



Criminalistics Section – 2011

A147 Development of a Model National Code of Ethics for Forensic Scientists

*Peter D. Barnett, BS**, Forensic Science Associates, 3053 Research Drive, Richmond, CA 94806;
*Jeffrey A. Thompson, BS**, Los Angeles Police Department, Scientific Investigation Division, 1800 Paseo Rancho Castilla, Los Angeles, CA 90032; *Hiram K. Evans, MSc**, Forensic Science Consultancy, PO Box 782, Highland, CA 92346-0782; *Carolyn Gannett, MS**, 10353 Ridgewater Lane, San Diego, CA 92131; and *Peter R. De Forest, DCrim**, PO Box 141, Ardsley, NY 10502

The goal of this presentation is to present to the attendees a draft Code of Ethics for forensic scientists which has been developed by the California Association of Criminalists. It is hoped that the presentation will generate a discussion which will inform the development of the national code of ethics called for by the 2009 NAS Report.

This presentation will impact the forensic science community by discussing the National Academy of Sciences (NAS) Report, *Strengthening Forensic Science in the United States: A Path Forward*, which calls for the development of a national code of ethics for the forensic sciences. A draft of such an ethics code has been developed by an ad hoc committee of the California Association of Criminalists (CAC) from a review of a large number of ethics codes of various forensic science organizations. The draft code will be presented to attendees in order to further develop a consensus code of ethics which can serve as the national code of ethics called for in the NAS Report.

The National Academy of Sciences (NAS) report, *Strengthening Forensic Science in the United States: A Path Forward*, calls for the implementation of a process that would require certification of all forensic scientists who would then be subject to a national code of ethics which would be enforced as part of the certification process. The implementation of the NAS Report's recommendations would mean that "No person (public or private) should be allowed to practice in a forensic science discipline or testify as a forensic science professional without certification" (NAS Report, Chapter 7, Recommendation 7). And further, all practitioners in the forensic sciences would have to be certified by a professional organization which would "incorporate this national code as part of their professional code of ethics." The provisions of the ethics "code could be enforced through [the] certification process" (NAS Report, Chapter 7, Recommendation 9).

The development of a national ethics code for forensic scientists as called for by the NAS Report is a daunting proposition. To be useful, an ethics code must serve as a guideline to practitioners for appropriate action in various situations. In addition, it must serve as a document against which actions of a practitioner can be judged and, if found inappropriate, act as a basis for appropriate sanctions. Whether or not an ethics code that is acceptable to all individuals or professions involved in the practice of forensic science is practical remains to be seen. Such an ethics code must not only be based on principles that are generally agreed on by all, but must include specific provisions that serve as guidelines to appropriate professional behavior for all practitioners. A draft ethics code has been developed based on a review and comparison of a large number of ethics codes of various organizations (Gannett, Carolyn, "Survey: I Don't Need No Stinkin' Ethics Codes," *CACNews*, Second Quarter, 2009, pp. 23-28). This draft ethics code will serve as a basis for further discussion to determine if a consensus document can be developed which will be acceptable to all stakeholders, including practitioners in diverse areas of forensic science, users of the services of forensic science practitioners, laboratory and agency managers, and others. The purposes of this document are: (1) to provide principles and rules for one's own conduct; (2) To provide a template against which to evaluate others' professional actions; (3) to offer protection of the individual if asked to perform unethical acts; and, (4) to ensure the community (colleagues, the justice system, and the general public) of uniformity and quality of service. The draft ethics code consists of sections dealing with both the practice of forensic science and the management of forensic science operations. For the practitioner, specific guidelines for appropriate behavior are set forth under general principles such as honesty, confidentiality, fairness, or forthrightness, along with a general statement for each about why the general principles are important. For the manager, general responsibilities to employers, employees, agencies, the profession, and the public are set forth along with specific provisions for appropriate actions to be taken in each of these areas.

Ethics, Professionalism, NAS Report