

Ethics and the Central Park Jogger Case

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Name	Age	Prison Time
Yusef Salaam	28	6.5 years
Kevin Richardson	28	6.5 years
Raymond Santana	28	8 years
Kharey Wise	30	11.5 years
Anton McCray	28	6 years

Introduction

More than twenty-six years ago, on April 19, 1989, Trisha Meili was raped while jogging through Central Park (“Central Park,” 2014). Five young boys, each of either black or Hispanic descent, were tried and convicted for this rape and sentenced to a range of five to fifteen years in prison. The five juveniles were picked up by police because of their close proximity to Central Park on the night of the attack and were pressured into confessing to the crime. The five were convicted of committing the rape despite the fact that their DNA did not match that which was found at the scene of the crime. Finally, in 2002, a man named Mathias Reyes confessed to raping Meili alone, and DNA testing backed up his words. While he could not be prosecuted because the statute of limitations for the incident had ended, the wrong convictions of the five males were vacated. They proceeded to sue New York City for their wrongful imprisonment. They were not able to reach a settlement under Mayor Michael Bloomberg, but Mayor de Blasio supported the five, and the city reached a settlement of forty-one million dollars in 2014. The men, however, are still in search of fifty-two million more dollars from the state of New York. It is possible to determine what the right actions to take were in this case based on the theories of consequentialism and deontology, and how scholars such as Weimer and Vining, Hirschman, and Bok see these ideas. The racial tensions affiliated with this case as well as the facts and liberties that were ignored allow for an analysis using different ethical frameworks. Ultimately, there was an effort to frame the five males for the rape of Trisha Meili because of racial stereotypes working against them, and this resulted in the taking away of their civil rights.

Consequentialism vs. Deontology

Consequentialism is the theory that an action is only right if it maximizes the good consequences. This branches out into the idea of utilitarianism, which

is the tendency to promote good or prevent harm. Peter Singer, a utilitarian absolutist, places equal consideration for every person's happiness and suffering (Singer, 1979, p. 3). According to Singer, children and the elderly are valued less because it takes more effort to keep these groups alive. He even goes so far as to equate humans and animals. In this frame of thought, the same theory is used to solve all problems. The foundation of utilitarianism is to figure out what solution results in the greatest good for the greatest number of people. In addition to Singer's ideas, Jeremy Bentham looks at the good consequences of utilitarianism as a measurement of pleasure (Cahn & Markie, 1998, p. 322). An action is moral if it has a higher net utility than any of the alternatives. John Stuart Mill, on the other hand, replaces pleasure with happiness, which is a higher and more qualitative measure of good consequences (Mill, 2008, p. 8). These differing ways of exploring consequentialism permit an analysis of the happenings of the central park jogger case.

In concurrence with the rape of Trisha Meili, there were groups of teenagers gallivanting around Central Park and assaulting strangers ("Central Park," 2014). The five males that were brought in by police were identified as participating in the attacks. In accordance with utilitarianism, taking these boys off the streets and into prison would bring the greatest good to the greatest number of people because assumedly having less of those teenagers free would result in a safer environment for the citizens of New York City. As utilitarianism does not include morals or rights, the infringement on the defendants' liberties and ignorance of the facts of the case by police, media, and prosecutors would not necessarily matter in a utilitarian analysis of the situation. The prosecutors also set out to close the case quickly in order to quell the public and satisfy those who were horrified by the rape. From the point of view of utilitarianism, the quick prosecution and conviction of the five males, even while disregarding certain evidence pointing to their innocence, serves to provide the community with an answer to the tragedy and an end to the events. Consequentialism and utilitarianism strive to maximize good consequences, and this was achieved through the prosecutors' actions. However, always looking out for the greatest good can result in the ignorance of individuals' rights.

On the other hand, deontology focuses on whether the action itself is right or wrong, as opposed to whether the consequences are right or wrong. Unlike consequentialism, deontology takes human rights and the difference between rights-holders and duty-bearers into account (Donnelly, 1989, p. 8). People are entitled to have rights, and they are enforceable by law. Duty-bearers, or states, have the responsibility of respecting the rights of rights-holders, or individuals. Moreover, Immanuel Kant believes in following categorical imperatives no matter what, stating that the right course of action is to tell the truth all of the time (Kant, 1799, p. 2). Instead of consequentialism's quest to help the greatest number of people, deontology looks to measure the morality of an act.

In the aftermath of Trisha Meili's rape, the police ignored several rights that the five males were entitled to as citizens ("Central Park," 2014). It is against

procedure to release the names of those under the age of sixteen to the media before indictment, but the media printed the five names. Furthermore, the boys were interrogated for hours without parents present, and some were pressured into giving video confessions. The officers also manipulated the minors into saying that the others raped Meili. The confessions that were received from the minors were entered into evidence even though the parents were not with them during questioning. Moreover, the DNA evidence was found to have come from a single person, and it did not match with any of the five. The officers and prosecutors wanted to close the case quickly to quiet the public, and it was possible to blame five young males of color because it was easy for people to believe that they committed the crime no matter the evidence. When it comes to deontology, it would seem that the duty-bearers, or the officers, public, and media, did not succeed in holding up the rights of the rights-holders, the five males because of the obvious civil rights violations. If deontology were followed during the duration of the case, it would mean that the rights of the males would not have been violated. The events during the questioning and trial also go against Kantian values, as the public officials did not follow the categorical imperative of always telling the truth.

Weimer and Vining

According to Weimer and Vining, policy analysts must choose the correct course of action based on their own personal values when it comes to ethical dilemmas (Weimer & Vining, 1999, p. 46). Between having responsibility to the client, analytical integrity, and conception of the public good, analysts must decide which actions allow them to achieve their goals. When analysts run into conflicts with their client, they can take action to either remove themselves from the situation or bring attention to the conflict. In contrast to this, responsibility to the client may result in “cooking” the results, or putting out information that better supports the client’s position. Human rights violations can occur depending on the values of those involved.

The officers and lawyers who violated many of the males’ rights fit the role of responsibility to the client the most. They worked to push the trial forward and convict the five males, even resorting to misrepresenting information gleaned from investigations, such as DNA evidence (“Central Park,” 2014). Closing the case would also help the prosecutors make their conviction records look better, which helps their careers. The “client” in this instance would be the justice system, which did not ultimately help the five receive justice. The right action to take in this framework depends on the policy analyst’s values, so if those involved with the case cared more about preserving civil rights or focusing on the facts, different courses of action may have been taken. In the end, Weimer and Vining assert that a combination of all three of the values is the right action. In this situation, racial tensions and responsibility to the client worked together to allow rights and many facts of the case to be ignored.

Hirschman

Hirschman argues that even when institutions are strong, failures can happen (Hirschman, 1970, p. 4). When faced with a conflict within an organization, an individual can raise his or her voice, exit, show loyalty to the organization, or any combination of the three. This, however, does not always result in good consequences because of faulty institutions.

The United States criminal justice system was created to make sure that defendants are innocent until they are proven guilty. In this case, however, it seems that the five juveniles were presumed to be guilty from the beginning, based on how the officers interrogated and manipulated them into confessing ("Central Park," 2014). This goes along with Hirschman's theory that institutions do not hold up in every situation. The officers circumvented several laws in order to receive confessions, especially as the five males did not have their parents present. In this situation, there was no system of checks and balances to watch over the officers' and prosecutors' actions, and this resulted in wrongful convictions for the five males. There was no way for the five males to go against the will of the prosecutors, police officers, and media that were against them by utilizing voice, exit, or loyalty.

Bok

In Bok's writings, some level of truthfulness is necessary to society (Bok, 1999, p. 19). She argues that people do not like to be told lies, especially from the government. There needs to be a difference between truth and deceit, and lying decreases trust in the government. According to Bok's principle of veracity, everyone is obligated to avoid lying and look for truthful alternatives.

The aforementioned lies told by the officers, prosecution, and media during the Meili case were used to deceive the public ("Central Park," 2014). The crucifying of the five males resulted in an outcry against them from the general public. In compliance with Bok's theory, lies should only be told as a last resort, and that was not the case in this situation. This deception should then lead to people distrusting their government. The prosecutors had racial tensions and stereotypes on their side when they deceived the public to achieve their ends. The right action according to Bok would be to tell the public the truth and to not twist the facts to get the five males convicted.

Conclusion

Using different ethical frameworks, it is possible to ascertain what is theoretically the right course of action in dealing with the rape of Trisha Meili. However, real life situations are too complicated to simply apply a single framework to figure out what is right. Those involved with the case went against deontology and the ideas of Hirschman and Bok. Weimer and Vining would argue that they placed the most importance on responsibility to the client. Moreover, they twisted the evidence to convict the males in order to please the greatest number of people, which is a characteristic of utilitarianism. While the prosecutors were trying to satisfy those in power, which is something that occurs in many cases, it is also important for them to uphold the rights of the defendants. Due to racial biases

and stereotypes, the five were wrongly convicted. In other situations, it may be necessary to use deception to protect public safety and bring the greatest good to the greatest number of people, but in this case, lying about the events that happened only succeeded in placing the wrong people in prison.

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