

ETHICS ROLL CALL

L I S T E N I N G T O T H E I N N E R V O I C E



ROY ANTAL/REGINA LEADER POST

Students run out of a high school in Regina, SK, on Tuesday as an officer runs in during a hostage incident.

A picture worth a thousand words

by John Middleton-Hope

What the public sees on television and reads in the headlines of the daily news is their reality. The majority of the contact police officers have with our citizens involves crisis or confrontation. We see them at their worst, at their most aggressive, at their most vulnerable and at their most stressed.

On the other hand, the public expects police officers to respond in a courteous, professional and, when appropriate, compassionate manner. At a minimum we are expected to reflect the core values of our police departments. With events in the corporate sector like Enron, WorldCom and the World Bank citizens have lost faith in

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CORNER

ETHICS

Indeed, it is not good for one's mental health to delve too deeply into the illogic that parades across the pages of newspapers these days. *The Chronicle of Higher Education* (11/19/2008), reports that the head of a university police force in the south resigned amidst allegations that she had misused her office. Allegedly she "routinely had officers drive her on personal errands during work hours, reducing the level of police protection on campus, and that she claimed what appeared to be 'excessive' amounts of overtime pay." That would be awful enough in itself. However, her response to these charges gives a teacher of logic and critical thinking the shakes, the yips, sleepless nights, and edgy dreams. Apparently, she said that she takes "full responsibility for those actions that were a result of nonintentional poor judgment."

If you are not yet catching on here, let me point some things out. If one is held responsible at all for a judgment (poor or otherwise) by anyone (one's self or someone else), it would seem to me that the judgment would need, at the very minimum, to be intentional. Usually we do not hold people responsible for things that they do not mean to do: e.g., accidental deaths, slipping on the ice, etc.. Additionally, I would humbly also indicate that if one can characterize anything as a "judgment," that thing would need to be intentional as well. Can we really wrap our minds around judgments that we have not intended – that we have not deliberately considered in any way? What would that be like? Would those still be "judgments" in any meaningful sense of that term?

Perhaps I'm just not seeing this aright. Or perhaps I suffer from an overdose of book learning and straight laced, overly rigorous logical training. Perhaps I should just take full responsibility here and unintentionally admit that this is all my fault and a mere result of my poor judgment.

A PICTURE WORTH A THOUSAND WORDS
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corporate America. Our political leaders bend the truth and our institutions behave unethically while sports figures fall with a frequent and resounding cacophony. These are serious challenges facing police leaders as the public's trust continues to erode within this fluid 21st century environment.

While the media focuses on the cracks in the armor of our public servants it is important to note that everyone who picked up a badge did so of their own free will. We do the job because we can and most of us have chosen this career in spite of the negative press because it is our way of giving back to our communities by trying to make them safe places to live, work and raise our families.

Good news stories are infrequent and it troubles those of us who have spent a lifetime building police departments with pride and honor to see the damage caused by unethical behavior. Our comrades are regaled as heroes often only in death and yet every once in a while a story is printed or aired on television that reminds us of the reasons we joined the job.

The picture that accompanies this editorial is of Constable Ryan Hnetka a 2-year member of the Regina (Saskatchewan) Police Service running towards danger while students at a local institution flee the gripping fear of yet another gunman on a school campus. This picture appeared in the *National Post* read by millions of Canadians and is mute testament to the courage police officers see in each other every day they put on their gear and head out on the road. Police officers run towards the danger in part because it is their job but it is also who they are as human beings; community leaders, coaches, teachers, friends, family and heroes. Every police officer should feel just a little taller when a picture of this nature appears in the newspaper because it is likely a photo of you on any given day.

Chief John Middleton-Hope (ret'd) DEC, BA, MCE is a frequent guest at the Institute and is active in an international consultancy specializing in leadership and police ethics.

LOGIC AND
FACT KEEP
INTERFERING
WITH THE EASY
FLOW OF
CONVERSATION.

MASON COOLEY
CITY APHORISMS
NEW YORK
(1984)

Lonely Are the Brave

by Dan Primozić

Our “headline” photo and article about the brave officer in Regina, Canada brings the virtue of courage again to mind. As in the photo, bravery sails a lonely journey into the realm that most of us are escaping or would rather avoid (even the brave person who enters that realm despite the dangers within). It would be well, then, to analyze this virtue briefly, since it seems the cornerstone of the profession of law enforcement, and naturally enough also seems the most admired virtue of that profession.

If you go back to the photo on the front page of this issue, you will notice that the police officer is alone in his movement toward the source of danger while a group of others, understandably are moving steadily and hastily away from it. How is it possible for the officer to move so quickly and almost automatically into the hazard while others move so adroitly and furtively away from it? We start the answer, as usual, with one of the ancients: this time a fellow that is famous for his thinking on the issue of courage – Aristotle.

For Aristotle, bravery or courage is concerned with our feelings of confidence and fear. Brave actions occur in the mean between being rashly over-confident and being paralyzed by fear and cowardice. In his *Nicomachean Ethics* Aristotle concludes that individual, isolated acts of bravery are done along the lines of this mean between the two already mentioned extremes. But the more important question remains: how does one become brave to the point of almost instinctively going into brave action, like the officer in the

photo and like so many do every day? How does one become brave, not just once, but as one who has this as an essential part of their character – as one who performs this way as a matter of course, and always stands their ground firmly regardless of looking a painful death full face? After all, most of us do not do that and are not that way – we who run the other way.

Aristotle’s answer is deceptively simple: one becomes brave by doing brave acts. However, to unpack what that precisely means is not all that easy. First, we must be reminded that being brave does not entail being foolish or rash and it avoids being too frightened to the point of cowardice. As he says this:

For if, for instance, someone avoids and is afraid of everything, standing firm against nothing, he becomes cowardly: if he is afraid of nothing at all and goes to face everything, he becomes rash.¹

Like all of the other virtues, courageous action must be chosen voluntarily, rationally, for the right reasons, and in the appropriate circumstances. A choice like that would seem to take a lot of time, given all the elements of the choice just indicated. That complex choice would, indeed, take too much time for a successful resolution in a situation like the one that confronted our brave officer in the photograph. But that is why our brave officer must be in the habit of making such choices by many acts of bravery prompted by the manifold practice of making many such brave choices. Like all the other virtues, courage is an on-going

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NO MATTER
HOW SLOW
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MINOR WHITE

NON SEQUITUR



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Officer Michelle Guerette to Receive 2009 Ethical Courage Award

In the spring of 2008, Police Officer Michelle Guerette was actively preparing for an upcoming promotional examination in the Providence, RI, Police

Department when she learned that the test for which she was studying might have been corrupted. Hearing that inside information about test materials and exam content might have been leaked to a potential candidate, Officer Guerette - an 11-year veteran of the force - reported her concerns to Internal Affairs. As a result of her actions, the promotional examination was postponed over doubts about its integrity, and the company preparing the test selected different study materials for the candidates. When asked to characterize the actions of Officer Guerette in stepping forward to report this as she did, Police Chief Dean Esserman said: "Moral courage."

Given that the Providence, RI, Police Department had been shaken badly by a widespread testing scandal during the administrations of a former mayor and police chief, the actions of Officer Guerette are particularly meaningful. In a letter to Chief Esserman, Guerette expressed her appreciation for the respectful and diligent way he and his staff handled her complaint:

As a veteran officer . . . I have seen prior administrations act unethically and without moral honor . . . Having seen this past behavior and the nature of the information I had received regarding my union's current involvement, I was initially hesitant to bring forth the information I had been given . . . I appreciate all that you and your administration have done for this department, and look forward to the continued ethical progress.

On March 26, 2009, at the Annual Contemporary Issues and Ethics Conference, Michelle Guerette will receive the Ethical Courage Award in recognition of her willingness to stand up for "the right thing," and for her unhesitating demonstration of character and integrity.

In existence since 1998, the Ethical Courage Award has been intended to recognize especially meritorious leadership or courage related to law enforcement ethics and integrity. In March, 2009, the recipient of the first Ethical Courage Award - Chief Jeffrey Harbin of the Carnegie, PA, Police Department - will be at the conference to assist at the ceremony honoring Officer Michelle Guerette. (See related story on page 7)

ALL ARE
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HE WHO CAN
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PHILOSOPHER.

AMBROSE PIERCE

Have a Heart

by Dan Primozić

I must wonder aloud if anyone ever gives any thought whatsoever to the fact that someone, somewhere will need to account, in some reasonable way, for what they have brewed up. Usually it is the Public Information Officer or Public Relations Office that gets to clean up after what some well-meaning people have left strewn in the lines of the daily news - sometimes on the national level. I submit to you: these poor P. I. O.'s or P. R. people need some cosmic slack too!

For instance, consider the story on the MSN website (December 5, 2008), which described a couple who found themselves in a merciless traffic jam while they were on their way to deliver a baby (the mother was having contractions only three

minutes apart). The father starting driving in the "breakdown lane," for what seem to me very obvious reasons. The couple stated that two state troopers allowed them to use the lane, but a third officer not only disallowed it, but also made the couple wait while he issued another driver a ticket. He then issued the couple a one-hundred dollar citation. Their daughter was born later in the hospital the couple was headed for.

Without second-guessing the ticket-issuing officer's use of discernment and discretion, I wonder if he ever imagined this story would hit the national level. I also wonder what his P. I. O. must be going through right now. Perhaps they are experiencing what the P. R. director at Suffolk University must have experienced this month.

The story there amounts to the Board of Trustees deciding to pay the President of Suffolk University

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Real Training

by Dan Carlson

As often happens, the call for assistance came unexpectedly and completely out of the blue. From the start of the conversation it was apparent that the caller - a training director at a good-sized police department - was operating under some pressure and on a short time line. And since the caller wanted to discuss the possibility of ethics training for his agency, it didn't take long to get to the root of the problem: an ethics scandal had arisen in his department, and he had been detailed to find a way to right the ship. Something had to happen, and it had to happen quickly.

When he described the newspaper headlines outlining the misbehavior by some of his colleagues, his voice reflected genuine hurt and disappointment. He and his colleagues were both surprised and embarrassed, he said, and the chief had decided to respond to the ethical crisis in his agency by providing department-wide ethics training. And though this particular agency had not previously participated in ethics programs at the Center for Law Enforcement Ethics, these were extreme times ... and extreme times call for extreme measures.

While the mission of the training director seemed clear - ethics training for everyone! - it was important to pause and consider ways in which his agency might want to proceed. In fact, experience has shown that when every member of a department is sentenced to mandatory ethics training because of the misbehavior of a very few, the outcomes are usually predictable and dismal. "Why am I being sent to this training? I didn't do anything wrong," is the most commonly heard (and justifiable) complaint. Further, those assigned to these sorts of "knee jerk" ethics programs often look upon the experience as simply an exercise in public relations and damage control ... and they are correct.

Though he listened politely, the training director was insistent on discussing potential dates when the training might be provided. The subsequent conversation went like this:

Training Director: "How quickly can you come and do the training for us?"

Ethics Center: "We have an opening that will allow us to be there in two weeks."

TD: "No, our work schedules change that week. How about three weeks from now?"

EC: "That won't work for us ... we are already tied up. How about the week after that?"

TD: "That's no good ... I have to do some *real* training that week."

EC: (long silence) ... "Did you say *real* training?"

TD: "Yes ... you know ... firearms and emergency vehicle operation ... *real* training."

Sigh.

Though sixteen years have passed since the establishment of the Center for Law Enforcement Ethics, it is clear that much work remains. And though this training director - bless his heart - had unwittingly spoken volumes about the relative importance of ethics courses at his academy, one is left to wonder how many other trainers and practitioners share his view that ethics programs do not qualify as *real* training.

When it comes to providing their personnel with the tools to make the job of policing safer, easier and better, training managers take their responsibilities seriously. For example, officers regularly are required to participate in firearms training; not because they are poor shooters, but rather to give them the opportunity to practice and hone important skills. Similarly, driver training is not provided because someone is a poor driver (well, sometimes it is). Instead, driving courses give officers the chance to learn and practice skills that will allow them safely to operate vehicles under hazardous or emergency conditions.

In much the same fashion, giving employees tools to make sound and defensible decisions in ethically-challenging situations will result in jobs that are easier, safer and better. But while it is relatively easy to tabulate the positive results of firearms or driving courses (improved shooting scores and lower accident rates), how does one quantify the effects of ethics training? Can it be measured by a

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ETHICS AND
EQUITY AND THE
PRINCIPLES OF
JUSTICE DO NOT
CHANGE WITH
THE CALENDAR.

D.H. (DAVID
HERBERT)
LAWRENCE

LONELY ARE THE BRAVE
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state of mind (virtue of character) cultivated and formed by habitual and relentless repetitions of brave choices and resultant brave actions, until all this becomes “second nature,” and almost instinctual. Again, as Aristotle says this:

[The] habituation in disdain for frightening situations and in standing firm against them makes us become brave, and once we have become brave we shall be most capable of standing firm.”²

Courage often involves facing what is painful. And after Aristotle considers many of the things that give us fear he concludes that what gives us the most fear is the prospect of a painful death: “Hence someone is called fully brave if he is intrepid in facing a fine death and the immediate dangers that bring death.”³ And, it appears that the happier a person is, the more painful the prospect of death becomes, and the more difficult it becomes to exercise the brave act because there would be more to lose if one were killed in the act of courage. To lose a miserable life is less painful than to lose a happy one. Hence, the happy person is even more courageous and behaves at a much higher level than the miserable person performing the same brave act – they are even more noble and virtuous as a result.

So Aristotle calls out to us to ask if our brave officer is a happy man, for then he is even more honorable and deserving of our respect and admiration. And how would we or our officer know how to answer that question? Happiness, Aristotle claims, is a product of our living characteristically along the lines of excellence and integrity, which entails living well within the lines of all the virtues. But this kind of life and its resultant happiness is a theme for another time.

What Aristotle does not raise here is that, perhaps, the truly brave person fears doing the wrong, cowardly thing even more than they fear a painful death – that the person with integrity of character prizes that state of being more than physical life itself. A man named Immanuel Kant brought that notion forward many centuries after Aristotle laid down his work and his body. If Kant is right about that, then clearly the fear of being less than brave and wholly virtuous can be more pressing for those who truly love the good more than their own physical existence and happiness. And, in trying to gauge the moral quality of our brave police offi-

cer, Kant would wonder why it was that he acted bravely – from what motive and intention. Habit and happiness are not enough for Kant: only an action prompted by a true valuing of, duty to, and will for the good itself was sufficient for him.

As far as I am concerned, being the pragmatist that I have become, I am more than satisfied that our officer was brave on this occasion, and probably has been many times in the past. And I am honored to be working among men and woman who do likewise often, without the camera recording the action, and without fame or recognition or fanfare. They do it because it is right and it is their job. For me, that’s good and plenty, and (as the old jingle goes) plenty good.

Notes

1. Aristotle, *Nicomachean Ethics*, (Book II) Indianapolis: Hackett Publishing Company, 1999.
2. *Ibid.*
3. *Ibid.*, Book III.

REAL TRAINING

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decline in a number of citizen complaints? More effective recruitment? Better retention of employees? Satisfaction surveys?

There are, of course, no guarantees when it comes to training. Most shots fired on-duty miss their targets, preventable accidents still bedevil motor fleets, and some few employees continue to make faulty ethical choices. When it comes to ethics training, though, the benefits may be best measured in the breach ... in other words, it may be difficult to describe what an ethically-sound organization looks like, but we know a troubled ethical environment or agency when we see it.

The training director charged with providing an emergency application of ethics training in his agency never called back. Hopefully, the unhappy situation that prompted his initial inquiry has abated, and the newspapers have begun treating his agency more kindly. His quixotic inquiry, though, underlines an important point: ethics training works best when it is woven into the fabric of an organization and provided to employees early and often across their careers.

Post-scandal “ethical Band Aids” rarely help.

**COURAGE IS A
PERFECT
SENSIBILITY OF
THE MEASURE
OF DANGER, AND
A MENTAL WILL-
INGNESS TO
ENDURE IT.
GEN. WILLIAM
TECUMSEH
SHERMAN**



The Ethical Courage Award: A Proud Lineage

At a ceremony during the upcoming “Contemporary Issues and Ethics Conference” (March 25-27, 2009), our very first recipient of the Ethical Courage

Award, Chief Jeff Harbin of the Carnegie, PA, P.D., will assist in presenting that same award to our 2008 recipient, Officer Michelle D. Guerette (see related story on page 4). Having these two individuals with us at the same time as living models of the ethical integrity and the nobility that is at the very heart of policing is a high point and special moment in the history of ILEA and of the Center for Law Enforcement Ethics.

Chief Jeff Harbin, is no stranger to courage and integrity. As was already mentioned, Chief Harbin was recognized as our very first recipient of the award in 1998. He was recognized for “breaking the blue wall of silence” by turning over a tape recorded by a Carnegie police car’s video equipment which captured an act of excessive force on the part of a state patrol officer. In making the videotape public, Harbin said: “I knew once I viewed the tape, my life was never going to be the same.”¹

Because he stepped forward, Harbin faced tremendous ridicule at the hands of some of his law enforcement colleagues, and he and his officers were - among other things - threatened with a lack of backup. Nevertheless, ten years later he claims that he still would not hesitate to turn

in the tape. A 32-year veteran of law enforcement, Harbin has been shot at in the line of duty three times, the most recent only a few months ago as a suspected robber attempted to flee. The bullet struck the front of Harbin’s police car and, thankfully, did not get past the engine.

Harbin has had opportunities to leave Carnegie, his home town, for greener pastures but has remained to serve the community he loves and that loves him back. Leigh White, Carnegie Community Development Corp.’s executive director has been quoted as saying: “In this day and age, it’s kind of rare for a community to love their police chief as much as we do.”²

We are delighted that Harbin claims that his biggest accomplishment is having received the Ethical Courage Award. But we must here insist that it is our honor and privilege to know and work alongside such noble law enforcement professionals as Chief Harbin who, perhaps, is characterized best by LouAnn Harbin, his wife. In recounting the act of courage for which we recognized him she said: “He had to turn it in. There was no hesitation. That’s him. That’s how we raised our children; you do the right thing.”³

Notes

1. F.A. Krift, “Hometown Kid” Turned Chief Earns Carnegie’s Respect,” *Pittsburgh Tribune Review*, November 20, 2008.
2. Ibid.
3. Ibid.

HAVE A HEART

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a total of \$2.8 million for this academic year. When asked what was up with that sum, one of the trustees remarked that David Sargent, that lucky President, had worked for the university for many years in many capacities and was always woefully underpaid. This salary bump evidently was geared to make up for all that.

Again, after having been once a Director of Public Relations for a small university, I can just imagine the brand new eye ticks I would be suffering after having seen that story in the pages of the national academic newspaper. By

the way, after reading a blog concerning this issue, I noticed a student from Suffolk ranting about how she now understood why her tuition went up this year. “Ouch! Please don’t hit me again,” cried the poor (and likely underpaid – especially for this kind of duty) Public Relations director.

And some people wondered why I chose to teach philosophy and ethics instead of staying with the glamor job in the heady atmosphere of public relations! Someone is going to have to explain this somehow in some reasonable way to lots of potential somebodies, both internally and externally, and perhaps even nationally. Have a heart. Please. The holidays are here.

TO PRAISE IS AN
INVESTMENT IN
HAPPINESS.

GEORGE M.
ADAMS

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Contemporary Issues and Ethics Conference
The Perfect Police Officer:
Hiring, Retaining and Nurturing Quality Employees
March 25-27, 2009

Topics will include:

“Discover Policing”

A demonstration of the IACP/BJA web portal where hiring agencies can connect and interact with those interested in a law enforcement career

Organizational Branding and Image

What can agencies do to improve their attractiveness and compete effectively for potential employees?

The Impact of Stress on Physical and Mental Health

This session will examine ways in which organizations can identify and help manage employee stressors

Principle-Based Management

This session will demonstrate that agencies and individuals prosper and grow when managed with integrity and character

“Knowledge Age” Workers in “Industrial Age” Organizations

Meeting the challenge of retaining and developing younger workers in slow-to-change environments

The Ethical Courage Award

Will be presented to Officer Michelle Guerette, Providence, RI, Police Department (see related story on page 4)

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