

Talking
ETHICS
with Cops
A Practical Guide



Neal Tyler

TALKING ETHICS WITH COPS

ABOUT THE AUTHOR

Neal Tyler's law enforcement career spans 41 years with the Los Angeles County Sheriff's Department. After retiring as a patrol division chief in 2012, he was appointed to serve as interim Under-sheriff in 2014. As a patrol sergeant in 1983 he began working to develop practical, effective approaches for enhancing ethics awareness among law enforcement personnel. Since then he has served as a California POST consultant, a POST-certified instructor, and a police manager and executive who wants to help peace officers develop the kind of foresight, perspective, and wisdom in decision-making which leads to thriving, successful careers and to excellence in public service.

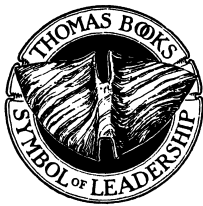
TALKING ETHICS WITH COPS

A Practical Guide

By

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This book is dedicated to all law enforcement personnel who have made a good faith effort to mentor fellow officers and coworkers toward broader perspective, keener foresight, greater wisdom, and better decision-making.

**Author's proceeds from the sale of this book
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Memorial and Museum in Washington, D.C.**

FOREWORD

The law enforcement profession is going through a very rough period in its history. There are many reasons—some not within our control. This book is about something that *is* within our control—something we can do right now to emerge from the rough period and minimize the possibility of another.

Our officers/deputies have always known that their lives are at risk during any given shift, but there are other threats that are increasing and alarming to all of us and the public we serve. These threats exist because of a number of factors unique to police work. We, as a society, give a lot of power to our police to be able to accomplish a very difficult, complex, and often dangerous mission. We expect them to use power judiciously and then we send them out into a society full of pressures and temptations that can derail their careers and potentially cost them their freedom.

We in law enforcement owe it to our own people to do more to prepare and protect them from this risky combination of power, temptation, and pressure. We expect that everyone who makes it through our exhaustive selection process should be “good to go.” Unfortunately, since we recruit from the human race, we know from far too many experiences that we can’t take anything for granted.

As supervisors and managers, we are accountable for the actions and behavior of those for whom we have accepted responsibility. This responsibility is too often overlooked, or downplayed. We can’t be everywhere, but we can set the tone and create and manage expectations. We can be more effective in keeping our people safe, both from a physical and a career standpoint.

Neal Tyler is a seasoned leader who has dedicated himself to ensuring that each generation of law enforcement professional can be better prepared and equipped than the one before it. He put a lot of thought, time, and energy into this book. He truly cares about cops and loves this profession. Neal has used the material from this book to create what the Los Angeles County Sheriff’s

Department has named its “Sergeant’s Mentoring Initiative”—an effort in which supervisors help deputies and professional staff learn from past events and develop the perspective, foresight, and wisdom necessary to keep their jobs and thrive in them.

There are 18,000 police agencies in the United States, and over 900,000 law enforcement officers. They handle millions of difficult, emotionally charged calls without incident every year. Very little attention is paid to those by the public or the media. But when force is used, or an outcome is controversial, we are put under the microscope and evaluated with arguably greater intensity than any other profession. What we are charged with accomplishing is so critical to the American way of life that we are subject to an intense level of scrutiny. We should be taking every action possible to provide our personnel with the tools necessary to manage the tactical, ethical, or interpersonal challenges they are facing.

When anyone who wears a badge hears one of our partners request “HELP” over the radio, we immediately drop everything and head in the direction of the request. That is how we are built. We should also realize that our people need assistance in other aspects of the profession, even when they don’t ask for it. The material in this book is intended to be helpful in addressing the challenges, pitfalls, and dangers that our people face in an ever more challenging and complex environment.

Jim McDonnell
Sheriff, Los Angeles County

PREFACE

Why are you getting another resource on police ethics? There are already many fine books and articles about ethics in police work, written by law enforcement officers with real-world insight, as well as by “nonpractitioners” who have valuable perspectives that we “insiders” can learn from as well. If this book is not different in some way, why bother with it?

In fact, it *is* different. It stems from more than 30 years of experience in the development of *practical* law enforcement ethics training. It is written based on the real-world application of a wide variety of approaches to enhancing ethics awareness and decision-making skills. Some of the approaches have worked well, and some have not. Both kinds of results have yielded knowledge of which ideas are better and which are less effective, and that information is what this book contains.

Prior to the early 1980s, most “ethics training” in law enforcement consisted of agency managers and supervisors, or “outside experts,” standing in front of academy classes and lecturing about the “rights and wrongs” in our line of work. In 1984, the Los Angeles County Sheriff’s Department created the “Career Integrity Workshop” program, and helped to pioneer the “discussion group” technique for increasing the ethics awareness of its personnel. California POST also became interested in improving ethics training for peace officers in the 1980s. CAL-POST and the LASD worked together to create discussion material that could be used statewide and beyond. Since that time, there has been a nationwide explosion of efforts to increase the emphasis on ethics in law enforcement.

The most effective of these efforts involve our law enforcement officers themselves in (1) sharing ideas, experiences, and wisdom with each other and (2) analyzing long-term consequences in a risk-free learning environment, before the need arises for making actual decisions or engaging in conduct. Accomplishing those two objectives can be attempted by means of a variety of formats, presentations, and approaches.

Why is this book different from much of what is currently available? It is written primarily for line sergeants and lieutenants to use with their own in-service personnel. It contains material that is designed to be easy-to-present and nonintimidating. It is adaptable to briefings of limited duration as well as to longer training sessions. There is enough content to enable an agency to maintain an on-going program of recurrent, short-but-meaningful discussions with and among personnel. Most importantly, it is practical and down-to-earth—not theoretical or abstract.

It is intended for supervisors and managers who want to “talk ethics” effectively with cops, and especially for those who have shied away from doing so because they do not feel comfortable “teaching ethics” and don’t view themselves as “experts.”

If you are one of those who have “shied away” . . . don’t worry! You are not going to be shown how to “teach” ethics. Instead, you will be given material and ideas about how to enhance the *existing* ethics awareness and *ethics skills* of your personnel. You will be given pointers on talking *with* your people, not “at” them, in order to foster awareness about how ethical values and standards to which they already subscribe apply in real-world law enforcement decision-making and conduct. And you will find that most times you don’t even have to mention the word “ethics” to be quite effective in this kind of training.

ACKNOWLEDGMENTS

As a sergeant at the Los Angeles County Sheriff's Department's Lennox Station in the 1980s, I was among those LASD members who experimented with ethics discussion groups for deputies. I became involved for the simple reasons that I love police work, care about doing it well, value my fellow deputies/officers, and want the best for them.

And boy, did we learn a lot, by trying everything we could think of and bumping into a lot of walls. And so, for the experiences and learning opportunities of my 40-year career which led to this book, there are many people to thank.

I thank Los Angeles County Sheriff Jim McDonnell, especially for writing the Foreword, and former Sheriffs John Scott, Leroy Baca, and the late Sherman Block as well. They have allowed the members of the Sheriff's Department to think on their own, to take initiative, to experiment, and thereby to grow, to create, and to improve the organization for the public good.

I also thank the following Sheriff's Department coworkers of the 1980s–1990s, with whom some first steps were taken to foster enhanced ethics awareness in new and more effective ways—Duane Preimsberger, John Bryan, Ron Trowbridge, Michael Stine, William McSweeney, William Salveson, and Robert Harris. All had successful careers in many other areas of law enforcement before retiring with honor, but their contributions to this specialty arena have to be counted as among their most important. We enlisted and trained several dozen other Department members in the LASD's "Career Integrity Workshop" program. I conducted workshops with most of them and learned from each one, and for that reason I thank them as well.

I owe a special debt of gratitude to Ray Birge, Oakland Police Department Captain—retired, who became California's first POST-certified "ethics train-the-trainer" course instructor, and to Don Moura, California POST Senior Consultant, who oversaw the development and administration of the instructor course

throughout the state. Our Department's association with both of them improved our program and I personally learned a great deal from each of them.

I also thank LASD Reserve Deputy Jack McRae for his contribution to the development of two of the situation narratives. I thank Diane Burbie, Managing Principal of the Aspire Group, for the information in Part I about the best way for a presenter to respond to participants who put forth uncooperative or outlandish input. I also thank Captain Chris Perez, who made significant and astute observations about how to improve the consistency and clarity of the book's message. And I thank my nephew, Anthony Bennett Tyler, for his creation of the cover artwork.

Finally, I thank Rabbi Stephen Passamaneck, LASD Reserve Deputy—retired, LASD Chaplain, and college professor, for his review of the many drafts of this work, for his ideas about organizing and writing it, and for his confidence in this approach to talking about ethics with cops.

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Part I

INTRODUCTION

1. THE THREAT

There is a situation threatening us in the field of law enforcement, existing separately from the risk of the ultimate sacrifice. This threat, which Sheriff Jim McDonnell referred to in his Foreword, is rooted in the very nature of what is expected of cops, and will therefore never go away. Even though it is in plain view, we haven't exhausted every opportunity to confront and neutralize it. It will continue to jeopardize and lay to waste police careers in all subsequent generations of our profession.

The threatening circumstance is summarized in the following "formula" about police work:

Power + Temptation + Pressure → DISASTER

This simple formula depicts the significant hazards of our profession that are less obvious than the danger of physical harm presented by dealing with society's worst situations and people. Thankfully, that danger has been addressed as "officer survival training" in numerous forms since the 1960s.

What *hasn't* been called to attention as frequently is the pervasive influence of power, temptations, and pressures on the decisions and conduct of the personnel we bring into the demanding field of law enforcement. We attract the community's best people into this occupation, and then miss opportunities to help them understand and beware of these factors that work against "career survival." So, as a first step, let's make sure we understand them ourselves.

Power. Abraham Lincoln conceived one of the most significant commentaries about human nature—one that we in law enforcement ought to think about more often.

Most men can stand adversity, but if you want to test a man's character, give him power.

In one sense, our whole profession is about who has power and what do they do with it. Crooks prey on victims. Thugs and bullies threaten