



Jurisprudence Section – 2010

E42 When Two Worlds Collide: The Interface of Science and the Law

Christopher P. Montagna, MS, MPA, Foren-Tech, 83 Bradford Lane, South China, ME 04358*

After attending this presentation, attendees will have an understanding of how the interface between science and the law has led to misunderstanding and at times contentious interactions between the scientist and the attorney.

This presentation will impact the forensic science community by opening a discussion on ways to gap the divide between science and the law by providing insight into the training of the scientist as expert witness, address issues raised by the recent National Academy of Sciences (NAS) Report, and seek to clarify that, what is perceived as unsound science may in fact be flawed follow-through.

Scientists learn that the word science comes from the Latin word *scientia* meaning knowledge. This knowledge is attained through study and/or experience in employing the scientific method. The key to any scientific endeavor is to provide empirical (derived from experiment and observation) and unbiased conclusions. Once forensic science is chosen as a career path, one learns that the term forensic means, "pertaining to law." This knowledge (science) is applied in a legal setting. That is, a setting established by or founded upon official or accepted man-made rules.

It is this interface between science and the law that has led to misunderstanding and at times contentious interactions between the scientist and the attorney. Forensic scientists are precariously balanced at the apex of two worlds – science and law. They teeter on the line between what is scientifically right and what is legislatively legal. As such, things can be legally right but scientifically ambiguous or wrong.

The presentation will address the key topics necessary to bridge the gap between the two disciplines: education, communication and ethics. Understanding and applying these key concepts will provide a broader understanding of how science fits in with the law.

Science, Law, Jurisprudence