

(Continued)

Community: The community will benefit because it will be aware that at least one individual is not willing to turn a blind eye to evidence of criminal offenses, even by his friends and family. Under Option 2, which is to do nothing or to give Jim a warning not to repeat the offense, harms and benefits will be as follows:

Jim and Sandy: The benefit is that they will continue to be friends with Ben and his wife. Ben and his wife: They will continue to benefit from Jim and Sandy's friendship, and Ben will demonstrate his loyalty to his friends in that he is prepared to overlook acts of criminality. The harm is that Ben may be placed in the same situation again with either Jim or Sandy. Another harm is that Jim and Sandy may tell their other friends about Ben's wrongdoing, compromising his position as a police officer. If this gets back to the department, it might constitute disciplinary action against Ben by the department and will constitute a harm for Ben.

Other friends of Jim and Sandy: They will not be affected except that they may benefit from about Ben's willingness to overlook his friend's indiscretions.

Police department: The department will be harmed by not being aware that Ben is prepared to overlook his friends' criminal offenses. It is possible that the department might learn from the community about Ben overlooking the offense. This might harm the department's reputation in the community.

Community: The community might hear about Ben's inaction in not arresting Jim and may think this action is typical of police in the community. This would be harmful for the community. It would affect their view of the integrity of the police force. It is also possible that some members of the community may tell the police department about Ben's willingness to overlook the wrongdoing. This would be a benefit to the community because hopefully the police would take disciplinary action against Ben and restore the police reputation in the community.

4. Choose the option that produces the most benefits for most of those affected by the decision, while limiting the difference.

According to the utilitarian perspective, it would be necessary to assign values to the benefits and then calculate which option benefited all parties affected by the decision. A greater value would be given to benefits to the community and to the police department than option producing the most benefits would be to arrest Jim.

SUMMARY

Consequentialists, also known as *utilitarians*, believe that what makes an act morally right or wrong is its consequences and that all other considerations are irrelevant. Therefore, when they are considering the correct moral approach to an issue, they ask which action would bring about the best possible consequences. This principle, known as the *principle of utility*, requires that utilitarians act so as to produce the greatest happiness for everyone.

Utilitarians act so as to aim for preference satisfaction and happiness. The idea is that we should not act in a way that aims for preference satisfaction and happiness. Nowadays, a more modern approach to utilitarianism is that humans look for pleasure and happiness as equivalent to pleasure and happiness. The classical utilitarians, Bentham and Mill, should determine how people choose to act. affected; therefore, they reject the utilitarian approach.

...pain but instead should determine how we can satisfy human preferences, interests, or desires.

Act utilitarians argue that the motive behind an act is irrelevant and that it is possible to measure whether an act causes more pleasure than pain and therefore has more "utility." This would seem a very difficult and time-consuming exercise, and therefore act utilitarians adjust this basic principle by allowing rules of thumb that draw on past experience. In contrast, rule utilitarians link consequentialism with moral rules and argue that if we follow certain rules, better consequences are likely to result. In this sense, rule consequentialism may be said to blend with deontology to a limited extent. For example, most of us believe that as a rule we should speak the truth, even when doing so in a specific instance would cause more pain than pleasure and that in the long term telling the truth produces greater benefits overall.

One main criticism of consequentialism is that it puts the outcome of an action above the ideals of justice, such as treating people fairly. It can also be argued that utilitarianism requires us to give away all our resources to others because that would promote the general welfare and pleasure of others. In choosing between duty and consequences, we have to weigh absolute rules about how we should act against the need to calculate which act will provide the most pleasure for the greatest number of people.

Consequentialism is considered an important theory in punishment policy and practice because a major focus of policy making for the punishment of offenders is deterrence—that is, attempting to deter crime by drawing attention to the penalties that will be imposed for criminal acts. This approach assumes that giving certain individuals or groups of offenders more severe punishments to deter others from committing similar crimes is for the benefit of everyone.

DISCUSSION CASE

Punishing a Police Officer for False Testimony

New York police officer James Sullivan, 34, had a distinguished record, having made nearly 100 arrests and earned nearly 2 dozen commendations during his 9-year career. A man he had arrested in 1998, who was subsequently convicted and jailed and then released on parole, was appearing before the U.S. district court in Brooklyn on a parole revocation hearing. Sullivan had received a subpoena to testify at this hearing.

The background to the case was that Sullivan and his partner had arrested Mr. Francis on charges of attempted murder and firearms possession following a shooting. Francis, who had three prior convictions, including one for conspiracy to distribute cocaine, was tried in state court and acquitted on all charges arising from the Sullivan arrest. However, following his acquittal, Francis was indicted by federal prosecutors for firearms possession and convicted and jailed. As a convicted felon, he could not legally possess a firearm.

Sullivan and his partner Melin had both testified in the state trial that they had taken the weapon from Francis, placed it in the trunk of their vehicle, and then driven straight to the police station. The officers also testified that Sullivan had picked the weapon up from the place where Francis had dropped it. However, Sullivan later told a federal prosecutor that, in fact, Melin had picked up the gun, had handed it to him (Sullivan), and that Sullivan had put it on the front seat of the patrol car. During the federal trial of Francis, the prosecutor revealed that Sullivan had given this false testimony in the state trial.

In 1996, New York City Police Commissioner Howard Safir announced a policy of firing any officer for lying to a superior or in an official proceeding. Because of this policy and his false testimony,