



By Sandy Richter, Public Communications Manager for the Middleborough Gas & Electric Department
(always ready with friendly counsel and a glass of merlot)

It was a dark and stormy time...

...in the small town of Middleborough, where the General Manager of the gas & electric department (whom we'll call GM) demanded frightening investment practices to be done by the town Treasurer (whom we'll call Glinda) and ignored town leaders who wanted to be heard on the issue. Suddenly an anonymous town employee requested a copy of said GM's contract from Glinda who gleefully demanded said copy from the GM. The contract would show that he was paid an annual salary higher than any municipal GM in the state; drove a town-purchased Cadillac Escalade (all-wheel drive) to his home 60 miles away every night and back again; and included a clause that automatically renewed the contract for 3 years each year. But the first stab at the status quo began when GM refused to make his contract public and



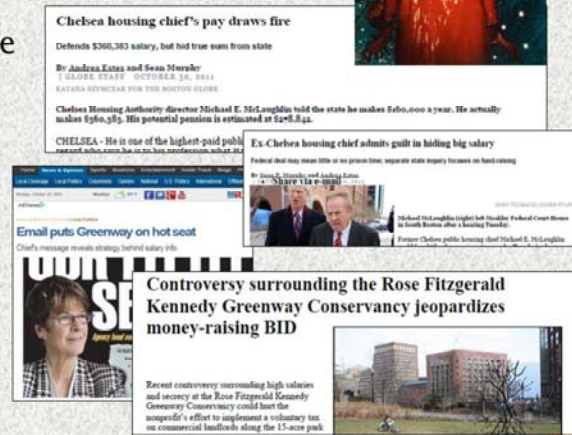
OPENED THE GATES OF HELL!



- The President of the United States is paid \$400,000 per year – we know because WE pay him. It's public information because he works for US! Utilities can apply the "proprietary or competitive information" about public salaries at their peril.
- Yes the details of his salary and perks were repulsive to our blue-collar community (median income \$42,000) but they were made poisonous because he tried to HIDE them. The moment you show fear and try to hide is the moment you will be chased. Get it out and get on with it.

IF IT BLEEDS, IT LEADS! ...AND IT'S INFECTIOUS!!!

- If similar larger scandals are in the vicinity, your little ripple of irritation can become a Tsunami of righteousness
- Requires hyper-attention to the news and sensitivities
- Focus on early preparation and take no miss-steps



- Just before our little horror story began, two scandals broke in Massachusetts involving public officials. One involved a colorful figure who had been a large fund-raiser for the Lieutenant Governor and then was hired as the state housing authority director at a salary that blossomed to \$360,000 – the highest paid housing director in the country not including the perks. The other scandal bore a striking resemblance to our own –the director of the Rose Kennedy Greenway in Boston, a foundation supported by public funds and private donations, hesitated to give her salary to the Boston Herald when asked. The state’s department of transportation secretary publicly announced he was planning on weaning the foundation from public funds entirely. She quickly apologized and shared the info – no raise for her!
- I believe this constant news print about burgeoning public salaries and their tendency to be hidden put the bug in the ears of our local rabble rousers. We need to pay attention to trends in questionable behaviors of public workers. Often, we can see the tsunami coming at us from miles away.

- Preparation for scandal mainly involves keeping good records (NOT shredding); keeping good relations so that at least some of our advocates will keep the faith; and accepting that employees are human, not zombies. Strong policies should be in place and reviewed often.
- When you're in it – stop stepping in it! Stop the bad behavior immediately and attempt to stop anyone from screwing up any further. Make sure everybody has the message. Our hapless GM continued to deny access to his contract for several months allowing the rousers to build a fan-base in the press, online and the blogosphere.

*YOU CAN LEAD A HORSE TO WATER
... UNLESS HIS RIDER HAS LOST HIS HEAD!!*

- Review the risks & consequences to their absolute ends
- Use a tool – maybe a hatchet if necessary
 - Your own policies (do they need tweaking right now??)
 - State Ethics Laws & Open Meeting Laws – they can be your friend



- Risks & Consequences: especially true when you have managers/offenders who are new to “public” service. They may not understand the ethical violations & concepts like “loss of pension”, “personal culpability” and “jail time”. ... Do you have projects that are up for review, critical votes, etc... How will they feel if these projects are jeopardized?
- Use a Tool: goes back to consequences – policies and laws are no-brainers. Anyone violates them they are asking for job-loss or judgment. Convince the ethically-challenged that they’d better follow the rules – OR ELSE!

DON'T LEAVE BLOOD ON THE
PAGE ... YOU'LL HAVE TO COPY IT IN
TRIPLICATE!!



- Know your public records laws inside and out
- Who will respond to records request? At what cost?
- What's your policy? No charge for public officials?



- Public Records Laws – FOIA requests will come so be ready with responders, responsible managers and the prices for their work. Who will you charge and how much? The time of the request is NOT the time to be coughing up the procedure. Because we weren't ready for the onslaught and had to determine procedure and policy on the fly, we made it look as if we were stalling.

When you hear the first *creak* of the monster
down the hall –

back away from the key board!



- Email is the silent killer!
- The devil is in the details – “any and all” is the name of the Thing from the Black Lagoon
- Dodge the Silver Bullet – don’t rely on the “Privileged” firewall



- Email = permanent record. N’uff said. Maybe some training is in order?
- Any and All requests – Massachusetts Public Records Law states you do not have to create a record to respond to a request for information. Only provide records that currently exist. Some will ask for any and all documents related to their issue. This is fishing. You can require a narrower scope for specifically known existing records OR estimate the expense for many hours of research/copying. The goal is to offer and not look like you are hiding known information.
- Privileged & Confidential – lawyers may believe that this is a blanket that covers all correspondence with a law firm. In Massachusetts, if paid out of public funds and the issue is settled, documents can & in most cases MUST be released. Anything uttered in executive session and recorded in those minutes WILL be released eventually so EVERYBODY needs to be reminded that ALL will be revealed someday. Be careful what you say/print/whisper...SCREAM!

GO INTO THE CAVE AND... UNCOVER THE MUMMY (CURSING ALLOWED!)

- Hold a séance to get out all the demons that are yet unknown
 - Senior staff learns the whole truth and devises the exorcism
- Emerge into the light of day – curse removed
 - Sometimes heads will roll; sometimes lots of bandages are enough



- Séance: when managers are READY, lay out the human error and create a safe environment to openly discuss the extent of the wound. Everyone needs to know any of us can make a bad choice (please let's stop calling them "mistakes") – what are we willing to do to recover? How do we put this in perspective? What do we value more than what was damaged? How can we save that? Devise the mea culpa. From a communications perspective, this usually involves a lot of counseling & hand-holding.
- Removing the curse: share the information. Layout the process (policy) that will guard against further infractions. Invite public oversight.

IN A DARK & STORMY NIGHT...

ARE YOU THE LIGHTNING ROD???



- This is gonna leave a mark – get grounded
 - Find friends, plan a night out, get outta town (for a little while)
- Pick your poison – rethink your priorities
- Check your circuit breakers
 - Are you vulnerable to a crazed mob? Need legal help? Police protection?
- Plan activities around the storm



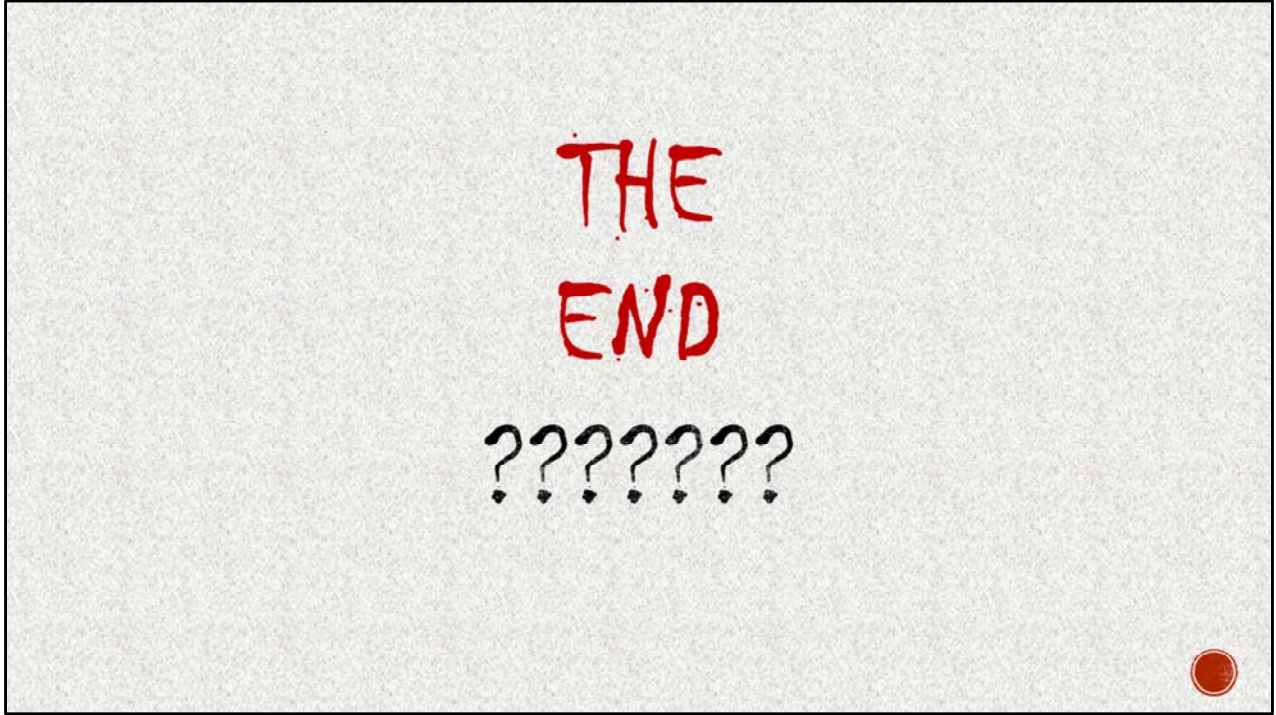
- The mark: you are often the messenger and you know what happens to the messenger, don't you? Have a plan in place – and a place you can go to for decompression. The gym? The watering hole? Wherever it is, it is where everybody knows your name but would never repeat what you say. (Usually out of town)
- Poison: what project are you working on that should be put on the back burner until the smoke clears? Customer service survey? Expensive website upgrade? Timing counts and intense public sentiment can skew your results wasting your time and investment.
- Circuit breakers: do you know your rights, protections, liability coverage? Our management liability coverage was called into question. Do you know a good lawyer if necessary? Think twice about vacation... elective surgery. Get your ducks in a row. Will you need a family medical leave of absence as I did during the transition? Crazy personal things happen during these horror stories. Things fall apart.

OH, HAPPY DAGGER! (WM. SHAKESPEARE) OR GIVING UP THE GHOST

- The offending creature was banished (given a golden parachute & full pension)
 - ...leaving behind us **walking dead**
- The wounded recovered and rebuilt trust during a storm named Nemo
 - You don't have to be superhuman – you just have to do your job with passion



- Walking dead: as I have witnessed more than my share of ethically-conflicted behavior by managers – and I am no saint! – I will confirm what everyone already knows. Those who suffer the most from these activities are those left behind to clean up the blood.
- Recovery: we are only as good as our next storm.



Until next time....