

CRIME LAB REPORT

Media and public policy analysis for the forensic science community

Licensing, Certification, or Accreditation?

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On the surface, it seems difficult to argue that forensic scientists should not be licensed. If nurses, hairstylists, counselors, and pharmacists require a license to practice, doesn't it seem reasonable that forensic scientists should be licensed as well?

After all, without licensing, there is nothing to revoke – no privilege to suspend if the scientist demonstrates incompetence or unethical behavior.

In fact, it is this ability to expel a bad forensic scientist from the profession that makes licensing such an attractive option to those who actively support it.

In 1986, Stanley Gross, a professor of counseling psychology at Indiana State University, pointed out that “By preventing incompetent or unscrupulous providers from serving the public, legal restrictions on occupational entry are supposed to result in a higher quality of service than would occur in the absence of such restrictions.”

All professions have bad people within their ranks, so a critical profession like forensic science would seem to qualify as one needing such restrictions and control.

It is important to understand, however, that professional licensure usually arises from *within* a particular industry whose leaders and members decide that restricting the size of the labor market, as well as the credentials needed to gain entry, will be beneficial for all. By keeping out and kicking out “undesirables,” licensing is thought to help elevate the perceived reputation and salaries of those on the inside.

When the time comes that a governmental agency is asked to administer professional licenses on behalf of a particular industry, it often has very good reasons to do it – but they have little to do with quality. It's the fees it can collect and the bureaucracy it can build that makes the opportunity an attractive one.

In other words, there's little incentive or reason to say no. Everybody wins.

Forensic science, on the other hand, has no groundswell of support within its ranks to use licensing as a way to control its labor market. While critics may interpret this lack of support as being evidence of apathy or laziness, it is quite understandable given the scrutiny to which forensic scientists are subjected during their participation in our criminal justice system's adversarial process.

When allowed to work properly, this process forces expert witnesses to earn the confidence of the court and its judge before being permitted to render an opinion before a jury.

Very few professions have such rigorous built-in protections.

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To create and manage a worthwhile system of professional licensure requires the expertise and involvement of those within the profession it is intended to serve. Unless a radical change in thinking occurs, licensing would have to be imposed on forensic scientists against their will, a circumstance that has very little historical precedent or appeal.

Instead, the profession of forensic science, particularly within America's crime laboratories, is increasingly influenced by two different but complimentary checks and balances: accreditation and certification. In many ways, these two systems are able to enforce a kind of accountability that licensing simply could not do on its own.

For those who are not on the "inside" of forensic science, a little explanation may be in order.

Both accreditation and certification require conformance to certain professional standards and practices. They differ, however, in that accreditation is a status awarded to laboratories while certification is earned by individual scientists.

More simply put – labs get accredited, scientists get certified.

One of the reasons that accreditation and certification work well for the forensic sciences is that the profession is comparatively small and very community-driven. As a result, tremendous internal pressure is placed on its members to adhere to practices deemed acceptable by the majority. Those on the inside know that there is little tolerance among the rank and file for scientists who behave improperly or carelessly.

Within the profession, the single-most powerful credential that a practitioner can present to a jury is that he or she works in an accredited laboratory. It is even more powerful than certification. The reason for this is that accreditation is an "onsite" audit conducted by trained assessors. The process involves a complete review of the laboratory's procedures, practices, and record-keeping. Additionally, each scientist's case notes, academic credentials, and history of being subjected to the requirements of the laboratory's quality-management system are all scrutinized for compliance with professional standards.

In fact, *Crime Lab Report* feels strongly that forensic scientists who work in accredited laboratories already possess an important kind of certification that should command the respect of stakeholders and fellow practitioners. If they also possess a discipline-specific certification, that's even better.

Complicating the matter, however, is the fact that not all forensic scientists work in a laboratory. Many work alone in private practice. For this reason, certification is a valuable resource that allows free-lancers to demonstrate conformance to standards and requirements that have been established for their particular area of expertise.

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Crime Lab Report predicts that future trends in forensic science will be significantly influenced by a unique blend of accreditation and professional certification, both of which will be required for forensic science and its practitioners to flourish in the 21st century. In this regard, accreditation and certification must not only coexist, they must achieve a degree of synergy and interdependence that protects both the profession and its stakeholders.

The stage has certainly been set, but more can be done.

Licensing certainly has superficial appeal, but this appeal usually exists among those who aren't familiar with the existing mechanisms that have largely rendered it unnecessary. Therefore, we hope that forensic science leaders and public-policy makers will invest their time and money in support of accreditation and professional certification. Both have demonstrated their effectiveness in holding laboratories and scientists accountable for the quality of their work.

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