

BOOK REVIEW

Gil I. Sapir,¹ J. D., M.Sc.

Review of: *Ethics in Forensic Science and Medicine: Guidelines for the Forensic Expert and the Attorney*

REFERENCE: Shiffman MA, editor. *Ethics in forensic science and medicine: guidelines for the forensic expert and the attorney*. Charles C. Thomas Publishing Ltd., Springfield, IL, February 2000, \$62.95 Hardcover, ISBN: 0398070245.

The forensic expert and attorney should not rely on this book as a foundational ethical guideline in forensic science, jurisprudence, or medicine. The title and content of this book are misleading. The publication is neither academic, substantive, nor practical for the purpose in which it is being offered. The book does not contain enough substantive quality material. *Ethics in Forensic Science and Medicine* is a disappointment.

The book does not define different applicable fields of ethics. Ethics pertains to a set of moral principles or values including conduct governing the person, group, and society. Areas of medical, professional, philosophical, moral, normative, logical, and applied ethics are integral to experts and attorneys in forensic science and medicine. This publication fails to define and apply these concepts to its relevant fields of ethics. The natural and rational basis of ethics relative to science, society, law, and the expert witness is not effectively presented and discussed.

The book's attractive title and chapter headings are designed and intended for enticement. *Ethics in Forensic Science and Medicine*, however, is a disjointed collection of independent topical presentations by 20 contributing authors arranged into 28 chapters averaging over four pages in length. The National Forensic Center's Code of Professional and Ethical Conduct is reprinted as an entire chapter. The editor should have used it or the proposed code of ethics from the American Academy of Forensic Sciences as an organizational outline for the book. Chapters discussing utilization and characteristics of alcoholism and drug abuse, ophthalmology, photography, brain injury, the O.J. Simpson case, including several other topics, belong to specialty publications. Editor Shiffman on page 11 states, "There is a need for establishing parameters of ethical conduct by forensic experts before there is the necessity for es-

tablishing parameters by legal means." This premise is not adequately developed. The book does not sufficiently identify areas of ethical behavior and effects on the case. Its focus shifts from ethics in forensic science and medicine to characteristics of being an expert witness. The revised topic is inappropriately and poorly developed, for the knowledge, skill, legal aspects, business acumen, and experience necessary for being a successful expert witness is a specialized subject unto itself.

Selective problematic issues are addressed superficially. Basic fundamental concepts and principles are minimized, missing, or distorted. Various authors for illustrative purposes rely upon personal or seemingly contrived examples, routine reprinting of statutes, recitations from rules of evidence and replicated sections of appellate case law. Trite clichés, colloquialisms, and slang are periodically used to characterize, label, and explain terminology and concepts. The authors never clearly distinguish between qualifications, competency, and capabilities of consulting and testimonial experts. The textbook does not constructively discuss the credentialing and competency of experts, their qualifications and dilemmas of only answering questions asked (i.e., "don't ask, don't tell" examination). Furthermore, fundamental concepts of agency and contract law are minimized or disregarded, including those of expert witness compensation, service contracts, fidelity, and consulting as a business. A bibliography of books, articles, and resources on ethics is expected, desirable, helpful, and noticeably absent.

Ethics and scientific testimony are inextricably intertwined, because science is neutral and based upon facts. The impartiality of forensic science is used to convict the guilty and protect or exonerate the innocent. Frequently ideological and personal beliefs prejudice an expert witness's testimony. It is noteworthy that no mention is made of the people or agencies that have distorted and fabricated scientific evidence to obtain civil judgements or convict innocent people.

The practical guidance and insight of *Ethics in Forensic Science and Medicine* is gossamer and illusory. This book should not be considered as a primary text for an ethics examination.

¹ Forensic science consultant and attorney, P.O. Box 6850, Chicago, IL.