



E12 Rush to Judgment! Do Some Forensic Scientists Jump to Conclusions, Thereby Facilitating Injustice?

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After attending this presentation, attendees will learn that some forensic scientists jump to conclusions, possible reasons for this recognized phenomenon, and what safeguards and solutions may be appropriate in order to minimize the adverse consequences, and reduce future occurrences.

This presentation will impact the forensic science community by raising awareness of rushed and erroneous forensic science work. It discusses why scientists may exhibit this behaviour, and explores strategies to minimize the number of times that forensic scientists hastily form scientifically invalid and unjustifiable conclusions.

Some forensic scientists jump to conclusions when they examine evidence and report their findings. The intervention of opposing experts in some cases has averted great injustice. However, the majority of forensic science work does not undergo the rigors of an independent expert evaluation and, inevitably, some erroneous forensic science work must be slipping through the net. Will greater use of independent experts result in a fairer justice system, or will other reforms prove more effective?

Poor forensic science is usually exposed only when one side hires an independent expert consultant to review the work of the original forensic scientist. It is not rare to find that the original scientist may have taken short-cuts in the work and, for whatever reason(s), has jumped to an invalid conclusion. In civil proceedings the result may be an unjustified financial loss for one party; however, in the criminal arena the consequences can be erroneous loss of liberty or life.

There is no question that some forensic scientists have rushed their work, and jumped to conclusions that were subsequently proven to be incorrect. Two examples, where the lack of independent expert intervention may have resulted in lengthy false convictions, are used to illustrate this point.

Potential reasons for erroneous work are considered and discussed, such as bias in favour of the hiring party, intimidation by the hiring party, overly heavy workload (fatigued and/or rushed), laziness, poor motivation, laboratory distractions, and lack of education & training.

Whether an expert is working for the prosecution, plaintiff, or defence, they are undoubtedly hired by someone. In most jurisdictions the crime lab has strong ties to the prosecutor's office, and local law enforcement officers. Independent experts are usually hired infrequently by a large number of clients. Consequently, it can be argued that the crime lab forensic scientist is more likely to feel pressure to conform, and meet client expectations, than is the independent forensic scientist. After all, the 'clients' have the power to influence, or even end careers. Even if the employee does not feel intimidated by this overt master-employee relationship, they may feel pressure to deliver results for those they view as their friends and colleagues - the good guys of law enforcement.

It is no secret that most crime labs are under great pressure to handle ever increasing caseloads. Under these conditions forensic scientists may feel obliged to rush their work and/or become fatigued by the fast pace. Poor management and working conditions may demotivate once conscientious scientists, and distractions in the office or laboratory may lead to errors in work - is that open plan office really such a great idea? Does it really make sense to hire general forensic scientists for work that probably requires detailed specialist knowledge or in some instances to hire ridiculously inappropriately qualified people? You wouldn't accept a motor mechanic doing your kidney transplant; so why accept a registered nurse performing engineering work?

Techniques and strategies to minimize the instances and adverse effects of rushed work are discussed, including the hiring of independent consultants to review work, and the improvement of crime lab management and quality procedures.

Invalid, Scientific, Conclusions