Memorandum

CITY OF DALLAS

Date March 28, 2008

To Honorable Mayor and Members of the City Council

Subject Presentation provided by Former Santa Clara Mayor Judy Nadler

Former Santa Clara Mayor Judy Nadler is a Center senior fellow, with responsibility for programs in government ethics and ethical leadership. She has developed executive programs for mayors and other local government officials, including Ethics and Leadership Camp for Public Officials, and is an adjunct faculty member in Santa Clara University's Political Science department.

On April 2, 2008, Mrs. Nadler will present a briefing on "building public confidence" and "everyday ethics for public officials." In addition to this briefing, handout materials have been included in your packet.

Mary K. Suhm
City Manager

C: Deborah Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig Kinton, City Auditor
Judge Jay E. Robinson
Ryan S. Evans, First Assistant City Manager
Ramon F. Miguez, P.E., Assistant City Manager
David Brown, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Dave Cook, Chief Financial Officer
Jean Chipperfield, Office of Financial Services
Chandra Marshall-Henson, Assistant to the City Manager

Building Public Confidence

Everyday Ethics
for Public Officials

A presentation to the Dallas City Council

By Judy Nadler
Senior Fellow in Government Ethics
Markkula Center for Applied Ethics
Santa Clara University

Always do right.

This will gratify some

and astonish the rest.

~Mark Twain

Markkula Center for Applied Ethics

- One of the nation's preeminent centers for research and dialogue on ethical issues
- Founded in 1986
- Has major programs in biotech and health care, business ethics, character ethics, and government ethics

Ethical approaches to real -world problems

Whichever issues the Center takes on, we don't tell people what to do; rather we identify the ethical issues and help people to think them through

Applied Ethics Center

- Not ‘what to think’ but ‘what to think about’ and ‘how to think it through.’
- Ethics is a process for making good decisions and becoming a role model.
- Ethics asks us to imaginatively perceive opportunities for action…and to act.
- Ethics asks us to see and remove obstacles to doing the right thing.

Topics for today

- What is ethics?
- Why ethics matters
- Why ethics is hard
- National trends in local government ethics
- Strategies for supporting a culture of ethics
- Best practices

This much we know:

"Americans want better performance from their government and their leaders. They want leaders who are more ethical in their behavior, who care more about the public interest and less about their own careers…"

~Rebuilding Citizen-Government Relations for the 21st Century

What is ethics?

- Standards of behavior that tell us what human beings out to do in their personal and professional lives
- Ethics and ethical standards apply to individuals, organizations, and society as a whole

Ethics is about:

- The quality of decisions we make
- The types of questions we ask when making decisions
- The quality of relationships we maintain with others

Ethics is not:

- Not just feelings
- Not just religion
- Not simply following the law
- Not just following the crowd, socially accepted standards

Why ethics is hard

- On what standards do we base our ethical standards?
- How do we apply those standards in difficult, real-world situations?
- How do we have the courage to act as we know we should?

A Framework for Ethical Decision Making

- Recognize the ethical issue
- Get the facts
- Evaluate alternative actions
- Make a decision
- Test your decision
- Act, then reflect

How do you make ethical decisions?

- Consider the facts
- Walk in the shoes of those affected
- Consider all options
- Evaluate your options
  - ✓ More harm than good?
  - ✓ Supports rights?
  - ✓ Treats everyone fairly?
  - ✓ Best for the community?
  - ✓ Can this decision be defended publicly?

The decision process

- Recognize an ethical issue
  - Is there something wrong, personally, interpersonally, socially? Potentially damaging?
  - What does it do to people?

- Get the facts
  - What are the relevant facts of the case?
  - What individuals or groups have a stake?
  - What are the options? Have you consulted all who should be?

- Evaluate the alternative actions
  - Which option will do the most good and least harm?
  - Which option respects everyone's rights and dignity and treats them fairly?
  - Which option helps all to live common life more fully?

- Make a decision
  - Considering all these perspectives, what is the right thing to do?
  - If you told someone you respect why you chose this option, what would be their reaction?

- Act, then reflect
  - Implement your decision.
  - Reflect on the outcome.

Improving our decisions

- Anticipate difficult situations
- Preparing to handle these situations
- Reflecting on our own experiences
- Building our courage to act
- Building on our habit of acting ethically

Ethical standards

- Utility: What action produces the greatest good or does the least harm?
- Rights: What action best respects the rights of all who are affected?
- Justice: What action best treats people equally or fairly?
- Common good: What action most affects the whole community, not just the people most closely affected by the actions?
- Virtue: What action is most consistent with good character traits?
- Compassion: What action demonstrates compassion for all affected?

National trends in local government ethics

- Ethical failures getting more press and public attention
- Voters and residents care more about integrity
- Substantial focus on public spending and contracting
- Much more focus on conflicts of interest
- Adoption of codes of ethics more common
- Movement from compliance to ethics and values
- Mandatory ethics training more common
- National movement for model ethics code and program

Unavoidable ethical dilemmas occur around issues like these:

- Conflict of interest
- Gifts
- Whistleblowers
- Private lives of public officials
- Confidentiality
- Conflicts with personal beliefs
- Media relations
- Perceptions of fairness
- The “whole truth”

Values you associate with ethical behavior

Honesty

Respect

Trust

Integrity

Professionalism

Accountability

Competence

Responsibility

Fairness

Others?

Cities are moving more toward ethics and values rather than compliance

Creating a Culture of Ethics:

Five keys

Leadership

Leadership means

- Public policy makers and top administrators call for ethics as a priority and demonstrate that in word and deed.
- Elected leadership should state ‘ethics’ among top five best things about the city.

Commitment

Commitment means:

- All involved make the time, budget the money, and plan the program. This includes not only policy makers but community groups and city volunteers.

Collaboration

Collaboration means:

- All the stakeholders work to develop consensus and design the program.
- Encouraging public meetings across language and cultural boundaries.

Implementation

Implementation means

- The program includes a strategy for making ethics an integral part of the organization.
- An Ethics and Values Statement should be on: the city's home page, each piece of literature, job applications, RFPs, and all contracts.

Reflection and Renewal

Reflection and Renewal means

- Ongoing assessment includes an annual re-adoption of the code and an exploration of ways to communicate to new employees, vendors, residents, and members of the media.

Building an ethical organization

- Need to have commitment in word and deed
- Commitment to initial and on-going learning
- Working to be best in your field
- Depends on morally courageous leaders
- Interacts easily with internal and external stakeholders
- Views responsibility as individual rather than collective

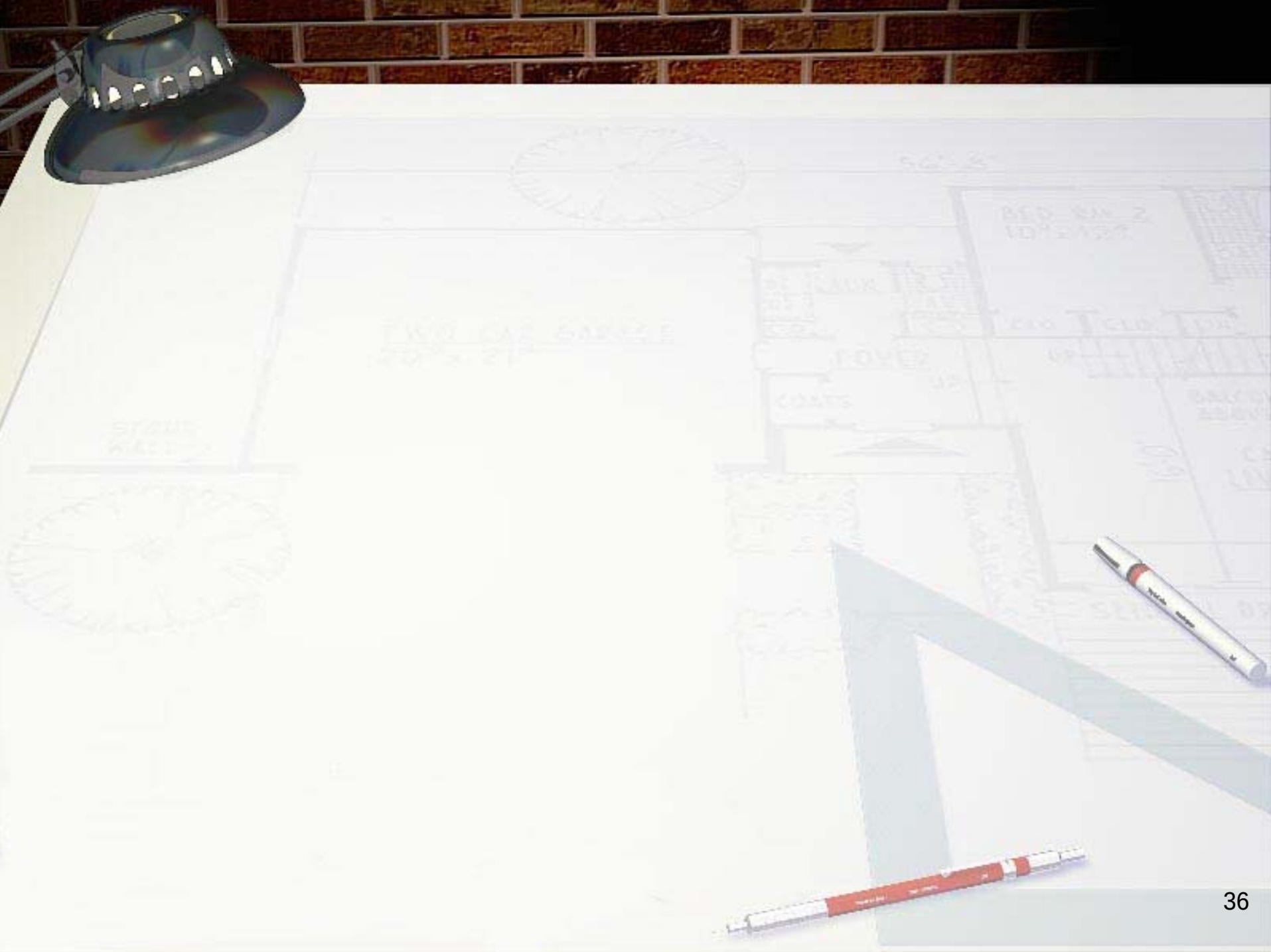
~Ethics Honesty and Fairness in Public Service

The challenge:

- Create a strong culture of ethics
- Communicate that to employees
- Reinforce through best practices
- Acknowledge and reward ethical behavior

Case studies

Learning through case studies allows candid discussions outside the personal, political, and emotional atmosphere.

Markkula Center
for Applied Ethics
www.scu.edu/ethics

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