



**MISSOURI DEPARTMENT OF CORRECTIONS
TRAINING ACADEMY
LESSON PLAN**

COURSE TITLE:	Inservice
CLASS TITLE:	Choices: Meeting the Ethical Challenge
MODULE TITLE:	Choices: Meeting the Ethical Challenge

PROGRAM OVERVIEW

This program is designed to address ethics and professionalism as they relate to DOC's Code of Conduct. We will examine how ethics affect job performance as well as the correctional image.

PARAMETERS

Date: June 2001

Credit Hours: 8.0

Target Audience: All Department Staff

Number of Participants: 24

Required Training Space: Large Classroom

PERFORMANCE OBJECTIVES

EVALUATION TECHNIQUE

- At the conclusion of this lesson, participants will:*
1. Define ethics and explain why adhering to a code of ethics is important for the image of corrections;
 2. Examine the Department's Professional Principles and ascertain how they affect your ability to perform your job;
 3. Analyze why staff go outside the rules and ascertain how this affects the Department's image;
 4. Discuss loyalty and decide how it can impact the ability to make the ethically correct choice; and
 5. Analyze ethical dilemmas and use the five step decision making model to determine the best course of action.

- Evaluation techniques utilized by the trainer(s) to determine if the performance objectives have been met.*
1. Processing Questions
 2. Class Feedback

REQUIRED MATERIALS/EQUIPMENT/SUPPLIES/NEEDED

	<i>Overheads</i>	<u>X</u>	<i>Projector Screen</i>
	<i>Overhead Projector</i>	<u>X</u>	<i>Computer & LCD</i>
<u>X</u>	<i>Slide Show</i>		<i>Television(s)</i>
<u>X</u>	<i>VCR/DVD Player</i>		<i>Video Camera</i>
	<i>Posters</i>	<u>X</u>	<i>Masking Tape</i>
<u>X</u>	<i>Markers</i>	<u>X</u>	<i>Easel Pads & Stands</i>

Videotapes:

Ethics in Corrections:
 Understanding Ethics
 Doing the Right Things
 Making Ethical Choices by ACA

Other:**STUDENT HANDOUTS****Title:**

Manual

INSTRUCTIONAL STRATEGIES

Lecture, Case Studies

REFERENCE(S)

The following books and / or materials were used as a basis for this lesson plan. The instructor should be familiar with the material in these reference documents to effectively present this module.

TITLE

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|---|-------------------------------|
| <p>1. Ethics in Corrections by ACA</p> <p>2. Ethics and Professionalism for Federal Probation and Pre-trial Services</p> <p>3. Emotional Safety and Ethics in Corrections by Jane Sachs of the National Institute of Ethics</p> | <p>4.</p> <p>5.</p> <p>6.</p> |
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Prerequisite Training/Certification:

Curriculum Prepared by: Paula M. Ramirez, Bob Berg, Mike Dixon

Curriculum Content Approved by:

Date Approved

Curriculum Design Approved by:

Date Approved

Original/Revision Date

Design Notes:

Original Date: June 4, 1998

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Converted to Word by Kathy Kloeppel

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TRAINER NOTES

ANTICIPATORY SET

“*Choices: Meeting the Ethical Challenge*”, while the majority of issues will be specific to our profession, it’s important to realize that our organization isn’t the only one that’s “ethically challenged”. Ethical dilemmas can range from huge social issues, such as the homeless or global hunger to being focused on the actions of individuals and what ethical values they exhibit while holding an elected office.

Putting aside the social issues and focusing on workplace dilemmas it was found that, according to a national study by the American Society of Chartered Life Underwriters & Chartered Financial Consultants and the Ethical Officer Association, “Workplace pressure leads 48% of the U.S. workforce to perform unethical or illegal activities in their jobs”. More than half (56%) of U.S. workers responding to the survey say they have at least considered acting unethically or illegally on the job.

OPTIONAL GROUP EXERCISE

Note to Trainer: Trainer may break students into small groups and have them identify the three professions that they believe to be the most unethical.

Instructions: In your groups, determine the three professions that you believe to be the most unethical. The exercise should only take 10 minutes. Select a spokesperson for your group and be prepared to explain your answers.

PROCESSING QUESTIONS

Ask Participants: What were the three most unethical professions that your group identified?

Possible Response: Will vary.

Ask Participants: Why do you believe that the professions are unethical?

Possible Response: Will vary.

Researchers found that the highest level of unethical/illegal behavior reported as a result of workplace pressure occurred in the computer and software industry (66%) followed by the advertising and marketing fields (60%). The lowest levels reported were by the legal profession (35%).



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Ask Participants: What about the Criminal Justice profession? Is it more or less ethical than other professions?

Possible Response: Will vary

Ask Participants: Do you think that the public has higher expectations of Criminal Justice Professionals? Are these expectations fair?

Possible Response: Will vary.

Whether they are the lowest figures or the highest figures ethical dilemmas are faced in every aspect of our life today but why does that matter?

Ask Participants: Why do ethics matter?

Possible Responses: To provide leadership and guidance for others, to be a good role model for your family, to maintain a lawful society.

The immense power of modern technology extends globally. Many hands guide the controls and many decisions move those hands. A good decision can benefit millions, while an unethical one can cripple our future.

One hundred years ago, humanity had less power and less reach. Catastrophe meant natural disasters such as a volcano eruption, the potato famine, and the San Francisco earthquake. But in this century, poor ethical judgement has produced such devastation as the grounding of the *Exxon Valdez*, the meltdown of the reactor #4 at Chernobyl and the failure of the Barings Bank. Technology will advance exponentially into the 21st century. Imagine how much power we'll have at our fingertips then.

Technology empowers people at many levels and in many locations. Do they understand that ethics has consequences, and that their actions can have enormous impact? Will they make ethical decisions based on their highest moral values? Or will they simply do what's expedient for whatever serves their self-interests?

Note to Trainer: Place responses on easel pad.

While we may not have the immense power, such as that I have just referred to, we do have ethical dilemmas facing us everyday.

Ask Participants: What Corrections specific "ethical challenges" make our work setting different than others?



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Possible Responses: Offenders may attempt to corrupt staff, gender issues, stress impact on personal life, you're expected to be a constant role model, intimacy breeding ground.

With reasons like these, along with the normal ethical dilemmas that are faced on a daily basis, it's no wonder that staff make the wrong choices. So today we're going to explore several of these issues and with that let's look at today's Performance Objectives. By the end of today's program you will:

1. Define ethics and professionalism and explain why adhering to a "code of ethics" is important for the image of corrections;
2. Examine the Department's Professional Principles and ascertain how they affect your ability to perform your job;
3. Analyze why staff go outside the rules and determine how this affects the Department's image.
4. Discuss loyalty and decide how it can impact the ability to make the ethically correct choice; and
5. Analyze ethical dilemmas and use the 5 step decision making model to determine the best course of action.

GUIDED PRACTICE

Since our topic is ethics the first thing we need to do is develop a good definition. So, let's get into our next group exercise.

Instructions: In your small groups, develop a one sentence definition of "ethics". Be prepared to share your responses with the larger group. This should take about 10 minutes.

PROCESSING QUESTIONS

Ask Participants: What was your group's definition of ethics?

Possible Response: Will vary.

Ask Participants: What were some of the common themes in these definitions?

Possible Response: Will vary.



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INSTRUCTIONAL INPUT

Good answers but let's see how one of the leading authorities defines ethics. We're going to view a new video which will:

- define ethics and its importance in corrections;
- discuss the role of ethics and professionalism;
- discuss the significance of reasoning and good faith and;
- look at the differences between legal and ethical acts.

Note to Trainer: Show video "Understanding Ethics".

Now that you've seen the video, what were the important things that were covered?

Ask Participants: So what did we see in that video?

Possible Responses:

- We saw that those involved in unethical behavior often attempt to justify their actions.
- The study of ethics is the study of right and wrong, good and bad.
- We sometimes confuse what is legal or illegal with what is right or wrong.

Ask Participants: In the scene where a supervisor discusses off-the-job behavior with one of his officers, was the supervisor right in bringing the matter to the officer's attention? Why?

Possible Response: Appearance is a big factor in the way you and your organization are perceived. While your actions or intentions may have been innocent, they could be perceived as inappropriate. This causes the need for staff to be aware of the way they are perceived at all times.

Ask Participants: What about the Officer's response: "I do my job well and that's all anyone should be concerned with." Do you agree with his feelings? Why?

Possible Response: While the Officer may have a right to be upset he should still realize how much impact the appearance of inappropriate actions have on the credibility of the individual and the organization.

Ask Participants: Why is ethics especially important in corrections?

Possible Responses:



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- We claim to correct others.
- We attempt to change the character of others.
- It's important if we want to be viewed as a profession.

Ethics has come to mean behaviors as they relate to a profession. Thus, there are medical ethics, legal ethics, and correctional ethics. Ethics boils down to the study of what's right and what's wrong and then doing the right thing. However due to the nature of correctional work, it is not always clear what is right and what is wrong in some situations.

Sometimes, correctional staff confuse what is legal or illegal with what is right or wrong. They use the law as their only source for judging ethical or moral behavior. In this view, if something is legal, it must be right. However, the terms "legal" and "ethical" are not the same. You can follow the law to the letter and still violate professional ethics.

In addition, some offenders and their families can be extremely manipulative and may attempt to maneuver staff into a position where their ethics could be compromised.

Note to Trainer: Refer participant to Missouri Department of Corrections Professional Principles and allow participants an opportunity for review.

This creates even more stress and confusion in the decision making process. With the realization that all correctional professionals must follow basic ethical guidelines and professional principles, the Missouri Department of Corrections, through a process of focus groups using a cross-section of employees, have developed a Professional Principles guideline and a Code of Conduct. These principles, as stated in the preamble, are a guide in making ethical decisions and acting in an ethical manner.

Since the Professional Principles affects every DOC employee, it's important that you realize how it really impacts you. So what I want to do is in your groups explore our Professional Principles to see how they will affect our Agency and you as an employee.

GUIDED PRACTICE (Professional Principles)

Divide participants into five groups and assign two "Principles" per group. Allow groups 20 minutes to develop responses to the following questions and then have a group spokesperson summarize the group's responses. Once the groups are arranged and the "Principles" have been divided, have them answer the following questions:



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- How do these Professional Principles affect the way I perform my job and the way I am viewed by others?

Possible Response: It requires me to be responsible for my actions as it directly reflects on the organization. It will improve the way people view the agency I work for as they see the organization through the employees' actions.

- What can I do to ensure that my conduct, and the conduct of others in my organization, maintain the standard set forth by the Professional Principles?

Possible Responses: Follow the law, policies and procedures that govern our department, continue to improve at my career by expanding my knowledge in related material, be "firm fair and consistent" when dealing with offenders, have a good work ethic, hold those accountable for their actions by reporting inappropriate actions, accept diversity, increase communication through open interaction, strive to become a better and more valuable employee by becoming better at my career.

INSTRUCTIONAL INPUT

As we have noted, our Department has both a Code of Conduct and a set of Professional Principles.

Ask Participants: Why do you think we have both?

Possible Response: The Professional Principles tell the public and other agencies what we as a Department profess. The Code of Conduct is more of a set of expectations for each individual that is employed by the Department of Corrections. It is the Department's expectations of each employee's behavior.

The Professional Principles allow individual employees a great deal of discretion in their conduct. Since not all employees use their discretion wisely, the Code of Conduct was developed to prescribe more specific expectations and narrow the scope of discretion.

As was said before ethics boils down to making choices between right and wrong, and doing what is right. The Professional Principles and the Code of Conduct help you in making the right choice, but there are ethical pressures that complicate the decision making process.



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Ask Participants: Why is it difficult for people to do the right thing?

Possible Response: Conflicting demands between organizational and personal values; Conflicting demands between personal and professional responsibilities; Conflicting demands between professional responsibilities (too much to do, not enough time.); Self-interest vs. the welfare of others; Social expectations, peer behavior, organizational norms; Faulty reasoning (over or under estimating the cost or risk of doing the right thing); Rationalizations and self-deception, such as:

- If it's legal, it's ethical;
- I'm just fighting fire with fire;
- Everyone does it;
- It's OK if no finds out;
- It's OK if it doesn't hurt anyone.

Great answers and they can definitely affect your decision to do the right thing, but one of the most frequent and difficult ethical choices correctional staff confront is what to do when faced with the wrongdoing of another staff member. Informing on one's peers has always been negatively perceived by a large contingent of any group; whether that group is lawyers, doctors, students, police officers or correctional officers.

There are many reasons why we may look away or do not come forward when others do wrong:

- We don't want to get involved.
- We don't want to face scorn of others.
- We feel it's not our job to come forward.
- We don't want to alienate the peer who committed the wrong by reporting them.

Regardless of the reason it comes back to one thing.

Loyalty.

Do correctional staff owe their loyalty to the facility, society, or to their fellow staff members? This question isn't always clear-cut and can cause a powerful ethical dilemma. Before we discuss this issue lets look at a short video which addresses this very issue. This video will look at:

- the concept of reporting others as an ethical concern,
- the role of loyalty, and
- the different levels of loyalty.



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Note to Trainer: Optional video: "Doing the Right Thing".

I'm sure you're aware, loyalty, when misplaced can cause serious problems. So let me ask you:

Ask Participants: What does the agency mean to you?

Possible Responses: I feel that I've entered into a career and it's important to be professional in your career field. I'm proud to work for the MoDOC.

Ask Participants: Should loyalty to a fellow officer take preference over the loyalty to the agency or the profession of corrections?

Possible Response: Loyalty to the profession and to the organization should come first otherwise we couldn't work as a team since we would all have different allegiances to different people.

During the video *Officer George Frye, of the Frederick County Adult Detention Center*, said, "I would report anything that I thought would jeopardize my safety or somebody else's safety. We're expected to maintain professionalism." And *Officer Bruce Watcher*, of the same facility, said, "I'd report it. You're putting my life in danger."

Ask Participants: What do you think about these statements?

Possible Responses: I agree, if they were dealing with an offender or jeopardizing the security of the institution; I would talk to the person first; I wouldn't report it.

As Mr. Ronald Moscicki said in the film, "I think that everyone knows in this business what is the right thing to do is, they always know the right thing, the tough thing in our business is doing the right thing." Keeping this in mind were going to decide how to "do the right thing".

GUIDED PRACTICE

I'm going to hand out a topic and, in your group, you're going to decide if it should be reported and how you would report it. If you feel that you shouldn't report it, I want you to justify why you wouldn't and what you would do about it. Once you have made a group decision place your response on the easel pad. Be prepared to discuss and defend your position in 20 minutes. Topics will include:



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- harassing an offender who has assaulted a staff member;
- falsifying a report to keep a convicted child abuser from being paroled;
- staff member buying alcohol while in uniform;
- failing to make security checks;
- using state time for personal business ;
- your best friend giving a birthday card to an offender;
- padding expense reports.

Ask Participants: What are your options when discovering that a staff member has violated policy?

Possible Response: Depending on the severity of the violation you could: talk to them yourself and discuss the incident (especially true with new staff), or report it.

Ask Participants: What is at risk if you don't report staff misconduct?

Possible Responses: Safety of offenders, personal safety, public safety, institutional security, integrity of the profession.

If it's a difficult decision, talk to someone who you respect. Sometimes it's going to be difficult to do the right thing but you need to analyze what's at stake and determine how ignoring or participating in the acts will reflect on you, your peers and the organization. Don't believe that taking matters into your own hands or using your discretion inappropriately won't affect you or those around you.

INSTRUCTIONAL INPUT

The perception of corrections may vary from person to person or from decade to decade. While a professional image is embraced by the majority of staff some still believe that corrections has its own "subculture". Where retaliation can be common place as it's justified because you're told that no one cares. Offenders are considered the enemy. They are viewed with suspicion. They are corrupt and dangerous. When they get out-of-line, you must put them back in their place. If an offender questions authority, you teach him a lesson in humility. Force is the most important symbol of



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authority. It's the most effective means of control. Administration doesn't care...Outsiders don't understand...It's okay to bend the rules...You have to look after yourself.

This is an example of a negative or "bad" subculture. One where rules don't matter.

The question that I now pose to you is this: Does corrections have its own subculture? You will answer this question in our next exercise.

GUIDED PRACTICE

In your small groups, answer the following questions:

- Does Corrections have its own subculture?
- What are the beliefs and rules of the subculture?

Place your responses on flip chart paper and be prepared to share your responses with the larger group in 20 minutes.

PROCESSING QUESTIONS

Ask Participants: What were your responses to the questions posed?

Possible Response: Will vary.

When we first began our discussion of subcultures, it appeared that the impact of subcultures is mostly negative. Is this always the case? Of course not. Subcultures often establish positive values as well. Positive peer pressure often encourages people within the subculture to do the right thing.

Ask Participants: Is there positive peer pressure at your work site? What are some examples?

Possible Responses: Yes, friendly competitions to see who can complete work assignments the quickest, most accurately, etc. Helping to keep one another out of trouble. Letting co-workers know that they handled tough situations well.

Another component of any subculture is cliques. A clique is a small, exclusive group of friends or associates. Do we have cliques in corrections? Yes, we do. Cliques can often have impact upon the daily operations of the work area and the morale of your office. Are you part of a



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clique at work? Does the clique impact whether you make the right choice? Cliques within the subculture also bring with them their own set of values, be they positive or negative.

Optional Video “Making Ethical Choices”:

This video looked at whether or not staff are attempting to discipline offenders on their own; whether there is a subculture in corrections and can discretion be a problem. Regarding disciplining offenders on your own what’s wrong with that?

Ask Participants: What is wrong with “taking care of your own problems in your own way,” according to the rules of your subculture or clique?

Possible Responses: When you go outside the rules you lower yourself to an unethical level. The same level that allowed the offender to become incarcerated. We have to set the tone and the ethical standards for ourselves and model the behavior that we expect from the offenders. If we can’t manage our own behavior we certainly can’t manage the offender’s behavior.

Ask Participants: It has been suggested that when you take the law into your own hands, you’ve lost control. You’ve lost credibility. Do you agree? Why?

Possible Responses: Yes. We are the role model so if we don’t follow through with what we say we can’t be taken seriously.

Ask Participants: Why is credibility important?

Possible Response: We are in a profession where our integrity is constantly challenged and many times your values are being judged by the decisions you make. You must prove that you are credible in order to establish a form of trust or dependability with both the staff and offender.

Part of earning this credibility is learning to use the power of discretion wisely. Discretion is a necessary part of the job. But the need for discretion also leads to a greater dependence on individual ethics, in addition to the laws and policies.

Ask Participants: How does the discretionary power of correctional staff impact offenders?

Possible Response: Because of the tremendous power staff have over the lives of offenders.



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Ask Participants: Why is it important for staff to implement discretionary powers when dealing with offenders?

Possible Response: You are able to resolve situations, minor violations, without resorting to a disciplinary process, and the organization and the offender are both benefited by that process.

But sometimes you have to make those tough decisions and that's what we're going to do. We're going to look at a five step decision making process that can help you meet the "ethical challenges".

INSTRUCTIONAL INPUT (Five Steps)

Making ethical decisions is easy when the facts are clear and the choices are black and white. But it is a different story when the situation is clouded by ambiguity, incomplete information, multiple points of view, and conflicting responsibilities. In such situations...ethical decisions depend on the decision making process itself and the experience, intelligence and integrity of the decision maker.

To assist you in making these ethical decisions we are going to look at a "five step decision making model". This model looks at five separate steps that assist the individual in arriving at the best course of action.

Step 1: Clarify the Issue and Identify the Stakeholders.

The very first step is to identify what you are dealing with - what is involved and who is involved.

When clarifying the issue, make sure you know what must be decided and what is involved in making the decision. Be sure to collect all the facts; and to separate them from assumptions, speculations, opinions, theories, and rationalizations.

A stakeholder is defined as any individual who will be affected by your decisions and has a vested interest in the outcome of the decision.

Step 2: Cite the Applicable Laws

Before deciding what to do, determine if there is some official guidance for this type of situation. Consult the laws, policy and procedure, or the Code of Conduct.



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If a situation is not specifically addressed by the laws or policies, or is open to interpretation, or it may give the appearance of impropriety or wrongdoing, then it is a gray area and will require careful consideration and judgement. A dialogue with a mentor or peer may be helpful.

Step 3: Identify Alternatives or Options.

Sometimes people forget that there is usually more than one option per decision. Don't forget to consider your alternatives. Remember that your first choice may not be the best choice and the easiest choice might not be the right choice.

Step 4: Think Through the Consequences of Each Alternative.

Every alternative has **consequences**. The point is to think through each alternative and not to pick the first alternative you think of without considering what may happen because of your choice. Consider the effect your choice will have on you, the organization and the stakeholders.

Step 5: Choose the Best Course of Action.

The final step is deciding what to do and making the best choice. The best choice means two things: appropriate to the situation and a course of action you are comfortable taking.

What is considered an appropriate response for one situation under one set of circumstances, may be inappropriate in a second situation under another set of circumstances.

Those are the five steps that you can use to help you make good decisions and now that you know them lets put them to use.

GUIDED PRACTICE (Case Studies)

Divide the participants into new groups and explain that the first thing each group needs to do is to select a group spokesperson and someone to record the group's discussion and responses to the exercise. Each group will receive a case study which will involve an ethical dilemma and as a group they are to use the Five Step Decision Making process to determine the *best* course of action along with the steps they took to come to that decision. They will have approximately *20 minutes to complete their project*. (Remind the participants to take into consideration any departmental policies that may apply.)



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Choices: Meeting the Ethical Challenge ***Case Study #1***

Read the following case study and follow the instructions at the end.

As a Captain working for the Department of Corrections, Jack was the shift supervisor for a large correctional facility. Throughout his career Jack had made his reputation with the fact that he was a “stand-up” guy who always kept his word. This, along with his fierce loyalty to the Department, had made him a good supervisor and popular with his staff. Like other supervisors, Jack was concerned about the morale of his staff, and while it was not terrible, Jack was convinced that if he could improve the morale of his staff, the safety and productivity would increase.

Determined to increase staff morale, Jack began a once a week, “after hours” meeting at a local lounge. The meeting was open to all officers and was designed to allow officers to air concerns and experiences that had occurred on the job. Staff would talk for hours, freely and frankly, about what was going on in the facility and how they felt things should be changed. Jack had just one standing rule: amnesty. Whatever was said in the meeting was to be held in confidence, and nobody would get in trouble for things they talked about.

In the months that followed, the conversation was open and direct. Lots of issues, big and small, came to the surface concerning management, personnel, regulations and everything else. Jack began to notice the hoped-for change. His shift’s morale had improved and with it the so had the safety and security of the institution. Work productivity was at all time high.

Then at one of the “after hour” meetings an officer gave his account of an incident that had occurred in the Administrative Segregation Unit earlier that week. Apparently offenders in the unit were scheduled to be moved, which by policy is to be done by at least two officers. Because this officer had worked in the unit a long time and felt comfortable with the offenders to be moved, the officer decided to do it himself. The first door he opened he encountered problems. As the offender came into the hall he began to argue to a point where the officer had to physically push the offender back into the cell to contain the situation. The officer admitted that since the offender was not injured and the situation didn’t escalate he had not reported it.

Jack thought the conversation at the meeting regarding ways the staff could work together to prevent such situations, was particularly good. But he also knew that this situation was very serious as several policies had been broken, force had been used and if the offender complained, legal problems could be in the future. When circumstances leading to these types of incidents are investigated, there is usually discipline involved. Yet Jack had offered amnesty—which was the reason, he was sure, that the officer had been willing to speak so frankly. A few days later the Grievance Officer contacted Jack with a grievance from an offender in Administrative Segregation who was alleging that a staff member had pushed him.

In your groups you need to select a spokesperson and a recorder (to record the group’s findings and decisions). Then as a group you are to use the Five Step Decision Making process to come to the *best* course of action. You will have approximately 20 minutes to complete your project.

1. Clarify the issues and identify the stakeholders.



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2. Cite any laws or policies that may support your answer.
3. Identify the alternatives.
4. Identify the consequences of each alternative
5. Choose the *best* course of action.
6. How did the rules of the subculture effect your decision?
7. What other influences might have played upon your decision?



Case Study #1 Responses:

1. Issue was whether or not to report the security breach or to maintain a code of silence. The stakeholders include: Capt. Jack, officer making admission, all the staff who he made this confession to, the inmate and the agency.
2. Use of Force Policy, Post Orders, Code of Conduct.
3. Not say anything, report officer, talk to officer and tell him that either he reports the incident or you will.
4. Could face disciplinary action if you attempt to cover it up, could face staff retaliation if you don't report it, CSI Jack would not be in any trouble if he reports it.
5. Report the incident, end the "after hour" meetings as they shouldn't have had a "blanket" of immunity from inappropriate acts.
6. Corrections subculture says that you don't report the wrongdoing of other staff.
7. You gave your word that there would be total amnesty in these meetings.

Choices: Meeting the Ethical Challenge Case Study #2

Read the following case study and follow the instructions at the end.

Your position as a Parole Officer has been rewarding and you enjoy the interaction with your clients and their families. You've always had a high regard for your profession and the responsibilities that go with it.

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Of all your clients, Bill Johnson has made a real effort to make it through his parole requirements and has been attending all required meetings and therapy without fail. As required, he meets with you once a week to discuss his progress and to address any problems that may arise. You're sure this will be another routine meeting, as he has been on your case load for the last 9 months, however today is different. He is very reserved and doesn't want to discuss the past week. After 30 minutes of conversation he tells you that he has been informed by his doctor that he is HIV positive.

After your meeting you refer to your policy manual and see that you are required by statute to only reveal this information to the county health authority who will then contact any significant others of the infected individual. You then prepare a report for the county official and give it to your secretary for typing.

As you are getting ready to leave for the day a young lady enters your office and introduces herself as the fiancée of Bill Johnson. She says that she has been worried about her fiancé and was here to see if there was a problem with his parole. She then becomes angry, stating that while she was waiting to see you she overheard your secretary talking about her fiancée to another staff member. Your secretary had said that he had AIDS and she is demanding to know if it's true.

In your groups you need to select a spokesperson and a recorder (to record the group's findings and decisions). Then as a group you are to use the Five Step Decision Making process to come to the *best* course of action. You will have approximately 20 minutes to complete your project.

1. Clarify the issues and identify the stakeholders.
2. Cite any laws or policies that may support your answer.
3. Identify the alternatives.
4. Identify the consequences of each alternative.
5. Choose the *best* course of action.
6. How did the rules of the subculture effect your decision?
7. What other influences might have played upon your decision?

Case Study #2 Responses:

1. The issue is confidentiality and you will have a follow-up issue to deal with, in the form of your secretary violating confidentiality. The stakeholders are you, the offender, his fiancée, the agency.
2. Federal law and State Statute govern confidentiality.
3. You could tell her the truth about the offender, you could lie and tell her she misunderstood or you could tell her that you can't discuss the issue because it is confidential.



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4. You could be held accountable for violating the civil rights of the offender, you could lose the trust of the offender and his family, you could lose your job, nothing if you refuse to discuss it.
5. Tell her that it is a confidential issue and you can't discuss it. If she continues to insist you need to refer her to your supervisor, after you brief them on the situation.
6. Corrections subculture dictates that we protect one another, even if it means violating the confidentiality of offenders. This is not the best course of action, but may weigh heavily in our decision making process.
7. You may believe that you have a moral obligation to inform others that may have been affected by the offender's behaviors. Sometimes the seemingly correct course of action may not be legal or within the guidelines of policy.



Choices: Meeting the Ethical Challenge ***Case Study #3***

Read the following case study and follow the instructions at the end.

You are at your office when you receive a telephone call from your brother. Your brother tells you that your sister's boyfriend has threatened your sister and has beaten her up. Your sister refuses to stop seeing him because she knows that he is a good person and has never done this type of thing before. Your brother is very upset and wants to know if you can use your position as a Parole Officer to find anything out about the boyfriend so he can convince your sister to stop dating him. Before you can answer he says he has to go but will call you back later. For your own peace of mind you use the computer to review the boyfriend's criminal history and discover that he has a history of domestic violence. While you are reading the information your brother calls you back and asks if you've found anything out.

In your groups you need to select a spokesperson and a recorder (to record the group's findings and decisions). Then as a group you are to use the Five Step Decision Making process to come to the *best* course of action. You will have approximately 20 minutes to complete your project.

1. Clarify the issues and identify the stakeholders.
2. Cite any laws or policies that may support your answer.
3. Identify the alternatives.
4. Identify the consequences of each alternative.
5. Choose the *best* course of action.

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6. How did the rules of the subculture effect your decision?
7. What other influences might have played upon your decision?

Case Study #3 Responses:

1. Violate policy by using state equipment for personal use and violate confidentiality policy. You, your brother, your sister, the sister's boyfriend, the agency.
2. State Statute & policy.
3. Tell your brother what the computer said, refuse to say anything due to confidentiality, call the boyfriend yourself or call your sister and let her know.
4. You could be held accountable for all, except refusing to relate the information, due to confidentiality and civil rights policies.
5. Don't tell. Your brother shouldn't have asked you.
6. In this case the corrections subculture would say forget about the rules and do what you need to do to protect your family.
7. The fact that this involves a family member makes it even harder to do the right thing.

Choices: Meeting the Ethical Challenge ***Case Study #4***

Read the following case study and follow the instructions at the end.

You are a caseworker at a correctional facility where one of your responsibilities is to make room assignments for the offenders. Assignments for room and bed changes are made on a "first come first served" basis and you keep the only log, which ensures that the correct order is maintained. As your unit has an open bay sleeping area, as well as two man cells, one of the most common requests is to move from the bay to a cell.

While reviewing your change requests you notice that next on the list to move to a cell is offender Jones, with whom you have had several conflicts. These conflicts have never led to a violation but have been a constant irritation. Just prior to making your room assignment changes your porter, who is an excellent worker and whose personality you like, comes in and requests to move from the bay into the room that you were moving offender Jones. If you don't move your porter now, it could be several weeks before another opening is available.



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In your groups you need to select a spokesperson and a recorder (to record the group's findings and decisions). Then as a group you are to use the Five Step Decision Making process to come to the *best* course of action. You will have approximately 20 minutes to complete your project.

1. Clarify the issues and identify the stakeholders.
2. Cite any laws or policies that may support your answer.
3. Identify the alternatives.
4. Identify the consequences of each alternative.
5. Choose the *best* course of action.
6. How did the rules of the subculture effect your decision?
7. What other influences might have played upon your decision?



Case Study #4 Responses:

1. While the surface issue is which inmate deserves the room change, real the issue is the trust and credibility that your position holds and how your decision will affect it. The stakeholders are you, the unit, the offenders involved and the agency.
2. Code of Conduct.
3. Move your porter, move the inmate who asked first.
4. You would lose credibility if you moved your porter first, you could lose your porter.
5. Move the inmate who asked first.
6. The view of the corrections subculture is not clear in this case. Some employees believe that offenders "don't have anything coming" regardless of their conduct. Some employees may believe it to be best to reward the offender with the better conduct.
7. While personal feelings toward offenders should not enter into your decision making process, it may be difficult in this case to turn off the negative feelings about the offender with the poor behavior.

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Case Study #5

Read the following case study and follow the instructions at the end.

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You are a Corrections Classification Assistant. One of the responsibilities of your position is to inventory offenders' property when they are removed from the housing unit. As you are inventorying offender Perry's property you recognize the handwriting on some of his paperwork, but the handwriting you recognize is not the offender's. The handwriting belongs to a good friend of yours. She is the secretary in another work area. Curiosity gets the best of you and you read one of the notes. You discover that it is a love letter from your friend, the employee, to offender Perry.

1. Clarify the issues and identify the stakeholders.
2. Cite any laws or policies that may support your answer.
3. Identify the alternatives.
4. Identify the consequences of each alternative.
5. Choose the *best* course of action.
6. How did the rules of the subculture effect your decision?
7. What other influences might have played upon your decision?



Case Study #5 Responses:

1. The issue is a staff member having inappropriate relations with an offender. A secondary issue is whether you share the information that you have discovered. The stakeholders are you, the offender and the other employee.
2. State statute and Departmental Policy provides employees with guidelines for appropriate relationships with offenders.
3. There are several options here. You can confront the employee and hope that the relationship ends. You can tell the investigator, you're supervisor, or the employee's supervisor and hopefully resolve the issue. You can do nothing and allow the relationship to continue.
4. Doing nothing runs the risk of jeopardizing the safety of the employee involved in the relationship and it jeopardizes the safety and security of the entire institution. You also jeopardize the integrity of all staff in the institution. Reporting your findings may preserve the safety of the institution and those involved, but you run the risk of being labeled a snitch.
5. Tell! Report your findings.

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Choices: Meeting the Ethical Challenge **Case Study #6**

Read the following case study and follow the instructions at the end.

You are a Parole Officer. You and your partner are making a home visit. The visit is routine and as you start to leave the offender asks your partner if he needs an old television. The offender goes on to explain that he has purchased a newer, bigger TV and doesn't have any place to put the old one. Your partner looks at the TV and states that it would be nice to have in his garage to watch when he's in there working. You state to the offender that as Parole Officers you're not allowed to accept gifts from offenders. Your partner look at you and states, with a wink, "that's true but if the TV was placed out on the curb to be picked up with the trash then it would just be discarded property." The offender smiles at your partner and carries the TV out to the curb and walks off. Your partner picks up the TV and places it in the trunk of his car. You and your partner then return to the office.

In your groups you need to select a spokesperson and a recorder (to record the group's findings and decisions). Then as a group you are to use the Five Step Decision Making process to come to the *best* course of action. You will have approximately 20 minutes to complete your project.

1. Clarify the issues and identify the stakeholders.
2. Cite any laws or policies that may support your answer.
3. Identify the alternatives.
4. Identify the consequences of each alternative.
5. Choose the best course of action.
6. It was going to be thrown away anyway. It's not a gift.
7. Your partner is an obvious influence. Hopefully your good judgement influences you to not be a part of this.

Case Study #6 Responses:

1. Although by the letter of the law the TV had been placed on the curb with the trash was discarded property this was clearly accepting an item from an offender.
2. Code of Conduct, policy.
3. Insist that your partner does not take the TV, or advise him that you are compelled to report this incident.



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4. If you don't take action to prevent this or report it then you are equally guilty of the wrong doing.
5. Report the incident if he takes the TV.



Choices: Meeting the Ethical Challenge Case Study #7

Read the following case study and follow the instructions at the end.

Over a period of twenty-three years, Janice Foulter, Ruby Hunkenshiemer and Lilly Poe had worked in the same office for a state agency that was responsible for manufacturing executive ink pens. One afternoon while on break, a conversation ensued between these three workers. Lilly Poe mentioned that a person could make a lot of spare change if they had a couple of boxes of the executive pens to sell on their own. All three women were within twenty-four months of retirement and they all stated, "I would never do that," laughing about the comment.

Two months later, as shift change was occurring Janice Foulter observed Lilly Poe putting some executive ink pens in her lunch bag. Immediately Janice Foulter asked Ruby Hunkenshiemer what she should do. Ruby Hunkenshiemer did not want to believe that Lilly Poe would do such a thing. Finally, as Lilly Poe began to exit the facility she tripped over a piece of cement that had come loose. The executive ink pens fell all over the floor in front of all three women.

Describe the best course of action that should be taken considering the information provided.

In your groups you need to select a spokesperson and a recorder (to record the group's findings and decisions). Then as a group you are to use the Five Step Decision Making process to come to the *best* course of action. You will have approximately 20 minutes to complete your project.

1. Clarify the issues and identify the stakeholders.
2. Cite any laws or policies that may support your answer.
3. Identify the alternatives.
4. Identify the consequences of each alternative.
5. Choose the *best* course of action.
6. How did the rules of the subculture effect your decision?
7. What other influences might have played upon your decision?

Case Study #7 Responses:

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1. Taking state property for personal gain. All three women are stakeholders.
2. Taking the pens is theft.
3. Don't tell. Address Lilly privately and hope she doesn't do it again. Tell.
4. Not telling means that you are jeopardizing your job. If administration becomes aware that you knew and didn't tell, you are as liable as Lilly. If you do tell, Lilly runs the risk of being fired so close to retirement.
5. Report what you saw.
6. Subculture says don't tell. There are no other witnesses and can be handled on a very informal level.
7. They're all close to retirement and don't want any problems.

Note to Trainer: Once groups are done have each group's spokesperson relate the case study to the main group and provide the responses to the questions. Once all the groups have finished, ask the entire group the following processing questions.

Ask Participants: Why is it important to clarify the issue?

Possible Response: You need to know what is involved and who is involved so that your decision can be clearly determined.

Ask Participants: Where can you go for assistance when confronting an ethical dilemma?

Possible Response: You should go to someone you trust - a mentor, an experienced peer perhaps a supervisor.

In general, you can use your conscience as a guide. If you use sound reasoning, act in good faith, do your job fairly and honestly, respect the rights of others, and follow the rules and regulations of the agency, you will avoid most ethical problems. However, don't think that making ethical decisions are easy and don't come with consequences.

EVALUATION/CLOSURE

Ask Participants: How would you define "ethics"?



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Possible Response: The study of good and bad, right or wrong.

Ask Participants: How can you use the “code of conduct” and/or Professional Principles to increase the respect of the organization?

Possible Response: By acting ethically I will represent the organization in a positive manner and will reflect this through my actions.

Ask Participants: What decision making steps can you use to help you make ethical decisions?

Possible Response: Identify the facts and the stakeholders, review any laws or policies to see if my question has already been answered, look at the alternatives and look at the consequences before making a decision.

Ask Participants: How can loyalty negatively affect the agency?

Possible Response: If the loyalty is misplaced we can damage the integrity of the agency. While loyalty is a commendable quality we must make sure that the proper subject receives it.

Lets take another look at the performance objectives that we started with today.

1. Define ethics and explain why adhering to a code of ethics is important for the image of corrections;
2. Examine the Department’s Professional Principles and ascertain how it affects your ability to perform your job;
3. Analyze why staff go outside the rules and ascertain how this affects the Department’s image;
4. Discuss loyalty and decide how it can impact the ability to make the ethically correct choice; and
5. Analyze ethical dilemmas and use the five step decision making model to determine the best course of action.

In the future you will be making ethical decisions on a daily basis. Some will be simple but some may have tremendous impacts on the offenders, the staff the organization and the profession. Make sure that you make the correct choice – the ethical choice.



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Remember that a good staff member is an effective role model to staff and offender. They treat offenders fairly with no favoritism. They follow the rules. They assess situations and decide which action is appropriate. They give offenders the respect they deserve as a human being. A good staff member is ethical.

TRAINER NOTES

