

It Takes Guts

Written by Mark Sell, BT Contributor
March 2019

Sticking to your guns comes with consequences



Following the whistle starts with that cringe in the gut.

Something isn't quite right, and you can't let it sit. Then life can get tricky.

It can happen in your workplace, your community, your nonprofit board, your neighborhood. You may not be a "whistleblower" in the strict legal definition, but you realize you have to call something out -- or join others in doing so -- even though you know it will cost you.

You may wake up at 2:00 a.m. with thoughts racing, still second-guessing yourself, until the final stagger to the coffeemaker with dawn's first dull light. With sleep out the door, you'll wonder about your livelihood, your health, your sanity. People you might wind up hurting will suffer too, which makes it worse.

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Calls, texts, and e-mails soon go unreturned, with invitations rescinded, children's playdates canceled, and friendships dented or even scuppered. Long-standing neighbors may cross the street when you approach. The braver among them may whisper that "people are talking about you" before they shuffle off. Friends are warned about being seen in your presence. Children suffer, too.

And you might be wrong. It may take months, maybe years, for the truth or context to fully emerge. One can tell a story a hundred or more different ways while still being correct in all the details. "Communications professionals" know this. So do lawyers.

It's even worse when calling it out hurts someone you like. You connect with their suffering, however self-inflicted. You're a human, not a hero. Is Julian Assange of Wikileaks a whistleblower, a free-speech hero, a malignant narcissist, or all of the above? Truth-tellers can be as petty, venal, preening, or mean as anyone.

For most of us with the usual doubts and failings, calling it out takes guts, nerve, maybe even courage. It is, after all, easier to go along to get along. That's how most of us operate most of the time. But that is not how good citizenship, stewardship, or service is supposed to work.

Look at the news right here.

Take, for instance, the January 23-24 North Miami personnel hearings on sacked assistant budget director Terry Henley over allegedly manipulated budget numbers. Those hearings and the attendant publicity have put city manager Larry Spring and deputy city manager Arthur Sorey in the crosshairs and at the center of the upcoming -- and consequential -- May 14 municipal election. Just after Henley was fired and escorted out of his office by seven police officers in September, he publicly accused the city of obscuring a deficit of some \$7-\$20 million. We haven't heard the last of it. The truth may need to come out in a state audit. Heads may roll.

Or consider the events stemming from the July 18, 2016, shooting of behavioral therapist Charles Kinsey by Officer Jonathan Aleda, who remains on paid leave as his criminal trial for attempted manslaughter and negligence is finally about to start.

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Kinsey, who says bullet fragments in his leg still give him trouble, was lying on the pavement with his hands up, trying to persuade his autistic patient to put down a silver toy truck that some police mistook for a gun. Commander Emile Hollant, the shift commander at the time, wouldn't alter his testimony, was vilified immediately, placed under paid virtual house confinement for 18 months, and finally fired after an eternal dog's breakfast of an internal affairs investigation over exactly when Hollant was getting his binoculars.

Although the State Attorney persistently attested to Hollant's integrity, the city settled the case for \$150,000, which still has not made its way to Hollant as lawyers wrangle over their scraps. Assistant police chief Neal Cuevas, a 44-year veteran of the force who refused to turn against Hollant, was demoted to sergeant.

Yes, peer pressure is powerful, particularly in this "connected" but lonely age of nasty viral tweets and "Sad!" discourse. After all, the merchants of doubt win elections.

Nationally, during these weeks, we have the murkier case of former FBI deputy director Andrew McCabe, who was fired from his position a year ago, 26 hours before his scheduled retirement and some months after opening a counterintelligence investigation into President Trump's ties to Russia -- and thereby being denied a big chunk of his pension.

Trump celebrated the firing with this characteristic tweet: "Andrew McCabe FIRED, a great day for the hard working men and women of the FBI -- a great day for Democracy." On February 19, McCabe pushed back with his best-selling book, *Threat*. Most whistleblowers don't get best sellers.

Speaking up and/or calling bluffs in any organization is a duty when the primary intent is to protect not the individual but the *institution*, whether it's your local government, your nonprofit board, or your business.

So what to do?

Consider an excellent July 2018 article, "Whistleblower: Warrior, Saboteur, or Snitch?" written

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for *Forbes* by Roomy Khan, who served time for her involvement (although she became an early informant) in one of the largest insider trading cases in history. She offers these tips culled from Tom Devine, the legal director of the nonprofit Government Accountability Project (whistleblower.org):

- Be true to yourself and clearly understand the pros and cons of coming forward.
- Don't try to be a lone ranger. Test the waters informally, casually.
- Follow the organizational chain of command when practicable.
- Approach the issue as a problem solver, rather than as a dissident or saboteur.
- Keep a record of your concerns, internally and externally, and include witnesses.

People will side against you. They may urge your "leader" to "come forward." (For what, exactly? Why not step forward together, as a group? Singling out individuals works as intimidation -- divide and conquer, and all that.) You will be singled out, disparaged, and ostracized. Toughen your hide, keep the friends you have, make new ones if you must, and try not to take it personally.

Emotional appeals and sympathies have their limits. They inspire the madness of mobs, the dangers of charisma, and personality-centered cliques, but not the wisdom of crowds. A wise group consists of collaborative, independent-thinking individuals making judicious decisions with an understanding of an organization's service, mission, and structure.

Remember your motive. Are you there to protect an institution or to fight an individual? If it's personal, meditate at the beach. If it's to protect an institution, gather, keep, and share your evidence, build your group and your case, and make sure the truth is on your side.

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And if it is, your bleary-eyed, sleepless face might look like hell in the mirror at 6:00 a.m. But at least you can live with yourself.

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