



F36 A Tale of Two Futures

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This goal of this presentation is to encourage laboratory-based criminalists, laboratory administrators, attorneys, and other stakeholders to reflect on the direction of the future development and utilization of physical traces from crime scenes.

This presentation will impact the forensic science community by having the potential to enhance the contributions and value of physical evidence in the future.

It will be the best of times, it will be the worst of times The fallout from the 2009 National Academy of Sciences (NAS) Report, along with the effects of both accurate and exaggerated media reports of laboratory “failures” and increased awareness of wrongful convictions, have all but cast a shadow on criminalistics. Is there hope for transformation — a chance for criminalistics to emerge renewed and reestablished as an essential and integral part of the criminal justice system? While many attempts have been made to address issues raised by the NAS Report and improve criminalistics, many unresolved questions remain. In addition, there are problems that were not recognized or cited in the NAS study. This presentation considers issues with physical evidence driven investigations. Specifically, this presentation seeks to draw attention to the shortcomings and hazards of certain current trends in criminalistics and contrast them with the untapped potential that exists.

Will the recognition of relevant physical traces at a crime scene still be hampered by being dependent on the limited knowledge and insights of non-scientist crime scene investigators or other non-scientist personnel with relatively short-term assignments? Will laboratory scientists still be relegated to reactive technician roles and become further removed from the formulation of scientific questions to be addressed regarding the physical evidence? Will trace evidence capabilities continue to be eliminated in forensic science laboratories? Will highly “intelligent” computerized instruments serve in place of experienced scientific human minds in developing the structure of the physical evidence investigation to follow at the initial stages of the overall investigation?

OR ...

Will the typical, large forensic science service finally be seen as something more than an overburdened testing facility contending with backlogs of poorly selected items taken from poorly investigated and triaged crime scenes? Will the entire physical evidence continuum be recognized as the responsibility of scientists? Will the crime scene be conceptualized as a challenging scientific problem as difficult and as important as any work performed on evidence items in the laboratory? Will experienced senior scientists at long last be able to proactively apply their physical evidence expertise at the outset of investigations? Will laboratory scientists be able to expand beyond their constrained *de facto* roles as reactive technicians to work on defining and solving complex physical evidence problems?

These questions raise additional questions, such as: What role does the criminal justice system envisage for forensic science and forensic scientists? How can the criminal justice system help ensure it gets what it needs out of forensic science? How can the criminal justice system help ensure that forensic science develops in a more useful direction?

Can criminalists choose a future? Which future of these two starkly different futures do criminalists want? How many understand the problem? Which future do lawyers and other non-scientist members of the criminal justice system want? Are scientists and lawyers in agreement? What can be done to bring them into agreement? How badly do all relevant parties want change? What forces have served to maintain the status quo? What can be done to increase the level of scientific contributions across the physical evidence continuum? How can it be done? Who can get it done? What positive role can members of the legal profession play in bringing about needed change?

Physical Evidence Recognition, Crime Scene, Laboratory Analysis