

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



Ethics Train-the-Trainer in Corrections first graduating class held at the Tarrant County Sheriff's Academy in Fort Worth August 17-21, 2009.

Successful Launch of the ILEA Ethics Train-the-Trainer in Corrections Program

After a year of careful planning and a generous offer to host the event by the Tarrant County Sheriff's Office, the ILEA's very first four and one half day ILEA Ethics Train-the-Trainer in Corrections took place from August 17-21, 2009 at the Tarrant County Sheriff's Training Academy. Participants from the Tarrant County Sheriff's Office, the Dallas County Sheriff's Office, the Bureau of Indian Affairs, the Palo Pinto County Sheriff's Office, the CEC-Johnson County Law Enforcement Center, and the CEC-Johnson County Jail assembled to take the opportunity to be trained in how to provide the critical ethics training to their own corrections organizations.

The ILEA has been offering the Ethics Train-the-Trainer in Law Enforcement both nationally and internationally for many years and has graduated more than ten thousand participants who have

gone back to their organizations and agencies to provide ethics training to their colleagues. This was our first such course specifically designed for the corrections profession.

A total of twenty-six participants gained the ethics train-the-trainer expertise from three key instructors: A. Jay Six, of the Tarrant County Sheriff's office

(who has taught the law enforcement version of the course many times), Mr. Michael Silsbee (retired Training and Quality Assurance Manager for the North Carolina Department of Correction, member of the Ethics Train-the-Trainer Curriculum Development Committee, and an Advisory Council member for the ILEA Center for Law Enforcement Ethics), and Dan Primozic (Associate Director, ILEA). The discussions were lively and engaging, the presentations were informative and fruitful, and participants evaluated the learning experience with the highest marks and praise.

This course will be offered again February 9-11, 2010 at the ILEA headquarters in Plano, Texas and at Troy, New York, May 17-19, 2010. This version of the course will be offered in a "blended" format with three days in the traditional classroom setting followed by one and one-half days through the ILEA Online Classroom. The course can also be offered in a co-host fashion with interested organizations. Check the ILEA web site for further details at: <http://www.cailaw.org/ilea/calendar.html>.

INSIDE THIS ISSUE

Ethics Corner.....	2	Keep Smiling ... You're On	4
NYPD at Work	2	When in Doubt, Take It Easy	5
Too Much Too Soon — Too Late	3		

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ETHICS CORNER

A Pedestrian in Need – A Fine Officer, Indeed

In a recent article by Bob Ray Sanders in the *Fort Worth Star-Telegraph*, the true story was told about a pedestrian in Fort Worth who found himself afoot because he had run out of gas and was desperately searching and not finding a nearby gas station to fill his gas can. After furtively darting from one closed gas station to another in a busy intersection, he spotted a police patrol car and began speaking with an officer about his problem. After some time of discussion concerning the man's options (there were no good options, being that there were no nearby open gas stations), the officer invited the man into the car and drove him to get the needed gas. Sanders, who has been attacked as being allegedly "anti-cop" concludes his article this way:

At a time when there are still too many reports about police abuse or overreaction or simple stupidity – like the officers in Grand Prairie who circulated racist e-mails about the president of the United States – there was a policeman in Fort Worth doing what thousands of officers do every day: helping a person in need.

Despite the negative stories (such as overuse of Tasers and the Rainbow Lounge bar check) that must be told when we know about them, the truth is that there are far more positive ones involving our police that go untold.ⁱ

We are delighted to note that Sanders is correct in that last assessment concerning the vast majority of police professionals. Indeed, they are fine people, public servants and thoroughbred professionals who are dedicated to the public good and helping those in need.

ⁱ Bob Ray Sanders, "Fort Worth officer, distressed motorist in interesting encounter," *Fort Worth Star-Telegraph*, August 11, 2009.

NYPD At Work ⁱ

Imagine police officers driving slowly to a crime scene – knowing the criminal is running away – to avoid making an arrest that extends the work day. Conversely, picture a cop arresting someone for a minor offense, then spending 10 hours processing it to rack up overtime pay.

These may sound like absurd depictions of criminal justice. Nevertheless, in her book *Arrest Decisions: What Works for the Officer?* (Peter Lang, 2009), Edith Lynn '75 says that New York Police (NYPD) members are doing just that: in part because of cumbersome standard procedures that may need to be streamlined.

The 21-year-old NYPD veteran shares the results of research she conducted as a doctoral student at the University of New York on more than 600 arrests made by her fellow officers. Officers looking to pick up extra money were more likely to make arrests near the end of their shifts. She also learned that officers with extensive after-work commitments – such as child care, a second job or college classes – typically avoided making arrests that could extend their work days.

The salary for NYPD officers with five years of experience is about \$69,000 – not a bonanza, given the job risks and sky-high cost of living in the metro area.

"The typical arrest [in NYC] promises . . . redundant paperwork, broken equipment, surly clerical aids, obnoxious prisoners and fault-finding supervisors and prosecutors," Linn notes. "You can't blame the police officer for responding to a bizarre incentive system."

Lynn, a criminal justice professor at Berkeley College in Manhattan, says the NYPD gave authorization for her to pursue the study and has long been aware that its arrest procedures have negative effects. She hopes her book will help encourage much-needed change.

"Other police agencies have procedures that allow the arresting officer to return to patrol within 90 minutes," Lynn points out. "The NYPD can as well."

ⁱ Reprinted with permission from *Binghamton University Magazine*, Summer 2009

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JOSEPH CONRAD

CALVIN AND HOBBS



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Too Much Too Soon – Too Late

By Dan Primozic

I felt solidarity when I read (the hard copy, not the net version of) John Freeman's fine article in a recent *Wall Street Journal*.ⁱ There he touches upon the idea that it may not be so awfully beneficial for us to communicate in the constant and breakneck manner that we do on the "net." He claims there is something great to be said for hailing each other in the flesh and garnishing our information more slowly, more "earthly," more thoughtfully and meaningfully – more humanly and less mechanically.

Freeman says that our current, electronic, virtual, viral way of communication has done some bad things to us:

It has put us under great physical and mental strain, altering our brain chemistry and daily needs. It has isolated us from the people with whom we live, siphoning us away from real-world places where we gather. It has encouraged flotillas of unnecessary jabbering, making it difficult to read slowly and enjoy it, hastening the already declining rates of literacy. It has made it harder to listen and mean it, to be idle and not fidget.ⁱⁱ

Faster and more efficient is not necessarily better, but only necessarily faster and more efficient. If a matter needs thought, analysis, critical thinking, pondering, reflection and ruthless chewing, then faster and facile are not better but can often lead to superficial answers with increased odds for error, blind spots and pitfalls.

It is well known that the great Abraham Lincoln notoriously irritated his cabinet with his thoughtful, slow, deliberate pace for resolving massive problems, like if and when to issue the Emancipation Proclamation. Yet once he came to that decision, he would not and would not need to rescind it. Today he would likely be seen as incompetently slow-moving and nothing less than a foot-dragger. He spent time with people, face-to-face – talking with them, listening to them, hearing them, seeking and often taking their advice. Today he would be seen as a mere socializing time-waster. Yet, he is still famously one of the best leaders this country has had the pleasure of following and one of the most envied leaders the world has ever studied.

Freeman is worth reading. He also has a book called *The Tyranny of E-Mail*, which I surely now intend to buy, read in all of its hardcopy glory, and enjoy in a slow and careful fashion. I'm sure I could find a copy of it for the Kindle that I do not yet own. But to read it over the wires, I fear, would further entrap me in the "net of the net." Freeman claims he is not a Luddite. But as a proud and strutting Luddite, I happen to know better. After all, it "takes one to know one." By the way, be sure to print out this issue of *Roll Call* before you read it – slowing, carefully – with that touch of old humanity that seems to be going *quickly* out of style. Savor that ancient, quaint experience before it is too late.

ⁱ John Freeman, "Not So Fast: Sending and Receiving at Breakneck Speed Can Make Life Queasy; A Manifesto for Slow Communication," *The Wall Street Journal*, August 22, 2009.

ⁱⁱ *Ibid.*

WHAT IS MORAL
IS WHAT YOU
FEEL GOOD
AFTER AND
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WHAT YOU FEEL
BAD AFTER.

ERNEST
HEMINGWAY



Keep Smiling ... You're Still On...

by Dan Carlson

If you've been to the movies recently you will likely agree that Hollywood continues to excel at depicting police officers engaged in outrageous and detestable behavior. In fact, much of this sort of fantastical movie footage is so outrageous and "off the charts" that sensible viewers understand that they are watching a fable ... stuff like this, after all, could never happen in real life!

Or could it? As a veteran police officer with lengthy service in Internal Affairs once noted: "When it comes to unbelievable-even-breathtaking acts of police misconduct, not even the most imaginative screenwriter could ever dream up some of the things that cops actually do! If you could see some of the sustained cases that cross my desk," he said, "you would be astonished!"

Ironically, this now-retired IA commander might be surprised to learn how frequently "cinema verite" seems to intersect with Internal Affairs cases. Today, investigators often find themselves channeling sports announcer Warner Wolf ("Let's go to the tape!") as they collect video and audio recordings that, upon review, leave the rest of us to shake our heads and wonder (1) "What were these people (the accused) thinking?" and (2) "Didn't they consider that this might have been caught on tape?"

In the Fall, 2008, edition of *Ethics Roll Call*, an article titled "Smile, You're On ..." provided several examples of police officers who, unaware that their words or actions had been recorded, lied about their conduct. When the tapes were subsequently revealed, the officers were not only embarrassed, they faced criminal charges. Perhaps an update would be in order:

*Many will recall the case of the rookie police officer who in July, 2008, knocked a bicyclist to the ground during a protest bike ride claiming in his official report that the young man had ridden toward him and then resisted arrest. Unbeknownst to the officer, a citizen had captured the event on a video camera; a review of the tape - a Youtube sensation - revealed a series of events at direct variance with those reported by the officer. The police officer has

been fired from his department and indicted on charges of assault, harassment and filing a false report. In addition, the city is being sued for \$1.5 million.

*In 2007, a 19-year veteran police detective testified under oath that he had never interviewed a suspect who was later charged with attempted murder. After his testimony, the detective was stunned when a defense attorney revealed that the entire 75 minute interrogation had been captured on a recording device in the suspect's pocket. In June, 2009, the detective who had been caught in a lie was convicted of first-degree perjury meaning that he faces 7 years in jail and dismissal from the department. The District Attorney in the county where this occurred summed things up this way: "We cannot even begin to address the public safety issues in the city if the testimony on which we must rely is perjured."

Though most would look upon these and other similar debacles as fair warning that every word and action could be caught on tape, some folks just don't get the message. And in that regard, it is not difficult to find current evidence that police officers are sometimes their own worst enemies. Recent examples of this would range from the fairly mundane (a marked police cruiser caught on tape speeding in a city more than 100 miles from home) to the absurd (an officer and three dispatchers fired for "egging" the home of a citizen with a reputation for being a constant complainer). But, without question, our nominee for the "Hoisted On Their Own Petard Award" would have to go to the officers who discussed their scheme to fabricate a charge against a motorist whose car was struck from behind by a patrol unit ... while neglecting the fact that their entire conversation was recorded on the dash-cam in their vehicle!

In the full range of programs offered here at the Institute for Law Enforcement Administration we encourage participants to find ways of keeping abreast of events that have an impact on their lives and organizations. And while we like to think that *Ethics Roll Call* can help in some small way, there are many other media sources - both print and electronic - that can keep us tuned in to the world around us. Needless to say, we should never celebrate when careers and reputations are left in tatters because of unethical behavior or poor choices. But we can certainly learn from the example. If we don't, then the esteemed philosopher, Pogo, was correct when he observed: "We have met the enemy and he is us."

HOW WONDERFUL
IT IS THAT
NOBODY NEED
WAIT A SINGLE
MOMENT BEFORE
STARTING TO
IMPROVE THE
WORLD.

ANNE FRANK

When in Doubt, Take It Easy

by Dan Primozic

In 2005, the SAT (formerly the Scholastic Aptitude Test, and the Scholastic Assessment test – now the SAT Reasoning Test) was revised: a verbal section was dropped and an essay section replaced it; and the math portion was changed to better reflect what was being taught in the high schools. Some folks thought that the test was revised because the scores on it were coming in too frequently at a disappointing level. Therefore, they thought that it was being “dumbed-down” so that students would score higher. Whether that was true or not, I cannot say.

Then we see that The Commission on Public Integrity (CPI), the State of New York’s watchdog panel decided just recently that “no one would be given a failing grade on the [online ethics] test.”ⁱ The story there goes that this decision to fail no one was made “after a bug in the system was found to be handing out failing grades to anyone who got less than a perfect score.”ⁱⁱ The plot sickens when we read that state employees are not required to take the test, nor is there any real incentive to do so. No one was penalized for failing it and the CPI revised the online exam to give you the right answer if you gave the wrong one, whereas the older version with the “bugs” only told you if you had the answer right or wrong. Again, whether this is a deliberate “dumbing-down” of what appears to be an important examination, I cannot say.



Ethics Train-the-Trainer class conducted September 16-18, 2009, at Institute headquarters.

What I have noticed over many years in the education profession is that there is a growing tendency to rid ourselves of this troublesome messenger of failure or shortcomings in favor of replacing those assessment tools or learning materials that, evidently, were “too hard” with tools and materials that might tend to yield more encouraging results.

The hard road is, of course, the road that is harder than the easy road. Throughout those many years in the education profession, I have noticed that the easy is preferred to the hard, for almost everyone, almost every time. One assigns some readings or an essay examination and the grumbling engines start promptly. Why don’t you like philosophy, ethics, essays, long and difficult readings that require much and strenuous thought? “It’s too hard,” is the inevitable answer that bounces back. Indeed, it is hard. But is it *too* hard? Perhaps that is so.

David Hume, the skeptical Scottish philosopher of the enlightenment talked about how people shunned the route of tough intellectual investigations and analyses in favor of what he called “the smooth and easy passage of the mind,” that likes, instead, to be untroubled by the nasty little details of difficult human questions.

Yet, only a generation ago, President John F. Kennedy inspired a nation of young people as he explained why it was that we wanted to space travel and have a human land on the moon. He said that “we do not do these things because they are easy; we do them because they are hard.” And we did them, nonetheless; and we did them quite well.

Ethics, Integrity, Character, Values-Driven Leadership: all of those things are hard. They are not in our DNA or only matters of common sense. They take skull-busting intellectual and practical work and lots of it. Aristotle, way back when, promised us that ethics takes hard, habitual work:

continued on page 6

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AGATHA
CHRISTIE

WHEN IN DOUBT, TAKE IT EASY
continued from page 5

We have now said enough in outlines about happiness and the virtues, and about friendship and pleasure also. Should we, then, think that our decision [to study these] has achieved its end? On the contrary, the aim of studies about action, as we say, is surely not to study and know about a given thing, but rather to act on our knowledge. Hence knowing about virtue is not enough, but we must also try to possess and exercise virtue . . . iii.

So it takes hard, practical work to achieve ethical living and leadership. But, we must also remember that it takes hard intellectual work to become people of integrity. Confucius told us: "To study and not think is a waste. To think and not study is dangerous." iv

I do not wonder what Aristotle and Confucius would think of our assessments and tests of our knowledge and possession of the virtues of character. But, after all, these men are ancient and as dead as doornails. So, maybe a "no-fail" test in ethics for state or public servants is sufficient. Maybe it is "good enough" to pass a revised version of the SAT. Maybe ethics achieved in the traditional, old fashioned way – through hard reading, thinking, talking, and acting – is simply "too hard." Hard, rough road? Smooth and easy road? I think it obvious which, in these time, is the road "less travelled on."

i Rick Karlin, "With No Fail System, Everyone's Got Ethics: State Panel Defends grading of Little Used test meant as State Worker Training Tool," *Timesunion.com*, August 12, 2009.

ii *Ibid.*

iii Aristotle, *Nicomachean Ethics*, Indianapolis: Hackett Publishing Company, 1999.

iv Confucius, *The Analects*. 2:15.

UPCOMING PROGRAMS

2009

Leaders of Character: Guiding People-Centered Organizations (Glendale Heights, IL)	Nov 12-13
Leaders of Character: Guiding People-Centered Organizations (Fort Collins, CO)	Nov 19-20
Police Supervisor's Update	Dec 2-4
Leaders of Character: Guiding People-Centered Organizations (Bourne, MA)	Dec 3-4
Basic Police Supervision	Dec 7-11

2010

School of Police Supervision (Arlington, TX)	Jan 4-29
Racial Profiling: Data Collection and Analysis	Jan 11-12
Leaders of Character: Guiding People-Centered Organizations (Irvine, CA)	Jan 19-20
Crime Analysis in the Information Age Management College	Jan 19-21
Corrections Ethics Train-the-Trainer	Feb 1-Mar 26
Ethics, Diversity and Care: Capturing the Essence of Leadership	Feb 9-11
Guide to the Fair Labor Standards Act	Feb 16-18
Contemporary Issues & Ethics Conference: Leadership in a Cyberworld: Management Challenges in the Information Age	Mar 11-12
Police Resource Allocation and Deployment: Patrol Staffing Methods for Law Enforcement Managers	Mar 24-26
Internal Affairs, Professional Standards and Ethics	Apr 12-15
Basic Police Supervision (Fort Worth)	Apr 19-23
Ethics Train-the-Trainer	Apr 26-30
Corrections Ethics Train-the-Trainer (Troy, NY)	May 12-14
Leadership Symposium	May 17-19
School of Police Supervision	May 26-28
Crime Analysis in the Information Age	June 2-29
Police and Family Conference	June 14-16
Ethics Train-the-Trainer	July 10-11
Teaching Diversity	Sept 15-17
Police Use of Force Conference	Sept 20-24
School of Police Supervision	Sept 27-29
Administration and Management of Training	Oct 4-29
Internal Affairs, Professional Standards and Ethics	Oct 11-15
Police Resource Allocation and Deployment: Patrol Staffing Methods for Law Enforcement Managers	Nov 1-5
Police-Media Relations	Nov 8-11
Police Supervisor's Update	Nov 16-18
Basic Police Supervision	Dec 1-3
	Dec 6-10

ALL PROGRAMS WILL BE HELD AT ILEA HEADQUARTERS UNLESS SHOWN OTHERWISE

Article and idea submissions are always welcome. For further information, or to submit a contribution for a future issue, please e-mail: dprimozic@cailaw.org.

EVERYTHING'S GOT A MORAL, IF ONLY YOU CAN FIND IT.

LEWIS CARROLL



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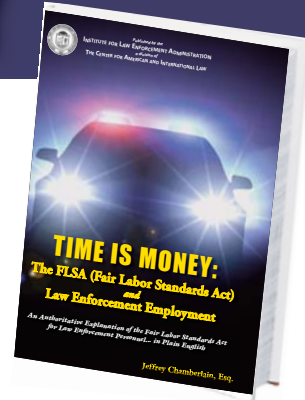
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<http://www.theilea.org/ilea/FLSAbook.html>

TIME IS MONEY

The FLSA (Fair Labor Standards Act) and Law Enforcement Employment

Jeffrey Chamberlain, Esq.



A critical and timely publication on the Fair Labor Standards Act and how it affects law enforcement personnel will be available for purchase in the Fall of 2009. Designed as a working FLSA reference, it will be of value to law enforcement officials, personnel administrators, municipal attorneys, and police legal advisors. According to one Major-City Chief:

"This is one of those rare books that every police leader ought to have reviewed and needs on the shelf close at hand ... After 14 years as a police chief in four different cities... I can only note that I wish this book had existed when I first started as a chief."

\$129.00 includes shipping. Please allow 2-3 weeks for delivery.

To order, please visit www.theilea.org

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THE SOUL THAT
IS WITHIN ME
NO MAN CAN
DEGRADE.

FREDERICK
DOUGLASS