

## LETTER TO THE EDITOR

## Authors' Response to Dufluo Commentary on

See Original Dror et al Article [here](#)

See JFS Editor-in-Chief Preface [here](#)

See Dufluo Commentary on [here](#)

Editor,

It is difficult to acknowledge potential bias in oneself. However, defensive emotional responses and ad hominem attacks against researchers make this issue a taboo. These hinder a proper debate regarding —among other things— the identification of potential biases before, during, and after an autopsy, and measures by which they might be minimized. It takes courage to acknowledge bias or error, and we are pleased to see that some have not reacted in a defensive manner to the first study on bias in forensic pathology decision-making.

The *bias blind spot* [1] is prevalent in all areas of life, including expert domains. Many professionals respond defensively when confronted about their own biases because they are not aware of them and perceive questions about bias as attacks on character, rather than an attempt to improve their scientific methodology. Furthermore, most people do not understand cognitive bias and confuse it with intentional discriminatory biases [2], a point which we make clear in our paper [3].

The issue of bias in the forensic sciences is further exacerbated because of the following:

1. The adversarial legal system tests the credibility of forensic scientists, and an acknowledgment of bias may be used in court in an attempt to undermine an expert's credibility. We sympathize with this concern, but how can any domain improve if it is unwilling to acknowledge, examine, and work to ameliorate problems? Discussion of these issues is difficult to have but should be encouraged.
2. The public and the courts have generally accepted forensic science. It has avoided scrutiny in part because the vast majority of criminal cases are plea bargained [e.g., 4–6]. Therefore, forensic evidence often goes unchallenged in court.
3. Forensic science errors are not always apparent because the ground truth in criminal cases is not known. At the same time, errors are a cornerstone of learning and developing expertise. Under these conditions, issues of bias and error are less likely to be revealed —hence the need for research to shed light on these issues.

Given these fundamental obstacles, it is essential that the issue of bias be acknowledged and examined. Research should be encouraged, and there needs to be openness to this issue, as stated in Dr. Duflou's Letter: "we need to acknowledge to ourselves that bias exists, and that it is the very knowledge of its existence and our attempts to minimize its impact which will make us better and more impartial expert witnesses."

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