

Module 5: Case Studies

Time Required

1 hour

Purpose

This module provides practice in using the standard process for making ethical decisions given an ethical dilemma.

Lesson

Case Study (60 minutes)

Learning Objective

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

- Use the standard decisionmaking process given a particular ethical dilemma.

Equipment and Materials

No special equipment or materials are required.

Participant Worksheets

- Worksheet 5.1, The Decisionmaking Process
- Worksheet 5.2, Case Study

Instructor Worksheet

- Worksheet 5.2, Case Study (Instructor Only)

Preparation

- Read the case studies.

Introduce the Module



Show **Visual 5-1** and present the objective for the module.

Tell participants that they now have the opportunity to apply the decisionmaking process to two case studies.

Case Study (60 minutes)



Show **Visual 5-2** and introduce the lesson and activity.



Activity: Case Study

1. *Tell the participants that they are going to be using Worksheet 5.1, The Decisionmaking Process, to complete the case studies.*
2. *Form five groups of participants and assign one of the cases from Worksheet 5.2, Case Study, to each group.*
3. *Tell participants that each group is to use the decisionmaking process with the assigned case study and then report back to the full group.*
4. *Show Visual 5-3 and explain what each group will report on their case study.*

Allow 15 minutes for the group work.

5. *Ask each group to present their case. Allow 10 minutes for each group.*



Show **Visual 5-4** and review the objectives for the module.

Worksheet 5.1

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 5.2

Case Study

1. Blake and Philip

Blake is the victim advocate in the Surry County Sheriff's Department. He recently had a case that posed a dilemma for him. His sister has been through a traumatic divorce and her minister Philip helped her through it. A woman in the choir has accused the minister of molesting her during a counseling session. Blake is certain that Philip could not be guilty. In fact, he knows from his sister that there are factions within the church that are trying to get rid of the minister. Some members think he takes the Bible too literally. This accusation could be a ploy to ruin the minister's name.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

2. Carrie and Maria

Carrie is a victim assistance provider with a private nonprofit agency that serves victims of sexual assault. She has recently started working with Maria, who refuses to leave her abusive husband though he frequently assaults her sexually. Carrie has suggested that Maria talk to a counselor, and Maria has agreed, provided she can see an Hispanic female counselor. Carrie's agency has a practice of referring victims to a counseling group that is regarded as having special expertise in working with crime victims. The director of the group, Brooke, works hard to accommodate sexual assault victims and be supportive of Carrie's agency. Brooke and Carrie have become friends. In fact, their families have vacationed together several times at Brooke's mountain home. Carrie knows that Brooke has recently hired an Hispanic male counselor in an effort to meet the cultural needs of clients, but Maria keeps saying that she cannot relate to a man.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

3. Kayla, Liz, and Kate

Kayla, a sworn officer at a law enforcement agency, has recently taken on the role of victim assistance provider at the agency. She is riding with Frieda, another officer, to respond to a domestic violence report, which turns out to be at the home of a lesbian couple. Kayla sees that one of the women, Kate, has bruises around her wrists and neck (evidence of previous abuse), and her nose is bleeding. The woman seems terrified but submissive to the other, more outspoken woman, Liz. Kate readily agrees with Liz's story that Kate ran into a door and broke her nose. Although the state's domestic violence laws do not apply to homosexual couples, Kayla thinks that she and Frieda should make an arrest on assault and battery, but Frieda treats the women with condescending indifference and leaves without making an arrest. In the car, she tells Kayla that a couple of dykes can beat each other up all they want as far as she is concerned.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

4. Teresa and Mandy

Teresa works at a local domestic violence shelter. She has taken a couple of counseling classes but has no formal training as a therapist or mental health professional. She has recently gained the trust of Mandy, a client who was abused as a child and has recently left an emotionally and physically abusive relationship. Teresa soon realizes that Mandy has serious mental health issues and needs additional therapy. Mandy expresses a deep-seated mistrust of “shrinks” because she became sexually involved with one therapist 10 years ago. The relationship did not last and she felt betrayed.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

5. Sally and Jeffrey

Sally is a victim assistant who facilitates a homicide survivor support group. She has been working closely with Jeffrey, whose life partner was murdered. Sally knows that Jeffrey is battling a cocaine addiction, and she has helped him secure drug treatment out of state. Sally recently learned that Jeffrey was arrested as an uninsured driver after wrecking another person's sports car, which has raised her concerns about whether he is still actively using cocaine. The passenger in the car was seriously injured. Jeffrey passed the breathalyzer test, but the district attorney's office thinks he might have been high on something else. Today, Sally received a voicemail message from a prosecutor she has known for years asking her to come in to discuss Jeffrey. Sally knows that there is no statutory protection of confidential privilege for providers in the state where she lives and works.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

6. Frances and Skip

Frances's son was killed in a car accident last year, and she is now going through a painful divorce. She is taking over-the-counter and prescription medications to help her cope. Her friend and fellow victim assistance provider, Skip, who has worked with Frances for several years, has noticed she has been neglectful of her clients, failing to return phone calls or keep up with case documentation. Several times she has asked Skip to cover for her. Recently he found out that she has had dinner a couple of times with a married man, a client with whom she has been working for a couple of months. When Skip asks Frances about it, she replies that the man just wants to express his gratitude. Skip knows that Frances is going through a rough time and is looking for solace wherever she can find it, but he also knows that her actions are inappropriate.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

7. Chana, Tanya, and Rosanne

Chana is a trauma counselor who works with high school teenagers who have been victims of child molestation. Two of her most problematic cases are Tanya and Rosanne, who are best friends and always at risk of suspension from school as chronic troublemakers. Tanya is generally the instigator of the trouble, but Rosanne is her loyal follower. Chana feels that her professional relationship with Tanya is ineffective and wants to refer her elsewhere, but she is also aware that she responds negatively to Tanya because of her bad behavior. Rosanne, on the other hand, is quite receptive to treatment, particularly when she is free of Tanya's negative influences. Chana fears that she may lose Rosanne's interest and possibly her trust if she terminates the relationship with Tanya. Clearly, the two girls talk about their meetings with Chana and share experiences which may be the only way Tanya is benefiting, albeit indirectly, from treatment.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

8. Carolyn and Grassroots Groups

Carolyn, who is white, has a large grant to provide assistance to the five culturally and ethnically diverse populations that have started grassroots homicide survivor groups in the city. Her role as a strategic planner/victim assistance provider is to help them assess their needs as an organization, to assist them in applying for not-for-profit status, and to help them become self-sufficient as support groups for survivors. Carolyn believes that she is color blind – that race and culture are not factors in her job. However, many of the members of the grassroots groups feel that she does not understand them. Over a period of months they have been increasingly frustrated by her stereotypical views about their cultures. When they ask her to bring in interpreters and members of their own communities to assist her, she replies that the money will be better spent hiring lawyers to secure the not-for-profit status.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

9. Jane and Linda

Jane works as a victim assistance provider in a nonprofit counseling center. Linda, her newest client, is a Native American activist working to reclaim land for the Lakota tribe. Linda was beaten up 3 weeks ago in a heated argument during a land claims meeting. Linda does not want to report the incident because she believes it will reflect poorly on the activist group. In conversation, Linda reveals that her religion has been central to the process of healing from this violence. She belongs to a Native American church that uses peyote as part of its religious ceremonies, particularly those involving healing. Although some argue that peyote is legal because of freedom of religious practice, Native Americans who have gone up against the courts in the past have often lost their cases. Now Jane has found out that Linda's 10-year-old son also participates in the healing ceremonies to help him get over the paranoia and fear he has been experiencing since his mother was attacked.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

10. Charlotte and Teisha

Teisha has been battling her husband Andre for custody of their two sons. They have filed for divorce after 3 years of marriage during which they had five domestic violent incidents involving law enforcement. Charlotte, a victim advocate with the sheriff's department, has been assisting Teisha throughout her troubled marriage. A couple of weeks prior to the custody hearing, Teisha convinced Andre to meet for dinner without their lawyers and try to work some things out on their own. The evening ended in another domestic violence incident that left Teisha with a black eye and sprained wrist. She called Charlotte the next morning and vehemently expressed her desire to report the incident. Charlotte understands Teisha's anger but is afraid that reporting Andre may jeopardize custody of Teisha's sons, considering that Teisha talked Andre into meeting without the lawyers and that Teisha also left a nasty scratch on Andre's face.

Ethical Standards

Practical Considerations

Three options and consequences for each:

1.

2.

3.

Chosen course of action:

How can this situation be avoided in the future?

Worksheet 5.2 (Instructor Only)

1. Blake and Philip

Blake is the victim advocate in the Surry County Sheriff's Department. He recently had a case that posed a dilemma for him. His sister has been through a traumatic divorce and her minister Philip helped her through it. A woman in the choir has accused the minister of molesting her during a counseling session. Blake is certain that Philip could not be guilty. In fact, he knows from his sister that there are factions within the church that are trying to get rid of the minister. Some members think he takes the Bible too literally. This accusation could be a ploy to ruin the minister's name.

Examples of how the standards might apply to this scenario:

- Standard 3.6. Previous relationships, whether familial, professional, personal, or business, create potential conflicts of interest which should be avoided.
- Standard 3.3. Blake should refrain from suspicion of the victim's account of the crime or any judgmental, anti-victim sentiment.

2. Carrie and Maria

Carrie is a victim assistance provider with a private nonprofit agency that serves victims of sexual assault. She has recently started working with Maria, who refuses to leave her abusive husband though he frequently assaults her sexually. Carrie has suggested that Maria talk to a counselor, and Maria has agreed, provided she can see an Hispanic female counselor. Carrie's agency has a practice of referring victims to a counseling group that is regarded as having special expertise in working with crime victims. The director of the group, Brooke, works hard to accommodate sexual assault victims and be supportive of Carrie's agency. Brooke and Carrie have become friends. In fact, their families have vacationed together several times at Brooke's mountain home. Carrie knows that Brooke has recently hired an Hispanic male counselor in an effort to meet the cultural needs of clients, but Maria keeps saying that she cannot relate to a man.

Examples of how the standards might apply to this scenario:

- Standards 1.4 and 3.8. Multicultural competency is part of professional competence, and insensitivity to culture can be considered a form of discrimination.
- Standard 3.6. Dual relationships with other providers can create a conflict of interest.
- Standard 3.4. Maria has the right to self-determination.
- Standard 2.1. Carrie needs to conduct relationships in a manner that promotes public confidence.

3. Kayla, Liz, and Kate

Kayla, a sworn officer at a law enforcement agency, has recently taken on the role of victim assistance provider at the agency. She is riding with Frieda, another officer, to respond to a domestic violence report, which turns out to be at the home of a lesbian couple. Kayla sees that one of the women, Kate, has bruises around her wrists and neck (evidence of previous abuse), and her nose is bleeding. The woman seems terrified but submissive to the other, more outspoken woman, Liz. Kate readily agrees with Liz's story that Kate ran into a door and broke her nose. Although the state's domestic violence laws do not apply to homosexual couples, Kayla thinks that she and Frieda should make an arrest on assault and battery, but Frieda treats the women with condescending indifference and leaves without making an arrest. In the car, she tells Kayla that a couple of dykes can beat each other up all they want as far as she is concerned.

Examples of how the standards might apply to this scenario:

- Standard 2.1. Kayla has an ethical obligation to treat her colleagues and professionals with whom she works in a way that promotes mutual respect and improvement of services.
- Standard 1.4. Multicultural competence is part of professional competence and includes gay, lesbian, bisexual, and transgender populations as well as ethnic and racial minority populations. In some states protective orders are unavailable to victims of same-sex domestic violence.
- Standard 4.1. Kay must report to appropriate authorities the conduct of any professional that constitutes mistreatment of a person served.
- Standards 3.2 and 3.9. Kate, as a victim, deserves to have services offered to her, and not offering those services can be considered discrimination.

4. Teresa and Mandy

Teresa works at a local domestic violence shelter. She has taken a couple of counseling classes but has no formal training as a therapist or mental health professional. She has recently gained the trust of Mandy, a client who was abused as a child and has recently left an emotionally and physically abusive relationship. Teresa soon realizes that Mandy has serious mental health issues and needs additional therapy. Mandy expresses a deep-seated mistrust of “shrinks” because she became sexually involved with one therapist 10 years ago. The relationship did not last and she felt betrayed.

Examples of how the standards might apply to this scenario:

- Standards 1.1 and 1.4. Part of being professionally competent is knowing one's own limitations and staying within the clearly defined range of responsibility. Teresa must make an outside referral.
- Standard 3.2. Teresa must also keep the client's fragile emotional and mental state in mind.

5. Sally and Jeffrey

Sally is a victim assistant who facilitates a homicide survivor support group. She has been working closely with Jeffrey, whose life partner was murdered. Sally knows that Jeffrey is battling a cocaine addiction, and she has helped him secure drug treatment out of state. Sally recently learned that Jeffrey was arrested as an uninsured driver after wrecking another person's sports car, which has raised her concerns about whether he is still actively using cocaine. The passenger in the car was seriously injured. Jeffrey passed the breathalyzer test, but the district attorney's office thinks he might have been high on something else. Today, Sally received a voicemail message from a prosecutor she has known for years asking her to come in to discuss Jeffrey. Sally knows that there is no statutory protection of confidential privilege for providers in the state where she lives and works.

Examples of how the standards might apply to this scenario:

- Standard 1.1. Driving under the influence of illicit drugs is criminal behavior.
- Standard 1.1 Providers should be fully informed and continually current regarding legal, statutory, policy, and agency authority.
- Standard 3.2. Sally must recognize the interests of the person serviced as her primary responsibility.
- Standard 3.5. Sally knows about Jeffrey's cocaine addiction but is not covered under confidential privilege. She should keep her clients informed about the limitations to confidentiality.
- Standard 1.3. Sally must keep a mutually respectful relationship with the district attorney's office.
- Standard 3.3. Jeffrey should not be condemned for past behavior.

6. Frances and Skip

Frances's son was killed in a car accident last year, and she is now going through a painful divorce. She is taking over-the-counter and prescription medications to help her cope. Her friend and fellow victim assistance provider, Skip, who has worked with Frances for several years, has noticed she has been neglectful of her clients, failing to return phone calls or keep up with case documentation. Several times she has asked Skip to cover for her. Recently he found out that she has had dinner a couple of times with a married man, a client with whom she has been working for a couple of months. When Skip asks Frances about it, she replies that the man just wants to express his gratitude. Skip knows that Frances is going through a rough time and is looking for solace wherever she can find it, but he also knows that her actions are inappropriate.

Examples of how the standards might apply to this scenario:

- Standard 1.3. Frances is not maintaining a high level of professional conduct.

- Standard 1.4. Frances's professional competence is being compromised by her high stress level and possibly by her medications.
- Standard 3.8. Frances is developing a dual relationship with a client.
- Standard 4.1. Skip has an obligation to report to the appropriate authorities conduct that constitutes mistreatment of a person served or that brings the profession into dishonor.
- Standard 2.1 Skip must also treat his colleagues in a way that promotes mutual respect.
- Standard 1.1. Skip must keep in mind the implications of his and Frances's actions within the service delivery system.

7. Chana, Tanya, and Rosanne

Chana is a trauma counselor who works with high school teenagers who have been victims of child molestation. Two of her most problematic cases are Tanya and Rosanne, who are best friends and always at risk of suspension from school as chronic troublemakers. Tanya is generally the instigator of the trouble, but Rosanne is her loyal follower. Chana feels that her professional relationship with Tanya is ineffective and wants to refer her elsewhere, but she is also aware that she responds negatively to Tanya because of her bad behavior. Rosanne, on the other hand, is quite receptive to treatment, particularly when she is free of Tanya's negative influences. Chana fears that she may lose Rosanne's interest and possibly her trust if she terminates the relationship with Tanya. Clearly, the two girls talk about their meetings with Chana and share experiences which may be the only way Tanya is benefiting, albeit indirectly, from treatment.

Examples of how the standards might apply to this scenario:

- Standard 3.7. Providers must terminate the professional relationship when a victim no longer benefits from the services offered, and the provider should prepare victims for this eventuality.
- Standard 3.3. Chana reacts negatively to Tanya's poor decisions and bad behavior.
- Standard 3.2. Chana must keep in mind what is in the best interests of both her clients.

8. Carolyn and Grassroots Groups

Carolyn, who is white, has a large grant to provide assistance to the five culturally and ethnically diverse populations that have started grassroots homicide survivor groups in the city. Her role as a strategic planner/victim assistance provider is to help them assess their needs as an organization, to assist them in applying for not-for-profit status, and to help them become self-sufficient as support groups for survivors. Carolyn believes that she is color blind – that race and culture are not factors in her job. However, many of the members of the grassroots groups feel that she does not understand them. Over a period

of months they have been increasingly frustrated by her stereotypical views about their cultures. When they ask her to bring in interpreters and members of their own communities to assist her, she replies that the money will be better spent hiring lawyers to secure the not-for-profit status.

Examples of how the standards might apply to this scenario:

- Standard 3.9. Carolyn's insistence that race and culture are not factors is a form of discrimination.
- Standard 3.4. The grassroots groups clearly disagree with Carolyn's approach.
- Standard 3.2. Carolyn's primary responsibility is to do what is in the best interest of those she serves.
- Standard 1.4. Carolyn should be sensitive to crime victims.
- Standard 1.1. Carolyn must keep in mind the implications of her actions within the service delivery system.

9. Jane and Linda

Jane works as a victim assistance provider in a nonprofit counseling center. Linda, her newest client, is a Native American activist working to reclaim land for the Lakota tribe. Linda was beaten up 3 weeks ago in a heated argument during a land claims meeting. Linda does not want to report the incident because she believes it will reflect poorly on the activist group. In conversation, Linda reveals that her religion has been central to the process of healing from this violence. She belongs to a Native American church that uses peyote as part of its religious ceremonies, particularly those involving healing. Although some argue that peyote is legal because of freedom of religious practice, Native Americans who have gone up against the courts in the past have often lost their cases. Now Jane has found out that Linda's 10-year-old son also participates in the healing ceremonies to help him get over the paranoia and fear he has been experiencing since his mother was attacked.

Examples of how the standards might apply to this scenario:

- Standard 1.1. Jane must find out what federal and state laws require regarding children and substance abuse of any kind.
- Standard 1.1. Jane must find out what federal laws apply to peyote and religious freedom in her state.
- Standards 1.4 and 3.8. Jane must respect Linda's values and religious practices.
- Standard 3.4. Jane needs to recognize Linda's right not to report the crime.
- Standard 3.5. Linda has the right to keep her story confidential.


10. Charlotte and Teisha

Teisha has been battling her husband Andre for custody of their two sons. They have filed for divorce after 3 years of marriage during which they had five domestic violent incidents involving law enforcement. Charlotte, a victim advocate with the sheriff's department, has been assisting Teisha throughout her troubled marriage. A couple of weeks prior to the custody hearing, Teisha convinced Andre to meet for dinner without their lawyers and try to work some things out on their own. The evening ended in another domestic violence incident that left Teisha with a black eye and sprained wrist. She called Charlotte the next morning and vehemently expressed her desire to report the incident. Charlotte understands Teisha's anger but is afraid that reporting Andre may jeopardize custody of Teisha's sons, considering that Teisha talked Andre into meeting without the lawyers and that Teisha also left a nasty scratch on Andre's face.

Examples of how the standards might apply to this scenario:

- Standard 1.1. Charlotte must keep in mind her role as legal advocate and not legal counsel. She cannot give legal advice to Teisha.
- Standard 3.4. Teisha has the right to self-determination.
- Standard 3.2. The victim assistance provider needs to keep the client's best interests in mind.

**Module 5
Case Studies**

 **OVCITAC**

Learning Objective

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

5-2

Activity

**Case Study
Worksheets 5.1, 5.2**

5-3

Case Study

1. Explain the facts of the case.
2. What are the relevant standards and practical considerations?
3. Present your three options and pros and cons of each.
4. Which option did you chose and why?
5. Evaluate: how can this situation be avoided in the future?

5-4


Review of Module Learning Objective


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

5-5

Review of Module Learning Objective

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

 U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

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5-6
