

Thursday January 10, 13

Come up with things that are "ethical issues" and maybe 1 or 2 that are "ethical Dilemmas"

The importance of CJ ethics

- "Without justice, what are kingdoms but great robberies?"
- only by being moral can criminal justice be distinguished from the very crime it condemns
- the CJ profession uniquely involves the use of coercion
 - o therefore, CJ professionals must be able to quickly and fully recognize both ethical dilemmas and the consequences of their decisions
- SO making sure that CJ professionals behave in a moral and ethical manner is very important
 - o Because there is a greater potential for abuses of that authority
 - Circumventing due process, treating people differently based on extra-legal characteristics, inappropriate use of physical force
- Finally, studying ethics sensitizes future CJ professionals to common ethical issues in the field and provides them with the tools to resolve specific ethical dilemmas

Application to Criminal Justice

- Is it morally/ethically acceptable:
 - o To frame a dangerous criminal?
 - o To single out certain individuals based on their race or ethnicity?
 - o To push for a plea bargain when a trial might result in a more favorable outcome?
 - o To defend a client who is guilty?
 - o To house drug and property offenders with violent offenders?
 - o To release inmates due to prison overcrowding?

Morals vs. ethics

- Morals:

- o The standards of behavior that are good in ways that are neutral among people and in ways that all reasonable people can understand
- Ethics
 - o The philosophical study of morality
 - The study of the principle that justify moral standards
 - -i.e., what makes fairness good? What makes intolerance bad?
- Occupational ethics
 - o Ethics also refers to the moral standards that apply to particular occupations
 - i.e., politicians' oath of office, doctors' Hippocratic Oath, or police officers' duty to protect and serve
- Criminal Justice ethics
 - o The study of whether and how criminal justice is moral, and what specific moral standards apply to criminal justice agents

Morals vs. Duties

- Duties
 - o Behaviors that an individual must perform in order to be considered moral
 - Usually specific to one's occupation
 - E.g., it is a firefighter's or a police officer's duty to save a life, but not the average citizen's
 - i.e., a superogatory action

Morals vs. Values

- Values
 - o Judgments of worth of attitudes, statements, and behaviors
 - Factual judgments vs. value judgments
 - Values indicate the relative importance of engaging in moral or immoral behaviors
 - E.g., cheating is morally wrong, but if you value success more than "doing the right thing," then you will be more likely to cheat

An important note about values

- Your values often determine whether you will adhere to or break away from your moral principles

- o So just because you would do something does not mean that you think it is the moral thing to do
- For example, would anyone torture the mad bomber to save lives even if you still believed that torture was immoral?
 - o This is VASTLY different than believing that it is moral to use torture to save lives
- UNDERSTAND THE DIFFERENCES BETWEEN MORALS AND VALUES

Morality and the Law

- Morals define which behaviors are “good”
- Vs.
- Laws define which behaviors are punishable,
- But
- Unlawful behavioral does not equal immoral behavior
- Immoral behavior does not equal unlawful behavior

Moral vs. Legal Culpability

- Knowing that her daughter is terminally ill and in extreme pain, a mother goes into the hospital, kisses her on the forehead, and then fatally shoots her
 - o Is she legally culpable of murder?
 - o Is she morally culpable?

Ethical Issues vs. Ethical Dilemmas

- Ethical Issues
 - o Broad social and criminal justice question that includes controversy over the “right” thing to do
 - Must have two sides, otherwise no controversy
 - No one truly “right” answer
 - Moral principles may be the same, but values and laws decide which moral principles are more important for certain people
 - E.g., police use of tasers, the death penalty, plea bargaining, drug legalization, abortion, tax hikes, gun rights, religion in schools, etc.
 - How might different values or laws influence the moral principles involved in each example?
- Broader ethical issues encompass a vast array of specific ethical dilemmas