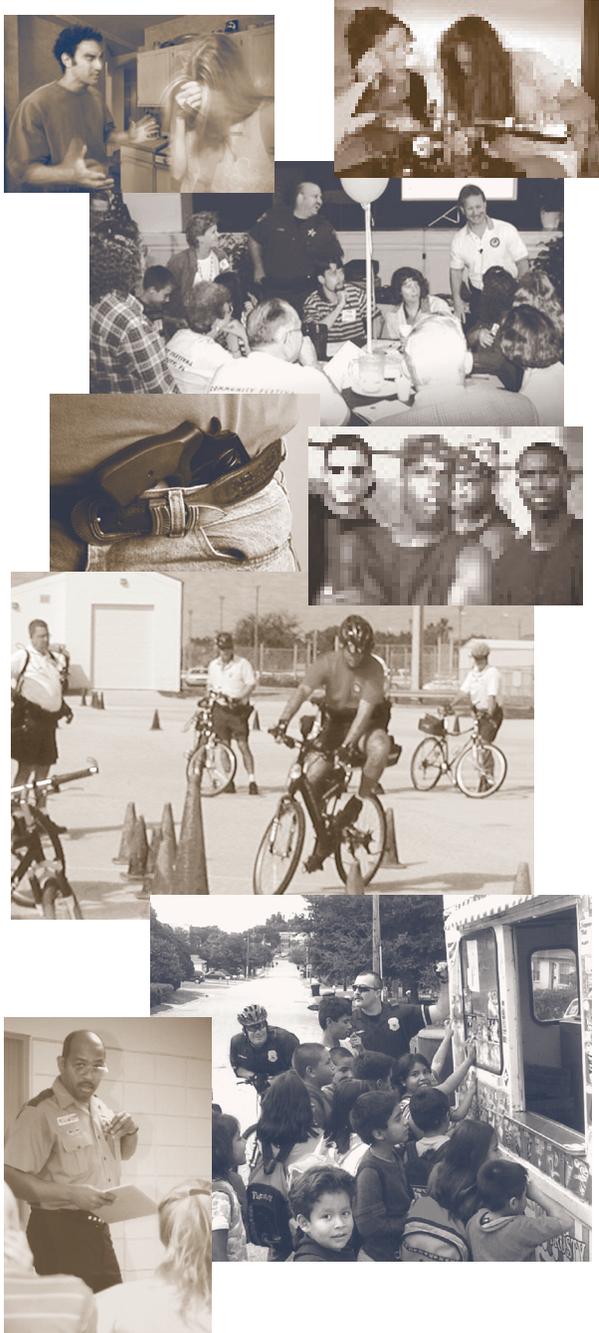


# St. Petersburg College

FLORIDA REGIONAL COMMUNITY POLICING INSTITUTE



## Ethical Issues for Elected Officials and Public Servants



*Course Manual*



St. Petersburg College

# Ethical Issues for Elected Officials and Public Servants



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## Who We Are

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The Florida Regional Community Policing Institute (RCPI) at St. Petersburg College (SPC) operates under a cooperative agreement from the Department of Justice, Office of Community Oriented Policing Services (COPS). RCPI provides FREE community policing training to law enforcement officers, community residents, city employees, social services agencies, and private sector representatives throughout Florida.

## Basic Courses

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- Introduction to Community Policing
- Police-Community Partnerships
- Problem Solving for the Community Police Officer and Citizen
- Survival Skills for Community Policing Officers
- Ethical Issues and Decisions in Law Enforcement
- Reaching your Goals Through Code Compliance
- Planning a Win for the Good Guys: Crime Prevention/Crime Displacement and Environmental Design
- Managing Encounters with the Mentally Ill
- Building Bridges: Community Policing Overview for Citizens
- Changing Roles: Supervising Today's Community Policing Officer
- Grantsmanship 101
- Sexual Predator and Offender Awareness in Your Neighborhood and on the Internet
- Effective Media Skills for Law Enforcement
- Citizens' Community Policing Academies

## Specialty Courses

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- Protecting, Serving and Supervising through Community Partnerships
- Three-Part Community Policing Management Series

## Domestic Violence Courses

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- Dynamics of Domestic Violence
- Legal Aspects of Domestic Violence
- Resources for Domestic Violence Teams

## Ethics Courses

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- Citizen Complaint Intake and Investigation Issues
- Bias-Based Policing: Issues and Dilemmas
- Use of Force Issues in a Community Policing Environment
- Early Identification and Intervention Strategies (EIIS)

## Online Courses

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- Ethical Issues & Decisions in Law Enforcement
- Introduction to Community Oriented Policing
- Dynamics of Domestic Violence
- Understanding the Dynamics of Violence in the Workplace

## **Course Material**

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Course material is provided at no charge to all participants. We can adapt our training to fit your agency/ community/business needs. Evening and weekend classes are available. Most training modules are eight or 16 hours but may be modified to allow for limited time allotments.

## **Training Locations**

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Generally, classes are conducted at our SPC training site. However, we will arrange training at your facility or a training center in your area. Students who travel more than 50 miles to specified courses held at St. Petersburg College may be eligible for lodging reimbursement. See individual course brochure for eligibility.

## **Who Can Attend?**

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- Any law enforcement officer (community policing patrol, crime prevention, campus police), civilian employees, probation officers, and social service agencies
- Community leaders and citizens
- Chiefs and Sheriffs who are interested in starting and maintaining community policing in their communities
- Business managers, executives and employees
- Mayors, City Managers, Council members, trustees and government leaders

## **Registration**

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To register for classes, schedule on-site training or become part of our mailing list, please call:

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# Acknowledgements

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This textbook was written for the Florida Regional Community Policing Institute (RCPI) at St. Petersburg College (SPC) by Keith Goree, an instructor for SPC. Keith Goree has a bachelor's degree in Religious Studies and Psychology from Harding University, a master's degree in Marriage and Family Therapy from Abilene Christian University, and has completed postgraduate work in philosophy, applied ethics, and education at the University of South Florida.

He has worked as a youth and family counselor, a child abuse investigator for the State of Florida, and joined the faculty of the SPC Applied Ethics program in 1986. He speaks on ethics education at professional conferences for teachers and school administrators throughout the country. Mr. Goree is the author of an ethics textbook, *Ethics in American Life*, and has been a contributing author to several

books, including the SPC textbook, *Ethics Applied*. In 1997, the Florida Association for Community Colleges named Keith one of the top community college professors in the state. He is also an instructor for the Florida Regional Community Policing Institute at SPC.

This textbook summarizes the development of Ethical Issues for Elected Officials and Public Servants and was supported by the Department of Justice, Office of Community Oriented Policing Services (COPS). The author wishes to acknowledge the staff that envisioned and implemented this textbook for the Florida Regional Community Policing Institute at SPC. Finally, the support of COPS personnel who assisted and were committed to the dissemination of this textbook is gratefully acknowledged.



# Unit One: Personal and Professional Ethics

## ***The Human Scavenger Hunt***

The goal of this game is simple. Match each of the following statements to one of your classmates. You cannot use any classmate more than once (and you can't use your own name). So just meet and greet your colleagues and put names in the blanks as you make connections. The first one to get 10 matches with 10 different names wins. You have 10 minutes.

1. \_\_\_\_\_ I am the first member of my family to go into public service.
2. \_\_\_\_\_ I think that genetic engineering and cloning technologies will end up producing more good than harm.
3. \_\_\_\_\_ I believe that too often the news media treats people in public service unfairly.
4. \_\_\_\_\_ My religious faith is important to me.
5. \_\_\_\_\_ I served in the military.
6. \_\_\_\_\_ I'm not necessarily against the death penalty in principle, but the possibility that some people might be executed for crimes that they did not commit does concern me.
7. \_\_\_\_\_ I believe that there is more to ethics than just obeying the law.
8. \_\_\_\_\_ I understand at least some of the reasons why many people seem so cynical about government ethics.
9. \_\_\_\_\_ I originally went into public service because I wanted to help people.
10. \_\_\_\_\_ I believe that people in public service should be held to higher moral and ethical standards than ordinary citizens are held to.

*"Anyone can be great, because anyone can serve."  
Martin Luther King, Jr.*

*"He who permits himself to tell a lie once, finds it much easier to do it a second and third time, until at length it becomes habitual. He tells lies without attending to it, and truths without the world believing him. This falsehood of the tongue leads to that of the heart, and in time depraves all its good dispositions."  
Thomas Jefferson*

## What is “Ethics” and why does it Matter?

**Ethics** – The reasoned study of what is \_\_\_\_\_.

**Morality** – Refers to the \_\_\_\_\_ that we are taught to follow.

**Ethical Issues** – Situations or actions that raise \_\_\_\_\_; topics that raise \_\_\_\_\_.

“The man of wisdom has no perplexity; the man of humanity has no worry; the man of courage has no fear.”  
Confucius

### 3-Minute Brainstorm:

*What are some ethical issues that are relevant to people in public service?*

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**Ethical Principles** – General statements of \_\_\_\_\_ under normal circumstances. Examples:

- *People should treat others as they would want to be treated themselves.*
- *People should be honest.*
- *People should respect the rights of others.*
- *People should act in ways that produce the greatest possible good for the greatest possible number.*

**Professional Ethics** – The application of \_\_\_\_\_ to situations and actions that may arise in \_\_\_\_\_.

**Virtues** – Character traits that constitute a \_\_\_\_\_ or that are associated with \_\_\_\_\_.

“The sad truth is that most evil is done by people who never make up their minds to be either good or evil.”  
Hannah Arendt

### 3-Minute Brainstorm:

*What are some character traits (virtues) of good public servants?*

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**Character** – The sum or totality of a person’s \_\_\_\_\_  
\_\_\_\_\_. (In this sense, character is not an all-or-  
nothing quality that one either has or hasn’t. Instead, think of it  
as a \_\_\_\_\_. Some people have excellent  
character, others deplorable character, and most of us are  
somewhere in between.)

**Integrity** – The quality of living consistently by \_\_\_\_\_  
\_\_\_\_\_ that other rational people would consider \_\_\_\_\_.  
It’s the virtue of being \_\_\_\_\_, through and through.

**Four Components of Consistent Ethical Behavior (James Rest)**

- A. \_\_\_\_\_ – the ability to recognize the  
presence of \_\_\_\_\_ in everyday situations.
- B. \_\_\_\_\_ – knowing what is \_\_\_\_\_  
\_\_\_\_\_; the ability to decide the \_\_\_\_\_  
\_\_\_\_\_ course of action in a situation.
- C. \_\_\_\_\_ – possessing the desire to \_\_\_\_\_  
\_\_\_\_\_; wanting to do what is good.
- D. \_\_\_\_\_ – having the courage and self-  
discipline to follow through and do \_\_\_\_\_,  
even in the face of \_\_\_\_\_.

**3-Minute Brainstorm:**

*It has been said that most unethical actions by public  
servants can be traced to short-term thinking. Do you  
agree? Why or why not?*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*“The only thing necessary for the  
triumph of evil is for good men to  
do nothing.”  
Edmund Burke*

*“The foundation of morality is to  
have done, once and for all, with  
lying.”  
T. H. Huxley*

*“Without civic morality  
communities perish; without  
personal morality their survival  
has no value.”  
Bertrand Russell*

**3-Minute Brainstorm:**

*A “standard” is a level of behavior that people are expected to live up to. What primary differences do you see between the legal standard and the moral/ethical standard?*

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**3-Minute Brainstorm:**

*Should public servants be held to higher ethical standards than those to which ordinary citizens are held? Why or why not?*

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*Ghandi’s seven sins:  
“Wealth without work  
Pleasure without conscience  
Knowledge without character  
Commerce without morality  
Science without humility  
Worship without sacrifice  
Politics without principle”*

**3-Minute Brainstorm:**

*Do you think that, in general, public servants hold themselves and their colleagues to higher ethical standards? If so, how? If not, what could/should they be doing differently?*

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# Unit Two:

## Moral Development

### Personal Ethics Pop-Quiz

Instructions: Answer YES or NO to each of the questions below. Then briefly explain WHY you chose the answer that you did. You will not be asked to share your answers, so be honest with yourself.

1. *While in a grocery store parking lot one evening, you accidentally dent another car. No one else sees it happen. Would you leave a note taking responsibility?*

**Yes/No?**

**Why or Why Not?**

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2. *A friend wants to copy and swap some expensive computer software with you. You know it's illegal. Would you swap?*

**Yes/No?**

**Why or Why Not?**

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3. *You are an elected representative. Your legislative body is deciding whether or not to pass an ordinance about gay and lesbian rights. Your constituents are demanding (overwhelmingly) that you vote one way, but your personal convictions are on the other side. Would you go along with the will of the people?*

**Yes/No?**

**Why or Why Not?**

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4. *You lose an expensive diamond ring and your insurance company reimburses you for the loss. Shortly thereafter, you find the ring. Would you return the money?*

**Yes/No?**

**Why or Why Not?**

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5. *You are a staff assistant to the mayor. You enjoy working for her, but recently you have seen her accepting personal gifts from an influential property developer. She tells you that she will not let the gifts influence her decisions or policies, but you know that accepting these gifts violates ethics laws. Would you report your boss?*

**Yes/No?**

**Why or Why Not?**

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*“The Japanese recognize that there are really only two demands of leadership: One is to accept that rank does not confer privileges, it entails responsibilities. The other is to acknowledge that leaders in an organization need to impose on themselves that congruence between deeds and actions, between behavior and professed beliefs and values, that we call ‘personal integrity’.”*  
Peter Drucker

*“Always do the right thing. This will gratify some people and astonish the rest.”*  
Mark Twain

“Never do anything against conscience, even if the state demands it.”  
Einstein

## Levels of Moral Reasoning

Scholars who study **moral development** try to understand how people develop a sense or understanding of right or wrong. Since infants have no real understanding of morality while almost all adults do, there must be some sort of process going on. How does this process work? The general consensus used to be that our understanding of right and wrong was based solely on what we had been taught by others or through life experiences. However, research over the past 30-40 years (Lawrence Kohlberg, Carol Gilligan, James Rest, and others) has demonstrated that there is much more going on than that. While findings and theories differ in ways, it is generally accepted now that humans reason about moral right and wrong at three different levels.

The key to understanding these levels is to remember that they are based on how people \_\_\_\_\_, not on how they \_\_\_\_\_. It’s not *what* you do that determines your level, it’s \_\_\_\_\_ you do it and how you justify your actions.

### Level I

The most immature level of ethical reasoning is to base moral decisions purely on \_\_\_\_\_.

### Level II

The next level of moral reasoning is to base ethical decisions on **conformity**. There are really two forms that this conformity can take, and it’s worth considering them separately.

- a. Some people see ethics as a matter of conforming to the \_\_\_\_\_.
- b. Others seem to think that ethics is a matter of conforming to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

### Level III

The highest level of ethical reasoning is to base moral decisions on \_\_\_\_\_.

## Moral Development Video

In the 1950s a Harvard psychologist named Stanley Milgram began a series of somewhat infamous experiments. He told his subjects that he was trying to measure the effects of negative reinforcement (pain) on learning. His subjects were to push a button sending an electric shock to a “learner” whenever the learner gave a wrong

“The last temptation is the greatest treason:  
To do the right deed for the wrong reason.”  
T.S. Eliot

answer. However, the real experiment was to see whether the “teachers” (the real subjects) would obey his instructions. This video provides a reenactment of Milgram’s experiment, as well as excerpts of interviews that Lawrence Kohlberg did later with the subjects. Listen for the different levels or stages of moral reasoning that the subjects exhibit.

## ***Application Scenario***

Instructions: Read the following scenario. Then try to identify how you think Connie would think and what you think she would be most likely to do at each level of moral reasoning. Keep in mind that you are not trying to identify at which level Connie is functioning. You don’t have enough information for that. Instead, you will put her in all three levels and explain how her thinking and behavior would vary from level to level.

### ***Connie’s Conundrum***

Connie Science is the new Assistant to the Deputy Director of the Federal Health, Education, and Welfare Department in Washington D.C. She is a divorced mother of three children (ages 12, 15, and 17 years). She is also a diligent employee who has worked for the federal government for twenty years, and is now delighted to have finally been appointed by President Clinton to the kind of job she has always wanted; one in which she can have input into important decisions about government policies which can help improve people’s lives. But, at the moment, Connie is faced with a serious ethical dilemma.

During her first few weeks on the job, she has witnessed her new boss, Mr. O. Vern Bereng, accepting gifts and money to which he is not legally entitled. While none of the “gifts” amounted to a great deal of money, Connie is concerned about their sources and the intentions behind them. She knows that many of the packages and envelopes were from the Alliance of American Insurance Companies, a lobbying group trying to influence new laws about national health care. Two days ago, summoning up her courage, Connie went to see Mr. Bereng. She asked him about the gifts, and reminded him of the government ethics laws forbidding the acceptance of such gifts. He reacted with open anger.

“How dare you question my actions when you’ve only been on the job for three weeks?” he stormed. “I used my influence to help you get this job, and I can use it to get rid of you, too! Don’t forget that you are still on probation in this position, and boat-rockers do not last long around here. I’ll bet you would be surprised to learn how many of your co-workers are doing the same thing I am. If you persist with this self-righteous crusade you’ll find yourself cut

*“Ethics is never dispensable. It is an integral part of human survival. But in the 21st century, such survival will be a more complicated and precarious question than ever before, and the ethics required of us must be correspondingly sophisticated.”*  
*Oscar Arias, in Shared Values for a Troubled World*

*“To do injustice is more disgraceful than to suffer it.” Plato*

*“Once a society exempts certain classes from universally shared moral responsibilities, it is in trouble.”*  
*Carl Henry*

off without any influence or power. Ms. Science, you have the potential to go a long way in this department. But if you aren’t going to play ball with us, then go find yourself another game!”

So Connie has to decide what to do. As she drove home that afternoon, she thought to herself, “Should I report this to the Justice Department or go along with my new colleagues and get on the lobbyists’ mailing lists? If the practice of accepting gifts is what everyone is used to, maybe it is not so bad. If nobody is being hurt, how wrong can it be? Anyway, I am a single parent. If I lose this job, my family will lose its only source of income. But how I can face myself in the mirror each day if I knowingly violate both the government ethics laws and my moral beliefs?”

Level	How would she be thinking?	What do you think she would do?
I.		
IIA.		
IIB.		
III.		

*“Wisdom, compassion, and courage - these are the three universally recognized moral qualities of men.”* Confucius

# Unit Three:

## Conflicts of Interest

### ***Class Notes on Conflicts of Interest***

Consider these situations:

- A group of police officers are arguing among themselves about whether there is anything wrong with accepting the free meal being offered to them at a restaurant.
- A major corporation decides to prop up its stock value by hiding much of its debt in off-the-books partnerships, using its own corporate officers as the partners. These officers each receive millions of dollars for participating.
- A city mayor appoints his brother-in-law as city manager, even though the man has little managerial experience and there were other, more qualified applicants.
- An attorney charged with the oversight of an elderly woman's trust account has access to the woman's money, and steals some of it.
- A politician accepts campaign contributions from a special interest group that wants a certain law to be passed.

*If you don't want to work for a living – this is as good a job as any.”  
John F. Kennedy 1946 – New Congressman*

#### ***What is a Conflict of Interest?***

A conflict of interest occurs when a person faces competing priorities between \_\_\_\_\_ and \_\_\_\_\_.

*“Congress would exempt itself from the Laws of Gravity if it could.”  
Congressman Henry Hyde, 1988*

#### ***What's Wrong With Conflicts of Interest?***

For one, it causes the person to be less \_\_\_\_\_. It increases the risk of \_\_\_\_\_.

#### ***Three Levels of Conflicts of Interest***

- \_\_\_\_\_ conflicts of interest. These fit the definition given earlier. One's professional obligations and responsibilities are in conflict with his or her personal interests. Following one's personal interests could result in corporate, professional or even legal sanctions.
- \_\_\_\_\_ conflicts of interest. These exist when a person has a clear conflict of interests in respect

*“Character is much easier kept than recovered.”  
Thomas Payne*

to a certain judgment, but is not yet in a situation requiring that judgment.

- \_\_\_\_\_ (or perceived) conflicts of interest. These occur where a person does not have any conflict of interest (actual or potential), but others might be justified in thinking that one might be present.

### ***Strategies for Coping With Conflict of Interest Situations***

- You might \_\_\_\_\_.
- You might try to just \_\_\_\_\_ these situations.
- You can sometimes \_\_\_\_\_ conflict of interest situations.
- You can at least \_\_\_\_\_ the conflict of interest.
- Sometimes all you can do is \_\_\_\_\_ the conflict of interest.

These conflicts of interest are present in most professional walks of life. The “special interest” at stake may be as little as free lunches or as much as millions of dollars. Conflict of interest situations result in many cases of professional discipline and even loss of jobs. The preferred responses to conflict of interest situations are usually avoidance or escape whenever possible. When those won’t work, disclosure and management are required to minimize the potential harm to self and others.

*“Inability to tell good from evil is the greatest worry of man’s life.”  
Cicero*

## **Application Scenario**

Read the scenario. Then work in small groups to answer the questions that follow.

### **Max and Minnie**

Max Gross is the hard-working owner of “Metropolitan Paints and Supplies”, a franchise of the Sta-Brite Paint Corporation. Even though he is the owner, Max is under considerable pressure from the Sta-Brite main office to increase his sales. By selling more materials now he can get lower prices on future orders as well as big discounts on his advertising fees. The problem is that business is not good these days.

The recession has hit Max’s business with a vengeance. Several of his best customers have gone out of business entirely, and the others aren’t buying as much as they used to. Sta-Brite is dealing with the sluggish economy by tightening the screws even further on their franchise owners. Max has gotten a pretty clear message that if he doesn’t improve his bottom line figures very soon, the corporation will open a new franchise in his area to pick up some of the slack. In desperation Max turns to his sister-in-law for help.

Minnie Gross works in the purchasing department of the Metropolitan public school system. Her job is to oversee the sealed bids process that the school system uses to make its major expenditures. After ten years in this office Minnie prides herself on being able to predict, with amazing accuracy, what the low bid will be on any given contract within 1-2 percent of the final dollar total. The biggest contract out for bids this term is for painting supplies needed to refurbish several elementary schools.

Frustrated to the point of tears, Max explains his dilemma to Minnie over dinner one evening. If he doesn’t get a major contract soon his business will fail. Since the Grosses mortgaged themselves to the hilt to get his business off the ground, his family will likely be forced into personal bankruptcy as well. Max pleads that his only hope is for Minnie to help him decide what his bid should be to ensure that he gets the school system’s contract. Even if the profit margin isn’t very high, it will at least get the Sta-Brite main office off his back and buy him some time. And, he adds, when he gets his business back on its feet he will gladly give her a little something to repay all the trouble she is going to.

*“The world has achieved brilliance without conscience – Ours is a world of nuclear giants and ethical infants.”*

*General Omar Bradley*

*“Only a life lived for others is a life worth living.”*

*Einstein*

*“Everything secret denigrates:  
nothing is safe that does not bear  
discussion and publicity.”*  
Lord Action

Minnie likes Max and cares about his welfare, but she realizes that he is asking her to do something that may be legally and ethically wrong. If she gets caught giving inside information to Max, she could lose her job. But she also believes that the Sta-Brite corporation is wrong in treating Max the way it has. He certainly isn't responsible for the recession. And besides, she doesn't want the whole family to be mad at her.

**Questions**

1. What type of conflict of interest do you think Minnie is facing (actual, potential, apparent)? Explain why you think it's that type.
2. Briefly explain how Minnie's actions might vary depending on which coping strategy she chooses to employ.

Coping Strategy	Behavioral Response
Do Nothing	
Avoid	
Escape	
Disclose	
Manage	

*“90 percent of success is just  
showing up.”*  
Woody Allen

**Optional Application Exercise (if time permits)**

Working in small groups, create your own conflict of interest scenario relevant to someone working in public service. Have one person in your group write down the story. After you share it with the class, turn it in to the instructor. If it's good enough, we'll use it in future classes!

# Unit 4:

## Florida Code of Ethics for Public Officers & Employees

### ***A Brief Introduction to Codes of Ethics***

A code of ethics is a published set of \_\_\_\_\_ intended to provide \_\_\_\_\_ for those individuals under its authority.

*“All virtue is summed up in dealing justly.”  
Aristotle*

There are three main types of codes of ethics:

\_\_\_\_\_ – written by businesses to clarify expected employee standards of conduct.

*Examples:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ – written by professional groups to outline or detail the standards of behavior expected of their members.

*Examples:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ – compilations of laws relevant to the ethical conduct of elected and appointed officials, as well as public employees.

*Examples:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*“The ethical person should do more than he is required to do and less than he is allowed to do.”  
Michael Josephson*

The principles, rules, and standards within codes of ethics can be written at four levels:

1. \_\_\_\_\_

- “Our members will always tell the truth, the whole truth, and nothing but the truth.”
- “Put the welfare of the customers ahead of your own personal interests at all times..

*“Trust like the soul – never returns  
once it is lost.”*  
Syrus

2. \_\_\_\_\_
- “Our employees will always treat every customer as the employee would want to be treated herself.”
  - “Treat each customer with courtesy and kindness, no matter how the customer acts in return.”

3. \_\_\_\_\_
- “Do not curse in front of the customers.”
  - “Employees are expected to clean up spills that might pose a safety hazard to shoppers.”

4. \_\_\_\_\_
- These codes can unwittingly invite people to play the \_\_\_\_\_. Since the codes are based on rules and not principles, people often begin looking for ways to “get around the rules” without technically violating the law.

- Since violations of these standards are also violations of the law, discipline is generally more severe.

- “Employees are not to steal money or merchandise from the store.”

- “Counselors will hold all patient information in confidence, except when the law requires that such confidences be broken.”

- “Public officers and employees are prohibited from accepting a gift worth more than \$25 from a lobbyist.”

*“Ethics requires us to abandon the  
notion that an act is ethical – sim-  
ply because it is legal.”*  
Michael Josephson

# **Overview of Florida Code of Ethics for Public Officers and Employees**

## **A. Prohibited Actions**

1. Solicitation and Acceptance of Gifts
2. Unauthorized Compensation
3. Misuse of Public Position
4. Disclosure or Use of Certain Information
5. Solicitation or Acceptance of Honoraria

## **B. Prohibited Employment and Business Relationships**

1. Doing Business With One's Agency
2. Conflicting Employment or Contractual Relationship
3. Exemptions
4. Additional Exemption
5. Lobbying State Agencies by Legislators
6. Employees Holding Office
7. Professional and Occupational Licensing Board Members
8. Contractual Services: Prohibited Employment
9. Local Government Attorneys

## **C. Restrictions on Appointing, Employing, and Contracting With Relatives**

1. Anti-nepotism Law
2. Additional Restrictions

## **D. Post Office-Holding and Employment (Revolving Door) Restrictions**

1. Lobbying by Former Legislators, Statewide Elected Officers, and Appointed State Officers
2. Lobbying by Former State Employees
3. Additional Restrictions on Former State Employees
4. Lobbying by Former Local Government Officers and Employees

## **E. Voting Conflicts of Interest**

## **F. Information About Various Disclosure Forms**

### ***Additional Relevant Content***

#### **IV. Availability of Forms**

#### **V. Penalties**

1. Non-Criminal Penalties for Violation of the Sunshine Amendment and the Code of Ethics
2. Penalties for Candidates
3. Penalties for Former Officers and Employees
4. Penalties for Lobbyists and Others

*“There is a big difference between what we have a right to do – and what is right to do.”*  
*Justice Potter Stuart*

*“The reward of a thing well done – is to have done it.”*  
*Emerson*

*“We make a living by what we get, but we make a life by what we give.”*  
Winston Churchill

5. Felony Convictions: Forfeiture of Retirement Benefits
6. Automatic Penalties for Failure to File Annual Disclosure

**VI. Advisory Opinions**

**VII. Complaints**

1. A Citizen’s Responsibility
2. Confidentiality
3. How the Complaint Process Works
4. Dismissal of Complaints at Any Stage of Disposition
5. Statute of Limitations

**VIII. Executive Branch Lobbying**

**IX. Whistle-Blower’s Act**

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***Application Exercises for the Florida Code of Ethics***

**Small Group Exercise #1: “If We Were in Charge...”**

Working together in small groups, come up with at least three ways the code could be improved. These improvements might include laws or issues that should be covered but are not, laws that should be changed or even deleted, or even changes in wording or format. When all the groups are finished, compare your suggested changes with those of the other groups.

**Small Group Exercise #2: Scenario - Lenny’s Dilemma**

Lenny Poreman is 40 years old and a newly elected state representative. His full-time job as a college teacher pays him about \$50,000 per year. His new part-time job as a state representative pays an additional \$25,000. Lenny and his wife, Arlene, have triplet daughters, now six years old. Arlene was once studying to be an accountant, but gave that up to stay home with the girls. After years of struggle, the Poreman’s have worked themselves out of a significant debt that was due in large part to several college loans and high medical bills from the birth of the girls. This spring for the first time in years, Lenny and Arlene were ready to invest some money. After careful research, Lenny decided to buy stock in the MegaByte Computer Corporation, a company in his district and a rising star on the stock market. This was a risky move, because it put all of their savings in one corporation, but he was convinced the stock was about to skyrocket in value.

Lenny’s first committee assignment was to the House Commerce Committee. At a luncheon for new committee members he overheard two of the veterans talking quietly about MegaByte.

*“Life consists, not in holding good cards, but in playing well those you hold.”*  
Josh Billings

They were saying that the company was about to be sued by a competitor and that MegaByte would probably lose the lawsuit. The stock was about to plummet. There was even a good chance that the company might go under. If so, stockholders would be lucky to get a few cents on each dollar they had invested.

Lenny is now beside himself. Arlene had told him this was too risky, but he had let his ego get in the way. A loss of this magnitude right now could destroy them again financially. An obvious temptation is to dump his stock now, since this information is not yet public. Lenny fears that, because of how he learned the news about MegaByte, this might constitute insider trading. But he is desperate.

What would be the wisest course of action for Lenny? Do you see any ethics rules in the Florida Code of Ethics that might give him guidance? Are there any resources that might help him make a wise decision?

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## WRAP-UP AND EVALUATIONS

*“We cannot live happily as human beings in the belief that our own actions don’t matter.”*

*Alvin Toffler*

*“So far – about morality. I know only that what is moral is what you feel good after and what is immoral is what you feel bad after.”*

*Ernest Hemingway*





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## Florida Regional Community Policing Institute

### About This Project

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