



Basic principles of forensic science for an introductory overview course

## OVERVIEW

### Key Concepts of Forensic Science

- Application of a scientific method, tool, or technique to aid an investigation or judicial proceeding
- Used to support or refute hypotheses about how an event occurred
- Results integrated into the investigation, part of a larger story
- Many subdisciplines

#### Forensic laboratory



#### Medical examiner



### Characteristics of Forensic Data and Results

- Specific and complete, including caveats or limitations
- Reproducible; another forensic scientist provided with the same evidence and information should obtain the same results
- Falsifiable; results must be stated such that they can be tested for accuracy and completeness. A specific DNA profile or a specific blood alcohol measurement is falsifiable because the results can be confirmed by scientific testing
- Relevant to the case at hand. The analysis of a bloodstain sample would be done to obtain the DNA profile; cholesterol level in the blood is irrelevant

### Selected Historical Figures

- **Alphonse Bertillon (1853–1914; French)**
  - Used measurements of physical features for identification called **anthropometry** or **Bertillonage**. Replaced by fingerprinting
- **Francis Galton (1822–1911; English)**
  - Fingerprints
- **Alexander Gottler (1882–1968; American)**
  - Forensic toxicology. Performed chemical analysis for the New York Office of Chief Medical Examiner (OCME)
- **Calvin Goddard (1891–1955; American)**
  - Comparison microscopy and firearms
- **Hans Gross (1847–1915; Austrian)**
  - Coined the term **criminalistics**

- **Alec Jeffreys (1950–; English)**
  - Developed early DNA testing methods
  - First to use DNA typing in a criminal matter (Colin Pitchfork case)
- **Paul Kirk (1902–1970; American)**
  - Generalist and educator
- **Edmond Locard (1877–1966; French)**
  - Trace evidence. Opened an early forensic laboratory
  - Credited for Locard's Exchange Principle, paraphrased as "every contact leaves a trace"
- **Charles Norris (1867–1935; American)**
  - Physician. Early head of the OCME
- **Mathias Orfila (1787–1853; Spanish)**
  - Worked in Italy and France. Forensic toxicologist and educator
  - Utilized the Marsh test for arsenic in the Laffarge case
- **Bernard Spilsbury (1877–1947; English)**
  - Physician and forensic pathologist

### Bias and Human Error

- **Bias** can cause results of a forensic analysis to be influenced by factors other than evidence and testing results
- Usually unintended and unconscious
- Can be caused by **contextual information** irrelevant to the case
- **Confirmation bias** can occur if a specific result is anticipated or expected
- Prosecutorial bias/defense bias favors a specific side in the dispute

### Interface with the US Legal System

#### US legal system

- Legal system designed to settle disputes
- **Adversarial**: based on comparing competing arguments
- Criminal cases
  - Accused/defendant vs. government (local/state/federal)
  - Prosecution vs. defense
  - **Burden of proof** on prosecution
  - Standard of proof: beyond a reasonable doubt
- Civil cases
  - Individual vs. individual, corporations, companies, etc.
  - Plaintiff vs. defense

### Quality assurance/quality control (QA/QC)

- Practices and procedures used to ensure that forensic data are relevant and trustworthy
- **Cradle-to-grave process**—from evidence creation to final disposition
- Forensic laboratories can be **accredited**
- Analysts may be **certified** in some disciplines

- Burden of proof on prosecution
- Standard of proof: preponderance of evidence
- **Jurisdiction**: the entity empowered to hear a case—local (town, city, county), state, and federal
- Decision rendered by **trier-of-fact** (judge or jury)
- Rules on precedent—rulings by previous courts

#### US Rules of Evidence

- Process to allow evidence to be presented in a legal proceeding
- Evidence is admissible if it meets **admissibility standards**
- Applies to forensic results and data
- Admissibility standards vary across jurisdictions
- **Frye standard**
  - Informally called **general acceptance** admissibility standard
  - 1923 ruling
  - Decision to reject admission of polygraph (lie detector) test
  - Court ruled that to admit new type of test, it must have been accepted within that scientific discipline
- **Federal Rules of Evidence**
  - Congressionally enacted 1975
  - Frequently updated
  - Applies to federal jurisdictions
  - Adopted by other jurisdictions
  - Guidelines for expert testimony
- **Daubert standard**
  - Informally called **gatekeeper standard**
  - 1993 ruling in civil case
  - Trial judge to make admissibility decision; judge as **gatekeeper**
  - Ruling provided guidelines for making this decision
  - Included general acceptance, validation of method, standards, limitations, and potential errors
  - Part of **Daubert trilogy** of cases
- **Joiner decision**
  - Second of Daubert trilogy
  - 1997 ruling in civil case
  - Scientific evidence must be directly relevant
- **Kumho decision**
  - Third case of Daubert trilogy
  - 1999 ruling in civil case
  - Extended definition of expert beyond traditional sciences

- Methods created by **standard operating procedure (SOP)**
- **Traceability**: ability to trace result directly to nationally/internationally accepted standard
- **Control samples** analyzed with evidence
- Results reviewed by colleagues (**peer review**)
- Data reviewed and confirmed



# Forensic Science Unit Study Guide

**Xiaolong Qi**



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## **Table of Contents Forensic Science Unit Study Guide**

1. Understanding the eBook Forensic Science Unit Study Guide
  - The Rise of Digital Reading Forensic Science Unit Study Guide
  - Advantages of eBooks Over Traditional Books
2. Identifying Forensic Science Unit Study Guide
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Forensic Science Unit Study Guide
  - User-Friendly Interface
4. Exploring eBook Recommendations from Forensic Science Unit Study Guide
  - Personalized Recommendations
  - Forensic Science Unit Study Guide User Reviews and Ratings

- Forensic Science Unit Study Guide and Bestseller Lists
- 5. Accessing Forensic Science Unit Study Guide Free and Paid eBooks
  - Forensic Science Unit Study Guide Public Domain eBooks
  - Forensic Science Unit Study Guide eBook Subscription Services
  - Forensic Science Unit Study Guide Budget-Friendly Options
- 6. Navigating Forensic Science Unit Study Guide eBook Formats
  - ePub, PDF, MOBI, and More
  - Forensic Science Unit Study Guide Compatibility with Devices
  - Forensic Science Unit Study Guide Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Forensic Science Unit Study Guide
  - Highlighting and Note-Taking Forensic Science Unit Study Guide
  - Interactive Elements Forensic Science Unit Study Guide
- 8. Staying Engaged with Forensic Science Unit Study Guide
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Forensic Science Unit Study Guide
- 9. Balancing eBooks and Physical Books Forensic Science Unit Study Guide
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Forensic Science Unit Study Guide
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Forensic Science Unit Study Guide
  - Setting Reading Goals Forensic Science Unit Study Guide
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Forensic Science Unit Study Guide
  - Fact-Checking eBook Content of Forensic Science Unit Study Guide
  - Distinguishing Credible Sources

13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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