

Police Conduct Issues

Municipal Police Chief
Perspective
CACOLE : June 2004

Tight Rope

- Balancing public interest, discipline and instilling ethical conduct while still leading a rapidly changing profession which is moving away from a somewhat “tribal / paramilitary” culture.
- Discipline cases often cause the Chief to lose the support of the membership and association.
- Discipline cases are usually the ones where media criticism is extreme.

Some Observations

- Transparency is not a traditionally held police value. This is changing.
- The “tribe” does not like anyone inside to be really critical although certain conduct isn’t accepted.
- By definition “tribes” don’t form external relationships. This too is changing.
- Some police leaders don’t embrace (or understand in some cases) external oversight.

Cops Tolerance

- Won't tolerate stealing, consorting with criminals, trafficking, etc.
- There can be some tolerance for a “bit” of excessive force, alcohol abuse, “bit” of noble cause creative grounds, etc. The slippery slope starts here and this is where we need to focus. Real progress is being made here. (examples)

The “Score” : Approx. 250 members, 5 year period, very well regarded police agency:

- 1 dismissal – repeat spousal abuse
- 1 resignation – sexual misconduct off duty
- 1 resignation – sexual misconduct on duty
- 1 dismissal – substance abuse (help failed)
- 1 dismissal possible – corruption
- 1 suspension – excessive force
- several reprimands (excessive force, verbal abuse of civilian employee, etc.)
- *: about 2/3 were “predictable”
- *: extrapolate ??

Chief's "How To" Survive I

- Discipline process and fairness have to be applied with extreme rigor.
- Forego "chicken" discipline in favor of real ethical standards.
- If you support people very strongly in other areas they will accept your views on discipline.
- Be up front and transparent with the media right away, they will take you apart otherwise. (and rightfully so)

Chief's "How To" Survive II

- Proper relationships with media, oversight bodies, the union and membership will make or break you on discipline. Transparency is everything...
- Communicate, communicate, communicate on discipline issues or the internal telegraph will carry the message first.
- If you are going to conduct hearings make sure you have formal education in administrative and labor law.
- You set the tone for the relationships with the oversight body, your senior people and investigators will follow formal or informal comments.

Chief's “How To” Survive III

- Oversight bodies can provide legitimacy and closure with the difficult cases BECAUSE they are independent and external.
- Use external investigations anytime you feel the need to. (try to get costs worked out...)
- Particularly with the tough ones, respect the timing of the various sequential processes to be followed: high quality, objective investigation, crown review, inquest, oversight body, civil and administrative. The timing can be on your side.
- Make the organization itself “ethical” with proper human resource policies, fair practices, transparency, shared decision making.

Future

- Anti-Corruption Units are needed in each province. (I never would have said this five years ago...)
- Maintaining a clean force, establishing fair discipline and establishing a proper relationship with the oversight body should be part of a Chief's KPI's from day 1.
- Recognition of problems early should be formalized as a model the same as our use of force models.
- Early attention to ethics in hiring is needed and working BUT is the current demographic panic causing a lowering of standards. (I would argue it is...)
- Proactive auditing of various systems can prevent a lot of problems. (money handling, property, informant handling, video surveillance, etc.)

Last Thoughts

- The bottom looks up for guidance and leadership. “They” are astute and Boards scamming bullets, Chiefs scamming hockey tickets or traveling excessively / extravagantly are all really good ways of ruining things from the top down...police leaders staying way past normal retirement age isn't too hot an idea either, the perception rightly or wrongly is that the system is being milked...
- Most police leaders “ethics committees” are considered a joke by the rank and file. Ethics frameworks which are genuinely driven from a variety of external and internal stakeholders including practitioners can be powerful.
- Readings: Police Unbound (Anthony Bouza), Sunahara, Gilmartin, University of Kansas (Impossible Jobs)