

# Ethical Module Facilitator Leader's Guide

*(Facilitation Plan: Recommend that the facilitator first review the scenario with his or her class and understand the situation. Watching the video twice often ensures that the participants are prepared to discuss the issues. Remember that 1SG Kurica has volunteered to share this story and that he has served admirably and heroically in combat. The questions and layout below is a guide to help prompt and encourage discussion. It is important to first understand the moral position that 1SG Kurica encountered in this situation and the ramifications of his decision.)*

## Module

Title: Accountable Justice



1SG Ernie Kurica has an unknown criminal in his ranks, and that Soldier has removed a 9mm pistol from the Company Armsroom. After locking down the Company, questioning suspects, and checking paperwork, 1SG Kurica and his Commander must make a decision: Choose to pursue justice knowing that weapon may never be seen again or pursue recovery of the weapon by offering amnesty—and let the criminal walk.

### **Situational Framework:**

1. Does 1SG Kurica recognize the presence of a *moral decision* as he faces this situation?
  - If so, what is the decision? Why is it a moral decision?
2. Does 1SG Kurica make a *judgment based decision*? How does he analyze this situation? What are the competing interests in this decision?
  - How many options did 1SG Kurica have? What were the risks and rewards of each?
  - How would you qualify his judgment?
3. Does 1SG Kurica make a *clear decision* and communicate it to his company?
  - How do you make decisions clear in ambiguous situations?

4. Does 1SG Kurica *follow through* with his decision?
  - What actions demonstrate follow through?
5. What level of courage did 1SG Kurica have to display to make this decision?

**Analysis:**

1. What is at stake with this decision? What were the competing values? (justice for a criminal versus recovering a dangerous weapon.)
2. What responsibilities did 1SG Kurica have to balance? (Responsibility to recover dangerous weapon and protect general population versus responsibility to punish a bad Soldier and protect the Army.)
  - a. What could have happened if the weapon was never found? (used to commit a crime in the local population, unit leadership held accountable for loss of sensitive item, etc.)
  - b. What is the danger of leaving a suspected criminal unpunished?
3. Is there a book answer for this situation?
4. What obligation did 1SG Kurica have to honor his word on amnesty? What would have been the impact if he did not?
5. What does the use of the Chaplain demonstrate about using all available resources and enablers? Is this type of action something leaders and chaplains are taught in textbooks? What kind of climate should leaders create to encourage “out of the box” thinking like Chaplain Lowthian demonstrated?
6. To whom was 1SG Kurica responsible for this decision? (Chain of command, JAG, CID.) Did he need to get approval before granting amnesty? What could have resulted if he did not get that approval? (CID might have waived the amnesty and attempted to prosecute anyway. Instead, higher command supported the decision because they were briefed.)
7. What do you think of the idea that “bad soldiers eventually get caught?” How does this change how you think about the need to execute swift justice?
8. What motivated the Soldier to turn the weapon back in?
9. What factors could have changed 1SG Kurica’s mind in making this decision?
10. What did 1SG Kurica do to prevent this from happening again?
11. What would a person of character do in this situation?
12. What was the reaction of his subordinates to this decision?

13. What was the driving force in making this decision?

a. Preventing a violent crime? Seeking justice? Regaining accountability?

14. To whom is he obligated in making this decision? [Company Commander, Army, civilians)

**Supporting Questions:**

1. Themes

a. What new insights emerge after watching the video(s)? Is there a theme(s) that emerges?

b. What other title would fit this vignette and why?

c. What is this leader challenge about?

2. Stretch the Learning

a. What is the one key insight that you are taking away from this experience and will put into practice in your leadership?

b. What did you learn from listening to the reactions and reflections of other leaders?

c. What did you learn most from the conclusion or from hearing the rest of the story?

d. Considering the reaction of another leader in this situation, do you think that his analysis of 1SG Kurica's actions were consistent with other experienced leaders?

3. The Situation

a. How many different feasible and possible solutions or alternatives can you come up with for this situation?

b. What different outcomes could result in this situation?

c. What controls can you put in place as a leader to mitigate the risks and potential outcomes of this situation?

d. Are there any potential unintended negative consequences as a direct or indirect result of the decisions made in this situation?

4. Leadership Style / Future Applications

a. What are the future implications of this decision and experience?

b. What is a universal value or principle that informs this decision?

c. How could you prepare for this situation now, should you face it in the future?