

NEW ETHICAL DILEMMAS

in the Digital Age

CRIMINAL JUSTICE GOOGLING SCENARIO

Tom, a substance use counselor for his agency, is concerned that a recovery court client of his, James, is not telling the truth regarding his substance use and is somehow able to beat the UA tests. Tom expresses this concern to James' probation officer (ROI already signed to coordinate care) and the PO says that he has suspected James as well. The PO goes on to state that, with another prior client of his, the PO confirmed that particular client's use when googling pictures of recent events in which he saw that this client had been "partying" at a wedding. The PO said that in that client's case that information and the subsequent conversation with the client was a major turnaround in his therapy and ultimately resulted in the client being successful in completing probation.

The PO then said he was leaving on vacation and they could talk later regarding this issue in a couple of weeks and for the counselor to use his best judgement on how to challenge this issue with James. Tom gets off the conversation with the PO and ponders throughout the day whether to google his client. Eventually, he decides that this is "public information" and goes ahead and googles James. The counselor then discovers that James has pictures on Facebook on the internet of himself in what appears to be a "beer pong" competition several weeks ago at a local bar. Tom initially feels an excitement for having found "evidence" of what he suspected, which is quickly replaced by a sinking feeling in his gut after reviewing the photos.