

Several years ago, Marion Barry, who was then Mayor of Washington, D.C., was convicted for purchasing cocaine. Barry was arrested immediately after he made the purchase from a former girl friend of his who had invited him to her hotel room. Unbeknownst to Barry his former girl friend was working for the police. Several months before his arrest Barry declared at a press conference that "I have no sympathy for those who are crybabies about the fact that police officers are selling to those who want to buy drugs. We use every legal means that we can." "We want everybody to know," Barry said, "that the next drug buy may be from a police officer."

Was it ethical for the Washington D.C. police to use Barry's former girl friend as a decoy? If so, why? If not, why not?

MODERATOR'S ANSWER: Whether or not one ought to feel sorry for Mayor Barry, given his apparent hypocrisy, is a separate issue from the question of whether the Washington, D.C. police were morally justified in trapping him with a decoy. The police have wide latitude in making decisions about how to use their resources to apprehend violators of the law. They have a moral responsibility, however, to make those decisions reasonably, which means, among other things, not wasting valuable resources in money, effort, and time. It also means not employing tactics that many would view as ugly from a personal standpoint unless necessary to solve serious crimes. The resources that went into catching Mayor Barry in the act of buying cocaine would have been far better devoted to other law enforcement efforts.

In the above case, was it morally wrong for Marion Barry's former girl friend to agree to serve as a decoy? If so, why? If not, why not?

MODERATOR'S ANSWER: It was morally wrong for Mayor Barry's former girlfriend to act as a decoy for the police. One can hardly avoid the conclusion that she vindictively wanted to harm him. Granted, evaluating motives is one thing and evaluating actions is another. Her actions, like her motives, however, warrant moral condemnation. She deceived Mayor Barry with the result that he was caught committing a violation of the law which, although inexcusable, did not specifically involve abuse of his position. It had more to do with his private life than his public responsibilities. For this reason, the deception in this circumstance, with its strong elements of personal betrayal and breach of trust, was morally unjustified.

Case from the 1995 Intercollegiate Ethics Bowl. Copyright Robert Ladenson, Center for the Study of Ethics in the Professions, Illinois Institute of Technology, 1995.