

ETHICS IN THE PRACTICE OF FORENSIC SCIENCE

CHAPTER 2: AN ETHICAL APPROACH TO FORENSIC PROFESSIONALISM



EDUCATION

- Learn morals from the time we are children
 - Dependent on factors such as culture, region, family, nationality, religion, etc.
 - Informal education - may have downfalls
 - How do your ideas compare to your colleagues?
 - Who is “right”?

EDUCATION

- Formal education is needed
 - Most classes are “general” and more philosophical
 - Nature of the field should be addressed
 - Not intended to teach right from wrong
 - Should include discussion and scenarios

GOALS

- Steps to study ethics
 - 1. Awareness of issues
 - 2. Critical thinking skills
 - 3. Become personally responsible
 - 4. Recognize how the system works

IDEALS

- Profession needs to be trusted as a truth
 - High stakes in justice system
 - Large impact
- Data collection
 - In cases, when issues arise, better understanding
- Consistency
 - Policies, procedures, methods

GUIDING PRINCIPLES OF FS

1. Professionals should be technically competent and use reliable methods
2. Honest about qualifications & area of expertise
3. Honest about data & basis for exams, conclusions, and opinions
4. Objective in review of evidence and testimony

LEARNING ETHICS IN FS

- Reading, writing, discussing
- General in nature
- “Safe” environment
- Use questioning
- Goal
 - shape thoughts about proper conduct
 - avoid future issues
 - Open lines of communication/awareness

MENTORING

- Mentor/Trainer
 - Trusted friend, advisor, and/or teacher
 - Administrators of scientific integrity
 - Responsible for guidance
 - Role model
 - Combination of formal and informal lessons
 - Formal: topic specific
 - Informal: how the topic relates to the job

INCOMPETENCE

- “lacking necessary ability or skills”
- not legally qualified
- inadequate to or unsuitable for a particular purpose
- lacking the qualities needed for effective action
- unable to function properly

INCOMPETENCE

- Do you think incompetence is an ethical issue?



COMPETENCE

- Varied training and experience
 - Inconsistent
 - Creates public uncertainty
- Who decides?
 - Other professionals
 - Judges – expert?
 - Jury – believable?
 - Self-determined – less credible

COMPETENCE

- Pressures
 - Accuracy
 - Efficiency
 - Speed needed
 - Training (budget, time, availability)
 - Completely objective analysis?
 - Reasonable?
 - Straightforward?

IMPORTANCE

- So why is ethics important?

- I. Learn standards and guidelines

- Basis for personal and professional behaviors
 - boundaries
 - What is/is not acceptable
 - Consequences

IMPORTANCE

2. Professional cultures influence one another

- Awareness of differences
- Potential impact
- Decrease pressures

3. Prevention!

- Recognizing issues, or potential issues
- Understanding what to do
- Learning from mistakes
- Not allowing mistakes to grow

STANDARDS

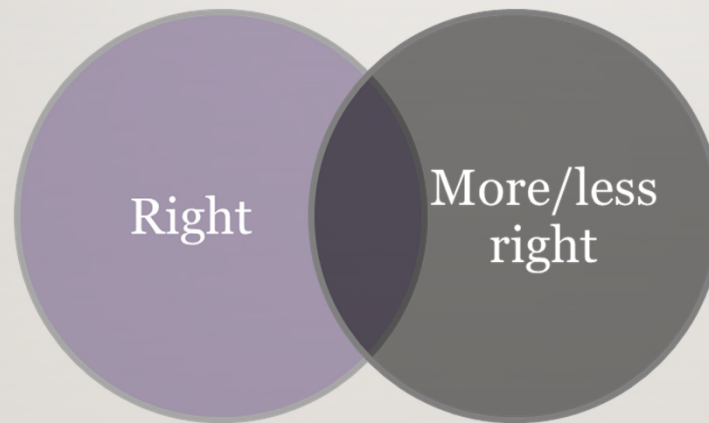
- Quality Assurance
- Codes of Ethics
- Management
- General ideals of science
- No universal standard for ethics

NAS REPORT

- National Academies of Science (NAS)
 - “Strengthening FS in the US:A Path Forward”
 - Feb 2009 report
 - Accounts for various disciplines
 - Standards, ideas, structure, problem areas
- Recommendations 4 and 9

GREY AREA

- When there is more than one answer



- Following standards does not assure the right behavior

GREY AREA

- Various policies, procedures, goals
 - In disciplines
 - in sub fields
 - In professional orgs
 - In jurisdictions, agencies, departments
- Having one source of info reduces this
- Codes try to lessen the burden