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ABSTRACT (MAXIMUM 200 WORDS) Executive leaders in federal law enforcement are responsible for establishing core ethical values in their agencies and selecting supervisors for promotion who will maintain the climate. Assessing ethical a supervisor ethical character before promotion is extremely difficult. Executives assessing a supervisor's character will be influenced by their own beliefs and personal bias. The intent of this paper is to prove senior executives are not able to objectively assess a supervisor's character, but can be educated and trained to understand how morals and ethics affect a supervisor's decisions. This paper will analyze moral and ethical models and studies in order to explain how moral backgrounds and ethical influencers affect a supervisor's and senior executives decision making process and explain the reasons a supervisor's character will be different from the assessor's and can not be analyzed without personal bias.					
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TITLE: Can a Supervisor's Ethical Character be Assessed Objectively?

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Executive Summary

Title: Can A Supervisor's Ethical Character Be Assessed Objectively?

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Thesis: A supervisor's and senior executive's individual ethical and moral values make it impossible for senior executives to objectively assess a supervisor's ethical character, but with education and training, senior executives can utilize their ethics and morals knowledge to effectively assess and select ethical supervisors to lead their agencies and reduce unethical behavior.

Discussion: Senior executives and supervisors process moral and ethical information differently. That is not to say senior executive's process information differently than supervisors, but that every person has distinct moral and ethical values. Individual values make objectively assessing a supervisor's ethical character difficult, but not impossible. This paper will examine how senior executives' assessments are influenced by personal bias, and how moral and ethical education and training will help senior executives understand a supervisor's ethical character. This will be accomplished by first discussing how moral development, judgment, and decision making are unique to the individual supervisor and senior executive. The second chapter will discuss how core ethical values, shadow castors, social influencers, and ethical limits affect individual supervisors and senior executives. The third chapter will analyze why a senior executive is unable to objectively assess a supervisor's ethical character, recommend ways senior executives can prepare themselves to effectively assess a supervisor's ethical character, prepare supervisors for ethical decisions they will confront, and improve the supervisor promotion process.

Conclusion: Ethics and morals are similar to finger prints in that no two senior leaders or supervisors are affected or influenced to make ethical decisions in the same way. Senior leaders and supervisors can be educated and trained on ethics and morals, but their personal values and influencers will guide their decisions. The ethical and moral bias senior leaders possess will influence their assessment of a supervisor's ethical character. Senior executives can learn to utilize their knowledge about ethics and morals to assess a supervisor, but in the end, the senior executives will be influenced by their own ethical and moral character, making it impossible to objectively assess a supervisor's ethical character.

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Preface

I chose to research the possibility of assessing a future leader's ethical behavior in federal law enforcement because ethical violations have not decreased in federal law enforcement agencies in the last ten years. Supervisors are the future senior executives of the agencies, and will be responsible for establishing core values, ensuring the standards are maintained, and leading by example. Federal law enforcement employees receive annual ethical training, but the ethical training has not reduced the number of ethical violations. The problem exists in employees, supervisors, and senior executives. Senior executives are the backbone of every federal law enforcement agency and need to lead the way. The continued violations lead me to believe the senior executives responsible for selecting supervisors for promotion are not prepared to effectively assess supervisors' ethical character.

I am not suggesting excellent leaders have not been promoted, but I am suggesting senior leaders need to be better educated in assessing a candidate's morals and ethical behavior. The promotion process should entail a 360 degree approach utilizing prior performance appraisals, interviews with previous supervisors and employees, and an ethically structured in-depth interview conducted by senior executives. Supervisors and senior executives should be required to participate in extensive continued ethical and moral education, training, and testing in order to better understand how ethics and morals influence difficult decisions. A promotion system designed to assess the candidates from a 360 degree approach, would increase the agencies' ability to systematically identify potential leaders who possess a strong ethical character, resulting in better leaders and the reduction of ethical violations.

I would like to thank my wife Michelle and three children, McKenna, Riley and Dylan for allowing their husband and dad to work on this project and for understanding the project was intensive and demanded a lot of time. I would like to thank my advisor Dr. Rebecca Johnson who spent a lot of time with me, refocused my attention, and provided me with tremendous guidance that focused me in the right direction. The last person I would like to thank is my former supervisor Fred Milanowski. Without his encouragement, leadership, and work behind the scenes to assist my selection, I would not have had the opportunity to attend the Command and Staff College (CSC). Finally, I would like to thank the Bureau of Alcohol, Tobacco, Firearms, and Explosives for selecting me to attend CSC, and allowing me the opportunity to grow as a person, a supervisor, and a leader.

Introduction

Ethical violations are complicated and continuous issues that have negative effects on every federal law enforcement agency. Drinking and driving in government vehicles, stealing evidence, personal use of narcotics, and releasing confidential intelligence to foreign states are examples of reported ethical violations. Alleged violations have risen over the last decade from a reported low 7,593 cases in fiscal year 2004, to a high of 11,484 cases reported in fiscal year 2011.¹ During the 2004 and 2011 reporting years, the workforce increased approximately 10.3% and the alleged violations disproportionately increased approximately 51.2%.² The Department of Justice (DOJ) Office of Inspector General (OIG) accepts approximately three-hundred and eighty cases annually.³ The initiated investigations result in administrative actions (leave without pay, letters of admonishment), criminal convictions (felony and misdemeanor), or employee termination. The allegations that were reviewed and not accepted by OIG were referred back to their parent agencies to investigate and address accordingly.⁴

The continued ethical violations by federal law enforcement employees raises the question, do the problems begin with the employees, or does the problem manifest from a lack of leadership? Studies demonstrate that employees' ethical values begin with the senior executives responsible for leading their agencies and instituting core ethical values.⁵ In order to establish a culture of integrity, senior executives are expected to instill good values and serve as role models for ethical behavior.⁶ Donald Menzel stated that supervisors have a substantial influence on employee's ethics and by extension on organizational performance.⁷ Senior executives' who fail to provide proper leadership, lead by example, and institute core values that facilitate ethical conduct share the responsibility for employee violations.⁸

Supervisors and senior executives are not always prepared to make tough ethical and moral decisions. They make decisions that benefit the agency, the public, or for personal interests, but may not understand why they made a particular choice. Federal law enforcement agencies provide basic ethics training, but fail to provide employees and supervisors the opportunity to attend continued extensive moral and ethical training. The failure of federal law enforcement agencies to educate and prepare supervisors to become strong leaders capable of making tough moral and ethical decisions has created a situation where new senior executives can be ill-prepared and susceptible to making poor ethical decisions.

The lack of an ethically disciplined environment indicates federal law enforcement agencies have not consistently promoted ethically fit candidates who are, educated, prepared, and able to make tough ethical decisions. There needs to be more focus on identifying and educating the right supervisors to transition to senior executive positions. Senior executives are the leaders of federal law enforcement agencies tasked with establishing and enforcing their agencies core values. Senior executives also have the responsibility to assess and promote supervisors to senior executive positions. Identifying and promoting ethical supervisors does not guarantee the selected supervisors will make good leaders, but it will help identify supervisors that make ethical decisions for the right reason, and instill core values throughout their agencies.

The problem with assessing a supervisor's ethical behavior begins with the senior executives responsible for identifying and promoting supervisors to leadership positions. Supervisors and senior executives possess their own individual moral and ethical values that evolved from education, culture, and personal experiences. They are influenced by their individual moral values, ethics, influencers, and personal experiences, but may not understand how they affect their decision making process. Educating senior executives about morals and

ethics does not guarantee individual bias will not influence their judgment or ensure every supervisor promoted is ethically perfect. The continued education will educate senior executives about influential factors, how the factors affect supervisor's decisions, and will allow senior executives to effectively assess a supervisor's strengths, weaknesses, and ethical character.

Background

The assumption federal law enforcement officials lack ethical standards and values have influenced forty-one percent of the American people to have little or no confidence in law enforcement officials.⁹ The assumption that agencies have low ethical standards leads federal law enforcement employees to lower their standards, has reduced employee morale, and deteriorates the agencies' effectiveness. The American public depends on federal law enforcement officials to enforce federal and state statutes, maintain public safety, and abide by an ethical code. It is essential the American people trust federal law enforcement personnel, so they expect law enforcement personnel to abide by a higher standard of ethics on and off the job.¹⁰

The more severe ethical violations have provided a platform for the media to expose ethical issues in federal law enforcement. The information highway has grown exponentially over the past couple of decades, allowing individuals to obtain information from multiple media outlets instantaneously, especially information the public perceives as scandalous. The improvement in media technology and the instant access to information provides the general public with constant updates relating to federal law enforcement employees.

Senior executives in federal law enforcement are aware of the continued ethical violations, and have made efforts to change the law enforcement culture, educate their

employees, and change the public's negative perception of federal law enforcement. In October 1991, the International Association Chiefs of Police (IACP) unanimously voted to adopt a law enforcement code of ethics to govern the behavior of all law enforcement personnel including federal law enforcement personnel.¹¹ In 1978, the Ethics in Government Act passed legislation and established the U.S. Office of Government Ethics (OGE).¹² In 1989, the Ethics Reform Act passed legislation, and in 2008 the OGE published a 95 page compilation of federal ethics laws.¹³ The law enforcement associations, individual federal law enforcement agencies, and the OGE encourage, educate, and mandate federal law enforcement employees adhere to a code of ethics, but their efforts have failed to reduce reported violations over the last ten years.

Federal agency guidelines are established to ensure employees adhere to policy and behave ethically, but the consequences for unethical behavior have varied from situation to situation and person to person. Federal law enforcement employees believe specific unethical behaviors are tolerated, so they are tempted to violate agency policies. In addition, there are policy violations that have resulted in severe punishment for employees, but the punishments fail to reinforce the consequences for unethical behavior, so employees continue to violate agency policies. Employees have committed various violations and received a slap on the wrist, were reassigned to a lateral position, or were promoted. Employees in federal law enforcement believe the system is biased, and joke that if an employee wants to promote or transfer, they just need to screw up. The failure of employees to adhere to agency policies has manifested from a lack of reinforced guidance, poor leadership, and weak leaders. The lack of leadership, the ability to make difficult decisions, and the inconsistent enforcement of the rules has fostered an environment where employees are tempted and do challenge the system.

Since senior executives are the driving force responsible for enforcing core agency values, and making tough ethical decisions, one has to ask if the promotion system is adequately designed to identify supervisors morally and ethically educated and prepared to transition to leadership positions. Senior executives need to establish a promotion system capable of identifying potential leaders early in their careers and prepare them as part of the promotion process for executive positions. Under the current promotion system it appears the best candidates for promotion may not be morally and ethically prepared to become leaders, or they have not been consistently identified. Supervisors who possess strong ethical values, morals, and the courage to make difficult decisions regardless of politics or potential consequences are essential to the continued growth of ethical values in federal law enforcement agencies. Since senior executives are responsible for enforcing core ethical values, and identifying supervisors for promotion to leadership positions, it is essential senior executives are prepared to assess a supervisor's ethical character before promotion.

The intent of this paper is to emphasize that when searching for candidates to promote to leadership positions, senior executives are influenced by their own ethical and moral experience. The influencers inhibit their ability to objectively assess a candidate's ethical character, but with proper ethical education and training, senior leaders can be prepared to effectively assess strong ethical candidates to lead their agencies. This paper will examine how senior executives' ethical assessments are influenced, and how extensive ethical education and training can assist a senior executives' ability to assess a supervisor's ethical character before promotion. This will be accomplished by first discussing how moral development, moral judgment, and moral decisions are unique to the individual supervisor and senior executive, and morals affect their ethical decisions. The second chapter will discuss how core ethical values, shadow castors, social

influencers, and ethical limits can influence individual supervisors and senior executives decision making process. The third chapter will analyze why senior executives are unable to objectively assess a supervisor's ethical character, and recommend alternatives senior executives can utilize to prepare themselves to effectively assess a supervisor's ethical character, prepare supervisors for the ethical decisions they will have to make in the future, and improve the supervisor promotion process.

Morals

Assessing a supervisor's ethical character is more than determining if a supervisor knows right from wrong. Studies have proven most people understand the difference. Ethics refers to well-founded standards of right and wrong that prescribe what humans ought to do, usually in terms of rights, obligations, benefits to society, fairness, or specific virtues.¹⁴ If this is the case, what internal mechanisms influence a supervisor or senior executive to make ethical decisions? Studies have proven a person's morals influence/shape their ethical decision process. Moral, derived from the Latin words mos, or moris ("manner," "custom," "habit," "way of life," "conduct,") typically describes whatever is good or right or proper.¹⁵ Kidder writes that most people already have a good working understanding of good. They may not be able to give a good definition, but they know it when they see it.¹⁶ This chapter will analyze three different models in order to identify relevant information senior executives can utilize when assessing a supervisors ethical character. Lawrence Kohlberg's Moral Development Model explains how people progress through six moral stages. James Rest's Moral Judgment model examines how the psychological process affects a supervisor or senior executives' ability to reach moral judgment. Thomas Jones' Moral Intensity model identifies how intensity levels can alter a supervisor or senior leader's decision making process.

Supervisors with poor morals will make ethical decisions that potentially affect their ability to be an effective leader. An ineffective leader will be toxic to the agency and erode the agency's ability to be effective and trusted by the public. Leaders who possess strong core values influenced by their morals are able to recognize a moral dilemma exists, and are able to synthesize the information in order to make ethical decisions. Leaders who make good ethical decisions lead by example and create an environment that encourages employees to make good decisions. It is critical that senior executive's identify supervisors who possess a strong moral and ethical character in order to promote strong core values in their agencies. Moral psychologist Augusto Blasi wrote that it is important to identify leaders with a strong ethical character that can be molded into a person with moral identity.¹⁷ A person with moral identity places ethics at the center of their being and are willing to take moral actions.¹⁸

In order for senior leader's to assess a candidate's ethical character, they must first consider a supervisor's morals. The two are intertwined and should not be judged independently of each other. Moral character, the stages of moral development, and the measures of moral judgment have a substantial impact on a supervisor's ability to make decisions, and must be considered when evaluating a candidate's ethical character.

Development

A supervisor's moral development determines their decision making ability. A person's moral development develops between the ages of four and twelve, but continue to progress throughout their life, and is influenced by social interaction.¹⁹ However, moral development is not guaranteed. It cannot be forced, no matter how intelligent the person is, or how much experience or education is provided.²⁰ Supervisors who morally function at lower levels make

decisions, but the decisions can negatively impact the law enforcement community. Supervisors who make decisions based on punishment, personal satisfaction, or community acceptance are not concerned with the law enforcement community they are concerned with their own well being. Supervisors who fall into these categories are toxic to the law enforcement community and should not be promoted to senior leadership positions. Senior executives should identify supervisors willing to make decisions based on the good of the agency and the good of others.

Researchers have studied moral development from cognitive, social, behavioral, and psychoanalytic perspectives in order to understand the development process. Researchers tend to believe moral development begins in childhood and continues to evolve throughout people's lives.²¹ Lawrence Kohlberg argued that children generate their own moral judgments motivated by social relationships.²² Kohlberg's observations and psychometric testing of children and adults led him to hypothesize people progress invariantly and consecutively in their moral reasoning.²³ In order to prove his theory, Kohlberg created a three level/six stage model to explain the distinct steps people progress through in their life. Kohlberg theorized people progress through the moral stages one at a time utilizing components from the next stage, but also indicated most people will never reach the fifth and six stages. Kohlberg also theorized once a person elevated to the next stage, they could not revert to the previous stage.

Kohlberg's theory started with the pre-conventional morality level, progressed through the conventional level, and concluded with the post-conventional level. The first level, pre-conventional consisted of two stages. Stage one, punishment and obedience, explained a person determines their decisions based on the physical consequences.²⁴ Stage two, personal reward/punishment, explained people make concessions to superiors in order to satisfy one's self interest.²⁵ The second level, conventional morality consists of the second set of stages. Stage

three, interpersonal conformity orientation explained people's decisions to gain approval and conform to the behavioral expectations of a group.²⁶ Stage four, law and order explained people make decisions directed towards the welfare of others by upholding the status quo.²⁷ The third level, post-conventional or principled morality consists of the final two stages. Stage 5, prior rights and social contract explained people make decisions based on a sense of mutual obligation and the public good.²⁸ Stage 6, universal moral principles, explained people make decisions out of universal principles, the "Golden Rule" model or moral decision making.²⁹

Kohlberg's theory indicated moral development is similar to learning how to walk. People have to crawl before they can walk. Kohlberg's theory established people reach moral stages at different times, but can only progress from stage to stage and are unable to jump stages. Most people seem to operate in stages two through four. Levels five and six are the highest levels of morality, and the way Kohlberg defines them, places them at a level that most people will never reach. Senior executives should understand the crawl before they walk analogy applies to a supervisor's moral progression and development. The fact supervisors have developed to a specific stage is important for senior executives to understand. Senior leaders who understand how people morally develop can utilize their knowledge to assess supervisors and themselves.

For senior leaders, the six stages are important to understand and crucial for the assessment process. The six stages do not preclude the supervisor from being moral. It offers an explanation on how the supervisor interprets ethical dilemmas and makes their decisions. Senior executives that understand the moral development stages will be better equipped to assess a supervisor's moral reasoning and ethical character. Supervisors can be good people, who make

difficult decisions, but supervisors functioning in the first three stages are not the optimal choice, and do not possess the moral reasoning required in federal law enforcement.

Senior executives should be cautious when they identify supervisors who base their decisions on punishment, self interests, and group acceptance. These supervisors will occasionally make the right decisions, but for the wrong reasons. Supervisors who make decisions for the wrong reasons will degrade the working environment, and create unneeded issues detrimental to law enforcement. Senior executives should look for supervisors who make decisions based on the welfare of others, mutual obligation, or the universal principle. These supervisors will not always make the right decisions, but will make decisions for the right reasons. Leaders who make decisions for the right reasons will encourage an environment that fosters good ethical decision making that benefits federal law enforcement agencies. Moral development is important to understand, but senior executives need to be educated on how supervisors reach moral judgment.

Judgment

Supervisors and senior executives are expected to make difficult decisions, but when they fail to understand why they made the decision, they are destined to make the same decisions over and over. The ramifications of poor decisions could result in negative consequences that effect second, third, and fourth order affects that ultimately deteriorate an agencies core values. In order for senior executives to maintain core agency values, they must be able to assess a supervisor's ability to identify moral issues, ability to determine the affects their decisions will have, and if the supervisor has the courage to make difficult decisions. A majority of research has focused on why people make moral judgments relating to ethical decisions. Moral

psychologist James Rest suggested moral judgment is important to study, but is not the most significant influence on ethical decision making.³⁰ Rest's research led him to create a model to evaluate how people reach moral judgment. Rest four stage model depicts four distinct psychological processes that influence a person's judgment making process.

Moral sensitivity or "moral awareness" refers to a person's ability to recognize a situation contains a moral issue, and that his/her actions could harm and/or benefit other people.³¹ Moral judgment refers to the reasoning process people go through when determining choices and possible effects in order to determine if the ethical decision is sound.³² Moral motivation or intention refers to the intention to choose one decision over another decision that involves different outcomes.³³ Moral courage or action refers to a person's behavior and ability to have the courage to follow through with moral decisions.³⁴

Supervisors have to make a variety of decisions, but a good example of how Rest's moral judgment applies to law enforcement can be captured in the following discussion. Federal law enforcement agents arrest criminal on a consistent basis. Often times, a criminal will inform agents they have information relating to a more violent criminal, but can only cooperate if they are not arrested. The supervisor will have to progress through Rest's four stages in order to make a decision. The supervisor will have to acknowledge there is a moral issue (sensitivity) with allowing the criminal to remain free and not go to jail for his crime. Next, the supervisor has to assess (judgment) the consequences of allowing the criminal to remain free, or remanded to custody. Third, the supervisor has to analyze (motivation) the reasons to choose one decision over the other, and finally the supervisor has to follow through (courage) with the decision to utilize or incarcerate the suspect.

Rest argued the moral steps are distinct but influence each other, and failure of any of the steps will lead to a failure in ethical decision making.³⁵ It is important senior executives and supervisors are educated and understand the principles of Rest's model. It is more important that senior executives understand the judgment process, and utilize their knowledge to assess a supervisor's ability to make decisions. Senior executives and supervisors that fail to understand Rest's model are prone to make poor choices. In order to create an ethical environment, senior executives have to be able to identify moral dilemmas. The ability to identify and assess a moral situation allows supervisors and senior leaders the opportunity to synthesize the information, understand the ramifications, and have the courage to make the difficult decision, for the right reason that benefits the most people.

Senior executives should be educated on several moral models, and the inclusion of Rest's model should allow them to develop follow up questions to ask supervisors during the interview process in order to understand and assess the supervisor's moral thought process and ethical character. Understanding a supervisor's moral thought process and their ability to understand the consequences of their decisions would provide an insight to how the supervisor would react to difficult situations in the future. Identifying supervisors unable to identify a moral situation or incapable of making good ethical decisions is crucial to the promotion process and ensuring the integrity of the agency. Moral development and judgment are important models to understand, but senior executives must also consider characteristic influencers that affect a supervisor's decision making threshold. A supervisor may know the right decision, but undue pressure can force a supervisor to make a poor decision.

Characteristics and Intensity

Supervisors and senior executive's decisions can be influenced by intensity and characteristics that affect their judgment. Senior executives have to be cognizant that characteristics exist, and can be detrimental to a supervisor's decision making process. Senior executives should identify supervisors able to understand the characteristics and make decisions based on facts, not perception or consequences. Rests' four step moral model provided a model to understand how a supervisor can process information in order to make ethical decisions, but does not discuss the characteristics that alter the moral steps a supervisor utilizes. Thomas Jones argued Rests' and four additional models failed to address the characteristics of the moral issues, or account for ethical differences.³⁶

Jones compared five models and concluded the models indicated the moral decision process for individuals was identical for all moral decisions.³⁷ The lack of research addressing the voids influenced Jones to develop a moral intensity model. The model supplements existing models, and explains how characteristics influence a supervisor's or senior leader's ethical decision process.³⁸ Jones utilized concepts, theory, and evidence from social psychology to argue moral intensity influences every character of the moral decision making process.³⁹ Jones' model consists of six components that are characteristics of the moral issue. The six parts are: magnitude of consequences, social consensus, probability of effect, temporal immediacy, proximity, and concentration of effect.⁴⁰

Jones' model and analysis provided several distinctions regarding the relationship between intensity and morals. Assuming the supervisor can determine moral dilemmas, Jones' analysis utilized the intensity model to determine that the social consensus component is

significantly associated with moral awareness, judgment, and intention.⁴¹ The failure to enforce strong ethical standards leads the social consensus to believe unethical behaviors are tolerated. This assessment explains why employees continue to be tempted to violate agency policies. The violations include drinking and driving, unauthorized use of government vehicles, and unauthorized use of government credit cards. Jones' analysis indicated proximity has a significant effect on the supervisor's moral awareness but has a weak relationship with moral judgment and moderate relation to moral intensity.⁴²

Jones' analysis indicated if the person or agency involved are close to the supervisor, the supervisor is more likely to be aware of the moral issue, but will not be committed to making a judgment or aware of his intentions.⁴³ This result explains why supervisors are hesitant to address employees who drink on the job. Supervisors and senior executives have a difficult time dealing with issues that are personal or close to them. Moral judgment and moral intentions to act are strongly connected to magnitude of consequences and probability of effect.⁴⁴ This assessment also explains a supervisor's resistance to address employees drinking on the job. The supervisor knows the action is wrong, but also knows addressing the issue could destroy the agent's career. Jones' analysis also indicated a supervisor is likely to assess the harm or benefit their actions may cause and the likelihood the consequences will occur.⁴⁵

Jones' model provides insight to the effect characteristics have on a supervisor's decision making process. It is important that senior executives understand Jones' model and how the characteristics connect to moral values. The characteristics do not establish a supervisor's moral values, but they do influence the supervisor's decision making process. Supervisor will be motivated by their moral values to make a decision, but the characteristics will provide context for the supervisor to assess the consequences of their actions. Understanding the characteristics

does not preclude a senior executive's personal bias, but will assist the senior executive to understand how or why a supervisor is influenced to make a specific decision. Senior executives educated in this area can use their knowledge to identify supervisors that are not impacted by characteristics and are able to make difficult decisions.

Kohlberg's, Rest's, and Jones' models fit together like building blocks. Each model individually provide context for senior executives to understand how morals influence a supervisors decision making process, but individually, the models fail to provide a complete morals assessment. If you connect the three models, senior executives are presented a way to understand how a supervisor morally develops, how the supervisor makes a judgment in conjunction with their moral stage, and how intensity can influence a supervisors' final decision. Senior executives who understand the three models can utilize education and training to assess if a supervisor can make decisions that benefit the agency and promote the core values the agencies encourage.

Wrap-Up

Morals take time to develop and are essential to the ethical decision making process. Supervisors and senior executives can perceive the difference between right or wrong, but may not realize or be able to articulate what influences effected their decision.⁴⁶ The difference between being a manager and being a leader is the ability to make the difficult decisions in spite of the consequences they will have. A good leader will recognize a moral dilemma and the consequences his/her actions will have. The ability to identify a moral dilemma exists, synthesize the information, and assess the consequences of the action before a decision is made should be standard. Supervisors who are unable to do this will make decisions, but will not

understand why they made a particular decision. Supervisors who fail to understand why or how they make decisions will fail to be good leaders. The four step morals model, six step development model and intensity decision making model provides valuable information senior executives need to be cognitive of when assessing a supervisor's moral character. Senior executives educated and trained in morals will be better prepared to identify supervisors with a good moral character. Morals are important to understand and describe whatever is good or right, but ethics describes knowing the difference between right or wrong and are critical to the effectiveness of federal law enforcement agencies.

Ethics

Ethic standards are more complex and scrutinized by the public than in any other time in history.⁴⁷ In order to determine if ethical character can be determined objectively, the factors influencing supervisors and assessors have to be discussed. Most people define ethics as knowing the difference between right and wrong. In law enforcement, ethics means doing the right thing at the right time in the right way for the right reason.⁴⁸ In other words, law enforcement ethics relates to maintaining the standards of the profession. Ethics are more complicated than determining if an individual's actions are right or wrong. Supervisors and senior executives need to establish accepted principles and understand how they affect the law enforcement profession. Supervisors and senior executives should be educated and trained to understand how ethical decisions can be influenced, and how they affect agency core values.

In theory, there are easy ethical questions, but in reality, all ethical questions can be complex. Drinking and driving a government vehicle is in an example of an ethical decision. It is legal to have a drink, have a blood alcohol content under the legal limit, and drive a motor

vehicle. The same action is against federal agency policy if the agent drives a government vehicle. The employee has done nothing illegal in both cases, but when the employee drinks and drives in a government vehicle, he has made poor decision. Expand the question, and the answer becomes foggy. If an employee decides to drink after work, has a blood alcohol content under the legal limit, and planned to get a ride home he has followed agency policy. If the agent was called to assist an injured agent during the same time, does the ethical answer change? The agent is faced with a good versus good scenario. Should the agent leave the injured agent unattended and follow agency policy, or should the agent use the government vehicle to drive to the injured agents' aid and violate the agency policy?

The example exposes the reality that ethical values can vary and are influenced by culture, values, and limits.⁴⁹ The ethical limit a person is willing to endure is controlled by an internal mechanism only known to that person. Senior executives are influenced by their own internal devices, and their perception of a supervisor's ethical character will be influenced. In order to prepare a senior executive to assess a supervisor's character, the ethical values and influencers have to be discussed. This chapter will discuss how ethical values vary, shadow castors exist in some supervisors and senior executives, social influences can alter a supervisor or senior executive's decisions, and all supervisors and senior executives have ethical limitations that affect their decision making process.

Core Ethical Values

Core ethical values vary from personal ethics to professional ethics. Several studies have indicated a person's personal ethics are maintained at higher levels than their professional ethics.⁵⁰ An example of this involves personal work habits. There are supervisors and senior

executives who value their personal time and will ensure nothing interferes with it. The same supervisors and senior executives fail to show the same dedication to the job. They surf the net, use agency time to do personal errands, and fail to work an entire day. Supervisors and senior executives would never waste their personal time, but when they waste the agencies time, they establish a culture that fosters the belief that working a full day is not required.

Drinking and driving is another example of ethics that change from personal to professional. Operating a motor vehicle is legal as long as the driver blood alcohol content is below the legal level. If a supervisor or senior executive has a drink on personal time and then operates a motor vehicle, they have done nothing legally wrong. If a supervisor or senior executive has a drink and on government time and then drives a government vehicle, they have violated agency policy. The rules are strict, and could result in employee termination, but employees continue to violate the policy. The question becomes, why or what drives a supervisor or senior executive to make the decision to violate agency policies.

The supervisor's core values will influence the supervisor's actions. Supervisor's core ethical values are maintained internally and their ethical decisions are revealed when they make a decision. Senior executives need to learn how core ethical values play a role in a supervisor's decision making process, and design questions for the interview process that identifies supervisors who treat their personal ethics better than their professional ethics. Identifying supervisors who maintain their personal and professional ethics equally, granted they have strong ethical values will establish a professional climate that expects employees to have a good ethical character. Core ethical values play a part in a supervisor's decision making process, but core ethics is not the only factor. Senior executives need to be aware that a supervisors' decision can be influenced by shadow castors.

Shadow Castors

Culture and core ethical values are two influencers that should be considered when assessing a supervisor's, ethical character, but there are additional influencers. Parker Palmer wrote that leader's "project shadows from their inner darkness," and identifies them as shadow castors.⁵¹ Senior executives should be educated in shadow castors and consider them when assessing a supervisor's ethical character. The shadow castors may not be initially evident during the interview process, but senior executives educated in the area can utilize their knowledge to design questions to ask the supervisor regarding the supervisor's prior decisions in order to assess the possibility a shadow castor exists.

The five "shadow castors" live within leaders and influence their ethical decision making process producing unethical behavior.⁵² Insecurity is the first shadow castor. Insecurity is the behavior that influences supervisors and senior leaders to mask their inner doubts and tie their identity to their position.⁵³ Supervisors with insecurity issues will make decisions because they are the boss instead of their ethical beliefs. This shadow castor can be seen throughout all federal law enforcement agencies. Supervisors, especially new ones will tell employees they are not authorized to do something, and only say "because I am the supervisor and said no". The battleground mentality shadow castor influences leaders to classify tasks as wins and losses making everything a competition.⁵⁴ Supervisors and senior leaders are notorious for making decisions in order to out-perform, maneuver, or withhold relevant information from other federal agencies in order to ensure their respective agencies receive recognition. This mentality can be seen at crime scenes that have overlapping jurisdictions. Supervisors from federal law enforcement agencies will argue over jurisdictional issues instead of compromising and deciding the first agency on the scene should remain as the lead investigators.

The functional atheism shadow castor influences supervisors and senior leaders to believe he/she has the ultimate responsibility for everything that has occurred.⁵⁵ Supervisors and senior leaders influenced by atheism mandate they are informed about everything, but refuse to make decisions for fear they will be held responsible for every decision made. The fear of chaos shadow castor influences supervisors and leaders to stifle dissent and innovation by agency employees.⁵⁶ Supervisors and senior leaders influenced by chaos are concerned with their careers and will not allow chaos to jeopardize their ability to promote. They fail to make decisions considered risky or difficult in order to preserve their reputations and careers.

The shadow castor “denying death” refers to a leader’s fear of facing reality that a project should be terminated and is no longer useful.⁵⁷ Supervisors and senior leaders influenced by the fear of death will encourage projects to continue regardless of cost, man power, or societal influences. This shadow castor was evident during the Branch Davidian raid in Waco, Texas. Supervisors and senior executives were aware the operation was compromised, but authorized the execution of the search warrant that resulted in the death of four ATF agents. Craig E. Johnson believed “there are lots of demons lurking in leaders such as jealousy, envy, and rage” so he added a sixth shadow castor, evil.⁵⁸ Evil accounts for the force more powerful than anxiety or fear.⁵⁹

Supervisors and executive leaders influenced by shadow castor characteristics are toxic to federal law enforcement employees. Menzel explains leaders who are toxic engage in destructive behavior and exhibit dysfunctional personal characteristics destructive to an organizations leadership and will undermine the agencies success.⁶⁰ Shadow castors exist inside some supervisors and executives, but it is difficult to identify supervisors who possess a shadow castor during an interview. Supervisors who possess a shadow castor may not have committed

an illegal act, or made a decision determined to be unethical making it unlikely to accurately assess a supervisor's character without considering the supervisors prior performance, prior decisions, previous supervisor input, and an extensive interview process. Educating senior executives on shadow castors and adding prior performance evaluations that assess a supervisor's morals and ethics, and input from prior supervisors to the process will help senior executives identify supervisor's who are influenced by shadow castors. It is important that senior executives understand how supervisors can be influenced by shadow castors and identify them before promotion in order to preserve the core values of the agency. Core ethical values and shadow castors are important to understand, but senior executives should be educated that societal influences can also affect a supervisors decision making process.

Societal Influences

Organizational ethics standards have effects on employees' ability to make ethical decisions. Employees, supervisors and senior executive can be influenced by peers, politics, and agency norms. Researchers believe the inconsistency between agency values and employee values become counterproductive when the agencies fail to take internal investigations seriously, and consistently punish employees when they violate agency policies.⁶¹ When employees observe supervisors and senior executives failing to enforce ethical violations, and inconsistently punish violators, the employees become confused and less likely to consider the violations as serious. The failure to consistently enforce standardized policies has influenced employees, supervisors and senior leaders to make unethical decisions.⁶²

Federal law enforcement employees can make made unethical decisions when they perceive their actions are accepted or tolerated by their professional peers. Supervisors in federal

law enforcement agencies have observed professional peers make unethical decisions, or accept unethical decisions as a normal course of business. Supervisors who observe the practice are influenced or tempted to follow their peer's example. Studies have shown a person's ethical judgment can be strongly affected by a social consensus, or what they believe others in their group consider right or wrong.⁶³ Patterns of unethical behavior in federal law enforcement agencies influence employees and leads to continued unethical behavior. Senior executives assessing a supervisor's ethical character are influenced or tempted by the same norms, but the influence comes from different social groups than the supervisors. Educating senior executives on social influencers and connecting the influences to Jones' moral intensity model will prepare senior executives to assess supervisors and ensure they are selecting the right supervisors to lead their agencies. Core ethical values, shadow castors, and societal influencers provide senior executives a solid foundation to assess a supervisors' ethical character, but senior executives should also be educated on the effects ethical limits will play in influencing a supervisor's ethical character.

Ethical Limits

Supervisors and senior executives are influenced by their core ethical values, societal influences, and in some cases shadow castors. The values, influences and castors are influenced by the individual's ethical limit. The ethical limit establishes how far supervisors and senior executives can be pressed before they are forced to make a difficult decision. Interviewing supervisors for promotion can expose flaws in a supervisor's ethical character, but it is impossible to assess a supervisor's ethical limit until the supervisor has made a difficult decision. Supervisors and senior executives are expected to make difficult decisions that affect themselves, their employees, and the agencies, but will make the decisions for different reasons and at

different pressure levels. Supervisors who make decisions influenced by temptation will make poor decisions.

Ethical temptations will expose a supervisor's or executive leader's ethical limits. All supervisors and senior executives have ethical limits, but they do not realize their ethical limit until placed in a situation where they are forced to make tough decisions. Educating, training, and testing supervisors before promotion would prepare them to respond to ethical challenges they will experience as senior executives. Educating, training, and testing senior executives would not eliminate their bias, but it would prepare them to handle current ethical challenges, and prepare them to identify future leaders with a good ethical character.

Debra R. Comer describes the limits as a person's personal ethical threshold (PET).⁶⁴ PET assesses how little or how much situational pressure is needed to drive a supervisor to violate their ethical values.⁶⁵ According to Comer, a supervisor with a low PET is more inclined to be influenced by pressure than a supervisor with a high PET, but supervisors with a high PET will also have limits.⁶⁶ Comer explains good people can be driven to do bad things if they are placed in a situation where doing anything else but be unethical, threatens their livelihood.⁶⁷ There are multiple aspects to consider when assessing PET. Supervisors and senior executives possess independent PET. Supervisors and senior executives will not know their PET until they have crossed their ethical threshold. PET can only be assessed when enough pressure has influenced a supervisor or senior executive to make an unethical decision. The varying thresholds of ethical limits, makes assessing a supervisor's ethical character difficult, but not impossible. The PET should be included as part of the supervisor and senior executives professional development. Supervisors and senior executives may not know their limits, but education and training on the subject can prepare them to handle stressful situations effectively.

Wrap-Up

Assessing a candidate's ethical character before selecting them for promotion to senior leadership positions is critical to ensuring federal law enforcement agencies have the appropriate leaders in place to maintain strong agency core values. Assessing a supervisor's ethical character based on ethics alone is not possible. Intelligent supervisors are able to train themselves to answer ethical questions during an interview. The key is to include the supervisor's previous evaluations as part of the promotion process. Ethical forces that influence supervisors and senior leaders create a fog that distorts the assessment process. Supervisor's and senior leaders possess ethical values based on individual cultures, but individual cultures have different ethical values. Law enforcement supervisors and senior leaders share similar ethical values as part of their profession, but differ vastly when they are challenged to make ethical decisions.

Supervisors and senior leaders make decisions they believe are correct, but may be ostracized by others who believe the decisions were unethical. Shadow casters influencing a supervisor's decision making process, and are only known to the supervisor. The shadow castors may not present themselves as ethical flaws, or be apparent to the assessors. Supervisor's and senior leader's PET can only be determined when an ethical decision has been made, and change based on the situation. Social influencers shape a supervisor or senior leader's decision making process, and are manipulated by the social environment. The differences in ethical cultures, values and influencers vary from supervisor to supervisor. Influencers resonate with in each person creating a natural bias. The existence of the bias prevents senior leaders from objectively assessing a supervisor's ethical character, but the proper ethics educations and training will

prepare senior executives to identify ethical influencers and affectively assess a supervisor's ethical character.⁶⁸

Conclusion and Recommendations

The world is constantly changing, and the demand for law enforcement personnel to maintain ethical values continues to intensify. Federal law enforcement personnel have to make difficult decisions every day. The manner in which the personnel make their decisions are based on the individuals ethics and morals, but are also heavily influenced by the organizations culture. Organizations that failed to instill high ethical values through strong leadership have paid the price. Federal law enforcement personnel continue to make poor decisions resulting in devastating consequences. The lack of consistent ethical standards and strong leadership are connected to two factors intertwined and influencing each other. Ethics and morals are two key components leaders must possess in order to be effective leaders.

The process to promote strong ethical supervisors to senior leadership has consistently failed to produce great leaders. The problem is the promotion process. Senior executive's searching for the most qualified candidates fail for two reasons. They neglect to consider the two key components affecting a supervisor's ability to process information and make decisions, ethics and morals. Ethics are based on a value system that determines the difference between right and wrong. On the surface, the answer appears simple, everybody knows the difference. The reality is ethical values vary from culture to culture and from person to person. Base values such as murder, robbery are considered ethically wrong, but not all ethical values involve illegal activities. The cultural difference influencing ethical values makes evaluating a supervisor's

ethical character difficult, but the proper education and training will prepare senior executives to effectively assess a supervisor's ethical character.

Assessing a person's ethical character is influenced by personal values and leads to false impressions. Factor in morals and the assessment process becomes convoluted. Morals, like ethics vary from person to person. Everybody has moral limits influenced by external factors. It is important for senior executives are educated to understand and consider the moral factors of a supervisor. The fact that everybody has different moral values implies senior leaders need to rely on their moral and ethical education to assess a supervisor's values. Ethics and morals are intertwined with each other. They can't be assessed independently, or simplistically. They both have heavy influences on the other and affect supervisors and senior leader's abilities to make good decisions for the right reason. The very nature of the two to influence supervisors and senior executives hinders the senior executives ability to objectively assess a supervisor's ethical character, but with education and training, senior executives can be equipped to effectively assess a supervisor.

The research conducted for this paper builds on to prior ethical research for several reasons. Prior studies have focused on identifying, quantifying, and establishing what ethics are, how they are influenced, and what effect they have on the decision making process. Morals have been researched the same way. Morals can be influenced by outside pressures, compromised when enough pressure is applied, and vary from person to person. A majority of the studies have focused on the individual pieces. The research on this paper focused on the question if senior executives can objectively determine a supervisor's ethical character. The evidence points to three issues to be considered. First, it supports the hypothesis when you utilize both components effectively to assess a supervisor's ethical character senior executives are effected by their own

bias. Senior executives subconsciously utilize their own ethical and moral values to assess supervisors. The supervisor may meet the requirements of one assessor and fail to meet the requirements of the others. Second, senior executives can be biased in their assessment of supervisors, but proper ethical and moral education will prepare senior executives to effectively assess a supervisor's ethical character. Third, when senior leaders assess a supervisor for promotion they should not base their recommendations solely on the supervisor's ethical character, they need to factor in the supervisors prior annual appraisals, previous decisions, and prior supervisor assessments.

The research conducted for this paper raises several new questions. If supervisor's ethic and moral values are different, can an assessment process be created that evaluates the supervisor's ethical character objectively. Second, if the senior executives possess low ethical standards, how can the agency change its core values? If senior executives feel they have established core ethical values in their employees, who becomes responsible for establishing a new set of core values for employees to follow? Last, how far should senior executives probe into a supervisor's background? Should the probing continue until all the answers are revealed, or at a certain point do senior executives need to trust their core values have transcended down through the ranks?

Promoting supervisors with a strong ethical character is vital for agencies in order to maintain employees with high morale, create an environment with strong core values, and provide confidence in order to maintain the public's trust. I recommend a few ideas to integrate into the promotion system. Senior executives have to be extensively educated on morals and ethics. Supervisors interested in promoting to senior executive positions need to attend in-depth annual in-person ethic and moral seminars and training as part of their professional development.

Continued exposure to ethical and moral thinking will allow supervisors to develop their skills in order to become effective leaders. Federal agencies need to include multiple sections in the supervisor's annual evaluation process that address in depth the supervisor's ethical performance. The annual assessment would provide the senior executives relevant information from multiple supervisors over a period a time. The additional assessment would also provide the supervisors constructive feedback, and provide the senior executive's a historical perspective into the supervisor's ethical character. The in depth training and education will prepare and assist senior executives to assess and select supervisors who will promote and sustain the agency core values.

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