

# Ethical issues in erin brockovich essay



**ASSIGN  
BUSTER**

Erin Brockovich is in a car accident that is not her fault and hires attorney Ed Masry to defend her. He gave her the impression that she would be getting a good settlement, but she lost the case. She is a single mom of three, has no money and is unable to find a job. She blames him for losing the case (due to lack of preparation) and forces her way in to a job at his law firm. Because of the way she dresses and acts, nobody takes her seriously and treats her with respect.

She is given a real estate pro-bono file to open involving the purchase of Donna Jensen's home by Pacific Gas & Electric Company (PG&E). As she read through the documentation, she found it confusing that there was medical information included in the file. Erin becomes suspicious and asks to further investigate the case. After talking with Donna Jensen, as well as other residents of Hinkley, she became aware that they all had similar medical problems. As she digs deeper, she realizes that PG&E was at fault because they were dumping a toxic waste (chromium 6) in the town water and it was poisoning the people in Hinkley.

At first, the residents are hesitant to jump on board and go against PG&E because they believe the company has done a lot of good for the community. Erin made it her mission to convince the people and once she did, she was determined to do whatever necessary to make this large corporation pay for what they had done and the lives they ruined. There are several ethical issues both personal and professional in this movie. The first ethical issue that comes up in the movie is when Erin asks if she could investigate the case further and Mr. Masry tells her to go ahead.

He should not have given her the authority to investigate since she is not a lawyer and has no legal experience. Throughout the movie Erin was practicing law illegally and Mr. Masry was aware of that. For instance, she immediately goes to the home of Donna Jenson, admits she is not a lawyer, but proceeds to ask her about the real estate transaction and questions why medical records are included in the documentation. She continues to do things that only lawyers are permitted do, such as give advice to clients. However, Erin does so in a way to earn their trust and becomes friends with many of the residents.

This proves to be a pivotal point in keeping up the morale of the people when they begin to feel like the lawyers are failing them. In their first meeting, Donna told Erin that PG& E had paid for doctors' visits for the whole family. However, PG& E was not doing this just to be nice, as they would have the residents believe, they had an ulterior motive. They sent them to specific doctors because these doctors would lie to them to cover up for PG& E. It was clear that PG& E must have paid these doctors to tell the residents that the water was safe and that their health problems were not associated to the chromium.

The fact that a doctor would lie to a patient is just as, if not more unethical than what PG& E did by lying to the citizens. Although this issue was not dealt with in the movie, those doctors should have lost their right to practice. The company should have offered the residents of Hinkley the right to see another doctor of their choice, at PG& E's expense. Upon realizing she needed to get information about the water in Hinkley, specifically the type of chromium, she went to the water board.

She was told not to let them know what she was looking for or the records could disappear, so she was very vague and suggested she go back and look for them. The employee was a young guy, so she used her sexuality to convince him to give her access to the records. While going through all the files, she came across a document stating PG& E was ordered to clean up hexavalent chromium that was polluting the water and she made a copy of it without asking permission. After telling Ed the situation and showing him the document, he says they will need more information and asks how she thinks she can get it — she says “ they’re called boobs, Ed. She goes right back to the water board and gets all the documentation she can find. The most evident ethical dilemma of this film is the dishonesty of PG& E about the type of chromium in the water, and the consequences that it had on the residents of Hinkley. PG& E hid the truth from the people and allowed them to believe that their water was safe, when all along they knew it wasn’t. Donna Jensen told Erin that they even held seminar for the residents of Hinkley and passed out pamphlets to explain the benefits of PG& E using chromium 3 at their plant.

Regular chromium is good for the body and chromium 3 is basically benign, however hexavalent chromium (or chromium 6) depending on amount is toxic and harmful to humans. It can cause chronic headaches and nosebleeds, respiratory disease, liver failure, heart failure, reproductive failure, bone or organ deterioration, and cancer. They led them to believe that it was perfectly fine to drink and ok for their kids to swim in the water. As it turns out, they had known about this problem for many, many years dating back to 1966.

Another example of dishonesty was the fact that the company was trying to buy the land that was contaminated by hexavalent chromium before anybody realized it. They lied and said that an expressway was going to be built and they needed to build an off-ramp to the plant. They had already successfully purchased some of the land because a couple came forward and told Erin that PG& E had bought their house, but that they were concerned the women's miscarriages may have been caused by the chromium. The incident when PG& E tried to buy-out the Jensen's was another ethical issue.

Immediately after Erin acquired the additional documents from the water board, Ed had them faxed over to PG& E's claim department. The minute they received the fax, a rep from PG& E contacted Ed to have a meeting. The PG& E representative came to the table with an offer of \$250, 000 for the Jensen's home, with the intention that if accepted, it would " put the whole thing to rest. " However, he would not even admit that the company could be at fault for their health problems. It was an insulting offer, and under the guidance of Ed and Erin, the Jensen's turned it down and became a client.

Erin went door-to- door to meet with the residents to try to get them to join the cause. She even went up to one door that had a " no soliciting" sign on it. Even though her intentions were for the right reason and it was for the benefit of the people (not the law firm), this is not the proper way to seek out clients, especially when you are not a lawyer. After realizing that just about everyone in the town of Hinkley is sick and had medical problems related to the chromium, Erin convinces Ed to take this on as a lawsuit versus just a real estate case.

Knowing that she is going to need more evidence now, she trespasses on to PG& E's property to get samples of the water. Two PG& E employees see her, but don't stop her in time. This was unethical conduct by Erin. However, right after this happens, Erin gets a mysterious call from someone trying to use scare tactics and threats to get her to stop investigating. It is obvious that it was someone from PG& E and that they had gotten her name from Scott – the employee at the water board, who got it off the sign-in sheet.

This type of behavior, especially by a corporation, is unethical and made them seem desperate. At a picnic, Erin is introduced to Nelson Perez, an employee at PG& E. They start talking and she basically ends up interviewing him about the company. Even though legally she should not have been communicating with any employees from PG& E, he willingly gave her information about the company that ultimately helped her case. When she told Ed about this, he never even mentioned that it was wrong. Then, later in the movie, Ed also encourages Erin to talk with Charles Embry to find out whatever information he knows.

As it turns out, he has the smoking gun that they need to seal the case – records he was told to destroy that had information about the water in the holding ponds and readings from test wells, from corporate dated 1966. Although both Ed and Erin carried out various unethical practices while investigating and working on this case, it was to the benefit of the residents and they were able to win the case. PG& E had to pay out \$333 million dollars to the residents of Hinkley, and this was the largest settlement in history for a direct action lawsuit.