

Unit 8

Ethics

8.1.0 Unit Goal: Summarize the basic concepts of ethical principles.

8.1.1 Learning Objective: Define ethics and discuss the importance of ethical judgment and behavior of a telecommunicator.

- The criminal justice system is arguably one of our most important public service systems. Often, those employed by the criminal justice system are forced into situations in which they must make individualized and quick decisions – decisions that could have detrimental or even fatal outcomes. Without proper training, proper analytical or reasoning skills, telecommunicators could find themselves forced to recover from the fallout of poor decision-making.
 - Ethics at its simplest is a philosophy interested in the study of questioning what is right and what is wrong. It is the basic building block with which the criminal justice system can ensure, to the best of its ability, that its public servants have a method of determining what is right and what is wrong.

Belshaw, S. H., & Johnstone, P. (n.d.). Ethics in the Criminal Justice System. Kendall Hunt Publishing Company. Retrieved June 19, 2018, from https://he.kendallhunt.com/sites/default/files/uploadedFiles/Kendall_Hunt/Content/Higher_Education/Uploads/Belshaw_Johnstone_1e_Chapter2.pdf.

8.1.2 Learning Objective: Identify the Six Pillars of Character.

- Trustworthiness – when others trust us, they give us greater leeway because they feel we do not need monitoring to assure that we'll meet our obligations. We must live up to the expectations of others and refrain from any lies or self-serving behavior.
 - Honesty – there is no more fundamental ethical value than honesty. We admire and rely on those who are honest. It involves both communications and conduct.
 - Honesty in communications is expressing the truth as best we know it and not conveying it in a way likely to mislead or deceive. We must be truthful and present the facts to the best of our knowledge; be sincere without trickery or duplicity; and be candid, forthright and frank.
 - Honesty in conduct is playing by the rules, without stealing, cheating, fraud, subterfuge or other trickery.
 - Integrity – a person of integrity is undivided; acts according to their beliefs, not according to expediency. They are consistent. Principles do not vary from work to home, in public or alone.
 - Reliability - when making promises or other commitments we must accept the responsibility of making all reasonable efforts to fulfill our

commitments. We must avoid bad-faith excuses, unwise commitments, and unclear commitments.

- Loyalty – relationships such as husband-wife, employer-employee, citizen-country-create expectations of allegiance, fidelity, and devotion. Loyalty is a responsibility to promote the interests of certain people, organizations or affiliations and goes beyond the normal obligation we all share to care for others. No one has the right to ask another to sacrifice ethical principles in the name of a special relationship. Loyalty requires us to keep some information confidential and to avoid conflicts of interest. All decisions must be made on merit, unimpeded by conflicting personal interests. We owe ultimate loyalty to the public.
- Respect – People are not things. Everyone has the right to be treated with dignity. While we have no ethical duty to hold all people in high esteem, we should treat everyone with respect, regardless of who they are or what they have done.
 - Civility, courtesy & decency - A respectful person is an attentive listener and treats others with consideration; they do not resort to intimidation, coercion or violence except to defend others.
 - Dignity & autonomy - People need to make informed decisions about their own lives; allow individuals to have a say in the decision that affects them.
 - Tolerance & acceptance - Accept individual differences and beliefs without prejudice.
- Responsibility – Life is full of choices. Being responsible means being in charge of our choices, and thus, our lives. It means being accountable for what we do and who we are. It also means recognizing our actions matter and we are morally on the hook for the consequences. Ethical people show responsibility by being accountable, pursuing excellence and exercising self-restraint.
 - Accountability – An accountable person is not a victim and does not shift blame or claim credit for the work of others; he/she considers the likely consequences of their behavior and leads by example.
 - The pursuit of excellence – Others rely upon our knowledge, ability or willingness to perform tasks safely and effectively; be diligent, reliable, careful, prepared, informed, and do your best. Finish what you start rather than surrendering to obstacles; don't say, "that's just the way I am", "It's not my job" or "it was legal". Always look for ways to do your work better.
 - Self-Restraint – Responsible people exercise self-control, restraining passions and appetites for the sake of longer-term vision and better judgment.
- Fairness – Involves issues of equality, impartiality, proportionality, openness and due process. Most would agree it is unfair to handle similar matters inconsistently. Fairness is probably more subject to legitimate debate and interpretation than any other ethical value. Essentially, it implies adherence

to a balanced standard of justice without reference to one's own biases or interests.

- Process – the process is crucial in settling disputes, both to reach the fairest results and to minimize complaints. A fair person employs open and impartial processes for gathering and evaluating information necessary to make decisions. Fair people do not wait for the truth to come to them, they seek out relevant information and conflicting perspectives before making important judgments.
- Impartiality – decisions should be made without favoritism or prejudice.
- Equity – an individual, company or society should correct mistakes, promptly and voluntarily. It is improper to take advantage of the weakness or ignorance of others.
- Caring – the heart of ethics and ethical decision-making. It is barely possible to be truly ethical and yet unconcerned with the welfare of others. Ethics is ultimately about good relations with other people. People who consider themselves ethical and yet lack a caring attitude toward individuals tend to treat others as instruments of their will and rarely feel an obligation, to be honest, loyal, fair or respectful. The highest form of caring is the honest expression of benevolence.
- Citizenship – includes civic virtues and duties that prescribe how we should behave as a part of a community. The good citizen knows the laws and obeys them, but that is not all. Volunteer and stay informed in order to better execute your duties and privileges as a member of a self-governing democratic society. Do more than your fair share to make society work, now and for future generations. The good citizen gives more than they take.

Josephson, M. (2002). Making Ethical Decisions. Retrieved June 19, 2018, from <https://store.charactercounts.org/wp-content/uploads/sites/10/2015/09/50-0450-E.pdf>; pages 7-14

8.1.3 Learning Objective: Identify the difference between profession and professionalism.

- Profession – a disciplined group of individuals who adhere to ethical standards. The group possesses special knowledge and skills derived from research, education, and training being recognized by the public.
- Professionalism – The personally held beliefs about one's own conduct as a professional. Often linked to the upholding of principles, laws, ethics, and conventions of a profession as a way of practice.

What is a Profession? (n.d.). Retrieved June 19, 2018, from <https://www.psc.gov.au/what-is-a-profession>

8.1.4 Learning Objective: Discuss moral principles and techniques used when faced with a moral issue.

- Moral principles – The principles on which one's judgments of right and wrong are based. Often interchangeable with ethics, morals are more abstract,

subjective, and often personal or religion-based, while ethics are more practical, conceived as shared principles promoting fairness in interactions. Ethics are the science of morals, and morals are the practice of ethics. Morals usually applies to the principle of right and wrong in personal behavior and ethics usually applies to professional and business practices.

Ethics vs. Morals. (n.d.). Retrieved June 19, 2018, from

<http://grammarist.com/usage/ethics-morals>

- How to make a moral decision:
 - The first step is to recognize the decision has moral importance conflicting between two or more values or ideals
 - Identify who has a stake in the decision, looking at the relationships with you and with each other. Do we have special obligations or expectations?
 - Think through the shared values at stake in making this decision. Is there a question of trust? Autonomy consideration? Is there a question of fairness? Will someone be helped or harmed?
 - Identify courses of action available to you. The decision is not often simple.
 - Benefits may include physical, emotional, financial or social advantages for various parties. Burdens may include physical or emotional pain, financial costs and ignoring relevant values
 - Look for analogous cases. Can you think of similar situations? Acknowledge the action taken. Was it a good decision? How is that situation similar to this one and how is it different?
 - Time permitting, discuss your decision with stakeholders, gathering opinions and reasons for such opinions. Remember, your ability to discuss with others may be limited by expectations and rules about confidentiality.
 - Is the decision legal? Does it conform to laws and rules? Is it ethically important to pay attention to laws and rules? Most agencies have a code of ethics to guide in decision-making.
 - Am I comfortable with the decision? Sometimes your gut reaction will tell you if you missed something. Ask yourself, Am I comfortable with my family, clergy, mentors, etc. knowing what I did? Am I setting the right example for my children? Would a wise, well-informed virtuous person make the same decision? Can I live with my decision and the consequences?

MacDonald, C., Ph.D. (n.d.). A Guide to Moral Decision Making. Retrieved June 19, 2018, from <http://www.ethicsweb.ca/guide/>

8.1.5 Learning Objective: Identify Standards of Conduct for Telecommunicators.

- Under 18 US Code 242 – Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States on account of such person being an alien, or by

reason of his color, or race, shall be fined under this title or imprisoned no more than one year, or both.

18 U.S.C. § 242 - U.S. Code - Unannotated Title 18. Crimes and Criminal Procedure § 242. Deprivation of rights under color of law. (n.d.). Retrieved June 19, 2018, from <https://codes.findlaw.com/us/title-18-crimes-and-criminal-procedure/18-usc-sect-242.html>

Texas Governor Code Sec. 572.051. Standards of Conduct; State Agency Ethics Policy

- A state officer or employee should not:
 - Accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer's or employee's official conduct.
 - Accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information by reason of official position;
 - Accept other employment or compensation that could reasonably be expected to impair the officer's or employee's independence of judgment in the performance of the officers or employees' official duties;
 - Make personal investments that could reasonably be expected to create a substantial conflict between the officer's or employee's private interest and the public interest; or
 - Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officers or employees official powers or performed the officers' or employee's official duties in favor of another.
- A state employee who violates subsection (a) or an ethics policy adopted under subsection (c) is subject to termination of the employee's state employment or another employment-related sanction. Notwithstanding this subsection, a state officer or employee who violates subsection (a) is subject to any applicable civil or criminal penalty if the violation also constitutes a violation of another statute or rule.
- Each state agency shall: adopt a written ethics policy for the agency's employees consistent with the standards prescribed by subsection (a) and other provisions of this subchapter, and distribute a copy of the ethics policy and this subchapter to: each new employee not later than the third business day after the date the person begins employment with the agency, and each new officer not later than the third business day after the date the person qualifies for office.

Texas Government Code - GOV'T § 572.051. Standards of Conduct; State Agency Ethics Policy. (n.d.). Retrieved June 19, 2018, from <https://codes.findlaw.com/tx/government-code/gov-t-sect-572-051.html>

Texas Penal Code Chapter 33 (Computer Crimes)

- Breach of Computer Security – A person commits an offense if the person knowingly accesses a computer, computer network, or computer system

without the effective consent of the owner.

Texas Penal Code § 33.02 (2015)

- Electronic Access Interference – A person commits an offense if the person intentionally interrupts or suspends access to a computer system or computer network without the effective consent of the owner

Texas Penal Code § 33.022 (2017) Chapter 36 (Corruption)

- Bribery – a person commits an offense if he intentionally or knowingly offers, confers, or agrees to confer on another, or solicits, accepts or agrees to accept from another any benefit as consideration for the recipient's decision, opinion, recommendation, vote, or another exercise of discretion as a public servant.

Texas Penal Code § 36.02 (1994)

- Acceptance of Honorarium – a public servant commits an offense if the public servant solicits, accepts, or agrees to accept an honorarium in consideration for services that the public servant would not have been requested to provide but for the public servant's official position or duties.

Texas Penal Code § 36.07 (2011) Chapter 37 (Perjury/Tampering with Government Record):

- Perjury – A person commits an offense if, with intent to deceive and with knowledge of the statement's meaning:
 - he makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath; or
 - he makes a false unsworn declaration under Chapter 132, Civil Practice and Remedies Code.
 - An offense under this section is a Class A misdemeanor.

Texas Penal Code § 37.02 (1994)

- False Statement to a Peace Officer, Federal Special Investigator or Law Enforcement Employee – a person commits an offense if, with intent to deceive, he knowingly makes a false statement that is material to a criminal investigation and makes the statement to a peace officer or any employee of a law enforcement agency that is authorized to conduct an investigation and that the actor knows is conducting the investigation.

Texas Penal Code § 37.08 (2011) Chapter 39 (Abuse of office/Misuse of Official Information)

- Abuse of Official Capacity – A public servant commits an offense if, with intent to obtain a benefit or with intent to harm or defraud another he intentionally or knowingly misuses government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant's custody or possession by virtue of the public servant's office or employment.

Texas Penal Code § 39.02 (2015)

- Official Oppression – A public servant acting under color of his office or

employment commits an offense if he intentionally subjects another to sexual harassment.

Texas Penal Code § 39.03 (2013)

- Misuse of Official Information – a public servant commits an offense if with intent to obtain a benefit or with intent to harm or defraud another, he discloses or uses information for a nongovernmental purpose that he has access to by means of his office or employment; and it has not been made public.

Government Code: Chapter 411.085 – Unauthorized obtaining, use or disclosure of Criminal History Record Information

- A person commits an offense if the person knowingly or intentionally obtains criminal history record information in an unauthorized manner, uses the information for an unauthorized purpose, or discloses the information to a person who is not entitled to the information.

Government Code § 411.85 (1993)

- A person commits an offense if the person provides a person with a copy of the person's criminal history.

Government Code § 411.85 (1993)

- Executive Order 12731: Principles of ethical conduct for government officers and employees.
 - Section 101 – To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service.
 - Public service is a public trust, requiring employees to place loyalty in the constitution, the laws, and ethical principles above private gain
 - Employees shall not hold financial interests that conflict with the conscientious performance of duty.
 - Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
 - An employee shall not solicit or accept any gift or another item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
 - Employees shall put forth honest effort in the performance of their duties.
 - Employees shall make no unauthorized commitments or promises of any kind purporting to bind the government.
 - Employees shall not use public office for private gain.
 - Employees shall act impartially and not give preferential treatment to any private organization or individual.
 - Employees shall not engage in outside employment or activities, including seeking or negotiating for employment that conflict with official government duties and responsibilities.

- Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those that are imposed by law.
 - Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
 - Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.

Executive Order 12731, Principles of Ethical Conduct for Government Officers and Employees; 1990

8.1.6 Learning Objective: Discuss typical misconceptions about ethics.

- I cannot make a difference. If you think you cannot make a difference, you may be right. However, by refusing to accept that premise and insisting on high ethical practices, you can realize a positive, ethically sound outcome.
- No one is watching. It is easy to do the right thing when someone is watching. The true question becomes, will we do what is right when no one is watching? Our character is what we do when we think no one is looking.
- If I did not know it was wrong, it must be okay. Often in our day-to-day work activities, we encounter others who unknowingly take actions to violate the rules within which we operate
- I can be objective. Always be sensitive to potential conflicts of interest and deal with them even when we think we can maintain objectivity.
- As long as I am not receiving personal gain, it must be okay. Employees of a government entity should not use their position for any personal gain.
- It will only be this one time. As small innocuous action directs us down the path of unethical behavior, it will become harder to change direction or reverse course.
- If it happens outside of work, what I do does not matter. Modeling ethical behavior at all times is essential as we are held to a higher standard.
- The end justifies the means. Even if you end up with the desired result, if the process was unethical it is not justifiable.
- Everyone else does it. Unethical actions of others should never be allowed to influence behavior.

Rickard, R. (2009, October 1). Is anyone watching? Retrieved June 29, 2018, from <http://americancityandcounty.com/mag/anyone-watching-and-other-ethical-questions>

8.1.7 Learning Objective: Identify ethical decision-making tools when faced with a decision that does not have a clear set standard or departmental policy.

- Ethics Check:

- Is it legal?
- Is it balanced? Is the decision fair, or will it heavily favor one party over another in the short or long term?
- How will it make me feel about myself?

Blanchard, K., & Peale, N.V. (1988). The Power of Ethical Management. New York: William Morrow and Company. 20-24.

<http://www.blanchardbowleslibrary.com/books/powerofethicalmanagement.html>

- Bell, Book, and Candle:
 - Does the decision or action sound right?
 - Does the decision violate any written laws, rules, or policies?
 - How will the decision look when exposed to the “light of day” or public scrutiny?

Kardasz, F. (2011, June 18). Ethics Training for Law Enforcement. Retrieved June 29, 2018, from http://www.kardasz.org/Ethics_decision_Making_Tools.html

- A.C.T. Model:
 - A – Alternatives – identify all choices
 - C – Consequences – project outcomes
 - T – Tell your story – prepare your defense

The Center for American and International Law, Institute for Law Enforcement Administration, P.O. Box 799030, Dallas, Texas 75379-9030.

<http://www.theilea.org/ethics.html>

8.1.8 **Learning Objective:** Participate in scenario-based ethical education exercises.

- An employee in a communication center is using their position to search the computer networks to determine information on friends and family. What action should you take?

Police sometimes misuse confidential work databases for personal gain: AP. (2016, September 30). Retrieved July 14, 2018, from

<https://www.cbsnews.com/news/police-sometimes-misuse-confidential-work-databases-for-personal-gain-ap>

- You see someone on your shift sleeping at their console. How do you handle this information?

Two Madison dispatchers resign, 1 fired for sleeping on the job. (2018, June 12).

Retrieved July 14, 2018, from <http://www.wfsb.com/story/38407251/two-madison-dispatchers-resign-1-fired-for-sleeping-on-job>

- You overhear a conversation between two other employees regarding their belief an officer is concealing evidence in an important case; neither of the two employees plan to report their findings. What decision should you make?

Local police detective fired over handling of evidence. (2017, February 6).

Retrieved July 14, 2018, from <http://www.kwtx.com/content/news/Local-police-detective-fired-over-handling-of-evidence-412925713.html>

- You hear a co-worker lie to a supervisor about how a call was handled. You witnessed the actual incident and know the person is not being truthful; do you stay out of it because it did not involve you, or do you speak up?

Valentine, D. (2012, March 31). Police dispatcher fired for withholding information, being untruthful to superiors. Retrieved July 14, 2018, from <http://www.tampabay.com/news/publicsafety/police-dispatcher-fired-for-withholding-information-being-untruthful-to/1222828>

Unit 8 Ethics Resources

- Four fundamental ethical principals
http://web.mnstate.edu/gracyk/courses/phil%20115/Four_Basic_principles.htm
- Gratuities
<https://opentextbc.ca/ethicsinlawenforcement/chapter/4-5-gratuities/>
- Integrity Test
<https://www1.essex.ac.uk/government/documents/integrity-test.pdf>
- 8 ethical tests
<https://www2.cortland.edu/dotAsset/299013>.
- How ethical are you? Put your decision-making skills to the test.
<https://news.utexas.edu/2014/09/22/how-ethical-are-you-test-your-decision-making-skills>
- What is the difference between professional and professionalism
<https://www.quora.com/What-is-the-difference-between-professional-and-professionalism>
- Moral reasoning
<https://plato.stanford.edu/entries/reasoning-moral/>
- Ethical Decision Making and Behavior
https://uk.sagepub.com/sites/default/files/upm-binaries/39590_Chapter7.pdf
- Ethics checklist
<https://howwelead.org/2011/08/13/use-this-%E2%80%9Cethics-check%E2%80%9D-to-ensure-you-make-ethical-decisions/>
- Common misconceptions about ethics
<http://americancityandcounty.com/mag/anyone-watching-and-other-ethical-questions>
- Ethical decision-making tools
<https://mainstreamcorporatetraining.com/ethical-decision-making-tools/>
<https://ethicsalarms.com/rule-book/ethical-decision-making-tools/>

Glossary/Acronyms

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