

Ethics in State Government

A Reality Check



Division of Internal Investigation



- Colonel JoAnn D. Johnson
- Lieutenant Colonel Isaiah Vega

The Division of Internal Investigation (DII) conducts investigations of allegations of misconduct by State Police employees (sworn and civilian) and employees of the executive branch of state government

STATE AGENCIES WITHIN DII's JURISDICTION:



ILLINOIS DEPARTMENT OF

Central Management Services



Illinois Department
of Transportation



ILLINOIS HOUSING
DEVELOPMENT AUTHORITY



Department of Children & Family Services



Illinois
Department of Human Services



ILLINOIS
Department of Corrections



State of Illinois Liquor Control Commission



DII responsibilities

- Investigate Use of Deadly Force Incidents by ISP Employees
- Investigation of financial crimes
- Theft and/or misuse of state property
- Allegations of abuse or neglect of inmates incarcerated at state correctional institutions and residents of mental health facilities.

Ethics Defined

The discipline dealing with what is good and bad and with moral duty and obligation.

External Influences on Ethical Behavior

1. Societal events - riot
2. Public opinion
3. Media
4. Politics
5. Organizations/Groups

Internal Influences on Ethical Behavior

1. Peer Pressure
2. Obedience to Authority
3. Drive for success – seeks unethical ways to attain advancement/promotion
 - Employee Ratings
 - Culture of competitiveness
 - Excessive pressure to reach unrealistic performance goals.

Internal Influences Cont.

3. Significant Internal Event
 - Disciplinary Issue
 - Champ v. Chump / Victim
 - Table Exercise

Internal Influences Cont.

4. Personal Influences

- Excess use of alcohol or illegal use of drugs
- Family financial concerns
- Extramarital affairs

The Continuum of Compromise

Rationalization & Justification of:

- Acts of Omission
- Acts of Commission (Admin/Criminal)
- Entitlement vs. Accountability
- Loyalty vs. Integrity



Acts of Omission

- Employees rationalize and justify not doing things they are responsible for doing
- “If they don’t care about us, why should we care about them.”
- Employees begin to do just enough to get by
- This results in decreased productivity and increased passive resistance to organizational mandates.

Acts of Commission Administrative

Breaking small rules that see inconsequential or stand in the way of “getting things done”

- Significant in terms of professional accountability and personal integrity
- “We have to look out for each other because no one else will.”

Acts of Commission Criminal

- Extra or outdated equipment is taken instead of disposed of properly
- Timekeeping records are embellished
- Misappropriation of funds

Entitlement vs. Accountability

- The 1 hour lunch hour becomes the 1 ½ - 2 hour lunch.
- Leaving early on Friday
- Attending a conference but NOT attending the conference
- Fudging travel vouchers/expense reports

Loyalty vs. Integrity

- Lying during the course of an administrative or criminal investigation
- “How will they find out if we stick together”
- “Cops don’t snitch on other cops”
- “The thin blue line”

Bribery

- **Former State Trooper Sentenced in Bribery Case.** A former Illinois State trooper who was convicted last year on bribery and official misconduct charges has been sentenced to three years probation. Vermilion Circuit Judge Nancy Fahey also ordered 46-year-old Keith Lumsargis of Westville to pay a \$2500 fine, do 100 hours of public service work, and spend 180 days in jail. But the judge added Lumsargis will not have to serve the jail time if he obeys other provisions of his sentence.
- “You used your position of trust and authority in a way that is not acceptable to this court,” the judge told the defendant. The judge added Lumsargis showed “a serious lack of judgment”, and added it went against the oath of office he took as a state trooper.
- Lumsargis was arrested in May of 2014 after authorities say he paid for a dinner for a Tilton Police officer thinking the officer had stopped the defendant’s ex-girlfriend and ticketed her at Lumsargis’ request.

Official Misconduct

- A Shelby County grand jury has indicted a retired Illinois state trooper for allegedly using a law enforcement information network to obtain information on certain females within the county.
- Richard Largen, 56, of Lakewood, was indicted on one count of official misconduct in connection with his alleged use of the law enforcement LEADS network to obtain information on the women between June 1, 2013, and Dec. 31, 2014. The indictment alleges that Largen was still working as a state trooper at the time, though he has since retired.

Theft

LaSalle County State's Attorney's Office Indicted an Illinois Department of Transportation (IDOT) employee who used his state issued WEX Fuel Card to purchase gasoline for his own personal use as well as for profit.

Employee admitted to using the WEX Fuel Card to purchase gasoline for friends/acquaintances whom he owed money.

Felony Theft

- IDHS worker in collusion with a supervisor claimed approximately 790 hours of unearned overtime pay over a period of 4 months
- The supervisor signed off on the fraudulently reported OT denoted on the employees timesheet
- The employee and the supervisor split the earnings 50/50
- Both the employee and supervisor were arrested and charged with felony theft and official misconduct.



Case of the Office Mate

- Case Study: James Smith
- Situation: You notice that Jim has been arriving at work late and leaving the office early on a routine basis. When you ask him about it he explains that his elderly father's health is failing and he has had to care for him.
- It started out with him being 30-45 mins late but of recent has increased to him coming in an hour or more late most days of the week. When he leaves early he tells you that he didn't take a lunch and leaves an hour or more early.

- You eventually ask Jim how low his time is getting after several weeks of this and he responds that he hasn't been taking time because he is virtually out of time. He shares with you that his father has a long road ahead of him and that he doesn't want to go into dock status.

- You can empathize with Jim because he has told you how difficult the last couple of months have been.
- He has managed to keep up with the majority of his work and hasn't missed any important deadlines.

- This similar type of case study is used repeatedly in ethics training, promotional exams, and oral interview boards. So why bring it up?
- I bring it up because this is a problem that is widespread to many agencies and the textbook answer although known by many, is often not followed at times. Why?
- This exposes the organization and its leaders to liability

- So the question really is if we all know right from wrong when facing an ethical decision, what causes people to struggle with making a decision or worse yet do nothing at all?



Ethical Dilemma

Ethical Dilemma Defined

- Ethical Dilemma - An ethical dilemma is one in which a person has to choose between two options, both of which are morally correct but in conflict.
- What policy tells me to do vs. what my values are(moral compass).
- Right by the book vs. Right by the heart

- The decisions you make, the decisions your subordinates/peers watch you make resonate and can set the tone throughout your organization.
- Understand that the leaders inside your organization are also struggling with these decisions daily, and the question becomes which “right” will they choose.
- And, how can the organizational leaders create an environment that exemplifies the right decision.

Strategies

- What are some strategies you can employ to prepare yourself to deal with ethical dilemma's?



Supervisors

- LEAD BY EXAMPLE – “Walk the Talk”
- Have conversations with your team as a leader and a mentor re: how to address issues. Assure them that bringing unethical behavior forward is the right thing to do.
- Get in the habit of addressing issues early on when they are still small issues
 - be prepared to have tough talks with those whom you supervise or work with(often friends)
 - Utilize your peers and as sounding boards for advice and counsel.

Employees

- Prepare yourself for facing an ethical dilemma
- Run through “what if” scenarios in your mind
- Be aware of and accept the “Continuum of Compromise” as a potential pitfall
- Trade in the victim perception for a survivor mentality

STOP, START, CONTINUE

***DO WHAT IS RIGHT,
NOT WHAT IS EASY NOR WHAT IS
POPULAR***

Roy T. Bennett, Author

Colonel JoAnn D. Johnson

Illinois State Police Division of Internal Investigation

(217) 785-4516