

Crime labs under police – unresolved issues

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Reasonable people can disagree over the appropriateness of forensic science laboratories operating under the control of police agencies. Most crime labs in the United States fall under police command and occasionally endure criticism because of it.

For understandable reasons, the controversy that surrounds police control over forensic scientists can cause discomfort to some, but it is fair and reasonable to examine the implications of this arrangement from time to time.

The most vigorous arguments in favor of divorcing forensic scientists from the traditional command-and-control structure of police departments have been based on the assumption that police are inherently biased and prone to partiality in favor of the prosecution.

One of the more vocal critics of crime labs has been Professor William C. Thompson at the University of California, Irvine who was hired in 2002 by KHOU TV in Houston to investigate problems in the Houston PD crime laboratory. Thompson commented on the police role in forensic science to Government Technology Magazine in July 2008.

"I think forensic labs get a little bit caught up in the heat of the battle from our adversarial process. It's like team spirit. They see the defense counsel as their enemy and tend to be kind of secretive and not want to disclose things outside of the family."

Crime Lab Report disagrees. The vast majority of forensic scientists are highly professional and eager to give an honest and objective voice to physical evidence regardless of whose case the final results tend to bolster. The problem, however, is that in too many instances forensic science professionals have to fight a stubborn police culture to get the support and independence they need to be effective and trustworthy.

It is true that some law enforcement organizations serve as a good example for the rest. They deserve credit for their willingness to facilitate the practice of good and impartial science. This brand of leadership is not only concerned with core competencies, it encourages ethical and professional behavior among forensic science staff. Strong police leaders who appreciate the role of science in our criminal justice system understand that a scientist's primary responsibility is the evidence and they accept the fact that sometimes it will conflict with the cops.

In our judgment, the badge has nothing to do with a police-commander's ability to run a crime laboratory. What does seem to matter, however, is a solid academic background and a commitment to shelter scientists from the politics and paramilitaristic attitudes found in many police organizations.

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But remember, bias and partiality are not unique to police agencies. They can be a serious problem in any organizational structure if they are allowed to go unchecked.

Private laboratories, for example, are often regarded as independent and immune from conflicts of interest. But this is not true. Private labs have shareholders and paying customers with interests of their own.

For instance, giving trial lawyers the results they want to hear would be great for business at a private laboratory, at least in the short-term. Similarly, taking analytical shortcuts and choosing to ignore the more burdensome quality assurance checks, however important they may be, would likely expand the private laboratory's profit margin.

In other words, maintaining an organizational culture that is suitable for the practice of reliable science can conflict with other priorities and interests. A police commander who is certain that a suspect is guilty will not appreciate an inconclusive result from a latent print examiner. Nor will the cost-conscious director of a private laboratory be excited about a DNA analyst choosing to review his or her data for a third or fourth time to make sure the interpretations are correct.

In the end, these conflicting interests must be mitigated by ethics, professionalism, education, and strong, conscientious leadership. Any organization is capable of establishing a culture that is conducive to good science. Sadly, any organization is also capable of destroying it.

If major policy changes ever force crime labs to separate from police agencies, it won't be because the environment is inherently biased or corrupt. It will be because of poor stewardship.

Police chiefs, sheriffs, and departmental commanders are sensitive to public perceptions and look for ways to project images with broad public appeal. Because forensic laboratory scientists work behind the scenes in a supporting role, they have little to offer in this area. Right or wrong, people associate public safety with guns, squad cars, and bulletproof vests, not lab coats and microscopes. It takes a wise and skillful commander to speak the language of science and ensure that the needs of a crime laboratory are met even though these efforts may not have a significant public relations impact.

Additionally, the interests of science are not always well-served under strict paramilitary authority where orders are expected to be followed with minimal discussion. Science requires thoughtfulness, introspection, and a willingness to second-guess decisions that seem haphazard. In an environment where these attributes are not welcomed, mistakes are more likely to happen.

The community of police chiefs and sheriffs should do some soul searching and consider whether or not they are willing and able to properly manage crime laboratories in the United States. Steps should be taken to educate commanders on what it takes to effectively lead a forensic science laboratory and its scientists. This may include efforts to liaise with accreditation authorities so that standards and best-practices can be adopted more efficiently.

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If they are not willing to do this, then they should encourage the transition of their laboratories to other authorities who are able to put forth the effort needed to ensure that reliable, ethical, and effective forensic science laboratories can thrive.

To the sheriff's, police chiefs, and commanders who appreciate their crime laboratories and advocate for their scientists, we owe you a debt of gratitude.

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