Ethics and Organizational Strategies

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# Discussion

The prison officials might be held responsible under the Prison Rape Elimination Act if acted with the reckless disregard for the safety of the prisoners (Dumond, 2003). This means if the prison officials have any prior knowledge about a prisoner who is a substantial risk of being raped or harmed seriously in any other way, but that risk is failed or ignored by the officials, the officials might be held responsible if the prisoner ends up being assaulted or raped. The courts have distinguished between the evaluations of the risk which the inmates might face every day, which is possible for being in prison and the substantial risk of the serious harm, which is unusual for the prisoners. On the other hand, the prisoners might not be held legally responsible if the incident occurs and they respond to the event positively.

Ethics, in particular, corresponds to the respect and justice for the people (Hosmer & Kiewitz, 2005). Regarding the ethics in prison, it responds to three primary issues:

1. Nature of the consent concerning the task asked to perform by the prisoner.
2. Competence and freedom provided to the prisoners.
3. Legal representation allowed to the prisoners when it comes to making a choice.

In the current scenario, all of the ethical perspectives are being violated and disrespected, with the prisoners having to face sexual interactions without their consent, being raped in prison. While not taking any action, the freedom of the prisoners is being violated as they are raped in prison. One other ethical issue being broken is the violation of the prisoner's rights to have a constitutional legal representation.

With reference to the Prison Rape Elimination Act, the authorities might face severe consequences if proven guilty for going against the ethical norms of the prison to be followed. But for this to work, the prisoners must provide valid proof of the action or practices caused by the officials. There must be a logical connection to the action which the officials needed to take in response to the harm faced by the prisoner. A liability has been imposed on the line correctional officers who are said to have observed an assault or knew of any risk to the prisoners, but they did nothing. The courts also impose liability on the higher level supervisors in case of any failure to make a policy or act on the risks they were aware of.

A correctional facility must be set up at the prison immediately, where both the staff and the inmates must be educated about the higher costs of the sexual abuse (Phelps, 2011). Training must be provided to both of them and making them recognizing and preventing the sexual crimes in these correctional facilities. Inmates must know the fact that they do not have to bargain the sexual favors for the staff. They must know if they have to report any threat of sexual abuse by the other inmates or staff. The inmates and staff both must be taught that rape is never acceptable in any case.

What can be done on an immediate basis is to set up a correctional facility and provide education to the staff and the inmates about rape and other unethical actions not allowed in prison. The prison staff is not allowed to use force against the inmates, which is implied by the 8th Amendment but they are allowed to use force for restoring or maintaining the discipline of the prison. This issue states that the officer must risk the liability to use excessive force for saving an inmate from sexual assault.

References

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