



A96 What Can Be Done to Save Criminalistics?

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The goals of this presentation are to: (1) raise awareness of the disparity between the potential of criminalistics to contribute to the justice system and its actualization; and, (2) to draw ideas and suggestions from the audience for overcoming the considerable obstacles to the realization of this potential.

This presentation will impact the forensic science community by pointing out ways in which the scientific potential of criminalistics can be enhanced to contribute to justice.

Perhaps, one would think the first question to be asked is: Is criminalistics worth saving? However, in order to address that question, there are some other questions that need to be answered. For example, what is criminalistics? What is its function? Does it contribute something of value? Do we have consensus on these questions? Let's throw out some thoughts for consideration. Before attempting to tackle the question of what it is, it should be asserted that I very strongly advocate that criminalistics is capable of contributing. Criminalistics is capable of establishing the "ground truth" in difficult criminal and civil investigations based on the physical evidence record. No other mode of investigation (eyewitnesses, interrogation, confession, etc.) has anything approaching this same powerful potential to offer. The alternatives are more error prone as well. Is this same potential realized in practice? Clearly, it is not. Why not? Can we enumerate the reasons?

Lets look at what's wrong; however, a general definition of Criminalistics should be provided first. Perhaps it is a definition which can be agreed upon using the AAFS structure as a model and starting point. We all hold some reasoning or ideas of why we are members of the Criminalistics section and not another. What are the attributes and foci of those of us in the Criminalistics Section that define us? Could it be said that we are scientists whose focus is applying scientific thinking, scientific knowledge, and scientific methods to the interpretation of physical evidence from suspects, victims, and crime scenes? How many of us engage in this practice in the broadest sense? How many of us, by choice or not, act more like technicians than scientists, and are restricted to testing samples in a more or less reactive manner? The anecdotal evidence I have is that most of us (worldwide) are not given the opportunity to formulate and address whole scientific questions. We are constrained to a reactive role where someone else, typically a nonscientist, poses the scientific questions to be addressed in a given investigation, and therefore, we are unable to provide the most value. It may seem obvious to us that a scientist is the best qualified to pose a scientific question. Strangely, it doesn't seem as though this view is widely shared, or perhaps even thought about. If this trend toward the reactive role were to continue, could we not be replaced by automatons and easy-to-operate, field-deployable instruments? This would be the end of criminalistics. Whether appreciated or not, it would be the end of scientific input to investigations. On the surface, it would appear to be cost-effective, but investigations and valid evidence interpretation at the adjudicative stage would suffer immeasurably. Is this alarmist? I don't think so.

Now that we may have somewhat of a consensus on what criminalistics is, and perhaps a consensus on what is wrong with our field, a discussion of remedies can begin.

References:

1. De Forest PR. Recapturing the essence of criminalistics, Founders Lecture, California Association of Criminalists, *Sci Justice* 1999;39:196-208.
2. De Forest PR. Proactive forensic science. *Sci Justice* 1998;38:1-2.

Criminalistics, Science, Investigation