications, and authority.

2. In their roles as practitioners, researchers, teachers, and administrators, members of the Academy have an important social responsibility because their recommendations, decisions, and actions may alter the lives of others. They should be aware of the situations and pressures that might lead to the misuse of their influence and authority. Members of the Academy should take steps to ensure that these situations do not produce deleterious results for clients, research participants, colleagues, students and employees.

F. MEMBERS OF THE ACADEMY AS PRACTITIONERS

1. Practitioners who are members of other professional organizations are expected to adhere to those organizations' codes of ethics. This code is not meant to supersede the codes of other professional organizations, but rather it is intended to complement those codes. However, when members who are practitioners act as academics (e.g. teaching, conducting research), they are bound by this code of ethics while acting in their capacity as academics.

G. MEMBERS OF THE ACADEMY AS STUDENTS

1. Students should follow the code of ethics of the institutions in which they are enrolled as well as this code of ethics as it applies to the students' activities.

H. ADHERENCE TO THE CODE OF ETHICS

1. Members of the Academy have an obligation to be familiar with the Code of Ethics, and its application to members of the Academy. Lack of awareness or misunderstanding of an ethical standard is not a defense to a charge of unethical conduct.

2. When members of the Academy are uncertain whether a particular situation or course of action would violate the Code of Ethics, they should consult other members of the Academy knowledgeable about ethical issues, the Ethics Committee of the ACJS, or with other organizational entities such as institutional review boards.

3. Members of the Academy should not discriminate against a person on the basis of his or her having made an ethics complaint.

4. Members of the Academy should not discriminate against a person based upon his or her having been the subject of an ethics complaint. This, however, does not preclude taking action against an individual based upon the outcome of an ethics complaint.

5. When members of the Academy have substantial reason to believe that there may have been an ethics violation by a member of the ACJS, they should attempt to resolve the issue by bringing it to the attention of that individual if an informal resolution appears appropriate or possible. Additionally they may seek advice about whether or how to proceed based on this belief, assuming that such activity does not violate any confidentiality rights. Such action might include referral to the ACJS Ethics Committee.

6. ACJS members are obliged to cooperate in ethics violation investigations, proceedings, and resulting requirements of the ACJS. In doing so, they should make reasonable efforts to resolve any issues of confidentiality. Failure to cooperate is an ethics violation, and may result in a separate ethics investigation.

7. Members of the Academy do not file or encourage the filing of ethics complaints that are frivolous and are intended to harm the alleged violator rather than protect the integrity of the discipline and the public.

IV. POLICIES AND PROCEDURES

The Ethics Committee (EC) appointed by the Executive Board of the Academy of Criminal Justice Sciences (ACJS) will act in a timely and equitable manner and shall have responsibility for:

[] providing guidance on ethics issues,

[] promoting ethical conduct among Members of the Academy,

- [] interpreting and publicizing this Code,
- [] receiving inquiries about violations of the Code,
- [] investigating complaints concerning the ethical conduct of members of the Academy of Criminal Justice Sciences in an equitable manner,
- [] mediating disputes to assist the parties in resolving their grievances,
- [] holding hearings on charges of misconduct, and
- [] recommending courses of action to the Executive Board of the Academy of Criminal Justice Sciences.

A. COMPOSITION OF THE ETHICS COMMITTEE OF THE ACJS

1. The EC shall be a standing committee of the ACJS.
2. The EC shall consist of seven members, in good standing, of the ACJS.
3. Six members will be nominated by the trustees-at-large and appointed by the Executive Board of the ACJS and shall reflect the diversity of the ACJS membership. The seventh member shall be the Immediate Past President of the ACJS. All members of the EC are voting members. The EC will elect a chair from its membership each year.
4. With the exception of the Immediate Past President, members of the EC shall serve a three year term. However, two of the six members of the first EC after ratification of this code and procedure will be appointed for a one year term, another two appointed for a two year term, and the final two appointed for a three year term. Each following year, two members will be appointed by the Executive Board of the ACJS to fill the vacated seats on the EC.
5. Except as hereinafter provided, all formal policies and procedures of the EC shall be adopted at its meetings usually held in conjunction with the annual meeting of the ACJS, at which a quorum is present (4 members), by a majority vote. These policies and procedures shall be written with a copy forwarded to the Executive Board of the ACJS and be available upon request to any party of an EC action. Any action of the EC which could be taken at a meeting may be taken upon a vote in writing or by electronic communication.
6. Members of the EC with conflicts of interest in any case will be excluded from all EC deliberations, actions and decisions in that case.

B. COMMITTEE MANDATE

1. At any time, not necessarily in the context of the investigation of a particular case, the EC may advise the Executive Board of the ACJS of its views on general ethics questions, which the Executive Board may elect to publish in appropriate publications of the Academy.

2. The EC shall receive complaints of violations of the Code of Ethics and endeavor to resolve them by mediation, and proceed to a hearing if mediation is unsuccessful or a decision not to mediate is made. If, after a hearing, the EC determines that an ethical violation occurred, it should notify the parties and prepare a report for Executive Board, which may or may not recommend one or more of the following actions:

- a. Apply no sanctions,
- b. Private reprimand,
- c. Public reprimand,
- d. Denial of membership privileges for a specified period of time (e.g. participation in meetings, editorial boards, etc.) which becomes public record, or
- e. Termination of membership, which becomes public record.

C. OPERATING PROCEDURES

1. All inquiries about alleged violations of the Code of Ethics shall be sent to the chair of the EC who shall determine whether the alleged violator was a member of the Academy at the time of the alleged violation. A person making an inquiry must be sent a copy of the Code and requested to specify in writing the time, place, persons, and events constituting the alleged violation and cite the section(s) of the Code alleged to have been violated. This formal complaint must be submitted within 90 days of the initial inquiry to the EC.

Anonymous complaints will not be accepted. In the event that a complaint alleges conduct, which is, or may be, subject to other legal or institutional proceedings, the EC may defer dealing with the complaint until conclusion of those proceedings

2. Upon receipt of the formal complaint, the chair of the EC shall notify the president of the ACJS of the inquiry. The chair, in conjunction with the president, shall determine whether or not the complaint is in fact covered by the Code. If so determined, the complainant will be notified of the acceptance of the complaint by the EC. The chair shall then communicate the entire complaint to the person or persons accused, together with a copy of the Code and an explanation of the composition and purpose of the EC (by registered mail with return receipt requested), and request a written response to the allegations within 90 days.

3. The EC shall consider complaints received from both members and non-members of the Academy against members of ACJS.

4. To be considered by the EC, complaints must be initiated within twelve (12) months of the discovery of the alleged violation. If received later, complaints must be certified for EC consideration by the ACJS Executive Board. In no case will a complaint be considered if it is received more than five years after the alleged violation occurred or was discovered.

5. The chair of the EC shall send copies of the complaint, responses, and supporting documents to all members of the EC for their deliberation.

6. After deliberation, the EC shall decide by majority vote whether (1) the case should be dismissed, (2) further information is needed, (3) mediation should be attempted, or (4) the case should come to a hearing.

a. If the EC decides there should be no further pursuit of the case, the chair shall communicate the decision and its justification to the president of the ACJS, who shall notify all parties.

b. If the EC decides that further investigation of the case is necessary, it may direct inquiries to either the complainant(s), the alleged violator(s), or other sources, with copies of the request(s) and response(s) provided to both the complainant(s) and the alleged violator(s)

c. If the EC decides to attempt mediation, the president of the ACJS shall appoint a mediator, acceptable to both parties, from among members of the Academy. The mediator shall in due course notify the EC that the matter has been resolved by written agreement of the parties or, if no such resolution has been achieved, the mediator may (1) recommend that the matter be dismissed, or (2) recommend that the case proceed to a hearing.

d. If the EC decides that a hearing is appropriate, either upon the recommendation of a mediator, or upon its own initiative, it shall advise the complainant and the alleged violator that a hearing will be conducted, giving at least 30 days notice of time and place which shall be convenient, if possible, to all parties. The Chair of the EC will select three members of the EC to serve as a Hearing Panel (EHP) for the complaint. The alleged violator(s), as well as the complainant, shall be advised of his/her rights to introduce witnesses and evidence in their behalf, to cross-examine witnesses, and to have the

assistance of professional or other counsel at the hearing. All documentary evidence to be introduced by the complainant, and the names of all witnesses to be offered in support of the charges, shall be supplied to the alleged violator no later than 60 days prior to the hearing. If the alleged violator(s) refuses to participate in the hearing, the EC may elect to continue without their participation.

e. At the hearing, the evidence in support of the complaint shall be presented by the complainant, by complainant's counselor, or by a representative of the ACJS. The alleged violator(s) shall have full opportunity to answer the charges. The ECHP may introduce its own witnesses to answer factual questions.

f. The ECHP shall record the proceedings of the hearing. The alleged violator(s) or his/her representative shall have the right to be present either in person or, with the consent of all parties, through electronic medium at all evidentiary sessions of the hearing, and to have a transcript at cost. Every attempt will be made to conduct hearings at one time and place, so as to reduce travel costs of the parties involved in the dispute.

g. Unless the alleged violator(s) requests, and the ECHP grants, a public hearing, the hearing of the complaint shall be closed. All persons except those necessary for the conduct of the hearing shall be excluded.

h. At the conclusion of the introduction of all evidence, the alleged violator(s), counsel for the alleged violator(s), or both shall be permitted to argue against or in favor of mitigation of the complaint.

i. Thereafter, the ECHP shall conduct its deliberations in private (either through a face-to-face meeting or through an electronic medium).

j. If the ECHP finds that no ethical violation has occurred, the parties, organizations and individuals contacted during the investigation shall be so notified by the President of the ACJS, and the case closed.

k. If the ECHP finds that an ethical violation has occurred, it shall prepare a report of the case summarizing its findings and recommendations. After review and acceptance of the findings of the ECHP by the EC, a copy of that report shall be sent to the alleged violator(s) and complainant(s) whom shall both have an opportunity to prepare written comments within 30 days of receipt of the findings.

l. The ACJS Executive Board, after examination of the EC recommendations and comments thereto, shall make a final determination of the case on behalf of ACJS, and either dismiss the case or take appropriate action.

7. The filing of the complaint and all proceedings of the ACJS EC mediator(s), ECHP, president, and Executive Board concerning a complaint shall be kept confidential except when compelled by a valid subpoena, by a final court order, or by the request of the alleged violator(s). The final action of ACJS concerning the proceedings, however, can be made public as per section B #2, above. Initiation of legal action against the ACJS or its officers or employees shall constitute a waiver of confidentiality by the person initiating such action.

This code takes effect on March 21, 2000

This code and these procedures were developed using the American Sociological Association's Code of Ethics, with its permission