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LETTER TO THE EDITOR

Authors' Response to Graber Commentary on

See Original Dror et al Article *here*

See JFS Editor-in-Chief Preface *here*

See Graber Commentary *here*

Editor,

This Letter from the Society to Improve Diagnosis in Medicine (SIDM) reflects the medical domain's willingness to confront the issue of bias rather than denying it. Forensic scientists—despite that the existence of cognitive bias is well established [1, 2]—were initially reluctant to acknowledge its impact upon their work. This was due in part to the nature and working environment of forensic science work, which often operates—in contrast to many other expert domains—within an adversarial legal system and where the ground truth is often not known.

Indeed, some forensic domains were initially defensive and dismissive of the idea that bias can affect their decision making. For example, in response to the first study that showed bias in fingerprint decisions, the Chair of the Fingerprint Society published a Letter to the Editor in which he stated that any forensic expert who is susceptible to cognitive bias is “either totally incapable of performing the noble tasks expected of him/her or is so immature he/she should seek employment at Disneyland” (p. 231, [3]). They also personally attacked the fingerprint expert collaborator on that study, saying that it is “rather unsavory that those within our own ranks, who ought to know better... provide fuel for those... who seem to relish attacking what is the most valuable tool in the investigating officer's armoury” (p. 231, [3]).

Nevertheless, after such initial defensive and dismissive responses, the forensic science community's attitude toward cognitive bias has shifted over the past 15 years, such that many now understand the issue and the importance of addressing it. This transformed the forensic landscape and even robust forensic domains—for example, DNA [4], fingerprinting [5], firearms [6], and analytical chemistry [7]—have developed protocols to minimize bias in forensic decisions.

Acknowledging bias is the first step toward combatting bias. This necessary step is a difficult one, because the bias blind spot makes it hard to see cognitive bias within ourselves [8,9]. “Acknowledging that bias can influence forensic science experts would be a substantial step toward implementing countermeasures that could greatly improve forensic evidence and the fair administration of justice” [10].

Data and research are indispensable to the development of methodologies and protocols that will minimize bias. Such methodologies and protocols will also maximize the credibility of forensic pathologists' findings. Acknowledging bias precipitates acceptance

and encourages additional research in this area. Our study [11] is the first to collect data on bias in forensic pathology. While many in the forensic pathology community, including its leadership, have focused their efforts on retraction of our study, we are happy that there are those who would rather engage in a professional and productive discussion about how to deal with the actual problem. This is where everyone's efforts should be focused.

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