

Error: **The Problem with Conceptualizing, Measuring, and Minimizing**

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Error: **The Problem with** Conceptualizing, Measuring, and Minimizing

No problem! (nothing major),
except...

that to 'conceptualize, measure, and
minimize error', one must first
acknowledge that there is a problem,
that there is error!

Personally attack

- “papers written by misguided academicians who have joined the chorus of forensic science critics **hoping to bring attention to themselves and their universities.**” (from *Crime Lab Report*, January 2009)
- “... is evidence of a **bias...**”, “...reveals another **bias...**”, “**misled** the Senate Judiciary Committee and the public”, (from *Crime Lab Report*, April 2009)

Attack the forensic examiners!

- “picked ‘bad’ examiners (randomly) ”
- **“immature he/she should seek employment at Disneyland.”** (from *Fingerprint Whorld*, September 2007)
- **“Incompetent idiots”** (from *Police Review*, June 2008)

Attack forensic examiners that do not follow the party line

“Find it rather unsavoury that *those within our own ranks* continue to *provide fuel* for those within the media and Press who seem to relish attacking what is the most valuable tool in the investigating officer’s armoury.” (from *Fingerprint Whorld*, September 2007)

Defensive research to validate existing methods/procedures/practices

“A wide research initiative **looking to support** the definitive opinion of fingerprint experts.”

“This is critical should we get challenges to fingerprint examination.”

Good news too!

- **NAS!!** (window of opportunity)
- NIST, NIJ
- E.g., panel on 'Human Factors'

IAI

- Initial response to NAS: “It is suggested that members not assert 100% infallibility (zero error rate) when addressing the reliability of fingerprint comparisons.”
(19 February 2009)

But then changed their tone ...

- (18 March 2009, IAI Letter to The Honorable Patrick J. Leahy, Chairman, Senate Committee on the Judiciary):
“Issues of contextual bias on the part of forensic examiners are based on poorly structured research and ...”

- And later... “A mistake often made by critics is to lump acts of fraud, intentional misinformation, with acts of error in calculating the impact on the criminal justice system and society in general. This lumping only serves to confuse the true causes of problematic analyses and does not serve the effort to correct deficiencies. “

Journal of Forensic Identification...

In a 2006 paper on *Why Experts Make Error*:

- “The first category relates to human error. Human errors can be intentional errors (whereby experts are involved in fraudulent behavior), negligent errors (whereby experts do not pay attention, do not follow procedures, etc.), and competency errors (whereby experts lack appropriate skill sets).”
- “The second category relates to instrumentation and technological errors.”
- “The third category of error relates to more fundamental factors. This third category thus includes errors that are not simple practitioner error that can be attributed to the specific expert involved (as specified and belonging to category one).”

- And more... “It is a great stretch to believe that a professional analyst would risk their integrity and jeopardize the rights and freedoms of the innocent to satisfy some desire to be accepted by clients and client agencies.”

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No problem! (nothing major), except... that to 'conceptualize, measure, and minimize error', one must first acknowledge that there is a problem, that there is error!

➔ **A cultural problem, not a scientific one!**

Thank you!

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