

Event 1 – Police Sciences
Session 41 – Police In Transition
LD 1 Leadership, Professionalism and Ethics

Date Revised: 12/31/2019

Course Goal: To teach recruit officers how to be effective, ethical and professional leaders.

Session Goal: To teach recruits to think critically about misconduct, the Department’s Mission, Vision, and Values, and the Law Enforcement Code of Ethics.

Learning Objectives:

- Review Mission, Vision, Values
- Review Sexual Harassment
- Required Learning Activity No. 4 [1.IV.B.1-5]
- Learning Activity (Police Culture Exercises)

Session Time: 2.0 hours

Resources:	
<ul style="list-style-type: none"> • Classroom with tables • White board • Dry-erase markers 	
Session Summary: In this Session the class will discuss and role play situations involving Misconduct and how the Department’s Mission, Vision, and Values along with the Code of Ethics influence Police Culture.	
Outline	Instructor Notes
<p>I. Police In Transition</p> <p>A. Training Triangle</p> <p>1. The whole Person/Officer</p> <p>a) Cognitive Skills</p> <p>(1) Law</p> <p>(2) Academics</p> <p>(3) Human Relations</p> <p>(4) Problem Solving</p> <p>Model CAPRA</p> <p>(a) Clients</p> <p>(b) Analyze</p> <p>(c) Partnerships</p> <p>(d) Response</p> <p>(e) Asses</p> <p>b) Tactical Concepts</p> <p>(1) Tactics</p> <p>(2) Firearms</p> <p>(3) Arrest & Control</p> <p>c) Affective – Feelings</p> <p>(1) Mission</p> <p>(2) Vision</p> <p>(3) Values</p>	<p>Ask: What does the Training Triangle represent?</p> <p>Ask: What are the three sides of the Training Triangle?</p> <p>Review through facilitated discussion.</p> <p>Draw Triangle or use picture</p> <p>Tie the discussion back to the first class with Dr. Pannell</p> <p>Review Mission Statement, Vision Statement, Core Values & Law Enforcement Code of Ethics</p>

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<p style="margin-left: 40px;">(4) Code of Ethics</p> <p>B. Misconduct</p> <p style="margin-left: 20px;">a) Misconduct is...</p> <p style="margin-left: 40px;">(1) Commission of a criminal offense</p> <p style="margin-left: 40px;">(2) Neglect of duty</p> <p style="margin-left: 40px;">(3) Violation of Department policies, rules, or procedures</p> <p style="margin-left: 40px;">(4) Conduct which may tend to reflect unfavorably upon the employee or the Department</p> <p style="margin-left: 20px;">b) Department Manual Section 3/813.05 requires that when an employee, at any level, becomes <u>aware of possible misconduct</u> by another member of this Department, the employee <u>shall immediately report the incident to a supervisor</u> or directly to Internal Affairs Group.</p> <p>C. Sexual Harassment</p> <p style="margin-left: 20px;">1. Defined as unwelcome and unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when</p> <p style="margin-left: 40px;">a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment (Quid pro quo)</p> <p style="margin-left: 40px;">b) Submission or rejection of such conduct is used as a basis for employment decisions affecting that individual</p> <p style="margin-left: 40px;">c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment</p>	<p>Ask: What stands out to you in each? (Call on different recruits for each)</p> <p>Handouts 1 & 2: Manual Sections</p> <p>Ask: What are some clear examples of misconduct?</p> <p>Ask: When do you have to report misconduct? Seeking: Always or anytime they become aware of it. Stress that if they become aware of possible misconduct, they still have to report it.</p> <p>Ask: Who do you have to report misconduct to and when? Seeking: A supervisor or IA and Immediately Ask: What does Immediately mean? Facilitate discussion about Department expectation of reasonable timeliness. Remind recruits of their lesson about Sexual Harassment.</p> <p>Ask: What is an example of sexual harassment? (get one or two depending on length of discussion)</p>
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<p style="padding-left: 40px;">d) Violates Federal and State laws as well as Department policy</p> <p>D. Gray area</p> <p style="padding-left: 20px;">1. Mistake/misunderstanding versus misconduct</p> <p style="padding-left: 40px;">a) Forgetting to do something</p> <p style="padding-left: 40px;">b) Conflict between co-workers</p> <p style="padding-left: 40px;">c) Issues that need to be addressed that don't amount to misconduct</p>	<p>Remind recruits there is NO gray area when it comes to misconduct.</p> <p>Ask: What are examples of issues that need to be addressed that don't amount to misconduct?</p> <p>Seeking: Disagreement on how to handle a radio call, Partner is always tired at work (possible issues at home like a new baby) (No misconduct)</p> <p>Ask: What gets officers in trouble outside of work?</p> <p>Facilitate a brief discussion prompting the recruits to provide examples.</p>
<p>E. Off duty conduct</p> <p style="padding-left: 20px;">1. FAR (Finances, Alcohol, Relationships)</p> <p style="padding-left: 40px;">a) Finances</p> <p style="padding-left: 60px;">(1) Debt</p> <p style="padding-left: 60px;">(2) Off duty employment</p> <p style="padding-left: 40px;">b) Alcohol</p> <p style="padding-left: 60px;">(1) Alcohol/substance abuse</p> <p style="padding-left: 60px;">(2) DUI</p> <p style="padding-left: 60px;">(3) Fighting</p> <p style="padding-left: 40px;">c) Relationships</p> <p style="padding-left: 60px;">(1) Domestic incident requiring police response</p> <p style="padding-left: 60px;">(2) Domestic Violence</p>	<p>Run (Required) Learning Activity [1.IV.B.1-5]</p> <p>Run Learning Activity (Police Culture Exercises)</p>

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Required Learning Activity
[1.IV.B.1-5]

Purpose: To give the students an understanding of difficult scenarios they may encounter while working patrol and to discuss options for addressing each of them.

Learning Objectives:

1. Whether or not the behavior was unlawful, unethical, or inconsistent with Law Enforcement Code of Ethics
2. Identification of those whom the conduct impacts
3. The potential sanctions that could result from the behavior
4. Potential perceptions of the public regarding the behavior
5. Whether or not intervention is appropriate **[1.IV.B.1-5]**

Description: Divide the class into 3 groups. Give each group a different Scenario (1-3). Provide 10 minutes for each group to read and discuss the scenario amongst themselves and consider the answers to the questions on the board. Have each group assign a scribe to write down their thoughts and a different recruit (or two may team up) to stand and present the scenario and facilitate a discussion with the class. The recruit(s) should illicit responses from the other two groups in the class. Allow up to 10 minutes for each group to present.

Write the following questions on the board so the entire class can see them:

What are the issues?

Is there gray area? Why or why not?

Is this misconduct? Why?

How could this affect you/the FTO/the Department?

How does this relate to our: Mission, Vision, Core Values, Law enforcement Code of Ethics?

What will you do in this situation? Why?

What are the factors that make your decision difficult?

Resources Needed:

- Classroom
- 3 Flip charts
- Markers

Handouts:

- Scenario 1
- Scenario 2
- Scenario 3

Time Required: 1 hour

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Scenario 1:

You and your FTO respond to a Domestic Violence call. When you arrive and determine who the involved parties are, you discover the victim is a very famous actress. She has a contusion on her forehead, bruising to both of her eyes and her nose is bleeding. You and your FTO complete your investigation including obtaining medical treatment for the victim and arrest the suspect who is married to the victim. While at the scene, you observe your FTO take pictures of the victim with her cell phone after she took pictures with the Department's digital camera. Once you arrive at the station to get booking approval, you overhear your FTO tell another officer that she will text him the photos of the victim.

Scenario 2:

You and your FTO are patrolling your basic car area when your FTO tells you he wants to stop a group of about 10 people who appear to be involved in drug activity (Assume reasonable suspicion exists). He tells you he is going to get some back up units to assist with the stop and begins texting on his phone. When you pick up the microphone to broadcast your location and the back-up request, your FTO tells you not to broadcast over the radio because he is texting other units to respond to your location. When the other units arrive, you notice that none of the units broadcast their location. Your FTO and the other units initiate a pedestrian stop of the 10 people.

Scenario 3:

You and your FTO conduct a traffic stop. You are the contact officer and your FTO is the cover officer. While you are speaking with the traffic violator (who is seated in the driver's seat of their vehicle), you notice your FTO is texting on his phone. When you obtain your citation book and begin writing the citation, your FTO continues texting on his phone. This is not the first time he has done this, and you feel that your safety is compromised.

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Learning Activity (Police Culture Exercises)

Purpose: The students will identify specific situations or an event in which their P III (Field Training Officer) could test or question their integrity, ethics, morals or values. The goal is to look at the grey areas that cause the Department and/or community harm. Remind the students that misconduct is not a grey area and must be reported to a supervisor immediately.

Description: Keep the class in their learning groups/tables. Have each group select a scribe. Advise the class that each sheet of paper will be collected after the group exercise. Tell the class to identify 5-8 concerns you believe you may encounter when working with your P III training officer at your assigned division that does not necessarily amount to misconduct.

Give example: You are working with a training officer who doesn't want to handle radio calls in his/her area. What do you do?

Provide the class 5-6 minutes to come up with their answers. Be sure to walk around the room and make sure that recruit officers are selecting issues which are not automatic misconduct. If they do select a misconduct issue (sexual harassment) challenge them on the procedure to handle that issue. Collect the issues identified by the class. Advise the class that the recruit officers will role play the issues they came up with during their group discussions.

Role Play Set Up:

Write on board a random unit designation, i.e. 3A47. The students participating in the scenario will simulate radio procedures using the assigned unit designation, as needed.

- Selection of scenario: Staff will select the scenario and set the stage for the role-play, (i.e., 2 chairs to simulate a patrol car or table and chairs for restaurant scene)
- Advise class that a recruit volunteer will start each scenario and 2 - 3 students will be randomly selected to continue the scenario. The additional 2-3 students selected will be randomly selected and therefore need to pay attention. The students will be expected to attempt to defuse the scenario where their classmate left off.
- Advise the recruits to handle the situation exactly as they would in field. DO NOT try to anticipate what they think the instructor wants.

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Role-Play No.1:

You and your partner are on Code-7 (lunch break) at El Pollo Loco in your division. As you are at the cash register, the manager states to your partner, "As always 50% off." It appears to you that your partner frequents this establishment. Before you leave the register, you attempt to pay for your food and your partner will not let you pay. The two of you begin to exchange verbal words why you feel the meal should be paid.

1. Debrief the scenario before beginning the next scenario. Begin the debrief with the role-play participants.
2. **Ask** the following question to each person, "How did you feel role-playing the scenario and what were your concerns with the scenario? Why?"
Expected responses
 - a. Uncomfortable, unsure P III is always right
 - b. It's hard to do the right thing
 - c. The strong personality of the FTO made me feel subservient
3. **Ask** the class:
 - a. What worked?
 - b. What didn't work?
 - c. What would you do differently?
 - d. What would you do the same?
 - e. What are the barriers in the police culture that make it difficult for us to make the right decisions in difficult situations?Expected responses
 - f. Wanting to feel accepted
 - g. Not being labeled as a snitch or rat
4. **Ask** the class: The following questions
 - a. Is this a misconduct situation?
 - b. What are the possible consequences of this type of behavior by the officers?
 - c. How could this type of incident impact the community?
 - d. What are some options to handling this scenario?
 - e. Say that you tell your FTO about your objection to this behavior and they say, "Look, people in this division like to feed us and feel safe when we frequent their businesses." How would you respond?
 - f. What ethical issues might arise?

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5. Point out the following, if not brought out by the group
 - a. Issues, concerns and Department expectations
 - b. Yes, this is misconduct. Code of Ethics – NEVER accept a gratuity.
 - c. Expectation of some type of favor in return, i.e.
 - i. Run a person through a Department computer system, (Misdemeanor Crime)
 - ii. Provide extra patrol to location
 - iii. Turn a blind eye to violations in establishment
 - d. Can cause distrust unprofessional behavior
 - e. Make community members feel that police service is bought with a price
 - f. Leave the price of your meal in a tip Advise FTO that you plan to pay for all your meals
 - g. Clients should not feel as though they have to pay for service
 - h. We provide equal service to everyone

6. **Ask** the class: The following questions:

- a. What is the underlying issue with taking gratuities in your Division vs. advertisements in the Union paper?

Expected responses:

- 1) There is an expectation of something in return in your division that does not exist with large corporations
- 2) Large corporations are giving their discounts as a sign of appreciation
- 3) Department is attempting to mitigate corruption that occurs on a divisional level
- 4) We do not want to repeat corruption history of our past.
- 5) Studies show that corruption starter from small incidents that went over looked

Role-play No.2:

You and your FTO are assigned to early morning watch (AM Watch). Your division is experiencing a low volume of radio calls. The FTO parks the black and white patrol vehicle in back of the patrol station and begins to go to sleep. FTO states, "You stay awake and review your penal and vehicle code violations. Don't wake me up, don't talk and don't touch the radio. If communications or a supervisor calls for us, then you can wake me up. A Radio Call of 'Code 30, ABC Liquor' is dispatched to the unit. Probationary Officer attempts to awaken the P III. After several attempts, the FTO states to the P I, "That alarm is always going off and is always a false alarm," picks

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up the microphone and advised Communication Division that they are enroute to the call. FTO never makes any attempt to respond to the call and continues to go back to sleep. Probationary Officer once again, attempts to advise the P III that they should respond to the call. FTO picks up the microphone and advises Communication Division, 'Code 4 ABC Liquor,' when in fact they never responded. Patrol supervisor responds to the scene and advises the unit to re-respond to the location. P III and P I now respond for the first time to ABC Liquor. Supervisors and P III appear to be friends and begin talking about the divisional running team. Supervisor states that there was broken glass in the rear of location and questions who checked the location. PIII states it was the PI.

1. Debrief the scenario each scenario before beginning the next. Begin the debrief with the role-play participants.
2. **Ask** the class: The following questions
 - a. Is this a misconduct situation?
 - b. What are the possible consequences of this type of behavior by the officers?
 - c. How could this type of incident impact the community?
 - d. What are some options to handling this scenario?
 - e. It appears the FTO and supervisor are friends. How would you handle the situation? What are the ramifications to the officer and the Department if reports are inaccurate?
3. Ensure the following points are covered:
 - a. Issues, concerns and Department expectations
 - b. Yes, this is conduct unbecoming.
 - c. We are paid to provide a service not sleep on duty
 - d. Chances are this is not the first time the FTO has been sleeping on the job. I'm sure others know he/she does this type of behavior
 - e. Community members of Los Angeles will not receive service they deserve Internal investigation
 - f. False information recorded on Daily Field Activity Report (DFAR)
 - g. When not responding to calls for service, officers should be patrolling the division to deter crime
 - h. Driving on streets that have a high number of serious collisions to deter additional serious accidents
 - i. Slower response to assistance or back-up call for a unit
 - j. Try to appeal to FTO on level that is this type of behavior is discovered, the FTO may get suspended but the P I would lose his/her

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job. You worked too hard to get where you are and will not jeopardize your young career.

- k. Sorry, FTO put you in the position they did. Pick up the microphone and request a supervisor meet at your location
- l. Would have to report situation to the next in command
- m. Remind class to look in their Workplace Discrimination Guide for information regarding the Department's Retaliation Policy 1/272.
- n. Could go outside the division, Inspector General's Office and/or Internal Affairs

Role-play No.3:

On probation in Northeast Area, you are assigned a new FTO. After two days of working with him, where he has told you many stories about his wife, kids, in-laws, and church activities, he says to you: "So what about you? You married, gay, or what?"

1. Debrief the scenario each scenario before beginning the next. Begin the debrief with the role-play participants.
2. **Ask** the class: The following questions:
 - a. How would you respond if you were gay?
 - b. How would you respond if you were not gay?
3. Things to consider:
 - a. It may be good to avoid taking offense - as it should not automatically be perceived as an insult, in and of itself, to be considered gay, or for a police partner to ask.
 - b. "Small talk" is a large portion of patrol talk. Much of the time that would be better spent discussing tactics is often spent in social discourse.
 - c. Although this is technically an invasion into your privacy, it might be best handled skillfully with your response. [Example: "No, but some of my friends are gay".] This would avoid escalating this situation. Responding calmly, neither challenging nor disparaging gay people, is most likely the best course of action.
 - d. Depending on your own personal comfort/confidence level, you can answer truthfully, or avoid answering.
4. **Ask** the class:

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- a. Why might you choose to hide that you were gay? Is it embarrassing to be gay or to be considered gay?
 - i. Minus any discriminatory actions by the FTO, the statement could be evidence of either prejudice or simply a question where he is seeking more information about his new partner. If the recruit officer feels comfortable doing so, he or she can discuss the issue and attempt to educate the FTO. The probationary officer is under **no** obligation to reveal **any** personal information, and may advise the FTO of the officer's privacy rights.
 - ii. Instructors should advise recruit officers that just merely asking about or for confidential personal information is not misconduct per se. As phrased, there is no specific appearance of a derogatory intent or bias regarding the probationary officer's sexual orientation.
 - iii. If any of the actions of the FTO are due to discriminatory attitudes, the probationary officer is obligated to report the matter to a supervisor, and should be advised to seek to transfer to a different FTO.
- b. Why would you be afraid of your FTO's opinion of you if you revealed that you were gay? Would you be concerned about his judging you? About there becoming a lack of communication?
- c. Might there be issues of officer safety, if you revealed to your FTO that you were gay?
- d. How would a gay probationary officer feel in this situation? Would he or she be concerned that the FTO would not keep this information private? That the FTO might disclose this information to other officers?
 - i. Instructors should delineate the unique dynamics in this case, which involve a subordinate probationary employee with his superior FTO.
 - ii. Due to the nature of the Probationary Officer's status, he or she may fear retaliation for their actions. Instructors should instruct recruit officers that they should not fear reporting misconduct out of fear of retaliation, as the retaliation is

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forbidden, as detailed in LAPD Training Bulletin Vo. XXXVII, Issue 3, Nov. 2005 “Anti-Discrimination And Retaliation,” which states that, “Protected activities include opposing, reporting, or participating in any claim, lawsuit, or investigation concerning unlawful discrimination or sexual harassment.” It is also forbidden under state and federal law. The Bulletin states that “Protected activities include opposing, reporting, or participating in any claim, lawsuit, or investigation concerning unlawful discrimination or sexual harassment.”

- e. Would the FTO react the same way if you told him you were “straight” (heterosexual)? Why do you think there is a difference in how the FTO might act?
- f. While you are in the Academy, are there any rumors about what male or female cadets are gay or lesbian? Is this discussed openly, or is it discussed between small groups of classmates? Why do you think there is this reaction to issues of sexual orientation?
- g. If you had very light skin, but had parents who are Asian, Latin, or African- American, what do you think the reaction of your classmates would be?
 - i. Would it be a positive reaction?
 - ii. What about if your boyfriend/girlfriend or husband/wife were of a different ethnicity than you?
 - iii. Would you feel any discomfort in bringing them to social events with your Academy classmates?
 - iv. How do you think a gay or lesbian cadet might feel about bringing their “partner” to this type of social event?
- h. Do you believe this is any of the FTO’s business, or is this a personal issue? Do you believe this kind of conversation is commonplace between officers?

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Role Play No. 4 and No. 5

Select from the list of responses collected from the small groups, time permitting. Some possible/frequent role plays include:

- a. Stopping people without explaining PC to stop to P-1*
- b. Stopping females to make date*
- c. Converting on duty relationship to off duty relationship*
- d. Dating the P-III*
- e. Conducting personal business on duty*
- f. Profanity*
- g. Smoking/Chewing Tobacco*

Facilitate discussion with similar questions to the above role play scenarios.

Large group Facilitated Discussion:

1. Transitional statement: Remember that only you can make the decision regarding how to handle incidents as they arise in the field. When posed with grey areas of inappropriate behavior there are not black or white responses. You have to do something.
2. Direct the class to review the Department Anti-Hazing Policy located in the Workplace Discrimination Guide. All direction from your FTO must be work related – ethically – morally and lawfully correct. Ask class if there are any questions about that policy.
3. **Ask** the class: When is the best time to decide how to handle difficult conflicts.

Expected Responses

- a. Before the difficult conflict arises.
 - b. Try to think about different situations and how it could be handle.
 - c. Remind them about Advanced Intervention from earlier session.
4. **Ask:** What is it about our organization that makes people feel welcome and encourages individuality?

Expected Responses

- a) LAPD is known throughout the nation to be a corrupt free police department
- b) We have internal systems to investigate and root out corrupt behavior when brought to the attention of the Department

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5. **Ask:** What is it about our organization that discourages individuality?

Expected Responses

- a) A para-military organization
- b) Follow the rules and do as you are told

6. **Ask:** What is it about our police culture that makes individuals uncomfortable about standing up for what they believe in?

Expected Responses

- a) Desire to feel part of the group
- b) Not labeled as a snitch or rat
- c) Small percentage of individuals blatantly violating Department rules, policies and procedures

7. **Ask:** What is it about our police culture that makes individuals feel welcomed as part of the LAPD team?

Expected Responses

- a) Belief that incidents will be addressed
 - 1. Being part of a famous organization

Resources Needed:

- Classroom
- Index cards or small pieces of paper

Handouts:

None.

Time Required: 1 hour