

Does Punishment Ever Fit the Crime?
A quick-fix reactive mindset prevents corrective action.

I am haunted by four recent unfortunate events. One is a catastrophe reported nationwide by the media, another is a mishap which is big news in our local newspapers, and the other two misfortunes are not known publicly, but traumatic all the same. Here they are.

- On January 3rd, an explosion at the Sago mine in Tallmansville, West Virginia killed 12 miners.
- At the Gator Bowl on January 2nd, football enthusiasts nationwide saw the quarterback of the Virginia Tech football team stomp his foot onto the player who had tackled him.
- A contractor was killed last month when an auger machine attached itself to the weed barrier under the soil and pulled him into the bit, severing him into several parts.
- Two months ago, a friend of mine had a loud and intense verbal encounter with his girlfriend, and the event was reported to the police by a neighbor.

Common Ground

While these four events are disturbing, why are they grouped together in my thoughts? And why are they relevant for my column on the psychology of safety? Well, I'm bothered by the common approach to solving these four diverse problems.

For each, reactive punishment was the treatment of choice, apparently with the presumption that positive change would occur as a result. Reportedly, the responsive corrective measure of President Bush to the mining disaster was to recommend an increase in the MSHA fines.

What about the talented quarterback? Following numerous negative comments from observers, including the Virginia governor-elect who said the event “made my heart sink” – the quarterback (who led Virginia Tech to an 11-2 season) was dismissed. It should be added that the initial punishment, as determined through conversations with the university president, athletic director, and football coach, was a two-game suspension next season. But suspension was changed to dismissal when these university officials learned the quarterback had received a speeding ticket on December 17 for driving 35 miles per hour in a 25 mph zone on a suspended license some time after 2 a.m. The star quarterback had been suspended from the team for the entire 2004 season because of a conviction of reckless driving and possession of marijuana. In the context of a last-chance opportunity, the speeding ticket was apparently the last straw.

Through recent communications with the safety director of the company that hired the subcontractor, I’ve learned about the focus of numerous OSHA reports and meetings activated by the fatality at the construction site. While safety inspectors look for violations of OSHA standards and explore the need for additional regulations, the company’s legal department looks for ways to avoid a fine.

And, what about my friend who lost control of his anger last November. Well, he is currently spending one of two consecutive weekends in a crowded county jail. This dehumanizing and delayed punishment for his neighbor-disturbing outburst is presumed to have a positive impact on his anger management. I must also add that my friend spent four months in jail *eight* years ago for the possession of marijuana. Why

is this relevant? Because the courts used this information to determine “appropriate” punishment for his recent misbehavior.

It’s the Culture Stupid!

I borrowed this heading from several talks I’ve heard at safety conferences, and it’s so relevant here. Our culture looks for quick-fix solutions to its problems. And no solution is as swift and efficient as punishment, with financial penalties providing support for the enforcement process.

Will we ever own up to the ineffectiveness of punishment as a corrective measure? Will we ever put more attention on proactive prevention than reactive retaliation? Will the unsung heroes who provide critical proactive intervention, from school teachers and social workers to safety professionals, ever get the credit and financial support they need? Will we ever actively care beyond our own soon, certain, and significant consequences?

The families of the dead miners are screaming for speedy punitive consequences for the mining company, purchased last year and under new management. And, the majority of numerous Virginia Tech fan emails reacting to the football player’s deplorable behavior on national television request strong punitive sanctions, many advocating dismissal from the team.

One Hokie fan writes, “Kick his butt off the team. I believe we would rather finish 4-7 than go 11-2 with a punk in control. Virginia Tech has more class than that.”

Sadly, this impulsive and angry email is representative of many others. Question: Was the decision to dismiss this player from the team influenced more by public

relations than the welfare of the individual and his teammates? A “yes” to this question only reflects more unfortunate attributes of our culture.

Where’s the Corrective Action?

When my friend told me of his vociferous encounter with his girlfriend, I encouraged him to apologize immediately and in person to the neighbor who reported his outburst. He did.

The quarterback was also advised to express sincere regrets to the player he stomped. But newspaper accounts of the incident report the other player did not make himself available for an apology, and was quoted as calling the quarterback a “no-class individual.” This is all secondhand information, and many details are missing, but this is what the public saw. Question: What corrective action had the quarterback received since his serious troubles in 2003?

I arranged for professional counseling for my friend, and suggested he pursue training in anger management. Was analogous human dynamic therapy provided for the quarterback? Indeed, is any corrective intervention other than punitive consequences for misbehavior given athletes who need to improve their emotional intelligence?

Again, I cannot answer the therapy questions without more information. But, I can say that no faculty member in our leading-edge Ph.D. program in clinical psychology was asked for therapeutic advice. And we have renowned faculty with expertise in stress and anger management, and even sports psychology.

At a 40-minute press conference on Saturday, our university president, athletic director, and football coach discussed the decision to impose the ultimate punishment

on an athlete who needed another year of NCAA football to achieve a top ranking in the NFL draft. No commentary was offered that even remotely related to corrective action – past, present, or future. Furthermore, none of the many news reporters posed a question relevant to this critical issue.

While the media reflects culture, it also influences culture. This media event was a disheartening exemplar of our quick-fix reactive culture, giving no attention to corrective action.

There is some good news. The safety director of the construction company is determined to gain safety-related improvements from the accidental death of a worker. She is attempting to make every conversation about that awful event, even those with OSHA inspectors, include something constructive that could be done to prevent another fatality or serious injury at the variety of construction sites managed by her company. The fatality increased management and workers' commitment to safety. Now she is focused on increasing the competence of the company at remaining injury-free – one day at a time.

Bottom line: Destructive events like those reviewed here can increase motivation to improve from everyone involved. This is prime time to learn how to prevent related mishaps and implement preventive intervention. Avoid the cultural impetus to use nonproductive and quick-fix punishment, and eventually we might see beneficial change in our culture. Your example can make a difference.

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Dr. Geller and his partners at Safety Performance Solutions (SPS) help companies worldwide approach industrial safety with a proactive, actively-caring stance. Coastal Training and Technologies Corporation has recently published Dr. Geller's new book on people-based safety, as well as five video/CD/DVD programs, accompanied by workbooks and leader guides. For more information, please log on to www.people-based-safety.com or call SPS at 540-951-7233.