

PBA Appreciates Former SA Harry Shorstein

In 2006, State Attorney Harry Shorstein, in his fifth term, received a call from Governor Jeb Bush. All four sheriffs in the 7th Circuit, a number of police chiefs and the PBA had urged the Governor to remove John Tanner from his ongoing investigation of law enforcement. They sought an outside prosecutor to complete the investigation and determine whether the Tanner investigation was being conducted fairly or whether John Tanner was abusing his authority. Was he conducting a publicized vendetta in retribution for what he perceived to be improper treatment of his daughter? Shorstein initially refused the appointment, but later accepted and spent his final three years in office on one of the most unpleasant and difficult assignments in Florida history.



We believe Shorstein has served honorably and with great sacrifice stood up for the principles we believe must be followed. His investigation (a portion still remains secret, but a partial grand jury report and other evidence are public) found that the Flagler County Sheriff and the officers we represent were faced with a difficult assignment under difficult circumstances. As they almost always do, they acted appropriately. He fought to see that the law enforcement officers were treated fairly and given the support they had earned. Equally important, he stood up to, and fought against, efforts to misuse the awesome power of a state attorney.

His long record of tough but fair public service will be greatly missed since he did not seek another term as state attorney, deciding instead to return to private practice with his son's firm, Shorstein and Lasnetski, in Jacksonville. ■

As a combat decorated marine in Vietnam and a longtime prosecutor, Shorstein had often expressed a deep-seated admiration and solidarity with military and law enforcement, for anyone *who would* "grab a weapon and man a post," put his or her life on the line to protect our country or our fellow citizens. But he has also expressed a disdain for those who abuse their authority and bring dishonor upon all the good military personnel and law enforcement officers.

EDITORS NOTE: *I have known Harry Shorstein for many years. He is a standup guy for what is right, and we are proud that he and his firm now have joined us as PBA Panel Attorneys.*

~David Murrell

A Crucial Message for Elected Officials A Friend Tells You What You Need To Hear

By Neal Trautman, National Institute of Ethics

It was a Sunday afternoon in 1975. I had been a patrolman in Winter Park, FL for two years. As soon as I walked in the building to report for "roll call" I could hear everyone talking about the article. The mayor had ridiculed the department at a city council meeting and the newspaper made a front page feature story about it. He was quoted saying that officers needed to do more than just sit under the shade trees, start doing their job and stop being so concerned with their low salaries. He went on to insinuate we were lazy and unprofessional.

I had never felt demoralized or unappreciated as a cop before reading the article. Until then, I was filled with a mixture of endless energy, naivety and dedication. Within a couple weeks my original attitude bounced back and I once again felt the gratification of working hard at something you enjoy.

Thinking back about that experience now, I am astounded at how much impact the embarrassment caused by the article and mayor had on all the officers. Then again, it was about more than being publicly demeaned, as everyone in the department became angry and frustrated. It was common to hear comments like "Why the hell should we care any more," and "Who cares about doing a good job when they treat us like dirt at city hall." Although my positive attitude came back, the officers who were already cynical kept evolving into hatefulness.

I now know that high levels of anger and frustration serve as a primary cause of employee misconduct, for most transgressions occur when officers rationalize their actions are justified because feeling they are treated so poorly by their employer. There are endless examples of this.

In 1995 I instructed a series of ethics seminars at the New Orleans Police Department. The department had recently made stunning headlines throughout the nation. Dozens of officers had been arrested for committing years of crimes such as protecting drug traffickers, armed robbery, murders, extortion and drug dealing. In my view, it was the worse scandal in the history of American government.

The most important point about the New Orleans police scandal is not about how horrible and systemic the corruption was. It is how the organizational culture became so perverse. It is not a coincidence that such horrific corruption occurred where employees had appalling compensation and working conditions. Being treated so poorly made it logical that workers would become hateful and much more likely to rationalize misconduct.

The starting salary for a NOPD officer in 1991 was \$12,800. The salary of a twenty-year was in the \$20s. To the best of my knowledge their compensation was the lowest in the nation for a large department. To make their officers the compensatory time and overtime that most agencies make available for their officers was non-existent in New Orleans. Patrol officers drove 8-10 year old squad cars. Employment benefits like health insurance and retirement was atrocious. Their equipment was antiquated and facilities were old and dilapidated. After Richard Pennington, the current Atlanta Police Chief, was appointed as the new superintendent in 1995, he fired 107 officers, suspended 660, accepted the resignations of 176 and more than 170 were arrested.

A crime wave hit the city of Miami in the early 1980s. One of the consequences was that elected officials intervened with the hiring process and the department inflated from 650 officers to 1,050 officers within two years. Both hiring standards and morale were slashed. Officers had become enraged and rightfully so. Not only was the quality of new officers disheartening, political interference with promotions was infuriating. Seven officers were promoted from sergeant directly to major and officers were convinced it was the political influence that did it. In the end, more than 70 City of Miami police officers were arrested between 1980 and the end of 1986.

Like New Orleans, the crimes of Miami officers were serious and the corruption was systemic. The subsequent investigation and media scrutiny revealed that this time the mistake from city hall was not appalling compensation, it was lowering hiring standards and interference with promotions. The more bitter and frustrated officers become, the more likely they are to commit misconduct and destroy the trust their community has in their government. Miami was a case where the bitterness of mistreated officers was combined with hiring bad people as new officers to make a prescription for a nightmare.

What took place in the nation's capitol at the Metropolitan Bureau of Police in Washington, DC is another clear example of how disastrous misguided political influence can be. As first revealed by *The Washington Post*, the department hired 1,471 officers within a twenty month period. This was the result of strong political pressure to meet a congressional deadline to hire new officers quickly. The final outcome was that:

- Over seventy of the recruits were officially prohibited from testifying in court due to acts of dishonesty,
- The 1,472 recruits comprise roughly 33% of the force, but accounted for more than half of the officers arrested from 1990-1994, and
- The department spent \$3 million to train officers who were subsequently fired and retraining their replacements.

The real-life consequences for political intrusion and lack of support are usually so horrific that it is unimaginable to the officials who cause it, before the destruction strikes. No profession thrusts more temptations to be dishonest in the faces of employees than law enforcement. Elected officials have to make informed decisions that support the police, rather than make an incredibly difficult job more stressful.

There are mayors, city and county council members, selectmen and city managers who simply do not understand the direct relationship between their decisions and whether the law enforcement agency they oversee maintains integrity. My hope is that this message will prompt officials in the future to consider the consequences of not compensating officers fairly or interfering with hiring.

In eighteen years of traveling throughout the nation helping local governments prevent misconduct I have seen many situations where elected officials have been a major cause of the scandal. Many times I learn about those situations because I had been asked to conduct extensive ethics training. By then the damage had already been done. The careers and lives were already ruined. ■