

# The Ethics of Bias

by C. Gregory Dale, AICP

After a brief detour to deal with traffic impact issues, this column returns to a discussion of ethical considerations by planning commissioners. The topic: do personal biases of planning commissioners have ethical implications? I am not referring to biases that relate to ethnicity, gender, or religion, which clearly would present ethical problems. I am referring to growth and development biases.

Let us start, as usual, with several illustrations. Consider the following situations:

- You have a commissioner who was selected because he was long active in community affairs as the representative of a home owners association. He comes to the commission with a professed "no-growth" attitude. As a result, his votes are predictably anti-development.

- You live in a community where the planning commission has a role in design review of new development. However, you have a commission member who is philosophically opposed to design review and therefore refuses to participate in the design review process.

Are there ethical implications to these situations? My feeling is that there are, in fact, ethical questions involved. First, let me acknowledge that most planning commissioners are appointed to the board because of some history of involvement in the community. Typically that involvement will have occurred on behalf of certain groups. You may have been appointed because you are a realtor, a neighborhood representative, an architect, an engineer, and so on. As such, you undoubtedly bring with you certain values, philosophies, and perhaps even ideologies. There is certainly nothing wrong with that.

However, if those values cross the line to the point where they become biases, then you may be denying individuals the

right to a fair hearing before an impartial decision maker.

Webster's Dictionary defines *bias* as including "a temperamental or emotional leaning to one side ..." or to be "prejudiced in opinion [or] judgment." Thus, when

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personal values or philosophies go too far and influence your ability to be fair, then there is reason for concern.

As in most ethical considerations, there is great room for judgment. You should be asking yourself whether your personal values are such that you can fairly consider requests that come before you — or whether your personal values might cause you to be prejudiced or emotional in your opinions.

Keep in mind that when considering applications or requests, you are operating within a prescribed set of procedures and standards, as set out in your state and local regulations. When someone appears before you, the question is not whether or not you "like" their proposal, but whether or not it complies with the regulations.

It is important to note a distinction, however, between those instances where you are establishing policy rather than administering existing policy. For example, the commissioner who doesn't believe in design review is certainly free to oppose the inclusion of design review in the city's procedures, or to initiate a change in pro-

cedures to remove design review. However, once design review procedures are in place, the commissioner should work within that system.

The first example cited above is probably a more common situation. I suggest several approaches to dealing with this type of bias. First, efforts should be made during the selection of new commission members to clearly state expectations for fair consideration, and to determine potential biases. Second, simply raising awareness of this issue as well as perceptions about individual member biases can improve matters. Last, individual commissioners may want to review their voting record to determine whether any patterns are apparent. This can sometimes be an eye-opening experience.

It is interesting to note that the American Planning Association's "Statement of Ethical Principles" does not include a statement that decision makers should be unbiased. That, in my opinion, is an oversight. The right to an unbiased decision is a fundamental tenet of American due process, and the violation of that principle does, in fact, raise serious ethical questions. ♦

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