PITFALLS AND ETHICS OF EXPERT TESTIMONY MICHAEL J. SAKS RICHARD I. LANYON. pdf

1: Table of contents for Expert psychological testimony for the courts

Expert Psychological Testimony for the Courts provides a comprehensive, research-based analysis of the content, ethics, and impact of expert testimony. This book features leading scholars who have contributed to the scientific foundation for expert testimony and who have also served as expert witnesses.

Forensic Scientific Evidence; Chain of Custody; Individualization; Reliability; Admissibility Introduction Forensic science, the sibling of science has transformed the criminal adjudication especially the criminal trial process. Nowadays, it has become a greater helping hand of the crime investigation agencies and the criminal justice system in properly identifying the guilty and safeguarding the innocent. In a recent case, Dharam Deo Yadav v. The potentiality of scientific evidence in criminal investigation and trial is undisputed but the role of the legal stakeholders and their capability in screening the evidence is always a controversial topic not only in India but also throughout the globe. In India, it is also doubtful whether the criminal investigation team is fully equipped to grab the culprit without using third degree methods. Moreover, the most alarming thing is the reporting of some erroneous convictions as a result of faulty forensic evidence [2- 5]. To date around convicts who were convicted with faulty forensic evidences were released from jail on the basis of DNA test. The purpose of the paper is to highlight some of the major shortcomings in our system concerning forensic scientific evidence and to bring out some suggestions for improvement. One of the major activities of the Investigating officer at the crime scene is to make thorough search for potential evidence that have probative value in the crime. Investigating Officer may be guarded against potential contamination of physical evidence which can grow at the crime scene during collection, packing and forwarding. Proper precaution has to be taken to preserve evidence and also against any attempt to tamper with the material or causing any contamination or damage [1]. It is a widely accepted fact that the quality of the evidence based on forensic procedures depends mainly on the quantity and quality of the forensic samples collected from the crime scene. Therefore, utmost care should be given by the investigators while handling the crime scenes [6]. In a criminal trial, the weight of the evidence is determined on the basis of strength of the chain of custody of the forensic evidence starting from the stage of first reporting by the police personnel who had visited the crime scene. Regrettably, due to the mistakes from the side of the police authorities in India, the probative value of the evidence will be affected when it comes for trial. There are various factors that directly affect the value of the real evidence. The most important one is the ignorance of the investigating officers in handling the crime scene and the way in which they collect the evidence from the scene. For establishing an accurate chain of custody, there should be a proper communication of information from the first person who visits the crime scene to the police investigators and crime scene investigators. Everything considered as having link with the crime should be photographed, video recorded and properly documented. Systematic documentation is essential to establish the credibility of the scientific evidence. In India, unfortunately neither the investigating officers nor the judiciary give much of importance to the chain of custody. The other major problem which affects the forensic evidence is the way in which the investigating authorities are handling the crime scene. This is obviously due to their lack of knowledge in crime scene investigation. Similar to the U. The police will directly enter into the scene and disturb and taint the valuable evidences. The more serious concern is the possibility of purposeful contamination of the crime scene materials to save the culprit from the liability. This usually happens either due to the bribery or because of high political influence. Autonomy of Crime Labs In India the most serious concern is about the independence of crime labs and its self regulation. The state and central forensic science laboratories are under the direct administrative control of the law enforcement authorities. The State and Union Territory Forensic Science Laboratories is either directly functioning under the respective Home Department or through police establishments. The Central Bureau of Investigation has a separate forensic science laboratory at Delhi with a branch at Chennai [7]. In the NAS report it is stated that bias is there in all crime laboratories [9- 12]. The main reason for the bias is because of the organizational

structure of the crime labs [13]. The prosecutor also influences the scientific experts and changes their mind for winning his case [13]. The usual procedure is that before the examination, he will tutor the scientific witness for creating a proper link of evidence. Nowadays, scientists identified cognitive bias as a problem in the subjective decision making of forensic scientists. This is more serious in forensic identifications like fingerprint, footprint, hair etc, in which conclusions are reached through subjective judgment [14]. Apart from their salary they are not expected to accept any remuneration from any other person for the case in which they are duty bound to serve the state. In most of the cases the partisanship happens because of two reasons: This is like selling their opinion for the party who are ready to purchase them [17]. In fact, partisanship and bias are two sides of the same coin because if partisanship is present then there is possibility of bias. The reason is that if an expert is remunerated by a party, obviously that expert shall always be biased towards the other side. Forensic scientific experts are educated, trained, experienced and skilled persons. Their duty is to testify the truth they discovered through the application of their special knowledge which cannot be detected by the judges using their commonsense. At this juncture, I think it is not productive to suggest for a better expertise through the system in which the experts will function in a well defined ethical code; instead, I would like to advice for a complete separation of expert opinion epistemology from the present organizational structure to the province of the judiciary. The court appointed or panel experts can check the partisanship if any on the side of any of the experts representing the parties and restrict the faulty evidence entering into the courtroom. It is, in fact, the power of forensic science and without this utility it has lesser significance in the legal system [18]. Only through this individualization process forensic experts can declare a perfect match of the crime scene material with the crime, accused or victim. However, all these determinations are based on probabilistic calculations since in proof no one can expect any mathematical certainty. The major query at this juncture is how much of individuality could be gained from forensic application. Koehler has rightly mentioned in their paper that unique individuality cannot be proven with limited samples [19] , p That means if we want to know that a particular characteristic of a person or thing is really unique, it is logically impossible without checking the rest of the things or persons. For example, the well accepted hypothesis that no two fingers in the world have same ridge characteristics will be refuted by the discovery of similar ridge characteristics of two fingers. If that happens what would be the future of the fingerprint evidence. The way in which the reports of the forensic analysis are communicated to the judiciary is very important. The strength and weight of forensic evidence depends on the probabilistic calculations. In India the forensic scientific evidence is flowing into the courtroom in an incomplete nature. It is an accepted fact in both forensic and legal community that if the evidence is not communicating to the courtroom in the form of probabilistic calculations, it is worthless since it is the only way in which the scientists can properly convey it to others. Unfortunately, in India the scientific experts are submitting their reports stating only whether the samples are matching or not. This, in fact, is not sufficient to check the probative value of the evidence because with this form of evidence it is difficult to determine the individuality excluding others having the possibility of similar characteristics. The probative value of a particular piece of evidence always depends on its strength to exclude the possible suspects other than the accused. In the legal setting, the probative value of particular forensic evidence is useful not only to prove a particular fact in issue of a case but also to disprove it. On the other hand, if it mismatches, it will exclude the suspect from the crime [20], p A forensic scientific expert cannot simply come before a court of law and testify in an untestable manner that two objects or persons that involved in a crime are same. They are responsible to adduce statistics in a quantifiable manner, so as to distinguish the similarities and differences of the two. The advantage of quantitative data is that it would be easier for the expert to communicate his subjective as well as objective findings before the fact finder. The other merit is that the fact finder can easily make a link with other form of evidence. Factors Affecting the Reliability of Forensic Scientific Evidence in India In India, though forensic science is considered as a reliable discipline, there are various pertinent factors, apart from those discussed earlier, which affects the reliability of case specific application of the technique. The lack of scientific certainty in forensic science is not only the problem in India but also it is a common

problem throughout the world. Different from other scientific disciplines, in forensic science there is no absolute scientific proof or certainty. The major reason is because of its close association with law since in legal truth finding different from scientific, law is not expecting any certainty but the proof based on probabilities. The public cannot give that much of reliance on those labs similar to other research laboratories because in crime labs the scientists are researching with old, degraded, partial, distorted, blurred and contaminated samples. Similarly, all forensic identification tests based on matching of samples are based on the subjective evaluation of the examiner which is subject to the final interpretation by an independent person. Because of the human intervention, there is possibility of error in fixing the match of different characteristics in two samples. The other major problem affecting the reliability is the lack of research and the shortage of peer-reviewed papers and validation studies. Moreover, the applications of the majority of forensic techniques are based on long standing application in the court of law and not as a result of proper scientific research. The best example is fingerprint technique which has no valid scientific basis, though considered as reliable by the judiciary due to its long standing track record [22]. Studies establishing the scientific bases demonstrating the validity of forensic methods. The development and establishment of quantifiable measures of the reliability and accuracy of forensic techniques should reflect actual practice on realistic case scenarios, averaged across a representative sample of forensic sciences and laboratories. Studies also should establish the limits of reliability and accuracy that analytic methods can be expected to achieve as the conditions of forensic evidence vary. The research by which measures of reliability and accuracy are determined should be peer reviewed and published in respected scientific journal. The development of quantifiable measures of uncertainty in the conclusions of forensic analyses. Apart from the aforesaid problems, in comparison with other scientific disciplines, forensic science is always treated as a neglected discipline. From very early days most of the nations have sidelined it as a part of law enforcement and justice delivery system. This was the reason for the shortage of funding from the government for research. The bias, bribe and partisanship of experts are escalating due to the absence of well defined code of ethics and its proper implementation. Restrictions should be imposed by the state against experts in offering the services to the defense. For all forensic techniques stringent protocol should be implemented to overcome bias. In India also we have to formulate a code of ethics and proper mechanism for enforcing it. It also emphasizes that a proper mechanism should be established to enforce the code for those who commit serious ethical violations [23]. The other well-known challenge is the quality assurance in forensic service. The quality of the evidence depends on several factors like validation of a technique, instrumental quality check, capacity of the persons employed, standard protocol, and accreditation of the crime labs and certification of the scientists. If there is compromise in any of these factors, it will directly affect the quality and there by the reliability of test results. Apart from this, the overall quality can be tested using proficiency tests. The proficiency tests are useful for testing both scientific personnel and crime lab. Forensic Science in the Criminal Justice System In the earlier discussions we saw several problems and pitfalls in the forensic scientific discipline that affects the reliability of the evidence. Now it is right time to turn our discussion to the legal scenario. Once it enters into the witness box, different stakeholders will be handling it before it transforms into the level of proof. In this part, for better understanding about the problems, discussions are arranged in the order of different stakeholders through whom the scientific evidence translates into proof.

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2: Forensic Scientific Evidence: Problems and Pitfalls in India

Table of Contents for Expert psychological testimony for the courts / Mark Costanzo, Daniel Krauss, Kathy Pezdek, editors, available from the Library of Congress. Table of contents for Expert psychological testimony for the courts / Mark Costanzo, Daniel Krauss, Kathy Pezdek, editors.

Electoral competition with primaries and quality asymmetries. Journal of Politics, Forthcoming. Electoral rules and manufacturing legislative supermajority: PDF Grofman, Bernard. Election Law Journal, Public Hearings and Congressional Redistricting: Evidence from the Western United States â€" Why noncompetitive states are so important for understanding the outcomes of competitive elections: PDF Gofman, Bernard. Political Choices in One Dimension: Oxford Handbook of Public Choice, 1: Partisan bias and redistricting in France. Annual Review of Political Science, Perspectives on the Comparative Study of Electoral Systems. PDF Ferris, J. Winer, and Bernard Grofman. With Application to the Canadian Parliamentary System, â€" The Political Economy of Social Choices, The volatility of median and supermajoritarian pivots in the U. Congress and the effects of party polarization. Social Science Quarterly, Components of party polarization in the US House of Representatives. Journal of Theoretical Politics, Magnitude and durability of electoral change: Identifying critical elections in the U. The Shapleyâ€"Owen value and the strength of small winsets: Towards a theory of bicameralism: Public Choice, In quest of the banks set in spatial voting games. Social Choice and Welfare, 41 1: Applications of Shapley-Owen values and the spatial Copeland winner. Political Analysis, 19 3: How many political parties are there, really? Party Politics 18 4: Why candidate divergence should be expected to be just as great or even greater in competitive seats as in non-competitive seats. In Minority Governments in India: The Puzzle of Elusive Majorities, Routledge, Puzzles and Paradoxes Involving Averages: Collective Decision Making, Brunell, Bernard Gofman, and Lisa Handley. Legislative Studies Quarterly, 34 4: The French Presidential Election. Canadian Journal of Political Science, 43 1: Electoral Rules and Ethnic Representation and Accommodation: Minority Governments in India.

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3: Statistical Evidence in Litigation

Richard Lanyon is a professor in the Department of Psychology at Arizona State University. His research interests include the psychological assessment in general and personality assessment in particular, focusing on areas that are relevant to psychology and law.

His research interests include the psychological assessment in general and personality assessment in particular, focusing on areas that are relevant to psychology and law. His research projects include studies of the"Validity of the balanced inventory of desirable responding and the Paulhus Deception Scales in forensic assessment,"Development and validation of a measure of extreme virtue for the Multidimensional Health Profile" and "Cognitive set, secondary gain, and progress in physical rehabilitation. Development and validation of brief content scales for the Psychological Screening Inventory - 2. Journal of Clinical Psychology PeopleClues Personality and Cognitive Assessment: Technical Manual, UK edition. PeopleClues Personality anf Cognitive Assessment: User Manual, UK edition. Prediction of long-term outcome after gastric bypass surgery. Validation of diagnostic measures based on latent class analysis: A step forward in response bias research. Are exaggerated health complaints continuous or categorical? A taxometric analysis of the Health Problem Overstatement Scale. Technical amd administrative manual for PeopleClues attitude assessment version 4. Goodstein and Richard I. Lanyon and Michael L. Detecting Deception in Sex Offender Assessment. Clinical Assessment of Deception and Malingering, 3rd ed Utility of the Multidimensioal Health Profile--Health functionins scales MHP-H in the pre-operative assessment of applicants for gastric bypass surgery. Journla of cliical Psychology in Medical Settings Richard Lanyon, A Carle. Educational and Psychological Measurement Utility of the Psychological Screening Inventory as a screening instrument. Journal of Clinical Psychology in Medical Settings Pitfalls and ethics of expert testimony. Expert Psychological Testimony for the Courts The assessment of adult health care orientation: Richard Lanyon, K Cunningham. Construct validity of the misrepresentation scales of the Psychological Screening Inventory. Journal of Personality Assessment Technical and administrative manual. Favorable self-presentation on psychological inventoris: American Journal of Forensic Psychology Richard Lanyon, L Goodstein. Validity and reliability of a pre-employment screening test: Journal of Business and Psychology Assessing the misrepresentation of health problems. Administration and scoring manual, version 2. Technical manual, version 2. Richard Lanyon, E Almer. Characteristics of compensable disability patients who choose to litigate. Journal of the American Academy of Psychiatry and the Law Validation and norms for sentence completion task scales to assess misrepresentation during disability assessment. Dimensions of self-serving misrepresentation in forensic assessment. Psychological assessment procedures in sex offending. Research and Practice Multimodal assessment of self-serving misrepresentation during personal injury evaluation. Lanyon and Eugene R. American Journal of Forensic Psychiatry, 29, 0.

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4: Content Posted in | Penn State Law eLibrary

Michael J. Saks, Scientific Evidence and the Ethical Obligations of Attorneys, 49 Clev. St. L. Rev. , () ("What are the legal and ethical responsibilities of attorneys when offering scientific expert evidence to courts?" (internal quotation marks.

Courtroom presentations are subject to individual levels of knowledge, personality, and verbal skills. References below can offer suggestions on effective testimony, but no amount of training or advice will replace practical exposure. Many of the citations are specific to certain disciplines such as forensic psychiatry and psychology or forensic engineering; however, the maxims inherent in testifying in such specialized areas can be universal for all forensic experts. The second area covered in this section involves ethics in law enforcement and forensic science. Unfortunately most of the disciplines covered in this bibliography have been tainted at one time or another by unethical conduct by what fortunately are exceptions among qualified and upstanding practitioners. Above we referenced the puzzling and criminal conduct of cadaver dog handler Sandy Anderson. In , Craig D. Harvey and other troopers were convicted for transferring fingerprints of suspects from items they were known to handle, to fingerprint evidence cards falsely used as evidence against the suspects. This trooper justified his actions by only insuring there was evidence against individuals he felt certain were guilty. The impact of decisions by a corrupt officer or forensic scientist to plant evidence, alter a scene, short cut a procedure, fabricate reports, et cetera, impacts far more than the lives of that individual and the outcome of his cases. It taints the discipline in general and erodes the trust that the public desires in investigators. Juries continue to become more and more sophisticated in their understanding and expectations of forensic scientist. No longer do juries take as gospel the word of the expert witness. Right or wrong, they compare the application of different techniques with what they have seen on TV. The citations listed below, unlike those in other sections, can be of universal aid to specialists in any forensic science discipline. Familiarity with courtroom protocol, and the subtleties of expert testimony, cross forensic specialties and rely on basic common sense, etiquette and a clear understanding of the topic to be presented during testimony. Journal of Forensic Research, S S a The Nature of Explanation. Identification News, 28 8: Ludwig Autopsy Law. Journal of the Forensic Science Society, 34 4: Wiley and Sons, Hoboken, NJ. Australian Journal of Forensic Sciences, 35 1: Journal of Forensic Sciences, 17 3: Furton Forensic Science Explained: Expansion and Increased Accountability. Anal Bioanal Chem, Anderson Manufacturing Guilt: Wrongful Convictions in Canada. Twining Analysis of Evidence. Twining Analysis of Evidence: Little Brown, Evanston, IL. HR Magazine, 50 8: The National Law Journal, June 21, Evidence Technology Magazine, 6 3: DFI News, February The need for Cognitive Closure. Journal of Invest Psychol Offender Profiling, 2: Journal of the American College of Dentists, Summer: Science and Justice, 49 3: Prichard The Role of the Expert Witness: Babitsky, Steven, and James J. Techniques for Experts that Work. The Step-by-Step Guide with Models. The Comprehensive Guide for Experts. Advanced Techniques and Strategies. The Essential Resources for All Experts. Nebraska Law Review, 90 2: Banks, Cyndi Criminal Justice Ethics: Sage Publications, Thousand Oaks, California. Forensic Magazine, 5 3: Barker, Tom Police Ethics: Crisis in Law Enforcement, Second Edition. Professional Standards for the Practice of Criminalistics. The Obligations of Disclosure. Evans, Carolyn Gannett, and Peter R. A Problem for Justice? Journal of the Forensic Science Society, 31 2: Australian Journal of Forensic Sciences, 9 1: Baute, Paschal Expert Witnessing and Daubert: Thomas Publisher, Springfield, IL. Temple Law Review, American University of Law Review, 45 1: Australian Journal of Forensic Sciences, 27 2: Australian Journal of Forensic Sciences, 32 2: Australian Journal of Forensic Sciences, 36 2: Australian Journal of Forensic Sciences, 39 1: How Complex is too Complex? Forensic Science Communication, 2 4 http: Jackson Evidence Evaluation: Science and Justice, 51 2: American Journal of Public Health, Bernet, William, Cindy L. Journal of Forensic Sciences, 52 6: Jackson The Daubert Trilogy in the States. Fingerprint Whorld, 15 Fingerprint Whorld, 16 Murdock Criteria for Identification.

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AFTE Journal, 16 4: Underlying Logic and Argumentative Implications. Forensic Science International, Research Versus Forensic Perspectives. Journal of Forensic Sciences, 46 4: Evidence Technology Magazine, 9 6: A Junk Science Injustice. Ethical Considerations for Forensic Anthropologists. Ubelaker, editors, Handbook of Forensic Anthropology and Archaeology. Medicine, Science and the Law, Investigative Review, 5 1: Australian Journal of Forensic Sciences, 33 2: Maine Decides to Sit Out the Dance. Maine Law Review, A Way Station on the Journey to Justice. Journal of Forensic Sciences, 55 1: Heels The Case Against Daubert: Journal of Forensic Sciences, 40 6: Keierleber Ten Years After Daubert: The Status of the States. Vosk Uncertainty Analysis in Forensic Practice:

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5: Sandra Day O'Connor College of Law

Michael J. Saks & Jonathan J. Koehler has rightly mentioned in their paper that unique individuality cannot be proven with limited samples, p). That means if we want to know that a particular characteristic of a person or thing is really unique, it is logically impossible without checking the rest of the things or persons.

The fallout from the introduction of DNA analysis in criminal trials was significant in three ways. First, DNA profiling became the gold standard, regarded as the most reliable of all forensic techniques. Frye was cited only five times in published opinions before World War II, mostly in polygraph cases. After World War II, it was cited 6 times before , 20 times in the s, and 21 times in the s. Bert Black et al. Leggett, The Evolution of Forensic Science: Progress Amid the Pitfalls, 36 Stetson L. Page 61 Share Cite Suggested Citation: Imwinkelried, and Joseph L. Reference Manual on Scientific Evidence: The National Academies Press. The increased use of DNA analysis, which has undergone extensive validation, has thrown into relief the less firmly credentialed status of other forensic science identification techniques fingerprints, fiber analysis, hair analysis, ballistics, bite marks, and tool marks. These have not undergone the type of extensive testing and verification that is the hallmark of science elsewhere. The Act authorized the creation of a national database for the DNA profiles of convicted offenders as well as a database for unidentified profiles from crime scenes: Bringing CODIS online was a major undertaking, and its successful operation required an effective quality assurance program. A second report followed. The second report also recommended proficiency testing. The results of these tests should be published and debated. Zabell, Fingerprint Evidence, 13 J. In , Eric Lander, a prominent molecular biologist who became enmeshed in the early DNA admissibility disputes, wrote: Office of Inspector General, U. The board was extended for several months and then ceased to exist. Daubert and Empirical Testing The second major development prompting a reappraisal of forensic identification evidence was the Daubert decision. Joiner 35 and Kumho Tire Co. DAB Standard 13 implements this requirement. Pre-DNA serology of blood and semen evidence was the most commonly used technique 79 cases. Next came hair evidence 43 cases , soil comparison 5 cases , DNA tests 3 cases , bite mark evidence 3 cases , fingerprint evidence 2 cases , dog scent 2 cases , spectrographic voice evidence 1 case , shoe prints 1 case , and fibers 1 case. Garrett, Judging Innocence, Colum. These data do not necessarily mean that the forensic evidence was improperly used. For example, serological testing at the time of many of these convictions was simply not as discriminating as DNA profiling. Consequently, a person could be included using these serological tests but be excluded by DNA analysis. Yet, some evidence was clearly misused. See also Paul C. Giannelli, Wrongful Convictions and Forensic Science: See also Brandon L. Garrett, Convicting the Innocent: Where Criminal Prosecutions Go Wrong, ch. Daubert is discussed in detail in Margaret A. Berger, The Admissibility of Expert Testimony, in this manual. Page 63 Share Cite Suggested Citation: The first and most important Daubert factor is testability. Citing scientific authorities, the Daubert Court noted that a hallmark of science is empirical testing. The Court quoted Hempel: See United States v. In the survey, seventy-five percent of the judges reported admitting all proffered expert testimony. By , only fifty-nine percent indicated that they admitted all proffered expert testimony without limitation. Furthermore, sixty-five percent of plaintiff and defendant counsel stated that judges are less likely to admit some types of expert testimony since Daubert. Michael Risinger, Navigating Expert Reliability: Page 64 Share Cite Suggested Citation: For example, the second factor, peer review and publication, is a means to verify the results of the testing mentioned in the first factor; and in turn, verification can lead to general acceptance of the technique within the broader scientific community. Similarly, another factor, an error rate, is derived from testing. Hempel, Philosophy of Natural Science 49 Popper, Conjectures and Refutations: The Growth of Scientific Knowledge 37 5th ed. In their amici brief in Daubert, the New England Journal of Medicine and other medical journals observed: It mandates that each proposition undergo a rigorous trilogy of publication, replication and verification before it is relied upon. The Supreme Court cited the report 3 months later. Page 65 Share Cite Suggested Citation: The

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NRC report stated: The report does not assess past criminal convictions, nor does it speculate about pending or future cases. And the report offers no proposals for law reform. That was beyond our charge. Each case in the criminal justice system must be decided on the record before the court pursuant to the applicable law, controlling precedent, and governing rules of evidence. The question whether forensic evidence in a particular case is admissible under applicable law is not coterminous with the question whether there are studies confirming the scientific validity and reliability of a forensic science discipline. The report goes on to state: The report finds that the existing legal regimeâ€"including the rules governing the admissibility of forensic evidence, the applicable standards governing appellate review of trial court decisions, the limitations of the adversary process, and judges and lawyers who often lack the scientific expertise necessary to comprehend and evaluate forensic evidenceâ€"is inadequate to the task of curing the documented ills of the forensic science disciplines. Recommendation 10 urging the replacement of the coroner with medical examiner system in medicolegal death investigation.

6: Content Posted in | University of Michigan Law School Scholarship Repository

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7: Expert Testimony and Ethical Conduct â€“ Crime Scene Archaeology

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8: BG rev vita 5/98

The digital forensics profession has endeavored to provide examiners with a framework within which the digital forensics examiner must not only recognize, classify, and manage ethical dilemmas, but also respect boundaries and honor obligations.

9: Obituaries - , - Your Life Moments

Michael J. Saks & Jonathan J. Koehler, What DNA "Fingerprinting" Can Teach the Law About the Rest of Forensic Science, 13 C ARDOZO L. R EV. , (). Professor Zabell would lat-.

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