

Justice for all



C. Ken Williams, 2023-24 President
American Academy of Forensic Sciences

I have been a member of the forensic science community for over two decades. From student to morgue attendant to bench analyst to laboratory management, I have dedicated the majority of my adult life to the pursuit of justice through forensic science. My journey has allowed me to gain a true appreciation for the vital role of forensic science in the criminal justice system. Forensic practitioners are often called upon to use their knowledge of scientific principles to examine evidentiary items. If the results of the examinations are subsequently used in courts of law, a forensic practitioner may be needed to explain the results to attorneys, judges, and jurors. Officers of the court will then use the results, the explanations, or the guidance provided to seek truth and to pursue justice in civil, criminal, and quasi-criminal proceedings. From the investigator at the scene of the incident to the magistrate/judge presiding over the matter, everyone involved in this process plays a vital role. Due to the adversarial nature, the role played by a particular individual may be neutral or it may come with a degree of partiality because of the advocacy owed to the victim, the defendant, or the families of either party. Nevertheless, justice must remain the focus, and justice must extend to all.

The concept of justice is certainly not a novel one. Codes were enacted in early civilizations by kings and rulers to establish justice. The codes were enforced through accountability and the punishment often equaled the offense. For example, an eye for an eye.

That ancient form of “equal justice” included the laws created by the Athenian legislator, Draco. More well-known as Draconian Law, Draco's version of justice was considered harsh by many. Throughout time, civilizations have created some form of order to establish justice in their particular societies. As codes became more formal, justice remained the focus. Many years later in America, justice was also a focal point for the framers of the United States Constitution. When the US Constitution was drafted in 1787, the framers set the stage for the document with the 52-word preamble.

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

The US Constitution created a national government and established a division of power between the federal government and the states with the intent to protect the individual liberties of US citizens. The first of the five objectives or goals set forth in the preamble is to “establish Justice.” The US Constitution established a system of democracy in America. A system of justice was also established. However, the concept of justice for all people has been a bit more elusive. Groups of people have been denied the justice that is owed to all individuals. The desire is not to have the Draconian style of law or *equal justice* from the ancient civilizations, but some form of equitable justice is needed. Around the globe, we have failed to achieve the level of racial, ethnic, economic, and gender justice needed to ensure justice for all.

Some may suggest that justice is blind, but many may argue that is not the case. The consequences of racial, ethnic, economic, and gender disparities have tainted the criminal justice system, and those consequences must be addressed. In order to address the unequal justice system outcomes that have been pervasive in and out of the courtroom, more conversation is needed to bring awareness to the areas in need of attention. The Justice Talks series brought attention to a few of those areas during my term as American Academy of Forensic Sciences (AAFS) President via the AAFS Newsfeed. A study involving survivors of sexual assault and domestic violence revealed the need for improved forensic methodologies for those with darker skin tones to reduce unequal justice outcomes. Traditional methodologies may not allow the detection of bruises on those with darker skin tones, thus compromising investigations and reducing the likelihood of prosecution. [1] Justice Talks submissions discussed the impact on equal justice caused by the disparity in funding and

resources available for public defenders. [2, 3] An investigation conducted by the United States Department of Justice Civil Rights Division concluded that the highly discretionary pretext stops used to address crime by a police department resulted in a disproportionate number of stops for people of color. [4] These conversations are necessary and they must continue. As history has proven, justice is not blind and the administration of justice is not equal for all people.

1 | JUSTICE

I recall a time years ago when my youngest child allegedly perpetrated an act against his slightly older sibling. My middle child, the alleged victim in this incident, chose to report the incident instead of retaliating. That was a very mature response and one that I, as a parent, was glad he chose. He shared the events that transpired, but it was apparent he did not obtain the result he wanted. As my wife and I essentially excused the actions of his younger brother, he became even more frustrated and more teary-eyed. As concerned parents trying to help, we asked, "What would you like for us to do?" His response, without hesitation, "Punish him!" At his young age, I am fairly certain he did not know the meaning of justice, yet justice is what he wanted and he obviously felt it had not been attained.

One of the more commonly used legal dictionaries defines justice as "the fair and proper administration of laws." [5] This very general definition of what is owed to every individual may explain why the societal perspective of the administration of justice is particularly troublesome to many. Fair and proper are somewhat subjective terms that involve judgment and discretion. Although judgment and discretion are not inherently bad, they are plagued with bias, which takes many forms. As a community, we must be aware of the existence of bias in its varying forms (cognitive, contextual, implicit/unconscious, explicit/conscious, etc.) and the potential effect on the work we perform to seek truth and promote justice as forensic practitioners.

The theme for the 2024 AAFS Annual Scientific Meeting is *Justice for All*. Those three words are a small part of the AAFS Vision Statement, yet those three words are worth a reminder to the entire forensic community. Justice for all, regardless of race, gender, age, religion, disability, affectional or sexual orientation, ethnicity, socioeconomic status, or any other factor that leads to bias or discrimination. Justice for all! Justice for the alleged victim, the defendant, and the families of all parties involved. This is what justice for all means to me. Not the equal justice of the early civilizations where harm was met with equal harm, but a more equitable administration of justice for all people. It is necessary for practitioners throughout the forensic community to promote justice for all through forensic science.

2 | THE VILLAGE

There is a famous African proverb that I heard often as a child, "It takes a village to raise a child." Unfortunately, the phrase was heard most often after any of our neighbors informed my mother of when

my brothers and I acted (or may have acted) inappropriately. The *alleged* act usually resulted in either a reprimand or punishment, depending on how my mother felt that particular day since she was the judge and jury. I did not appreciate the extra sets of eyes at the time. However, the assistance from the village was the collaboration needed by my mother to allow her to accomplish her goals. The watchful sets of eyes also brought a level of accountability that I, and my brothers, certainly did not appreciate...at the time.

In our community or village, the parents assisted one another. While one set of parents was away, other neighbors kept watchful eyes on the homes and the children. The collaboration allowed the parents to combine their efforts as they created a safer environment and reduced the occurrence of inappropriate acts from idle children since they knew others were watching. Although the lack of cellular telephones prevented instantaneous communication, my brothers and I knew our neighbors would inform our mother of any inappropriate acts quickly upon her return from work, which encouraged somewhat appropriate behavior while we were unattended.

The collaboration and increased accountability proved beneficial in the community in which I was raised. The same holds true for the community I have chosen as a profession. Just as it took a village to raise a child, it takes a village to promote justice for all. The AAFS "is a global, multidisciplinary membership community that provides collaborative research, quality education, and recognized leadership to advance forensic science to inform its application to the law." [6] The community of the AAFS consists of 12 sections, from Anthropology to Toxicology, with over 6100 members representing all 50 United States and 71 international countries. Every member of the AAFS plays a role in advancing the vision of the AAFS: "To promote justice for all and integrity through forensic science."

The members of the AAFS continue to advance the vision through their dedication to and support of the various AAFS programs. Two of those programs promote integrity within the forensic science community through the accreditation of academic programs or the development of standards for forensic practitioners. The Forensic Science Education Programs Accreditation Commission (FEPAC) was recognized as an official standing committee of the AAFS in 2004. The mission of FEPAC is to enhance the quality of forensic science education through the formal evaluation and recognition of college-level forensic science programs. The FEPAC Commissioners develop and maintain standards and administer an accreditation program that recognizes the undergraduate and graduate forensic science programs that meet the high level of quality demanded by the standards. FEPAC was established in response to the recommendation of the National Institute of Justice for increased accountability of educational programs. To date, over 50 undergraduate and graduate forensic science programs have achieved FEPAC accreditation. [7]

The Academy Standards Board (ASB) is another collaborative effort of the members of the AAFS community. The 2009 National Academy of Sciences report, *Strengthening Forensic Science in the United States: A Path Forward*, called for the establishment of enforceable standards and the promotion of best practices in a number of forensic science disciplines. [8] Significant improvements were needed

in the forensic science community. The ASB was established in response to the need for improvement. In 2015, the ASB became an accredited Standards Developing Organization (SDO) that adheres to the American National Standards Institute (ANSI) process. The volunteers of the 13 ASB Consensus Bodies strive to safeguard justice, integrity, and fairness through the development of consensus-based documentary forensic science standards. In addition to developing consensus-based standards, the ASB also develops on-demand training and educational opportunities to assist in standards implementation; fosters collaboration of SDOs; and works with the National Institute of Standards and Technology (NIST) Organization of Scientific Area Committees for Forensic Science (OSAC) to successfully place developed standards on the OSAC Registry that serves as a repository of published and proposed standards. The promulgation of the American National Standards (ANS) developed by the Consensus Bodies helps to ensure quality, reliability, and consistency among forensic practitioners, which promotes fairness and equity through the uniform application of objective science. The standards developed and promoted for implementation by the ASB Consensus Bodies contribute to the body of reliable data that impact the equal application of justice for all. [9] To date, the ASB has published over 90 documents (standards, technical reports, and best practice recommendations).

When discussing the collaboration of AAFS members, the *Journal of Forensic Sciences (JFS)* must be part of the conversation. A major benefit of AAFS membership, the *JFS* has been the official publication of AAFS for over 60 years and is recognized as one of the leading forensic science journals worldwide for publishing high-quality, innovative, original research submitted by scientists and practitioners from all continents. The published articles are used by forensic scientists and others in courts of law, presentations at scientific meetings, and numerous other public forums. The articles have advanced forensic science research, education, and practice while building bridges between the scientific and legal communities. Through rigorous peer review, rapid publication, and effective dissemination of forensic science content, the *JFS* provides scientific support to the pursuit of justice for all. It is an important vehicle for publishing research that is instrumental in advancing forensic science. The Editorial Leadership has worked hard over the years to improve *JFS*, while launching new initiatives. The recently launched *JFS* Forensic Lab Talks (FLT) seminar series covers a range of topics important to the forensic science community and provides high-quality, relevant educational content that is available on-demand on AAFS Connect. The seminars average over 1300 registrants and help AAFS members and others in forensic science remain informed of forensic science innovations. The *JFS* editors, editorial board, guest reviewers, and authors all collaborate to promote justice through the publication of relevant research, and they are making a difference.

3 | MAKING A DIFFERENCE

Membership with the AAFS provides access to investigators, medical examiners, engineers, anthropologists, toxicologists, forensic

nurses, dentists, educators, criminalists/analysts, psychiatrists, lawyers, document and digital evidence examiners, and many others. With over 6100 members, the rich diversity of the AAFS membership provides extraordinary networking opportunities and fosters interdisciplinary discussion.

I was fortunate to have individuals in my life who encouraged me to attend my very first AAFS Annual Scientific Meeting over two decades ago. After that first meeting, I recognized the value of being a part of this wonderful organization and applied for membership. I chose to become a member of the AAFS to take advantage of the discounted annual meeting registration rate and to gain access to the *JFS*. As a student, both were valuable to me. The discounted meeting registration allowed me to do more with my limited resources and access to the *JFS* was, on its own, a resource. After learning more about the AAFS, I chose to renew my membership, year after year, because I believed in the foundation on which the organization stood. To this day, that belief remains.

As a member, I chose to take an active role in the AAFS because I believed I could make a difference. My journey to making a difference began with the Young Forensic Scientists Forum (YFSF). As a part of the YFSF leadership, I helped draw attention to the YFSF and its attendees. The attention led to sponsorship from various sections of the AAFS, which allowed the YFSF to provide refreshments at meeting functions while keeping costs low for the attendees. The YFSF was also able to have its very first Bring Your Own Slides Session. The YFSF continues to provide a space for the next generation of forensic practitioners to network with peers and mentors, while also providing an opportunity for the next generation of eager forensic practitioners to contribute to the success of the AAFS Annual Scientific Meeting.

The AAFS Annual Scientific Meeting has been a staple in the forensic science community for years by providing high-quality educational content and networking opportunities. The meeting experience has evolved over the years to meet the needs of the diverse attendees. When I attended my first meeting, I do not recall many opportunities for students and young professionals aside from the YFSF. Now, in addition to the YFSF, there are volunteer opportunities for students to obtain a waived meeting registration; Forensic Science Foundation (FSF) student affiliate scholarships and travel grants; employment and university forums; a mentor/mentee breakfast; and university receptions to name a few. The AAFS Staff has also worked with the AAFS Board of Directors and the Diversity Outreach Committee (DOC) to create a welcoming and inclusive space for all attendees. The DOC promotes initiatives within the AAFS to increase diversity, equity, inclusion, accessibility, and belonging and sponsors a Diversity Outreach Evening Session. As part of the ongoing efforts to be more inclusive, the AAFS now has options to add pronouns to meeting badges and has worked with the convention center staff for the 2024 Annual Scientific Meeting to provide gender-neutral restrooms and nursing rooms. For our meeting attendees traveling with younger children, the AAFS is also pursuing childcare options because of the need expressed in the meeting attendee survey results. I am proud of the difference the AAFS continues to make by providing a meeting for all, with

opportunities for all, in a space where all experience levels may feel welcomed.

The welcoming environment of the annual meeting has promoted diversity among the meeting attendees. Fortunately, meeting attendees often choose to apply for membership, which results in increased diversity for the AAFS. As a membership organization, diversity is welcomed. Not just diversity of people, race, and ethnicity, but also of genders, thoughts, sexual orientations, educational backgrounds, and the numerous categories that must be considered in creating a more inclusive environment that welcomes various perspectives and views. The AAFS is strengthened by a diverse membership population, which is why I have had a zeal for increasing diversity since I took a more active role in leadership. Diversity fuels creativity and innovation. A diverse membership also leads to a broadened knowledge base and helps increase cultural sensitivity/awareness. I recognize the importance and benefits of diversity, and I have chosen to make a difference by continuing to support efforts to increase diversity within the AAFS and the general forensic science community.

Together, we are making a difference. With the help of the entire forensic science community/village, I hope we can someday attain a level of justice that is equitable for all people. Until that day comes, I will remain confident in the AAFS vision of promoting justice for all and integrity through forensic science. I welcome you into the village and I hope you will join me in this endeavor to promote JUSTICE FOR ALL!

ACKNOWLEDGMENTS

I have been honored to serve as the President of the AAFS. I was fortunate to serve with a very dedicated Board of Directors, a devoted staff, and a diverse section and committee leadership. I also offer my sincere gratitude to the AAFS membership for entrusting me with the privilege to serve. I am very thankful for the colleagues, mentors, friends, family, and AAFS Board of Directors, past presidents, and staff who have provided much-needed support, encouragement, and guidance throughout my journey within the AAFS and this life of forensic science that I have chosen.

C. Ken Williams MS, JD

*New Jersey State Police Office of Forensic Sciences, Hamilton,
New Jersey, USA*

Correspondence

C. Ken Williams, New Jersey State Police Office of Forensic Sciences, 1200 Negron Drive, Hamilton, NJ 08691, USA.

Email: charles.williams@njsp.gov

REFERENCES

1. Welcome to Justice Talks. American Academy of Forensic Sciences. 2023 [cited 2023 Oct 1]. Available from: <https://www.aafs.org/article/welcome-justice-talks>
2. Justice Talks - The Next Generation (Duquesne University). American Academy of Forensic Sciences. 2023 [cited 2023 Oct 1]. Available from: <https://www.aafs.org/article/justice-talks-next-generation-duquesne-university>
3. Rogers M. Equal access to digital forensic expertise. American Academy of Forensic Sciences. 2023 [cited 2023 Oct 1]. Available from: <https://www.aafs.org/article/equal-access-digital-forensics-expertise>
4. Barron V. If justice for all is to be obtained, the ends must never justify the means. American Academy of Forensic Sciences. 2023 [cited 2023 Oct 1]. Available from: <https://www.aafs.org/article/if-justice-all-be-obtained-ends-must-never-justify-means>
5. Garner BA, editor. Black's law dictionary. 2nd ed. Egan, MN: West Publishing Co.; 2001.
6. About the AAFS. American Academy of Forensic Sciences. [cited 2023 Sept 9]. Available from: <https://www.aafs.org/about-us>
7. About FEPAC. American Academy of Forensic Sciences. [cited 2023 Oct 1]. Available from: <https://www.aafs.org/fepac/about-fepac>
8. Committee on Identifying the Needs of the Forensic Science Community, National Research Council. Strengthening forensic science in the United States: A path forward. Washington, DC: National Academies Press; 2009. <https://www.ojp.gov/pdffiles1/nij/grants/228091.pdf>. Accessed 1 Oct 2023
9. Academy Standards Board - Who we are. American Academy of Forensic Sciences. 2023 [cited 2023 Oct 1]. Available from: <https://www.aafs.org/academy-standards-board/about-asb>