

**Gaining Little Things and Losing Big Things:
The Ethics of Using Deception to Gain Institutional Access**

“Deception is one of the quickest ways to gain little things and lose big things”
— Thomas Sowell, 1999

With few exceptions, the use of deception in social scientific research remains as something of a dirty secret within the academy. Where we do find discussions of this conduct, too often they occur in relation to experimental research, where deception is justified as necessary to meeting the goals of a study. Those goals are deemed by the researcher to be of sufficient import that the use of techniques to deceive research participants is seen as a secondary concern. But is it only the participants who are operating under a set of false beliefs? Do researchers also sometimes falsely convince themselves they are producing important social knowledge while inflicting only minimal harm? Or, in the case of criminal justice research, where the subjects of that research are frequently institutions seen as natural enemies to one’s social cause – police, corrections, the courts, parole – is deception warranted in order to expose real or perceived harmful practices? Is it really the case that such conduct produces little to no harm?

In this chapter, I explore the question of deception¹ in policing research within the context of one narrow aspect of the research process: deception to gain institutional access to police services . To do so, I draw on my own experiences as an applied policing researcher and the former Director of the Canadian Society of Evidence Based Policing, as well as on the limited scholarly literature in this area. What I intend to demonstrate through the use of examples of researcher deception I have encountered throughout my career is -- contrary to the justifications provided by

¹ While the focus here is on intentional deception, there are other potential ways in which researchers may inadvertently and/or deliberately act that impair trust in researchers.

a select number of self-interested researchers – how the research practice of deceiving individuals, agencies and institutions has larger negative effects on the research enterprise as a whole. In Canada, it is one of the factors leading to what can only be described as a largely moribund policing research space, one increasingly acknowledged by researchers, policy makers and, indeed by police services, as being in a state of decline (Public Safety Canada 2013; Griffiths 2014).

Deception as a tool for gaining institutional access

In this chapter, I define deception as the intentional misleading of research participants about the true aims of a study and/or about the procedures employed to conduct the research. Most discussions of the use of such tactics in the social sciences begin with well-known examples, notably Milgram's (1963) classic obedience to authority experiments. Rather than cover already well-worn territory, I'd prefer to focus instead on a narrower issue: using deception to gain access to social institutions for research purposes. As I noted in this chapter's introduction, too few researchers have been willing to discuss this issue, although it is reasonable to surmise – given the volume of critical research produced on criminal justice institutions each year in criminology and criminal justice studies – that this practice is occurring *sub rosa*.

To be clear, for some researchers the use of deception in social science research is deeply problematic as it is seen to strike at the heart of the bargain that is fundamental to the research enterprise: that both researchers and participants are entering into an agreement based on mutual interests and mutual respect. To enter into that agreement in good faith, the researcher must clearly articulate the purpose and goals of the research, which is clearly not the case when researchers obscure or lie about their true intentions to gain institutional access. Not surprisingly then, in the social scientific literature on deception in research, one aspect of this agreement has received more attention than others: the issue of informed consent (Punch 1986; Cunliffe and Alcadipani 2016).

Clarke (1999: 151), for example, has argued that the demand for informed consent “raises an apparent dilemma” in research that requires deception because this standard requires us to “either abandon the demand for strict adherence to informed consent standards, or abandon the use of deceptive practices in social science research.” In Canada, the TriCouncil agencies that fund and govern scientific research have attempted to side-step this issue through language that permits the use of deceptive practices for ‘critical research’ on social institutions to which a researcher might not otherwise gain access. This approach, as I argue in more detail shortly, creates a wide berth for researchers to cast their work as of sufficient social benefit to outweigh any minimal or minimized short-term costs. What it does not provide is guidance on the weighing, addressing and/or minimizing of the potential long range costs of such actions, which, as I will elaborate on shortly, will be borne by the research community as a whole.

Why is it that policing and other criminal justice researchers may feel the need to obscure or lie about their intentions in order to gain institutional access? Fortunately, more researchers have been willing to discuss difficulties faced in seeking access to police, correctional services and other criminal justice institutions and entities.

Although some of the classic ethnographies in the criminal justice literature come from policing researchers with access to police organizations (Skolnick 1966; Bittner 1967; Van Maanen 1978; Punch 1979; Brown 1988), the institution of policing has historically been portrayed as a ‘closed shop’ to outsiders (Bruckner 1967; Fox and Lundman 1974). While some scholars have provided explanations for this state of affairs that include such concerns as the sensitive nature of police work (Fox and Lundman 1974), there has been a marked tendency within the academic literature to over-emphasize both real and perceived blocks associated with negative aspects of policing. One such negative aspect is the inherently conservative nature of the culture

of public policing, which is seen as reactionary, hidebound and/or open to change. Bradley and Nixon (2009: 427) capture this perspective in depicting policing as “practically oriented, reactive, control oriented, and generally conservative in values,” which individually and in combination, are said to make it difficult for police agencies “to engage with the agenda and the language of the critical police research tradition”. Others, including Johnston and Shearing (2009), also ascribe to police the motive of seeking to avoid transparency due to fears of public exposure of corruption, error or faults. Policing as “a closed system”, Bell (1979: 113) tells us in one such example, is a deliberate policy approach intended to “prevent public scrutiny and reduce criticism of their decision-making, policies, and practices.”

There are, of course, two or more sides to every story. And while some police organizations have been forthright enough in the past to acknowledge their desire not to be publicly subjected to criticism or the featured subject of a ‘researcher exposé’ (see Griffiths 2014), there are also other factors at play when organizations decide whether to admit researchers. Certainly, over the past twenty years of my career in policing research, I have repeatedly heard the same message from police leaders: police services are not set up to be in the business of conducting research. While this remains largely true today, most mid to large-sized Canadian agencies now have some internal capacity for hosting and/or working with outside academics. That said, one factor that scholars have consistently failed to note is that research within agencies typically relies on organizational use of human resources and, in some instances, can be labour intensive. To provide one small example: I once requested a data set of closed missing persons cases from the Record Management System (RMS) of a mid-sized police agency, thinking that this would simply be a matter of an hour or two of work. In the response I received the next day, I was advised that I could have the data set in several weeks, as it would take that long for the data to be extracted and cleaned. What

I failed to account for is the fact that most police data is full of errors, duplicate records, incomplete fields and personal information, the latter of which needs to be removed from multiple fields in one record, including the written synopsis of the event. By the time I received the data, a few months had passed.

Field-based and other types of research can also be labour intensive, albeit in different ways. Any researcher entering a police service today will likely be expected to sign a memorandum of agreement, receive a criminal record and/or background checks, and be assigned an liaison to assist in providing internal support for the researcher. All of those activities – engaged in before the researcher even begins work – consume police resources. Once the research process is well underway, it is worth bearing in mind that every hour of interview time is an hour in which that participant is not engaged in the primary duties for which they are being paid. These are costs that add up and for which the police service expects, at a minimum, some return on investment. In most cases, this return is intended to come in the form of a promised policy or research brief based on the study's findings. Too often, though, the promised report fails to make an appearance. Indeed, one of the issues frequently raised to me by individuals within police planning, research and/or policy departments is the failure or unwillingness of researchers to provide their results and/or any type of debriefing once they are done. I term this the 'hit it and quit it' approach to police research.

The expectation that institutional investments in research will provide some type of return for the investor organization is often stymied in other, more costly ways. One police agency spent an untold amount of money on creating funded research Chair positions. Only one of those Chairs produced applied work of any value to the organization. The other Chair failed to deliver anything of use to the organization, a fact that was well known across various parts of the agency. Thus, when I presented at a national policing event on the need for police-academic collaborative

research partnerships, it was of little surprise to be asked point blank by one senior member of this organization for my thoughts on that particular situation and what it says about the value of such investments. There was else little I could say, but “yup, you got screwed .”

How to deceive an institution into giving up access: 101

Most of the common methods of deception are well known to experienced researchers and are commonly viewed by academics as being ‘minor’ in nature. For example, Cunliffe and Alcadipani (2016: 544) reference a rather common set of techniques as ‘managing impressions’: “potted biographies, self-presentation, faking/developing identity and interest , concealing and sharing intentions”. Other scholars have described impression management as a “form of subtle deception” occurring when “researchers manipulatively present themselves in ways that promote accessibility to data” (Oscar, Ola, Robert and Markus 2018: 3). Such activities might include feigning disinterest in the political or other implications of the research or offering sympathetic views of an organization or its practitioners to show solidarity (ibid.) – that is, acting as what Van Maanen (1978) terms a ‘fan ’. Researchers may also fake a rapport with an institutional gatekeeper, a method of false intimacy (Funder 2005) that some scholars have acknowledged as being ‘disingenuous’ (Reeves 2010). Another cited technique is the practice of anonymous observation, deliberately loitering, pretending to be distracted or focused elsewhere, or otherwise acting as the proverbial fly on the wall in a situation in order to gain data not otherwise available (Hammersley and Atkinson 2007).

In other instances, researchers promise a project or an end product they have no intention of delivering. The latter situation – which some researchers might term a ‘minor deception’ – has already been illustrated here through the example of the research report that failed to materialize after the project had been completed . The former situation is easily demonstrated through another

example, a story in which I became an unwilling participant. As policing researchers are keenly aware, relationships between academic researchers and police organizations and practitioners are built over time through trust and open communication. It is also a world in which reputations mean everything and police and researchers alike trade information on ‘who is who’ and their reputation. In that capacity, I have been approached on multiple occasions to provide information to a policing agency seeking to ‘vet’ a possible researcher and their collaboration. On one such occasion, I was contacted by a police service with whom I have a long-standing relationship about a proposed evaluation of one of their training courses. The evaluation sought to measure the effects of anti-racist training on sworn members of the organization. The organization, in good faith, wanted to know if the training was having the desired effect. However, given the sensitive nature of the subject matter, they wanted to know if the researchers might be being less than truthful about their intentions. I had concerns about the primary researcher based on what I had heard from more than one other policing scholar. Thus, I had three choices in front of me:

1. Refuse to answer the query
2. Be less than honest
3. Provide an honest assessment

I chose to provide an honest assessment to protect both the integrity of my relationship with that agency, and to possibly forestall the type of ‘burning bridges’ problem of which I will have more to say shortly. In the end, the agency disregarded my advice and approved the study, only to contact me some time later to say, ‘you were right’ when they began to have suspicions that the purpose of the research did not align with the stated goals of the work as outlined in their research contract .

Once burned: The costs of deceit

Over the years I have been approached by police agencies with numerous stories similar to those related above. I do not think I overstate the matter when I say that, for many police practitioners, their sole experience with researchers has come in the form of interactions that have left them feeling duped. This is hardly a novel insight; previous police scholars have made similar observations. As an example, in his classic work, ‘The Asshole’, John Van Mannen (1978: 354) states of rookie police officers, all too soon they discover that researchers – among a host of other ‘suspect individuals’ – are “not to be trusted, are unpredictable, and are usually out-to-get-the-police” (see also Bradley and Nixon 2007). Similarly, Punch (1986: 72) describes what he terms the practice of ‘ripping and running’ among researchers – that is the disappearing act that occurs when the researcher’s true motives are revealed, leaving organizations and their members to feel ‘ripped off.’

Trust in social scientists, hard earned and often only cautiously given by criminal justice agencies, evaporates quickly in the face of researcher deceit. The individual researcher or team that has absconded with ‘the goods’, so to speak, rarely bares the cost of their actions directly or alone (if ever). Instead, I would argue, the repercussions of this lost of trust fall on all other researchers. In Canada, this has had a significant effect in reducing our ability to generate high quality, actionable research to inform police policy or practice. You need not take my own words for this, ; similar remarks have been made in a host of governmental and other documents produced during a federal policy exercise conducted here termed the ‘Economics of Policing’ (EOP).

In response to the perception that policing costs were rising at unsustainable levels, in 2012 the Canadian federal government convened a series of public policy exercises intended to generate solutions to reduce costs. What they quickly discovered is that Canadian policing research has been largely stagnant over the preceding two decades, producing very little work of use that could

be applied to address this or other related policy issues. As I have said elsewhere (Huey 2017), one significant factor has been chronic underfunding. However, as others have also noted, another key issue is the lack of research partnerships between police agencies and academic scholars (Griffiths 2014). In a study of the state of the policing research environment commissioned by Public Safety Canada, Curt Griffiths interviewed police leaders and academic researchers and the insights provided in relation to levels of trust between the two groups are noteworthy. In essence, both sides cited lack of trust as a barrier to developing new research. For police interviewees a recurring theme was the perception – likely correct in some cases – that critical research often serves little purpose but to “condemn” or “embarrass police services” without providing practical solutions to address legitimate issues (ibid.: 40). The failure of ‘rip and run’ academics to deliver the promised policy briefs and other outputs outlined in their research agreements no doubt also plays a role in supporting such suspicions. Griffiths’ findings are supported by a more recent study from Greg Brown (2017), in which he examined the issue of police-researcher collaboration post-EOP. What Brown similarly noted is the majority of police leaders interviewed had reservations about working with university-based researchers because of trust issues. Whereas in previous decades they might have approved a study without knowing anything about the researcher or research team, those executive officers interviewed by Brown made it clear they were now more inclined to vet researchers carefully, including checking their previous publications or asking trusted academic researchers for their assessments. A hint that someone may not be entirely trustworthy is sufficient to ensure access is closed. Again, I have seen this firsthand. Such was the case with a researcher who sought access to a crime analysis unit of a police service and misrepresented the nature of this individual’s work, claiming a track record of applied work with police agencies. A couple of queries on Google quickly told a different tale. Another agency did not undertake such inquiries

and, perhaps not surprisingly, when I gave a talk there on the need for increased researcher-police collaborations, I faced an unhappy reception from those in the agency's research department. Police researchers, policy planners and others had more than a few negative comments to make based on their previous experiences with academic researchers. We were arrogant and non-collaborative. We 'ripped and ran'.

One immediate effect of lack of police trust in university researchers is closed institutional doors. Another effect noted includes the new spate of multi-page applications researchers are being asked to fill out and reviewed by police services in advance of any research agreements. When I started some twenty years ago, it was often sufficient for me to email a request to a police leader. Today, I may face an 8-10 page form that rivals a research ethics board (REB) protocol from my university. Other agencies demand actual copies of REB documents as a means of ensuring the integrity of the researcher and/or they are not being duped. Unfortunately, this may create a potential incentive for researchers to also mislead their ethics boards about the nature of their research and then subsequently claim they found something out as an 'accidental discovery.'

For me, the most significant impact of lack of trust is the larger effects it has had on the ability of Canadians to generate, use and share homegrown policing research of sufficient quality to inform public policy and practice. In 2016, I set out to examine the state of Canadian policing research over the preceding ten years (2006-2015) (Huey 2016). I did so by conducting a scoping review of the peer-reviewed, published literature on Canadian policing. What I discovered was there had only been 188 published papers over that entire ten year period. I also found there was little diversity in the methods used, with most studies employing fairly basic quantitative research methods. Only 18 of the studies were experimental. In looking at the papers by topic, it was readily

apparent that we produce few studies on any one topic and that some important topics were missing from the research literature altogether.

In 2019 I revisited this exercise, updating my review with data from the years 2016-17 (Huey 2019). The inclusion of these two years produced an additional 61 papers. However, not much else had changed. The papers remained largely the same in terms of topics covered and methods employed. We still remained without research on issues such as: police anti-terrorism strategies, diversity issues within policing, police education, policing of human trafficking, police misconduct, police integrity, police reforms, police recruitment and violence against police. Important issues for Canadians, such as Indigenous policing and cyberpolicing increased marginally or not at all. Topics that were cutting-edge U.S. research circles in the latter part of the 2010s – topics not coincidentally requiring active police participation – were not present at all, including procedural justice, hot spot policing, focused deterrence, and harm-focused policing.

In no small part the Canadian policing research landscape looks barren, certainly relative to our usual comparators, our United Kingdom, United States, and Australian counterparts, because of chronic government underfunding and an obvious lack of policy direction at both federal and provincial levels. As is with the case with most problems in public policy, funding alone is not the solution. Increased funding of police research will not fix the trust issues that keep police doors closed or only slightly ajar. Without strong ethical guidelines in place, guidelines aimed at building inter-institutional trust, what it may do, however, is provide another perverse incentive for some researchers to ‘hit it and quit it’. After all, most of those who engage in these practices do not bear the consequences. Instead, it remains to those of us who remain, seeking to actually influence police practice and policy in positive and empirically grounded ways, to pick up the pieces.

References

- Barrera, D. and Simpson, B. 2014. 'Much Ado About Deception: Consequences of Deceiving Research Participants in the Social Sciences.' *Sociological Methods & Research*, 41(3): 383-413.
- Bell, D. 1979. 'Maintaining Access to Organizational Research: A Comment on Police.' *Criminology*, 17(1): 112-118.
- Bittner, E. 1967. 'The Police on Skid-Row: A Study of Peace Keeping.' *American Sociological Review*, 32(5), 699-715.
- Brown, M. 1988. *Working the Street: Police Discretion and the Dilemmas of Reform*. New York: Russell Sage.
- Bruckner, H. 1967. 'The Police: The Culture of a Social Control Agency.' PhD Dissertation. Available at: <http://www.tbuckner.com/The%20Police.htm>
- Cook, K. and Yamagishi, T. 2008. 'A Defense of Deception on Scientific Grounds.' *Social Psychology Quarterly*, 71(3):215-221.
- Cram, F. 2018. 'Perceptions Of Me, Conceptions Of You: Refining Ideas of Access To, And 'Acceptance' Within, The Police Organisational Field.' *Policing and Society*, 28(3): 360-

Huey 2022

374.

Cunliffe, A. and Alcadipani, R. 2016a. 'The Politics of Access in Fieldwork: Immersion, Backstage Dramas, and Deception.' *Organizational Research Methods*, 1–27.

Epley, N., and Huff, C. 1998. 'Suspicion, Affective Response, and Educational Benefit as Result of Deception in Psychology Research.' *Personality and Social Psychology Bulletin*, 24:759-68.

Fox, J. and Lundman, R. 1974. 'Problems and Strategies in Gaining Research Access in Police Organizations.' *Criminology*, 12(1): 52-69.

Funder, M. 2005. 'Bias, Intimacy and Power in Qualitative Fieldwork Strategies', *The Journal of Transdisciplinary Environmental Studies*, 4(1): 1-9.

Griffiths, C. 2014. 'Economics of Policing: Baseline for Policing Research in Canada.' Report Commissioned by Public Safety Canada. Available online at:

<http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/bsln-plcng-rsrch/index-eng.aspx>

Hammersley, M. and Atkinson, P. 2007. *Ethnography: Principles in Practice* (3rd ed.). Milton Park, England: Routledge.

Huey 2022

Huey, L. 2017. "The Economics of Policing Research." Available at:

<http://ir.lib.uwo.ca/sociologypub/39/>

Huey, L. 2016. 'What One Might Expect: A Scoping Review of the Canadian Policing Research Literature'. Available at: <http://ir.lib.uwo.ca/sociologypub/36/>

Huey, L. 2019. 'The State of Canadian Policing Research – Let's do Better in 2019.'
Available at: <https://www.lhuey.net/single-post/2018/10/22/the-state-of-canadian-policing-research-an-update>

Johnston, L. and Shearing, C. 2009. 'From A 'Dialogue of The Deaf' To A 'Dialogue Of Listening': Towards A New Methodology of Policing Research.' *Practice, Police Practice and Research*,10(5): 415-422.

Milgram, S. 1963. 'Behavioral Study of Obedience.' *The Journal of Abnormal and Social Psychology*, 67(4), 371–378.

Oscar, R., Ola, L., Robert, K., and Markus, H. 2018. 'Negotiations and Research Bargains: Bending Professional Norms in the Effort to Gain Field Access.' *International Journal of Qualitative Methods*, 17(1): 1-11.

Public Safety Canada (PSC) (2013) *Summit on the Economics of Policing: Strengthening Canada's Advantage*. Summit Report of Public Safety Canada, Ottawa, January 16-17,

Huey 2022

2013. Available online at:

<http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/smmt-cnmc-plcng-2013/smmt-cnmc-plcng-2013-eng.pdf> (accessed 30 March 2014).

Punch, M., 1979. *Policing the Inner City*. London: Macmillan

Punch, M. 1986. *The Politics and Ethics of Fieldwork*. London, UK: Sage

Punch, M. 1989. 'Researching Police Deviance: A Personal Encounter with The Limitations And Liabilities Of Field-Work. *British Journal of Sociology*, 40(2): 177-204.

Reeves, C. 2010. 'A Difficult Negotiation: Fieldwork Relations with Gatekeepers.' *Qualitative Research*, 10(3): 315-331.

Sowell, T. 1999. *Barbarians Inside the Gate and Other Controversial Essays*. Washington, DC: Hoover Institution Press.

Skolnick, J. 1966. *Justice Without Trial: Law Enforcement in Democratic Society*. New York: John Wiley & Sons.

Tri-Council Interagency Advisory Panel on Research Ethics. 2018. 'Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans – TCPS 2 (2018).'

https://ethics.gc.ca/eng/tcps2-epc2_2018_chapter3-chapitre3.html#7a

Van Maanen, J. 1978. 'The Asshole,' in P. Manning and J. Van Maanen (eds.) *Policing: A View from The Street*. Santa Monica, CA: Goodyear Publishing. Pp. 221–238.