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9
10 ETHICS COMMISSION
11 CITY AND COUNTY OF SAN FRANCISCO

12
13 In the Matter of Charges Against
14 ROSS MIRKARIMI,
15 Sheriff, City and County of San Francisco.

16
17 EXPERT DECLARATION OF SAN
DIEGO CHIEF OF POLICE WILLIAM
LANSDOWNE

18 I, WILLIAM LANSDOWNE, declare as follows:

19 1. Currently, I am the Chief of Police of the City of San Diego, California. I have been
20 in the law enforcement field for 47 years. I have been the Chief of Police in three cities: Richmond,
21 California (1994 – 1998); San Jose, California (1998 – 2003); and San Diego, California (2003 –
22 present). I have agreed to render expert opinions for Mayor Edwin M. Lee in the above-referenced
23 proceeding.

24 2. I have served as an expert witness over 50 times in matters involving police
25 management and policy, use of force, training and discipline, undercover operations, and narcotics.

26 3. I have authored or helped author numerous publications through the Police Executive
27 Research Forum (“PERF”), the Department of Justice, Major Cities Chiefs, and symposiums on law
28 enforcement leadership. This includes numerous articles on the topics of leadership, ethics,

1 community policing, use of force, and the changing dynamics of law enforcement. I often teach and
2 lecture on these topics throughout the nation.

3 4. Law Enforcement Experience. I began my law enforcement career in 1965, when I
4 joined the San Jose Police Department as a reserve patrol officer. San Jose hired me as a full-time
5 police officer in 1966, and I was promoted to sergeant in 1972. During this time, I served
6 simultaneously as a member of the California National Guard (1966-1972). I rose steadily through
7 the ranks at the San Jose Police Department, commanding a variety of units and divisions: I served
8 as a detective working general crimes, which included felony assaults, domestic violence, armed
9 robbery, vice and auto theft. I helped develop the Field Officer's Training curriculum that became a
10 national model. I was promoted to Lieutenant and developed and commanded the first Internal
11 Investigation Unit for the San Jose Police Department. I worked Homicide as the commander and
12 as a patrol lieutenant. I was promoted to Captain to manage the patrol swing shift and the Records
13 Division. I was promoted to Deputy Chief and was in charge of the Patrol Division with the specific
14 responsibility to design and implement community policy in the San Jose Police Department. In
15 1993, I was promoted to the position of Assistant Chief.

16 5. In 1994, I left the San Jose Police Department to become Chief of Police for the City
17 of Richmond, California, a diverse community of 93,000 people. I reorganized that department and
18 its priorities, placing new emphasis on community policing and implementing violence reduction
19 and truancy programs. When I was hired, Richmond had one of the highest homicide rates in the
20 nation, and I implemented a community policing program that cut the homicide rate in half in one
21 year. I also managed a jail for short-term detentions. I served as Chief of the Richmond Police
22 Department for five years.

23 6. In August 1998, I returned to the City of San Jose, to serve as its Chief of Police. As
24 Chief in San Jose, I continued to emphasize community involvement and transparency. While I was
25 Chief, San Jose became nationally recognized as the safest large city in America. *See*
26 <http://bjsdata.ojp.usdoj.gov/dataonline/Search/Crime/Local/OneYearofDataStepTwoLarge.cfm>.

27 7. In 2003, I was selected to serve as the Chief of Police for the City of San Diego, and
28 I have served in that position continuously to the present. With a population of 1.25 million people,

1 San Diego is the seventh largest city in the United States and the second largest city in California.
2 San Diego's crime rate has come down almost every year during the nine years that I have been
3 Chief of Police, and San Diego is seen as a national model for crime reduction.

4 8. As Chief of Police, my responsibilities include all operational, policy, strategy and
5 employment decisions for the department I lead. I know from experience that the culture of the
6 department flows from the Chief – not just the words the Chief says, but his or her actions.

7 9. Knowledge of sheriffs. I am knowledgeable about the duties and responsibilities of
8 sheriffs as a result of my extensive work with law enforcement professional organizations,
9 including PERF, Major Cities Police, the California Chief's Association, and the Police Chief
10 Association in Richmond, San Jose and San Diego. I have attended and taught at the FBI Academy
11 and the Law Enforcement Executive Institute, which include sheriffs as well as police chiefs. I
12 frequently interact with sheriffs – as fellow law enforcement executives and as personal friends –
13 and discuss mutual problems and issues with them.

14 10. Education. While a member of the San Jose Police Department, I attended San Jose
15 State University, and in 1973 I graduated with a Bachelor of Science degree in Criminal Justice
16 Administration.

17 11. In 1992, I attended and graduated from the FBI National Academy in Quantico,
18 Virginia. I also attended and graduated from the Law Enforcement Executive Institute and Law
19 Enforcement Executive Development course. These courses provide training and leadership
20 development for top executives in law enforcement across the nation.

21 12. Professional Organizations. I have served on a variety of state and national boards,
22 including the Major Cities Police Chiefs, PERF, Second Chance, Invest in Kids, gang commissions
23 in San Jose and San Diego, Star Pal, California Chiefs Association, Crime Commission, the
24 Children's Initiative, National Conference for Community and Justice, and the Family Justice
25 Center in San Diego. These are professional organizations that design and manage professional law
26 enforcement training, including programs to address youth safety, violence reduction, and domestic
27 violence.

1 13. Ethics and Leadership Courses. I am POST Certified and have received POST-
2 accredited training in leadership, ethics, and management every year for the 47 years I have been in
3 law enforcement.

4 14. For the past 19 years, I have received or provided ethics and leadership training
5 through the California Chief's Association in Richmond, San Jose, and San Diego; Major Cities
6 Chiefs; PERF; the Department of Justice; and the FBI for the State and the Federal Government. I
7 have attended and taught hundreds of classes and seminars on homicide, narcotics, armed robbery,
8 internal affairs, domestic violence, ethics and leadership.

9 15. For the past three years, I have taught the final class in Senior Management in
10 Policing at PERF. At this class, sitting police chiefs and sheriffs make presentations about politics,
11 community, and personnel, with a strong focus on ethics. The class is designed to train the next
12 generation of police chiefs and sheriffs.

13 16. A Chief of Police and a Sheriff are both law enforcement executives and top law
14 enforcement officers. They have similar responsibilities relating to custody, management,
15 discipline, budget, and ethics. The primary difference between the two positions is a Sheriff's
16 additional responsibility for jails and courtroom security. The basic skills of leadership and
17 management are the same. A good police chief and a good sheriff could exchange jobs with very
18 little difference. It is not uncommon for a police chief to become a sheriff.

19 17. The same professional standards and requirements apply to a Chief of Police and
20 Sheriff. Both must be fair, firm and consistent. As top law enforcement officers, both are obligated
21 to set and defend the highest standard of professionalism. They do this through word and deed, and
22 both are expected to demonstrate integrity, self-control and exemplary ethical conduct in their
23 professional and private lives.

24 18. Training and Mentoring. I meet with and train every new hire in the San Diego
25 Police Department about ethics and professionalism. I have trained close to 1000 officers. I also
26 give presentations on these topics at the University of San Diego, San Diego State University, and
27 the Point Loma Nazarene University.

1 19. I have mentored 13 police chiefs who formally worked under my direct supervision,
2 and all but one, who retired from Salinas, are still in office. They are now in National City, El
3 Centro, Walnut Creek, Concord, Redwood City, Coronado, Hayward, Los Gatos, Anaheim, Los
4 Altos, Fairfield, and San Jose.

5 20. Domestic Violence. In my years as a peace officer in California, the law
6 enforcement response to domestic violence incidents has evolved dramatically, as have community
7 attitudes and perceptions. When I started as a police officer, law enforcement treated domestic
8 violence as a private, family matter. If the victim was unwilling or afraid to file a complaint, law
9 enforcement would ask the perpetrator to leave the house for a few hours or a day. Generally,
10 officers did not take further action regarding the offender, and they did not connect the victim with
11 services or programs. This approach focused on the immediate incident, and it did nothing to
12 prevent future incidents. Often the result was further violence, sometimes leading to the tragic death
13 of the victim.

14 21. Through the years, the criminal justice system – including law enforcement – has
15 developed and implemented a comprehensive multi-faceted approach to domestic violence, with
16 rehabilitation programs for offenders and extensive services for survivors and their families. We
17 first began to see true success in domestic violence prevention when law enforcement joined forces
18 with the District Attorneys, the courts, and domestic violence professionals and organizations. Now
19 there are mandatory arrest laws and a no-drop prosecution policy, and prosecution of domestic
20 violence is the responsibility of the courts and law enforcement. We now treat domestic violence
21 for what it is, a serious crime.

22 22. Today we have one stop centers, like the Family Justice Center in San Diego. We
23 use evidence-based prosecution to file charges against the suspect even when the victim is reluctant
24 to participate. In most cases the victim feels helpless because of fear, loss of income, loss of
25 children, or worry that no one will help.

26 23. As a Chief of Police, I have managed two of the first Family Justice Centers in
27 California, one in San Jose and the other in San Diego. These Family Justice Centers are dedicated
28 exclusively to domestic violence prevention, and offer wrap-around services and support for

1 victims. The San Diego Family Justice Center, one of the first centers of its kind in the United
2 States, provides help and hope to victims of family violence and their children. Every day, those
3 impacted by family violence find safety, protection from their abuser, legal help, counseling, food,
4 clothing, spiritual support, medical assistance, and so many other free services from the Center's
5 professionals and volunteers. The mission of the Center is to stop family violence, make victims
6 safer, hold batterers accountable, and provide long-term support for victims and children through
7 collaboration and coordinated services. The Center provides a safe location where all the needs of
8 victims are met, violence is stopped, families heal, and hope is realized.

9 24. Expert Testimony. In preparing to write this declaration, I reviewed the materials
10 listed in Exhibit 76. I found them to be the types of materials on which a law enforcement expert
11 would normally and reasonably rely in forming opinions about whether standards for professional
12 conduct have been met. I may rely on those materials, in addition to the documents specifically
13 cited as supportive examples in particular sections of this declaration, as additional support for my
14 opinions. I have also relied on my years of law enforcement experience, as set out above.

15 25. In connection with my anticipated testimony in this action, I may use portions of this
16 declaration or the references cited herein as exhibits. In addition, I may use various documents
17 produced in this proceeding that refer or relate to the matters discussed in this declaration. I may
18 also create, or assist in the creation of, demonstrative exhibits or summaries of my opinions to assist
19 me in testifying.

20 26. I may testify as an expert regarding additional matters, including (i) by rebutting
21 positions that Sheriff Mirkarimi takes, including opinions of his experts and materials they discuss
22 or rely upon; (ii) issues that arise from any forthcoming orders from the Ethics Commission; (iii)
23 issues that arise from documents or other discovery or materials that Sheriff Mirkarimi has not yet
24 produced, or that were produced too late to be fully considered before my declaration was due; or
25 (iv) to respond to witness testimony that has not yet been given.

26 27. I reserve the right to supplement or amend this declaration based on (i) any orders of
27 the Ethics Commission; (ii) documents or other discovery or materials that Sheriff Mirkarimi has
28 not yet produced; or (iii) witness testimony that has not yet been given.

1 **I. THE PROFESSIONAL STANDARD OF CONDUCT FOR A CHIEF LAW**
2 **ENFORCEMENT OFFICER**

3 28. A sheriff is a peace officer under state law. Peace officers are held to a higher
4 standard than other public servants, because of the extraordinary degree of authority and power they
5 possess and the critical role they play in the criminal justice system.

6 29. The San Francisco Sheriff's Department (SFSD) includes the "Law Enforcement
7 Code of Ethics" in its Rules and Regulations. The Peace Officers' Association of the State of
8 California adopted this Code of Ethics in 1956, and it is as meaningful a guide to peace officers
9 today as it was when adopted:

10 As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives
11 and property; to protect the innocent against deception, the weak against oppression or
12 intimidation, and the peaceful against violence or disorder; and to respect the Constitutional
13 rights of all men to liberty, equality and justice.

14 I will keep my private life unsullied as an example to all; maintain courageous calm in the
15 face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the
16 welfare of others. Honest in thought and deed in both my personal and official life, I will be
17 exemplary in obeying the laws of the land and the regulations of my department. Whatever I
18 see or hear of a confidential nature or that is confided to me in my official capacity will be
19 kept ever secret unless revelation is necessary in the performance of my duty.

20 I will never act officiously or permit personal feelings, prejudices, animosities, or
21 friendships to influence my decisions. With no compromise for crime and with relentless
22 prosecution of criminals, I will enforce the law courteously and appropriately without fear or
23 favor, malice or ill will, never employing unnecessary force or violence and never accepting
24 gratuities.

25 I recognize the badge of my office as a symbol of public faith, and I accept it as a public
26 trust to be held so long as I am true to the ethics of the police service. I will constantly strive
27 to achieve these objectives and ideals, dedicating myself before God to my chosen
28 profession...law enforcement.

(See Exhibit 13 to Declaration of Acting Sheriff Vicki Hennessy.)

30. A top law enforcement officer – a Sheriff or Chief of Police – is held to the highest
standard and must lead by personal example. As the top peace officer of the SFSD, this
professional standard demands that the Sheriff's conduct be above reproach, both personally and
professionally. Everything counts. A chief law enforcement officer is never off duty.

31. To be above reproach, a chief law enforcement officer must demonstrate honesty,
integrity, honor, responsibility, accountability and professionalism, every day and in every

1 interaction. A sheriff must do the right thing, even when it is hard, even when he's upset, and
2 especially when he thinks no one is looking or what he does won't count. It always counts.

3 32. A chief law enforcement officer must always maintain credibility. Honesty is
4 required.

5 33. A chief law enforcement officer must safeguard the public trust. A chief law
6 enforcement officer must never use his power for personal advantage. Power is not the personal
7 property of a chief law enforcement officer – it belongs to the office and to the public, and must
8 always be used in service of the public good.

9 34. A chief law enforcement officer must maintain the respect of other government
10 agencies.

11 35. The leader of a law enforcement agency must place the best interests of the agency
12 before his or her personal concerns and interests.

13 36. A sheriff must believe in and advocate for the fairness and effectiveness of the
14 criminal justice system, including supporting and encouraging victims and witnesses and validating
15 the criminal justice process.

16 37. Attached hereto as Exhibit 77 is a true and correct copy of *To Lead, To Learn, To*
17 *Leave A Legacy*, jointly published by the Major Cities Chiefs and the FBI National Executive
18 Institute in June 2005. It is a collection of essays by top law enforcement executives in the United
19 States and Canada about the things they have learned during their careers about law enforcement
20 leadership and ethics. The principles that I set out above reverberate throughout those essays and
21 represent a shared understanding in the profession.

22 **II. SHERIFF MIRKARIMI'S ACTS – AND FAILURES TO ACT – FALL WELL**
23 **BELOW THE STANDARD OF PROFESSIONAL CONDUCT FOR A CHIEF LAW**
24 **ENFORCEMENT OFFICER**

25 **A. Sheriff Mirkarimi's Professional and Ethical Duties Arose As Soon As He Was**
26 **Elected And Continue To This Day**

27 38. Sheriff Mirkarimi claims that he had no duty to his Department or his City until after
28 he took the oath of office. But once Sheriff Mirkarimi was elected, he had a claim to the office of
the Sheriff that made him a law enforcement leader in the eyes of the public, the personnel in the

1 SFSD, and other civic leaders. This imbued him with a professional and ethical duty to conduct
2 himself accordingly from then on. He is incorrect to claim that he had no duty to conduct himself
3 as a leader of the SFSD until months later. At the most elementary level, this is why his case has
4 generated such significant public scrutiny from the moment the allegations of domestic violence
5 became known, which was shortly before his inauguration. A private citizen in his situation who
6 did not represent law enforcement or was not a public official would not have attracted such public
7 attention. He claims he shouldn't be treated any differently than anyone else who commits
8 misdemeanor domestic violence, but he is not in the same position as just anyone. By running for
9 and winning the office of sheriff, he asked to be treated differently and to be gifted with an
10 extraordinary level of public trust. His duty to meet the highest moral and ethical standards to
11 protect and honor that trust arose the moment he won the election, continued after he took the oath
12 of office, continued to exist during the time he put on the defense of his criminal case, remains in
13 place even today, and will remain in place for as long as he can claim the title of Sheriff.

14 **B. Domestic Violence**

15 39. Sheriff Mirkarimi has admitted that physically harmed and falsely imprisoned his
16 wife, and he apparently did this in front of his distraught child. Committing any crime, much less a
17 violent and heartless crime against a loved one, falls far below the professional standard expected
18 and required of a chief law enforcement officer.

19 40. In addition, Sheriff Mirkarimi has failed to treat the assault, and by implication
20 domestic violence itself, with the proper gravity. He joked about it at his inauguration. Domestic
21 violence is never a laughing matter. It is a crime of great public consequence, and great personal
22 consequence to the many victims who rely on law enforcement for protection.

23 **C. Failure To Accept Responsibility And Demonstrate Accountability**

24 41. Sheriff Mirkarimi has engaged in classic domestic violence offender behavior.
25 While he claims to have accepted accountability for his actions, he has repeatedly minimized his
26 actions and the harm he caused his wife, family and community; portrayed himself as a victim
27 rather than offender; and blamed others for the situation he created, including other City officials
28

1 and agencies, the criminal justice system itself, and an alleged political conspiracy. This behavior
2 falls below the standard expected and required of a sheriff.

3 **D. Failure To Protect The Integrity Of A Criminal Justice Investigation**

4 At some point, Sheriff Mirkarimi learned that both his wife and his campaign manager had
5 instructed his neighbor, who had reported his domestic violence, not to cooperate with police and to
6 withhold or destroy evidence. A chief law enforcement officer has an ethical obligation to ensure
7 the integrity of a criminal justice investigation, but Sheriff Mirkarimi took no corrective action and
8 did nothing to disavow such improper conduct. That failure to act falls well below the professional
9 standard of conduct for a law enforcement officer of any kind.

10 **E. Failure To Step Forward And Protect The Complaining Witness**

11 42. Sheriff Mirkarimi and his representatives have also made numerous statements
12 attacking the credibility and honesty of witnesses who reported his admitted criminal conduct, as
13 well as the honesty and motives of the SFPD, DAO and others, and the fairness of the criminal
14 process. Sheriff Mirkarimi did nothing to stop the attacks by his agents. He cannot serve as a
15 central player in a criminal justice system that he attacks and tears down, and clearly does not
16 believe in. This behavior – undermining the effectiveness of the City’s criminal justice agencies
17 and system – is wrongful behavior in relation to the duties of the office of Sheriff, and is below the
18 professional standard for a top law enforcement officer.

19 **F. Refusal To Cooperate With Investigators**

20 The SFSD rules and regulations include a strict code of conduct, and require employees to
21 cooperate fully and truthfully in investigations. (Exhibit 13 to Hennessy Dec.) Employees are
22 subject to discipline for violating those rules and regulations, and for bringing discredit on the
23 SFSD. Sheriff Mirkarimi admits grabbing his wife and bruising her arm. He pled guilty to false
24 imprisonment and is on criminal probation. At every turn during the criminal and administrative
25 investigations, when his cooperation was solicited, Sheriff Mirkarimi refused to cooperate, evaded
26 discovery and other investigative efforts, and only cooperated if ordered by the Court or when all
27 his suppression efforts failed. It would be the height of hypocrisy for Sheriff Mirkarimi to hold
28 SFSD personnel to rules and standards when he refuses to hold himself to those same rules and

1 standards. Sheriff Mirkarimi's conduct has destroyed his credibility and effectiveness in enforcing
2 SFSD rules and regulations, and disciplining personnel. His conduct constitutes wrongful behavior
3 in relation to the duties of the office of Sheriff, and falls below the professional standard for a top
4 law enforcement officer.

5 **G. Refusal To Surrender Firearms to SFPD**

6 A peace officer must store and handle all firearms, including personal firearms, in
7 compliance with applicable laws and departmental training and regulations. When directed to
8 surrender his personal firearms to the SFPD, Sheriff Mirkarimi advised the SFPD inspectors that he
9 had only two weapons. When SFPD inspectors indicated he had three registered firearms, Sheriff
10 Mirkarimi informed the inspectors that he had sold one of the firearms, only had two firearms, and
11 would need time to find those weapons because they were "buried" deep in his house. Although
12 Sheriff Mirkarimi agreed to surrender the firearms to SFPD, instead, through his attorney, he
13 surrendered them to SFSD personnel. It is inconceivable that Sheriff Mirkarimi would not know
14 the location and status of his three personal firearms. Every law enforcement officer is expected to
15 know the location and status of his firearms at all times. See Exhibit 22 to Hennessy Declaration
16 ("Personnel have a moral and legal obligation to safely secure any firearm under their control"). A
17 firearm is a deadly weapon. A law enforcement officer has the power and authority to use a firearm
18 under the circumstances permitted by law, even to cause the death of another human being. For a
19 law enforcement officer, forgetting the location of one's firearms is as likely as forgetting the
20 location of one's home. It is inconceivable. It is also inconceivable that he would not have the
21 firearms stored securely in a known location, especially because he had a young child living in the
22 home. It is my opinion that Sheriff Mirkarimi misrepresented to SFPD the number of guns he
23 possessed, and it is not implausible he did so in an effort to retain a firearm despite the court order
24 barring such possession. Further, in my opinion, Sheriff Mirkarimi surrendered his firearms to the
25 SFSD rather than the SFPD as agreed, either in an effort to retain some degree of control over those
26 firearms, through his authority over the SFSD and SFSD personnel, or to avoid follow up
27 questioning by police inspectors about his misrepresentation about selling his third gun, or both.
28 Throughout the gun surrender process, Sheriff Mirkarimi was evasive and uncooperative. He

1 refused to honor his agreement with the SFPD inspectors, and sought to dictate and control the way
2 in which he complied with the Court order. Sheriff Mirkarimi's conduct disrespected the law and
3 the Court that ordered him to surrender his firearms, was the bare minimum rather than full
4 cooperation expected from a peace officer and top law enforcement officer, and is unacceptable and
5 below the professional standard for peace officer and a top law enforcement officer. In addition, by
6 involving SFSD personnel in the surrender of his personal firearms, Sheriff Mirkarimi
7 inappropriately involved the SFSD in a SFPD criminal matter. See Exhibit 13 to Hennessy
8 Declaration, § 2.17 (orders from superior to subordinate shall be issued only in pursuit of
9 Departmental business). Sheriff Mirkarimi also misused the resources of the SFSD and the trust of
10 SFSD staff, by directing them to keep his firearms under the control of his department, rather than
11 the outside law enforcement agency responsible for the investigation, and by using SFSD staff to
12 shield himself from interactions with the SFPD. This is wrongful behavior in relation to the duties
13 and office of Sheriff. The fact that placing the weapons under the control of the Sheriff's
14 Department was wrong was confirmed by the Superior Court issuing an order to the Sheriff's
15 Department to turn over the Sheriff's weapons to the SFPD. Sheriff Mirkarimi even objected to the
16 Court issuing that order. That is just further indication that the Sheriff does not take seriously the
17 duty of a chief law enforcement officer to maintain the integrity of the criminal justice process.

18 **H. Putting Other San Francisco Criminal Justice Agencies In The Completely**
19 **Untenable Position Of Having To Treat Him Like A Criminal – And Yet**
20 **Somehow A Colleague**

21 43. While he is on probation, Sheriff Mirkarimi is subject to the active supervision of the
22 San Francisco Superior Court and the San Francisco Adult Probation Department. His case remains
23 active in the DA's Office, and he is subject to arrest by the Police Department and will be returned
24 to the custody of the Sheriff's Department if he fails to satisfy the terms and conditions of
25 probation. This situation is completely untenable and creates numerous conflicts of interest
26 between Sheriff Mirkarimi and the agencies that he expects to treat him as both a colleague and a
27 criminal. See Exhibits 33, 39, 40 to Still Declaration. By remaining in office, Sheriff Mirkarimi
28 makes it harder for these public servants to effectively do their jobs, both professionally and

1 personally. Agreeing to a term of criminal probation to be supervised by coordinate criminal justice
2 agencies is inconsistent with the professional standard for the head of a law enforcement agency.

3 **I. Bringing the Sheriff's Department, And Law Enforcement Generally, Into**
4 **Disrepute**

5 44. Sheriff Mirkarimi's entire course of conduct has brought the SFSD and law
6 enforcement into disrepute, which is a breach of his professional obligations and widely recognized
7 as a form of misconduct.

8 45. Sheriff Mirkarimi has allowed his personal life to bring discredit to the SFSD, and
9 continues to do so each day he remains as Sheriff. At every opportunity, Sheriff Mirkarimi has
10 placed his personal interests and objectives before considerations of the reputation and dignity of
11 the SFSD and its personnel. He has caused a major distraction from the critical mission of the
12 SFSD and allowed it to persist for months, often trying to direct the public focus to himself and his
13 misdeeds as a way of making a case for remaining in office. This is antithetical to the role of a top
14 law enforcement official, who must always be vigilant to the needs of his Department and be
15 prepared to put them ahead of his own. A sheriff has more than himself to think about; it harms his
16 Department when he forgets that. This egocentric behavior falls below the professional standard for
17 the head of a law enforcement agency.

18 46. To the public, it is often difficult to distinguish between personnel in different law
19 enforcement agencies. Sheriff Mirkarimi's conduct has tarnished not only the reputation of the
20 SFSD, but can have collateral impact on SFPD and other City law enforcement officers. He has
21 brought discredit to the SFSD and other City law enforcement agencies and personnel.

22 47. Law enforcement organizations and law enforcement officers in other parts of the
23 State are, quite frankly, embarrassed by this situation with Sheriff Mirkarimi because it reflects
24 poorly on all of us in this profession. This is one of the reasons that I have stepped forward to offer
25 my professional opinions in this matter, as I believe that Sheriff Mirkarimi's well-known
26 misconduct is a threat to the credibility and public trust in law enforcement generally.

27 48. Law enforcement officials throughout the nation are watching how San Francisco
28 responds to Sheriff Mirkarimi's misconduct. If San Francisco does not maintain the high standards

1 that are expected of law enforcement officials, it will be used by other cities as an example that
2 integrity does not matter at the highest level of law enforcement.

3 **J. Failure To Adhere To His Own Department's Ethical Standards**

4 49. The Sheriff's conduct violates multiple sections of SFSD Employee Rules and
5 Regulations regarding professional conduct and responsibilities, which require employees to
6 conduct their private and professional lives in such a manner as to avoid bringing the Department
7 into disrepute; fulfill the Law Enforcement Code of Ethics; issue orders to subordinates only on
8 Departmental business; avoid criminal convictions for felonies or misdemeanors; avoid conduct, on
9 or off duty, unbecoming to a deputy; avoid conduct, on or off duty, which reflects adversely on the
10 SFSD; cooperate actively with investigations; and "be truthful at all times whether under oath or
11 not." See Exhibit 13 to Hennessy Dec. at §§ 2.1, 2.2, 2.17, 2.31a, 2.31c, 2.31d, 9.5, 9.6 and 9.7.

12 50. This is particularly problematic because, if the Sheriff does not hold himself
13 accountable, no one else is in a position to do so. Short of committing official misconduct, the
14 Sheriff answers only to the voters, and only once every four years.

15 **III. THE SHERIFF'S WRONGFUL ACTS, FAILURES TO ACT, AND BREACHES OF**
16 **THE STANDARD OF PROFESSIONAL CONDUCT ARE DIRECTLY RELATED**
17 **TO, AND COMPLETELY INCOMPATIBLE WITH, HIS DUTIES.**

18 51. Sheriff Mirkarimi's entire course of conduct directly relates to and negatively
19 impacts many of his duties as Sheriff.

20 52. Most obviously and detrimentally, combatting domestic violence. Based on his
21 actions and attitudes, Sheriff Mirkarimi cannot lead the SFSD, which performs such an important
22 role in educating and rehabilitating domestic violence offenders and supporting survivors. The
23 Sheriff, like other law enforcement officials, must send a clear and uncompromising message to the
24 community that family violence should not and will not be tolerated. Sheriff Mirkarimi cannot
25 possibly do that. He has taken the contrary position, arguing that the community should tolerate a
26 little domestic violence by its own sheriff, and this despite the evidence that he acted abusively in
27 additional ways and at other times in his personal relationships. This has ramifications not only for
28 his own moral fiber, but for the safety of his community. As San Francisco's Family Violence

1 Council (to which the Sheriff is appointed) has correctly emphasized, a culture of non-violence
2 cannot exist outside the home unless and until it exists within it.

3 53. The Sheriff must also encourage victims of domestic violence to come forward. For
4 too long, domestic violence was treated as just a “family matter,” and its threat to the safety (and
5 dignity) of victims was not taken sufficiently seriously. But many women have died at the hand of
6 their current or former partners, and law enforcement’s history of dismissiveness play a part in
7 some of those tragedies. Domestic violence victims need to know that law enforcement will be
8 compassionate and supportive, and there to help. How can victims believe in and trust law
9 enforcement, with Sheriff Mirkarimi at the helm of the Sheriff’s Department? He has not only
10 committed domestic violence and been convicted of it, he has made public statements that are
11 totally contrary to law enforcement efforts to bring domestic violence out of the shadows and to
12 protect victims.

13 54. The Sheriff must also encourage witnesses of domestic violence – and all crimes – to
14 come forward and to trust law enforcement. Criminals cannot be prosecuted if witnesses do not
15 come forward. But Sheriff Mirkarimi’s treatment of the witnesses in his own case has been terrible.
16 He has used every form of attack imaginable to try to discredit the witness who reported this
17 incident to police. And the unbelievable part of this behavior is that Sheriff Mirkarimi was actually
18 guilty of a crime. This domestic incident really happened, the Sheriff pled guilty to it, and he
19 admits that he injured his wife. There is no excuse for Sheriff Mirkarimi to have attacked this
20 witness who came forward to help the victim, her friend and neighbor. This sends a terrible
21 message to anyone who witnesses a crime against someone in law enforcement or other position of
22 power: If you tell the truth and report a crime, you will pay a terrible price. Be quiet instead.
23 Sheriff Mirkarimi cannot blame his lawyers or supporters for doing these things, and he can’t blame
24 the need to fight criminal charges as an excuse. Sheriff Mirkarimi chose not to resign while charges
25 were pending against him. He was still the Sheriff and still had responsibilities as the Sheriff during
26 this time. Sheriff Mirkarimi could have told his lawyers and supporters not to make these personal
27 attacks on a witness – especially when the Sheriff himself knew that he injured his wife. Sheriff
28 Mirkarimi could have stepped forward and publicly disavowed these attacks. But he never did. In

1 fact, the only time that he offered an “apology” – and if ever there was a non-apology, this one
2 qualifies – was when the District Attorney insisted he apologize as a condition of his plea
3 agreement. That is too little, too late. Far more is required of a chief law enforcement officer.

4 55. The Sheriff’s Department also serves civil restraining orders on alleged abusers,
5 during which deputies assess the level of agitation of the alleged abuser as an indicator of the risk of
6 possible harm to the victim. Deputies may also need to disarm offenders. If SFSD personnel
7 follow Sheriff Mirkarimi’s lead, which is what subordinate officers generally do, domestic violence
8 will not be treated as seriously, risks to victims may be undervalued, and firearms surrender
9 likewise. In my opinion, if Sheriff Mirkarimi remains in office, that will set back years of excellent
10 progress in the City on domestic violence issues, including chilling the willingness of victims and
11 witnesses to report domestic violence. The Sheriff needs to be a champion for domestic violence
12 victims, and Sheriff Mirkarimi cannot be. His actions – words and deeds – in engaging in domestic
13 violence, denying and minimizing his criminal behavior, claiming the incident was a “family
14 matter,” and playing the victim, are wrongful behavior in relation to the duties of the office of
15 Sheriff and below the professional standard of conduct for a top law enforcement officer.

16 56. Jail administration. A sheriff holds many important roles and functions in the local
17 criminal justice system, including running the county jails, supervising prisoners according to
18 constitutional requirements, and offering programs and services for prisoners, victims, and
19 survivors. The professional standard for a person running a prison or jail requires that the person
20 have a clear criminal record and exemplary personal conduct. Sheriff Mirkarimi’s conduct, as well
21 as his status as a convicted criminal and current probationer, renders him unfit to perform the core
22 function of operating and overseeing the county jails, prisoners, and SFSD programs. If he remains
23 in office, Sheriff Mirkarimi will be responsible for prisoners who have engaged in the same
24 criminal conduct that Sheriff Mirkarimi did. That situation is untenable. Sheriff Mirkarimi cannot
25 satisfy the professional standards for a person in charge of jails and prisoners.

26 57. Personnel and discipline decisions. If Sheriff Mirkarimi was applying for an entry
27 peace officer position in any law enforcement agency in California, he would not be hired with his
28 criminal history and probation status. In addition, all newly hired law enforcement officers serve a

1 probationary period, which is the final step of the hiring process, used to evaluate the officer's
2 performance, knowledge, skills and temperament. In most agencies, the probationary period is one
3 year. If Sheriff Mirkarimi were a probationary employee when he was arrested, pleaded guilty and
4 placed on criminal probation, any law enforcement agency in California would have released him
5 from employment. And rightfully so. A law enforcement agency cannot have different standards
6 for its leader than for its rank and file personnel. To do so would destroy morale. For this reason,
7 Sheriff Mirkarimi cannot remain in office, leading the SFSD. Remaining in office, when his own
8 behavior falls below the standards for SFSD sworn personnel, is conduct that falls below the
9 professional standard for a top law enforcement officer.

10 58. Risk Management. Sheriff Mirkarimi's conviction and criminal probation
11 compromise the ability of SFSD personnel to effectively testify in criminal proceedings. They also
12 present serious legal risk for the SFSD in civil litigation, both civil rights and employment lawsuits.
13 The Sheriff's judgment and integrity will continually – and effectively – be called into question in
14 these cases, leading to judgments and settlements that will need to be paid by the City and County
15 of San Francisco. Being a convicted criminal and on criminal probation is incompatible with and
16 below the professional standard for a top law enforcement officer and the duties of the office of
17 Sheriff.

18 59. Effective Working Relationships. The Sheriff must maintain effective working
19 relationships with other government agencies in order to further their collective goals, such as
20 criminal justice system realignment and enhancing interagency communication and cooperation in
21 the fight against crime. The Sheriff's conduct, and its continuing consequences, relate directly to
22 these duties. While he is on probation, Sheriff Mirkarimi is subject to the jurisdiction of the San
23 Francisco Superior Court and the San Francisco Adult Probation Department. If he remains in
24 office, Sheriff Mirkarimi will need to work as a peer with judges of the Superior Court and the
25 Chief of APD. In my opinion, it will be impossible for the judges and APD Chief to work
26 effectively with Sheriff Mirkarimi while he is a probationer subject to their authority and control.
27 By remaining in office, Sheriff Mirkarimi makes it harder for these public servants to effectively do
28

1 their jobs. Being on criminal probation is inconsistent with the professional standard for the head of
2 a law enforcement agency, and wrongful conduct in relation to the duties of Sheriff.

3 60. In addition, as Sheriff, Ross Mirkarimi has attacked the honesty and motives of
4 several of the his and the SFSD's local partners, including the San Francisco Police Department,
5 San Francisco District Attorney's Office , and the Mayor. He has demonized those public officials
6 and agencies. At this juncture, after all his comments and attacks, his most important professional
7 relationships are surely shattered, and Sheriff Mirkarimi will be unable to rebuild these relationships
8 in the near term, and perhaps not even in the long term. There can be no trust and cooperation
9 between Sheriff Mirkarimi and the other local criminal justice and governmental officials and
10 agencies under the circumstances that he has created. If Sheriff Mirkarimi remains in office, in my
11 opinion that will significantly hamper the City in running a fair, efficient and effective criminal
12 justice system and implementing realignment and other reforms.

13 **IV. COMPENSATION**

14 61. I will not receive any compensation from the City and County of San Francisco for
15 my opinion, declaration or testimony, although the City will reimburse me for any reasonable travel
16 expenses or similar reasonable expenses actually incurred in connection with my declaration and
17 testimony.

18 I declare under penalty of perjury under the laws of the State of California that the foregoing
19 is true and correct. Executed this 18th day of June, 2012, in San Diego, California.

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/s/
WILLIAM LANSLOWNE

EXHIBIT 76

MATERIALS REVIEWED

1. Charges of Official Misconduct, dated March 21, 2012.
2. Amended Charges of Official Misconduct, dated June 1, 2012.
3. Mayor Lee's Opening Brief on the issues Specified by the Ethics Commission, dated April 30, 2012.
4. Sheriff Ross Mirkarimi's Opening Brief, dated May 7, 2012.
5. Mayor Lee's Reply to Sheriff Mirkarimi's Brief on the issues Specified by the Ethics Commission at its Meeting of April 23, 2012, dated May 17, 2012.
6. Criminal Charges against Ross Mirkarimi.
7. Court transcripts of guilty plea dated March 12, 2012 and sentencing dated March 19, 2012.
8. Video of Eliana Lopez.
9. Declaration of Callie Williams and Exhibits, dated June 6, 2012.
10. Declaration of SFPD Inspector Richard Daniele and Exhibits, dated June 7, 2012.
11. Declaration of Interim San Francisco Sheriff Vicki Hennessy and exhibits, dated June 8, 2012.
12. Declaration of Chief Adult Probation Officer Wendy Still and Exhibits, dated June 8, 2012.
13. Declaration of Deputy Chief of Staff Paul Henderson and exhibits, dated June 8, 2012.
14. Declaration of Mayor Edwin M. Lee, dated June 8, 2012
15. Declaration of Emin Tekin and Exhibits, dated February 26, 2012.
16. Declaration of Linnette Peralta Haynes, dated June 8, 2012.
17. Declaration of Lenilyn De Leon, dated June 11, 2012.
18. Declaration of Sheriff Ross Mirkarimi, dated June 13, 2012.
19. Declaration of Ivory Madison, dated June 15, 2012.
20. Declaration of Abraham Mertens, dated June 17, 2012.
21. Public statements by Sheriff Ross Mirkarimi.

EXHIBIT 77

To
Lead

To
Learn

To
Leave

a
Legacy

Major Cities Chiefs
Federal Bureau of Investigation National Executive Institute
June 2005

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Foreword

Have you ever wondered how you might be remembered in your career as a law enforcement executive? Have you made a difference to the law enforcement profession? These two questions were recently asked of numerous current and former law enforcement executives throughout the United States and Canada. Their widely varying responses were collected for this year's National Executive Institute Associates (NEIA) research project, "To Lead, to Learn, to Leave a Legacy"; and they are the basis for this publication.

The project goal was to identify the best practices and lessons learned by successful law enforcement leaders that may benefit current and future executives. Project participants were asked to consider the following specific questions:

- What are the most important learning lessons that helped shape your successful leadership journey?
- Is there an operational philosophy or managerial mindset that helped you carry the day during a most difficult or crucial time in your career?
- Could you identify a behavior or set of best practices that assisted the development of your career?
- Is there something you wish you had done differently? Why and how would you have done it differently?
- Was there an action or a practice that you did not initiate because of such factors as political environment, media pressure, governmental interference, etc? Do you regret not initiating these actions? Looking back, could you have succeeded through a different approach?
- In dealing with challenges from the political environment, the media, community activists or even your appointing authority, was there an operational or functioning style that enhanced your ability in achieving the goals and objectives of your administration?

Over the years, much has been said about the law enforcement "giants" who have helped to shape our profession. Many of us have suggested that if only they would put their experiences on paper, a great deal could surely be learned by their successors. So here, in the following pages, are the true stories, noteworthy experiences and lessons learned from some of the most outstanding law enforcement executives throughout our nation and Canada.

As law enforcement leaders, you are in more vulnerable positions than ever before. With the pressures on our agencies at an all-time high, you are all faced with unprecedented demands to respond effectively to your escalating roles and responsibilities. The NEIA hopes that the widely diverse insights and experiences shared in these legacies will indeed prove valuable and applicable for many of you as you seek to fulfill your complex, challenging missions.

The NEIA is most grateful to the 24 project participants who dedicated many hours and thoughts to writing their legacies. Only minor changes have been made for consistency in format. We also want to thank others who assisted with this project, including Hugh M. McKinney FBI (retired), and Terry Mangan, Dave Corderman, Nick Nicholson and Michael Ferrence, of the FBI Academy's Leadership Development Institute.

Special appreciation goes to Charles P. Connolly, for his advice, encouragement and insight in helping this project come to fruition. Finally, credit must go to Chris Silverthorn for her editorial skills in bringing order to this publication under almost impossible deadlines.

*Richard M. Ayres
Director, Center for Labor-Management Studies;
FBI Retired*

No Job is Too Big and No Responsibility is Too Small

by LeRoy D. Baca

As Sheriff of our nation's largest county serving ten million people, my responsibility for public safety requires constant action, innovation, strong core values, cutting edge technology, positive political partnerships at the federal, state, and local level. Also required is a daring to be different, no fear of criticism, transparency regarding our mistakes, full respect and cooperation with the media, and big ideas. Most important is the training of all my employees to be leaders who thirst for knowledge to do better. This permeates our thinking and actions.

By example, I teach my people to create ideas, celebrate diverse people, and establish religious harmony throughout the County. Our specific action-oriented achievements include but are not limited to the following:

- Our first order of business was to develop core values that prescriptively require all of us to address properly the legal, civil and human rights of all Americans.

Our Core Values:

As a leader in the Los Angeles County Sheriff's Department, I commit myself to honorably perform my duties with respect for the dignity of all people, integrity to do right and fight wrongs, wisdom to apply common sense and fairness in all I do, and courage to stand against racism, sexism, anti-Semitism, homophobia and bigotry in all its forms.

- We have trained ourselves to be leaders who excel in our work responsibilities no matter what they are. To accomplish this, we created a Deputy Sheriff Leadership Institute that all sworn and professional personnel jointly attend without regard for individual rank, title or levels of responsibility.
- We provide educational opportunity at

work sites for all employees so they may attain bachelors, masters and doctorate degrees. To accomplish this, we created an LASD University in partnership with five public and private universities who use our facilities for classrooms. This learning efficiency also created reduced tuition for the 2,000 Sheriff's personnel who are enrolled.

- We thirst for cutting edge technology. Although the Department has a Technical Services Division, key leaders have special responsibilities to seek new technical tools. We are currently developing, as an example, the radio car of the future.
- We protect civil rights as a duty. To accomplish this, I created the Office of Independent Review (OIR) comprised of six civil rights attorneys. This body monitors all criminal and administrative investigations from beginning to end. It also recommends discipline or corrective measures based on Department guidelines. Our investigative credibility has not been challenged since the OIR's inception.
- We have built an organizational culture that is consistently substantive and values human needs. We have mentors for employees who are in need of support, including psychologists and peer group volunteer counselors. Significant volunteer charitable activities are going on throughout all departments. We aspire to be the most charitable law enforcement agency in the nation.
- We have eliminated most of the negative aspects of bureaucracy. I manage from the middle down. I personally visit each of our seventy commands on a regular basis to listen to the complaints and concerns of our sworn and professional staff.

- Finally, we believe we can do it all. We have shaped the role of police work to that of universal social work that reduces human misery and crime. We are supportive healers of human despair within children and adults. We believe that, “No job is too big and no responsibility is too small.”

Because of these practices and approach, the Los Angeles County Sheriff’s Department is a hotbed of hundreds of successful activities and programs led by 14,500 leaders backed by a 1.7 billion dollar budget and growing.

Always Try to Do the Right Thing, the Right Way, for the Right Reason

by Cornelius J. Behan

I have found it difficult to put into words the actual thoughts and motivations that governed what we did rather than merely stating the process employed. In my view, these are more important because they guided the decisions and actions taken. By living and acting by these factors, anything was possible.

Leadership and management are very different, although intertwined. This brief chapter will attempt to reveal the beliefs, philosophy and reasoning used in leading with some references to managing along the way.

- *Leadership develops over a lifetime.*

It starts in childhood and continues until we die. It is a never ending process of learning and risk taking. Each step, provided new experiences, knowledge and insights into the reasoning used and choices made. I was not the same leader as a sergeant as I was as a chief and I was not the same leader in 1977 as I was in 1993. True, power increased but more importantly so did the understanding and effectiveness of the forces at work.

- *Two major themes.*

Those themes influencing and joining the learning progression were *values* – both legal and ethical – and *interacting with people in the department, other law enforcement entities, the community, academe, and the various disciplines*. These had to be understood and broadened along the way.

The following is a list of some of the major issues we faced. The beliefs that came into play in dealing with them will then be explained. Detailing the procedures we used could be the subject of another paper if these thoughts have any merit.

- Gaining control of the department
- Organizing/reorganizing the department
- Establishing the Community Oriented Police Experiment (COPE) and the creation of Community Policing

- Creating a Spousal Abuse Unit
- Creating a Commercial Vehicle Safety Unit
- An attempt to limit the proliferation of hand guns and assault rifles
- Establishing a Values Statement for the department
- Dealing with the media
- First large department to be Accredited (3rd in the nation) and first to be recredited by the Commission on Accreditation of Law Enforcement Agencies (CALEA)
- Dealing with elected officials
- Creation of an Aviation Unit and a Marine Unit
- Establishing a police foundation
- Designing a department shoulder patch
- Statewide repeat offender program
- Establishing a computer crime unit, and hostage negotiation teams
- Response to racial, religious and ethnic bias incidents
- Executive development and training
- Designing station houses

Some of these events appear of no significant consequence or accomplishment. These and many more events occurred, which upon examination, demonstrate the effectiveness of the underlining beliefs this chapter addresses. What follows are not “pie in the sky” notions but actually applied criteria which brought about desired results.

- *Basic requirements for success.*

Before accepting the position of chief of police, certain requirements had to be met. Interference in any way with the internal operations of the department by anyone outside was not acceptable. The person(s) that hired me or any political, business, union or community forces were not to dictate assignments, transfers, promotions, strategies or be involved in disciplinary procedures. Also, it had to be understood that the chief would involve the agency in assisting not only his government but also other local, state and federal police agencies.

The chief was to join and be active in professional organizations. This understanding had to be clarified with each newly elected administration.

However, included in such discussions with the hiring authority is the acknowledgment that the elected official has a mandate from the electorate and that the chief will cooperate with that mandate in ways that are consistent with the department's mission, appropriate and legal.

- *Realistic idealism is essential.*

I saw how things should be and went for them with the full realization that the ideal may not be achievable but progress would occur anyway. When I believed, others did also. More than one made the comment, "is he for real". A realist avoids becoming a cynic. We were well aware that it is an imperfect world and many people in it are harmful to the greater good.

This kind of thinking brought about the creation of the department's shoulder patch. The patch in use was adequate and exactly the same as used by all other departments in government except for the agency name. Events prior to my appointment resulted on factionalism, favoritism, bad morale, and union antagonism to the department executives and elected officials. I wanted the *men and women to realize they were different and special*. Their identifying insignia had to be something they could relate to, be proud of—something signifying they had a special calling. With plenty of input from the various ranks, a distinctive logo was designed and readily accepted.

- *Avoid capture at the outset.*

In assuming the new job, people came from many directions in and outside the department to ingratiate themselves and to assist in the chief's orientation. These approaches can be flattering and intoxicating. However, they have an agenda. It takes time to determine who is sincere and has the best interest of the agency's mission in mind.

- *Stay with the insiders.*

When the new chief takes over, avoid the temptation to bring your own people into the

department from outside. It is understandable to want to be involved with those tried and true. One needs someone to support him and carry out his directions. I was determined to find the talent within and develop it. Admittedly, this takes time. Many within the department are proud of it and want it to succeed and will support anyone who has the same idea. Bringing in your own people tells the people in place that they are not as qualified or competent as the newcomers and cannot be trusted. Promotional opportunities are lost.

- *My personal life had to be above reproach.*

In any organization, the person at the top is a target for praise and criticism. Always present in and outside the agency, are those who expect him/her to make a mistake. I did not frequent bars, night clubs, or engage in any activity that could carry a negative connotation and reduce the effectiveness of the office of chief. Many will not like the chief, but their criticisms would have to be confined to job related matters and not extracurricular activity.

- *Avoid factionalism.*

Do not make alliances that could be interpreted as favoritism. Surround oneself with competent people. The cynics can't do much harm when the people selected for assignments are obviously capable of doing the job well. I avoided joining any internal alliances that would encourage factionalism. Now in retirement, I enjoy the company of those I admired.

- *Let your philosophy about policing be known.*

Policing is essential to the operation of a free society. Schools, businesses, courts, hospitals and the government could not function without its effective presence. Therefore, the chief has an obligation to serve his community to the best of his ability. Also, he/she has an obligation to do whatever is possible to assist in policing at the state and federal levels. The responsibilities are part of a whole not an entity unto itself. If the country is to survive, we must work as a team, cooperating, sharing, assisting, and researching with one another. To do less is myopic and self serving. Repeatedly share these ideas, write about them and *involve as many of your personnel (and civilian supporters) in carrying out your philosophies.*

- *The Status Quo.*

This is impossible to maintain. It is a Herculean task to try. Human organizations either deteriorate or go forward. My decision is always to go forward.

- *Mediocrity.*

This is never an acceptable norm.

- *Collaboration.*

Developing relationships with other law enforcement agencies is important. This goes beyond cooperation and coordination into collaboration. With the latter, all agencies would have to make appropriate concessions about jurisdiction, recognition and pride for the greater good. Sharing equipment and personnel became routine. Even when I found other agencies not cooperating with one another, an effort was made (usually with success) to bring them together. Competition between agencies in carrying out their missions is not productive

- *I filled vacuums.*

I never sought leadership roles for the sake of being the leader. When something had to be done and no one else stepped up to the plate, then we would do it if it was for the common good.

An example of our philosophy was when HIV appeared on the scene. It was obvious that it was a fatal disease but the medical profession disagreed. In the meantime our personnel were exposed to fluid transfers at accidents, shootings, and arrests. I called other chiefs around the country to see what they were doing about the problem. They stated they were following the leadership of the medical community. To me, this was unacceptable.

Without political or medical support our procedures were changed to deal with the new phenomenon. Our personnel and prisoners had to be tested after exposure to fluids. Prisoner cells had to be cleaned. Against strong opposition, we trained our people in protecting themselves and others. Our open disagreement with the medical profession led us to lecture to groups and make public statements at meetings and conferences that it was a fatal disease. Our

simple position was that “if you contracted HIV, it developed into AIDS and you died.” It should have been automatic but we had to obtain court orders to test prisoners claiming or suspected of carrying the dreaded virus. Yes, we gathered strong opposition because this disease became political as well as medical, and not being medics we had little credibility. After a few years, with persistence and meetings with the medical leadership, we were proven correct. To this day, it is not treated the same as other communicable diseases.

- *The Pure Mission.*

A personal philosophy is what I called “the pure mission”. Any decision made had to be devoid of any planned personnel gain. It had to be examined to see if personal aggrandizement, promotion, making one look good, trying to please the boss, etc. were in any way the motivating factors in the decision. Rewards or recognition might result from a good decision but those notions cannot be a part of the process. It had to be doing “the right thing, in the right way, for the right reason.” It had to be for the best interest of the community or the department’s mission.

Besides the efficacy of the decision, the pure mission provided protection when the attacks came. If the decision created change, it almost always had detractors who examined the issue thoroughly and with a jaundiced eye. The absence of personal gain for the decision maker makes it very difficult to destroy the plan and more often than not, the plan went forward. Implementation would reveal if the decision was a good one.

- *You must trust and believe in your personnel.*

On the surface this appears obvious and many leaders would say that it is automatic. But, is it? Our rules and regulations say otherwise. The disciplinary procedures brought to bear on violations cause officers and supervisors to spend a great deal of time avoiding things rather than doing things.

I trusted my subordinates and felt obligated to do so. I taught them to take risks and honest mistakes carried no penalties

even if I suffered embarrassment because of them. Risk taking by subordinates is essential to make an agency effective. Our people take physical risks that could result in their injury or death all the time. Why shouldn't they be encouraged to take administrative and developmental risks.

I became convinced of this when the new strategy, Hostage Negotiations, was tried for the first time in 1972 on Myrtle Avenue, Brooklyn, N.Y. Members of a group calling themselves The Black Liberation Army attempted to rob a gun store, were trapped inside, killed the first officer responding and took a number of hostages. I was second in command of the 12 hour day shift and after three days of negotiations, the criminals surrendered and all hostages were safe.

As the negotiations unfolded, plans had to be made for a frontal assault should they kill any of the hostages. I watched as the planners on their knees, with flashlights pouring over building construction maps on the floor of the darkened movie theatre used as a command post, engaged in a free and open discussion of what would be the best approach. All ranks from patrolman to chief were energetically and equally involved. After seeing this, I pondered that if we listen to police officers in life and death situations, why shouldn't we listen to them in other police matters.

- *Involve as many as possible in decision making.*

Whenever possible, major changes would not occur without research by a committee. This was not running the department by committee to avoid responsibility, but rather to avoid a decision that might negatively affect a segment of the agency and also, to gain support for the outcome. The project was well publicized and the committee or committees comprised of all ranks in the department except the chief. In addition, a union representative was included who was selected by the union president.

Without any direction, each rank involved kept its peers informed of the committee deliberations. The committee would present its findings to the chief and other members

of the executive corps for comment, suggestions or approval. This technique was used even when I could have implemented it by an order and saved much time. For example, such a committee created our shooting policy. When the U.S. Supreme Court issued its findings on police related shootings, we did not have to change a word of our policy.

- *The brains of the department are not at the top.*

My belief is that the "brains" of the department is at the collective lower ranks of the chain of command. The climate had to be set to allow it to be revealed. A field sergeant caused important improved precinct boundary alterations, another improved tours of duty, a police officer designed the U.S. McGruff stamp and police officers reported corruption. Reorganization would not take place without serious input from every rank in the department. A police officer using his own plane and another using his own boat on patrol missions without getting permission from the top forced the department to create, and the county to finance, an Aviation Unit and a Marine Unit.

- *Never ask permission to do your job.*

If the situation calls for action of some dimension, if it is the right thing to do and there is no prohibition against it, then do it. Yes, it is risk taking. When applied it is not always successful. The department has to understand the dynamic and no penalties incurred for unsatisfactory results.

I listed above the designing of station houses. In and of itself it is not a major accomplishment. However, the county always had station houses built without input from the police department. We had a police officer with architectural skills and had him trained in station house design. His skills and our assuming responsibility without asking permission resulted in new and efficient station house design and construction..

- *The personnel can be overloaded in a progressive agency.*

We had to be careful not to overload the organization with change and innovation. It was essential to get all out of the comfort zone into the learning zone while avoiding

the panic zone. Program development had to be watched for that reason. There were times when good plans had to be postponed or abandoned for the good of the department. Not every good idea can be put into effect.

- *Personnel development.*

The rank and file was exposed to a wide array of opportunities to learn and travel to gain experience and confidence. Tour adjustments for those going to school, attending special courses and seminars, meetings in foreign countries and joining local and national professional organizations were encouraged. When budgets were tight the first items to be cut were travel, education and training. My belief is that tight budgets usually meant fewer replacements of personnel and equipment. Those left to do the job must be better prepared to take on more obligations. Therefore budgets allowing for personnel development and training had to be maintained.

- *The Chief must lead in police executive development.*

This is largely neglected by our governments. Large business corporations would never put anyone in charge that wasn't fully prepared for the job. That's why in New York City, the police department arranged with the University of the City of New York to provide college degree programs with some classes held in police buildings. Eventually with the police commissioner leading, the John Jay College of Criminal Justice was created and developed. When the University System wanted to eliminate John Jay, I testified at public hearings for the department in favor of continuing the college. We prevailed and John Jay is now a thriving college within the New York City University System.

In Maryland we joined other police chiefs and Dr. Sheldon Greenberg, a retired police official, and created the Police Executive Leadership Program within Johns Hopkins University which offered a masters degree. Police chiefs regularly appear at seminars, panel discussions and as guests in courses and engage the students. With the Chiefs' blessings, an undergraduate degree program has started and many other courses are offered.

- *Loyalty to subordinates.*

Much is made of the executives expecting loyalty from their subordinates. While understandably so, **my belief is in being more loyal to my subordinates that I expect them to be to me.** My obligation is to have them succeed. Their task was to concentrate on doing the job, taking risks and not trying to please me. In this climate, it is amazing what they can accomplish.

- *In human organizations, problems exist. It's a given.*

People want to provide you with good news. When everything seems to be going well, you can be assured that somewhere trouble is brewing. For example, one strong assumption I followed is that *minorities in any organization suffer prejudice and discrimination — often in the absence of complaints.* It is not necessarily venal. The majority is often ignorant or insensitive to the needs, culture of the minority and unaware of the Civil Rights Act protecting certain classes. The minorities in an effort to get along will put up with real or perceived abuses until they become unbearable. Then it becomes a major problem. Of course, formal complaints are investigated and adjudicated accordingly.

In order to find out potential problems, and since African-Americans and women were the minorities in the department at that time, I appointed a black male police officer and a female police officer as direct liaison to me to report any feelings, impressions or incidents of unfairness that may appear in the ranks. It was their choice whether to identify the complainer or not. They performed under an open door policy to the chief. By designating people from the basic rank who posed no threat and had the respect of their peers, situations could be discovered and handled before becoming problems. All members of the department, especially the supervisors and executive corps, were informed of the project to avoid the uncertainty that comes from the unknown. Most cases were handled satisfactorily with action, advice, counseling and education. When serious bad news was reported, I had to guard against an explosive reaction. I knew that a display of emotion would cause fewer people to report problems until it was too late.

- *The union president is a VIP.*

The union president is elected by the officers that serve the department—the same officers who serve the public and by extension work for the chief. This person, regardless of whether he/she is on good terms with the chief, is treated as a VIP with an open door policy and dignitary status at all department functions. This is a way of telling the officers that their choice for president was respected.

If I discovered that my discussions with the union president were not transmitted to the rank and file as they occurred, I then met with the union's board of directors on a regular basis. A free exchange was mandatory.

- *Communication with the Administration.*

For my entire time in office, I attended in-service training every week. At these sessions, I discussed policy changes, new laws and internal and external problems in policing. The participants were encouraged to make any comments and ask any questions and if they so desired submit questions in writing, anonymously. It was important that *all* questions were answered even those that might be insulting or not made in good faith. In the course of a year, every year, every member of the department met with the chief. A downside of this is that officers would refrain from bringing items to their commanders and would save them for the meeting with the chief. Special briefings with commanders allayed their fears about the phenomenon.

Police officers are very candid. They speak and write in direct terms. Their cynicism is readily observed. I needed a thick skin and good self control to handle the questions that clearly were accusatory rather than a search for information. No retaliation would occur no matter how blunt the dialogue. About fifty percent of the policies, decisions and strategies we made administering the department were the result of what was learned at in-service. Special attention was given to issues that effected officers personally, such as, uniforms, cars, equipment, discipline and grievances. I noted that over time when these personal items were taken care of, the officers would delve into important issues relating to the mission.

- *Decentralizing.*

Working to decentralize the department pushed decision making down to the most effective level. A great deal of our innovations came from lower echelon personnel who were comfortable either making decisions or recommendations. Failure of an idea did not carry penalties. Also, operational decisions were made at the scene without having to wait for the arrival of higher authority.

- *Loyalty Down.*

Another personnel philosophy was to never require an officer to perform a task that would not allow us to protect him or her from negative outcomes. Local and national court decisions and laws had to be monitored where departments and officers were found liable. Our training and policies had to be altered to assure the officer would not be required to take an action that would be indefensible when challenged. For example, training was mandated for all equipment carried by the officer that could be used as a weapon. Submission was all that was required of an arrestee. He/she did not have to assume any preordained position before submission was considered finalized.

- *Care was given not to create a forbidding rule that would automatically place an officer in violation.*

For example, we did not forbid hot pursuits but put in a policy of how to handle them. We did not mandate that every officer wear body armor but supplied him/her with the best vest and strongly encouraged it to be worn. However, in recruit training, the armored vest was mandated to be worn at all times, except during physical exercises. This allowed them to get fully use to it. In other words, we tried to treat them as adults and not like children from whom we demanded obedience.

- *Transparency.*

Every effort was made to prevent the chief and the top executives from placing "friends" in choice assignments. Position openings in the department were advertised and a screening committee appointed to interview and make recommendations. These recommendations were followed. Appointment of unit commanders and the transfer of commanders

were made at a meeting with the top executives of the department and the chief. Personality clashes among good people were often avoided through these consultations.

- *No Political Interference.*

At times, elected officials were solicited by a department member or a friend to use their influence to have the member appointed or promoted to a desired position. In turn, the official would write or call the chief and make the request. I would never become angry at the request or react negatively to the member of the department who made the move to by-pass the established procedures. Usually in writing, I would thank the elected official for his interest in the department and its members and assure him or her that every consideration would be given to the request. While not hiding the request, the department procedures would be followed to the letter. The elected official received a response showing he/she acted upon the constituents request and the integrity of the department's procedures was maintained.

- *Values.*

With in-house and outside assistance, we developed a value system. While rules and regulations are necessary, they were insufficient. Rules are usually negative motivators while values would help police personnel with their decisions. **Values are beliefs which are held in such high esteem that they noticeably affect the way a person thinks and acts.** We required that changes in departmental rules and procedures include how they would advance or include our values. We adopted the management philosophy of, "doing the right thing, for the right reason, in the right way." Police are keepers of the public trust and all the responsibilities that accompany it.

- *Limitation of Rules and Regulations.*

As chief, I never studied or became engrossed in the department's rules and regulations. Other executives, supervisors and police officers would have to rely on them. I purposely decided to manage and lead by focusing on the department's mission, new ideas and vision. I followed the cliché and "kept my eye on the horizon and not on my navel." This required a

continuous scanning of the environment in the U.S. and abroad for the latest developments that would enhance our ability to serve our community and the profession. For example, I was at the meeting when the British police introduced DNA technology. A drug conference in New Orleans enabled us to learn about and adopt Drug Abuse Resistance Education (DARE.). Learning of computer crime in Silicon Valley in California led to our creating the first computer crime unit in the East. A visit with the Israeli police led to the adoption of robots to handle suspicious packages.

- *Professionalism.*

Active participation in national police organizations is a must. The International Association of Chiefs of Police (IACP), Police Executive and Research Forum (PERF), National Executive Institute (NEI), Federal Executive Institute (FEI), National Sheriffs Association (NSA), and the National Organization of Black Law Enforcement Executives (NOBLE) are but a few of them. The reason for joining them is to advance the profession. We attended the National Executive Institute, the Federal Executive Institute and the Harvard Sessions on Community Policing and sent others to similar learning and sharing experiences. When called upon, we served as president of several of the organizations.

Formal education was encouraged and partially funded. Politics prevented legislation requiring college education. Recruitment of women brought more degreed people into policing.

- *Discipline Procedures*

Discipline procedures were transparent and followed state law. Over time my part of the process would include whether the offender had violated or tried to follow the department values. Unfortunately, reasonable outcomes were often thwarted by the legalistics involved.

We insisted on a **zero tolerance policy** for brutality, discrimination and sexual harassment. I found that it was very difficult to implement it. It is not a problem when the offender was identified and remedies taken.

There is a problem holding people accountable who had knowledge of the offense but did nothing about it, i.e. they “tolerated” it. Officers perceived such accountability as unfair. Accountability in these incidents does not have to be formal disciplinary procedures but an action that clearly indicates to the officer that he or she did not live up to the values of the department and allowed a fellow officer to suffer without their taking action. We implemented the policy but nowhere in the outside environment did it appear that anyone else did.

A written **media policy** was promulgated. The press was given access to records and personnel as allowed by law. The philosophy we adopted was that the street reporter was very much like the officer. He was at the bottom of the organizational chain, subject to review, second guessing by superiors, not so much concerned with the First Amendment as with doing his/her job and making a living. Never lie to them. If an officer at any level is comfortable giving an interview, have him do it. The public would rather hear from the working officers than the chief. The media relations officer was commanded by a former reporter and available to respond to any scene and assist the media personnel in their mission and police personnel in dealing with them. The police are not to be censors. That is the responsibility of media superiors.

- *Battling the Gun Lobby, NRA and Others.* The *only* reason we entered the “gun fight” was to save lives. Gun lobbyists wanted to make handguns, assault rifles and Saturday night specials readily available to anyone in the country who signed a paper that they were not a felon and not mentally incompetent. Saturday night specials were cheap handguns made readily available to people in poor communities. There was no way to check the truth of the statements. Since thousands of people die from handguns every year, the police who are **obligated to save lives** could not stand by without speaking out. It was a time when one had to put his career on the line.

Since the gun lobby would not meet with law enforcement to help it reduce the carnage from handguns, there was no choice

but to try and reduce the availability of guns. The process included speeches, TV appearances, press conferences, lobbying, letters to newspapers and visits to the offices of legislators. A police march on Capitol Hill was also employed. The police leadership became the target of the gun lobby who tried to have them fired or passed over for appointments as chiefs. Every year an effort was made to have me removed from office. Consider the turtle – it cannot make any progress unless he sticks his neck out. When he does, there is the possibility it will be hacked off.

- *Melting Down Guns.*

There was pressure applied to have the department sell the weapons it recovered, and the officers’ guns it was replacing, to firearm dealers. Funds are always needed. We refused knowing that some of the weapons would end up in the wrong hands and a citizen or a police officer would be killed. We had them melted down to save lives. This was not a popular decision with the budget office.

The same reasoning applied to the “**cop killer bullet.**” The military arranged to release its enormous supply of armor piercing bullets to the public for purchase over the counter. A friendly federal agent informed me of the plan. There was no choice but to vigorously oppose such a happening for the safety of police officers all over the country. Although many in law enforcement joined the effort, the Secretary of Defense did not respond to our request. We prevailed through the efforts of the President of the United States.

- *Community Policing.*

Community Policing originated in Baltimore County. It is a simple philosophy of identifying the obstacles that prevent citizens from being comfortable where they work, live, and play, followed with an attempt to eliminate them. It adds another dimension to traditional law enforcement but does not replace it. The seed was planted by our desire to eliminate fear caused by violent crime, narcotic addicts, and neighborhood conditions. Fear can’t be seen or touched or felt. We **scanned the environment** and saw that the literature was filled with discussions

of fear but no one was doing anything about it. We decided it was our job. Surveys showed that citizen fear arose for reasons different from what the police surmised. In most cases, dirty and neglected streets, vandalism, rowdy people, difficult traffic situations and other types of neglect, caused more fear than burglaries and robberies.

While training our police officer volunteers to survey neighborhoods in order to identify fear, Gary Hayes, Director of PERF, introduced us to Professor Herman Goldstein, University of Wisconsin, and his idea of problem solving. The two ideas were married and community policing emerged.

Just one example of its application was a severe train wreck in Baltimore County on January 4, 1987 that killed 16 people and injured hundreds more. After the accident was investigated, criminal charges followed, injured taken care of, tracks cleared, property damage caused by the accident and rescue efforts repaired, community policing continued at the site. Starting at “ground zero” of the accident, officers visited every home to identify anyone suffering psychological effects from the disaster. Schools were visited for the same purpose. Therapy was provided. We didn’t walk away until every human being touched by the accident was made whole.

- *Corporate Organizations in America.* These organizations want a safe environment for their employees and to conduct their business. They are willing to invest to get it. Most know very little about police operations beyond the issuing of traffic tickets but are willing to fulfill part of their social responsibility by learning more and being of help. We welcomed them, showed we were not a secret organization, started a civilian police academy, created a police foundation, and created a police and business committee within the structure of the Maryland Chiefs of Police Association and our own organization. The alliance proved to be beneficial in crime prevention and fund raising for police training and equipment.

A few successes occurred with individuals in academe who gave willingly of their time

and service for the common good. But, generally colleges and universities were more interested in obtaining funds than giving them away.

The following is a description of some other principles ideas that were publicly announced and followed.

- *Only Enforce Traffic Laws Where There is a Need.*

We monitored whether tickets were issued because it was easy or because there were accidents or complaints. The U.S. Constitution was established to ensure domestic tranquility, promote the general welfare and to secure the blessings of liberty among other reasons. The police are best positioned to fulfill that Constitutional mandate. Our relationship with the public is not adversarial, “us against them” but one sworn to work with the citizenry for the public good.

- *Know Yourself.*

I recognized my weaknesses and shored them up with people who had the knowledge and strengths I lacked. The expressed reality is that by so doing one of those could replace me as chief. If they did, it was probably for the best interest of the department. We work for the public good and not for ourselves.

- *Listen to the Dissenter.*

I learned more from people who disagreed with me than from those who agreed. An honest different opinion fully examined and not dismissed will do a number of things: bring new dimensions to the issue, stimulate thinking, allow the dissenter satisfying entrance into the discussion, tend, to heal differences; and by careful analysis tells you are wrong, or how to improve the idea or confirms that you were correct. Similarly, I learned more from mistakes than I did from successes.

The bottom line is that our values and religious beliefs guided us through the complicated issues. It is summed up in the expression very familiar to you mentioned earlier in this response – always try to do the right thing, in the right way for the right reason.

None of these things could be accomplished without the cooperation, creativity and participation of many inside and outside the police department. The chief set the tone, developed the atmosphere and they did the rest.

Information Sharing: Key to Law Enforcement Effectiveness

by Vince Bevan

I started my career in policing in July 1973 with the Niagara Regional Police Force in Ontario, Canada. It was the very day my father marked twenty years of service in the same police service. When my father retired he left a legacy that all municipal police officers in Ontario still enjoy to this day. He helped to establish one of the premier retirement funds in the country as a founding member of the Ontario Municipal Employees Retirement Service. From time to time I have wondered what I will leave behind for my colleagues in policing and this NEIA Research Project has given me an opportunity to ponder that question and reflect on what my legacy to the profession may be.

Certainly, across North America and from my exposure to colleagues in the United Kingdom, Europe and Asia, we all face the challenge to put all available information into the hands of front-line officers quickly so they can respond to incidents and make informed decisions. In the past two decades a great deal of work has been invested in the development and enhancement of technologies that support policing. But, police work is very different today than it was when I started 32 years ago. Indeed, in the past decade changes the world over have transformed the way we deliver police services. In order to understand and respond better to these challenges, it is vital for officers to access a wide range of information.

I hope that my legacy to this profession will be a solution to that problem. I hope that in sharing the lessons learned and by describing how the solution was derived, others in policing will benefit. I can claim no individual responsibility. Much of what has been accomplished was done by police leaders of vision who understood the needs, rolled up their sleeves and did it.

I earned my first transfer to the Detective Office in 1978. That experience taught me a

great deal about police work and about the way business could be done better. I quickly learned that information is power. It is not to be shared with someone who may steal your arrest, even if you're not even close to an arrest. If information was shared between agencies, it was shared between friends and acquaintances. If you didn't know the person on the other end of the telephone line, you were less likely to get all the information that was available. The network of the day was based upon familiarity or by dropping a name. As I found out at critical moments in my career, the network could make or break investigations.

In 1986, after a fairly successful tenure in the Detective Office, I was selected to work on the system design and implementation of a new Records Management System (RMS), Computer Aided Dispatch System and Mobile Data Terminal System. I was selected to be part of the system design phase to ensure that the RMS product put information in the hands of investigators. I also had the opportunity to research and develop the specifications for a crime analysis system. I was provided this opportunity in part because I was a strong advocate for information sharing.

My experience in the Detective Office taught me that much more was possible if we shared the information we collected and made it available to colleagues who might be able to link crimes and criminals more effectively. Although the RMS design was successful in this respect, the crime analysis system was never implemented within the police service. That experience taught me a great deal about technology. I learned that solutions to problems we face are only limited by our imagination.

Following that experience I was returned to Detective Operations. It was there that I was faced with the biggest challenge of my career. It proved to be an information

management nightmare and taught me difficult lessons in leadership and accountability, media relations, victim management, joint forces operations and politics. I was assigned as the officer in charge of the Green Ribbon Task Force (GRT), a multi-jurisdictional investigative team that involved a dozen law enforcement agencies and almost sixty investigative and analytical staff.

Between May 1987 and December 1992, Paul Bernardo raped or sexually assaulted at least 18 women in the Toronto area, including Scarborough and Mississauga, and killed three women in Burlington near Toronto and St. Catharines in the Niagara Region. I became involved in this investigation in July 1991 after the dismembered body of Leslie Mahaffy had been discovered, encased in blocks of cement, in the Niagara Region.

Paul Bernardo is a unique type of criminal. He is determined, organized, mobile and sadistic. He is a serial rapist and killer who demonstrated the ability of such predators to strike in any community. The tragic history of this case, and similar cases from other countries, demonstrated that these predators pose a unique challenge to the systemic investigative capacity of local law enforcement agencies throughout North America and the world.

As a Judicial Inquiry led by Mr. Justice Archie Campbell subsequently found, “. . . [t]he Bernardo case, like every similar investigation, had its share of human error. But this is not a story of human error or lack of dedication or investigative skill. It is a story of systemic failure. . . ”¹

Sadly, as history shows, virtually every inter-jurisdictional serial killer case including Peter Sutcliffe (the Yorkshire Ripper) and Robert Black (the cross-border child killer) in England, Ted Bundy and the Green River Killer in the United States, and Clifford Olsen in Canada, has demonstrated and raised similar problems and questions. And, as Justice Campbell observed, “. . . always the answer turns out to be the same - systemic failure. Always the

problems turn out to be the same, the mistakes the same, and the systemic failures the same. . . ”²

Unfortunately, because of the systemic weaknesses and the inability of the different law enforcement agencies to share their information and co-operate effectively, Bernardo “fell through the cracks” and committed additional offences after he was first identified as a suspect.

Between May 4, 1987 and May 26, 1990, Paul Bernardo attacked 15 young women in Scarborough and one in Mississauga. The victims were in their teens or early 20s and were returning home at night, often from a bus stop. The attacks were carried out by a vicious and sexually sadistic predator who stalked his victims and took them from behind. He would drag them into a driveway or bushes, punch and beat them before raping them anally and vaginally, and taking trophies by which to remember them.

Bernardo’s name first emerged as a potential suspect in January 1988 after the fifth Scarborough rape. That was two years before the first murder occurred in the Niagara Region and three years before Leslie Mahaffy was abducted from her home in Burlington and brutally raped, killed and dismembered. The next time Bernardo’s name came up was when a bank teller called the police in June 1990 after the 15th and final Scarborough rape occurred on May 26, 1990. The victim was able to get a good look at her attacker and a composite drawing was produced and circulated in Toronto. That composite turned out to be a good likeness of Bernardo and was probably a motivating factor in his decision to relocate from Toronto to the Niagara Region 120 kilometers away. His name was provided to Toronto investigators a third time in September 1990 by an acquaintance who also thought Bernardo resembled the composite.

In the early morning of December 24, 1990, Bernardo and his then girlfriend, Karla Homolka, drugged Homolka’s 14 year old sister in the basement of the family home

¹ Page 13, Report of Mr. Justice Archie Campbell on the Bernardo Investigations, June 1996

² Page 14, Report of Mr. Justice Archie Campbell, June 1996

while her parents slept upstairs. When the girl passed out, Bernardo undressed her. Homolka put a cloth soaked with an anesthetic called Halothane over her unconscious sister's face while Bernardo raped her. They videotaped much of the sexual assault. Just after Bernardo stopped raping his unconscious victim, she vomited, choked, and stopped breathing. Their crime was never detected. The autopsy never examined her for sexual assault. Death was attributed to aspiration because she had ingested alcohol the previous evening.

After the fifteenth in the series of Scarborough rapes, the pattern of attacks suddenly ended. As the record shows, Bernardo moved to St. Catharines in January of 1991. Then, in the early morning hours of April 6, 1991, Bernardo attacked a 14 year-old girl who was walking to rowing practice a short distance from her home. This attack also occurred less than a mile (2 kilometers) from Bernardo's new residence. The details of the attack and the phrases used by the attacker were strikingly similar to those used by the criminal now called the Scarborough Rapist. If these details had been shared between investigators, one would have immediately concluded that the crimes were likely committed by the same individual. Unfortunately, investigators in the two jurisdictions never connected that fact.

Tragically, after midnight on June 15, 1991, Bernardo abducted Leslie Mahaffy at knife-point from outside her home in Burlington, a city midway between Toronto and St. Catharines. He took her to the home in St. Catharines that he shared with Karla Homolka. There, assisted by Homolka, he repeatedly raped her and recorded the acts on videotape. He then murdered her, cut up her body, encased it in cement and dumped the blocks in a lake in Niagara Region. A few days after her body was discovered, I became involved as the officer-in-charge of the Green Ribbon Task Force. I remained with this case until Bernardo was convicted and sentenced to jail for life.

During the subsequent investigation contact was made with investigators on the Scarborough Rapist cases, but there was no mention of Paul Bernardo and the fact he had relocated to St. Catharines.

Then, in a very high risk move on April 16, 1992, at about 3 p.m., Kristen French was forcibly abducted by Bernardo and Homolka as she walked home along a busy road in St. Catharines. She was held captive, repeatedly raped and beaten and then murdered on April 18, 1992, Easter Sunday. Much of what happened was recorded by Bernardo and Homolka on videotape. The crime captured the nation's attention.

At the time, the Green Ribbon Task Force investigation was recognized as the largest investigation of its kind in Canadian history³. As a consequence it drew incredible media scrutiny – and criticism. Throughout the investigation, the relationship with the media was poor at best.

Bernardo was called in as a possible suspect and was interviewed. But the connection to his role in the rapes in Scarborough was not made. He won that interview, an accomplishment not unusual for this type of offender. He was able to use cross-jurisdictional weaknesses to “slip through the cracks.”

Finally, on February 8, 1993, I was invited to a meeting in Toronto where I learned that Bernardo was suspected to be the Scarborough Rapist. A DNA test that had been delayed for months had potentially linked him to one of those cases. Toronto Police had immediately placed him under surveillance at his home in St. Catharines.

During that meeting, when I saw the detailed descriptions of the acts committed and words spoken by the Scarborough Rapist, it was clear that he was also responsible for the rape on Henley Island in April 1991. Had the information been available, that connection likely would have been

³ It has since been surpassed by the investigation into Robert Picton in British Columbia concerning the murder of more than twenty women in the Vancouver area.

made earlier, perhaps even before Leslie Mahaffy was abducted and murdered in June 1991. Since that day, I have dedicated my career to making certain that information sharing occurred within the police and public safety community.

There were still issues that arose in the ensuing investigation, but Bernardo and his wife were both arrested. Her lawyer negotiated a deal in exchange for her testimony against her husband. Unfortunately, after that deal was struck, the videotapes made by Bernardo were recovered. Still, he pled not guilty and subjected the families of his victims to a long and painful trial. Finally, in September 1995, Bernardo was convicted. He will spend the rest of his life in jail. Homolka is due to be released from prison in July 2005 and there has been a great deal of renewed media attention focused on her as a result.

After the trial ended, the media needed someone to blame. As a result of the media storm, the government called two separate inquiries, each led by a Superior Court Justice. The more famous of the two was that headed by Mr. Justice Archie Campbell. His Report has become the basis of large scale reform in policing in Ontario and beyond.

Justice Campbell diligently researched the issues, studied the investigations into the Bernardo case and gathered suggestions from participants that he used to formulate his own recommendations into what he termed a *Strategic Defence Against Serial Predators*. His recommendations were broad-based, but much of what he had to say focused on the need to have systems in place that facilitated the timely sharing of information.

In Justice Campbell's view, "... [t]he Bernardo case showed that motivation, investigative skill, and dedication are not enough. The work of the most dedicated, skillful, and highly motivated investigators and supervisors and forensic scientists can be defeated by the lack of effective case management systems and the lack of systems

to ensure communication and co-operation among law enforcement agencies. . . ."⁴

Clearly communication between police forces was inadequate. At that time, there was no ViCLAS⁵ automated crime linkage system in place. There was not even a system to ensure that the "Zone Alert" from the Henley Island rape was considered by the Toronto investigators. Such an alert would have been a red flag for any experienced investigator that the Scarborough Rapist was operating in a jurisdiction an hour away. As Justice Campbell found, "[t]here was no system in place to recognize that the Scarborough Rapist was still operating almost next door. There was no system to ensure full communication between Metro (Toronto) and GRT (Green Ribbon Task Force) when GRT inquired about Bernardo as a Scarborough rape suspect. So far as Bernardo was concerned, the Metro force and the GRT might as well have been operating in different countries."⁶

As a result of Justice Campbell's report, many of the systemic weaknesses in information sharing have been identified and corrected in Ontario. Changes have been made to investigative procedures and there have been marked advances in the application of forensic science. We now have a state of the art ViCLAS system. Police services are now required to submit crimes according to prescribed criteria. We also have an advanced case management system into which the police services must enter details of homicide, sexual assault and other serious crimes. The system has already been able to link serial crimes committed across jurisdictions. But until recently, other systemic weaknesses have continued to exist.

In 1998, when I accepted a position with the Ottawa Police Service, I brought with me a philosophy built upon the "3 Cs": coordination, communication and cooperation. This philosophy of doing business was the by-product of experiences in my career. The approach has since become the cornerstone of our relationship within the police community and with our partners in the criminal

⁴ Page 9, Report of Mr. Justice Archie Campbell, June 1996

⁵ Violent Crime Linkage and Analysis System, hosted by the Royal Canadian Mounted Police

⁶ Page 47, Report of Mr. Justice Archie Campbell, June 1996

justice system. Information is shared and we have acted to eliminate silos that inhibited communication.

In Canada, as is the case in most other jurisdictions, police services each employ RMS technologies of varying sophistication. But, because of the different systems, it has always been almost impossible to share data between law enforcement agencies. Ideally, Canada needed a single tool that facilitated information-sharing no matter what type of RMS was involved. The Ontario government invested millions of dollars to integrate systems used by the players in the criminal justice system before abandoning the project.

In my capacity as Vice President of the Canadian Association of Chiefs of Police, I have been heavily involved in the work to promote interoperability and information-sharing. In November 2003, I was co-chair of a National Conference on Information-Sharing. Since the conference, things have moved very quickly and what was once only a dream is becoming reality. A National Memorandum of Understanding has been developed and the technological solution has been tested and is ready to be rolled out across the country. A pilot project between a group of police services in Ontario, including Ottawa and Toronto, were linked with a group in British Columbia, including Vancouver. The pilot testing of the solution proved very successful. As police services line up to get access, the federal government has now agreed to fund the expansion of the project across the country. In the end, it was police leaders who came together to build systems which enable officers to obtain another agency's incident reports, mugshots, traffic tickets and street checks at the push of a button.

In the past twenty years a great deal of work has been invested in the development and enhancement of the technologies that support policing. Now, in the latter stages of my career, I feel better as a police leader about our improved ability to share information and pool our resources to be effective

police investigators. As I look back and wonder how I will be judged, I hope that the many mistakes I have made will be forgiven. Although I believe that information sharing is still the single biggest challenge facing police leaders in this decade, I pray that recent developments, born of experience and lessons learned, will benefit all those who come after me.

The Nineteenth Hole

by James J. Carvino

I would like to thank the National Executive Institute for providing this opportunity to share with new police chiefs a few “best practices” that have helped me over the years. I hope to communicate some thoughts and conclusions that I have reached based upon my experiences as a police chief in three different cities over 15 years, views shared with me by other teachers, mentors, chiefs and law enforcement professionals during that period, from a total of almost forty years in law enforcement.

A comprehensive analysis of what advice can be given a new chief would more likely be suited for a book than a chapter in a publication. In my first draft I attempted to eat the whole enchilada, then I realized that all I could do effectively was take a bite out of it. So that is what I did. I’ve made some assumptions regarding the knowledge, qualifications and experience of a new chief, and limited my comments to a few specific areas.

This chapter is broken down into three sections. Part I, “At the Tee,” covers philosophical and practical considerations I feel new chiefs should ponder when coming into their jobs. Part II, “On the Fairway”, takes a look at some tools that can be used to help get through the maze. And finally, in Part III, “The Nineteenth Hole,” I will discuss what I believe most chiefs I have spoken with want to leave as a legacy.

Part I – At the Tee

There are many attributes necessary for police chiefs, such as, possession of an ethical and moral value system, experience, knowledge, education, personal courage, honesty, integrity, fairness, and a willingness to listen and to serve. The list goes on and on. If the chief’s selection process was conducted in a fair and impartial fashion, we can assume that the successful candidates will possess a plethora of these qualities. This chapter’s scope is far too limited to

discuss the litany of trials and tribulations a chief is likely to experience, except to say that the job itself is not nearly as difficult as the people you will need to deal with while performing it.

I believe every new chief must have an ethical and moral value system, one that will be the hallmark of their careers. Having a philosophy of life to guide them will also sustain them throughout all their years. Take your time when choosing the values by which you will live. Make sure the values you embrace are tried and true traditional values, and avoid considering the use of situational ethics. When you’re finished, write it down. There will be times you may want to look at it. This will help you crystallize your thinking and to know who you are, what you hope to be, and what type of legacy you want to leave. Recognizing, developing, and embracing an ethical and morale value system – based upon honesty, integrity, and character – is the singularly most important and positive step a chief can take after being appointed to their position. Living by the standards set will often be arduous, and at times costly, but always well worth the effort.

Part II – On the Fairway

Take your work seriously, but don’t take yourself too seriously. I don’t know of any chief that had all the answers coming into a job. For that matter, the vast majority of us never really had any idea about what the job really entailed. You’ll need the help of many people if you are to succeed, and principal among those are mentors.

A mentor is defined by the American Heritage Dictionary of the English Language as, “*a wise and trusted counselor or teacher.*” Mentors as a rule are givers rather than takers, and their only desire is to help and assist others. They are to be valued. Select, based upon their reputations, among

people whose opinions and values you cherish, and by how close their value system coincides with your own.

Mentors have no vested interest in your organization per se; they will give objective and straight-from-the-shoulder advice and counsel. As a rule, they don't pull their punches and will let you know if they think you're getting off track. It's hard to find this honesty and sincerity in people within your own department, city government, elected leaders, politicians, or the public. They are likely to have agendas of their own.

Join and become involved with professional law enforcement related organizations. Do not choose just any police organization, but one that is value driven. There are any number of them to choose among. For starters I would recommend the Police Executive Research Forum and the National Executive Institute. Organizations of this type are dedicated to providing professional advice and counsel to chiefs on the management and administration of law enforcement agencies. Their lecturers, teachers, law enforcement professionals, and others associated with them have always been people of the highest quality, reputation, and character.

Another valuable tool that can be used is networking. Once a value system is in place, mentors have been selected, and you have joined a professional organization, it's time to begin to network with those people you've come in contact with. Working with them, you can discuss problems, issues, programs, policies, procedures, system designs and methodologies. The people you network with will provide a sounding board for ideas, offer suggestions, and render solid advice and counsel. As time progresses, you will begin making valuable contributions to the group yourself. You will slowly build a network of professional people who you know and who know you. Design your network carefully and make certain you share the same values.

Notwithstanding the fact that you may have a formal education and possess knowledge and experience in law

enforcement, seeking the advice of mentors and utilizing the teachings of professional organizations will broaden your horizon. When things get tough – as they will from time to time – you can take a “Mulligan” and reach out for help and support from people who have no axe to grind.

We all have a tendency to forget that our first step into a job is our first step out of it. Nothing lasts forever, and career circumstances and conditions will change over time. There are lots of reasons, good and bad, that ultimately end or change a chief's career, and you are almost as likely to be fired, retired, or asked to resign, for being a good chief as being a poor one. I am sure we can all cite examples of when inept, immoral or even corrupt chiefs were hired or retained.

Doing what is right is leadership. It may make you unpopular at times, could cause a vote of “no confidence,” or even cost you your job. It all comes with the territory. New chiefs need to be clear about who they serve. In my view it's not the Mayor, City Manager, County Executive, Council, Unions, members of the department, special interest groups, politicians, the media, etc. It's the community, and not just any one segment of it. If you believe that your role is to serve and not be served, you must understand that it will not necessarily make life easier for you, but it is clearly doing what is right. A new chief should create an organization that is open and transparent, there should be no doubt left in anyone's mind as to who the organization serves and what it stands for.

I recall reading a paper that discussed the difference between doing what's right as opposed to doing the right thing. Being able to differentiate between the two makes a huge difference. Over the years I've observed many instances where people of good will and intentions have been lost in a futile and misguided effort to save, cover up, or dispose of situations that they never should have become involved with in the first place. Self discipline and adherence to the principles behind your personal philosophy are a must. At times it's very easy to cave in and forego your values due to friendships, emotions or pressures that are

placed upon you. That's the time to slow down and think. It's always better to hold your ground and do what is right as opposed to doing the right thing. You can also be confident that if you lived by the moral and ethical code you set when beginning your career you'll do just fine.

Part III – “The Nineteenth Hole”

By the time you've reached the nineteenth hole you may have made a transition from using mentors to becoming one yourself. Hopefully you have, on balance, kept faith with your values and passed on to others some of the wisdom and counsel shared with you. This is where your legacy, if any, will be found.

Leadership: Common Sense and Understanding of Human Nature

by *Richard L. Cashdollar*

Leadership is largely common sense and a decent understanding of human nature. That's why we had some great leaders long before we had so many wealthy authors who have written leadership books. Leadership can be taught. That's why the overall quality of organizations has improved significantly in the past fifty years. However, no canned leadership program will ever replace the two cardinal components mentioned in my first statement.

I've been blessed with two careers, one in the military, and one dealing with cops and firefighters. Even though generations have changed and young people in either arena today look at life differently than our older generation does, these seemingly divergent careers, and the people I have encountered, have much in common.

They tend to be mission driven and out to make the world a better place. That altruistic component of the package of motivators that draws people to these professions hasn't changed much. People in this category WANT to perform, and WANT to excel. Most WANT the challenge of responsibility, and the opportunity to prove that they are up to the challenge. Leaders who over-manage tend to shut down this enormously valuable component of their people. A truly successful leader will nurture these attributes, but help to mold and guide development so that promising young performers remain challenged and motivated, yet are not given tasks and duties too far beyond their current level of development.

A good, inspirational leader learns the art and science of DELEGATION. They remember that their responsibility is not to DO everything, but to make sure that everything gets done. We have all encountered talented

people along our various paths who had to control every aspect of their organization all the time. These folks generally fail because they simply can't manage all the information needed to run a complex organization by themselves. They demotivate the people around them who are only expected to respond, and not to initiate. Even Maslow recognized that self-actualization was a high order human need. If this basic human need is unsatisfied, it will have a corrosive impact on key people in any organization.

Good leaders must convince their subordinates that they have the right and privilege of failing from time to time – so long as the leader insures that these failures do not endanger lives, organizational missions, or the good name and reputation of the organization. People do learn from success. They may learn even more about responsibility, and about themselves, from an occasional failure. If your key subordinates understand that they have this freedom, and they trust you in the knowledge that these occasional bumps in the road will not be fatal to their careers, you will unleash creativity, enthusiasm, and innovation in your organization.

Its a worn cliché but its so important – good leaders lead by example. The higher you go, the more you are watched. Pragmatic folks like cops tend to think that actions speak louder than words.

Never, ever separate yourself from the people doing the real work in your organization. Ride-alongs and other encounters with the troops on the front line – as long as they are genuine – send a powerful message.

Keep the differences between leadership and management clear in your mind. You manage things. You lead people.

Operational Philosophies and Managerial Mindsets

I stop to think of those processes that have helped me through the day during a difficult or crucial time in my career. The following three points come to mind which I feel are most important.

First, people in high profile law enforcement positions should expect that everything they do will eventually be public knowledge. Make all your decisions based on the expectation that they will eventually receive public scrutiny.

Second – trust your inner compass. We all have one, and we should listen to it more closely than the many voices around us during those truly stressful times when your organizational and personal credibility are on the line.

And finally third, find someone that you trust who is smarter and wiser than you are. We all need someone to talk to during the rough times. An important subset of this point is to LISTEN to what your mentor tells you.

Best Practices and Lessons Learned

Be aggressive. Volunteer to do the hard things when an opportunity presents itself. Your bosses will remember those who innovate, and those who are not fence-sitters. If they are good bosses, a personal evaluation process also factors into this advice.

I sometimes wonder if there was something that I wish I had done differently. I wish that I knew at thirty what I now know at sixty. Don't we all!

In retrospect I can think of many missed leadership opportunities when I was young and dumb. With this in mind, I would advise readers to be constantly cognizant of potential opportunities to develop talented and promising subordinates.

Age and seniority bring about an evolution in our roles. We become less “do-ers” and

more guiders and developers. It's a poor leader who crafts an organization that comes to a halt without their immediate guidance. We should work towards organizations that function without us *almost* as well as with us. This only happens if we develop competent and CONFIDENT subordinates.

Sometimes we think back and ponder that there was an action or practice that we didn't initiate perhaps due to the political environment, media pressure, governmental interference, etc. In smaller, southern organizations race is still such a major issue.

All leadership actions pass through the prism of racial interpretation before they are processed any further by members of my organization, our political establishment, and by the community at large. Hiring and promotions are always put under this microscope. While good-faith internal efforts to make these processes fair have been implemented, they are still perceived by all as slanted one way or the other. Local political careers are made beating this horse.

In retrospect perhaps more could have been done, but it most probably would have cost me my job. I think that sometimes we overestimate the impact that we can have on an organization. Attempts to be more aggressive in this arena would most probably simply have fanned the flames. There are some areas we must recognize that problems may be solved only by time, and by incremental successes that accumulate along the way. Maybe a hundred years from now this won't be an issue.

The following two last points are administrative or leadership styles that played a role in achieving the goals and objectives of my administration. Always be truthful and honest. Honor your word. I've often told people that I'm not smart enough to be devious. I have always worked from the perspective that people will deal with and tolerate a straight shooter, even if they don't always agree.

Pick your fights carefully, and know when to quit. Recognize when a battle is lost or

unwinnable. Don't bring the house down in flames on a fight you can't win – unless it is a matter of personal or organizational honesty or honor.

An Absolute Fidelity to Public Service

by Lee Colwell

I held almost every management position in the FBI and each was always temporary. To emphasize the point I received a letter for each position stating in writing that the appointment was temporary. The FBI insured that you were aware that, like life, a position in the FBI was not permanent.

A View of Self (Philosophy)

Most individuals, at one time or other, have illusions of grandeur and I was not an exception. We are indeed fortunate if we possess built in reality checks that cause us to reflect on who we really are and the consequences of our actions. Wearing authority well was always a constant concern for me. We can always see when others do not wear authority well. Hopefully, we have sufficient internal checks to alert us to when we occasionally become consumed with our own perceived self-importance.

Did I choose the correct line of work? I noted with interest, many FBI employees contrary to public opinion, were often concerned with the well being of citizens of our society. I have no confidence that I chose the FBI as a career. To the contrary, a sequence of events I believe guided me to the FBI doorstep. I have always admired those who seem to know what their destiny would be in advance. Amazing!

Important Attributes (for Leaders)

I believe to be successful, exceptional abilities in people skills help, but only if they are sincere and real. It helps to be a consummate people person and storyteller.

People have many needs...they look to you to meet those needs. Needs are both personal and professional and when a person wants to talk, you never know which box they will draw from. Equity is often a goal that is liquid and often beyond our

understanding or grasp. My advice is to listen, listen and then listen more.

You must love the work you do, care about employees, and your organization. Be a leader who is aware, awake, alert and knowledgeable as opposed to someone like Ken Lay of Enron who appears to be none of these. Never challenge an individual's dignity. Have pride and perseverance

Read, read and read more. Reading provides insight. It makes one more independent of thought. It provides options. When there is uncertainty, always seek the supreme comfort of reason.

Analyze. In large organizations there are enough positions for you to place people who cannot do well. You cannot accommodate limited abilities with no growth potential in a small organization.

Get involved and be knowledgeable in the allocation of resources. This affects the lives of your employees. In the 1990s there was an incredible drop in crime over a decade. This certainly eliminated any perceived myths that law enforcement could not make a difference in the quality of life of citizens it serves. Always be concerned about your return on investment of people (ROI).

It has been asserted that an elitist ideology over three decades focused on preventing Watergate era abuses has crippled intelligence and national security agencies. These issues, controversial and confrontational in national debates, have been occurring for decades. They can be used, and often are, to identify intelligence failures. On the opposite end of the spectrum, advocacy groups concerned with privacy and the intrusive nature of the instruments of government, are the self appointed watch dogs of limits for intelligence collection functions. Current times for the FBI are reminiscent of the past. Who is right? It is part of the balancing of authorities that are

constantly under debate by individuals of different perspectives.

Could different permissions have resulted in detection and prevention of individuals committing the 9/11 homicides and atrocities on innocent people? We can speculate but never know. But it is imperative that permissions of intelligence agencies be the subject of public policy debate, constantly.

What is My Legacy? How I Made a Difference

I attempted to be a role model by:

- being a caretaker of the institutional values,
- being knowledgeable on the organizational history and the proper role in a democratic society,
- being accessible to all employees on a timely basis,
- avoiding the seven deadly sins – categorized in ancient times as lust, gluttony, avarice, anger, pride, envy and sloth,
- developing and maintaining an understanding of politics. One cannot truly understand the criminal justice system and its significant role in our society if he does not understand the strong role played by policy makers (our Congress),
- being aware of the history and where leaders come from. They come from those who are readers of the classics more often than not. They learn the discipline of the mind and the history of thought and civilizations of those who have gone before us. They are regarded as more educated because of this knowledge. Education and an informed mind generate more options to deal with conflict.

I always expected to be held accountable for my actions and lack of action. I tried to monitor the growing tendency to add additional responsibilities to the mission of the FBI that was done in haste. Currently there are far too many federal crimes (reportedly in excess of 4100), most duplicating state and local statutes. Chief Justice William H. Rehnquist has called for a review of our national priorities regarding crime for

years. Former Attorney General Edwin Meese, III has challenged the encroachment of federal initiatives on the local sheriff. He has repeatedly asked, “What is the proper federal role?” For years, scholars have questioned the wisdom of policy makers regarding expanding federal police powers. Adams, Madison and Jefferson are often quoted by academics in addressing the increasingly disturbing expansion of federal jurisdiction all based on a loosely determined interpretation of the Interstate Commerce clause, from which most all of federal law enforcement authority derives.

Operations people should never cede their authority to technocrats, who do not have the training, the education, or the experiences to understand organizational cultures and human behavior in the organizations. Nor do they understand the mission or the functions required to meet that mission. Hence you have an efficiency model technically, if you are lucky.

What Would I Have Done Differently?

I cannot provide an example of what I would have done differently. I am an entirely different person today. One cannot go back. I am hopeful these thoughts help to inform.

There were many actions or practices not initiated due to a political environment. They were the result of media pressures, government interference, and the policy environment. Other contributing factors originated in constitutional issues, the courts, case law, domestic issues, legislative bodies, and executive branch policies. I regard all of these factors as the responsibility of an employee to deal with and manage these competing challenges. Almost all fell within or were directly related to the broader issue of policy setting which was not the responsibility of the organization. Rather, that responsibility resides in the executive and legislative branches of government. There is no control over external forces and influences. For the FBI these external forces include Congress, the Administration, and the American public. There are no prescriptions.

Conclusions and Lessons Learned

The 2000s have resulted in a “technology” era. I have many concerns. Operations managers should never abdicate their responsibilities and turn decisions over to information officers or technology experts who unfortunately do not understand organizational missions, cultures functions and investigators and managers. The information officer and technology staff are severely restricted if deprived of the critical knowledge and active direction of the operations staff. This is occurring with increasing frequency at the federal level.

The proliferation and suffocating saturation of the myths of how forensic sciences, intelligence gathering, analysts, surveillances, data mining have or will solve all our crime investigations are beyond comprehension. Investigators solve crimes, and the role of forensics is grossly overstated. More research on the real and important roles of these new tools is desperately needed.

So what lessons do I posit? Be an astute observer. Resist being a pawn in and to the system. Be independent in thought and deed, but not to the extent of being viewed as isolated or one who “does not listen.” Every law enforcement agency is a bureaucracy. This is good and bad. It can work to your disadvantage. Never discount the value of an employee. People hunger to be valued.

During my tenure with the FBI and my observations since leaving, it was and is, the exception rather than the rule when an individual betrays himself, his family, organization, associates, and his country. That kind of behavior is usually not so much an omission of leadership but a character fault of the individual.

When law enforcement agencies fail, it can be the result of constant negative headlines, which call into question the ability of law enforcement to manage itself effectively in a democratic, diverse society. Examples include the work of the Church Committee, Peterson Committee, Pike Committee, Watergate, and the allegations of burglaries.

Government agencies are not efficiency

models. It is extraordinarily difficult to reconcile contradictory objectives in an organization. For example in the early 1970s Congress was opposed to records maintained by the FBI. Yet law mandated the FBI to receive any information a citizen might want to provide no matter how Machiavellian it might have been. Another law prevented the FBI from destroying information.

Periodic scandals that prompt an intervention by the policy-making bodies and its support by the media and popular culture make for an extremely complex environment for federal law enforcement managers.

Few budgets on the whole can permit a leader over the long term to sustain education, service and research programs. There is too little research on strategy. The apparent sunset of the Police Foundation has caused research on strategies to slow to a crawl. As a fact, it may be dead.

In federal law enforcement, employees want to know about “real” FBI Agents, and yes real bureaucrats. What you and I might call “professionals.” People want real life lesson illustrations that provide information, lessons learned and that contribute to their idea of “law enforcement lore.”

You need real hard-core information and resources and universal trust to help you prepare your people. Each supervisor and administrator should know of terrific stories that can prove instructive to their colleagues in law enforcement. Learning is a life long imperative. We all learn about preparedness – what, when and how to execute. More often than not, people shy away from this.

To address a challenge you want to tell your colleagues what you came up with, what worked, and what didn’t, what resources they might find useful and how **you** funded your program or effort.

Well meaning political leaders love to show up at disaster scenes and have their pictures taken in hard hats and reflector vests as they inspect the rubble or hug a survivor. Press conferences and photo sessions displaying the presentation of

enlarged checks to law enforcement officials unfortunately do not seem genuine. A proclamation of their support for “our nation’s true heroes,” to TV audiences as the awards and pinning of medals on uniformed chests occur all seem surreal. With few exceptions, these activities do not appear to be sincere efforts that result in public reassurance. Effective law enforcing must combine approaches, attitudes of citizens served, tactics, strategies, policies and programs and most importantly the competencies of their entire staff.

Avoid societal pieties fashionable rhetoric, and lofty attitudes. It is popular to criticize the “police culture” or FBI culture even likening it on occasion to organized crime culture. This overlooks the necessary rule bound imperatives for law enforcement. If a law enforcement agency is truly responsive to the citizens it serves, it is mandatory to have rules and regulations, and yes, even be viewed as static when enforcing laws and protecting the rights of citizens. The two are NOT mutually exclusive. Law enforcement represents in our country the only agent/instrument of government that is the most visible arm of government charged with a legitimate bureaucracy, empowered to use force to maintain political order. Advocacy groups who become locked in on a particular point often grossly misunderstand this role. Manning, Alpert, Dunham, Bayley, Bittner, Heymann, Kelling, Klockars, Mastrofski, Reiss, Skolnick, Wilson, Blumstein, and Amnesty International have often discussed these issues in their search for structural changes.

Experiences – Lessons Learned or Learning Lessons

It is difficult, maybe impossible, to transfer the value of my own experiences. Teaching is a most difficult task and one must excel at inspiring others. It is a constant challenge and it is rare where one can be all things to all people but you must try...try...and try over and over.

People will ignore everything they can without jeopardizing themselves. In our world today we monitor phone calls by

checking our caller IDs. We delete emails, discard volume mail, and daily decide what to ignore. We have built barriers around ourselves and created for privacy artificial filters which tend to isolate us. We think in a way that requires proof of the relevance of something before we take the time to look at something new. All of this makes the task of a leader more difficult because our employees learn to condition themselves against change and intervention as never before. We must convince others as never before of the meaningfulness and effectiveness of new ideas.

First reports of incidents or situations only inform that something has occurred. Rarely, if ever, are they accurate as to what happened, how and why. To be fair you must judge fairness through the eyes of the employee and his/her peers.

Always adhere to the idea of the ideal, that rightness and perfection are there, but only if we can keep our tether line anchored to what life and caring “ought” to be. Conduct yourself with an absolute fidelity to the intentions of public service.

I believe that I was a good steward of the enormous trust placed in me by former FBI Directors, Attorney Generals, Congress and the American public.

Semper fi.

Survival With Honor

by Charles P. Connolly

Prior to 9/11, it was reasonable to suggest that the police role and its training was reactive in nature. Terrorism, 24 hour media, instantaneous technology and the continual emergence of single issue groups have changed the way populations and police conduct themselves. As such, Police Executives in dealing with today's complex issues similarly need to be proactive.

Having been part of the police profession for some 36 years, 12 1/2 of them as chief executive of two police agencies, I welcome the opportunity to be heard if not necessarily paid attention to. Having been a member of the NEI for 23 years I am well aware of the abilities, talent, and leadership qualities of its membership. Therefore, it is not my intention to address a legacy commitment in terms of adding to the "Leadership" literature. While I have been an adjunct professor at four local colleges and one semester at West Point, there are more gifted writers than I available in our membership. Rather I would like to offer some personal behavioral practices, style of management that allowed me to survive with honor.

In terms of some background, one department was 650 sworn personnel while the second agency consisted of 1300 personnel. My initial executive position consisted of 4 1/2 years in the fourth largest city in New York with four City Managers, four municipal strikes involving police and fire services, one in which the ranking officers (Sgts. to Chiefs) went on strike for four days. During my tenure, I presided over the arrests of some 15 members of the service from Officer to Captain. Additional arrests included the chairman of the Democratic Party and the City Planning Commissioner. My 22 years with the NYPD helped shape some of my coping skills in this city and upon my return to New York City's Hospital police for eight years. The latter department being represented by the

Teamsters Union providing similar leadership challenges. While sharing my learning experience, I apologize in advance if any professional sensibilities are affected.

As part of my introduction I would like to make a comment about leadership in general, particularly as it applies to the police and military. Much of the literature we absorb involves qualities enumerated within the latter's operational philosophy. Without denigrating its value, I submit that there are "distinctions with a difference" particularly as it affects operations and environment. We are similar in developing a strategic plan accompanied by tactical initiatives, utilization of personnel, equipment and resources. We do not share a common public. Further, I sense a distinction in the sense that military operations are primarily engaged in some form of a "beachhead", where its leadership ultimately moves operationally off the beachhead continually probing and attacking the enemy's weakness. If successful, they encircle the opposition and render them harmless.

My sense of policing is that we never get off the beachhead. There is no finality to our "battle" plan. Our opposition, absent the suppression of criminality, is ongoing and just a part of our leadership commitment. Our adversary, if one can be called such, ranges from an aroused, anxious even critical citizenry, to that of the media and political process. Our focus is not to neutralize the opposition, it is to serve it.

The difference, I suspect, is that police leadership to be effective requires a number of competencies separate and distinct from the military model. Police leadership is not an academic experience. It's an action, not an intellectual activity. In an in depth exercise the Gallup Organization interviewed over 80,000 leaders and managers. In interviews of one and half hour duration the surveys revealed one particular shared

trait. Leaders did not hesitate to challenge rules held sacred by traditional wisdom. They were not necessarily “rule breakers”, but they would not hesitate if such needed to be challenged. There are many smart individuals who will say that some rules are so successful that they are immune to criticism. In today’s environment it would be worthwhile to examine those assumptions. Leadership is a way of thinking that develops over time, a process that causes change and growth. It is not a simple menu. Different personalities are comfortable with a variety of approaches. The size of your organization does not determine the size of your thinking. Today’s leaders have to deal with ideas, creativity and the understanding that different relationships can occur among different groups. You can’t solve a problem with the same mindset that creates it. That applies to us as well as those we deal with. My contribution, for what it’s worth, is to offer an abridged sense of my “reality” in dealing with reporting relationships, the media, political process and the community in all of its diverse forms.

Obtaining the Position

The fact that I had four city managers during one four and a half year appointment may be unusual. Yet it was an interesting experience as I was always being interviewed for a job that I already had. For what it is worth I always tried to simplify the process. As such, I would reduce the conversation to the following points:

- I am being interviewed for a job that I already have.
- You have ample opportunity to gauge my current effectiveness and job performance.
- I don’t have any problems with you “being the boss” as long as you never ask me to kill someone, commit an illegal or immoral act. (I was smiling at this time.)
- I have no problems with your administration taking credit for any improvement or job initiatives. I would add, however, that I have no problem because I am capable enough to get a share of the credit. In a sense I was recognizing his or her need to be the

boss and own the “limelight” but that there were understandable limits governing our relationship.

In the 12 years did I have problems? Absolutely. Two even tried to remove me, unsuccessfully, I might add. But such a simple type conversation acknowledged what I term the “unspoken conversations” that managers, and many others, have but never verbally communicate. Also in accepting my appointment, the manager knew that I would be hard at work taking care of his position while serving myself and the department as well.

Keeping the Position

Having obtained the position, there are a number of things that should be on your mind. How do you grow into the job, enlarge your support base and fill staff positions? I have always felt that you don’t require a majority support of the citizenry to keep your job, only a majority of people of influence. If there appear to be no real obstacles I suggest you identify these people. They come from the administration, business, religious, ethnic and political community. Set up interviews and seek their comments on what is needed, what did they admire about the previous regime, what didn’t they appreciate. I don’t have to develop the questions. You know most of them.

Further, it doesn’t matter whether you establish programs and policies based on the information that was collectively obtained. Your boss probably would not like additional credit seekers. Actually no individual credit should be given because you want all of them to sense in any new undertakings, something that all might view as part of their contribution. The real objective is that you will start off with far greater support than the day you were sworn in. I should mention that if you choose not to use their “collective wisdom” it still doesn’t matter. Those interviewed will still recognize your product as their contribution and support your programs. Egos tend to blur reality.

Review your selections with a wider net than simply “friendly recommendations.”

Your selection of local friends should initially be somewhat circumspect. Your first new friends can become an “albatross around your neck.” I have counseled many to be aware of the “functional relationship” that occurs when a new Chief arrives in town. Many of these relationships have a duration based on one function – your Chief’s position. These “friends” and this relationship is transferable to the next Chief. Should you ignore these friendship overtures? Absolutely not!. Just be aware of such so that you and your spouse don’t feel a future disappointment. Besides many of these relationships fall into that influential support network that you need.

Staff is another consideration. You should value all employees but promote only the capable. Unless your appointment is predicated on “cleaning house” it probably wouldn’t hurt if you use some time to evaluate the personnel moves you feel are necessary. Getting a feel for the existing culture and its personnel might lessen pushback or resentment. Besides some stars shine slowly. Moving someone up a rank of two has value. Those individuals feel they have a contribution to make and, fairly or unfairly, often believe the existing command staff somehow held the department back. Unlike the top command, they may not believe that they are ready for the top job and will serve you well in the hopes of future recognition. While you are reviewing staff it might help to determine just who is more interested in “doing the job than keeping the job.”

I have found that people who appear busy are not always working. I have found two specific groups of police managers that need addressing. It’s called the “symbols versus substance” factor. Fortunately for us, the latter group prevails. The “symbols” individual is the one who succeeds largely on the notion that he or she will take every benefit or perk available in his/her current rank. Their actions suggest that the department and its membership primarily serve the needs of the ranking officer. The “substance” individual, despite any faults he or she may have, functions as though they have a contribution to make and are the most

capable individual to carry it out. Obviously I don’t have to tell you which one to select.

While I am on the subject of command personnel, there is another type which I respect but who unfortunately limits his /her potential. For most of us in law enforcement, financial success is primarily dependent upon successfully passing exams and assuming the responsibility of command. There are individuals who are great cops but have an aversion to being responsible for the performance of others. Yet, financial incentives motivate these people into positions that they may be capable of performing but are reluctant to do so.

At the risk of throwing or compressing too many personnel issues into one pot, let me remind you that there is one other personality that could be of interest to you: that of the gadfly or Mr. Negative. You have them at all ranks. Some Chiefs discard or transfer them away from the decision making process. I suggest a better use for the brighter ones at least. When developing policy and programs with key staff members, you run the risk of group approval without debate, who too often settle for the first right answer but not necessarily the best answer. From my perspective, an agency failure or the seeds of its destruction can often be found in the tendency to make the boss happy, protect turf and avoid association with failure. Why would you want a gadfly screwing up your consensus group? Well, whatever plans you have for the community there will rarely be consensus within the community. That’s why successful politicians are always compromisers. Paying attention to the gadfly’s opinion doesn’t imply implementation, only surfacing other ways how public opinion may play out with police initiatives. You have an opportunity to weigh options not normally introduced around the table and consider ways to introduce or deal with a controversial issue.

While we are on the subject of handling staff personnel, executives shouldn’t waste too much time and energy trying to get employees to overcome their faults and weaknesses. From my perspective, people don’t change too much. Therefore to be

effective, focus on their strengths and manage around their weaknesses. Further still, try to focus on opportunities rather than problems. While people appear to learn faster through adversity use encouragement freely suggesting that faults seem easy to correct.

I mentioned earlier that I dealt with four strikes in four years. One involved every ranking officer including chiefs on strike for four days (one captain against tremendous pressure refused). We were on television every day. I had to support the administration, and despite strong personal feelings neither condone nor condemn the walkout. I realized that I needed their support to carry out future programs. Playing the good politician allowed the bosses to return to work, a number of whom apologized for their behavior and expressed their appreciation for any lack of hostility displayed by me during the incident.

As long as I can remember I always tried to see pass the fog or beyond the incident at hand. I know it's somewhat of a cliché but for me it's always been the journey not the destination that provides me with satisfaction, the challenge not the reward. Peggy Lee said it better when she sang "Is that all there is?"

Someone once wrote that having a purpose in life is a life of purpose. At times I found that the introduction of change provided a clear purpose. My mission whether I knew it at the time was to get others to feel the same way. I have learned many times that what happens to us doesn't matter as much as does our reaction to what has happened. Our reaction separates the achiever from the ordinary.

Dealing with the Media

Many of the NEI Associates were fortunate to have the late Jerry Nachman and John Miller provide numerous training sessions on handling the media. It is not my intent to offer their advice on dealing with the media. However, I will reiterate Jerry's admonition not to forget the local members of the press when a big story breaks in your city. You have to live with the local press so feed

them. The press always has the last word. That doesn't preclude you from developing appropriate responses.

Long before a bad story hits town you should be considering how to handle a host of unfortunate situations, e.g. corruption, brutality, racial incident, failure to respond. More and more, particularly involving terrorism, we are utilizing desktop exercises to conjure up scenarios or threats that might occur in the future. As the response develops we increase the degree of difficulty in overcoming the threat. Such exercises help us to better prepare and manage crisis. Use your staff or even other sources to script possible incidents that generate criticism in the media and the community. You are more likely to lose your job in those circumstances than a terrorist incident. Developing responses prior to the actual incident places you on a better footing in meeting the challenge and putting a positive spin on your message. You and your staff are better prepared mentally for an actionable response for controversial scenarios. These thought out responses are immediately retrievable from the files.

In any situation you should never take a call from the media without writing on a piece of paper items that help convey a positive message dealing with the subject at hand. For example, if the subject deals with a bad shooting, try to mitigate the outcome by introducing possible police actions, some planning notion, that would explain or mitigate the police response or reduce such an occurrence in the future. With a little creativity and forethought one can link a training initiative, a grant, a new policy, all of which can enhance or reduce or prevent the issue at hand.

One of your responsibilities is to manage perceptions impacting on your department. Remember, a reporter only becomes conversant with his subject after you prepared him. Don't rely on his good judgment or his/her ability to do research. Focus on rewarding him/her with positive agenda items and upcoming programs. Don't be reluctant to act like you respect and admire the reporter. Use the interview situation to be creative in

driving home the message that this department realizes that people want to be assured that everything that can be done is being done, and what is being done is being done well. Remember you are the expert on the subject that the reporter is asking about. Make him/her your messenger. Often we become very friendly with some print or video reporters. It's part of the process. However, let me caution you that despite any pro police position on their part don't divulge a story you don't wish to see go public. Their profession evolves around great stories not personal or agency damage control.

The Community

Accountability is becoming an overused term in our organizational jargon. Nevertheless, it is an increasing burden for police leaders in responding to the various constituencies we seem obliged to serve. Ideally these "publics" should be equally accountable in their responsibility to understand the limitations on democratic policing systems.

Increasingly, there is a lack of understanding on the use and consequences of our use of deadly force. The application of lawful and necessary use of force often involves conflict and physical contact resulting in unintended consequences. The police are often placed in public positions in which we restrict ones activity on the behalf of another citizen or group. Under such circumstances someone will be unhappy with the result of any police action.

Police chiefs can often find themselves operating among numerous uncertainties due to an individual or group's political, cultural and social ideologies. Worse, such uncertainties create demands for action or restraint from the diverse groups we service. I believe there is a responsibility on our part to educate these diverse groups. I believe it is important for new chiefs to always remember that in terms of public communication, you are always talking to a parade. Those who heard your message easily forget and many move on simultaneously while new persons take their place. The remedy for you is never assume that you have been getting a consistent message out to the

public during your tenure. Always act as if you are talking to an audience for the first time. When pitching such a first message we have a tendency to project a more effective image of care, concern and a sense of urgency. It worked for me.

Some of you may find useful a technique that I always used in speaking to various audiences. Upon your arrival, whether it is an emergency meeting or a regularly scheduled event, those in charge may request that you go right on and take questions from the audience. Resist the request and insist on making a brief introductory statement prior to taking questions. This allows you the opportunity to raise and respond to anticipated questions according to your format and comfort zone. Working the issues in a prepared, yet concerned and caring manner, offers you an opportunity to defuse and take some of the sting out of the complainant's charge. You are controlling the introduction, timing and significance of controversial issues, minimizing an avalanche of complaints that can give an appearance that you lost control of the meeting. The latter situation could easily be the next day's news story.

Yes, angry individuals will raise the same complaint you addressed but by initiating the issue you begin to mitigate its impact. Some will have solutions for which there is no problem. Worse, some will have problems for which there is no solution. Still many in the audience will empathize with your handling of the event given they are aware of the concerns you introduced. Given the circumstances and importance of the meeting you may tell the host that you want five introductory minutes but don't hesitate to take 15 or minutes or more if such warrants. You are responsible for enhancing the communication environment. A few additional points might be appropriate at this time.

Enroute to any meeting you should be mulling over the potential for questions that might be asked. Review and control your hot buttons because you don't want to give the greatest speech you will live to regret. If your responses favor righteous anger, use it for an advantageous reason.

Also, don't ask questions for answers you don't want to hear.

I think we all recognize that we can't pick the environment in which we live nor the circumstances under which we operate. But there are parts of the environment that you can invest some time and creativity. I might also add that your public communication responsibility requires that you establish the environment that transmits the most favorable message to its recipients. The example I am going to cite might be seen as demeaning or politically incorrect. In many appearances at the annual IACP conferences, the audience response confirmed my belief that while creative it was an effective communications tool. You be the judge.

Whenever, a group of citizens, a local NAACP chapter or ad hoc group met at my office to complain about an issue that was difficult to identify or quantify e.g. alleging that police officers were disrespectful to women of color, I would not hesitate to innovate if such would enhance my message. Recognizing that perception is reality with groups who sense a history of police neglect, or worse requires more than just listening with a promise "to look into this matter." Even if I believed the meeting was a politically inspired event, the same format would apply. Naturally, our major response would include the potential of additional training or inviting them to address some portion of the troops. Realistically, the lack of specificity limits the options for solution. Yet, there is the necessity of conveying a sincere image of concern and follow through.

Creating a receptive environment includes a review of your office for any awards or photos that a particular group might consider alien to the group's interest. Regardless of my personal opinion, a photo of an individual such as the publisher of a major conservative magazine or highly publicized law and order advocate can add to the perception, that contrary to what the Chief says, their best interests will not be aggressively pursued. By removing such items from view replacing it with a photo of persons or politicians they identify with enhances the communication environment.

Fortunately I had both. I truly felt that removing such perceptual distractions was an effective way to convey the sense of sincerity needed. Granted exercising this type of communication style doesn't fit everyone's personality or management style. However, it might prove useful for new chiefs to consider what is on display in their office that can jeopardize their efforts to defuse or resolve a difficult situation.

While on the subject of communication let me offer an insight in dealing with politically correct or seemingly unfair police criticism. Physical courage is not a scarce commodity in the law enforcement culture. But the ability to stay the course in the face of unrelenting hostility and public attack can be difficult, to say the least. Even in local government, cries for peace at any price can be found among those whose support we need. Institutions, including local government, don't give out to adversity and opposition, rather they give in to it. Yet, every issue is not a do or die conflict. Given the impact on those who follow you, there are issues worth defending. However, you don't have to be suicidal over the outcome.

Therefore, let me suggest that when you feel obligated to take a strong stand in defending your administration shift some of the burden by creating a "straw man." Obviously, there is some support out there for your views. Therefore, use statements such as "there is a body of thought, or a number of professionals, even a body of research" exists that favorably address your viewpoint or counterpoint. Remember you are not obligated to provide chapter and verse, citation and address, in developing support for your position. Your opposition doesn't. Basically you are providing your position a little more cover and support thereby reducing the critics opportunity to demonize you and your position. So when there is something that needs to be said, don't hesitate to suggest the general notion that there is support for your position.

In line with providing various groups with an understanding of complex issues, be prepared to deliver similar messages to the troops. One of the difficulties I found is that police officers lack history or understanding

of the nuances and cultural disparities among traditional minorities and emerging immigrant groups. Police have a history of outreach programs with various minority and immigrant groups, some more successfully than others. Given that current migration trends suggest “parallel societies” emerging within the mosaic of the cultural diversity experience, police can anticipate even further difficulty in bridging police community initiatives.

I found it worthwhile to include in our training the notion that not only the newest arrivals to our country but traditional ethnic, religious minorities as well, came from countries where policing systems were neither democratic nor interested in providing safeguards or the police restraint taken for granted in this country. Their prior experiences and old country history were passed along to first and second generations shaping their perceptions on how police operate. These same out of country experiences can be perceptually matched by older blacks and passed along to later generations regarding past practices, particularly in the south, but not exclusive to that region. They insulate themselves in cohesive enclaves thus reinforcing such belief systems and perceptions. While many of these perceptions are innocently perpetuated, unfortunately self aggrandizing activist leaders accommodated by the media continually fuel the fire.

We need to keep reminding the troops that simply proclaiming that our American policing is different doesn't stop adults from passing on “horror stories” admonishing their young to avoid contact with the police. Despite distance and time, passage of civil rights legislation, great currency is given to such perceptions. Despite tremendous changes in police dealing with diverse groups, tremendous challenges still exist for the police profession. Yet if police officers are trained to recognize that such beliefs and perceptions are rational given the dynamics arising from past histories, I believe such a mindset would better serve them in dealing with such groups. Conflict arising from the “us versus them” mentality may be lessened. If recognition is given to its existence, police

policies and training may reduce the effective adverse impacts created by those claiming to speak for “our people”.

Compounding traditional perceptual problems associated with immigrant groups, we may also be witnessing another new immigration whose population's experience and view tends towards the “collective good of the community (society) as opposed to this country's traditional notion of the primacy of individual rights. Time will tell whether such will be another learning lesson for us.

While I am preaching to the choir on training needs, let me comment on a problem that I felt impacts on some police brutality or even perjury charges. We often use the term “turnstile justice” to describe leniency on the part of the system's incarceration policy. Granted, we now have the lowest crime rate in the nation in several decades. However, what goes down eventually goes back up. Crime rate or no crime rate, too many officers internalize the failure to incarcerate people they feel richly deserve punishment. Such may result being that they have to deal with victims regardless of whether their complaint ever reaches court resolution. That, in my judgment, results in some officers feeling the need to met out some form of street justice or perjure themselves in court. If we are not doing such, training should include a clear understanding that we are only one part of the justice system and not responsible for the distribution of some notion of justice. Such emphasis might reduce some of the tragic and unfortunate circumstances some well meaning but over zealous officers find themselves.

Speaking of Community Activists, I would like to explore the possibility of police executives identifying and developing community leaders within those communities, particularly religious and business leaders who truly care for the well being of their community rather than seeking a launching platform for political self aggrandizement. I found that such “real leaders” are reluctant to step forward, particularly when they witnessed the theatrical antics of those claiming to speak for the community. They need to be encouraged. That “reluctance” or reticence to

serve, while still acting in the best interest of their communities, makes them ideal community representatives. I am not suggesting that these individuals be “co-opted” for a police agenda, but their lack of an anti-police mindset is sufficient reason for police investment in encouraging their participation.

The new operating reality for police executives should be responsible for investing in community talent searches at the community level. Both the community and the delivery of police service will be better served. Failure on the part of responsible political, religious, business, even police leaders to engage in such worthwhile community investments encourages unchallenged pathways for community demagogues.

Negotiating and compromising is an integral part of public service. Therefore, any type of negotiating, written or verbal despite existing difficulties should conclude on a positive note. Why, because the conclusion of one negotiation is often the starting point for the next round of negotiations. Playing “we won” only energizes the opposition to seek revenge or exact a higher price in the next set of agreements. Also, if you really want to drive your adversaries crazy make out like you like and respect them. The art of making believe you like and respect someone can be shared even with your staff and the troops, or practiced on your colleagues in government, even the media. Why you might ask? It should be an acquired art, because there are those whose cooperation is necessary for your success yet very difficult people to deal with. Therefore, whether you are educating or co-opting, act as if you like and respect your adversaries.

I sense some of my colleagues practice the craft without understanding the psychological dynamics. Over time you will observe a change for the better in these relationships. If you think about it, how can someone dislike or denigrate an individual who has shown such great judgment in admiring that individual’s talent and skill. Are there exceptions to my principle? Absolutely. In that case you may have to go around that individual and work on his subordinates or to his reporting relationships.

I think we are all aware that history is a great teacher but it is important that we use, rather than abuse, its lessons. Despite the need to think out of the box in a changing society failure to pay attention to that which went before us will have consequences. Yes, despite the exaggerated push and pull of current events, we must learn from its lessons rather than ignore them. Misreading a situation may be intentional or simply out of ignorance. Have we not witnessed politicians and self proclaimed leaders pursue laws and policies supporting their cause while ignoring or filtering anything that contradicts their self interest. Therefore, you need to be vigilant in your own self process, as well as those who serve under you, as the tendency to practice selective research is all too tempting. For us the ends don’t justify the means no more than those with whom we disagree.

The ultimate test of an agency’s strength is not what it says they can accomplish, but what they actually accomplish. Even if one is on the right track, you’ll get run over if you just sit there. Don’t simply write a mission statement. Energize its focus by the creative and judicious use of your staff and department. Also, a results driven organization is fine but not without holding people accountable. In hindsight, I would have reorganized more.

When prior notice as to one’s accountability has been given, with the proper encouragement people get excited given new opportunities. It brings freshness and new eyes to the problems and issues. Those who don’t, can now be dealt with fairly as the game plan was put in front of them.

Remember that committing to a program or project is not a commitment to marriage. Some initiatives seemingly worthwhile, simply won’t work given a lack of resources, financial support, community culture and resistance and the ever present media and political opposition. The learning lesson is that the project, or even policies that are terminated are not failures. Rather they were pilot projects, trial policies that needed further research and adjustment. When I introduced a program I always tried to get several “bites out of the apple” in terms of

community relations. I would introduce the program or project and down the road include an interim report with a final press release at its conclusion. Getting staff to think in such terms is not always easy. Traditionally we identified the problem, worked the solution moving it on operationally and to a large degree left it to field commanders. Some aspects may survive without follow up but best practices require an occasional review. It's possible that a more effective response may be waiting to be discovered.

Also, I tried to avoid any connotation of failure in meeting our objectives by reminding myself and others about Thomas Edison's philosophy. When asked how he could handle a thousand light bulb failures, he would reply "I didn't experience a thousand failures, I found a thousand ways it didn't work." You won't have as much time as Edison did but I hope you get the message.

During my 44 years in the protection profession, I have observed the tendency to address issues and circumstances that appear more favorable to resolution and/or political and media attention and approval. The code of "survival with honor" requires that certain things need to be done in order to get certain needs accomplished. But we should and the public may at some point, aware that there are consequences. In our planning do we surface only those problems that our solutions can address. Do we tend to compartmentalize our planning ignoring the impact on other parts of the agency or other departments? In resolving an uncomfortable crisis, i.e. a police shooting, do we focus on actions that are "doable" while not addressing the long term dynamics involved in the incident itself? In our haste to get it off the headlines, do we fail to educate the public even if such may be uncomfortable to some members of the community?

While on this topic I might recommend that we rethink our statement "we can't comment at this time as this is under investigation or until a review of all the facts." Prior to the 24/7 media cycle, that strategy probably did more good than harm. But remaining mute while the press is

interviewing the so called street witnesses, perjuring themselves with tales of horrific police stories, does not help your reputational capital nor the morale of the troops. I recognize that prosecutors and city hall types have a different slant on the issue, but we have to develop a reporting process that doesn't leave us defenseless and mute during a community dispute and crisis.

I would like to believe every one of us thinks we have what it takes to be successful. I also believe success is preparation bumping into opportunity. It has been my experience that opportunity can lurk everywhere. The problem for some is that it sometimes comes disguised in work clothes. Yet, even when opportunity arises, some of us don't seem to have the mental toughness to go for it. Unfortunately some of our role models and mentors did not lead by good example, often taking the path of least or no resistance. Yet, risk aversion has never been a crowd pleaser. I believed it was Teddy Roosevelt who praised the intrepid who entered the arena and unlike the timid, understood the thrill of victory and the agony of defeat. It is not an easy chore as the media too often ignore the existence of real positives in favor of the negative, making it more difficult for the police to close the gap between perception and reality.

Political and community activists tend to complicate matters, more particularly when things are not going well. Even the civil liberty groups seem to have lost track in their focus on making the law enforcement effort more difficult, as if that was a laudable end in and of itself. Hopefully, I may be wrong but I suspect there is an organizational tendency to adopt programs and policies that accommodate anti police criticism rather than pursue more appropriate policies.

Regardless of my opinion, risk aversion behavior is never the best prescription for a healthy police department or its reputational capital. Institutional pessimism needs to be discouraged. I suspect that risk aversion is often influenced by perceptions of uncertainty. As uncertainty increases, risk aversion becomes one of its casualties. It's

important to reverse uncertainty by introducing action and/or activity. Unfortunately today, partisan inspired rhetoric trumps the day. Therefore, police executives also must have and “keep on message.”

There are some worthwhile activities we can emulate from the political process. If you don't have good news to deliver then focus on the efforts in play that will create the desired turnaround or minimally the perception of future positive results. Talk up the challenges involved and the opportunities present or being sought. Don't be a one person band. Get others involved through creative activity. It's been my experience that you are likely to discover a rooting section out there to counteract police criticism.

People are looking for real leaders not just individuals who command large groups of personnel. You can't afford to be like the judge who answered “you are right to the plaintiff's lawyer only to be challenged by the argument of the opposing attorney and responding you are right. The court clerk stepped up to the bench and said your honor they both can't be right. With that the judge responded you know you're right.” Think ahead, but speak out on the issues. We need to think and act more positive in our planning and initiatives. Develop a sense of curiosity and put it to practical use. Some of our colleagues act as failure is to be avoided at all costs. That cost, in my judgment is too high a cost. We need to think and act more positive. We have an army behind us. It has to be fed and you determine the menu. Consider “failure” as just fertilizer for success. I have to confess that a number of colleagues and friends believe I know more about fertilizer than success. Notwithstanding their opinion, success was for me a series of tests and challenges that took me out of my comfort zone. Possibly I was too dumb to recognize those predicaments that engaged me but I loved the game.

Despite the falsehoods made and criticisms aired, the endgames made around me, the lying and cheating you encounter, I still feel that we are given a front row seat in one of life's greatest shows.

Finally self promotion is not a sin. The “meek may inherit the earth”, but I am not sure I want to be around when they are in charge. Visibility doesn't guarantee success by a long shot, but at least the public knows who is in charge. Your success is not determined by anonymity. But visibility doesn't work without performance either. Sometimes you even get a chance to make real “script” changes. People give you credit for being smarter than you are and for accomplishments that others deserve more credit. Most folks aren't given any such wonderful public service opportunities. Your challenge is to make the most of it.

Be Focused, Be Honest, and Show You Care

by Lee D. Donohue

First Lesson – Be Nice!

Being nice is not a weakness but a sign of strength; in fact it is much like the “Golden Rule” in treating others as you want to be treated.

I remember when I was a young officer walking through the main floor of the Honolulu Police Department. I saw one of our Captains standing near an escalator that I had to use. This Captain was a well known person in the community and in the Department. He was known as a “NO NON-SENSE” person and was feared by many in the Department. As I passed him, I stated in a crisp and respectful manner, “Good morning sir.” His response was unbelievable. He did not utter a word but instead just glared at me and the message I received from his facial features was “how dare you speak to me.” I have never forgotten that day. His response at first left me feeling empty and speechless. What have I done to this man to warrant this type of treatment? I did not know this man personally and I did not have any prior encounters with him. So why did he treat me with such disrespect?

That one event, more than anything else, shaped my philosophy in dealing with people. I told myself that I would never be like that Captain. I would always treat others with respect and dignity, which I did throughout my career as a police officer.

Throughout my career and especially when I was the Chief of Police, I took the time to acknowledge our employees wherever I met them on and off duty. I spent time to find out what was going on in their lives. If they were ill or injured, I would visit or call them to let them know that I cared and if I could do anything to help them, I would. I went to family funerals of our employees and social events hosted by the various divisions within the Department. My office

was always open to our employees and I was also accessible by email.

I have often been asked what I would like my legacy to be when I left the Department. My answer, I would like to be known as a Chief who cared about his people!

As the years passed, I learned from other officers that they were also treated in the same manner by the same Captain. They never forgot that glare and that silent “HOW DARE YOU!” Needless to say, he was not well respected or liked by the officers. I was glad that I never served directly under this Captain.

Second Lesson – Stay Focused and be Honest!

As the Chief of Police of a major city Police Department, I have had my share of adversities. Some of these included police shootings, scandals involving corruption within the Department, allegations of wrong doing by our officers and employees, and attacks on the administration by politicians, public employee unions, the media, other government agencies and the public. The first rule is to accept the fact that you will face these challenges.

As the leader of the organization you must step forward and answer the allegations or inquiries about any ongoing investigation. Today, the public expects some official response from the Department. The more serious the allegation or incident, the more a response from the Chief is expected. If you choose to say “No Comment” you have made a comment. You must stay focused on leading the Department! Allegations or perceptions of possible wrong doing must be acknowledged. As the leader, you need to assure the public, the city administration and your employees that you are aware of the facts involved in the case at hand and that it will be fully investigated. At the same time,

if there are allegations of wrong doing by your officers especially in criminal cases, you need to remind the public that these are allegations and your officers are entitled to their constitutional rights and they are innocent until proven guilty.

One of the most difficult cases that I have had to deal with involved an officer who was off duty and spent his evening at several bars where he consumed alcoholic beverages. On his way home, he ran a red light and crashed into a vehicle driven by a 19 year old female killing her. The media had captured other officers consoling the off duty officer at the scene of the crash. There was a lack of leadership at the scene, the off duty officer was not arrested immediately and a blood alcohol reading was not taken until several hours later.

When confronted with all of the evidence that was being provided for by the media, I accepted the fact that we “goofed.” At the press conference, I admitted our mistakes in handling the case, and assured the public that a complete investigation of the incident would occur. The end result is that the leaders at the scene of the crash were disciplined, and the off duty officer was convicted in court of negligent homicide and sentenced to twenty years in prison. The City Prosecutor and the media acknowledged the good work of our Department. Once we corrected our mistakes, we picked ourselves up and conducted an investigation that resulted in the conviction. Staying focused and honest helped us weather this storm.

Third Lesson – Be Cooperative and Supportive of the City Administration While Remaining Apolitical

You must be able to work with other agencies and members of the Mayor’s Cabinet, the Managing Director, the Police Commission and the City Council. In my experience, the public safety departments, Police, Fire and Emergency Services are looked upon as “sacred cows” in the budget process.

However, you cannot take advantage of this situation. In my experience, it was better to work with the Directors of other agencies and gain their trust. Usually in a budget crunch, money is moved from other city agencies to the public safety departments. This often causes a disenfranchisement of the public safety departments by the other city agencies and causes an unnecessary atmosphere of animosity. When our budget projections showed that we would end the fiscal year within budget and a surplus would probably happen, we would move these surplus funds to other agencies that served us. Our Corporation Counsel and the City’s law firm, would often benefit from these situations since they defended our officers and employees in the law suits filed against the Department. I usually got along with all of our partners in the City but I have seen how playing “hardball” with the Mayor can have devastating affects on the Department and our employees.

A previous Chief decided that he would challenge the Mayor’s edict on promotion policies. This resulted in the budget for replacement vehicles not being released in the fiscal year and our fleet vehicles used by our patrol officers were in terrible condition. Finally, there was relief provided for by the City Council and new replacement vehicles were purchased. The Mayor had made his point!

I have also challenged the Mayor and Managing Director on various issues. However, I always tried to find a way that allowed the City Administration to ease out of the situation gracefully. I learned early to *let the boss believe he or she is the boss*. I would always inform the Mayor, Managing Director or Chair of the Police Commission, of my need to give them all of the pertinent facts involved in an issue, so they could make the best decision based on the facts presented. Doing this in a timely manner will help you. I know this policy saved me when a disgruntled employee claimed that I stalled the start of an investigation of corruption because the accused employee was my friend.

Fourth Lesson – Have a Vision and a Plan to Make that Vision Become a Reality

As a new Chief, I provided a vision that I believed would be embraced by our employees, officers, commanders and assistant chiefs. At first, there were skeptics but as we moved and created our strategic plan based on the vision, a “buy in” by our employees began to happen. The public and our employees were polled by an independent marketing service. We learned about our strengths and weaknesses as perceived by the public and our employees. This created the benchmarks for judging our performance in the future.

We then selected three pillars that we would base the administration of our Department on. Anything that we did was based on the three pillars of vision, technology and communications. This allowed us to focus on the various issues and place it into our strategic plan. The next strategy was to intertwine our daily administration and operation of the Department into our strategic plan. At our weekly Command meetings, we would have our Commanders inform us of problems encountered or projects they were working on and how it fit into the strategic plan. The commanders were then questioned by their peers or superiors about the outcome of their efforts in working on these specific problems or projects.

These meetings provided a central focus point among the commanders and they learned about the various issues that we were facing. This often resulted in the commanders supporting each other and suggesting alternative actions that the commanders may want to consider. This resulted in the strategic plan becoming a “living document” and a part of the daily administration of our Department, instead of being a dust collector on a commander’s office shelf.

Without a vision and a supporting plan, the department would be a “*ship without a rudder.*”

I Was There

by Julian Fantino

After over 36 years in policing, 14 as Police Chief in three major Canadian Municipal Departments, I am wondering what legacy I have left behind. I suppose the most immediate thought that comes to mind is one of having survived the daunting pressures and challenges of a unique and extremely demanding profession. It is a profession like no other. Leadership is constantly tested to the core in an environment of extreme oversight, public scrutiny, inescapable accountability, political pressures and influences that abound in everything that we do, all the time.

In many respects the job of Police Chief has evolved to be one of the most vulnerable and demanding positions in law enforcement, where the executive is constantly thrust in the eye of the storm. The chief position often comes in conflict with political agendas, the unions, the insatiable thirst for blood of the media as well as shifting moral and ethical societal values.

This is a time when law enforcement is being impacted by many aspects of change and severe challenges – not the least of which is the globalization of crime – a difficult economic reality and the threat of terrorism. Law enforcement organizations, especially their contemporary leaders are forced to be increasingly resourceful and creative in order to remain relevant and simply survive. In other words, law enforcement organizations and their leaders must be strategically positioned and be ultimately accountable to the point of passing the microscope test. They must function with a firm grasp of today's realities and tomorrow's forecasts. Among many pressures and challenges that face law enforcement leaders is the whole spectrum of public trust, ethics and professionalism – critical considerations that if ignored will surely, sooner or later, result in the demise of the leader.

There can be no ethical compromises or shortcuts to personal and organizational integrity for the law enforcement professional. Remember always that the public trust is of paramount importance. I maintain that in our profession if we lose the public trust, all is lost. It is worth noting that the public trust is critical to our credibility and its importance is never negotiable.

It is no secret that a number of highly publicized acts of inappropriate conduct have resulted in an added degree of public scrutiny upon law enforcement organizations and their leaders. Therefore, even in the most professional, ethical and conscientious law enforcement agencies, there must be eternal vigilance against misconduct, abuse of power and authority or corrupt practices.

Law enforcement organizations must assume ultimate responsibility for the conduct of all their employees. They must place particular emphasis on the performance of their leaders, who must show that they are willing and prepared to answer publicly for the actions of their people. It is, therefore, reasonable to believe that among the many aspects of ethical decision-making in law enforcement, nothing can be more important than the need for quality leadership, especially at the top of the organization.

In my experience, of the many factors that impact how an organization controls and provides solutions to ethical problems is the quality of leadership that is crucial to the overall culture, performance and reputation of the organization and its people. For example, it is through leadership, above all, that organizational values are established, nurtured and reinforced. The quality of leadership is an important consideration that will determine the general ethical culture and health of the organization, and by consequence that of the profession as a whole.

During my years as Police Chief I have learned many important lessons. Among these is the crucial role of leadership in defining and clearly communicating to all members of the organization the levels and limits of accountability, the setting of standards and methods to implement integrity processes, training, supervision and performance. While doing all of these above you must also consistently uphold the ethical culture of the organization and the profession of law enforcement.

Abraham Lincoln stated, *“What truly motivates people is values.”* I strongly suggest that no matter the passage of time, fads or the arrival of a new generation of law enforcement professionals, values and character still count and serve to give meaning to our personal and professional lives. We can always do better, and most certainly as leaders we need to seize the opportunity to raise the bar, to pursue personal, professional, and organizational excellence in all that we do, including the commitment to ensure optimum public confidence.

The IACP membership Law Enforcement Oath of Honour that was adopted at the 107th IACP Annual Conference says it all: *“On my honour, I will never betray my profession, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the laws of my country, my community, and the agency I serve.”*

I have had the unpleasant experience of having to deal with a number of serious corrupt practices that required decisive, strategic and painfully transparent action. During one such episode, I solicited the assistance of another law enforcement agency to head up the criminal probe that spanned over two years, thus ensuring a significant degree of independence and transparency.

As the internal investigation progressed it became evident that it was also necessary to uncover what factors, systemic or otherwise, contributed to the corrupt practices uncovered. This caused me to retain the services of a retired judge whose comprehensive worldwide research focusing on police corruption produced unprecedented results.

Some 32 recommendations resulted touching on identified vulnerabilities ranging from recruit selection processes, integrity training, supervision, financial checks, as well as psychological and drug testing for people working in certain defined high risk units.

An Implementation Committee co-chaired by the judge and myself, was made up of a cross section of members from within the organization including union representatives. Much debate took place, legal opinions obtained and finally an agreement reached on most issues, all in an atmosphere of cordiality and cooperation that lasted well over a year.

These insightful recommendations are being adopted by other police agencies that want to be, as they should, proactive in preventing corrupt practices and the pain inherent to such odious breaches of the public trust. In the meantime a number of police officers are facing numerous criminal and internal conduct charges.

Managing the media and political fall-out of this painful episode has been a monumental challenge. It was made somewhat easier by five strategic decisions taken at the outset of uncovering the corruption problem. These decisions were:

1. Publicly disclose the problem and take affirmative action to deal with the same.
2. Take decisive action to have the allegations thoroughly investigated by a team headed by a senior officer from an independent agency.
3. Retain the services of a retired judge to delve into the causes of police corruption and adopt the recommendations that resulted.
4. Proceed to implement the prevention strategies recommended by the judge.
5. Provide open and timely internal communication and updates.

Some media outlets and critics attempted to portray the corruption problem as an

epidemic – one that happened on my watch and suggested that somehow I was to blame. These suggestions, albeit to be expected, did not resonate with the public once reconciled with the facts and the affirmative action taken in an open and transparent manner. Basically messaging that the fix and not the cause was on my watch.

Of the many critical issues I have had to deal with during my tenure as Chief of Police none has been more difficult to manage than allegations of police corruption. The media frenzy, the political opportunism, the confrontational stance taken by the union including a vote of no confidence, law suits and personal attacks, the internal turmoil that permeated the organization and much more, created what often seemed to be a never-ending and unstoppable crisis. There are many phases to managing a crisis successfully. Although some things are done based on trial and error, none is more important than decisive, determined and competent leadership. By its very nature, a crisis will not go away on its own, nor will ineffective and incompetent leadership bring a crisis under control.

When faced with the allegations of police corruption beginning to develop a media profile, I knew that we had a serious event in the making. I was anticipating how certain politicians and vocal police critics were likely to spin the rhetoric. I knew that such a damaging portrayal of the police service if not proactively confronted, would cause the situation to be spun out of control. For a time that is exactly what the media and others tried their best to do.

In retrospect, the previously mentioned five part strategy worked exceptionally well with one not unexpected exception – the politically motivated criticism directed at me for having taken such an assertive and independent approach without public consultation and debate. These are the very stalling tactics known to be the trademark of “*what’s in it for me - do nothing politicians.*”

For the most part every decision taken during this crisis had an element of risk. However, as has been stated when the

wheels come off: “*Demands that leaders make rapid assessments of situations, arrive at quick decisions. They must be decisive and, in times of crisis, must not hesitate to act in the absence of instructions or orders from above in order to take advantage of what is often a fleeting window of opportunity.*”

The best endorsement of this style of leadership came from a police officer that reflected on this crisis and wrote, “*There are not many who have the courage to investigate their own and also take care of their own.*” This being a reference to the leader’s duty and responsibility to ensure that the inappropriate actions of a relatively few people are not allowed to damage the reputation of the overwhelming majority of decent, honest and hardworking professionals who are the true heart and soul of the organization – every organization. No matter the crisis, leadership is also about maintaining a fair, balanced and measured response and remembering that people are watching, listening and evaluating.

So as I look back and reflect on my tenure as Chief of Police, I believe that I have consistently shown the moral and ethical courage to tackle many tough issues without fear or favour, always trying to do the right thing for the greater good. That fact alone has provided me with the acquired knowledge that the job is hard, however as leaders we are doing it because it is hard.

It’s the type of job that our most ardent critics can’t do nor would they be qualified to walk but a moment in our shoes.

And I was there!

Lessons Learned From the Oklahoma City Bombing

by Sam Gonzales

One of the most valuable lessons learned from leading the efforts in the Murrah Bombing in Oklahoma City is the need for communities to prepare for the management of major case incidents. As I have traveled across the nation I still find a lot of jurisdictions preparing their responses by department, or discipline, not by the “community.” Our experience, as well as those of the agencies responding to the September 11, 2001 attack on the Pentagon, shows the necessity of all response disciplines planning, exercising, and training together. We must realize that, unless your jurisdiction is close to some significant federal assets, the only assets you will have to respond to a major incident for the first several hours are those that you as community collectively bring to the table.

Most major case incidents, especially those of the magnitude of Oklahoma City, have many things in common. Responding agencies will be forced to deal with them, either through pre-planning, or by making on the spot decisions in the middle of the crisis. I believe communities, as well as their citizens, are far better served when we pre-plan for those issues we know will arise.

The most common reason voiced for this failure to prepare; “It’s not going to happen in our city.” I challenge you to think back to April 18th, 1995, the day prior to the Oklahoma City bombing, and tell me where you would have placed Oklahoma City as a possible target site. We would not have even been on the page. Do not deceive yourself. Your community could be a target. It is up to you to do all you can to make sure your community is prepared.

I have resisted writing about my experience during the bombing incident due to personal reasons. But, I would like to leave the first response community a guideline on issues that I know will arise during a major case, and my recommendations on how to prepare for them.

Unless prior planning has been done, one of the first questions that first responders must answer is, “Who’s in charge?” Without this prior determination there may be a lot of confusion about who is running the show. All of the personnel responding will ask the same questions: what is my job, and to whom do I report. There is no universal answer and each community must decide for themselves whom they want to place in charge. The personalities, skill levels or politics of any given community may play a role in determining the answer. There are some obvious choices.

Law Enforcement

Because the incident may be of a criminal nature, thus establishing a crime scene, your choice may be someone from one of the state or local law enforcement agencies. Regardless of who is in charge, the law enforcement component will play a large role in the incident. Establishing and protecting the perimeters, evidence collection and preservation, solving the crime, and submitting the evidence to the prosecutors will all be a part of the law enforcement role.

Fire Service

The incident may have been caused by an explosive device, or as in the case of the New York Trade Towers and the Pentagon, an airplane or other explosive means. If there are building collapses then rescue and recovery may play a significant role for an extended period of time. In most communities the rescue and recovery responsibilities fall under the purview of the fire service.

Elected Official

The incident commander may be one of the local or county elected officials. Elected officials are elected to play a leading role and some of them, because of the

significance of the incident, may want to assume the lead role. It was apparent in the attack on 9/11 of the New York Trade Center the ultimate incident commander was Mayor Rudolph Guiliani.

Emergency Management

A lack of qualified leaders in one of the other disciplines may lead you to look to the emergency management arena. The city, county, or state emergency manager should have the knowledge and leadership skills to be the incident commander if necessary. Emergency management is primarily involved in incident mitigation and if that were the choice, I would strongly recommend some type of unified command.

Control of Assets

Many agencies will be bringing both personnel and other assets to assist in the handling of the incident. It is important to note that the operational control of assets should never leave the agency they belong to. The incident commander should always go through the agency head to utilize their assets and never assume they can take control of the assets.

Regardless of whom you select, I would recommend you have a unified command that would include all of the above disciplines. Even with a unified command there is ultimately one person the others will defer to for the final decision on some matters. That person is someone whom you must select at the local level. As I have stated, all incidents are local incidents, so someone from the local “community” should be the incident commander. Involvements of state and federal resources are a must and they should be a part of the unified command, but should not be the incident commander. A unified command consists of representatives from all the major responding agencies.

Crime Scene Access

Once the crime scene perimeters have been set, law enforcement will want to restrict access to the crime scene. From the law

enforcement perspective several issues come immediately to mind:

- Integrity of the crime scene. Make sure only those persons who have a need enter the crime scene.
- Collection and preservation of evidence. As stated before, life safety will always be the first priority, but at some point the collection of evidence must occur.
- Protection and collection of personal property of the victims and occupants at the site of the incident.
- Minimization of further injuries to rescue workers.

A decision that must be made is who will have the authority to allow access into the crime scene. Obviously not everyone who wants to enter the crime scene should be allowed access, but there is a need for more people than you would first suspect. As in the choice of the Incident Commander, the decision on who is allowed access is a local one. I would suggest a unified command of some sort to determine who to allow access, and into what areas. Should they be allowed access into the “inner perimeter” or just the “outer perimeter?”

Once the decision has been made as to how access will be allowed or to whom, then a structure must be put in place to accommodate the issuance of entry badges. Some of these factors should be considered in pre-planning to facilitate the issuance of entry badges:

- What facility can be used to accommodate several hundred persons waiting to be issued entry badges?
- Where will personnel come from to manage the entry process?
- Who has the camera or computer capability to take photos and attach them to an entry badge?
- Do you need a different type of entry badge for the inner and outer perimeters?
- Will you require a local person to vouch for or verify an out of town volunteer?
- Will you require entry badges for persons in uniforms or bunker gear?
- Who will maintain the records of entry badges? At some point a criminal defense lawyer may want to know how many people had access to the crimes

- scene and may have tainted the evidence.
- How will you handle the thousands of volunteers who show up and want to be a part of the rescue and recovery? (A separate section will deal with volunteers)
- How will you deal with citizens who may want to enter the outer perimeter to check on their personal property?

In Oklahoma City we issued over 21,000 entry badges. We used a unified command operation to make sure we did not leave out any valuable assets or providers. A good example was the public works director. He needed free access in the outer perimeter to help in the removal of debris, erection of barricades, placing of port-a-pottys, and even removal of fire escapes in some cases. All law enforcement, state, local and federal personnel were required to have access or entry badges. Gary Marrs, then Oklahoma City Fire Chief, did not require firefighters in bunker clothes to have access badges. He later stated that if he had it to do again he would have required them having access badges.

We also issued a different type badge for the entry into the inner perimeter (the Murrah building). To avoid copies of our badges, we changed the color of this entry badge on almost a daily basis. Entry into the actual building was much more restricted than entry into the outer perimeter. The inner perimeter will normally be restricted to the following types of personnel:

- Rescue and recovery personnel
- Crime scene personnel
- Crime scene photographers
- Evidence collection personnel
- Volunteer experts in building repairs or stabilization
- Medical specialist in trauma care during the rescue stage
- Rescue dogs and their handlers
- Bomb personnel
- Personnel for the retrieval of classified documents
- Gas/electrical/water personnel as needed

The outer perimeter, normally a much larger area, will host a number of different agencies. They may include:

- Command Post for the agencies involved
- Staging areas for shifts coming onto duty
- Eating locations
- Supply locations
- Media
- Red Cross/ Salvation Army
- Viewing area for politicians or visiting dignitaries
- Chaplains/religious facility
- Critical Incident Stress Management personnel and facilities

Medical Response

Like the rest of your community, the medical response will be overwhelming. As soon as the medical community hears of the disaster they will respond without being asked. There will be a great need for medical assistance especially in the first several hours. The following are some areas to consider in your pre-planning:

The Disaster Area

Inside the disaster area will be hundreds of volunteers, including first responders, medical personnel, and citizens. It is important to remember that the disaster area is not a safe area. The facility will probably be unstable. There is a possibility of secondary devices, and most of the citizens will not have on proper clothing to be in the debris area. From the medical community you need doctors and nurses with trauma experience. You need people who are used to working in adverse conditions and making quick life and death decisions. I suggest that in your pre-planning you work with your medical community and identify those personnel you would want to be helping in the “trauma area” of the disaster.

Triage

A good triage set up will save lives. Making sure those victims who are the most severely injured are treated and transported first is a must. The medical community in Oklahoma City did a great job. We found that the triage site most used was the one closest to the building. We also discovered that although several other triage areas were initially established, if they were not in the area of escape from the disaster, people would not detour to get to them.

Hospitals

Almost all of the injured that can flee the area will do so. They will run away. Private individuals will take them in their vehicles, and police officers will use their vehicles to transport victims during the first hour of the disaster. In Oklahoma City I would estimate that 75% of the victims self evacuated from the area. It is extremely important to establish pre-planning with the hospitals in the area so they know what to expect.

Medical Examiner

The size of your incident may overwhelm the capacity of your medical examiners facility. I would recommend contacting and possibly contracting with a trucking firm or some other facility that may have the ability to meet the need for the temporary storage of bodies.

Critical Incident Stress Management

Long-term responses to incidents, like Oklahoma City, will create stress for the individuals involved in the rescue and recovery as well as many of the support personnel. For some, this may lead to post-traumatic stress disorder (PTSD), while for others it may not pose a significant psychological problem.

In Oklahoma City both the Police and the Fire Service provided daily debriefing for personnel engaged in either rescue or recovery, working the temporary morgue, or fingerprinting of small children. The sessions were mandatory to attend, although participation was not. Law enforcement professionals attended to the law enforcement personnel and fire professionals to fire personnel. We found that participation with anyone outside of his or her own discipline was just about impossible.

One of the lessons we learned was making sure we had enough trauma professionals to help our employees. Although we thought we had sufficient trained personnel, we found most of them were also responders and needed help as much as the other personnel. We were able to secure additional law enforcement professionals through the State Attorney General's Office. We also mandated sessions for the entire police department when the incident was

finally concluded. We also invited the spouses of our employees to attend, as they went through as much trauma as their spouse.

One thing I would encourage is to have mental health help plans in place for your employees prior to an incident occurring. There is plenty of information available to help you make a decision. The disaster industry that emerged in the 1990s trains more than 40,000 persons a year in psychological debriefing. The Department of Defense had its members undergo stress debriefing before returning home from Iraq.

Recent studies released in the Wall Street Journal, dated September 12, 2003, question the validity of debriefing. They quote a panel appointed by the American Psychological Society as saying; "Contrary to a widely held belief, pushing people to talk about their feelings and thoughts very soon after a trauma may not be beneficial." Their study showed that "when police officers who worked a plane crash underwent debriefing, they had significantly more PTSD symptoms 18 months later than officers who weren't debriefed."

One thing is clear. Our employees are our best assets and we owe it to them to have a plan in place, just in case it is needed.

Remain True to the Compass That Guides Your Morality and Integrity

by R. Gil Kerlikowske

I have had a truly extraordinary opportunity to view and be a part of policing for over more than three decades. I started as an intern in 1966 while still in high school and had the glamorous job of fingerprinting the prisoners on Saturday and Sunday mornings that had been arrested over the weekend. I learned crime scene processing and was photographing homicides with a 4x5 Graphflex camera. My experiences – spending 15 years in the St. Petersburg Police Department, leading four police departments (two major cities), a year fellowship at the National Institute of Justice and two years as the Deputy Director of the COPS program – have allowed me to reflect on what I would like to impart to those that follow. These are lessons learned from my own successes and mistakes, and the advice I have received from my mentors and colleagues.

- *You entered this profession as a student.*

When I end my career I will leave as a student. Education and experience do not provide you with the answers, merely a place from which you can ask the right questions. Ben Ward, a long-serving Police Commissioner in the NYPD, now deceased, told me what education does for a police officer, “it puts doubt where there was certainty and questions where there were answers.” What he was saying was that a lot of folks in our business often have quick and simple answers to the complex problems we face. You can be assured of one thing – a simple answer to a complex problem is usually wrong.

- *Read everything and read widely.*

- *Pay attention to the details.*

That does not mean that you fail in your position as a leader by not providing the direction, guidance, and articulating the vision for the department—oh no—you still have to do that to. It does mean that when you review policies, after-action reports, etc., you see them from a perspective that no one else in the agency has. The iconic

Patrick Murphy of NYPD, the founder of the Police Foundation, and author, told me that someone could be the First Deputy Commissioner of the NYPD and it is not the same as chief of police. In other words, no matter how large the agency, the final decisions, the successes and failure belong to you.

- *Understand the importance of flexibility in your management/leadership style but remain true to the compass that guides your morality and integrity.*

I like to make decisions using the guide – “do the right thing for the right reasons.”

- *Your reputation and, to some extent, your legacy is set fairly early in your career.*

You can’t climb the ladder and when you get to the top impose hard work, long hours, and demand high quality output from the staff when it was known (and it will be known) that you came in late, left early, or took credit for the work product of subordinates.

- *Be self-confident.*

That does not mean that you should be arrogant. You got to your position through study, hard work, and a string of successes in your past positions. That track record gives you the credibility and authority and I would say the responsibility, to change an order, a procedure, or a plan after you have received the input of those around you and carefully considered the consequences. Remember that you are going to own the results, regardless of who made the decision and if you see something that needs correcting; do it.

- *Recognize your strengths, more importantly recognize your weaknesses.*

Bring people close to you that shore up your weaknesses, you do not need more people like you. If you are a visionary, bring detail-oriented people near you. If your strength is working and dealing with people in the department, bring people who are community-focused to your team. By doing this you can’t neglect or hide from the myriad of responsibilities. Force yourself out of your

comfort zone, but recognize the value of other people's skills.

- *Enjoy the job, love what you do.*

There will be very bad days and every once in a while a very bad week. But on balance, the job should be far more rewarding and fun than dark and frustrating. I just received a letter out of a time capsule from a chief from forty years ago, many of the problems the department was facing were similar to today's and he mentioned that he believed whoever was reading the letter would agree.

- *You are the chief of police for a police department, but more importantly than that; you are the chief of police for a community.* That means that your decisions have far greater impact than just for your agency. They affect neighborhoods, businesses, and children. That means that some of your decisions will not be well received by your own members and some decisions will not be well received by various community groups or others. If you take a look at your decisions over a year and find that they heavily favored any particular group, then you may want to consider in whose interest the decisions were made.

- *You assume a mantle of knowledge and of community leader as the chief.* Do not be drawn into opining on areas outside your responsibility and outside your expertise. People will ask you about the death penalty, abortion protests, etc., and I recommend that those situations that do not have nexus to your position and the department should not be commented on. The situations that do impact your organization and the safety of your community are ones I encourage you to weigh in on. For example, early childhood education programs and quality after-school programs can prevent a child from becoming a criminal. It is less expensive to invest in those programs than jails and your voice often carries further than that of educators or social workers when discussing these issues.

- *Time proves you right.* You may often wonder about decisions you made and for a while some of those decisions may result in significant criticism, if you have done your homework and thought it all through, time will support you. On the

other hand, if you have made a wrong decision do not hesitate to correct it and take responsibility for it.

- *You are in the position to make change.* Incremental change over time is the most substantive and lasting for an organization. It is really about changing culture. Some chiefs have made dramatic and immediate change. Unless you have a clear mandate, support, and a "burning bridge", then my counsel is that this is the least lasting of any of the change models and places a lot of stress on the organization. Remember that every chief is hired to make change but as someone mentioned, no one likes change except a wet baby. When you make those significant changes the support you may have believed you had can erode quickly. The test is not whether change will be made, but how much change will be tolerated both within and outside the agency.

- *The 50/50 rule.* Try to spend 50% of your time outside the department. Remember that in a 70-hour week you can still spend 35 hours in the office! The outside time can be with officers, detectives, support personnel, community groups, and key leaders in and out of government. Go to almost everything you are invited to in the first year –coffee in the basement of a neighborhood organizer on Saturday, Rotary, Chambers of Commerce, etc. When you are new everyone wants to see you. Once they know you are accessible they will be less interested in seeing you after that year.

- *Treat everyone with courtesy and respect.* Know as much as you can about the people in your department, the person who cleans the office and your command staff should all know that you care.

- *You cannot have a good department on the outside unless you have a good department on the inside.* Public relations campaigns for the agency have little value if the department is not properly structured, managed, lead, and trained.

I am honored by the opportunity to have participated in this project and wish to thank NEI and Dick Ayres for pulling us together to fill a needed void.

Stand by the Truth and Accept Responsibility

by Robert Lunney

I was 38 years old and on the fast track for promotion in my department. It was time to take stock. Sitting down with a list of tested life-guiding questions, I set myself the task of documenting basic beliefs, guiding principles and career objectives. My mission, I decided was, "To achieve something of significant good; something that will be a lasting contribution; something that can be built upon." On six pages of handwritten foolscap I mapped out goals for managing my career and fulfilling family responsibilities. The second step was evaluating my strengths and weaknesses and plotting a comprehensive plan for self-education to acquire the skills and knowledge to fulfill my mission.

Those pages resided in a diary that was never far from my hand during the following 26 years of my policing career. At critical career junctures, such as job change or when facing a challenge, they were used as reference and periodically supplemented but never fundamentally changed. What ever success I later realized flowed from documenting and acting on this original personal mission statement.

This brief but intense process of self-evaluation was the most important influence on my later career. When people ask me today for assistance with finding their way in policing, I invariably counsel them to write a personal mission statement. It is difficult to confront your deepest wishes and dreams, doubts and fears. We dissemble most when challenged to seek the truth within, for fear of what we may find. Ultimately, it is an act of courage. For those who dare, the prize is self knowledge, and self-knowledge is the foundation of wisdom.

Rules for Leadership

My rules for prevailing leadership are:

- Perseverance: Keep going, and never give up.
- Think positively: Turn problems into opportunities.
- Practice continual learning: Focused self-improvement is the key to surviving and prospering in a changing society.
- Welcome change: Adapt to new conditions and relish the challenge of change.
- Be mentally tough and physically fit: Bend but don't break; build personal stamina and endurance.
- Never seek credit for success, but always take responsibility for results.
- Give permission: Place your trust in people. Give permission to good people to meet a challenge on their own terms and in their own ways, and be prepared to be pleasantly surprised with the good things that happen.
- Encourage team-building: Most people work best as a member of a happy, productive group.
- Support your team: In the most difficult circumstances, when you have to make a choice between the good of the community and the good of the service, you must choose the community. But in most cases your officers deserve your support internally and in the public arena. Never shrink from explaining the vicissitudes of policing to the public or the policing authority, and stoutly defend the actions of your officers when they have acted properly and legally.
- Practice tolerance and understanding: With the officers and employees, with all members of the community and their organizations.
- Remember the principle of the egg: People will endlessly debate the chicken

and egg equation. Don't bother. It is always the egg. The egg is the basic resource, and a chicken is just an egg's way of making another egg. The police budget is the egg, and the role of the chief is to secure the funding needed to sustain the police service to the level of public expectations. The Chief must take a leadership role in planning, shaping and marketing the budget.

- Never underestimate the power of good management: Good management is not flashy or exciting, but the underlying system that demonstrates organizational effectiveness and efficiency provides the stability that makes employees feel confident in their organization and earns their respect and loyalty.
- Develop foresight and intuition: Constantly think ahead of immediate events. Try to deduce what will happen next. Cultivate intuition by learning and studying cause and effect. Intuition is the sum of knowledge and experience analyzed by the subconscious mind. Intuition is a building block of wisdom.
- Manage the aftermath: The time unfolding after the conclusion of a critical incident is a time of great peril to the organization. Don't leave the command post until well after the moment of crises. Make sure that normalcy is restored before resting.

Best Practices

I have compiled the following list of behaviors or set of best practices that assisted in my career development.

- Continual learning and reassessment of needs
- Relentless efforts to improve performance
- Reinvesting success in pursuit of future challenges
- Recognizing the talents of others and ensuring rewards
- Extending trust; giving permission to worthy people to use their skills and ingenuity

- Placing the public and the organization before self
- Unending hard work and effort
- Sustaining a professional attitude despite disappointments and set backs
- Acting with tolerance and compassion to those who are troubled
- Meting out justice to those who transgress the law or departmental orders
- Mental and physical fitness
- Learning patience
- Recognizing family responsibilities

Actions Reconsidered

I took over an agency as an outside chief. There was stiff resistance from the management group and at the core of the insurgency were two clever but obdurate senior officers. We clashed immediately and while my legitimate authority prevailed, their constant undermining of my purpose was an impediment to my getting the organization headed in a new direction. After months, one of them resigned. By this time I had cornered the other in a nothing job. He came to me, all contrite and submissive, and asked for a second chance. Acting on my compassion, I bought it. Based on his competency and feigned loyalty I later promoted this man to deputy chief. He went on to be a constant subversive influence, sabotaging my intentions and plotting ceaselessly against me. Eventually I cobbled together an offer to buy him out, but much damage had been done. I learned from that unfortunate judgment there are limits to the exercise of compassion by leaders, and that every chief must be capable of executing a crucial termination when necessary for organizational health. It was a costly lesson, and today I counsel others not to make the same mistake.

On another occasion I failed to read the economic signs of recession at the end of a long boom. Stubbornly, I fought publicly for another increase to the police budget when City Council had resolved on cut-back management. I lost the battle for public support and was forced to retreat into a period of penitence for my poor judgment. I learned from this that it is human nature always to hope for the best, even in the face of oncoming disaster. Foresight, caution,

and healthy skepticism are important qualities for a leader.

Pressures From the Outside

I believed in transparency in the public service and strived to act with sincerity and candor, but at the depth of another period of economic restraint, when police officers had not received a pay increase in four years, the results of an internal survey exposed serious morale problems. At the time I was in conflict with the police authority. A number of new appointees representing a conservative, business-orientated mind set were making decisions that in my opinion, encroached upon the authority of the chief to manage the affairs of the department. This was damaging to the best interests of the department and the policing program.

Despite an opinion favoring my position by government officials overseeing the legislation, the authority was not dissuaded. I concluded that if the survey result was released in its raw state it would be used to further erode the authority of the chief. I consulted an ethicist and was advised that reporting a summary of the results was a justifiable, provided the summary accurately represented the sum of the total picture.

This is what was done, and despite the adverse statistics it was received by the authority with little comment or damage to my position. If I had to do this over I would not shrink from exposing the totality of the data in all its brutal detail. In retrospect, I think that I acted defensibly and permitted my personal feelings to stand in the way of exposing the truth. It was a failure of moral courage, and a retreat from my best behavior. I retired from the service within the year and did not feel good about myself.

Standing by the truth as I knew it and fearlessly accepting responsibility was my finest hour. I learned that honestly held positions defended openly and with clarity, was the most effective style of public leadership. Even when critics did not agree with you, at least you merit respect. The media are constant and critical observers of the behavior of public officials.

The best practice is never to be diverted from the truth, to answer all questions directly and honestly to the best of your ability. Of course all this must be accomplished with full protection for investigative details and legal rights to privacy. Educated populations of democratic countries are fully capable of making up their own mind on issues of public business, provided they are afforded access to the facts and the framework of issues. I learned to respect and rely on public opinion in all manner of crisis and challenge.

A Sacred Trust

by Terry Mangan

When I was offered the opportunity to contribute something to the Legacy Project, I thought that it would be relatively easy to do so. I was wrong. In reminiscing about the last 67 years and my various opportunities to serve, first as a clergyman and then later as a police officer and as a Director of Public Safety in California, a Chief of Police in two cities in Washington state, and over seven years working in various programs and projects for the FBI, I realized that the legacy is more about what I received from others, than what I left.

However, I am going to attempt to share some of the basic lessons that I had the good fortune to learn from many outstanding professional role models and mentors I had the privilege to work for or with during the last 39 years in law enforcement. I will start out by saying that I am one of those fortunate persons who got to do what he liked to do, and looked forward to going to work every day. The opportunities afforded me as a peace officer and as a leader gave me much more than I ever could contribute.

If I had a dollar for every mistake which I have made or for every opportunity which I have missed, I would be as rich as the proverbial Croesus! Fortunately, there were patient people who helped me learn from at least some of my mistakes. Therein lies, I think, the secret of a true legacy. To the extent that I may have been successful in my law enforcement career, I owe the outstanding men and women with whom I had the privilege to work and from whose character, courage, sacrifice, and dedication I learned.

I learned early on that there were no perfect organizations, including the church, because all organizations are made up of people and there are no perfect people. I also realized that more got done by asking rather than ordering, and suggesting rather than commanding. I was blessed with colleagues who taught me that humor and

sharing can make any work easier, and that sense of purpose can make the smallest or most humble task meaningful. In the years of formation in the monastery, seminary, and later in the academy, it was customary to balance perspective on ones own role and importance. Following a three month stint as the person in charge of all manual labor projects, one was usually assigned to clean the restrooms for the next three months.

I also learned that none of us will be remembered for the famous cases we may have successfully handled or the great programs which we might have implemented in our agencies. All of us will be remembered for the way in which we treated others and for the way in which we offered them opportunities to grow into their own potential, and to become leaders themselves.

It is always so much easier to “just do it ourselves” than to invest the time, patience, and even risk to let others learn by doing it. It is always easier, but never productive. People will remember us by the opportunities we afforded them and by the manner in which we helped them to grow and learn from their own mistakes. They will remember us hopefully with fondness because we supported them when they needed it, held an umbrella over their heads when it rained, and showed them how, rather than telling them how.

Leaders are supposed to bring their people to where they need to go by creating a powerful vision and sharing and living it, as Henry Kissinger once put it. I think that good leaders are found at all levels in an organization and their leadership is exercised by their personal example and energy, and by their personal character and enthusiasm, whether they are in positions of leadership or not.

I had the good fortune in my career to be surrounded by such people. I also had the opportunity and the authority to let them

become what they had the potential to be. If I was successful in this, it is by virtue of others having done that for me before.

I still believe that law enforcement is a calling as well as a career or profession. I believe that the work law enforcement people – both officers and other specialists – are called upon to do is a ministry of sorts for the good of society, in general and particularly for those who are vulnerable and innocent. The gift which we receive for doing this work is the on-going feeling of satisfaction and fulfillment in that what we do makes a difference and contributes to the future and well being of our community and of our country.

There is much discussion and talk about transitional leadership and the various styles of leadership, and of course anyone in the position of leadership moves through all of those styles every day unconsciously, depending on the circumstances and the task at hand. But I believe that the leadership style, if that is what it's called, that contributes the most to growth and development in our people, is servant leadership. By that, I mean seeking every opportunity to help our people learn and grow and by providing them the wherewithal to do so. If we tell our people that they are our most important resource, but do not ensure that they have what they need, our words ring hollow. It is in our deeds that we model the vision and provide the chance to grow.

If I have left a legacy, it lives somehow in the confidence and achievements of those who still labor in those departments with which I was at once associated. Hopefully, they will remember me as someone who wanted them to be the very best that they could be and encouraged them to do so. I certainly will forever be grateful to the very many people both in law enforcement and outside of it who have done this for me over many years.

The privilege of working in law enforcement, in any agency at any level, is that we are fulfilling a sacred trust, making a difference, and exercising an authority that belongs not to ourselves but to our country

and community, and ultimately to the one source of all authority and justice. Each day and in each opportunity we are given the chance to make things better! We are truly fortunate!

Honesty, Integrity and Sincerity

by Patrick D. McGowan

Listed below are a few reflections that influence and shape my thinking, as well as concepts I feel are important qualities for a leader to possess.

Personal Core Attributes

Regardless of the type of leadership role, the following personal qualities must be possessed:

- Honesty
- Integrity
- Sincerity

My Management Philosophy

The following are some key concepts of management:

- Surround yourself with smart people. I look for people whose strengths complement my weaknesses. Encourage open thinking. Look for problem-solvers, not just people who identify problems. Do not micro-manage.
- Provide an atmosphere where your management team knows they are free to express their input and feelings. Realize every good idea does not have to come from you. Expect your people to tell you the truth, not just tell you what you want to hear. However, once a decision is reached, all members of my management team must be on board and move forward as a united front.
- Create an atmosphere of teamwork, not competition.
- Be a good communicator – work especially hard on being a good listener.
- Explain “why” you are doing something. I feel it is more important for people within my office to know what went into my thought process, than it is for them to agree with my decision.

- Keep people informed.
- Do not set people up to fail.
- Know what it is you are trying to accomplish and ensure others involved know the same.
- Do not be afraid to ask tough questions.
- Do not be afraid to say “I made a mistake” or “I was wrong.” Do not blame others for your shortcomings or mistakes. Also, do not be afraid to end a project or terminate one. Remember, not everything is a good idea or a success.
- Pick and choose your battles carefully – you cannot fight every single issue.
- Get to know the people who work for you within the organization. I know you cannot know everyone in a large organization, but strive as best you can to let your employees see the human side of you.

Decision-Making

- Do the right thing. Being popular is easy. Doing the right thing can be very difficult.
- Do not make key decisions when you are mad. You will make poor decisions.

Discipline

- I have my Chief Deputy (my Number 2 person) monitor, coordinate and handle all discipline within my Office.
- My philosophy and direction - be fair and consistent. I do not believe in over-disciplining so we can negotiate discipline down to where we want to end up.

Efficiency & Effectiveness

To determine how the organization or any component of it is doing, I always ask the following questions. I seek this input from both supervisors and the line staff performing the duties, clerical staff included.

- What do we do well?
- What can we improve on?
- What are they doing that they should not be doing?
- What are they not doing that they should be doing?

Mistakes I Have Made

Do not expect members of your Administration to know everything off the top of their heads. Unfortunately, it took me about two years to realize this. Initially, when people from my Administration would call to inform me of a situation or problem, they did not have all the information I wanted to know. I would get frustrated with the lack of information and would take my frustrations out on them, rather than remaining calm and asking them to update me as they learn more.

Initially, I was afraid (because I thought it made me look stupid) to answer a question with “I don’t know.” Today, I realize that I, and members of my Administration, cannot know all of the minutia about every single thing going on in my office. There is nothing wrong with realizing this and providing the response, “Let me research things and get back to you.”

I am not a good listener and I have a tendency to cut people off – this is not good.

Remember, it is the privilege of the Office we hold that affords us the opportunity to do what we do. Too many people start thinking it’s them personally, not the position, that provides them with these opportunities. Each of us got to where we are because someone helped or mentored us along the way. Don’t forget to help others. Never think of yourself to as being too important or too good to talk to anyone, regardless of their position or stature in life.

Every Day is a Learning Experience

by William P. Oldham

I was very fortunate to have experienced a tremendous variety of assignments as I moved up in the Department. I looked at every assignment as an opportunity to learn and to demonstrate my competence and abilities. Every day was a learning experience and every task a challenge. I was also blessed to have worked with tremendous peers and some outstanding mentors.

By demonstrating my abilities I was afforded training opportunities and experiences which also prepared me to move up and take on greater responsibilities. My outside activities also assisted me in my development. I coached (and still do), and served in leadership roles in civic and school related organizations. To learn more about budgets and finances, I sought election to the Board of Directors of the City of Memphis Credit Union. I have been elected to eight terms and I have served for a little over 22 years.

As a practitioner, I could not have asked for a better career path. As I look back it was as if all of the assignments had been scripted to prepare me to spend ten years on the command staff of the Memphis Police Department, culminating with my last year as Interim Director of my hometown police department.

I encourage you all to examine all of the facts and information presented to you prior to making your decision. Always do what is right, regardless of how popular your decision may be to the rank and file, your command staff, the media, the politicians and the public. I often used this check list in my decision making process:

- Is it legal?
- Is it moral?
- Is it safe for me, my partner, and the public?
- Does it meet policy and procedure?
- Is it the right thing to do?

Throughout the years one is asked to make many decisions which affect many people. In all those years, I have felt comfortable and confident in all of my actions and decisions. I did what I believed was right in all of my activities, whether it was popular or not.

I also remembered I represented my family first, myself, and my organization. I didn't want to do anything that would reflect negatively on them. I also believe that we should treat everyone with dignity and respect, and to be treated the way we would want to be treated. Also remember where came from before we judge anyone.

Be prepared to learn from each new experience. Look at every day as an opportunity to grow and develop. Take advantage of each opportunity by performing to the best of your abilities.

The absolute best learning experience I had as a member of our command staff was the opportunity to accompany the Director to the Major City Chief's meetings. I learned more there by listening to all of the presentations than anyone could imagine. There were legends in attendance who spoke frankly and honestly about their success and failures. They spoke about how they dealt with critical incidents or just the day to day operations of their agency. For almost five years I benefited from that experience at least twice a year.

I cannot express enough gratitude to the FBI for the training opportunities they provided for me as well. That exposure and my attendance at the M.C.C. meetings led to my being selected to participate in projects and research for the N.E.I. and M.C.C. From there I was selected to be a participant in the 21st session of the National Executive Institute. All of that prepared me for a leadership role in my agency.

In my dealings with the Mayor who appointed me as Interim Director, I told him that I would always do the right thing. I told him I didn't know him personally, and to not take what I was going to say the wrong way, but, I would not do anything illegal. I wouldn't do political favors and I would not be a "yes" man.

In dealing with the media, I told them I would be honest and accessible. From time to time we may have opposing views, and I understood that they had a job to do. In dealing with community activities, I told them I would be approachable and give them answers to their questions. I also told them that their agenda may not be mine or the organization's.

In dealing with our union I told their leadership that we may differ in our interaction, but I respected them and wanted to have a professional relationship. Our ultimate goal with the union was the same as theirs – to provide a safe and beneficial work environment for our commissioned and civilian staff. I also told them I had worked hard to earn the right to wear the badge and be called a police officer, and would not allow anyone to bring a division upon the department. While I am in a leadership role a net will be out to snare any dirty cop or employee and it had never bothered me to put cuffs on a crooked cop.

Blessed Are the Peacemakers

by Robert K. Olson

I don't think that any police leader that has been in the business of being a police chief executive for almost twenty years in three large police departments and had the opportunity to participate in and contribute to one of the most significant cultural "sea changes" in modern American policing, can give this writing project the justice it deserves with a deadline of April 15th. However, I will try.

When I became a young police cadet (thirty hours a week at the PD while going to college for a CJ degree) and an officer a year later, I decided that I wanted to be the Chief. Of course I had no conception of what that meant at the time, but none the less, I aspired to have that job. So I looked at the current chief and studied his career and noted several things immediately. He was one of the few Chiefs in the country with a Masters Degree in Public Administration (which he obtained in 1956), one of the youngest chiefs ever on the department, and was one of the authors of then President Nixon's Commission on Crime and Justice, established in the wake of the race riots of the late 1960s. I modeled my career after his and made sure that I would get at least a Masters Degree. I also found out that hard work, continual changes in assignments, and good preparation for promotional exams, made for a more experienced and knowledgeable officer; and that this experience and knowledge led to *wisdom*.

Regardless of my assignment, I always went the extra mile and made my superiors look good with results oriented policing and performance. A watershed experience came for me when I was allowed to attend PERF's Senior Management Institute for Police. That three-week opportunity changed my professional life forever. There is a whole new world out there and successful executives must be connected to it in order to survive in today's more complex management environment that seems to be changing

daily, especially since 9-11. It is the personal engagement at conferences, reading the journals and listening to and acting on the collective experiences and wisdom of others in the business, that is the secret to developing successful police leadership.

Every police executive who wants to be a successful leader must first settle in their own mind what does "success" mean. What is their personal definition? If a person just aspires to be the chief and keep the job or become the chief of a larger or perceived more prestigious department and consider those appointments as accomplishments that brand them a successful leader, they are kidding themselves. Leadership sometimes means getting fired, having votes of no confidence, having conflicts with peers and superiors and consistently taking risks. "Only dead fish flow with the current."

There are many things that a young executive should do who aspire to be an effective leader in our honorable business. Always remember you are like "Caesar's wife." You are always in a fishbowl and everything you ever did or didn't do in your public and private life will be recorded and regurgitated on a regular basis by the press and those who would see you fail. You must begin early to mold yourself into the highly ethical and moral individual you need to be in order to withstand the onslaught of overt and covert professional and personal criticisms that will be leveled against you as you go about the serious life and death business of police leadership. Special interests, the press and politicians, can take a lot of things away from you, but they can't take away your integrity. You have to give it to them. Don't become one of them. Always take the high road, even when it hurts, and it will. Don't succumb to the very tactics that are being used against you. Never say anything negative about a person (you should have scars on your tongue). Respond to things they have done, but don't ever get

personal. Never carry grudges or bad personal feelings about people who have transgressed against you or the department. When you carry those feelings, you are only hurting yourself and sometimes unknowingly clouding your judgment. Policing is a professional public business and you make business decisions, not personal ones. If you fire a bad officer and an arbitrator gives him his job back, you did your best, didn't you? Get on with business; it's over. They'll mess up again. Every senior command staff I have had the privilege to work with was given an order that they had my permission to tie me up in my office if need be, to keep me from making any executive decisions while I am angry. Yes, it's ok to get mad, but get over it.

Never publicly (or privately if you can help it) lose your temper, use profanity or make derogatory remarks about anyone or anything. If you haven't done it, develop a stress reliever. Some chiefs run, use weights, ride bikes, kayak or play sports.

Always strive to utilize collaborative consensus building decision models in the routine operation of the department internally and externally with affected agencies and organizations. Don't develop a "fortress mentality" about policing. Internal and external transparency is the key to successful leadership. If you have to whisper about your public business or keep even embarrassing information secret, you are on a slippery slope that will ultimately lead to your undoing. As Terry Hilliard, former Superintendent of the Chicago Police Department, would say: "When you mess up, fess up, fix up and go on." People want and expect you to tell them when things go wrong and what you will do to not have that happen again. People do support the police and even when you make mistakes, they will support you as long as they feel you are always acting in "good faith." As I have told every recruit class I ever graduated, there are three things that they need to do to have an honorable and successful police career. "In whatever police service or enforcement action you take, always: *Do what's right, do the best you can and police others as you would have them police you.*"

Prepare yourself for the day you will get fired or asked to leave. I once told a community leader that I was not a politician. He called me a liar. The police chief's job is to keep politics out of the department and sometimes that means losing your job. No true police leader (non-elected of course) should be perceived as partisan within or outside of the department. That does not mean, however, that the chief shouldn't be politically astute to their surroundings and realities of their community. This goes back to the integrity issues. Police chiefs must make it clear to their hiring authority where their ethical boundaries are. If the mayor wants his brother-in-law promoted, be ready to deal with it. Sometimes you can say no in a way that doesn't result in confrontation. Sometimes you just leave with your personal integrity intact. Being a police chief is often rough political business.

Any new chief needs allies. You must develop your own community power base. Quickly meet with every local community group possible and be very visible in the community. If the citizens like you and see the sincere positive message you consistently give them, it becomes politically more difficult to unseat you. However, there is a two edged sword you should be aware of. As soon as elected officials believe you are becoming more popular with the public, their egos take hold and you become a potential political threat to their power. Another slippery slope could begin to form. Do everything you can to reflect praise and credit to them publicly whenever possible. By doing all of the right things mentioned above and always publicly and privately taking the high road with the community and the political powers that be, you may be able to survive a coup attempt.

I personally had such a situation where my new boss went on a public campaign to discredit me and force my departure so they could appoint their own person. I did not succumb to the temptations that come naturally and never said anything publicly. The leaks from his office on what was happening caused the media and the public to find out. The citizens became so angry

that they “melted his phones” with calls to the point that his office staff were leaving phones off the hook. His council support disappeared and the coup attempt failed. However, the next couple of years were very difficult. As unlike the attitude about things for police chiefs mentioned above, most politicians do not believe in that philosophy and carry the bad feelings of their public embarrassments to their grave. When things get tough, it is important that you rely on the professional relationships that you have developed locally and nationally with your peers in the business. They can be a comforting reaffirmation that what you are doing is the right thing to do and help you get through those troubling times.

This brings up another thing to consider. Don't stay too long. You can accomplish a lot in six to ten years, but as you reach eight, nine or ten years in the same job, you can get stale. Unless you have a way to personally re-energize yourself to where you started as chief, it is time to think about moving on and let the next generation (whom you should have been developing) take over. Fresh people bring fresh ideas and the drive and enthusiasm for the long hours, occasional crisis and tragic incidents that you never get used to. Burn out can happen to the best of us. You also have to consistently remind yourself that your family is more important than your job. The crime will be there when you get back, your family might not. Or your children are suddenly all grown up and you missed it. Never lose sight of the fact that you could die tomorrow and as Sonny and Cher would say: “the beat goes on.”

Your true legacy is the systems and people you helped develop and left behind. A successful police leader recognizes that they have an obligation to the community for not only their safety while they are there, but to ensure that safety when they move on. It is also true for the successes you enjoyed while there. The key to operational success is the consistent mentoring, training and promotion of competent staff. A successful police leader must provide equal opportunity and a level playing field to employees at all levels for assignments, training and promotion. I

learned long ago that you are only as good as the people that work for you. Having processes in place for career enhancement at all levels is important. Employees should be made aware and allowed to participate in programs and educational activities that will improve their ability to compete for assignments and promotions. Employees will work hard in an organization that they feel treats them fairly and they will be rewarded for their good work. I created opportunities for managers to get training at several respected police management training programs in the hope that they would experience the epiphany that I did, and come back with that fire in their belly for our profession.

We were successful in fighting crime (dropped serious crime 40% in just five years) because of a consistent cohesive command staff that was empowered to run their own operation and held responsible for the results and accountable for their employees and their performance and behavior. Risk taking was encouraged and the mistakes made were taken as lessons learned for the group. Collaboration and sharing of resources was encouraged and commanders were held accountable for results. I always looked at the departure of one of our commanders to be chief of another department as a feather in our cap, not the loss of a great employee. A new chief should find out who are the individuals, that if they left the department, they couldn't be replaced. If you had such people, they have been there too long and should be replaced as soon as possible. Get others in training to take over those jobs, if they are related to policing.

I remember one officer that had been in narcotics handling forfeitures, and not doing police work for many years. He was the only “go to” person that knew that job. When I hired a civilian accountant shortly after arriving, we found out that the “indispensable officer” had stolen a lot of money. It should be noted that cops just don't want to believe that cops can be bad. When the deputy chief and captain told me they were calling the “indispensable person” (who was running out sick leave at the time with intent on retirement now that a civilian was taking his job) to see what happened to some

money sent in for forfeiture with the US Marshall's Office, I told them not to call him as he may be a thief. They took umbrage to that but agreed to look further. By the end of the day, they found that over period of years in small amounts, over \$400,000 had been stolen. I must admit to a little personal satisfaction at getting him 21 months in a federal penitentiary and taking and selling his \$250,000 lake cabin.

Don't take for granted that your command staff is watching the store. There is a good chance many of them are not. If there are hints of integrity problems, don't be afraid to do some integrity testing. In a Northeast city, the FBI had a Florida department call the detective bureau and asked them to try and arrest a person at an address there for a felony offense of drug dealing. The targeted detective (a twenty year veteran detective supervisor) went to the address, where a large catch of cash was found. FBI cameras caught the theft on tape.

These issues lead to internal discipline and accountability. We all know that bad things will happen. But there are a lot of bad things that can be avoided, and if the Chief hasn't addressed those issues or left them unchecked, their tenure will not be long. Like it or not, our employees are drawn from the community we serve and they come to us with the same bias, prejudice and hang-ups that afflict the rest of the population. Some people slip through that shouldn't, even with the most thorough background investigations. These are people that I always say should have been "Maytag Repairmen", so that they will never have to come in contact with any other human beings. Besides all the training and department policy on ethics in policing, if the rules aren't being enforced at the first and second level of supervision, bad things will happen. As Ronald Reagan said: "trust and verify", or something like that.

Besides an aggressive Internal Affairs function, there must be an internal audit process that routinely reviews operations and ensures that there is compliance with departmental policy. Without it, the chief is blind to what is happening in their organization. A simple audit would have caught the

embezzling of the officer mentioned above, long before he was finally caught. At the time I called in the State Auditor to review our entire property unit function (remember transparency) and shared that report with the Major Cities Chiefs. I advised them to look at the issue as they could have time bombs ticking in their property rooms. Within six months, a large Canadian city identified a huge problem with missing firearms and a large Northeastern city ended up with indictments and retirements from their property units. As to accountability, I believe the "compstat" process has shown all of us what can be accomplished when you hold people accountable for what we hired them for.

COULDA, WOULD, SHOULD is a game that a successful chief should not spend a lot of time worrying about. When you make a decision and the "bullet is out of the barrel", there is nothing you can do about it. Sure, there are decisions that I wish I would have made differently, but articulating one for posterity will only give incite on that specific set of circumstances. Good police leaders learn and grow from their mistakes and the mistakes of colleagues. The key is if you don't know for sure, ask. That is what our police associations at the state, local and federal level are for. A ten minute phone call can save your city hundreds and thousands of dollars and you your job. It's O.K. not to know what to do.

Here is a mistake. When I took over my first department as chief, I had all the right academics and latest operational techniques packed in my carpetbag. But I neglected to start slowly by educating and collaborating with the people who were going to carry out these new operational ideas to gain their buy in and sense of ownership. I foolishly thought that they would see the brilliance of this initiative and follow me to the devil's gate. When I got there, I was all alone. It takes time to change culture in our business and being autocratic will never get the job done. "You can lead them to water. . . ." In my next life, I formed several groups of personnel from all levels of the organization, gave them a vision of what I wanted to accomplish, and then empowered them and turned them loose on the idea. What came

back, with a little shepherding, was a plan that was bought into by the rank and file and successful. It took longer, with lots of education within and outside the organization, but it worked. Patience is a virtue.

As I look back on things I did or didn't do because of politics, I always held true to my ethics, regardless of the cost. But there were times when discretion was the better part of valor. Of course there are those important situations where you must hold firm to yourself and your integrity. However, there are lesser important things that can be done, if political prudence is applied, and still not damage your personal integrity. Police chiefs need to think like NASA. Sometimes they have to wait for a break in the weather to launch the shuttle. The same is true in the political world. Timing is everything. For example: When I decided that the "X" program was not an effective and efficient use of personnel, I waited to end the program until the State Coordinator for the program was no longer the Attorney General for the State. I also made sure the local public agency we partnered with to do the program was on board too. In another situation, I was going to appoint a precinct commander to deputy chief and I knew the boss might not be happy about it. So I did it and dutifully emailed him that I was appointing someone. I got an email back that I shouldn't do that, so I advised him that I had already done it and the person had already worked for a couple of days. I advised him to send me an email if he wanted me to un-appoint the individual. The boss didn't respond. He didn't want it on the record that he was directing me to do something he shouldn't.

I have also found that many council members and other political persons actually like that fact that "That darn chief won't do it" and they are able to relate that to the constituent or special interest group that was pressuring them. Of course those incidents can become cumulative and again, eventually, or when a bad thing happens they get rid of you. When you think about other approaches, pick your fights. Don't fall on your sword for an issue that is not that relevant to your integrity or real success as a

leader. And always remember to leave your ego in the closet. You can achieve self-actualization without it. That doesn't mean you shouldn't be visible and publicly on stage for issues at the chief's level that the public expects to see and hear their police leader. At the same time, take pride in developing and watching others excel under your leadership.

When we talk about an operational or functional style in dealing with challenges from the political environment, special interests and etc., transparency and honesty is the best policy. When one of your employees does something "bad" in or to the community, get out front with it. When one of our personnel was accused of sticking a toilet plunger up the rectum of a minority drug suspect, it was the chief who contacted the affected community leaders to tell them what had been reported and what we were doing about it. I called a press conference right away to point out how seriously we were taking this allegation. In this case I immediately turned it over to the FBI, whose later investigation showed the suspect to be untruthful in his report of what happened. We did not have the community uproar that might have followed in other communities. Always keep your political constituents informed as well. It is your job to advise them what they can say when confronted by the media or their constituencies. Never let a political person get cold called from the media on a big serious police issue in their community.

Sometimes the political environment can not only get you fired, it can get you hurt. Don't be naive about the viciousness and corruption that politics can foster in a community. When I took over a large Northeastern community, I replaced a predecessor who had been picked up on FBI surveillance tapes with known associates of the mob. City Hall was also infested with persons associated with people they shouldn't have been. Our community was colorfully known to the residents as "the city of hills, where nothing is on the level." A couple of cabinet members and others were milking city hall like a cash cow. In this situation, we asked for help and we got it from State and Federal authorities. A long

investigation finally put one city commissioner in prison, sent a local union official into hiding and relegated another commissioner to acting as a look out for a local gambling operation in NY. There was an off site local unit, headed by a captain, whom I couldn't figure out what they did, even after the captain explained it. I had a trusted captain in internal affairs take over the office and their records and three members of the unit retired. It is believed that they were doing political intelligence gathering and other unknown special operations (black bag jobs), not to mention submitting overtime slips on case numbers that either didn't exist or were empty files.

When this type of corruption is detected, the road is clear. I had the back up of a firm contract for employment (I demanded it to take the job) and that helped the city manager at the time, to resist the special interests that pressured him to get me under control. Politics also determined who was promoted and who was assigned to where. Every change in political leadership caused wholesale changes in detective assignments and appointed promotions. Even civil service was circumvented when a "favored son" was #5 on the captains list and with only three vacancies, they either skipped two (rule of three) or created two more captain positions. All of this stopped and the rank and file officers felt good about their jobs again. A lot of "Maytag Repairmen" had also been hired and had to be weeded out. During the course of dealing with these issues, a bomb exploded under my car as I was getting in it. The incident impacted my family significantly, but solidified my support in the department and neutralized any political interference to our investigations.

Being a police chief can be a thankless job, but knowing in your heart that you have done your best and always did what was right will lead you to a personal self actualization and satisfaction that the community, whose safety you were responsible for is better off because you were there. "Blessed are the Peacemakers."

So, You Want to be a Police Chief

by Ruben B. Ortega

Experiences, observations and ramblings by a participant who ran the gamut, often referred to as Police Chief.

For some reason that I do not fully understand, I have been asked to share some thoughts and observations (which may be helpful to others) by the leadership of the National Executive Institute Associates, Board of Directors. The difficulty of such a request is how do you share your experiences without appearing condescending or superior? I'll give it a try, but nevertheless, I ask for your forgiveness before you read on.

So, you want to be a Police Chief! More importantly, do you want to be a successful police chief? Those of you who currently are not police chiefs, but aspire to hold the position, let me first share some observations with you before you finalize your decision. And for those of you who are current police chiefs, have you ever wondered why you left the safe, secure, civil service protected, "I'll pass it on to the Chief," sanctuary of Assistant Police Chief?

To the first respondents, my advice is do not become a police chief unless you can accept the probability you may not have the position beyond six months, a year or perhaps (if you are lucky) three years; or unless your psychiatrist has said you are a hopeless case and you might as well seek the job of police chief. If you need the paycheck, or if you cannot take criticism of the magnitude of headlines and editorials, you will not be a successful police chief who makes significant improvements to the community, to the Police Department and to law enforcement in general. You must be free of the worry that you can lose your job whether voluntarily or involuntarily.

You must have the inner strength and self-confidence that you will put forth efforts that are based on the premise that your decisions and actions are *the right thing to do!* To do

otherwise (for political expediency, to minimize criticism, to incur favorable responses and/or employee acceptance) in the short run may seem to be the acceptable thing to do, but in the long run will collectively minimize a successful tenure.

Perhaps those of you who are currently Police Chiefs made the decision, like I did, because the satisfactions of being a police chief are many and rewarding:

- You achieve your ultimate career goal,
- You are in a position to effect positive change,
- You have opportunities to enhance law enforcement,
- You will have the opportunity to showcase your management experiences and skills,
- Your position of leadership is established,
- You will enjoy public tribute for the hard work that led to your selection, and
- You and your family will benefit from the financial promotion, and, the list goes on.

You cannot, however, lose sight of the factors that will work against you. Knowing what these factors are and appreciating their challenges, will enhance your ability to meet them, work with them to accomplish the responsibilities of the job, and overcome those which can be detrimental to carrying out the duties of your position.

First and foremost, understand this—the average tenure of police chiefs of major cities with populations of 500,000+ (and, I suspect, cities that fall into the population range of 300,000 to 500,000) is $3\frac{1}{2}$ to 4 years. The reasons for this are many and varied and perhaps some day this phenomenon should be the subject of in-depth

research. I submit that one of the fundamental problems of effective law enforcement in America today (as it has been for the past 75 years) is the lack of sustained leadership of police chiefs in cities of significant size.

It is extremely difficult and, in some cases, impossible to institute sustained changes in the culture, character, practices and patterns of police departments in four years which have been ingrained for decades. Therein lies the first challenge, if you conclude that critical change is needed.

The opposition to change is a formidable foe. It will come from both within the department and from outside. A common theme of those who oppose is, "Let's just wait it out, he or she won't be here long and it will change back." Unfortunately, they have been proven to be correct too many times.

Oh, how I wish the old adage, "When the going gets tough, the tough get going!" was more prevalent in efforts to create meaningful change. Unfortunately, efforts to institute needed changes often results in "When the going gets tough, the Police Chief gets 'gone'!" There is no question that becoming a police chief can be the pinnacle of a law enforcement career. Unfortunately, for too many, being a police chief and having to leave on others' terms, sours what otherwise had been an enjoyable profession.

The task of being selected as the Police Chief among the many competitors is not as challenging as being, or having been, a successful police chief (as defined earlier), that is, if you have prepared yourself for this goal. I am not talking about preparing for the competition one year out from the selection process. The preparation begins from the earliest years of your career in law enforcement.

Having served almost twenty years as a police chief of two major cities in America, I can look back and reflect on the fortunate opportunities of having made positive decisions that defined my ascension to the top job. They were decisions that came about, for the most part, because of others I admired and to whom I listened as they shared their experiences, wisdom and

advice. Honing my skills from the experiences, teachings and guidance of those more knowledgeable (about law enforcement) was possible for me because the more I was willing to listen and learn, the more my mentors were willing to share their knowledge.

In addition, the following traits were invaluable to me in enduring a longer than normal term as Chief.

- The self-confidence that you are up to the task of being Police Chief,
- Freedom from the worry that you *need* the job,
- Possessing skills of effective oral and written communication, political persuasion, the art of compromise without compromising ethics, integrity and honor, and giving credit to others regardless of the level of their input.

Following, in no particular order, are some suggestions and observations that I feel helped me to endure as Police Chief.

The very first thing I did upon being selected was to sit down with my boss and express my appreciation that he had selected me. I told him "If the day ever comes that you feel things aren't working out and you want to make a change, all you have to do is pick up the phone and tell me you want to make a change. I'll understand, you have that prerogative, and I'll be grateful for the opportunity you gave me." This laid the groundwork of understanding between us and freed me from the anticipation that I could get fired some day.

I watched and learned from those I respected as effective leaders. I adopted traits and practices they used that made them good leaders, modifying them to fit me and to establish my own leadership style. "Participatory Management" was the overall style of management I practiced and I believe it served me well. Encouraging my assistants and commanders to participate in the decision making process and many times adopting and giving them credit for their ideas, suggestions and opinions, cemented an overall effective management team.

I made sure that whenever I held subordinates responsible for given assignments, I also gave them the authority to carry out those assignments. Awards and recognition activities, frequently given, also helped establish loyalty to my management initiatives and goals. For example, every promotion to the rank of Sergeant and above was always preceded by a short reception in the Chief's conference room for family and close associates of the recipient.

Establishing a firm but fair practice of discipline to encourage the adherence to policies, procedures and general orders, led to a clear understanding of expectations. Eliminating *all* aspects of "good old boys," "who you know, instead of what you know," in establishing processes for promotions, transfers and assignments eased confrontations with employee groups.

Having a clear understanding with the Police Union that their interests, requests and input would be welcomed and accepted where applicable, but that the Police Department would be administered by the Chief, City Manager/Mayor and Council, not the Union. Union leadership would be held accountable for disruptive activities, such as, "no confidence votes," public derogatory comments toward the city or department, "blue flu" and/or unlawful strike activities. Early on, I operated from a position of not allowing myself to become too personally concerned about "no confidence votes," this was perhaps because I endured and overcame five or six "no confidence votes" during my tenure.

We took calculated risks in implementing new anti-crime programs and initiatives. If they were successful, I gave credit to my superiors and if they failed, or garnered criticism, I took the responsibility.

The practice of keeping my boss/Mayor and Council apprised of major events or problematic issues, and especially eliminating any aspect of "negative surprises," served me well. It is important to quickly develop political acumen to aid in side-stepping political mine fields, but at the same time to serve the political leadership of

your jurisdiction. Although not easy to do, establish a one-on-one relationship with your mayor and each council member, without circumventing the primary relationship with your immediate superior.

Swallow your pride, if need be, but create or develop community advisory group/s or committees that include some of your (or the department's) most vocal critics. This process helped me numerous times to deflect disruptive criticism resulting from police shootings, use of force issues, arrest of protestors and/or rioting participants who broke the law.

Make presentations to business leaders and groups. Join civic-minded organizations, such as a rotary club or Chamber of Commerce. Develop your own support groups who will step forward in speaking out on your behalf when you implement new programs or initiatives, or when there is disruptive criticism of you or the department.

Be a team player when it comes to helping your city develop the budget. It is easy for public pressure to force the Mayor or Council to fund public safety issues or programs, to the detriment of other departments. Make your share of cuts, if necessary, without crying "foul." Trust me, your willingness to give and take will be rewarded when you really need it.

As much as it pains us, you must have an open policy with the media, never misleading intentionally, or misrepresenting the facts. Agitation or anger toward the media will not serve you well in the long run. Remember, "You cannot beat those who buy ink by the barrel!"

Lead by example. Be uncompromising in developing a character of honesty, integrity, honor and fairness. The challenges you face are enormous, especially with the added responsibility of homeland security issues. But you must take on one more challenge. Police executives must change the pattern of unsustained police leadership in America! It can be done through a plan mapping out the strategy, coordination, political acumen, communication and persistent desire needed

to establish an acceptable process of sustaining good police chiefs by those making the selection. I would welcome the opportunity to assist in such an endeavor.

The legacy you leave will be defined by others. The degree of change for the betterment of your community and law enforcement you accomplish will also be interpreted by others. But in your heart and mind you will know you made a difference. Take the credit!

The Eight Habits of Creating a Legacy

by Ron Palmer

Since leaving law enforcement in July, 2002 and starting my own security and media consulting businesses, I've learned a couple of things. One is, if you create a title or subheadings that are numbered, bulleted, or give people things to count, they are more likely to read the text for the instant gratification that numbered things give us. Hence, the title – actually I don't know if I have eight habits of legacy creating I can share with the NEI Associates. But I have captured your attention if you've read this far. Mission accomplished at this point.

The second thing I've learned (perhaps more of an observation) is those of us who have been immersed in law enforcement for most of our adult lives usually end up staying immersed or, as a second choice, end up having little interest in true law enforcement issues as time moves to the right. I've turned out to be the latter, sometime much to my amazement.

While in law enforcement and during my 12 years as a Chief of Police, I loved the job, the people, the strife, and the controversy. In retirement, I have thought about seeking the "perfect" Chief's job – no crime, up-scale community, big salary, harmony in diversity, fully funded, cutting edge equipment, etc. etc. I haven't found that yet and actually do not look too hard for that opportunity. But, after 31 years, law enforcement is what I found I knew and what I had my highest comfort level with. So in 2005, I still dabble in the noblest of professions, but remain undaunted by not being immersed. There is life after the P.D. Perhaps these legacy creating habits are better called lessons learned.

#1 Legacy Building Starts Day One

I think I knew there would be a legacy of some sort left in the wake as my tenure as Chief. Everyone leaves something behind –

good or bad. I was lucky. My ten years in office in a major U.S. city is an accomplishment in itself. I got to stand up at the start line - got to do some things (viewed as not all good) in the next decade – and got to the finish line on my own terms. For some NEI graduates, the echo of the starting gun has barely faded before some volatile policing issue or politics wipe out their chance to leave a legacy at all. That is a sad documentary on the state of big city policing and politics, and does not lend itself well to legacy building.

Had I sat down and written down a legacy statement on day one (which I did not do), my number one thought as I remember it would have sounded something like this:

"O.K., so you are now Chief of Police. Don't get too full of yourself hotshot. Both the cops and the citizens you are responsible for have great expectations of you - which you may not be able to satisfy all the time. *Remember your roots* – you are a cop. (Albeit four or five ranks removed from the beat, but still a cop.) You've learned to be an administrator. That learned skill will be tested. Let's see how you do now balancing the cop / admin deal. Today, and the rest of the days you are in office you will be judged by all that you touch and all that you do. You will make history and you will leave a mark on this Department. Let's make it a good run here and everyone will be better off when it is all said and done no matter how long it lasts."

#2 Know Where Your Compass Needle Points

I often thought about consistency of purpose, word, and deed, and tried to put that thought into routine actions – a very difficult task indeed at times. Things happen that do make you change your mind or your stated position. Or you can be told to change your mind by your superiors, a court, a union contract, or binding arbitration (organized

labor's best effort at paying you back for taking the Chief's job, in my humble opinion). My thoughts on consistency were never really validated by anyone one way or the other (bull headed or waving in the wind) until I had a chat with the local F.O.P. President one day in my office.

I don't specifically remember the issue, but do know it was about an Internal Affairs investigation where there was going to be some discipline handed out. I was probably seven or eight years into my tenure. He came into my office to discuss the matter in part, and was also there to check the temperature in the Chief's office on what might happen to the cops. The discussion was, in fact, a discussion, but my position did not waiver regarding the findings and the discipline I thought was appropriate.

At that point he said words to this effect, "Chief, you know we don't always agree. And, of course I think you are wrong here. But, you know, I can come in here and most always know where due North is. Your compass needle rarely goes off the path that you have set since you've been here and I've been President. At least we know where we stand and that is appreciated." Needless to say, that exchange was the best validation of consistency I could have ever received.

#3 Take Responsibility When it is Yours

Buck passing in government is commonplace and has in some police departments becomes an art form. I've seen many Chiefs or Sheriffs literally use the good cop/bad cop tactic in press releases, policy distribution, budget hearings, and union negotiations. This drill is usually recognizable to all in a very simple critique of what is happening within the Department. The Chief stands up and talks when there is good news. Somebody else is assigned the chore of presenting bad news. (i.e. Deputy Chief, P.I.O., secretary, janitor, anybody but the Chief). Oh my! We certainly don't want to associate ourselves with the bad news now would we? We might be criticized of how we do our jobs if something goes wrong, and God forbid, especially if we take credit for the

error, omission, or screw-up. Our infallible façade of Chiefly perfection may be tarnished. Get over the perfection deal – you aren't perfect, nor are all your decisions.

Sure, if one were to examine my police legacy, I did upon occasion, send the messenger to be killed. That methodology of delivery of bad news is really too easy, and, I might add, if used too often looks cowardly to the troops, the media, your peers, and the citizens of your city or county. "Chicken-something" I believe they call it here in the mid-west. You should know when to stand and deliver as Chief. Good news or bad, you must develop a sense when your skills as a leader need to surface. If you can't take the responsibility for your actions (and at times of those officers you command), you, in my estimation, are not the leader you profess to be. In the light of day, *all* will see you as the tortoise that creeps back into their shell at the merest hint of controversy or criticism. Be responsible for that which you are responsible. Change or manage those aspects of individual responsibilities you are uncomfortable with or turn out wrong – that's what they hired you to do.

#4 Humble Yourself

I'm undecided while writing this exactly what size a Police Chief's ego should be. If a Chief, I believe it is universally accepted that you must have an oversized ego in order to:

- Believe you should try to do the job at all.
- Actually do the job well once in office.

If this premise is agreed to, then the only issue is how big that ego should be – bigger than a grapefruit - the size of small foreign car – as big as all outdoors. Who knows for sure? My thoughts on this issue (it is an issue - look around) center on the idea the Chief's ego must be large enough to have more than adequate confidence in their abilities to lead, manage, and articulate their vision. But somewhere less than the God-like, policing Messiah, that demands that people bow down and kiss the ring and continue to worship the ground that they have touched in rising to the top of their profession.

To re-coin a phrase: “Size does matter!” The size of a Chief’s ego depends, in part, (in media terms) on the size of market you are playing in. The Chief of “Middle of No-Where America” will need to rely less on their ego and how that ego is perceived, than the Chief of one of the ten largest cities in the U.S. How that ego size “plays” out to those around them matters as well. An ego maniac is soon discovered to be just that by subordinates and others that must work with them, and may quickly lose the respect of those they wish recognized their “superior” talents.

Which gets to the point of Habit #4 – you are human – you err – you can be self-effacing – you can give credit to those that deserve it. Nobody will be hurt. People will respect you for your expressed humility. Somebody, somewhere, will do something better than you can do it. That person could be within your department, be a citizen, be another government official. It’s O.K. that person may not be you.

#5 Sell, Don’t Cram

In this day and age, most of us are hired to be “change agent” Chiefs. Our predecessors have left office for a variety of reasons, many of them bad reasons. Even in those Departments where the Chief has left office due to his “many years of devoted service and well earned retirement”, the city/county administrator is generally looking for something new. You do not see want ads seeking a status-quo Chief. If status quo is a stated goal, read between the lines, as that environment is usually short lived – progressive change is the current catchword (whatever that means). What that might mean is that we all have the opportunity to be change agents. How we go about this is imperative to how long we might survive before we are fired for not being progressive enough – not fast enough, or worse yet, succumbing to a vote of no confidence for being too progressive - too quickly. A classic “Catch 22” scenario to be sure.

Jokingly, people said I was a “stop the bleeding” hire. Not a bad position to be in (you can only go up), but there are lessons learned in this situation as well about how

you go about presenting new ideas, having them accepted and finally adopted as the new police culture for any Department of any size. If hired as a change agent Chief, your boss will expect some immediacy of action – changes in policy, procedure, and most important, policing philosophy. You may be charged with an overall attitude adjustment of a large number of people who have an established way of doing things for perhaps decades. Not an easy task. Your job then can become one of two things:

- A kick ass and take names autocrat.
- A salesman. (not just an ordinary salesman – you will need to become the proverbial “Selling Snowballs to Eskimos” salesman)

My thought for long term survival is to sharpen you sales skills. You must become very proficient, very quickly in selling your vision, your policy changes, and your attitude adjustment to a customer (the cops) that hate change and also may hate what you represent. The kicker is, you must “close” this sale as soon as possible.

As a “stop the bleeding” Chief I had more time to do this than your average change agent Chief. I learned though that cramming it down their necks won’t work in any time frame. Fortunately for me, the troops in my Department had already seen that attempted and would not tolerate any approach that resembled that. Cajoling is a good technique when properly applied. Sales is not an easy skill to develop, especially when you know you are in charge and results are expected yesterday. Hey, how you get there is up to you. This is not “Salesmanship 101”; it’s only Habit #5.

#6 Stay Current

While on the job I loved having people work for me that were smarter than I was, but I hated it when they started discussing trends in policing that I had no clue about. My feeling of subtle (or not so subtle) ignorance of not being able to discuss this new idea with them, left me empty and scrambling for a Google search on the internet or calling the IACP, MCCA, or NEI to find out what I was missing. The ignorant bliss I experienced in

these situations was exacerbated about a hundred fold, when the Mayor or other city official started to discuss (read: “ask me”) about my thoughts on how they were dealing with police issue in such and such a place. Nodding knowingly and buying time by stating I was still catching up on that issue was not a position I wanted to be in and made every effort to assure that I wasn’t there too often. Knowing only what I knew yesterday is never enough.

Despite busy schedules, demanding personnel/citizens, grueling hours, and all the other things that go into the thought that we just don’t have time to read, listen, and participate in additional training, just doesn’t work at the Chief’s level. Remember item #4 about egos? Being smart/current and being able to speak and adopt current issues and philosophies is not about ego and you just being cocky. It is about being professional – pure and simple. There is no other way to put it – stay current in your profession and you will be perceived as a person who is knowledgeable, a leader, a progressive thinker, and also all the accolades you need to feed that giant ego . . . *and* allow you to survive and thrive as a Chief.

#7 There is No “I” in Team

Before you grab the closest waste can and puke, let me explain the use of this piece of trite wisdom you may have heard while getting the losing halftime tongue lashing from your junior high school football coach. My intention in promoting this thought to you now is better understood in retrospect – since I left government in general and policing specifically.

If you are a Chief you were likely once a street cop. If you were a street cop you learned (rightfully so) that the other city departments in your city were the enemy. They sapped precious dollars from the police budget (and your paycheck) for the purpose of filling pot holes, building playgrounds, putting in sewers, and the other thousand things that cities do with their tax dollars. All you knew at that time was that you were under paid and over worked and others in the city were making more than you and were

not risking their lives in doing so. Cops rule. Remember those days? Of course you do – that was just yesterday for some of us.

Know this. As a Chief you work, live, exist in a political arena. You may not like that, but if you didn’t know it before you took the job, you do now. In that arena, there are many players – some of them actually believing that cops are no better than just overpaid security guards. This makes us mad. We, as Chiefs, still hold onto the lingering mentality that the rest of the world (city /county government) are inferior to us and we should be getting the lion’s share of all the tax dollars available to our jurisdiction. Sorry, not the case. Public works will always win this battle. Others (fire, parks, etc) will get their share as well. Look at your budget at 30,000 feet, not the three feet that it lays in front of you on the desk. If you can do this (some won’t get there), you will better understand that you are in fact part of a team that is, in total, attempting to provide a vast array of city services, *which just happen to include police services.*

What a revelation. You just turn out to be a very integral part of this whole city/county team. What would happen if I turned down the ego for a moment and maybe the holier-than-thou attitude and attempted to cooperate in this budget deal for a while? Not be pushed around (nobody’s going to do that, trust me), but maybe just offer up a bit on conciliation from time to time and try to work together as opposed to being high and mighty with your peers in government. I’ll guarantee the boss will notice and appreciate your cooperation and attitude toward the overall good you are promoting for the city. If the boss likes it and stays around, you stay around. Fight for what you believe is rightfully your share of the budget pie, but understand that nobody wins the whole of the pie itself.

#8 Expect the Race Card to be Played

I know of no major city Chief / Sheriff that has not been touched in some manner during their tenure (no matter how short or long) by race relations in their jurisdiction. **NONE !!**

In my career I've been honored by several different minority groups in three different cities for exemplary diversity programs, minority community policing efforts, and minority recruiting. As Chief I experienced the heartfelt disappointment of being called racist by both officer and citizen alike despite my best efforts of creating non-disparate treatment on the streets and in the squad room. I have no habit to offer up in this regard that one could turn to and say, "Yea, this will work. I'll try this because I've seen it work." Sorry to disappoint you, but I just couldn't find the solutions that were universal for everywhere I worked.

Perhaps therein, is the answer. What worked in Kansas City, Mo. may work in Portsmouth, VA., but doesn't work in Tulsa, Ok., or vice versa. Every city I've worked in has brought its own individual perspective to racial issues. The solutions to these individual and differing issues become situational at best. At worst, they simmer and boil in an undercurrent of unrest and tension that often explodes into the streets in the form of riots and civil unrest that expresses the frustration of those police / race issues that have been part of policing forever.

Fortunately, I personally never experienced the explosion of the race riot and the distrust of the police that follows those situations. I know that many of my NEI peers have had to deal with those issues. Neither white, black, or Hispanic Chiefs seem to have all the answers to this most important of police issues. I do know that the law enforcement professionals that have participated in the Major City Chiefs Association and NEI expect the race card to be played at any time. They are correct. It can be played when you least expect it. What I have observed and should continue to be the prominent thought on this issue is that minority relations to police are vitally important. All people, regardless of race, having contact with the police should be treated with the dignity that they deserve and earn. And, lastly, it is my belief that my former peers will continue to search for the answers that resolve these troubling issues for the betterment of all in a manner that values equality, justice, and the civil rights afforded to all of us.

Epilogue or Epithet?

Lessons learned (or legacies) need not be profound to be of value. As it turns out I did find eight of these little pearls of wisdom to share – which surprised me – I didn't think I had it in me. Obviously the ego is still at work here (albeit it rests more frequently).

There is perhaps a 9th habit that could be considered as either the epilogue or a something that I would feel honored to have put on my headstone at some future point (distant future). This is an easy one. I'll ask you again to think back to your roots. Remember when the Chief showed up and you didn't expect him. Wow! He just showed up. Showing up is important stuff to your subordinates. Dinners. Squad Meetings. Court. Managing by walking around. Birthdays. Retirements. The list goes on and on. You don't have to be invited. Don't show up and boss folks around. Show up and enjoy the moment. These are real folks that work for you, not just a payroll number, not just a nameless face. Be there for them when they need you and also when they least expect you – then they will be there for you. This effort extends to public appearances as well. Do the extra community meeting. Go to a barbeque. Walk in parade. Participate. Be seen.

Nothing is better than leaving the legacy of citizens and officers alike telling you that you are missed and you did a good job. I like this. For me, these are a frequent occurrence – which is a great personal legacy. For me, etch my headstone so it relates my legacy:

Ron Palmer
Chief of Police (Retired)
1950 - ????
"He Showed Up"

Legatus: Who and What We Are

by Paul Pastor

Balancing Ego and Service

The motivation to enter law enforcement seldom starts with ego and ambition. It starts with a sense of service and obligation, or at least an intention to be part of something bigger than one's self. When we enter the profession, we get to realize this intention because we are afforded a tremendous opportunity – the opportunity, in the course of our duties, to perform routine acts of heroism. This is not the kind of heroism which requires one to be “larger than life.” Rather, it is the kind of heroism which simply requires one to be larger than one's *own* life. Thus, most of us enter the profession with a strong sense of duty and obligation, a sense of the dignity and worth which comes with serving the greater good, with being “larger than one's own life.”

A decision to seek advancement and promotion within the ranks of an agency may well have this sense of service as its primary motivation. But ego and ambition are also involved. A decision to seek advancement to the top rank certainly contains an element of ego and ambition. Ego is, of course, necessary in our work. After all, policing involves the direction and control of other people. It is not surprising that those who enter the profession must have fairly strong egos. Those who seek positions of command over such people require an even stronger sense of self and self-confidence.

A key challenge those who lead this profession is to balance the value of service with the necessity of ego-strength. Self-confidence is a qualification. It is not a sufficient qualification. It should never eclipse the idea that we exist to serve the agency's mission, the community and our personnel.

If we are to lead successfully, we cannot “check our egos at the door.” But we should always keep them “in check.” Sometimes the ultimate indication of strength is humility.

Character Counts

I tell our new recruits that to be truly successful in law enforcement, they need to do two things. First, they need to be stronger in character than other people. Second, they also need to maintain a sense of humility.

Being of strong character – being grounded in and focused on ethics and values – can present a challenge in the midst of America's morally-subjective popular culture. There are times when our national moral compass seems to have been replaced by a weather vane. Sometimes it feels that we are swimming against the current and policing against culture. Occasionally, we may have this feeling in dealing with internal personnel issues. Setting and keeping to an ethical path is essential but difficult.

In 1991, I was Chief of Police in a city which had experienced political turmoil in its Police Department. The mayor and the police union were in bitter conflict. As a young (plus relatively naïve and inexperienced) police manager, I took the Chief's position. Three Chiefs had preceded me in rapid succession. I learned some things, but it was not enjoyable. Each side expected me to champion their cause. And each advocated questionable tactics. I managed to upset both sides. Then, I received a vote of “no confidence” from the union when I would not sabotage the mayor at a city council meeting. Seemingly devoid of allies, I resigned rather than be fired. Later, I found that I had plenty of allies. The people in the community were tired of all the dishonorable shenanigans. Eighteen months later, the mayor's opponent won by a landslide.

What did I learn? Several things. First, I learned that you always need to hire yourself a good boss. Next, I learned that when you go into a new agency, always get a contract. I learned that by working hard and

cultivating the community, it is possible to become more popular than your boss. I also learned that it is dangerous to become more popular than your boss. Finally, after a few difficult months, I was able to pick up my career and move forward. I learned that friends in the business who will take time to support you are one of the most valuable assets you can have. I decided that I owed some pay-back and that I needed be one of those people when others were in the same kind of difficulty.

As all of us know or rapidly learn, we do not live very private lives. In the 21st century, there may be no such thing as a secret. But if you tell people where you stand, advocate for values and are seen to try to live those values, you may fall . . . and it may hurt . . . but you won't stay down. So, trying to discern and then do the right thing counts. Character counts, but I wouldn't discount timing, political sophistication and luck either.

Risks

The minute you decide that you are going to seek the top spot, you have entered on dangerous ground. We have all heard people say that the best job in the agency is the "number two" spot – you have the power to make change happen but you don't have the same political target profile as the Sheriff or the Chief. It is important to the future of our agencies and the future of our profession that people serving under us are willing to step forward and increase their target profile. It is important that our people be willing to consider succeeding us despite the difficulty and frustration and risks of our positions.

But what is more important, is that they are willing to do so for the right reasons. Not for the deference afforded; not for the power bestowed; and not for the ego boost. But for the opportunity to enable the good people who work for us to do their jobs.

Caution and Gratefulness

"Be careful what you wish for" is usually good advice. While willingness to take risks is an attribute of those who have ambition, a degree of caution is also an asset.

Many of us who were not cautious enough to seek the responsibility of top law enforcement posts were clearly not careful about what we wished for. Nonetheless, many of us probably feel very grateful for the incaution we showed. Why grateful? Because of the opportunities which our positions afford us. They afford us the opportunity to imagine change and then to set about making it happen. They also afford us the opportunity to serve beside amazing people, people who have a sense of service and obligation, a sense of who they are which goes beyond entitlement and personal advantage, a willingness to inconvenience themselves or even endanger themselves for the benefit of total strangers.

I am grateful for the people in my agency. Not that I work with perfect people. They are not "larger than life." On occasion, they mess up. They can and do get things wrong. But day after day, call after call, chaotic situation after chaotic situation, they get a tremendous amount right. And in doing so, they don't just change the outcome of incidents. They change lives. They change individuals, and families and communities. They change things for the better; sometimes in a big way but often in ways that are subtle but sometimes far-reaching.

I suppose that there is a degree of ego and even incaution in this viewpoint. But there you have it.

Vision, Mission and Leadership

The Book of Proverbs tells us that "*Where there is no vision, the people perish. . .*" [Proverbs 29:18]. Our role, as leaders in law enforcement, is to exercise vision: anticipate the future, set a direction and then see that the vision is shared, and implemented. By means of vision, we provoke change. Leadership, at its core, is always about change. But leadership in law enforcement should not be limited to changing only our own agencies. We should also seek to transform our communities and to transform our profession. Ultimately, we can and we should seek to bring about change on a larger scale.

It all starts with our mission. We have three essential mission elements: protection of life and property, upholding individual rights, and building stronger, more civil, communities. These mission elements not only describe the daily work and the general goals of our individual agencies. These mission elements also describe the essential goals and the most vital work of our communities and our nation. Safety and public order, rights and community engagement establish the platform for all other aspects of civil society. They are the basis for strong neighborhoods, strong cities, strong counties and a strong and prosperous nation.

The way we pursue our mission and the way our people pursue our mission is also important. We set a standard – we set an example – not only in what we choose as our goals but also by the means we adopt to pursue those goals. Pursued within the context of core values such as integrity and responsibility and courage and compassion, our essential mission elements create the conditions under which a rare but essential kind of citizenship can thrive.

This is not citizenship based exclusively on rights and entitlements. Neither is it citizenship as a kind of civic consumerism where citizens seek to get plenty of government services and benefits at bargain prices – as if citizenship were modeled on some discount warehouse store. Instead, citizenship essential to the well-being of the nation combines a strong sense of responsibility for one's own actions coupled with a strong sense of obligation to community institutions and to other citizens. It is a kind of citizenship which moves us closer to an ultimate goal which we, being practical people, seldom permit ourselves to talk about – a more just society.

This vision is admittedly idealistic. It goes way beyond the real and immediate and difficult task running an effective law enforcement agency. But in the midst of budgets and personnel issues, labor negotiations and politics and the crisis of the week, we may need to occasionally remind ourselves that we do more than strive to effectively deliver safety and security. We

provide the platform for strong, effective citizenship and the potential for a more just society. That, in and of itself, is the most powerful of legacies.

Legacy

The word legacy is derived from the same Latin root as the word “legate” meaning “emissary” or “one who represents another.” The meaning of the original root (*legatus*) is telling: a legacy is something which represents who and what we are. It is something which stands for us and speaks for us even when we are absent. Our legacy to our agencies and to our profession, then, is something which represents us.

We are practical people. When we think of legacy we often consider tangible things which our agency needs. We think of how we can accomplish the task of delivering these things for those who succeed us. We think of what programs or what management systems or what facilities we can obtain for our people. There is nothing wrong with this. I have similar intentions. I want to leave my agency with more personnel, with a cadre of well-prepared leaders, with a functional doctrine of information-based policing and with greater diversity within the ranks.

These are all laudable goals. But there are more important things to leave behind, things less tangible but more vital. Today's cutting edge systems and programs will eventually become obsolete and will be abandoned. The tangibles all pass away.

But what an agency is, what an agency *means* – its mission and its culture and its values, the way it pursues its mission – these things do not readily pass away.

If we wish to leave a lasting legacy, we will work to impact the culture of policing in our agencies and in our profession. If we want a truly lasting legacy, we will work to leave an indelible imprint of core values such as integrity and dignity and responsibility on our systems and our people and our agency's culture.

Because of the essential nature of our mission and because of the position which this affords us within our communities we have potential to have an impact that goes beyond the agencies we lead. This is possible only if our legacies strengthen the ability of our agencies to pursue their mission conscientiously and ethically.

As for me, I want to pursue one additional, fairly simple and modest legacy. I want the next Sheriff to be better than this Sheriff. Furthermore, I want the one after that to be better still. As legacies go, I could do worse.

Public Service is a Virtue

by Joseph Polisar

I stop and think about those important lessons that helped to shape my career. First, it began long before I became a police officer. I was influenced most by my father, an accomplished surgeon with a thriving medical practice in Brooklyn, N.Y. He was a Type A personality who was driven to perfection. He demanded nothing less from his three boys, of who I was the oldest.

Although my father could have made considerably more money than he did, he was dedicated to his profession and believed in giving back to the community. I watched him take care of patients who could not afford to pay for his services and were not covered by any type of insurance. He would treat these patients with the same respect and courtesy as those who could pay. I watched him accept payments of homegrown vegetables, baked goods, homemade jellies and the like, in lieu of money. He felt this was a part of his duties to his fellow man and looked at this as a public service. His lesson to his three sons was **Public service is a virtue.**

The next most important lesson I have learned is for Chiefs and Sheriffs to pick the right people to be field training officers or FTOs. It cannot be stressed enough just how important it is for your FTOs to be the cream of your agencies as their impact on young rookie officers is immense.

I was blessed in that I had two class act FTOs upon graduation from the Albuquerque Police Academy in April 1977. Their impact on me was enormous and I must give these two fine gentlemen their due. They set me on a course early on that followed me throughout my career.

Lesson learned: **FTOs are critical to the future of our agencies and profession.**

I believed that I was answering a calling to public service from the very beginning

and hence gravitated to those who shared these beliefs. I was able to seek out and benefit from officers and supervisors who were able to mentor me. I was a quick study and tried to sponge up everything I could from these individuals.

Lesson learned: **Mentors are critical to helping guide you in your leadership journey. Pick wisely.**

Education is a never-ending journey. Although I waited too long to finish my degree, it is better late than never. The fact is that this world has no mercy on the uneducated. Our profession has changed drastically in the almost thirty years that I have been involved and a formal education is critical to be successful now. You must be on a constant quest to educate yourself, in the classroom, on the streets and by seeking out training and educational opportunities whenever possible.

Lesson learned: **Education, education, education!**

I learned early on that rules and regulations couldn't cover everything that a leader will ultimately be faced with. There has to be something else than that can guide you in these instances. Although I think I practiced this all along I never heard it described better than by one of the finest in our profession. This goes to my previous paragraph on education, as I've heard this gentleman lecture on leadership on numerous occasions. He said, "There is no right way to do the wrong thing."

Lesson learned: **Do the right thing.**

We all have philosophies or mindsets that help us through those difficult times in our careers. A time that comes to mind was when I was notified that I was not going to be retained by the new mayor elect. I could have very easily been goaded into a public

debate about my dismissal, and in fact the media tried very hard to get me to do just that. Although the temptation was there, I chose the high road and refrained from any negative comments whatsoever. In fact I focused on my staff and challenged them to rise above any negative feelings they may have about the new Mayor or how he chose to replace me. Instead I encouraged them to put any personal feelings aside and to make sure the troops stayed focused on keeping our citizens and each other safe. In the long run this served me well and allowed me to retire with my dignity and even admiration from long time critics.

Lesson learned: **Never speak or write anything when you are upset.**

I would have to say that having a vision of where I wanted to go or be in the future was critical for my career. I knew that I wanted to be a detective and I set out to realize that vision. The same held true for my desire to get promoted to various ranks and other assignments. I had a vision and I set out to accomplish it.

Lesson learned: **Good leaders have the ability to envision the future.**

As it related to my personal journey, I knew clearly where I was headed and set out to get there. Similarly, I was able to do the same in the various ranks and positions I held. I was able to articulate the vision well enough so that my troops knew what we were doing and where we were going.

Early on in my tenure as a chief I had occasion to come into conflict with my union. What I wanted to do was to come to an agreement on testing an alternative work schedule, because the current schedule was not working well at all. In fact, due to staffing shortages, this schedule was having a negative impact on our overtime usage not to mention the health and well being of the troops. Per our contract with the union the only two work schedules I could implement were a 4/10 (the one we were on that was not working) or a traditional 5/8. I approached the union leadership and asked them to consider testing an alternative work schedule in one of our

area commands. I asked them to agree to this in an addendum to the current contract. They refused, smiting advise from their attorney that this should be done during the next negotiations. I asked them to please reconsider this position, as we would not be sitting down to negotiate a new contract for well over a year. They still refused. I believed the union was getting bad legal advise and felt they left me no choice but to return the entire patrol to a traditional 5/8 schedule.

This became a major debate during the mayoral election with the union offering \$50,000 in soft money to any of the eight to ten mayoral candidates who would either force me to give them back the 4/10 schedule or in the alternative get rid of me and put someone in as chief who would.

In hindsight, I moved too quickly in implementing the 5/8 schedule. I should have asked for a sit down with the union leadership and their attorney to try and work through their concerns and possibly create a win-win for everyone. It wouldn't have made a difference in the outcome of the mayoral election or my tenure as chief of police. However, it would have saved my department from a great deal of angst at a time when it could have done without it. As a direct result of this I now have a labor/management group that meets regularly on a quarterly basis to discuss labor/management issues. We stay on top of issues before they become issues.

Lesson Learned: **You get the union you deserve. Maintaining good labor-management relations is a constant challenge. You must take the initiative.**

The thing I have come to realize over time is that the one group of people in any law enforcement agency, who have the ability to affect morale more than any other, is the sergeants. Due to staffing issues at the agency I now lead, they did away with lieutenant watch commanders over ten years ago.

When I took over as chief of police I was very concerned about this situation. It has been my experience that you cannot expect a sergeant to be both a front-line supervisor

and a mid-manager at the same time. However, that is exactly what my department had done.

Due to financial issues I chose not to address this issue, believing we would manage this problem another way. I asked my division commanders (lieutenants with area command responsibility 24/7) to be as visible after 1700 hours as was humanly possible, so as to have a management presence whenever possible. This proved inadequate over time. We began to have problems that could be directly attributable to the fact that our sergeants were not getting the guidance and wisdom they deserved from lieutenants who were regularly working after 1700 hours and on weekends.

Because the city was trying to balance an ongoing structural deficit in the budget, by cutting positions wherever possible, I did not pursue addressing this problem for several years. The result was we were becoming dysfunctional as an organization, our sergeants were not developing as leaders and morale issues were becoming apparent throughout the organization. To make my point, the entire Board of Officers for our police association is made up of sergeants.

Knowing what I know now, I would have pulled together my command staff and developed a way to create a few more lieutenants at minimal cost to the city so that we could have a consistent management presence after 1700 hours. We are currently doing this now however, we could have saved ourselves years of grief had I pursued this avenue then.

Lesson learned: Don't be afraid to brainstorm ideas with your staff or even a kitchen cabinet. Learn to trust your instincts. Your sergeants play a key role in your organization. Do not ignore them.

Finally as I reflect upon various challenges in my career, I recall a functioning style that enhanced my ability to achieve goals. The thing I can point to most recently is the use of a strategic plan to create a vision, not only for the men and women of my department, but for my city administration and our elected

officials. It worked very well for our department in a number of ways.

First, after I articulated my vision for the department, it provided a mechanism for the employees to roll up their sleeves and help create a road map for where we wanted to be in three to five years. It also outlined where the resources would come from and who internally would be responsible for stewarding each issue through to conclusion. Second, it provided the city manager with a long-term idea of what his police department needed financially to succeed. It also helped other city departments with understanding how they fit in to the police department strategic plan and how the police department could be of service to their departments. The city finance officer welcomed this plan with open arms as it helped him understand future needs of the police department and the financial implications to the overall city budget.

Lastly, it educated our elected officials about their police department and the resources needed for allocation by council over a three to five year period. Once approved by the city manager and then city council, the police department strategic plan was in fact our continuing budget-guiding document each year. No longer did we have to create wish lists year after year. We knew where we were going, how much it was going to cost, where the money was coming from and who was responsible for getting each issue accomplished.

Learn and Adapt From the Best

by Matt L. Rodriguez

It began for me with the strongest desire, interest and enthusiasm in becoming a law enforcement officer. If you asked those in the ranks why they joined, I'm sure you would get responses such as: "To put away the bad guys"; "for the excitement"; "because it's a steady job", etc. If you thoroughly delved into each, you would likely find as unsaid, a real interest in helping others or being one of the good guys. It then evolves into a life interest that becomes one of the most demanding because of its daily challenges, its numerous facets, and the opportunities to meet and work with the entire spectrum of society, i.e. People of all backgrounds.

There are those who come to this profession with a dream of being the chief or a high ranking officer. I felt, however, that becoming a detective would be the most satisfying of objectives. When I achieved that rank, I realized that an attitude I had as a patrol officer became prominent in my approach to detective investigations, i.e., I wanted to be the best or considered one of the best detectives in the unit. I looked to whom that person might be, then watched and learned from that person and others. This eclectic approach became part of my nature through my career. Learn and adapt from the best, but also, from the best of the rest.

I respected and learned from most of my supervisors, but increasingly found myself asking how I might handle a current situation if I were in charge. Thus began a strong personal incentive to seek to become a supervisor and subsequently, an administrator. I wanted to be able to make a difference.

These thoughts and ambitions led to my career path through the ranks, by competitive examination processes, to the rank of captain. I also served as deputy superintendent for 12 years, through the administrations of three superintendents, as well as four Chicago mayoral administrations. After

being a finalist for three (83', 87' & 92') national searches for the position of Chicago Police Department Superintendent, I was appointed to Superintendent of the Chicago Police Department, on April 13, 1992. I resigned on December 1, 1997. During this period, I was fortunate to have been elected and served as Chairman of the Major Cities Chiefs Association for several years. It continues as one of the premier professional police organizations in our country.

I have frequently been asked for advice by officers, who are anxious to succeed in law enforcement. I'm sure if you asked the same question of a hundred law enforcement leaders, you would likely receive a hundred different responses, with some repetitious listing of certain talents or characteristics. There are no set formulas.

If one is to succeed personally and/or professionally, there is one talent that will be of immense value, not only to achieve success, but to realize and appreciate it. I refer to an ability to see things conceptually or as might best be exemplified by: *The ability to step back from the day's demands or immediate problem(s), and see where we have been; where we are; and where we are going.* If done with integrity and insight, it may require that we modify what we are doing because we're apparently not going where we intended.

Many of us go through our lives and our careers on a day-in day-out basis. Superimpose "computer driven" and "information laden" on the full plate of law enforcement's vital responsibilities. Then consider the constantly changing demands of law enforcement, the rapid changes of technology, the fluctuating availability of resources, and there appears to be little time for conceptual overview. If one is to be successful in law enforcement, or for that matter, in any endeavor, this step back, to see and attempt to weave the whole picture must be taken periodically.

My purpose is not to offer platitudes, but to inform, as best I can, what aided me in my four decade law enforcement career. I had not yet completed recruit training in early 1960, when a major police scandal resulted in the appointment of O.W. Wilson as Superintendent of Chicago Police. He was one of the major criminologists in the country. At a time many would agree to be a most important segment of a law enforcement career (the formative years), I personally experienced and benefited from his total reorganization of the Chicago Police Department. His policies and actions in Chicago, the second largest police department in the country, had reverberations throughout the nation.

Wilson literally changed the face of policing in Chicago. He created the exempt rank, providing him with the ability to appoint the entire command staff (approximately 100), ensured appropriate promotional examination processes, then promoted 1,000 sergeants, and relatively lesser number of lieutenants and captains. He completely motorized a formerly mainly immobile department, designed and built a “state of the art” communication center, and provided all foot and motorized personnel with personal police radios. Wilson initiated a model citizen complaint process and a well staffed and competent internal investigation process.

These are only exemplars of his actions in the seven years he was superintendent of the Chicago Police. What I never forgot through this period was that it was accomplished when all others were doubting he would convince the “body politic” to provide the necessary resources, or that the police were prepared to carry out his changes. He more than succeeded. He excelled. I gratefully carried these experiences with me through my career. As with many major innovators, those who follow have a tendency to commit to the status quo, irrespective of the demands of new issues and a changing environment. I also observed this practice throughout law enforcement, and gratefully learned from it.

My career extended from the decades of the 1960s through the 1990s. Consider, if you will, not so much from a purely historical point of view, but from an administrative, legal, social, and importantly,

conceptual perspective the direct and indirect impact on law enforcement of the following representative occurrences:

- The extension to the states of the exclusionary rule which established some boundaries of legal/illegal search and seizure; other decisions of the warren court which brought “bill of rights” provisions to the states through the “due process model”, such as the cases of Miranda and Escobedo and their impact on police interrogations.
- The ghetto riots in the early 60s at New York’s Brownsville and Harlem areas, followed in August, 1965 by a riot in the Watts Section of Los Angeles, and the over 160 such disorders in first nine months of 1967.
- The civil rights movement with its strategy of non-violent civil disobedience and its demands for equity, and whose reverberations have included women, homosexuals, and other classes considered minorities.
- The wave of assassinations that began with the shooting of John F. Kennedy, followed by that of Lee Harvey Oswald, then the assassinations of Malcolm X, Dr. Martin Luther King Jr., and Senator Robert F. Kennedy. Include the near assassinations of President Ronald Reagan and Pope John Paul II.
- The 60s were also marked by an escalation of the drug culture that has insidiously woven its way into the core of criminal justice problems to this day. There was the development of what was called a counterculture, which affected family, morality, country.
- The start of the 70s, also called the “Nixon-Mitchell Years” by some, brought with it the “Watergate Era”. The overall concern about crime did not diminish. President Nixon continued Lyndon Johnson’s war on crime. Frankly, however, crime rates, especially violent crime, continued to soar.
- The social upheaval brought about by U.S. participation in Vietnam polarized large

segments of the population and precipitated violent confrontations, such as the 1968 democratic convention in Chicago and the ugly incident at Kent State. The consequences spilled over into the 80s.

- Through the 80s, add to the Cold War, wars on poverty, war on crime, the yet unfinished war on drugs. Crime realized no major reductions and the violence escalated in the localized fights for dominance of drug selling territories. Police were at the drawing boards seeking appropriate strategies and tactics in practices such as regionalization, team policing, etc. The latter segment of this decade brought the beginnings of the use of DNA for police purposes and community policing.
- The 90s brought the end of the Cold War. Think about it. Up until the 1990s, the greatest fear in our nation was probably the fear of nuclear warfare, with a well defined enemy within specific locations. Then came Oklahoma City and the first attack by terrorists on the World Trade Center. These were acts by national and international terrorists. Before these radical acts, most local law enforcement executives, and in particular, the police officers out on the street had the luxury of “not” having to make room on the already ample platter of problems we were handling. These events, and of course September 1, 2001 permanently changed our country.
- The 90s also brought major changes to police strategies, including reorganizations to community oriented policing and regular strict command accountability processes; the new availability of federal community policing resources; a presidential impeachment procedure; the continuation of application by law enforcement to rapidly ever changing technology; the establishment of new DNA collection and analysis techniques with computerized data banks.

My purpose in this brief historical sketch of some events directly and indirectly impacting law enforcement in just one individual’s career is to accentuate the fact

that many of you will have similar or even more significant events in your respective careers. Importantly, they must not be viewed as snapshots in a photo album. As stated earlier, we must look back to see, and attempt to weave a whole picture to see where we were, truly examine where we are, and project where we are going.

I have indicated my thoughts and experiences with the changes in Chicago Police directed by O.W. Wilson. I then fortunately completed my undergraduate and graduate degrees, while serving as an active police officer. Though this elongated my formal education, it kept me abreast of current managerial and criminal justice changes. And very importantly, a law enforcement leader should actively become involved with progressive professional organizations such as the I.A.C.P., P.E.R.F., State Chiefs Associations, F.B.I. Academy, N.E.I., National and State Sheriff Associations, Regional Police Associations, etc. It is vital that your perspective not be parochial. The advances of technology and abundance of information amplify the necessity of this active participation.

I have a firm opinion that much of what is considered new and innovative in management and law enforcement is, in fact, new and innovative. But it is based in sound management principles and sound law enforcement theory, modified for today’s and tomorrow’s environmental demands and opportunities. This again demands that you be well read, well informed, and conceptual in your perspectives.

During the mid 1980s I was the Deputy Superintendent of Technical Services. The Chicago Police Department had 23 local district stations, with lockup facilities. We were experiencing difficulties with the transmission of fingerprints, suitable for comparative analyses and backlogs of fingerprints at our centralized identification section. Automated fingerprint identification systems (AFIS) were beyond the nascent stage and had viable systems available. I organized an excellent team to initiate research in the technology and sought support for a project that would cost

Chicago millions of dollars. We were to become the largest city with an AFIS. I was told by our finance division that there was little to no chance the city would expend those resources. Below the obvious interests of police, a potential major problem in liability issues existed, regarding excessive “holding time” for prisoners in our outlying districts. This concern and my firm conviction of its appropriateness, especially precipitated by my experience with the O.W. Wilson administration prevailed.

In addition, our fingerprint image transmission via telephonic medium resulted in an over-abundant number of fingerprint cards that were not suitable for analyses due to lack of clarity. This was a problem with , both, the non-automated process, as well as the new AFIS. Again, vendor after vendor, including major international companies, provided no solution. Finally, a small Minnesota firm responded with a digital transmission process that provided the sought after clarity for analyses. Chicago Police Department was the first agency to transmit digitized fingerprints. Again there was reliance on O.W. Wilson methodology and the sum of my experiences.

When I was appointed Superintendent, in 1992, our department was routinely involved in responding to over 60% or more than a million calls for service, per year. While I was a Deputy, I had initiated a “call back” service in the communications division. I firmly believed in the applicability of community policing to modern law enforcement’s procedures, which were causing a major lack of contact with the general public, by our constantly traveling police. And very briefly, the community is very interested in the kind of partnership community policing requires, because their very lives are based in the community. The police cannot be in all places, but the community is everywhere. These are factors that I hope Homeland Security officials consider in their future planning of prevention strategies for our collective security.

What I proposed to do was to implement community policing in a police department of 13,400 sworn personnel that was one of

the older (in terms of average age) departments in the nation. This was a major undertaking. Throughout this project and all of any I write as being of my initiative, I had the extreme good fortune of being able to rely upon significantly competent department talent. This was particularly true with the Chicago Alternative Policing Strategy (CAPS) team I was fortunate to organize. We began with a pilot project in several districts, in 1993. We then moved to full implementation throughout the city. The entire strategy relied upon community participation, and its reception by the community was outstanding. The continuing process has been researched and evaluated by an independent consortium of university scholars whose progress reports have mapped the CAPS program. CAPS remains the official Chicago Policing Strategy in 2005, and now includes innovative targeting of high incident crime locations, acquisition and highly competent application of the most advanced technology, and increased command accountability sessions.

I would be remiss if I didn’t include my experiences as a member of the Major Cities Chiefs Association. I think I can best exemplify the eclectic/conceptual applications I addressed earlier in this document, by articulating how I learned – by being active in this esteemed organization. It is an organization of chiefs and in some instances, sheriffs, of the most populated cities in this nation and those of Canada. Their meetings are generally closed or attendance is controlled, thereby creating an atmosphere that provides a free exchange of ideas and experiences. It is essential that successes and failures are discussed so that all might benefit from the experiences. I found that attitude preponderant throughout my participation. Because of the commonality of our responsibilities, the mutual benefit should be obvious to all. I listened and learned well not only from successes, but also from failures. The latter provided concerns to be wary of, but also fueled ideas that appeared to be doable in our department and in our city with some change(s). Again, I feel strongly in an eclectic approach, i.e., using the “best” or the “best of the rest.”

Finally, as in so many other professions or life styles, you benefit according to the quality and effort you provide. It is imperative that you carefully choose your command and other important supervisory positions. Consider the responsibilities and demands of the assignment and the competencies of the individual. Always be aware of your responsibility to prepare those who will be considered to replace you or your command and supervisory choices. Look for those who ask themselves “how they might handle the present situation”, and sincerely encourage that input.

Balanced/Shared Leadership

by Fred Taylor

Every new chief, whether he comes up through the organization or from the outside is faced with the important issue of leadership. If one is fortunate enough to have taken over an organization that has a common definition of leadership and well developed training programs, assessment tools and evaluations to identify and reward appropriate leadership styles and performance, the task is then to use these tools to facilitate organizational goals and needs. Unfortunately, too often the organization is not where it needs to be in terms of balanced and shared leadership and therefore development is needed.

Organizational leadership development is not an easy task. It takes time, resources, and a will to accomplish. While new hires and promotees are more prone to benefit from training programs, every organization has a cadre of seasoned veterans who have learned to survive with leadership styles that may not be a good fit for the new chief, or the new direction the department is headed. The new chief may not have the luxury of time or resources to develop such programs if much is expected or needed immediately to facilitate change in the organization. The smaller the agency in size, the more critical the need for immediate action, yet the less options you have.

One of the biggest obstacles is how to deal with the cards you're dealt. It's not enough just to try to place some in assignments where they can do you the least harm. It's more important to put them where they'll do the most good. Balancing leadership styles is one way to ease that burden. It may help you last long enough to see to it that leadership is developed throughout the organization, that hiring and training are improved and that your staff fits your needs. Balancing leadership styles are the true keys to tenure and organizational development.

In the aftermath of the 1968 riots in several major cities it was evident that success in dealing with those events would require intensive officer and supervisory training. To that end I was one of several sergeants from my department scheduled to attend training sessions designed to enhance supervisory competence and control.

One of the training sessions turned out to be probably the most important in my career. A group of us were tasked to try to identify the three most prominent leadership styles of the lieutenants that we had worked for, and to develop a "model" lieutenant style of leadership. Basically we came up with the following:

- *The "invisible" leader* - came to work but left everything else up to subordinates and you could depend on them not showing up when needed.
- *The "I've got it" leader* - tried to do everybody's work, including the supervisors who worked for them.
- *The "shared" leadership model* - the lieutenant who came to work, did his job and allowed others to do theirs within reason.

Of course, through higher education and advanced managerial schools and training, we later learned that those leadership traits or lack of, have several labels and definitions. We then developed our "model" lieutenant, who of course in addition to "shared leadership" could be identified as a democratic leader with good interpersonal skills, with a firm but fair style of discipline. The training class of course unanimously picked this style of leader as the one to work for and to achieve ourselves.

However, it soon became apparent to me through conversations with my fellow sergeants and observations of their real life behavior, that maybe the "model" lieutenant

wasn't the one they necessarily wanted to work for. Some really wanted the "invisible" boss so that they could have total control of their officers and basically run things any way they wanted or to be "invisible" themselves. Others wanted the "I've got it" boss so they had no responsibility if anything went wrong or preferred not to work too hard themselves. It also became apparent their real life behavior affected the productivity of every officer. If they worked for a sergeant whose leadership style conflicted with their work ethic, discipline or productivity became an issue. When you throw in the interaction of the lieutenant in the scenario it really got complicated.

When promoted to lieutenant and assigned a platoon of squads in a highly active District Station, I started tinkering with a method of assignment that followed me the rest of my career. To the limit allowed by scheduling restraints, I tried to first identify the maturity and work ethic of each squad, match them with a sergeant with a compatible style and then supervise each sergeant based on their leadership style and ability. "Invisible sergeants" did not get assigned to squads with "invisible" informal leaders and "I've got it" sergeants did not get squads with excellent work ethics.

Now I know that many will say that you should identify and try to eliminate undesirable behavior through counseling, training and responsible supervision or management. Certainly that should be your long range goal. But when you are faced with the task of getting the job done with the resources at hand you need another plan. Balancing leadership styles wasn't perfect but it achieved far better results than I originally thought it would, not only in productivity but also in fewer discipline problems and grievances.

Our organization already had a policy in place that rotated mid and senior managers every three or four years through different assignments within the organization to develop their careers. I certainly benefited from that policy by gaining experience as a supervisor or senior manager in all of the major organizational components as I rose through the ranks. As the new chief I stuck to the policy of manager and supervisor rotation.

If good matches were not already in place, I sought to assign supervisors and managers together based on their leadership styles.

As with any policy, there were some exceptions. You need your "model" supervisors, officers and senior managers in assignments where the complexity or technical nature of the work is critical to the organization's success. Even then, rotation between those assignments was made. It was a lot simpler to decide the next step in a manager's career then it was to match them with other managers that were being rotated. More time was spent matching leadership styles between officers/detectives and their supervisors and managers in a manner that would facilitate productivity and work satisfaction. Another exception was not placing a "model" manager in an assignment where they were the only one with that leadership trait. It always facilitated mentoring and productivity if more than one "model" leader was present.

One evening at dinner with a Chief from a large department I was sort of amazed by his method of insuring his tenure. It seemed that to become Chief you first had to be an Assistant Chief. This Chief surrounded himself with assistants that posed little or no threat to replacing him. I questioned whether that made him a kind of one man band who had to do everything and watch everybody and the effect that had on running the department. He stated that he had to be in constant control and never left anyone in charge when he was gone. Of course any style of leadership will work for a while, but I wondered how that department would fare upon that chief's departure – would there be a leadership vacuum? As it turned out, as competent as that chief was, the department suffered a leadership crisis for several years.

Every chief wants to achieve their goals and benchmarks – to leave the organization a little better than it was, to reduce crime and increase productivity. For me the fact that the organization didn't miss a beat when I was away participating in the work of state and national police organizations, on vacation or when it was time to move on, was the best legacy I could leave.

Credibility is Everything

by John F. Timoney

Lesson One:

Never ask someone to do a task that I would not do myself

Coming up through the ranks in the NYPD I tried to live by the above mantra. I was a very active and productive police officer and investigator making hundreds of arrests, including one that resulted in a shootout where my partner was shot. As a result, I often had the automatic respect of those officers who served under me. Thus, as a sergeant, lieutenant, and captain it was often easy to get officers to follow my orders or direction based upon my past record. However, as I rose through upper management, my exploits as a police officer would not suffice to get tasks done. This was especially true in the area of the issuance of a new controversial policy or policing a major event with large media interest.

Whenever I issued a new or controversial policy, I made it a point to go to roll calls to explain the rationale for the change and encouraged officers to ask questions, if they desired. I found that this method, while time consuming, reduced rumors and often resulted in greater buy-in by police officers. Sometimes the questions were tiresome, or an officer with another agenda used the opportunity to settle an old score. However, I never regretted using this method and I found it quite valuable on a variety of levels.

Policing major events, in a post-Seattle world, can be a huge challenge for any police executive. The eyes of the world are on your department and there are more than a few people hoping for you to fail. The reputation of the city and your department is on the line. While you can train your officers till the cows come home and provide them with the best equipment, this is simply not enough! Outside agitators are willing to come into your city, engage in assaults on police officers and wanton property damage and face arrest.

Meanwhile, the media, especially television, is sitting by ready to record and play, and replay, the actions of police officers responding to unbelievable provocation. It is a recipe for disaster.

There is a need for very strict control of officers and their tactics. They must be properly trained and supervised with a very low supervisor-to-officer ratio. However, that is not enough. You must convince officers that for a whole variety of reasons, including television, they must be so restrained that in fact they may be required to stand there and take the first strike, before they can react. It requires a great deal of courage and discipline. I believe that in order to ask a police officer to be willing to make such a sacrifice, the police chief and his top command must be willing to do likewise.

Lesson Two:

Create a positive, energetic atmosphere to work, encouraging creativity, initiative and risk-taking

In my career I found that if the team or unit leader was a dour personality, the entire unit took on such an attitude. Work was misery and people dreaded coming to work. I also had supervisors who exuded confidence and enthusiasm, which showed how work could be enjoyable and risk-taking rewarded. The expression most officers used to describe such a supervisor was that “officers would go through a wall for such a person”. In this business, as in the military, it is the penultimate compliment.

Lesson Three:

Take the time and responsibility to train future leaders

I often found that this was an area that did not receive enough attention. Supervisors didn't practice this either because they didn't understand or appreciate how important it is

or they were simply too lazy or self centered. Also, there were some who felt that training subordinates to be better managers or chiefs could lead to these subordinates maybe someday replacing the supervisor or chief. Quite simply, they viewed those directly under them as direct threats!

Lesson Four:
Delegate Responsibility for a task and allow the individual to carry out the task or mission

Resist the temptation to interfere, unnecessarily suggest ways the job should be done, or give direct line-by-line instructions on how to do the job. People hate micromanagers and will rebel by doing only what they are told to do and nothing more. It stifles creativity and initiative. However, once you have delegated the responsibility for the task, you must be quite clear that you will hold the individual accountable for its completion.

Lesson Five:
The “Vision Thing” is important!

When I was a junior officer I really didn't appreciate the whole notion of vision. I felt it was too idealistic or far-fetched. However, as I moved up the chain of command, it became increasingly clearer to me that you needed to create a picture or show subordinates what the final product or end game would look like. This not only created a picture, but also reinforced the confidence subordinates had in me that I knew what I was doing! Not a small point.

Lesson Six:
Go with your Gut Instinct

I have found that when I made mistakes (and who hasn't), often I went against my gut instinct or I allowed someone to talk me out of an intended decision or action. Or on a similar note, sometimes I allowed sentimentality or old loyalties to cloud my decision-making. In many of these situations I wound up getting burned or embarrassed.

Lesson Seven:
You have to be able to shave every morning

Every once in a while you will be faced with a difficult decision and you know exactly what the right decision is. However, there may be political or media pressure to make a different decision. And sometimes nobody will know the difference, whatever decision you make. In fact, making the right decision will cause you great grief and consternation. So, since nobody will really know, there is the temptation to make the easy decision, or not the best decision. It is at that point that I remind myself of an old saying one of my Irish lieutenants use to utter when faced with such a dilemma: “I still have to look at myself in the mirror every morning when I shave”.

Lesson Eight:
Keep the Door Open

Many supervisors will say they have an “Open Door Policy” but seldom really mean it. Rising through the ranks I actually had and practiced an “Open Door Policy”. Often, I asked myself, “why bother” since it seemed that the only people who came through to door were those with gripes and grievances. Many times, these visits degenerated into a crybaby session. I thought about closing the door and ending the policy on many occasions. However, upon reflection, I realized that I often found out things about people and the organization that I could never have found out otherwise. So, while the policy was a pain and very time consuming, in the end it was beneficial to the organization and me.

On a similar vein, I made it a point to continue to do roll calls even though I was the chief and the roll call process is very time consuming. But I learned a lot from the questions from the troops and also it gave me an opportunity to sell and explain new policies, especially those policies that were viewed as affecting “officer safety”. I had to stand there and defend my policy, often from

heated attack, particularly from union officials. However, I believe the policies were more readily accepted and I received kudos for taking the heat from the troops and willingness to answer questions.

Lesson Nine:

Be bold in implementing plans or policies that are radical or controversial

Often police chiefs know what has to be done but resist doing it because it may rock the boat or infuriate politicians or, especially, union officials and the people they represent. While there is never a perfect time for radical/controversial change, the best time is when a new chief takes over a department. It is at that point that people, public and police, are expecting change, even though they are not sure what change will take place. **DON'T DISAPPOINT THEM!** Controversial change is always easier at the beginning and not at the end, after some crisis has occurred, such as a bad police shooting or tragic incident after a police chase.

Lesson Ten:

Confront bad news head on

Many chiefs resist going public with bad news or they will attempt to spin it or blame others. In the long run, it is easier to confront it head on and manage the issue. If nothing else the chief will be given credit for guts and openness. Above all, **NEVER LIE TO THE PRESS!** If a Chief lies to the press and is found out, he/she is finished. At the end of the day, credibility is everything.

The Executive's Role: The Care and Feeding of the Troops

by Thomas H. Wells

The lessons I have learned from my fifty years of criminal, civil, regulatory and military/maritime enforcement in both federal and state governments are too numerous to discuss or detail in this brief synopsis. However, the baseline or core ingredients and principals of a successful leadership journey include many well known and consistently taught principals that apply to most all operational executive philosophies, managerial mindsets and leadership development. I tried to adhere to these many principals and apply them continuously to all management challenges and decisions as well as my providing leadership to my agency and its personnel. Listed herein are the most important ingredients that I believe are necessary for future law enforcement executives (CEOs) to equal or achieve greater successes than I attained over my career.

The basic attributes of *character, morality, integrity, honesty, good citizenship and patriotism* are givens and must always form the foundation for the development, and the performance, of successful leadership qualities. A law enforcement executive must always identify the true mission of his or her agency as well as the executive's role in leading that agency. To overlook this with a mindset of the "Law Enforcement CEO" as being generic is to court mediocrity or possible disaster in the executive's tenure. Also important in this regard is to learn, understand and hopefully be able to appreciate the agency's legacy. This is paramount to communicating with and leading the agency's personnel.

The role of the executive as a *communicator* is critical in providing leadership to the agency and goes beyond the critical necessity of internal communications within the organization. A successful executive must also maintain external communications with the public and/or specific population group being served as well as the governing body to which the executive reports. This latter

entity could be the most challenging and probably the least supportive if an executive fails in this leadership quality. One of the best examples of this principal, and several others mentioned herein, is the leadership of General Dwight D. Eisenhower during the planning and execution of the Allied forces D Day invasion of France.

One of the oversimplified explanations of the role of a military general in war and peace time, that transcends the role of the law enforcement executive is "*the care and feeding of the troops.*" This oversimplified statement covers many areas of leadership that not only includes communications with your agency staff, but also having and exhibiting an in-depth knowledge of the agency and its mission, goals and objectives. It also includes the absolute need for *honesty* and being *genuine* in your dealings with all persons as well as the ability to not only identify with your personnel but also to serve their needs.

The larger the agency the easier it is for the CEO to lose valuable contact, feeling and identification with the rank and file. This cuts through several principals needed to be a successful leader including the principal of *leading by example*. I have seen executives so caught up with their responsibilities that they were totally oblivious to the world around them including the agency's physical properties, equipment, work conditions and sometimes even the morale of the personnel. The old adage of MBWA (Management By Walking Around) is not a bad sidebar to all management and leadership philosophy as it contributes to the leadership principals of *being informed and knowledgeable* of your personnel, *up and down communications* and also compliments the principal of *leading by example*.

A legitimate and appropriate agenda you believe in, whether it be personal or agency dictated, should always be addressed in an

aggressive and professional manner based on logical and informed decisions.

None of the above will contribute to being a law enforcement executive, a leader, who makes a difference in their agency or the profession, if you do not have the *courage* to carry out your convictions. You must be courageous in protecting your ethics, preserving your agency's reputation and its ability to perform its mission as well as staving off attacks of politicals attempting to use you or your agency to further their agenda. You must also be courageous in the execution of that all inclusive descriptive term and leadership principal, "*the care and feeding of the troops.*"

The universal ingredient of all successful leaders and law enforcement CEOs is *sacrifice*. Without this unscheduled, unplanned, non-programmable ingredient, one finds that adherence to all known leadership principals will not be attainable if the need of satisfying personal needs is not removed from the forefront of your decisions and actions.

All of the above, plus many other factors, including the valuable assistance of contemporaries and leaders in the law enforcement profession, contributed to my many successes over the fifty years of my career in military, federal and state enforcement arenas. These resources provided me with the tools needed to be successful in my many years of supervisory, *managerial* and executive positions. This included taking a major state law enforcement agency that had become stagnant, with low morale resulting from federal litigation that virtually locked up all personnel and developmental training actions, to a vibrant and progressive agency with high moral and a newly discovered dedication to mission accomplishment.

I thank you for your interest and dedication to the development of future law enforcement executives.

Conclusion

Those of us who have had the unique privilege of being included in the NEI program since its inception almost thirty years ago have observed, listened to and learned from many of the “giants” of the law enforcement profession as they participated in this annual conference in Sun Valley. As our admiration and respect for them has grown, so has the realization that these local, state, federal and international law enforcement agency executives represent a critically important body of knowledge that should be captured for the next generation of law enforcement leaders.

This project is an attempt to do just that: to examine the experiences and events to which these exceptional executives attributed their successes, and to help others learn from the leaders’ acknowledged mistakes.

Ranging from thoughtful and insightful to moving and inspirational, these legacies reflect certain basic themes, revolving around personal characteristics as well as professional goals and objectives.

For example, as revealed in many of the legacies, the successful law enforcement executive possesses a strong set of core beliefs, including the belief that character counts—and that people need to know that the leader stands for integrity, respect, fairness and compassion. According to these legacies, the successful leader also demonstrates: a determination to do the right thing, the right way, for the right reasons, a keen sense of duty and obligation, and a sense of dignity and worth that comes from seeing the greater good.

Further, the successful executive acknowledges the need to ensure ongoing personal growth and development (one chief noted that you enter the profession as a student and end your career as a student). Many of the legacies also cite the importance of *having* a mentor, *being* a mentor, and surrounding

oneself with competent people while providing them with continuous learning opportunities.

Finally, the legacies reflect the leaders’ determination to achieve significant goals, both personally and for their agencies—to make lasting contributions—positive differences in their communities and in people’s lives.

An entire leadership book could be written and an entire course taught based on these legacies. The real value, however, is in simply reading each one, absorbing the lessons and experiences presented and focusing on the person telling the story. There is no need to paraphrase what they have said, for they have said it best.

One thing is certain: all those who shared their legacies are people who *care*—care about their employees, about achieving their law enforcement missions, and about serving the community and improving its quality of life. Collectively, they are likely to agree that it is how you treat other people—not your wealth, your title or professional accomplishments—that will have the most enduring impact on *your* legacy.

