Scientific Evidence

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Scientific Evidence

Introduction

Scientific Evidence focuses on the admissibility of expert testimony as well as physical, biological, and psychological data. Topics include judicial evaluation of experts and data, particularly the relationship of specific data to its larger scientific field and the scientific foundation of expert opinion, as well as statistical, research, and forensic methods. Depending upon the nature of the case at hand, you will also encounter one or more topics in the vast myriad of life and physical sciences information, such as genetics, epidemiology, psychology, economics, and geology.

See Also The Future of Forensic Sciences: A Symposium page.

For Resources concerning finding and using expert witnesses, see Expert Witnesses - Additional Resources

Primary Sources

Federal Regulations & Rules

- Code of Federal Regulations: Judicial Administration: Chapter 1: Department of Justice: Part 28: DNA Identification System
  28 CFR 28
Current scientific knowledge is primarily found in the journal literature, and one should never simply rely upon books. However, books can help one initially understand scientific topics, and there are several good scientific-legal practice guides.

For treatises and other materials on scientific evidence, search the Scholar and OhioLINK catalogs with keywords, or search the subject headings Evidence, Expert; Forensic Sciences; and Science and Law. See also the 10* Forensic Sciences Related Subject Headings and specific topics such as DNA Fingerprinting, Lie Detectors and Detection, and Writing - Identification.

Significant treatises and practice guides concerning scientific evidence:

- Modern Scientific Evidence: the Law and Science of Expert Testimony

Treatises & Practice Guides
Scientific Evidence - Research Guides at C|M|LAW Library

Additional Resources

Additional treatises and practice guides concerning scientific evidence:

- A Litigator's Guide to DNA: from the Laboratory to the Courtroom
  [http://scholar.csuohio.edu/record=b2145300~S0
  KF9666.5 .M53 2008]

- ABA Standards for Criminal Justice: DNA Evidence
  [http://scholar.csuohio.edu/record=b2096932~S0
  KF9666.5 .A33 2007]

- Causality of Psychological Injury: Presenting Evidence in Court
  [http://ebooks.ohiolink.edu/xf/ebcView?id=ei/sw/9780387364452/9780387364452.xml&qurery=&brand=default
  RA1148 .Y68 2007 [Web accessible]]

- Confronting Mental Health Evidence: a Practical Guide to Reliability and Experts in Family Law
  [http://scholar.csuohio.edu/record=b2202928~S0
  KF9865 .Z47 2008]

- Criminal Investigative Failures
  [http://web.ebscohost.com/ehost/detail?sid=08b11532-c074-4f6d-8c9c-56d342fc0aa8%40sessionmgr15&vid=1&hid=19&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#db=nlebk&AN=266334
  HV8073 .R725 2009 [electronic]]

- Digital Evidence: Computer Forensics and Legal Issues Arising from Computer Investigations
  [https://scholar.csuohio.edu/record=b2665684~S0
  KF9847.5 .H36 2012]

- Digital Forensics for Legal Professionals:Understanding Digital Evidence from the Warrant to the Courtroom
  [http://scholar.csuohio.edu/search/-a?searchtype=c&search贯彻K=8902e42d36&SORT=D&submit.x=0&submit.y=0
  KF9802 .E42 D36 2012]

- Evaluating Scientific Evidence: an Interdisciplinary Framework for Intellectual Due Process
  [http://scholar.csuohio.edu/record=b1925874
  KF9861 .B44 2007]

- Forensic Science
  [https://scholar.csuohio.edu/record=b2636242~S0
  KF9861 .L95 2012]

- Forensic Science in Court: Challenges in the Twenty-First Century
  [http://scholar.csuohio.edu/record=b2575315~S0
  KF9874 .353 2011]

- Internet Crimes, Torts, and Scams: Investigation and Remedies
  [http://scholar.csuohio.edu/record=b2538850~S0
  K564 .C6 B57 2010]

- Inside Investigative Criminal Procedure: What Matters and Why
  [http://scholar.csuohio.edu/record=b2866930~S0]

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See Article VII. Opinions and Expert Testimony; Article IX. Authentication and Identification; and Article X. Contents of Writings, Recordings and Photographs.

- Weisenberger's Ohio Evidence Treatise
  [http://www.lexis.com/research/retrievet?_m=8b2a60b09b5cd0fabaeb2936ec7&fmtstr=TOC&wchp=dGlhb2VzKSkA&md5=20be63356e8253cc57963a71b69e4d
  Lexis - OHEVTR
  KFO540 .W44 2012]

- Psychological & Scientific Evidence in Criminal Trials
  [http://scholar.csuohio.edu/record=b2737047~S0]

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See VII. Opinions and Expert Testimony; IX. Authentication and Identification; and X. Contents of Writings, Recordings and Photographs.

- Reference Manual on Scientific Evidence
  [http://scholar.csuohio.edu/record=b2670401~S0]

- Wharton's Criminal Evidence
  [https://1.next.westlaw.com/Browse/Home/SecondarySources/CriminalLawSecondarySources/CriminalLawTextsTreatises
  /WhartonsCriminalEvidence?originationContext=AtoAutoComplete&contextData=%28sc.Default%29&transitionType=CategoryPageItem
  Westlaw - CRIMEVID
  KF8947.5 .H36 2012]

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- ABA Standards for Criminal Justice: DNA Evidence
  [http://scholar.csuohio.edu/record=b2096932~S0
  KF9666.5 .A33 2007]

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- Criminal Investigative Failures
  [http://web.ebscohost.com/ehost/detail?sid=08b11532-c074-4f6d-8c9c-56d342fc0aa8%40sessionmgr15&vid=1&hid=19&bdata=JnNpdGU9ZWhvc3QtbGl2ZQ%3d%3d#db=nlebk&AN=266334
  HV8073 .R725 2009 [electronic]]

- Digital Evidence: Computer Forensics and Legal Issues Arising from Computer Investigations
  [https://scholar.csuohio.edu/record=b2665684~S0
  KF9847.5 .H36 2012]

- Digital Forensics for Legal Professionals:Understanding Digital Evidence from the Warrant to the Courtroom
  [http://scholar.csuohio.edu/search/-a?searchtype=c&search贯彻K=8902e42d36&SORT=D&submit.x=0&submit.y=0
  KF9802 .E42 D36 2012]

- Evaluating Scientific Evidence: an Interdisciplinary Framework for Intellectual Due Process
  [http://scholar.csuohio.edu/record=b1925874
  KF9861 .B44 2007]

- Forensic Science
  [https://scholar.csuohio.edu/record=b2636242~S0
  KF9861 .L95 2012]

- Forensic Science in Court: Challenges in the Twenty-First Century
  [http://scholar.csuohio.edu/record=b2575315~S0
  KF9874 .353 2011]

- Internet Crimes, Torts, and Scams: Investigation and Remedies
  [http://scholar.csuohio.edu/record=b2538850~S0
  K564 .C6 B57 2010]

- Inside Investigative Criminal Procedure: What Matters and Why
  [http://scholar.csuohio.edu/record=b2866930~S0]
By Julian Cook. KF9619 .C654 2012

  http://scholar.csuohio.edu/record=b1982701
  KF480 .P3696 2007

- Postmortem: How Medical Examiners Explain Suspicious Deaths
  HV8073 .T56 2006eb [electronic]
  RA1063 .T56 2006

- Science for Lawyers
  http://scholar.csuohio.edu/record=b2095939~S0
  K487.S3 S255 2008

- Scientific Evidence and Equal Protection of the Law
  http://scholar.csuohio.edu/record=b1883565
  KF4755 .A96 2006

- The Forensic Autopsy for Lawyers
  http://scholar.csuohio.edu/record=b2758989~S0
  KF8802 .H63 2013

- The Forensic Laboratory Handbook: Procedures and Practice
  http://lebooks.ohiolink.edu/xf?sb=View?docId=tel/sv/9781592599462/9781592599462.xml&query=&brand=default
  HV8073 .F577 2006eb [electronic]

- The Use of Science and Technology in Service to Children in the Courts
  http://scholar.csuohio.edu/record=b1879234
  KF9673 .D66 2006

- Unix and Linux Forensic Analysis DVD Toolkit
  http://proquest.safaribooksonline.com/9781597492690?uicode=ohlink
  HV8079 .C65 P64 2008eb [electronic]

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Journal Articles & Current Awareness

Journals & Current Awareness

See the Finding Articles in Law Reviews & Journals guide for an explanation of the legal periodical indexes and databases available to Cleveland-Marshall College of Law students and the CSU community. That guide covers print and electronic indexes, as well as electronic full-text journals. In particular, note OhioLINK’s Electronic Journal Center and its Earth Sciences, Health Sciences and Medicine, Life Sciences, and Social Sciences subject clusters.

When searching scientific journal literature, note that, in addition to supporting keyword searching, scientific indexing and abstracting services tend to use thesauri or controlled vocabulary. This means human beings are involved in the indexing and abstracting of scientific journal literature, resulting in extremely detailed and precise databases. In general, scientific literature indexing and abstracting services do not provide full-text documents. However, many provide links to full-text document services, and many journals are now available electronically.

Specialty journals and current awareness materials concerning Scientific Evidence:

- Albany Law Journal of Science and Technology
  albnyst&collection=journals
  KT .L381
  Current through v. 22 (2012)

- Boston University Journal of Science and Technology Law
  jstl&collection=journals
  K2 .O976
  Current through v. 18 (2012)

- Forensic Science, Medicine and Pathology
  /ecj/journal.cgi?issn=1547769x

- Forensic Science Review
  http://scholar.csuohio.edu/record=b1467214
  K6 .O757
  Current through v. 24 (2012)

- Jurimetrics
  jurimet&collection=journals
  K10 .UB8
  Current

- Scientific Evidence Review
  http://scholar.csuohio.edu/record=b1476589
  KF8961.A75 S25
  Current

- The SciTech Lawyer
  KF325.188 .B8
  Current
Web Resources & Databases

Web Resources

- U.S. Department of Justice: Federal Bureau of Investigation: Laboratory Services
  http://www.fbi.gov/about-us/lab/lab
- Computer Forensic Tool Testing Program
  http://www.cftt.nist.gov/
- National Forensic Science Technology Center
  http://www.nfstc.org/
- Visible Proofs: Forensic Views of the Body
- American Bar Association: Criminal Justice Standards on DNA Evidence
  http://www.americanbar.org/content/dam/aba/publishing/criminal_justice_section_newsletter/crimjust_standards_dnawebversion.authcheckdam.pdf
- American Academy of Forensic Sciences
  http://www.aafs.org/
- Forensic Sciences Foundation
  http://www.forensicsciencesfoundation.org/
- American Association of Physical Anthropologists
  http://www.physanth.org/
- American Board of Forensic Toxicology
  http://www.abft.org/
- American College of Forensic Examiners Institute
  http://www.acfei.com/
- American Medical Forensic Specialists, Inc.
  http://www.amfs.com/
- Technical Committee E30 on Forensic Sciences
  http://www.astm.org/COMMITTEE/E30.htm
- American Society of Crime Laboratory Directors
  http://www.ascld.org/
- Forensic Accountants Society of North America
  http://www.fasna.org/
- Forensic Dentistry Online
  https://www.forensicdentistryonline.org/
- High Technology Crime Investigation Association
  http://www.htcia.org/
- International Association for Identification
  http://www.theiai.org/
- International Society of Environmental Forensics
  http://www.environmentalforensics.org/
- National Academy of Forensic Engineers
  http://www.nafe.org/
- Open Source Digital Forensics
  http://www2.opensourceforensics.org/
- Society of Forensic Engineers and Scientists
  http://www.forensic-society.org/
- Society of Forensic Toxicologists
  http://www.soft-tox.org/

Databases

- OhioLINK Research Databases
  http://www.ohiolink.edu/resources.cgi?by=subject
  OhioLINK provides access to hundreds of topical research databases. Many of these databases will help you find clinical and background information on scientific evidence.
- National Criminal Justice Reference Service
  https://www.ncjrs.gov/App/AbstractDB/AbstractDBSearch.aspx
  Abstracts only of criminal justice publications, including Federal, State, and local government reports, books, research reports, journal articles, and unpublished research.
• Web of Science
  Contains scholarly literature in the sciences, social sciences, arts, and humanities and examine proceedings of international conferences, symposia, seminars, colloquia, workshops, and conventions.

• U.S. Fish and Wildlife Service: Office of Law Enforcement: Forensics Lab Publications
  http://www.lab.fws.gov/publications.php

• National Institute of Justice
  http://www.nij.gov/
  Contains publications by the National Institute of Justice.

• National Center for Forensic Science
  http://ncfs.ucf.edu/

• National Clearinghouse for Science, Technology and the Law
  http://www.ncstl.org/
  A searchable database of legal, forensic, and technology resources; a reference collection of law, science, and technology material.