

Module 4: Standard Decisionmaking Process for Ethical Decisions

Time Required

1 hour

Purpose

This module teaches participants a standard process for making ethical decisions and how to use the process.

Lessons

1. The Decisionmaking Process (25 minutes)
2. Common Ethical Issues (35 minutes)

Learning Objectives

By the end of the module, participants will be able to:

- State the steps in the standard decisionmaking process.
- Use the standard decisionmaking process when faced with an ethical dilemma.

Equipment and Materials

- Disclosing Victim vignette (disclose_victim.mpg on CD).

Participant Worksheets

- Worksheet 4.1, The Decisionmaking Process
- Worksheet 4.2, Disclosing Victim Vignette
- Worksheet 4.3, Common Ethical Issues

Participant Handouts

Handout 4.1, Decisionmaking Process: Steps 1-6 – one per participant

Preparation

- View the Disclosing Victim Vignette.
- Prepare a sheet on the tear sheet titled “Potential Benefits.” This sheet is used in the Decisionmaking Process lesson.

Introduce the Module



Show **Visual 4-1** and present the objectives for the module.

1. The Decisionmaking Process (25 minutes)



Show **Visual 4-2** and introduce the lesson.

Tell participants that you will:

- *Present the decisionmaking process.*
- *Show a vignette.*
- *Demonstrate how the decisionmaking process can be used in the situation presented in the vignette.*

Ask participants:

What are the potential benefits of using a standard process to make decisions when faced with an ethical dilemma?

Post the responses on the tear sheet.

Allow 5 minutes for this discussion.

Direct participants to Worksheet 4.1, The Decisionmaking Process.



Show **Visual 4-3** and present the six-step decisionmaking process.

1. Assess the facts. Review all relevant documents and legislation. Verify all sources of information.
2. Identify relevant standards and practical considerations. What ethical standards and corresponding practical considerations are in conflict?
3. Brainstorm at least three (preferably more than five) courses of action and consequences of each.
4. Consult peers or supervisor.
5. Choose the best option and act.
6. Evaluate: How can this situation be avoided in the future?



Show **Visual 4-4** and introduce the activity.



Activity: Disclosing Victim Vignette

1. *Direct participants to Worksheet 4.2, Disclosing Victim vignette, in the Participant's Manual.*
2. *Ask them to read the background for the vignette they are about to see.*
3. *Run the Disclosing Victim vignette* (Disclose_victim.mpg on Ethics in Victim Services CD).
4. *Ask participants: what is the ethical dilemma that Deborah Giles is facing?*



Show **Visual 4-5**.

Tell participants that you will now demonstrate how to use the six-step decision-making process to determine the best course of action for Deborah Giles.

Tell participants that the process related to the Disclosing Victim vignette is on **Handout 4.1, The Decisionmaking Process: Steps 1-6**, which you will hand out at the end of this section.

Tell participants that the first step is to **assess the facts**.

Paraphrase the following information:

- Paulina Mantegna is a teenager who has been traumatized by her experience as a victim of criminal sexual assault.
- When law enforcement questioned Paulina about whether she had sexual intercourse prior to the rape, she denied it though, in fact, she had sexual intercourse with her brother's roommate on one occasion prior to the rape. This information, if known, could affect the outcome of the plea bargain.
- Deborah Giles, as an employee of the prosecutor's office, has the obligation to tell the prosecutor any information pertinent to a case.
- A community-based victim assistance provider might approach the confidentiality issues from a different angle.

Ask participants: are there any other facts to be added?

Tell participants that the second step is to **identify relevant standards and practical considerations.**

Ask participants: what are the ethical standards and practical considerations for each standard?



Post them on the tear sheet. Ensure that the following are included:

Ethical Standards

1.1 Obligations within the service delivery system.

3.2 Best interests of person served

3.5 Confidentiality issues

Practical Considerations

Deborah should explain the limits of confidentiality to Paulina.

Deborah must keep in mind what is best for Paulina and treat her with respect and courtesy.

Deborah is obligated to report pertinent information to the prosecutor.

Tell participants that the third step is to **brainstorm options and consequences**.
Paraphrase the following three options and consequences.

1. Deborah convinces Paulina to keep quiet about having had sexual intercourse prior to the rape.

Pro: Paulina's attacker gets the maximum punishment for his crime.

Con: Deborah puts her job in jeopardy if the truth comes out that she withheld information from the prosecutor. Paulina may be left with feelings of guilt for lying.

2. Deborah promises not to tell anyone what Paulina has revealed to her, but she encourages Paulina to tell the prosecutor.

Pro: Deborah keeps Paulina's trust by promising not to tell. By putting the decisionmaking responsibility on Paulina, Deborah feels exonerated from taking action.

Con: Deborah puts her job in jeopardy if the truth comes out that she withheld information from the prosecutor.

3. Deborah explains to Paulina that she, as an employee of the prosecutor, cannot keep this information confidential. She offers to accompany Paulina through the process of setting the record straight.

Pro: Deborah fulfills her obligations as a victim assistance provider at the prosecutor's office. Paulina takes responsibility for her actions.

Con: Paulina may feel betrayed. The plea bargain may be affected. Jake will probably receive a lighter sentence because Paulina is perceived to be less credible.

Ask participants: do you want to include any additional options?
Post them on the tear sheet.



Tell participants that the fourth step is to **consult with peers or supervisor**.
Ask participants: what choice would they make?

Tell participants that the fifth step is to **choose the best option and act**.
Ask participants: what option seems to be the most ethical decision? Why?

Tell participants that the sixth step is to **evaluate how the situation can be avoided in the future.**



Ask participants for suggestions. Post them on the tear sheet.

Ensure that the following information is included:

Deborah should always stress to crime victims the importance of telling the truth from the beginning. She is also obligated to be certain that crime victims understand the limits to confidentiality within the prosecutor's office.

Ask for any reactions they have to applying the decision-making process to this case scenario.

2. Common Ethical Issues (35 minutes)



Show Visual 4-6 and introduce the lesson.



Show Visual 4-7.

Tell participants that these are common ethical issues faced by victim assistance providers. *Ask them if they have other examples of ethical issues.*



Show Visual 4-8 and introduce the activity.



Activity: Common Ethical Issues

1. *Direct participants to Worksheet 4.3, Common Ethical Issues.*
2. *Form five groups of participants. Ask each group to identify one ethical dilemma they personally have faced as a victim assistance provider. Using Worksheet 4.3, ask each group to record the situation, the ethical standards that apply, and some of the actions the victim assistance provider could take to resolve the dilemma. Allow 15 minutes for group work.*
3. *Allow each group 10 minutes to present their ethical dilemma and some solutions. Draw out common themes and grey areas.*



Show Visual 4-9 and review the objectives for the module.

Worksheet 4.1

The Decisionmaking Process

1. Assess the facts. Review all relevant documents and legislation. Verify all sources of information.
2. Identify relevant standards and practical considerations. What ethical standards and corresponding practical considerations are in conflict?
3. Brainstorm at least three (preferably more than five) courses of action and consequences of each.
4. Consult your peers or your supervisor.
5. Choose the best option and act.
6. Evaluate: How can this situation be avoided in the future?

Worksheet 4.2

Disclosing Victim Vignette

Deborah Giles is a victim assistance provider in a prosecutor's office. For the past 5 months, Deborah has been working with Paulina Mantegna, a young woman who is a victim of criminal sexual assault. The case against Paulina's rapist is about to plead out.

A call has been patched through to Deborah's home phone. As this scenario opens, we hear the phone ring in Deborah's apartment.

Worksheet 4.3

Common Ethical Issues

State the ethical issue.

What standards are relevant to this issue?

What practical considerations should the victim service provider be aware of?

Handout 4.1

Decisionmaking Process: Steps 1- 6

Step 1: Assess the facts.

- Paulina Mantegna is a teenager who has been traumatized by her experience as a victim of criminal sexual assault.
- When law enforcement questioned Paulina about whether she had sexual intercourse prior to the rape, she denied it though, in fact, she had sexual intercourse with her brother's roommate on one occasion prior to the rape. This information, if known, could affect the outcome of the plea bargain.
- Deborah Giles, as an employee of the prosecutor's office, has the obligation to tell the prosecutor any information pertinent to a case.
- A community-based victim assistance provider might approach the confidentiality issues from a different angle.

Step 2: Identify relevant standards and practical considerations.

Ethical Standards

1.1 Obligations within the service delivery system.

3.2 Best interests of person served

3.5 Confidentiality issues

Practical Considerations

Deborah should explain the limits of confidentiality to Paulina.

Deborah must keep in mind what is best for Paulina and treat her with respect and courtesy.

Deborah is obligated to report pertinent information to the prosecutor.

Step 3: Brainstorm options and consequences.

1. Deborah convinces Paulina to keep quiet about having had sexual intercourse prior to the rape.

Pro: Paulina's attacker gets the maximum punishment for his crime.

Con: Deborah puts her job in jeopardy if the truth comes out that she withheld information from the prosecutor. Paulina may be left with feelings of guilt for lying.

2. Deborah promises not to tell anyone what Paulina has revealed to her, but she encourages Paulina to tell the prosecutor.

Pro: Deborah keeps Paulina's trust by promising not to tell. By putting the decisionmaking responsibility on Paulina, Deborah feels exonerated from taking action.

Con: Deborah puts her job in jeopardy if the truth comes out that she withheld information from the prosecutor.

3. Deborah explains to Paulina that she, as an employee of the prosecutor, cannot keep this information confidential. She offers to accompany Paulina through the process of setting the record straight.

Pro: Deborah fulfills her obligations as a victim assistance provider at the prosecutor's office. Paulina takes responsibility for her actions.

Con: Paulina may feel betrayed. The plea bargain may be affected. Jake will probably receive a lighter sentence because Paulina is perceived to be less credible.

Step 4: Consult with peers or supervisor.

Which is the most appropriate and why?

Step 5: Choose the best action and act.



In this scenario, option 3 above seems to be the most ethical decision.

Step 6: Evaluate: How can this situation be avoided in the future?

Deborah should always stress to crime victims the importance of telling the truth from the beginning. She is also obligated to be certain that crime victims understand the limits to confidentiality within the prosecutor's office.

Module 4

Standard Decisionmaking Process for Ethical Decisions



Learning Objectives

- ❖ State the steps in the standard decisionmaking process.
- ❖ Use the standard decisionmaking process when faced with an ethical dilemma.

4-2

The Decisionmaking Process

4-3

Decisionmaking Process

1. Assess the facts.

2. Identify relevant standards and practical considerations.

3. Brainstorm options and consequences.

4. Consult with peers/supervisor.

5. Choose best option and act.

6. Evaluate.

4-4

Activity

Disclosing Victim Vignette

Worksheet 4.2

4-5

Decisionmaking Process

1. Assess the facts.

2. Identify relevant standards and practical considerations.

3. Brainstorm options and consequences.

4. Consult with peers/supervisor.

5. Choose best option and act.

6. Evaluate.

4-6

Common Ethical Issues

4-7

Common Ethical Issues

- ❖ Boundary issues and multiple relationships
- ❖ Confidentiality
- ❖ Legal advocacy versus legal advice
- ❖ Professional competence

4-8

Activity

Common Ethical Issues
Worksheet 4.3

4-9

Review of Module Learning Objectives

- ❖ State the standard decisionmaking process.
- ❖ Use the standard decisionmaking process when faced with an ethical dilemma.



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4-10
