

# Teaching Ethics



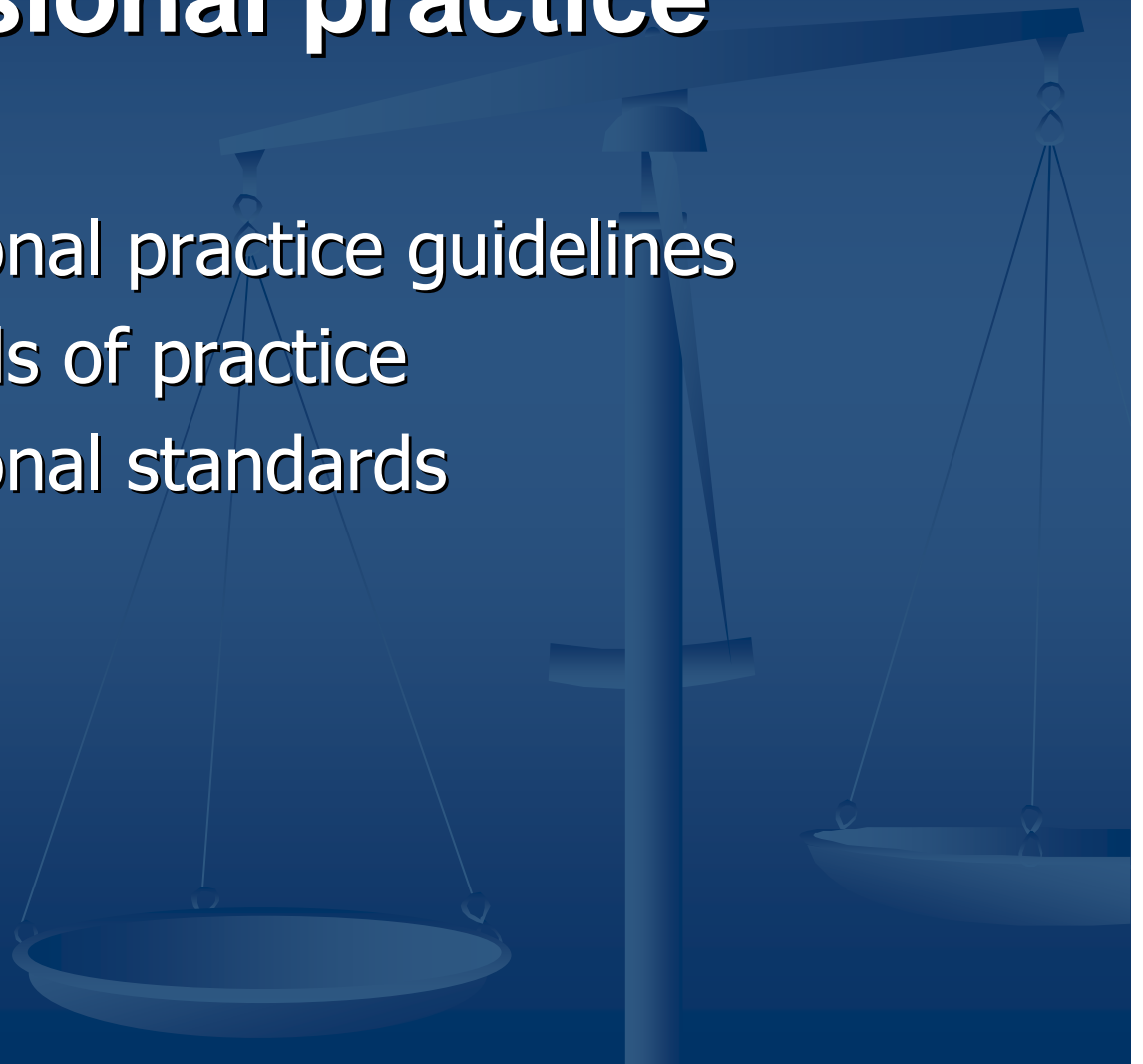
A case approach

“How best to provide ethics training to forensic scientists and what the essential components should be”

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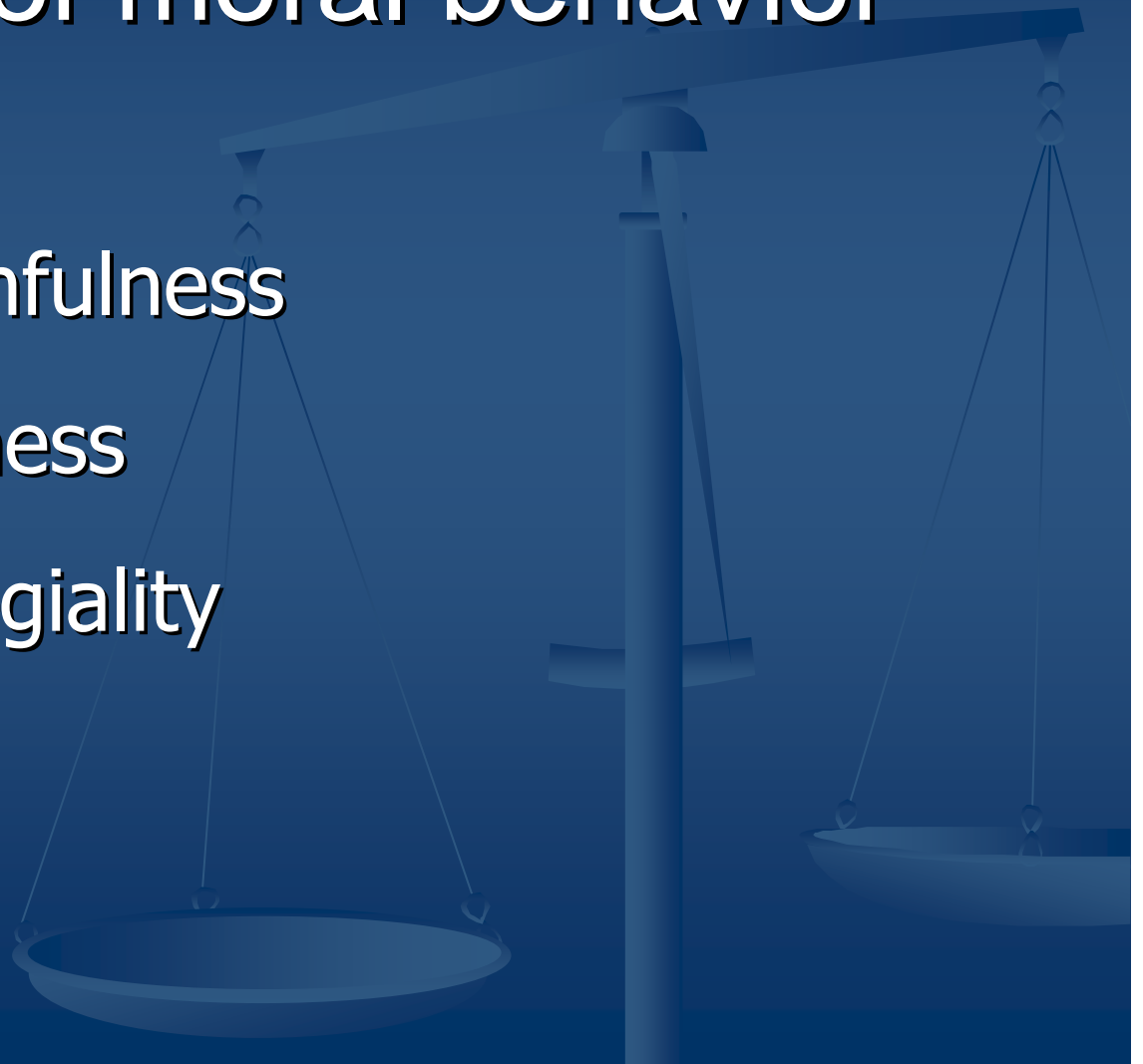
# Ethics in the context of professional practice

- Professional practice guidelines
- Standards of practice
- Professional standards



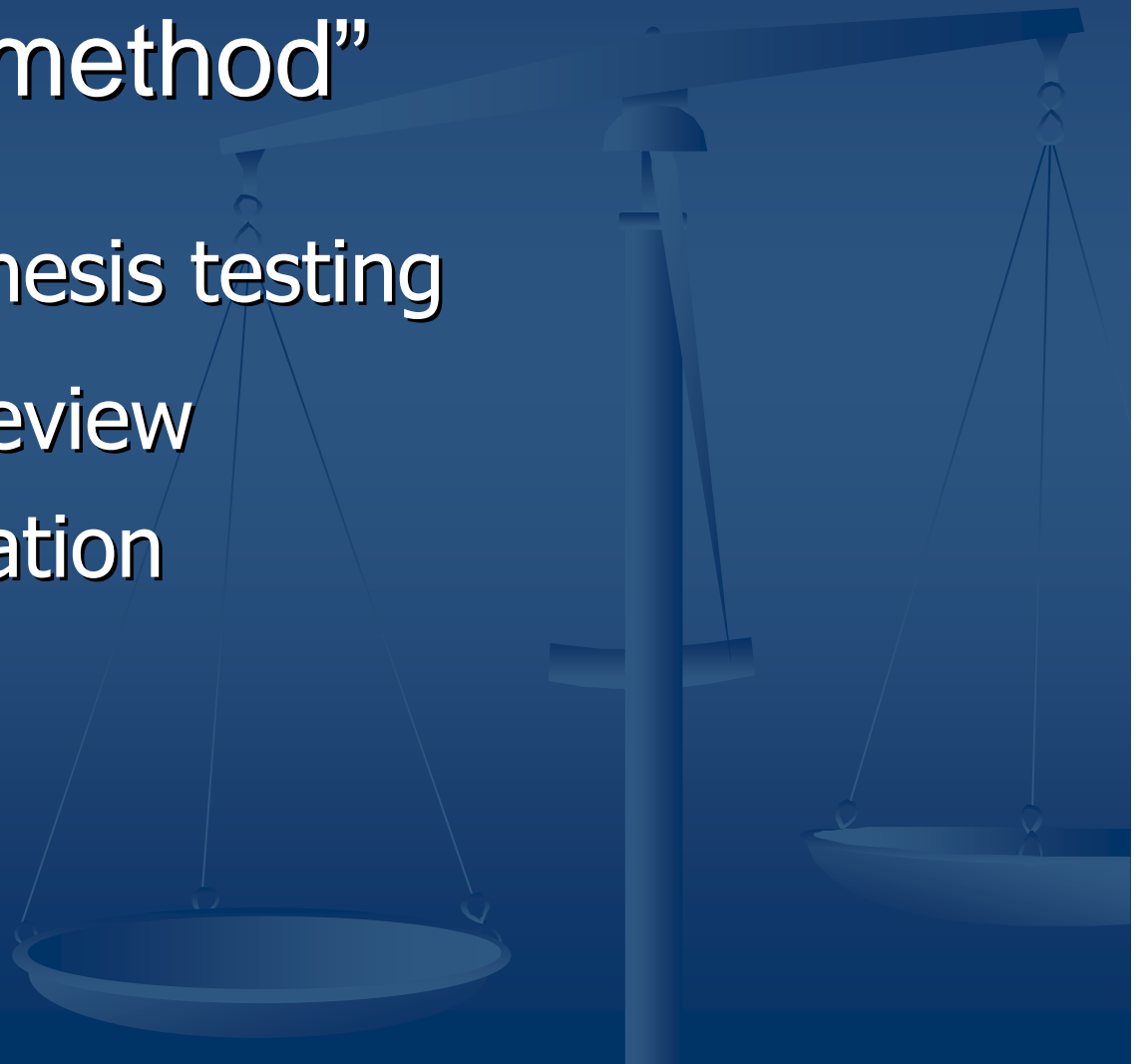
# Concepts of moral behavior

- Truthfulness
- Fairness
- Collegiality



# Requirements of the “scientific method”

- Hypothesis testing
- Peer review
- Replication



# Legal requirements

- Due Process
- Confrontation
- Advocacy
- Codes/Cases/Rules

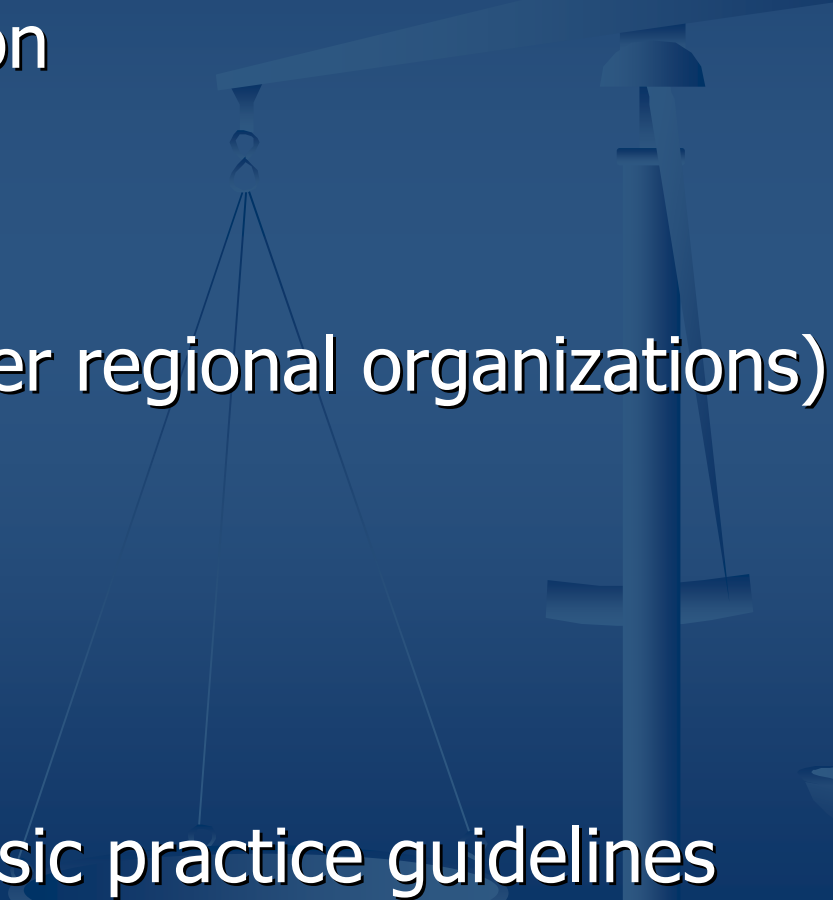


# Codes of ethics (Professional Practice Standards)

- Written
- Agreed to
- Relevant to professional practice



# Sources of ethics/professional practice guidelines

- Scientific tradition
  - Ethics codes
    - CAC (and other regional organizations)
    - ABC
    - AAFS
      - Good forensic practice guidelines
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# Legal Requirements



- Federal Procedural Rules
- State Discovery Laws
- Cases (*Brady, Daubert*)
- Constitution (Confrontation)

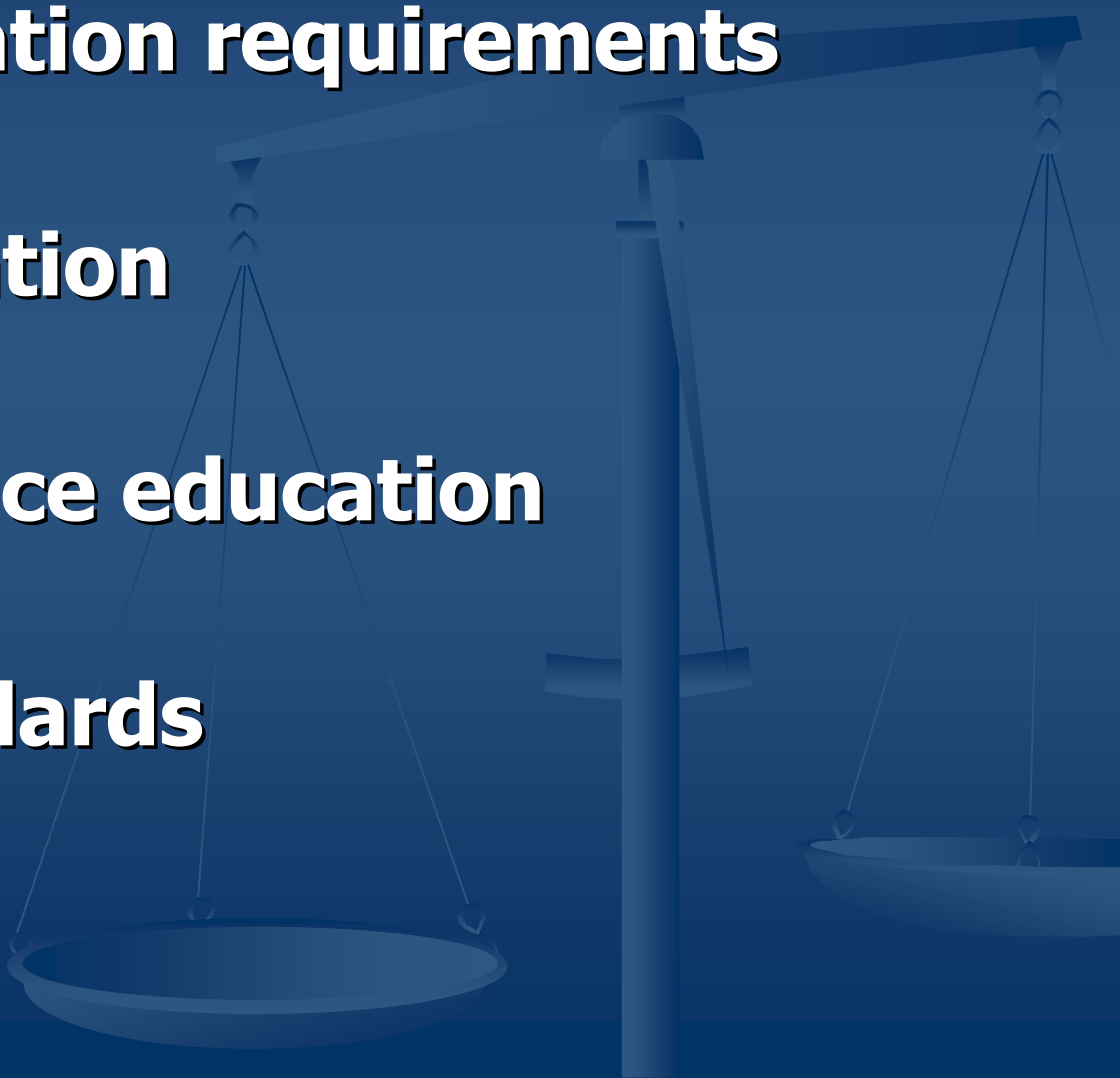


# Other sources of practice guidelines



- Various SWGs
- ASTM Committee E30
- Employer rules

# Education

- **General education requirements**
  - **Science education**
  - **Forensic science education**
    - **FEPAC standards**
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# Case examples



# Answering the right questions

- **Toolmark case**



# Full disclosure



“Where test results are inconclusive or indefinite, any conclusions drawn shall be fully explained.” (CAC)

--or--

Written reports must be generated. . . and must contain the conclusions and opinions. . .” (ASCLD/LAB)

# Victim of rules and regulations



Tests are designed to disclose true facts and all interpretations shall be consistent with that purpose and not be knowingly distorted. (CAC)

--or--

Every member of the AAFS shall refrain from providing any material misrepresentation of data upon which an expert opinion or conclusion is based. (AAFS)

# Intentional actions



“Ensure that a full and complete disclosure of the findings is made to the submitting agency.” (ABC)

--or--

“Laboratory managers shall establish operational procedures in order to meet constitutional and statutory requirements.” (ASCLD)

# Professional responsibility



**“Ensure that all exhibits in a case receive appropriate technical analysis.” (ABC)**

**--or--**

**“...the [criminalist] will use all of the scientific means at his command to ascertain all of the significant physical facts...”**



# Reporting requirements

"Findings of facts and conclusions and opinions should then be reported. . .to the the end that all may fully understand and be able to place the findings in their proper relationship to the problem at issue." (CAC Preamble)

--or--

"Ensure that a full and complete disclosure of the findings is made to the submitting agency" (ABC)

# Further information

Barnett, Peter D., *Ethics in Forensic Science – Professional Standards for the Practice of Criminalistics*, Boca Raton: CRC Press, 2001.

- Various Codes of Ethics
- Case Examples