

Strengthening Forensic Science Through Uniform Ethics Guidelines



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**Strengthening Forensic
Science Through Uniform
Ethics Guidelines**



***STRENGTHENING FORENSIC
SCIENCE IN THE U.S.:
A PATH FORWARD
(NAS 2009)***

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Science Through Uniform
Ethics Guidelines**



**“ . . . THERE IS NO SINGLE
CODE OF ETHICS TO WHICH
ALL MEMBERS OF THE
FORENSIC SCIENCE
PROFESSION SUBSCRIBE.”
(NAS REPORT)**

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“A UNIFORM CODE OF ETHICS SHOULD BE IN PLACE ACROSS ALL FORENSIC ORGANIZATIONS TO WHICH ALL FORENSIC PRACTITIONERS AND LABORATORIES SHOULD ADHERE.” (NAS REPORT)

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WHY DOES THE NAS RECOMMEND A NATIONAL CODE?

- ❖ a way to encourage development of standards strengthening oversight
- ❖ indicates group recognizes an obligation to society

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WHY DOES THE NAS RECOMMEND A NATIONAL CODE?

- ❖ provides a rational basis for punishments
- ❖ collective recognition of group's responsibilities, creating a culture of professionalism

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WHY DOES THE NAS RECOMMEND A NATIONAL CODE?

- ❖ an educational tool, a starting point for coursework and meetings

Recommendation 9:

The NIFS . . . should establish a national code of ethics for all forensic science disciplines and encourage individual societies to incorporate this national code as part of their professional code of ethics.

Recommendation 9:

Additionally, NIFS should explore mechanisms of enforcement for those forensic scientists who commit serious ethical violations. Such a code could be enforced through a certification process for forensic scientists.

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Method for reaching practitioners:

NAS recommends :

- encouraging individual forensic societies
- to adopt as part of their codes.

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- How do you encourage NGOs to adopt the code?
- Does forensic society mean a certifying organization? See second part of #9
- Text says “all forensic organizations.”

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- What about practitioners who do not belong to a forensic society?
- If “forensic society” is a certification organization, there is time before which one is eligible for certification.

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NAS Report also recommends that code apply to laboratories

- how does forensic society's code apply to laboratories? NGO controls gov't laboratory?
- how does laboratory adhere to it?

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NAS Report recommends enforcement mechanism, perhaps through a certification process.

Problems?

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- What about those who are not certified?
- What affect does punishment have on employment?
 - Bargaining unit employees
 - Consistency of punishment in lab if several cert. organ. enforce code

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**ASCLD/LAB GUIDING PRINCIPLES
OF PROFESSIONAL RESPONSIBILITY
FOR CRIME LABORATORIES AND
FORENSIC SCIENTISTS (12/06/08)**

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- **Applies to everyone in accredited lab**
- **Does not depend on forensic society**
- **Does not depend on eligibility for/or certification**
- **Code can be updated and modified easily – not dependent on societies**

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- **Works in tandem with the ASCLD's Guidelines for Forensic Laboratory Management Practices**
 - **Promotes total laboratory culture of professionalism**
- **Does not require employees to follow bylaws, etc., of NGO forensic societies**

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- **Enforcement mechanism**
 - **Enforced by lab and ASCLD/LAB**
 - **Violation of Guidelines will usually implicate an accreditation standard and corrective action**

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- **Enforcement mechanism**
 - **Lab can connect Guidelines to employee position work plan**
 - **If bargaining unit prohibits it, accreditation program can deal with it.**

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- **Process for community approval of Guidelines**
 - **Don't have to wait for a NIFS**
 - **Draft sent to 30 forensic organizations for comment**
 - **Draft sent to legal commentators for comment**

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- **Process for community approval of Guidelines**
 - **Draft placed on ASCLD/LAB web site for comment-twice**
 - **Draft discussed at various meetings, such as ASCLD, AFQAM, AAFS**

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- **Process for community approval of Guidelines**
 - **Guidelines adopted by BOD on December 6, 2008**
 - **Guidelines will be sent to Delegate Assembly to incorporate into accreditation program**

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- **Process for community approval of Guidelines**
 - **Several laboratories and a forensic society have adopted the ASCLD/LAB Guidelines**

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- **Process for community approval of Guidelines**
 - **Over 364 public and private crime laboratories are accredited by ASCLD/LAB (324 public crime labs)**
 - **BJS counted 389 public labs in US in 2005.**

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- **Process for community approval of Guidelines**
 - **BJS reported in 2005 that public crime labs had about 12,000 full time FTE, about 58% of which are analysts**

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As the requirement for mandatory accreditation of all forensic science service providers becomes a reality, the ASCLD/LAB Guidelines will become the de facto national code of ethics.