

Public Relations Society of America
Board of Ethics and Professional Standards
Ethics and Standards Case Study Series

Public Relations Ethics Case Study #3

Illegal Recordings

An influential and volatile leader of an environmental group has been blogging about powerful executives who manipulate regulatory decisions related to air and water quality. The agency you work for represents a large utility that provides electrical services throughout a tri-state area. One of the utility's plants is almost 50 years old and is located three miles from a large lake that several cities depend on for water. A chemical treatment used in the early years of this plant's operation is now known to be a carcinogen that affects air and water. Your client has taken responsibility and is cleaning up all residue of the chemical, employing best practices at every step and doing more than regulations require. Though the environmental leader has not directly accused your client of bad acts, the blogs are causing the utility and its key executives to be viewed in a negative light by elected officials, journalists and the community. The environmental leader has asked to meet with your client's chief executive officer. The CEO is prepared but you have reasons to be concerned that the environmental leader will misrepresent information provided during the meeting. You want to record the meeting but don't want to make an issue of it unless there is a problem later, so you plan to record it without informing your client or the environmental leader.

1. Identify the ethical issues and/or conflicts.
2. Determine internal/external factors likely to influence your decision.
3. Choose key values that apply.
4. Consider parties who will be affected by your decision and evaluate the public relations professional's obligation to each one.
5. Select ethical principles to guide your decision-making.

6. Make a decision and offer a brief rationale.

*relates to PSA #18

Guidance for Case Study #3

Professional Standards Advisory PS-18: Illegal Recordings

Recording conversations and interviews via audio and/or video is a tool long used by public relations professionals and the media to ensure accuracy in reporting and as a memory aid. However, in addition to the ethical implications of recording someone without their knowledge and consent, you must also consider applicable state and federal laws that govern when you may legally record another individual. Recording telephone calls or in-person conversations without proper consent may expose you not only to the risk of criminal prosecution, but also potentially give an injured party a civil claim for monetary damages against the individual doing the recording. As a rule of thumb, you must receive consent from at least one, if not all, of the parties participating in the conversation. It would be prudent to ask for permission prior to recording and repeat the fact you are recording after you have turned on the recording device.