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Valuing Values

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**By
Gary T. Terbush**

**Georgetown Police Department
Georgetown, Texas
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ABSTRACT

With today's police departments and their respective communities getting more complicated and difficult to control, looking for a set of values-based policies that can both allow a police officer to perform his duties in an unencumbered manner while still protecting the citizens he/she is sworn to protect is an awesome task. Research into finding such a policy was conducted using a combination of telephone calls and scrutiny of available active policies of the agencies queried. During research it was discovered that very few agencies know anything substantial concerning values-based policies and that most had very few if any values installed into existing policies or procedures. Values-based policies and procedures are still a work in progress that will take time, education, and perseverance if they are to ever be implemented and accepted by mainstream policing organizations. Even though very little information exists concerning the benefits of such a program, it can be successfully argued that such a program if properly implemented would allow officers greater flexibility and improved relations with both the citizens policed and the respective officer's supervisors.

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INTRODUCTION

Police departments around the world enforce written laws that establish minimum standards of behavior for the citizens of their respective communities. When a citizen breaks one or more of these laws the direct consequences of their actions is often punishment. These punishments generally range from simple fines, to prison, to death of the lawbreaker. Being charged with enforcing these laws is it any wonder that law enforcement agencies generally respond to their own lawbreakers with a similar code of laws? These rule-based policies that departments create and maintain are fraught with the same problems that societal laws often confront. The main problem being, “How do you get an individual to voluntarily conform their behaviors to expected standards?”

Rule-based policies of any sort often have the same problems associated with them:

- 1) They prescribe a minimum set of standards for behavior that most people are expected to meet, not succeed.
- 2) They cannot ever totally encompass all of the potential problems that may arise; hence the need to create more policies and laws as the need arises.
- 3) They punish more than just the offender, often punishing their family and friends in various ways.
- 4) They provide a quick solution to the problem at hand and do not address the problem that caused the rule being broken.
- 5) And finally, they are expected to be followed even when an individual is not aware of a rule existing that prohibits a certain behavior.

This is relevant to law enforcement in that a basic level of trust needs to be established and maintained between not only the law enforcement agency and the community it is charged to protect but between the individuals working in law enforcement and their respective command structure. Rule-based policies when enforced as prescribed generally destroy that level of trust so important to effective communication between the officers and their leadership. This in itself leads to morale problems that, like the plague, can travel from one employee to another in record speed. For example an event can be described as follows: An employee is found through an investigation to have broken a rule. He/she is taken in front of his/her supervisor who now has implied control over the employee's life. The employee at this point feels helpless and very defensive. The supervisor reviews the rule that was broken and prescribes the requisite punishment. The employee generally takes the punishment whether it is a verbal reprimand or days off. Once back at work the employee feels that everything is taken care of while the behavior that led to the rule being broken has never been identified or improved upon. Upon returning to work the employee will have been embarrassed in front of his fellow employees and will then inform them of his perceived injustice in this situation. This leads the other employees into believing that the leadership is uncaring and only feels responsible to themselves and the organization not to the employees. Now you have a serious morale problem.

In reviewing this problem this researcher asks, "Can value-based policies be an effective tool to encourage desired behavior in today's peace officers and if so how does a department implement such a program while getting the support of the officers?" To answer this question this researcher will contact numerous cities of various populations

throughout Central Texas and other agencies in the U.S. inquiring about their policies and problems they encounter and the proposed solutions when dealing with their respective law enforcement officers. The agencies that will be contacted include the agencies of Austin, Cedar Park, Pflugerville, and Round Rock, Texas. The counties of Travis and Williamson Sheriff's Department will also be contacted. The policies of the Georgetown Police Department will be utilized as well. And finally, the City of Wheaton, Illinois will be contacted due to their involvement with value-based policies. A brief telephone survey will be performed and a copy of their policies will be requested for research. It is proposed that the outcome will be that a properly written values-based policy can be an effective tool when implemented, used consistently throughout a department, and it's officers properly educated about the policy's meaning. It is proposed that a values-based policy can cover most, if not all, conceivable problems that may be encountered without having to increase the numbers of policies regulating behavior. Although, it is conceded that training requirements will have to be altered from time to time and training on the changes and their meanings will need to be conducted.

Law enforcement can benefit from this research by continuing to strive for better ways to treat its' employees. A values-based approach will aid the law enforcement community in increasing the level of respect for its' employees. Employees will be encouraged to take responsibility for their actions no matter how detrimental they may be. The level of trust and respect between command structures and the employees they lead will be increased and/or fostered in some cases. And finally, humane treatment of employees will be established by improving instead of punishing them for their mistakes.

REVIEW OF LITERATURE

When looking for answers to the question as to whether a value-based set of policies can be effective tool to encourage desired behavior in today's peace officers and if so how does a department implement such a program while getting the support of the officers, it is important to identify the values that may be used in such a policy. A balance of compliance-based policies focusing on rules that, when needed, could be used to facilitate compliance from an officer and values encouraging the officer to be morally at their best is thought to be the best mix to use (Global Forum on Fighting Corruption and Safeguarding Integrity, 2001.)

Senior officers regardless of rank will need to be brought into the debate early on due to their visibility to lower ranking offices. Regardless of rank, every senior officer has the duty to model the moral behavior that will be required of the line officer. If the perception from the line officers is that the senior officers do not support or they are not held to the same standards then the implementation and success of the values-based policies will be in jeopardy. This perception can be as strong or stronger than the policies themselves. (Controversial Issues in Policing, 1999)

Where values come into play is due to the moral makeup of each individual. There are six moral evolutionary stages ranging from "Heteronomous Morality" where individuals act out of fear of punishment to the "Universal Ethical Principal" where the same individual will act out of a belief and commitment in the validity of their moral principals (Kohlberg, 1973) This is important in that the final outcome to be expected is an understanding and buy-in of the officers being affected.

Value-based leadership has been discussed and encouraged for hundreds of years as indicated by individuals from Moses to Jesus Christ and Confucius to Aristotle. The Old Testament sets out the original rules-based policies when the Lord gave Moses the Ten Commandments in Exodus. The moral bar was further raised when Jesus Christ expounded and established the “Golden Rule” which stated “All things whatsoever ye would that men should do to you, do ye even so to them: for this is the Law of the Prophets” (Matthew, 7:12).

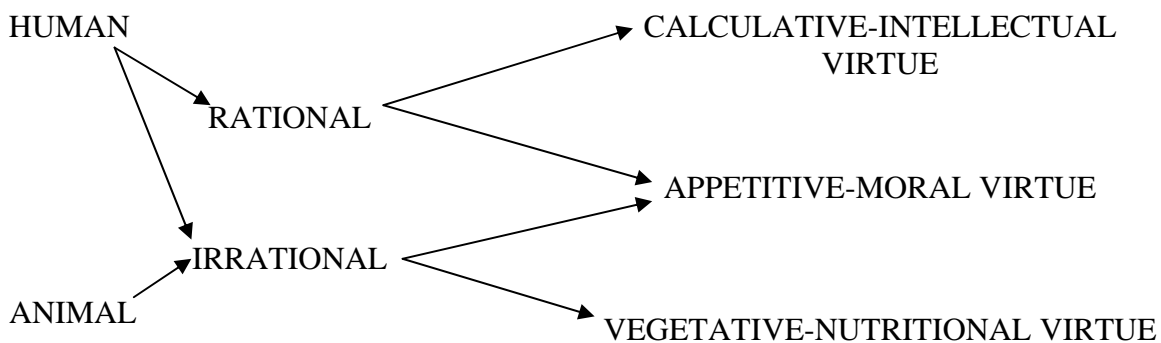
Confucius talked of values in leading people when he states in 2:3 “If you govern the people legalistically and control them by punishment, they will avoid crime, but have no personal sense of shame. If you govern them by means of virtue and control them with propriety, they will gain their own sense of shame, and thus correct themselves.” In 9:24 “Base yourself in loyalty and trust. Don’t be companion with those who are not your moral equal. When you make a mistake, don’t hesitate to correct it.” (Analects of Confucius).

Ethics being the “Final End or the Highest Good” that man can achieve was discussed by Aristotle. With everyone indicating that the chief end of life is “Happiness,” Aristotle felt the need to examine and ask what exactly is happiness? He believed that happiness is based on human nature and that humans share the “unique experience of work and life” and in this happiness must be found. Sharing a vegetative state with plants and a sensitive state with animals was not enough in his thoughts that would satisfy a state of happiness. Therefore, Aristotle felt that “true happiness lies in the active life of a rational being or in a perfect realization and outworking of the true

soul and self, continued throughout a lifetime” (Aristotle, sometime between 384-322 BCE.).

Aristotle expanded his thoughts with an analysis of the human soul with which we all possess. He divided the soul into various parts and described them as follows (Figure 1):

Figure 1. Aristotle’s Framework of the Human Soul.



What this figure shows is the elements of the soul as viewed by Aristotle. According to Aristotle the soul had two distinct elements spread between three “virtue” states. The irrational element is also found in animals. The rational element is totally human. On the first tier is the vegetative state in which humans and animals both contain. Either one is responsible for nutrition and physical growth of the entity. The second tier is the appetitive state and is responsible for desires and emotions and is shared between the rational and irrational elements. Animals contain some of the same desires as humans with the difference being that humans were able to control their desires and emotions with the aid of the purely human rational element. Humans aid in controlling their desires and emotions with the aid of reasoning according to Aristotle. The ultimate ability humans contain through the rational element is the calculative ability. That is the ability to think, process information, and create theories and principles. Mastering these

abilities Aristotle called intellectual virtue. This theory, if believed, shows that people can control and rise to meet standards imposed on them if they so choose and have the proper motivation.

Aristotle continued this thought process by suggesting that we control our desires not by instinct but by learning and continual practice. In addition, we have the ability to either not control our desires enough or over control them. Aristotle called these traits “character traits.” Aristotle wrote that there are “Moral Means” indicating that there is a middle ground in which humans operate smoothly without creating problems for ourselves. On either side of this mean are vices that either deficient or excessive.

Aristotle showed this as (Figure 2):

Figure 2. Aristotle’s List of Traits.

Vice of Deficiency	Virtuous Mean	Vice of Excess
Cowardice	Courage	Rashness
Insensibility	Temperance	Intemperance
Illiberality	Liberality	Prodigality
Pettiness	Munificence	Vulgarity
Humble-mindedness	High-mindedness	Vaingloriness
Want of ambition	Right ambition	Over-ambition
Spiritlessness	Good Temper	Irascibility
Surliness	Friendly civility	Obsequiousness
Ironical depreciation	Sincerity	Boastfulness
Boorishness	Wittiness	Buffoonery
Shamelessness	Modesty	Bashfulness
Callousness	Just Resentment	Spitefulness

METHODOLOGY

Can a value-based set of policies be an effective tool to encourage desired behavior in today’s peace officers and if so how does a department implement such a program while getting the support of the officers? This question is the main topic of

discovery for this researcher. While it is hypothesized that the answer to this first part of this question will be positive, the rest of the question is tenuous and uncertain.

In order to find an effective overall answer it is first imperative that it be established that only two other agencies have been found by this researcher to have such a system in place. One is in Wheaton Illinois Police Department while the other is the Georgetown Texas Police Department. Both agencies were queried and their existing policies scrutinized. Telephone assessments of the surrounding agencies and scrutiny of their current policies and procedures will be attempted to ascertain if any of the surrounding agencies queried will have any knowledge of such a system or the validity of its use. This researcher will also contact the following agencies: Austin Police Department, Round Rock Police Department, Pflugerville Police Department, Cedar Park Police Department, Williamson County Sheriff's Department, and Travis County Sheriff's Department.

Each department will be asked the following questions:

1. What type of system is in place already?
2. What type of complaints and problems do they most experience with their employees?
3. What is the most unusual complaint ever received against an employee?
4. Was it necessary to review a policy or create a new policy after the unusual event?

In addition, their own current policies and procedures will be reviewed and dissected to ascertain the number of policies, procedures, directives, or steps involved in guiding their employees. The number of recent changes made, if tracked, to current policies will also be looked at.

FINDINGS

It was found by looking at the area departments that five out of six employ the standard rules based policies that are typical in the basis of most departments' procedures. Two departments listed in figure 3 did not even mention the thought of values in their procedures but instead thought to make their policies so broad as to attempt to cover anything that might occur. Cedar Park , Pflugerville, and Round Rock did state that their policies incorporated both values and rules, but were extremely limited on the number of values referenced. Round Rock Police Department mentioned values one time when referring to valuing Integrity, Community Trust, Communications, Employee Trust, Problem Solving, and Leadership.

Cedar Park Police Department proved that a department cannot ever be totally prepared when they received a complaint of an officer wrestling with a deer. The officer, according to the complaint, punched and kicked the deer several times before finally cutting the animal's throat with his knife. The officer was initially sent to the scene to destroy the animal after a passing vehicle unfortunately hit it. According to Cedar Park Police, the officer in question decided to have "fun" with the animal before destroying it. A policy for destroying the animal was in use by Cedar Park but no where was it mentioned about the conduct of wrestling with the animal or cutting its throat. Short of using the criminal system, no rule was in place regarding such conduct.

When tracking changes to existing policies or procedures to keep up with changing environments, Pflugerville Police Department was the only organization that actively kept track of recent changes to their policies. Pflugerville reported Seventy-five recent changes to their policies. It must be noted that Pflugerville had the most extensive

policy manual of all the agencies queried with a total of ninety-nine general orders relating to seven hundred and ninety-six separate incidents to deal with. It was also the belief of the Lieutenant queried that no individual in his department could ever know everything that was in their manual nor were they expected to. But they were held accountable to this very manual even so.

As far as values are concerned, no agency queried concerned themselves with values as much as the Wheaton, Illinois or the Georgetown Police Departments. Both currently have in force a policy that mention eight principals and their associated values, totaling forty different values in their policy. The principals are: Respect, Balance, Fairness, Integrity, Ethical Performance, Reverence for the Law, Community Policing, and finally, Test of Police Effectiveness. Each listed principal has one or more associated values such as: Attention to Duty, Prevention of Crime, Officer Contacts with the Public, Public Service, Loyalty and others. The Georgetown Police Department's policy was modeled after the Wheaton Police Department's and contains additional values that include Human Life, Democracy, Character and Leadership to name a few. Wheaton Police Department's Chief Mark Field (2001) stated that his manual involves two simple things-respect and common sense concerning ethical and professional policing. Chief Field further stated that his policy is based on "providing guidance and not restrictions."

For example, in Georgetown the present policy has been used successfully in the past several weeks when holding an officer responsible for an activity that previously was not enumerated in any policy. An officer performed his duty in such a manner that caused a citizen of Georgetown to file a complaint against the officer for "Unsatisfactory Work Performance." The incident was recorded on videotape which was entered into

evidence. In the video the officer is shown immediately grabbing a female and handcuffing her. The female falls to the ground and is assisted up by the officer in question. The female is talking to the Sergeant of the incident and another officer is standing in the background not moving or interfering with the conversation between the citizen and the Sergeant. The officer being reported did not wait to be told to handcuff the citizen nor did he know for sure what was happening since he had just arrived on scene not more than thirty seconds before. Due to other facts of the incident and the officers recollection of the events it was determined that what he did was not illegal since the citizen would have been arrested anyway but, he was held accountable for “Professional Standard of Service,” an associate value of the Principal Ethical Performance due to his premature interruption of the Sergeants conversation. Before these values were added, this officer would not have been held accountable since no policy was in force that covered this type of incident.

Of all of the agencies queried personnel from Austin Police Department and Travis County Sheriff’s Department that specifically deal with policies could not be contacted. Cedar Park Police Department was interviewed by phone but a copy of their policy was never received. A chart was created by this researcher to show the number of values as compared to the number of rules in the polices scrutinized (Figure 3.)

Figure 3. Policies of Agencies Queried.

<i>Polices/Proc.</i>	GO's	Sub-Headings	Recent Changes	Min. # of Sub./G.O.	Max. # of Sub./G.O.	Values Mentioned
DEPARTMENT						
Pflugerville PD	99	796	75	2	60	0
WCSO	53	381	Not Tracked	1	44	0
Round Rock Pd	118	383	Not Tracked	1	29	1
Austin PD	Unk	Unk	Unk	Unk	Unk	Unk
TCSO	Unk	Unk	Unk	Unk	Unk	Unk
Cedar Park PD	Unk	Unk	Unk	Unk	Unk	Unk
Georgetown PD	10	96	Unk	4	24	51
Wheaton Illinois PD	7	Unk	Unk	Unk	Unk	40

DISCUSSION

Departments throughout the United States consistently provide their employees with guidelines for performance that resemble tomes of legal books found in most law offices. The problem with this is that most officers are expected to make split-second decisions that may have very serious consequences to both themselves or the person they are dealing with. This problem is further exacerbated by the fact that the officer, while acting in due diligence of state or federal law, may accidentally violate one of his own policies and know nothing of this until the internal affairs investigator comes snooping around.

Can a set of value-based policies be an effective tool to encourage desired behavior in today's peace officers? The answer to this question is probably "yes." How to implement the program and gain the acceptance of the officers involved is still more uncertain. The overall question is so new to policing that very few of the respondents

queried had any idea of what values could do for an agency, an even lesser idea of how to implement such a policy, and for that matter how to instill a sense of acceptance of most police officers. With all of this mentioned, it was found to be difficult even relating this information to the agencies queried. Given this problem it is not possible to answer the entire question without much more intense and deep research conducted by the individuals that drive the policies of agencies, such as Chiefs of Police, Sheriffs, or Commissioners of major departments. It has been found that study on the level of this researcher is limited in the fact that knowledge and experience is limited in those that were queried.

It is still believed that a values-based system when properly integrated in the philosophies of a department can be an effective tool. One must first be able to effectively relate to the officers that will be subjected to this type of policy, the importance of the system, the freedom to make decisions that are not guided in black and white text, and the support to make mistakes while adjusting. Values and their importance in today's society must be reinforced with practical examples to everyday problems encountered by officers on the street. It must be shown to the officers that their actions reflect on themselves and their agencies and the values displayed and encouraged will be reflected by the majority of people in which they come in contact.

This "Golden Rule" is, without question, the pinnacle that every officer must be reaching for. Most everyone knows or has heard of this, so it is not new, nor is it out of the question to work to attain this level of functioning. "All things whatsoever ye would that men should do to you, do ye even so to them: for this is the Law of the Prophets" (Matthew, 7:12).

Under a value-based system, can supervisors encourage their officers to perform better? This researcher still says, “Yes.” When responding with dignity and respect to an officer that has made a mistake, most officers will respond in a like manner. In doing so they will respond to effective counseling that deals with fixing the problem while not demeaning them in the process. This probably is the best start in trying to convert an agency to a values based existence. An additional reason that may get the officers to gain acceptance of this program is that the number of policies and steps involved in following policies is reduced. This means that there will be fewer rules to learn, remember, and possibly forget. Get the buy in of the officers that will be effected by implementing a values based supervisory system. Lead by example. Lead with values.

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