



Jurisprudence Section – 2011

E15 Junk Criticism

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After attending this presentation, attendees will understand the problem of proffered testimony by those of limited technical background utilizing untested and unreliable methodologies contrary to accepted practices in an attempt to discredit various branches of the forensic sciences. Attendees will also understand the methods used to recognize junk criticism from appropriate criticism and how to distinguish the two.

This presentation will impact the forensic science community by bringing the issue of junk critics and their methods to the attention of the judiciary so all involved can be better prepared to address the issues on a scientific basis.

While the recent report on forensic science from the National Academy of Sciences has been the top conversation within the Academy since its release, criticism of forensic science is not new. Some criticism is warranted but some is based on a combination of innuendo, misrepresentation of facts, untrue statements, misapplication of statistical methodologies, and opinion pieces disguised as research – and the source of these biased, unfounded attacks may surprise you. This presentation will highlight the methods these critics have used against forensic document examination for over ten years and how the examiners have successfully dealt with the situation. This presentation will also take a careful look at rules of evidence and procedure in the light of how they address this phenomenon.

The purpose of this presentation is to educate the judiciary in the techniques used in junk criticism, how to differentiate legitimate recommendations of improvement from junk criticism, and options available to judges in handling these situations. The presentation will be made by a forensic document examiner who has faced the scenario of attack by junk criticism more than once and a sitting trial court judge with judicial academic credentials who has researched this subject. **Forensic Science, Criticism, Judiciary**