

SAFE Code of Ethics

Preamble¹

The purpose of a professional code of ethics is:

- To provide a code of conduct with specific guidelines for professional behavior both within SAFE and in practice.
- To provide principles and rules for conduct in the practice of Forensic Examination (hereafter “FE.” For the purpose of this document, “FE” is intended to extend to forensic disciplines in addition to document examination).
- To provide a template for evaluating a member’s professional behavior.
- To offer protection to members if asked to perform unethical acts.
- To ensure uniformity and quality of services to all parties to whom we provide services.

Scope

This document outlines principles and rules for the practice of forensic examinations and applies to individuals who

- Collect, examine, analyze and preserve evidence.
- Write or review forensic science reports and/or testify in a court of law as an expert witness in the forensic sciences.
- Consult, advise, research, or teach in the profession of forensic sciences.

No set of standards can be expected to cover every situation. However, the principles and rules set forth in this document cover the generally expected conduct of FEs.

As members of the SCIENTIFIC ASSOCIATION OF FORENSIC EXAMINERS (SAFE), we ensure the discharge our responsibilities in accordance with the following Code of Ethics.

Section I: Conflicting provisions

Wherever there is a conflict of interpretation between any of the following standards and an applicable law or regulation, whether municipal, state or federal, the applicable law or regulation shall prevail.

Section II: Law and Regulation

The FE shall adhere to all applicable laws and regulations in the conduct of business and in the performance of professional activities and services. These include, but are not limited to:

- (i) obtaining any required business and professional licenses and registrations,
- (ii) payment of business and personal taxes of all types, and
- (iii) adherence to requirements for testimonial acts in any legal proceeding in which the FE is engaged.

Section III: Value-Based Components

3.1 Members of SAFE are expected to be trustworthy, respectful, responsible, fair, caring, and good citizens. Therefore, such members:

3.2 shall communicate honestly and fully with their client about their case.

3.3 shall refrain from engaging in any conduct that is detrimental to the purpose of SAFE as outlined in the bylaws.

3.4 shall promote the use and validation of new technologies in casework where appropriate, as well as refrain from using non-valid methods and/or misapplying validated methods.

3.5 shall conduct full, fair and unbiased examinations in an expeditious manner, and provide independent, impartial, and objective opinions and conclusions based on generally accepted practices that are supported by sufficient data.

3.6 maintain full, contemporaneous, accurate records of examinations and tests conducted and conclusions and opinions drawn that will allow another competent professional in the field to conduct a meaningful review using those materials.

3.7 shall not succumb to pressure by their client or other to take technical shortcuts or arrive at a conclusion or opinion not supported by the data. In addition, the FE shall refrain from tampering with or altering evidentiary materials.

3.8 shall not misrepresent their position or authority in any professional capacity and shall render only conclusions or opinions within one's field of expertise and experience.

3.9 shall not engage in any conduct that is harmful to the profession of FE including, but not limited to any illegal activity, technical misrepresentation, or distortion, inflation or falsification of one's credentials.

3.10 shall avoid participating in a case where a potential conflict of interest exists.

3.11 shall prepare reports in clear, unambiguous terms, disclosing any known limitations that might otherwise mislead the trier of fact. And further, shall not alter reports or other records, nor withhold information from reports in order to create a strategic advantage.

3.12 shall report to the Board of Directors any potential ethics violation of which they are aware, committed by another member of SAFE.

Section IV: Advertising and promotion

All advertising and promotion shall accurately represent the FEs credentials, background, and services.

Section V: Qualifications

The FE shall maintain a current curriculum vitae and any other documents required by the applicable rules of evidence. The professional qualifications, education and background listed in the CV shall be strictly, verifiably true and accurate.

Section VI: Contingency

The FE shall have no personal interest in the outcome of a case and therefore shall refuse work on a contingency fee basis. And to avoid any appearance of personal interest, invoices should be brought current and paid prior to testimony.

Section VII: Loyalty to the client

a) Once retained by a party, the FE is no longer available to assist any other party in the same matter, unless with the express written consent of the retaining party.

¹ This Code of Ethics for SAFE members has been developed through the review of other professional codes of ethics in the forensics field and following the National Code of Ethics and Professional Responsibility for the Forensic Scientists published by NIST.

b) If a request for retention by a party in a different case might result in prejudice to a current client, explicit written consent shall be obtained from the interested parties.

Section VIII: Client relations

Ideally, the FE will be retained directly by counsel.

Although it is undesirable, in some instances, the FE may agree to be retained by a private party who is acting pro se.

In most cases:

a) the client's attorney is the legal manager of the case. Thus, the FE works under that person's supervision. The FE shall not interfere with the management of the case or in any way act as legal counsel.

b) where the FE is retained as a confidential consulting expert, rather than a testifying expert, there shall be no contact with anyone involved in the case other than the retaining attorney or designated staff members. All materials shall be kept confidential unless instructed by the client's attorney or there is otherwise a legal obligation.

Note: Where it is desirable to request a peer review of a case by a colleague, the FE should first obtain permission from the client's attorney to share materials.

Section IX Confidentiality

a) All contact with the end client, opposing attorney or any others involved in the case shall be by appropriate arrangement through the retaining attorney unless there is a clear understanding otherwise.

b) At the conclusion of the case it is advisable to act as if the obligation of confidentiality continues assured. Further, it is desirable to protect the privacy of all parties as much as reasonably possible when publishing information from a case, such as in an article, class, or other public forum.

Section X Non-discrimination

The FE shall not discriminate on the basis of race, nationality, religion, ethnicity, gender, age, or socioeconomic status. The same dedication shall be provided equally to all involved parties.

Section XI Referrals

a) The FE shall refuse referral fees from other professionals who are retained upon their recommendation, nor shall they offer referral fees to other FEs.

b) When recommending an FE, one should have reasonable assurance of that person's competence and ethics.

Section XII: Violation of the Code of Ethics

In the case of a complaint, SAFE has set a series of procedures in place. These procedures are designed to investigate and resolve complaints from members of the public and members against other members. A copy of these procedures is attached to the code of ethics.

Note: Any falsification, omission, or misrepresentation of facts on a membership application that later comes to light is grounds for immediate expulsion from SAFE.

¹ This Code of Ethics for SAFE members has been developed through the review of other professional codes of ethics in the forensics field and following the National Code of Ethics and Professional Responsibility for the Forensic Scientists published by NIST.