



CSE3PPE / CSE5003 Workshop 8

Semester 1 2024

Ethics

(Part 2)





the hype

@TheHyyyype

...

law professor: you're currently failing your ethics class

me: *slides a \$20 across the desk* how about now

12:04 PM · Aug 12, 2019 · Twitter for Android

Navigating ethics

Consequentialism

Regardless of how a decision is made, it is the **impact** of the decision that is most important.
Applying this principle means you act to ensure you get the best outcome.
Sometimes this can be referred to as acting to maximise happiness.

Deontology/rights based (and Kant's Categorical Imperative)

The Deontological viewpoint prioritises the rights of each human, even if this might not produce the best outcome.
Kant's philosophy challenges us to consider ethical dilemmas by placing them in the context of the kind of society we'd like to live in.

Virtue Ethics

Asks us to recognise the character traits of virtue (morally good actions) and vices (morally bad actions). Decision making in this way considers the concept of being virtuous, that is, by embracing concepts such as being charitable, honest, generous, compassionate and patient.

Ethics and moral dilemmas

When considering a moral dilemma, applying each of the approaches may lead us to the decision.

In other circumstances, each approach might provide us with competing recommended decisions.

General principles for progressing through a moral dilemma are:

1. Awareness of the relevant facts
2. Knowledge of the moral principles/rules of thumb (eg it is wrong to lie/steal/cheat)
3. Correct deliberation and decision

CSE3PPE Assessment 2 case study:

**Ethical Considerations
in COMPAS: The Case
of Algorithmic Bias in
Criminal Justice**



Case Study Background

COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) is a widely used risk assessment tool in the criminal justice system, developed by Equivant (formerly Northpointe Inc.). It utilises proprietary algorithms to evaluate various factors related to defendants, such as criminal history, age, employment status, and substance abuse history, to generate risk scores predicting the likelihood of future criminal behaviour.

Many American courts are using an opaque computer algorithm to help judges decide whether a person should be granted bail or parole, and the length of their sentence. However, some have pointed to the apparent racial bias against African-Americans in such algorithms and have questioned their effectiveness in predicting recidivism (reoffending).

Case Study Background cont'd

Over the past 10 years COMPAS has been used in more than a million court hearings from California to New York to predict whether a person facing the court will commit another crime if they are released on bail or parole.

Judges in some US states are also using COMPAS to decide the length and severity of sentences they hand down. This is based on the algorithm predicting the likelihood of recidivism and assessing the convicted person's danger to society.

Case Study Background cont'd

It works like this: Defendants fill in a questionnaire about their personal history, job, education and family, to which their criminal record is added. The algorithm scores them from one to ten based on 137 factors to indicate their potential to reoffend.

The code and processes underlying COMPAS are secret, known only to the algorithm's maker, US company Northpointe (now Equivant). Judges, prosecutors and defence lawyers do not know how COMPAS reaches its conclusions, but many US states have ruled that judges can use it to help make decisions on bail, parole and sentencing.

Case Study Background cont'd

However, several studies and investigations have raised significant ethical concerns regarding the use of COMPAS:

Racial Bias: Numerous studies have found evidence of racial bias in COMPAS assessments. Research indicates that African American defendants are more likely to receive higher risk scores compared to white defendants, even when controlling for other factors such as prior criminal history or socioeconomic status. This bias raises questions about fairness and equity in sentencing and parole decisions.

Transparency Issues: The inner workings of COMPAS algorithms are proprietary and not disclosed to defendants, attorneys, or the public. This lack of transparency makes it difficult to assess how decisions are made and raises concerns about accountability and potential hidden biases within the system. Defendants may not fully understand or have the opportunity to challenge the factors influencing their risk scores, impacting their right to due process.

Accuracy and Reliability: While COMPAS is marketed as a tool to assist judges and parole boards in making more informed decisions, some studies have questioned its accuracy and reliability in predicting future criminal behaviour. Critics argue that the predictions generated by COMPAS may not always align with real-world outcomes, leading to potential miscarriages of justice.

**Doing the ‘wrong’
thing for the ‘right’
reason?**



Questions

Response Part 1: Establish the facts (300 words)

1. Provide a detailed chronological sequence of events surrounding the COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) issue, including the development and deployment of the COMPAS tool, the emergence of concerns regarding racial bias and lack of transparency, and any subsequent actions taken by stakeholders in response to these concerns. Be sure to gather information from multiple credible sources and cite them accordingly.

Questions

Response Part 2: Effective Response (600 words)

2. Clearly articulate the ethical dilemma presented by the use of COMPAS in the criminal justice system, focusing on issues such as racial bias, lack of transparency, and questions about accuracy and reliability.
3. Cite at least three sources to support either the rights of major tech companies to use their power in developing and deploying AI-driven tools like COMPAS, or to argue against the rights of major tech companies to use their power in this context.

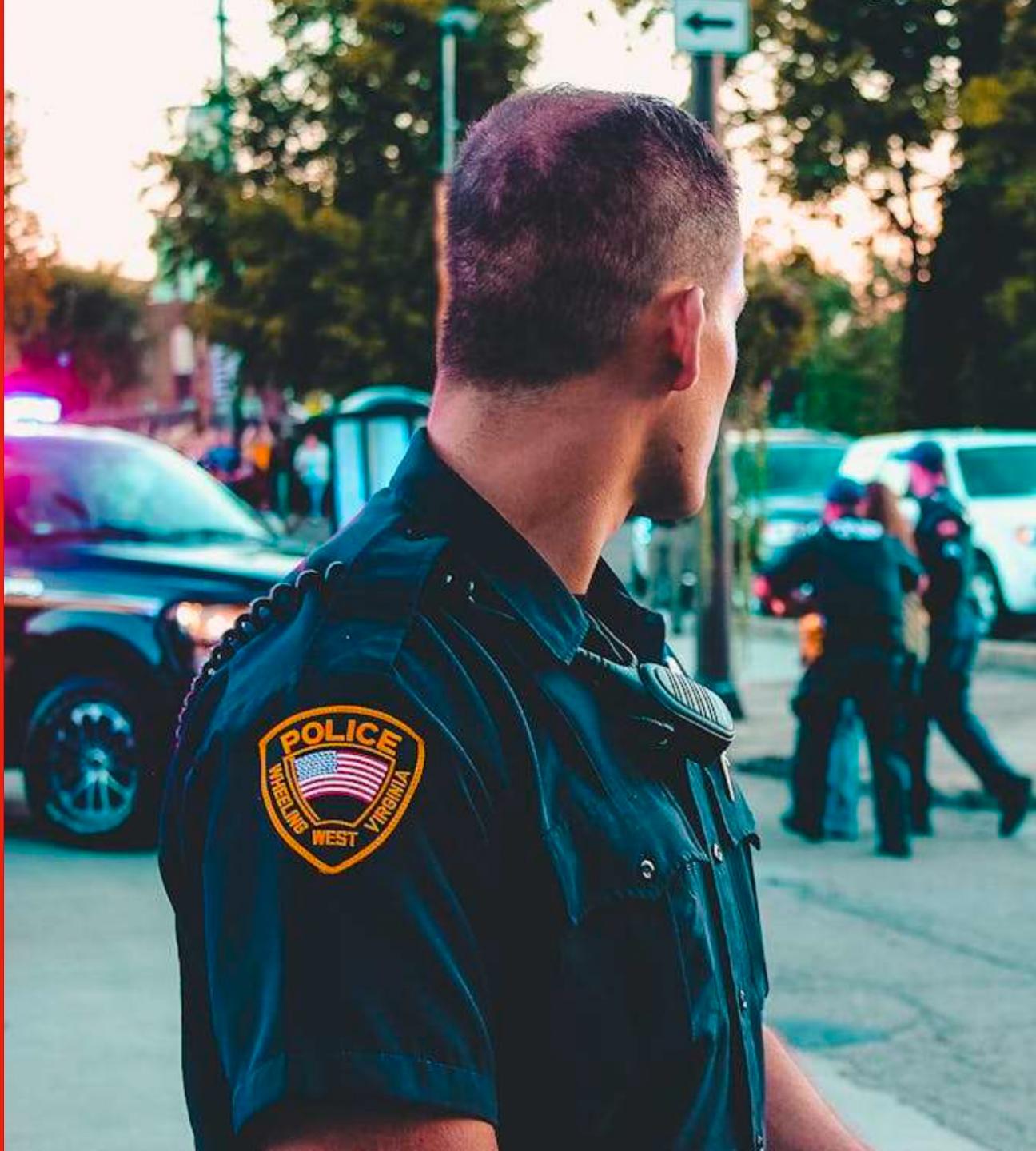
Questions

Response Part 3: Your evaluation of the outcome (600 words)

4. Describe your viewpoint on the COMPAS issue based on your analysis of background information, considering the ethical implications and consequences of using AI-driven risk assessment tools in the criminal justice system. Elaborate on your perspective within the context of at least two ethical frameworks discussed in this subject, such as utilitarianism, deontological ethics, or consequentialism. Use these frameworks as a guide to analyse the ethical dimensions of the COMPAS issue and form your evaluation of the outcome.
5. How does the eventual outcome of the COMPAS case resonate with your viewpoint? Discuss whether the actions taken in response to the ethical concerns surrounding COMPAS align with your ethical perspective and values.

CSE5003 Assessment 2 case study:

PredPol Predictive
Policing Software: An
Ethical Case Study



Case Study Background

PredPol is a predictive policing software utilised by law enforcement agencies to forecast potential crime hotspots based on historical crime data. Developed by researchers from the University of California, Los Angeles (UCLA) and Santa Clara University, PredPol aims to assist police departments in allocating resources and preventing criminal activity. However, the use of PredPol has sparked ethical debates surrounding issues of bias, fairness, and individual rights.

Case Study Background cont'd

Facts:

- PredPol is a predictive policing software developed by researchers from UCLA and Santa Clara University.
- It utilises algorithms to analyse historical crime data, time, location, and crime types to generate predictive models identifying potential crime hotspots.
- Critics have raised concerns about potential biases in PredPol algorithms, particularly in the data used for training.
- The use of PredPol has raised questions about fairness and equity in policing practices, with some arguing that it perpetuates disparities in the criminal justice system by targeting marginalized communities disproportionately.
- Policymakers and civil liberties advocates have called for greater ethical oversight and regulation of PredPol, advocating for transparency, community engagement, and addressing bias concerns in algorithmic decision-making.

Case Study Background cont'd

Conclusion:

The case of PredPol presents complex ethical considerations surrounding the use of predictive policing software. As students analyse this case study, they are encouraged to explore the ethical implications of algorithmic bias, fairness in law enforcement practices, and the balance between crime prevention and individual rights. By critically evaluating these issues, students can develop a deeper understanding of the ethical challenges inherent in the application of technology in criminal justice contexts.

**Doing the ‘wrong’
thing for the ‘right’
reason?**



Questions

Response Part 1: Establish the facts (300 words)

1. How did the development and deployment of PredPol Predictive Policing Software influence law enforcement practices and strategies?
2. What were the specific concerns raised regarding bias, lack of transparency, and reliability of PredPol algorithms, and how did these concerns emerge over time?
3. How did stakeholders, including policymakers, civil rights organizations, and communities, respond to the implementation of PredPol Predictive Policing Software?

Questions

Response Part 2: Effective Response (600 words)

4. What are the ethical implications of using PredPol Predictive Policing Software in terms of potential biases in algorithmic decision-making and their impact on marginalized communities?
5. How does the lack of transparency surrounding PredPol algorithms contribute to ethical concerns related to accountability, fairness, and individual rights?
6. In what ways does the use of PredPol in law enforcement raise questions about the balance between public safety and civil liberties, particularly in communities disproportionately affected by predictive policing?

Questions

Response Part 3: Your evaluation of the outcome (600 words)

7. Based on your analysis, how do ethical frameworks such as consequentialism and virtue ethics inform the evaluation of the outcomes of PredPol implementation in law enforcement practices?
8. Considering the ethical concerns raised, what alternative approaches or modifications to PredPol Predictive Policing Software could address issues of bias, transparency, and accountability?
9. How do the actions taken in response to ethical concerns surrounding PredPol align with broader ethical principles and values, both within the criminal justice system and society at large?

Tips for approaching this Assessment



Tips

- When considering this assignment, you need to answer the previous 3 parts.
- With any series of events – particularly when the issues at large are diverse, contentious, and hotly debated it is important that you remain impartial to the issues when you analyse it.
- There will be many ethical issues involved with this assignment – however it is of critical importance that during your analysis you actively seek out the primary (i.e. the major or most important) ethical dilemma that is involved.
- The basic way to determine which is the main (major) ethical dilemma is to list all the ethical issues/dilemma's you can that are involved with the case in question, then, determine which ethical dilemma/issue that, if resolved, solves all or most of the other dilemmas or ethical issues than are involved in the case. Whichever ethical dilemma achieves this is the main ethical dilemma, which is what is required in Part 2

Tips

- You will notice that if a surface analysis is performed – the main ethical dilemma is generally not detected, and it is only when a deeper analysis is performed that the major dilemma then becomes very evident/visible – and it is that dilemma that will generally solve many of the other ethical dilemmas. You may observe that many of these other dilemmas simply evaporate because of solving the main (or major) ethical dilemma.
- In Part 3 you are required to do an ethical analysis. The process/procedure to follow is clearly outlined in Table 2 of the handout Ethics Frameworks (found in LMS).
- To aid you a template to follow is given in Ethics Student Worksheet. Once you have finished your ethical analysis then discuss your viewpoint in the subject. Did your viewpoint change at all after doing a complete ethical analysis?

Research and References

- Please use APA 7th edition as your referencing style. For more information, see the Academic Referencing Tool of the Library.
- The reference list is not included in the word count. In-text citations are included in the word count. Note that Wikipedia and similar sources are NOT acceptable for any assessments in this subject.

Thank you and Good Luck!