

## Author Grisham laments bad courtroom science

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File photo shows a policeman at a US crime scene. Best-selling crime author John Grisham told lawmakers that faulty science is all over the US justice system, and urged nationwide improvements to forensic techniques.

Best-selling crime author John Grisham told lawmakers that faulty science is all over the US justice system, and urged nationwide improvements to forensic techniques.

"It is time to clean up the bad science," said Grisham, who serves on the board of the Innocence Project, a group that works to exonerate wrongly convicted people mainly through using [DNA evidence](#). The Project has helped 280 such victims to date.

"Faulty science is rampant in American courtrooms. It is procured by prosecutors, often well meaning, it is tolerated by judges, offered by

experts and considerably believed by jurors in good faith," Grisham told the Senate Committee on Commerce, Science and Transportation.

"In all fairness to the system, the courtroom is not the place to distinguish good science from bad."

Common problems include improper [eyewitness identification](#), poor forensic techniques, false confessions, false testimony from jailhouse informants, bad defense lawyering, and misconduct by police and prosecutors, he said.

A number of techniques popular in television crime shows -- like analysis of bite marks, soil, hair and fibers -- do not stand up to scientific rigor. About half of all [wrongful convictions](#) are due to "bad forensic science," he added.

"It is still happening today... with tragic results," Grisham said.

Other members of the panel included Constantine Gatsonis, who co-chaired a National Academies' of Science (NAS) committee that reported on widespread problems in the forensic science community in 2009.

"We heard one consistent message," he told lawmakers. "The forensic science system has serious problem."

The committee's central recommendation was to create a national agency to oversee forensic science, an idea that has gained little traction as the United States faces a mounting \$15 trillion deficit.

But smaller steps could be taken, such as replacing coroners -- who are often locally elected officials and small-time politicians -- with scientifically trained medical examiners, an idea that the NAS first

floated in 1928.

"So we are just about 80-90 years behind on that recommendation," Gatsonis said.



File photo shows police crime scene tape in a street in the US. A number of forensic techniques popular in television crime shows -- like analysis of bite marks, soil, hair and fibers -- do not stand up to scientific rigor.

Geoffrey Mearns, who was also a member of that committee, added that there remains a need for "substantial systemic reforms in order to create a culture of science."

Over the two years of his involvement in the review, "I came to realize that there was not nearly enough genuine science to validate many forensic science disciplines," he recalled.

"I also came to realize that these deficiencies were impeding law enforcement's effort to identify and apprehend criminals."

Instead of spending time and resources to try and validate old methods, attention should be paid to new methods, like computer forensics that

may help unravel terrorist activity and microbial forensics to trace the origin of different kinds of anthrax, said Terry Fenger, director of the [Forensic Science](#) Center at Marshall University in West Virginia.

Fenger said 1,500 forensic analysts have trained at his center since 2005, and urged a nationwide system of accreditation along with a doctoral degree program for forensic experts.

For Grisham, whose nonfiction book "The Innocent Man" recounts the saga of a wrongly convicted man who is finally set free, the key to change lies in allowing scientists instead of police to develop [forensic techniques](#).

"These methods that we are so critical of now and that bring so many bad verdicts now were created by law enforcement. They were not science driven. And that is not a criticism of law enforcement. They are trying to solve crimes," he said.

"You have got to leave the science in the hands of the scientists. Not the lawyers, not law enforcement."

At one point in the hearing, Senator Amy Klobuchar asked: "Mr. Grisham, have you seen any ideas for books in this discussion here? Maybe you could do a thriller on the very slow process to get things done?"

"Well, everything is fair game for a book," he answered.

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