

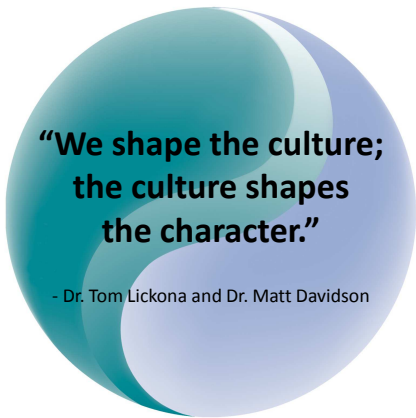


California Senate
 Wednesday, April 23, 2014



Strengthening a Culture of Ethics





**“We shape the culture;
 the culture shapes
 the character.”**

- Dr. Tom Lickona and Dr. Matt Davidson

Google Search

- California Senate Ethics
 8,860,000 (population 38.04 million)
 40 Senate Seats
 District constituents over 930,000
- Iowa Senate Ethics
 2,710,000 (population 3 million)
 50 Senate Seats
 District constituents over 60,000



Government Ethics in California

- Constitution
 - Article IV Legislative
- Law
 - California Ethics In Government Law
 - Title 2. Division 2. Part 1.
 - Chapter 1. Article 2. (8920 8926)
 - Code of Ethics
- Rules
 - Standing Rules of the Senate
 - Standards and Conduct of the Senate



ARTICLE 2. Code of Ethics [8920 - 8926] (Article 2 added by Stats. 1966, 1st Ex. Sess., Ch. 163.)

8920. (a) No Member of the Legislature, state elective or appointive officer, or judge or justice shall, while serving as such, have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest and of his responsibilities as prescribed in the laws of this state.

(b) No Member of the Legislature shall do any of the following:

8926. Every person who knowingly and willfully violates any provision of this article is guilty of a misdemeanor. Every person who conspires to violate any provision of this article is guilty of a felony.

**Standards of Conduct
of the Senate**

(Senate Resolution 38 adopted by the Senate May 4, 1992)

The Standards of Conduct of the Senate are as follows:

First—That each Senator and each officer and employee of the Senate has an obligation to exercise his or her independent judgment on behalf of the people of California, rather than for any personal gain or private benefit.

Second—That each Senator has an obligation to provide energetic and diligent representation, and each officer and employee of the Senate has an obligation to provide energetic and diligent service on behalf of the Senate, with due consideration for the interests of all of the people of California.

Third—That each Senator and each officer and employee of the Senate has an obligation to the public and to his or her colleagues to be informed about, and abide by, the rules that govern the proceedings of the Senate and the Legislature.

Wall Street Journal

April 17, 2014

Members of both parties agree the scandals have left a stain on the capitol.

The recent Field poll suggests the scandals have made an impression on voters. After giving increasingly favorable ratings over the past four years, just 43% of eligible voters approved of legislators performance, down from 46% in March.



What's Being Said

“They’re at this rather critical moment,” the Legislature in 2014 is “either going to be defined by the indictments, or it’s going to be defined by their response.”



Ethics

The term comes from the Greek word *ethos*, which means character

Ethics is about right and wrong standards of duty and virtue that that indicate how we should behave

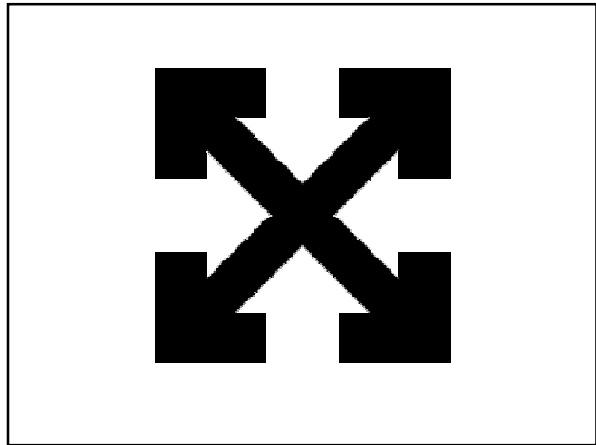


Ability to discern right from wrong, good from bad and propriety from impropriety

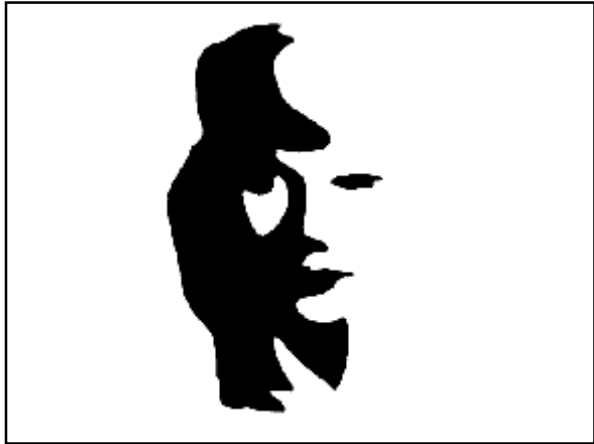
Courage, conviction and commitment to do what is right, regardless of pressures to do otherwise

Two Aspects of Ethics

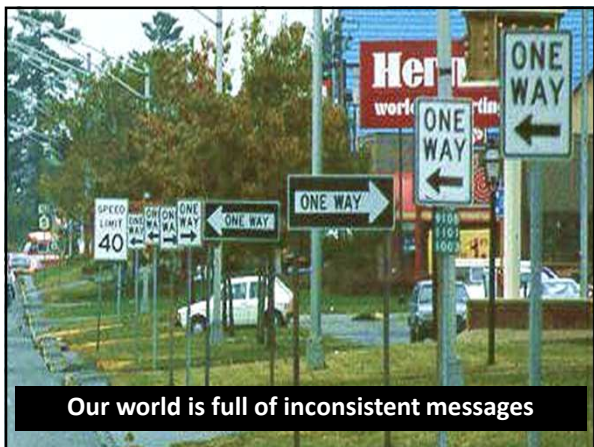












Our world is full of inconsistent messages



Sometimes no risk is too obvious...

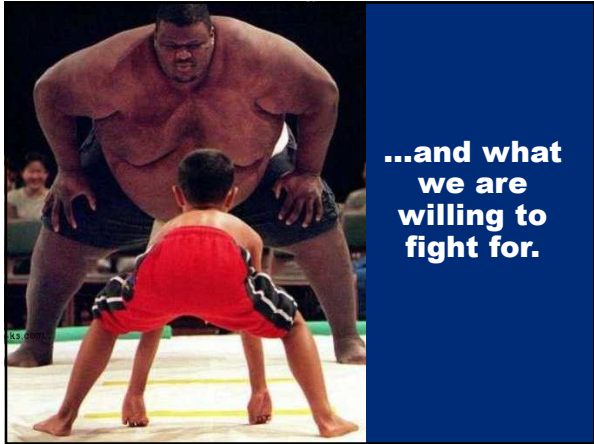
and warnings may not be enough.





How do we know which way to go?





...and what we are willing to fight for.

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Stated and Operational Values

- **Stated Values:** What we say we value and the level of importance we say we attach to the value.
- **Operational Values:** What we actually value as revealed by our actions and how we make decisions and resolve conflicts among competing values.



How Do We Bring Ethics to Life?



How do we move from a rules based compliance culture to a values based ethical culture?



Character Based Leadership



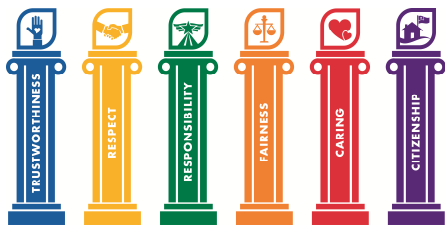
Culture of Excellence & Ethics

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The Six Pillars of Character



Trustworthiness



- Honesty
- Integrity
- Loyalty
- Promise Keeping





Excellence & Ethics Tools

Integrity-In-Action Essentials

- » **Discernment:**
Being able to identify/recognize and make well-reasoned ethical decisions.
- » **Conscience:**
Sense of obligation to do the right thing.
- » **Competence:**
Demonstrating the "know-how" needed to translate knowledge into action, including seeking additional assistance and expertise.
- » **Identity:**
The degree to which our character and integrity are central to our sense of self.



Excellence & Ethics® Tools

Rules of an Active Conscience

What NOT to do to keep your conscience as a guide for your integrity.

- ▶ **Don't distort.**
Don't exaggerate or blow things out of proportion.
- ▶ **Don't create an enemy.**
Don't avoid the truth by finding or creating an enemy to fight against.
- ▶ **Don't play the victim.**
Don't rationalize to convince self or others that I/we are really the victim.
- ▶ **Don't fan the flames.**
Don't get self/others fired-up so that emotion clouds reason.
- ▶ **Don't be a gamer.**
Don't try to convince self/others that it isn't wrong, "just how the game is played."
- ▶ **Don't let ego get in the way.**
Don't let "being right" interfere with "getting it right."





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Excellence & Ethics® Tools


Intervention Continuum

Action: To intercede, mediate, arbitrate, get involved, or otherwise stand up for people and principles.



Required:  **Courage**
Responsibility
Good Judgment

"There are no innocent bystanders."

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Respect



The essence of respect is to show solemn regard for the worth of people, including oneself.

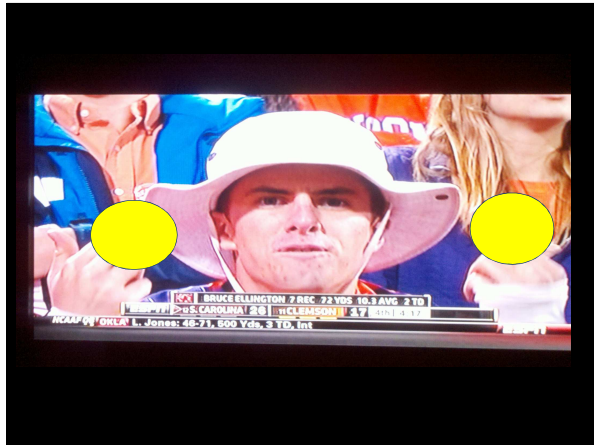
The duty of respect is to treat all people with respect regardless of how they treat you.






RESPECT
demand it

facebook.



“Sir, I will treat you like a gentleman not because you are one, but because I am one.”

Thomas Jefferson



Responsibility



- Do Your Duty
- Be Accountable
- Pursue Excellence
- Exercise Self Control





“Too many people are ready to carry the stool when the piano needs to be moved.”

Unknown

Fairness



- Be Consistent
- Listen and Be Open
- Follow Established Rules
- Treat People Equitably



Two Aspects of Fairness

1. **Process** *how* we make decisions.

The moral obligation arising from this concern is *to make decisions fairly*; this is called *procedural* fairness.

2. **Results** *what* we decide, the substance of the decision.

The moral obligation is to make *fair decisions*; this is called *substantive* fairness.

Six Theories of Fairness

1. Merit
2. Need
3. Might
4. Equality
5. Seniority
6. Effort

Key to Fairness



Gather Information
Pre Established Rules
Consistently Applied

The Six Pillars of Character

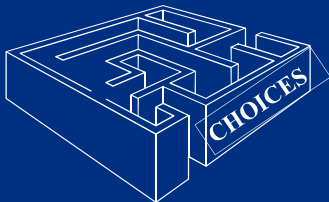


Culture of Excellence & Ethics



Making Ethical Decisions

If it was easy . . .




everyone would be doing it.






Types of Decisions

- **RIGHT FROM WRONG**
Eliminate clearly unethical options; doing the right thing, not doing wrong.
- **RIGHT FROM RIGHT**
Deciding what to do when we must choose between competing "goods."
- **WRONG FROM WRONG**
Choosing the lesser of negatives where each choice requires violation of an ethical principle.



Making Ethical Decisions



- Governing Documents
 - Constitution
 - California Law
 - Senate Code of Conduct
- Publicity Test
- Role Model Test
- Parenting Test
- Bell, Book and Candle Test
- Rule of Respect
- Rule of Universality
- Golden Rule
- Ethics-Based Decision-Making Model

Ethical Decision-Making Model

- Ethical decisions take into account the interests and well being of all persons likely to be affected by your actions (“stakeholders”)
- Ethical decisions put the core ethical values of trustworthiness, respect, responsibility, fairness, caring and citizenship above others.
- If it is *clearly necessary* to violate one core ethical value to *honor another core ethical value*, do the thing that you sincerely believe will produce the greatest amount of good in the long run.



**Stop
And
Think**

Roadblocks to Ethics

- ◆ Fear
- ◆ Unwillingness to lose
- ◆ Lack of will
- ◆ Impulsiveness
- ◆ Rationalization
- ◆ Procrastination
- ◆ Fatalism
- ◆ Cynicism
- ◆ Victimism
- ◆ Not my job ism





