



Jurisprudence Section – 2011

E38 Redux: AAFS President's Speech to the American Bar Association Criminal Justice Section Conference at the Fordham University School of Law, June 4, 2010, New York

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The American Academy of Forensic Sciences and the American Bar Association Criminal Justice Section co-sponsored a conference entitled, "Prescriptions for Criminal Justice Forensics." The AAFS President was invited to deliver an address at this conference. The goal of the ABA presentation was to address some controversial issues and conflicts which exist between lawyers and forensic scientists, and presented suggestions for coming together to minimize these conflicts. Lawyers and scientists must be willing to acknowledge the views of the other side and to examine the worlds of science and the law through parallel prisms.

This presentation will impact the forensic science community by examining suggestions for finding solutions aimed at strengthening the forensic sciences by looking at ways scientists in the laboratory and lawyers in the courtroom evaluate one another's actions and motives. There is enough culpability for failure on the shoulders of all who play a part in the presentation and evaluation of forensic science testimony at trial. This paper will also examine possible shortcoming in the arguments of those who have a responsibility for the formulation and management of forensic science testimony, those who are responsible for the admission of this testimony, and those who must argue against the validity of forensic science methods and conclusions both pre-trial and in trial.

Shortly after the 2010 American Academy of Forensic Sciences meeting in Seattle, an article appeared in *Newsweek* magazine which took a direct shot "across the bow" at forensic science. The President of the Academy responded to this article with the "other side of the story." That response (which *Newsweek* did not print) was disseminated across the internet and later appeared in publications of forensic science organizations in the United States. Responses were received by the AAFS President from as far away as Australia with the same message: Thank you for finally responding to the attacks on forensic science.

That response to *Newsweek* formed the basis for the speech, presented June 4, 2010, at the ABA conference. This presentation will include a synopsis of the speech with an opportunity for questions and comments from the audience.

American Academy of Forensic Sciences, American Bar Association, Newsweek Magazine