Tainting Evidence: Behind the Scandals at the FBI Crime Lab by Phillip Wearne

Lacking Standards And Accountability

Two crusading journalists investigate the FBI's forensic crime lab and deliver a strong indictment against what goes on there. Federal agents regularly dupe the public into accepting scientific findings that aren't based upon science at all, they charge, and the lab is infected with a troubling culture where truth plays second fiddle to prosecutorial interests, with information potentially useful to defendants withheld. The book's hero is FBI-scientist-turned-whistle-blower Frederic Whitehurst, and most of the chapters focus on the crime lab's controversial role in high-profile cases involving O.J. Simpson, the World Trade Center bombing, the Unabomber, and others. The authors at times appear to have a pro-prosecution bias of their own, but their conclusions shouldn't be ignored. They probably won't be; as one attorney tells the authors, No defense lawyer in the country is going to take what the FBI lab says at face value anymore. --John J. Miller

My Personal Review:
The Inspector General's Report on the FBI Laboratory found a number of problems: examiners had given scientifically flawed, inaccurate, and overstated testimony under oath in court; altered the lab reports of examiners to give them a pro-prosecutorial slant; failed to document tests and examinations so their conclusions could not be properly checked. FBI lab management failed to check examinations and lab reports, allowed and inadequate record system, and had covered up incompetence instead of investigating them. This book goes beyond the IG's report thru reporting documents released under the Freedom of Information Act. The FBI lab has never agreed to real external scrutiny, never published the research data used for its forensic tests, never revealed the results of its own internal proficiency tests. This book is both educational and entertaining.Most forensic scientists are not independent experts; most are affiliated with police or prosecutions agencies. Their job is to build a case
for the prosecution. The authors mention the TV show "Quincy"; "CSI" is a better and current example, though a drama. One example given is "voiceprints" - a unique pattern for any single individual's speech. But research by the National Academy of Sciences concluded there is no validity to this claim. Another fault is to use overstated conclusions using undefined terms such as "match" or "identical to". Its purpose is to hide information that is "discoverable". The FBI interpretation of the adversarial approach of the justice system serves neither science nor truth. The FBI system is to let a civilian scientist do the tests, but have an FBI agent testify about them in court. This prevents a defendant from confronting the witness! And their lab does not meet ASCLD/LAB accreditation criteria.

Chapter 7 says that DNA typing is NOT a genetic fingerprint; to portray is as such is scientific fraud. Fingerprints are unique, DNA profiles are not. DNA typing produces a random probability match, not a definitive match. There are 3 problems in its use. It came out of regulated, pristine medical labs, but was adapted to unregulated crime labs; making a match is far from scientifically certain, it can be highly subjective; and, the means of computing statistical probability of a match was disputed. And evidence could have been both contaminated and planted. The odds of a match are created subjectively. Chapter 4 on Ruby Ridge explains it all.

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