

**MIDWESTERN ASSOCIATION  
OF FORENSIC SCIENTISTS, INCORPORATED**

# **Code of Ethics**

This code is intended to provide guidelines for members of the Midwestern Association of Forensic Scientists, Inc. in the performance of their professional duties. It is realized that not every situation can be covered, and this Code is neither intended to be all inclusive nor to be a strict set of rules. It is designed to provide a basis for proper and ethical conduct in performing scientific examination and analysis, the reporting of the results to involved parties and providing testimony as an expert witness in a court of law.

For the purposes of describing the areas covered by this Code, Forensic Science is considered to include the examination and/or analysis of physical evidence regardless of its source or type; the results of which are reported for the purpose of adding information to the Criminal Justice Process.

In all professional actions, it is the responsibility of each member to conduct himself in a manner that is above reproach even if a particular situation is not covered by this Code. In addition, each member's personal conduct should be on such a level that it does not cast doubt upon his reliability or integrity.

The scientific process, in relation to physical evidence, is in most instances a three-step process. First, conducting various analyses and examinations; second, formation and reporting of results and conclusions; and third, providing opinions as an expert in a court of law. It is expected that each member of the Association will conduct each step to the best of his abilities and within the framework of the Code. Serious or repeated violations of this Code may be regarded as inconsistent with acceptance into, or continuation of, membership in the Association.

## ***I. ETHICS RELATING TO EXAMINATION AND ANALYSES***

- A. All inquiries are to be approached with an open mind, with minimum anticipation as to what the results might be.
- B. Any procedure used is to be open for scrutiny by members of the profession. If there is any doubt in an individual's mind as to the validity of a procedure, it is his responsibility to bring this before other members of the profession for review.
- C. Proper scientific method requires reliable materials. Standards or reagents of questionable quality are to be avoided.
- D. Tests may be conducted on evidential materials that may be inadequate in some way, but, these inadequacies must be kept in mind when forming conclusions.
- E. Examinations and analyses are to be as complete as possible, but, additional tests which add nothing of significance are not to be utilized for the purpose of giving an opinion more weight.

- F. All individuals should keep abreast of new techniques, but unproven techniques should not be used without thorough investigation and the support of proven ones. Methods that have been proved inaccurate or unreliable should not be used.
- G. Wherever appropriate, controls and standards are to be utilized to conduct examinations and analyses.
- H. Examinations and/or analyses that are beyond the state of an individual's experience should be reviewed by another who has adequate knowledge in the area.

## **II. ETHICS RELATING TO OPINIONS AND CONCLUSIONS**

- A. Conclusions formed and opinions rendered are to be based on generally accepted tests and procedures. New and/or experimental techniques may be used to add information, but, they are not to be used as the primary basis for a conclusion until proven scientifically sound.
- B. Opinions are to be stated so as to be clear in their meaning. Working should not be such that inferences are drawn which are not valid, or that slant the opinion in a particular direction.
- C. Conclusions should be based on the information drawn from the evidence itself, not on extraneous information from other sources. Opinions stated in a scientific report should have a similar basis.
- D. Sound scientific procedure requires that an individual neither form conclusions nor render opinions which are beyond his area of expertise. This is not intended to discourage exploration into new areas, but statement of opinions are to be based on adequate knowledge.

## **III. ETHICS RELATING TO TESTIMONY**

- A. An expert witness is defined as one who has substantially greater knowledge and experience in a particular field than the average individual. As such, he is qualified to state opinions pertaining to that field in a court of law. In addition, expert opinions stated on matters relating to Forensic Science are generally based on factual information obtained by a scientific process.
- B. Considering the above, the individual testifying should make it clear in his testimony which opinions he is providing are in specific tests conducted and which are based primarily on his knowledge and experience. Likewise, if any opinions are based on information in the case other than or in addition to the scientific tests conducted, this should be clearly stated.
- C. No statement should be made which might create an impression, or cause the lay person to draw a conclusion that is not warranted by the results of tests conducted.

- D. If a question is put to the expert with the requirement that they should give a simple answer (i.e., yes or no), but it requires qualifications to avoid misleading the judge or jury, the expert should so state before answering the question.
- E. All explanations and testimony should utilize terminology such that it is easily understood by the court and/or jury.
- F. All questions asked should be answered in a clear, straightforward manner, but the witness should refuse to extend himself beyond his area of expertise.
- G. All exhibits used to demonstrate the results obtained from examinations and analyses are to be prepared according to accepted procedures. They are to be presented so as to be informative, but not misleading.

#### **IV. ETHICS RELATING TO GENERAL MATTERS**

- A. It is appropriate that a reasonable fee be charged for private examination and analysis. This is to be based on the amount of work done, not the results obtained or a contingency basis.
- B. It shall be regarded as ethical to re-examine work done by another. However, it is considered proper to insist on information as to the type of previous work so as to determine if significant changes in condition of the material might have occurred. If there is a conflict of results, every effort should be made to resolve this prior to trial.
- C. Providing information for proper questioning of an expert to bring to light incompetent testimony is considered ethical. The purpose shall not be to harass the witness or to thwart justice.

#### **V. RESPONSIBILITIES TOWARD IMPROVEMENT OF THE PROFESSION**

Proper conduct involves more than merely refraining from a list of “don’ts” or strictly adhering to a narrow list of “do’s”. Members and prospective members of the Association are encouraged to work toward their own professional improvement and also the field of Forensic Sciences.

- A. Each person not only has a responsibility to keep himself up to date, but also bring to the attention of others new ideas, problems encountered and other pertinent information. This includes apparent flaws in existing or new procedures.
- B. Professional reporting of significant events is proper, but this should not be for the promotion of personal publicity. This particularly applies to accomplishments in specific cases.
- C. It shall be ethical for a member to bring to the attention of the Association the unethical action of another. In fact, it shall be considered a breach of ethics to knowingly conceal consistent unethical action.