

# **Ethical Understanding of Ethics**

## **UMBC**

**Supported by Hrabowski Innovation Fund  
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- Ethical Decision Making

*Let's Begin:*

## **Part 1 - Ethics**

quick review of ethical theories and morality

brief review of ethics versus regulation/legal liability

acts of commission and omission

higher professional standards

# **quick review of ethical theories and morality**



## Ethics:

“an inquiry into the  
nature of morality,  
codes and principles or  
moral action”

# Morality:

“actual practice of  
living according to  
certain rules of  
conduct or moral  
behavior”



## ETHICS Vs MORALITY

- **MORALITY:** from the Latin moralitas "manner, character, proper behavior", it is the conduct or rules that a person or community adhere to, believing these things to be, in some sense, obligatory. It gives us **rules for everyday life** (morals= moral rules) and it is **practical**.
- **ETHICS:** critical reflection of "morals". Philosophical reflection about the nature of the good life, of right action, of duty and obligation. It is **theoretical**.

# ETHICS

VS

# MORALS

In most cases, when any one of us does something, we try to act according to what society believes is right. More often, we listen closely to what our own beliefs about right or wrong are telling us, even if they're different from society's views. These two have to do with ethics and morals.

## MEANING

ETHICS refers to the rules that a social system provides us with.

## MEANING

MORALS are our own principles.

## *an easy way of discussing “ethics”*



### **1. Is it legal?**

Does it comply with government laws and your organization's internal regulations?

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### **2. Is it fair?**



Would the decision be seen as honest and honorable, or are one or more parties being treated without consideration and respect? Is someone getting an advantage that others are not?

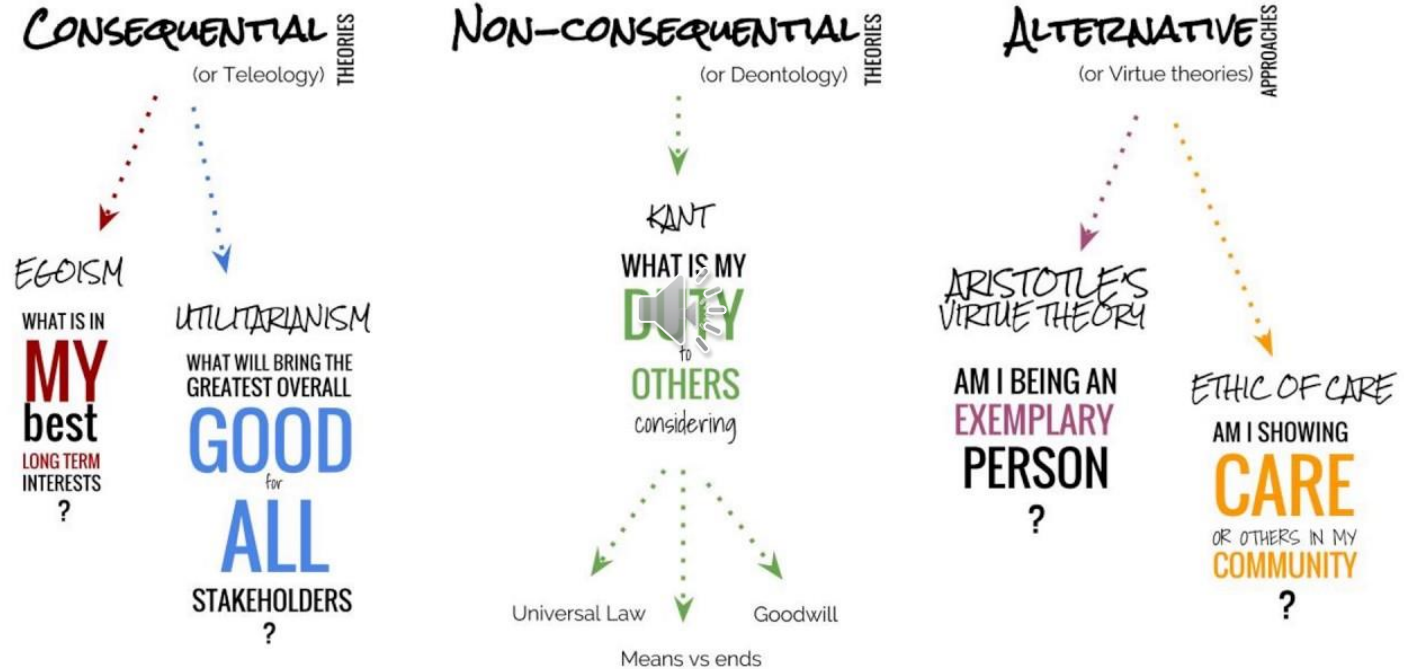
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### **3. How does it make me feel?**

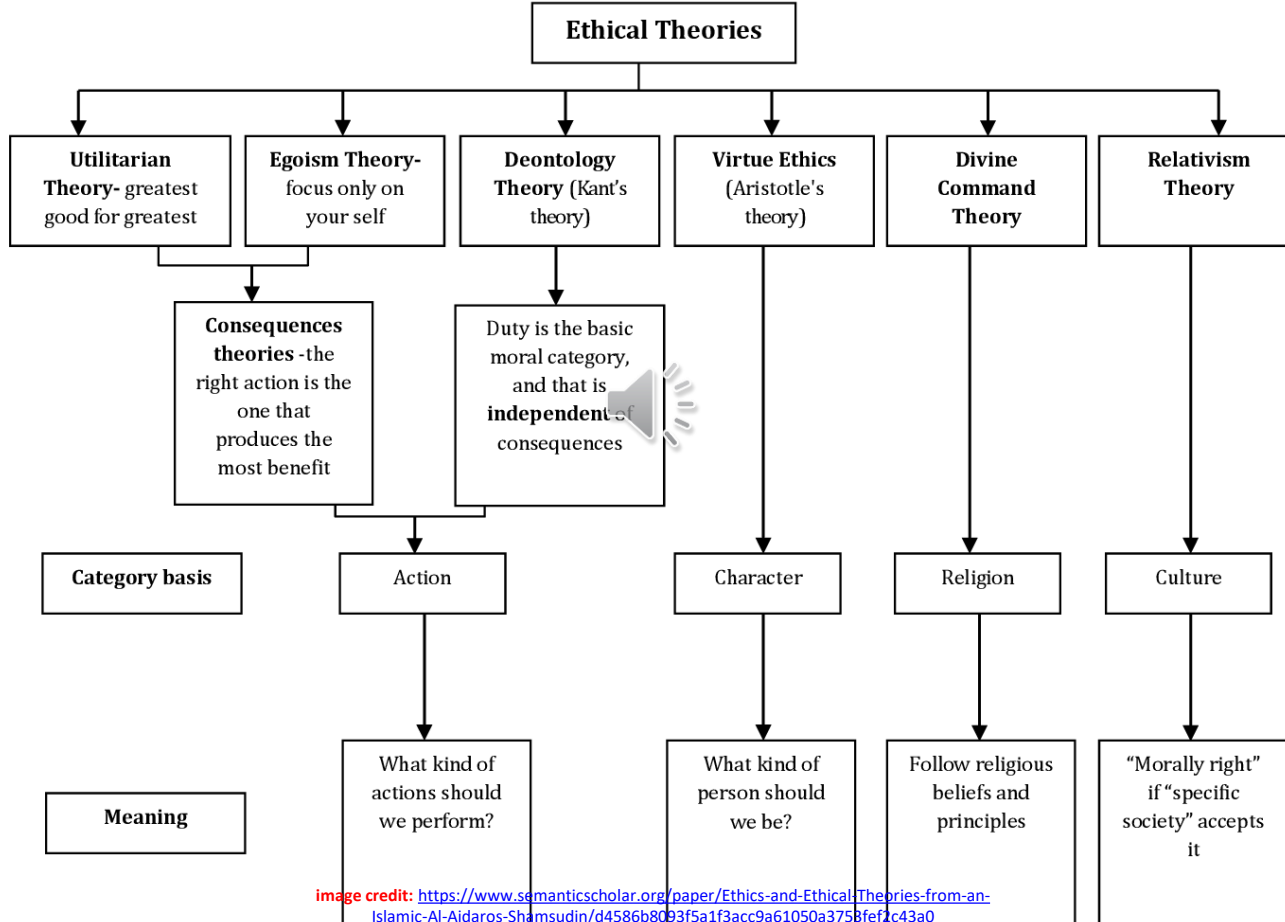
Do you have a bad gut feeling about the decision? How would people react if they saw it reported in the news?

## a complicated way of discussing “ethics”





## an even more complicated way of discussing “ethics”



Utilitarian Ethics	Deontological Ethics	Virtue Ethics
<b>definition</b> -		
the greatest good for the greatest number of people	the idea that people should be treated with dignity and respect	considering what virtues make a good public relations professionals
<b>application</b> -		
making a decision based on what will benefit the majority	identifying one's duty and acting accordingly	making a decision in light of those favored virtues
<b>pros &amp; cons</b> -		
<p><b>Con:</b> decision-makers are forced to guess the outcome of their choice</p> <p><b>Con:</b> harming a minority and benefitting a majority doesn't build mutually beneficial relationships</p> <p><b>Con:</b> it is not always possible to predict the outcome of a decision</p>	<p><b>Con:</b> there may be disagreement about the principles involved in the decision</p> <p><b>Con:</b> the possibility of making a "right" choice with bad consequence</p> <p><b>Con:</b> the possibility of a conflict in duties</p> <p><b>Pros:</b> strongest model for applied public relations ethics</p>	<p><b>Con:</b> misses the importance obligations to client and publics</p> <p><b>Con:</b> the possibility of a conflict in virtues</p>

## **brief review of ethics versus regulation/legal liability**



image credit: <https://www.intheblack.com/articles/2015/04/01/why-ethics-and-law-are-not-the-same-thing>



# LEGAL COMPLIANCE VERSUS ETHICAL RESPONSIBILITY

## LEGAL COMPLIANCE

Acting in accordance  
with the laws of a  
particular organization,  
company, etc.

Proactive

Involves following  
the law

## ETHICAL RESPONSIBILITY

Choice to comply with  
the code of ethics of the  
particular organization,  
company, etc.

Reactive

Involves doing what is  
right, sometimes even  
regardless of the law

Visit [www.PEDIAA.com](http://www.PEDIAA.com)

**acts of commission and omission**

## **COMMISSION versus OMISSION**

Act that causes harm



Failure to Act

Doing Something



Doing Nothing

**higher professional standards**

Rule 1 - Terminology

Rule 2 - Competence

Rule 3 - Scope of Data Science Professional Services Between Client and Data Scientist

Rule 4 - Communication with Clients

Rule 5 - Confidential Information

Rule 6 - Conflicts of Interest

Rule 7 - Duties to Prospective Client

Rule 8 - Data Science Evidence, Quality of Data and Quality of Evidence

(e) If a data scientist knows that a client intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the data science provided, the data scientist shall take reasonable remedial measures, including, if necessary, disclosure to the proper authorities.

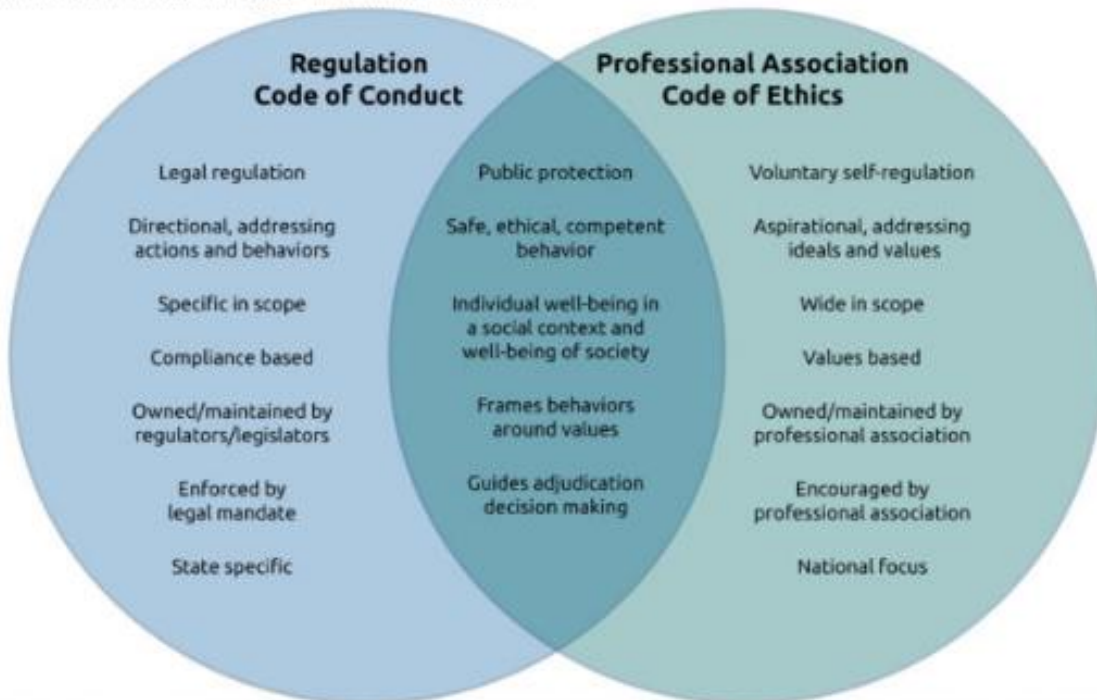
Rule 9 – Misconduct

It is professional misconduct for a data scientist to knowingly:

- (a) violate or attempt to violate the Data Science Code of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) commit a criminal act related to the data scientist's professional services;
- (c) engage in data science involving dishonesty, fraud, deceit or misrepresentation;
- (d) engage in conduct that is prejudicial to methods of science;
- (e) misuse data science results to communicate a false reality or promote an illusion of understanding

## Why including NASW's code of ethics in law is not in regulation's best interests

The purpose of regulation's code of conduct is to protect the public in individual jurisdictions. The purpose of the professional association's code of ethics is to guide social workers' conduct.



*Although 13 states incorporate NASW's code of ethics into their law, 10 of these states have also adopted enforceable standards. An additional five states reference the code of ethics as a guide for licensees to help define moral character, or as a tool to resolve ambiguity that may occur with the standards prescribed by the licensing authority. For more information visit [aswb.org](http://aswb.org).*

*Let's Begin:*

## **Part 2 – Fact Pattern Review**

framework for analysis

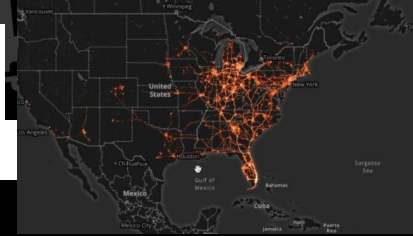
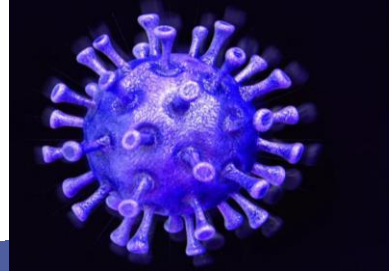




THE CORONAVIRUS CRISIS

## In Germany, High Hopes For New COVID-19 Contact Tracing App That Protects Privacy

**EU privacy experts push a decentralized approach to COVID-19 contacts tracing**



### THE BEST GRAPHS AND DATA FOR TRACKING THE CORONAVIRUS PANDEMIC

Where to find the curve and how to see if it's flattening

By Ash Robinson | @thedatacurvy | Apr 2, 2020, 3:17pm EDT

**The COVID Tracking Project collects and publishes the most complete testing data available for US states and territories.**



Business

## States Lack Key Data on Virus Cases Among Medical Workers

THE ASSOCIATED PRESS (MARTHA BELLISLE)

April 5, 2020, 12:07 AM EDT Updated on April 5, 2020, 1:52 PM EDT

**Covid-19 spreads too fast for traditional contact tracing. New digital tools could help**

Bluetooth signals from your smartphone could automate Covid-19 contact tracing while preserving

**The US is tracking people's movements with phone data, and it's part of a massive increase in global surveillance**





## *Fact Pattern:*

During the recent national health crisis, governments began the collection of related sets of information by hospitals and medical devices (such as internet-connected thermometers) for the identification and treatment of COVID-19 infected persons.

These medical records were then combined with patients' cellphone data location for geo-tagging to provide details about their location and contacts with other individuals.

The goal to this aggregation of data was to analyze mobility patterns including the impact of confinement measures on the intensity of contacts with infected persons. The focus was to assess the risks of contamination and provide adequate modeling on the spread of the virus.

The aggregation was authorized by new legislation.  
The scope of the legislation was deliberately made broad.

## Things to Consider:

**national health crisis**

**governments collection of mass data**

authorized by law

broad scope

**hospitals and medical devices (IoT)**

**patient records**



**cellphone data location and contacts list**

“geo-tagging”

“contact tracing”

**mobility patterns - adequate modeling**

**individual privacy rights?**

*Let's Begin:*

## **Part 3 – Implementation**

### **Ethical Decision Making**

**“ethical decision making”**



image credit:

<https://berc.centerforethicsinpractice.org/ethical-decision-making-process/>

## IDENTIFY

- ETHICAL PRINCIPLES
- DUTIES TO OTHERS
- IMPORTANT FACTS
- CONFLICTS OF INTEREST

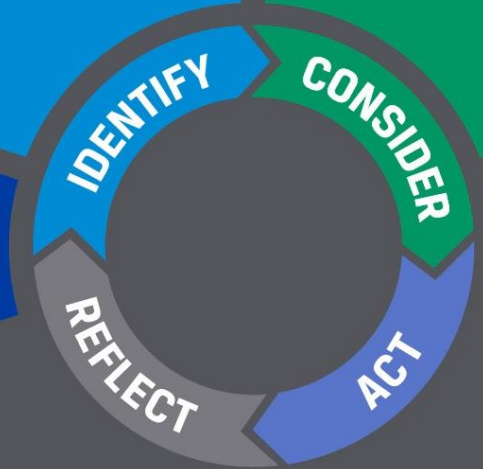


## CONSIDER

- SITUATIONAL INFLUENCES
- ALTERNATIVE ACTIONS
- ADDITIONAL GUIDANCE

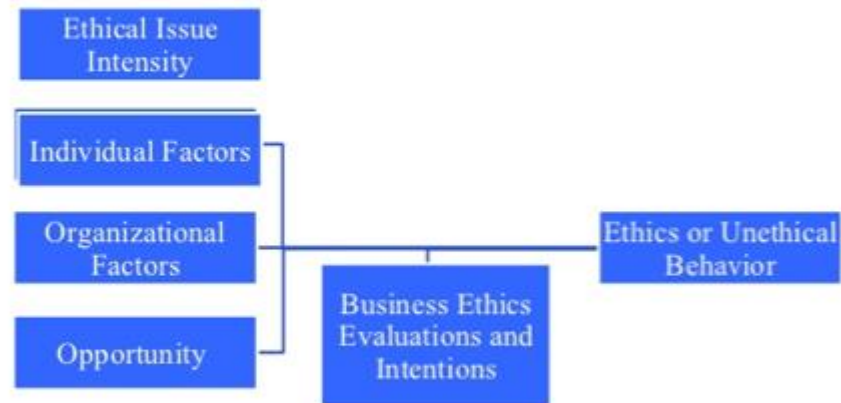


## THE CFA INSTITUTE ETHICAL DECISION- MAKING FRAMEWORK



This framework provides a lens for situations where the answer is not simply 'right' or 'wrong'. Neither a linear model nor checklist, it presents four key elements of ethical decision-making.

## Ethical Decision Making Framework



Source: Ferrell, O., Fraedrich, J., Ferrell, L. (2008). Business Ethics. Ethical Decision Making and Cases (7<sup>th</sup> ed.). Houghton Mifflin Company. Boston.

Predictability in Ethical Decision Making					
Issues	Identify		Describe	Question	Issues
Factors	Consider	Rank	Determine	Principles	Rules
Opportunities	Reflect	Code	Identify	Policies	Analysis
Evaluation		Law	Gather	Audit	
Act		Apply	Review	Outcome	Conclusion



**Are you asking the right  
questions?**

**Issue** Do privacy rights remain during a pandemic?

**Rule** public versus private rights

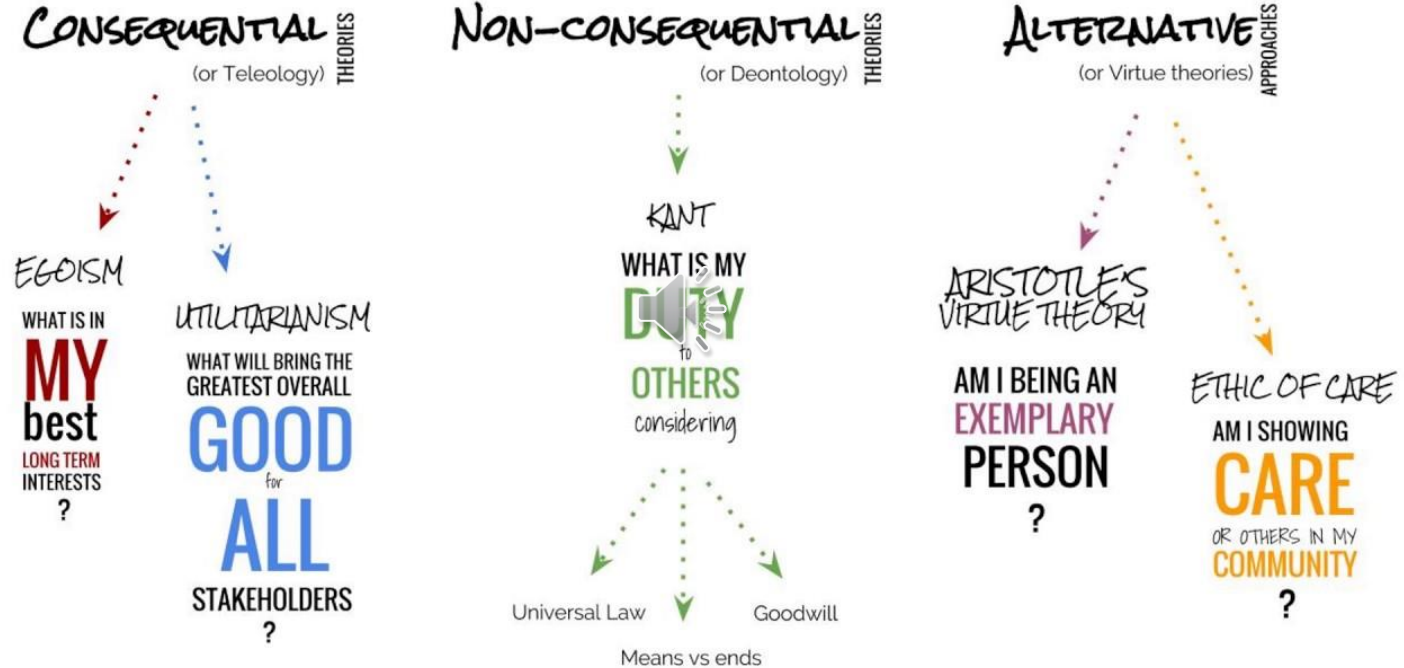
- proper authorization
- proper scope

**Analysis** public need, greater good?  
individual / self-interest / community?

- legal?  
criminal / civil liability limits?
- ethical?  
duration / scope?

**Conclusion** ?

## Applying Ethical Theories



**Issue** How do you make “contact tracing” ethical?

*mobility patterns - adequate modeling*

**Rule** public versus private rights

- proper authorization / consent
- scope for data use
- IoT / end user agreement

**Analysis** public need, greater good?  
individual / self-interest / community?

specific rules/ authorization for  
data generation  
data curation / processing  
data possession and use  
applications of algorithms  
what is a good solutions?

**Conclusion ?**

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Ethical Decision Making

# Additional Readings?

**Big Data Could Undermine the Covid-19 Response** Blind spots in location-tracking data can threaten both public health and human rights.

<https://www.wired.com/story/big-data-could-undermine-the-covid-19-response/>

**States Lack Key Data on Virus Cases Among Medical Workers**

<https://www.bloomberg.com/news/articles/2020-04-05/states-lack-key-data-on-virus-cases-among-medical-workers>

**How the cell phones of spring breakers who flouted coronavirus warnings were tracked**

<https://www.cnn.com/2020/04/04/tech/location-tracking-florida-coronavirus/index.html>

**Does Covid-19 Contact Tracing Pose a Privacy Risk? Your Questions, Answered**

<https://www.wired.com/story/apple-google-contact-tracing-strengths-weaknesses/>

**Seoul's Radical Experiment in Digital Contact Tracing**

<https://www.newyorker.com/news/news-desk/seouls-radical-experiment-in-digital-contact-tracing>

**Ethical  
Understanding  
of  
Ethics**

***Thank You!***

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