



# Ethical Standards in Forensic Science

*Forensic Science*

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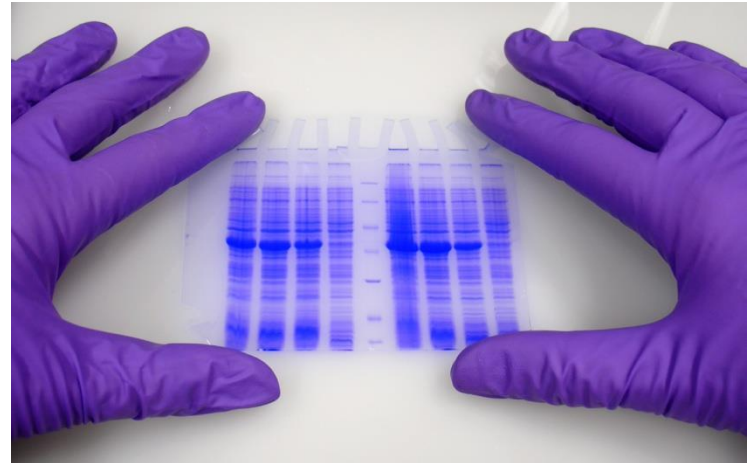
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# Forensic Science in the Legal System

- Forensic science = legal matters and legal questions
- Significant elements in resolving civil and criminal matters
- Link or exonerate suspects



# Forensic Science in the Legal System (continued)

- Any distinction between civil and criminal is artificial
- Principles and procedures of the forensic science investigation are the same for both
- Physical evidence:
  - Recognize
  - Preserve
  - Analyze



# Balance of Legal & Ethical Responsibilities

Science = natural  
phenomena

Law = manmade rules  
& regulations



Be familiar  
with the law

Appreciate the rules  
of evidence

# Legal Responsibilities of Forensic Science

- Follow procedures
- Obey the rules of evidence
- Maintain impartiality
- Stay within the legal, scientific boundaries



*Report what you observe,  
whatever you find,  
no matter what you believe.*

# Character of Forensic Scientists

- Unprejudiced and impartial
- Objective
- Have sufficient education and training



# Main Functions of Forensic Science

- Analyze – unearth factual information, regardless which side the evidence supports
- Interpret – evaluate findings, arriving at opinions and conclusions
- Report – testify accurately and truthfully





# Key Terms

- **Forensic Science** – the application of science to the criminal and civil laws that are enforced by police agencies in a criminal justice system
- **Ethics** – the branch of philosophy dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions, and to the goodness and badness of the motives and ends of such actions.



# Key Terms (continued)



- **Physical evidence** – any object that can establish that a crime has been committed, or can link a crime and its victim or perpetrator
- **Chain of Custody** – refers to the chronological documentation or paper trail, analysis, and disposition of physical and electronic evidence

# Key Terms (continued)

- **Rules of Evidence** – govern whether, when, how, and for what purpose proof of a case may be placed before a court for consideration
- **Impartiality** – not partial or biased; fair or just
- **Testimony** – the statement or declaration of a witness under oath or affirmation, usually in court
- **Expert Witness** – the Forensic Scientist and or Crime Scene Technician presenting the findings of a crime investigation in a court of law



# Key Terms (continued)

- **Chain of Custody** – refers to the chronological documentation or paper trail, showing the seizure, custody, control, transfer, analysis, and disposition of physical or electronic evidence
- **American Academy of Forensic Science** – currently the largest forensic science organization in the world. Scientists may opt to follow the code of ethics from their regional organization or those from this organization
- **Preservation** – to keep possession of or retain for safekeeping

# Establishing a Professional Standard

- An important issue for forensic science
- Assessment is needed to standardize the collection, examination, and analysis of physical evidence



# Ethical Guidelines for Analyzing Physical Evidence

- Adequate examination
- Interpret and/or evaluate findings
- No excessive testing to falsely enhance results
- Use valid, reliable standards of comparison
- Use accurate, reliable equipment
  - Precise
  - Reproducible



# Ethical Guidelines for Interpreting Physical Evidence

- Don't confuse scientific facts with opinion
- Qualify and explain opinions and conclusions appropriately
- Don't state conclusions and opinions beyond the area(s) of personal expertise
- Give proper weight and certainty to opinions and conclusions



# Ethical Guidelines for Reporting Physical Evidence

- Personal interest or gain should not bias or distort a report or testimony
- Never claim results and/or accomplishments not your own
- Limit testimony to conclusions drawn from examinations and analyses
- Avoid misleading or ambiguous language and terms easily misconstrued

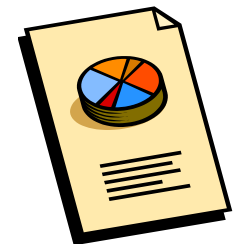




# Ethical Guidelines for Reporting Physical Evidence (continued)



- Use accepted standards for photographs, posters, or background information
- Do not distort or use unduly sensational material
- “Attorney-client” relationship applies, unless it leads to a miscarriage of justice
- Set a reasonable fee for services – never contingency



# Ethical Guidelines for Professional Courtesy

- Re-examining evidence is permissible
- Resolve differences of opinion before the case goes to trial
- Advising attorneys about the testimony of another forensic scientist is permissible if in good faith, not malicious, and to prevent incompetent testimony



# Ethical Guidelines for Professional Courtesy (continued)

- Inform colleagues about new methodology for analyses
- Report invalid or unreliable methodology
- Respect opinions and conclusions of colleagues unless you can prove them as false or inaccurate
- Do not misrepresent or distort the statements, results, reports, testimony, or work of colleagues



# Conclusion



As science and technology continue to advance, the importance and value of forensic science in the protection of our society will continue to grow.

# Resources

- 0538445866, *Forensic Science: Fundamentals and Investigations* (2008), Anthony J. Bertino, South-Western Educational Publishing
- 0135045207, *Criminalistics* (10<sup>th</sup> Edition), Richard Saferstein, Prentice Hall
- <http://www.uscourts.gov/rules/>
- <http://www.truthinjustice.org/suttonDNA.htm>
- <http://www.lib.jjay.cuny.edu/cje/html/forensicscience.html>