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Dr. Kelly McBride, public relations professional

People in authority are no different sometimes than the people they govern. They have blind spots in their judgment and communicate in ways that shock, offend and cause others and themselves big problems.

Consider the case of Judge Steven Brister, who just earned himself a month-long suspension — without pay, for comments in the courtroom that left a lot of people stunned. Just so you know, or maybe you do know, judges don't get corrected often or suspended. It's a rarity.

Brister's advice to a man on how to treat women was not well received however. During a hearing, in trying to counsel the man, the judge explained how not to physically aggress against a woman while still being the superior gender, going so far as to use boxing analogies in conversing about male-female relationships and conflict.

"We get frustrated (with women) and then—but, in our frustration you can't come at them like you're Mike Tyson and they're in the ring like they're Leon Spinks. You can't do it. You can't punch, you can't hit," Brister said. "At best, you treat (them) as if you're holding a feather, *just to let them know you're the man and you're in control*. But in each of these five complaints it said you went at them like Mike Tyson."

The New Jersey Supreme Court Advisory Committee on Judicial Conduct ruled that Brister's commentary was well intentioned yet still "sexist and misogynistic," and "had the clear potential to suggest that the judge possessed a bias against women."

Brister's "lawyer argued during a hearing that his client's remarks about being in control "were a refence to being in control of oneself rather than being in control of women, according to the Law360 account," reported Debra Cassens Weiss in the ABA Journal.

Brister's "disparaging comments towards women created the appearance of a bias and impugned the integrity of the judiciary and the judicial process," the committee said. "These remarks tarnished the dignity and solemnity of the courtroom proceeding."

The judge got himself into trouble, a communications professional says, regardless of his intent to provide guidance,

with his lack of focus and over-talking. She uses the phrase, “word salad” to describe what she observed in this story.

“There's a couple of things here,” says Dr. Kelly McBride, a communications professional with 21 years of field experience and a decade of college-level teaching. “...he may have meant well by educating the offender, but ‘word salad’ got in the way, or, and probably more to the point, he was tone deaf as to how it would sound. I find that individuals in higher positions – i.e. judges, doctors, etc. – don't find the time to take the pulse of rhetoric.

“His lack of understanding on how to stay on point rather than pontificate – in 2021 – may have been made even more difficult by his lack of understanding of proper rhetoric.”

Brister definitely looked down on domestic abuse, that is clear and wanted to educate the perpetrator yet when he communicated, the failure to realize how his words might be interpreted, was not effective forward thinking.

This was damaging to his credibility and reputation. The painful experience of this misdeed going public and the punishment suffered however could prove of value to Brister.

McBride, with her media relations and crisis communications teaching and text book writing experience, has a professional recommendation she'd offer as guidance.

“I would hope that he stepped back and learned how to verbally handle a situation. How would he do that? First and foremost to take the temperature of the world — what is acceptable in today's language — style and definition — and be trained in how to state it in a more succinct and effective manner recognizing that his personal views might have to stay that — personal,” she says.

Avoiding excessive speech that increases the likelihood of saying something offensive is a challenge, yet one that can be met and overcome, McBride says, “... all professionals could avail themselves of training and there are various companies as well as colleges that offer classes in personal and business communication. A lot of higher ed institutions also offer certificates in these areas as well.”

Judges and many other public-facing professionals don't believe communication training is necessary or all that helpful for them

yet McBride says it provides additional professional development and career protection.

“I also feel that media training is a great idea – even for those that don't deal with the media,” she says. “I train individual's to just ‘answer the question.’ In other words, don't fill in with fluff when a journalist asks a question. Americans especially like to talk and often become uncomfortable with silence, and we have a term for that – the ‘pregnant pause.’

“Americans also overshare way too much and I blame this, especially in the younger generations, on social media. The oversharing subsequently is the cause of too much verbal and written word salad. And in the case of the judge, if he desired to remonstrate the offender, a simple ‘this is a heinous crime, and you should take this opportunity to reflect on the treatment of women’ would have been more than enough,” McBride counsels.

“Nervousness, not knowing what to state, injecting his own opinion – all of this leads to the oversharing/word salad that can create opportunities for issues such as that he experienced,” she says.

Brister created a stain on his name yet he can certainly greatly improve the now-negative light in how he's viewed.

“It's never too late for an apology, but most individuals, whether personally or professionally, won't go back and do so because they're afraid to kick the hornet's nest again and have publicity,” McBride says.

What he could have done better is clear to her too. It's also a risk management lesson for professionals and organizations.

“I'm a big believer in running offense — and I tend to use a lot of sports terminology — instead of defense,” McBride says. “He knew what he said would have ramifications and rather than have the press report it first, he should have called a press conference and said that he realized in his haste to teach the offender a lesson he said too much. At that point he should have carefully reiterated what he said, and then offered what he should have said.”

Doing this would have been an act of starting to attend to the fire that was a certainty to ignite.

“He would still have taken heat but it wouldn't have gone as far and wide as it did, and for the length of time that it showed up in the press and still does to this day,” McBride says. “He additionally — and it's never too late to do so — should have written a handwritten letter of apology to the young woman.”

Professionals can learn to implement safeguards to more successfully communicate and protect their name and well-being. The recommendation McBride offers is “thinking before we speak,” and “Training, whether collegiate, corporate and-or media, is helpful to anyone - even to someone with a terminal degree that ‘thinks’ they communicate well all the time.”

She goes back to reiterate the invaluable benefit of taking a breath within communication.

“The biggest thing I've learned in my own media training when I was younger and that which I teach now is to give yourself the pregnant pause before you speak,” McBride says. “Think about what you're going to say before it comes out.”

It's also useful and protective to learn that we might not be as informed as we believe ourselves to be, a common dangerous mindset.

“There are so many factors that professionals can look at within themselves to become a more successful communicator. Are they someone that thinks they know everything about every topic? They probably don't.”

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