

A. PURPOSE:

The Division of Scientific Services (DSS) expects employees to be of good moral character and to represent the State, Department, and Division in a professional and ethical manner. The significance and potential consequences of the work performed in the DSS places great responsibility on the analysts and all workers, to ensure that the processes and analyses are performed correct and without bias. The DSS must maintain, through ethical behavior and quality of work, operational integrity and impartiality.

B. PRINCIPAL:

Any action that calls into question the credibility of the work of an individual, laboratory unit or the whole Division may have a detrimental effect on the credibility of all analysts, and analytical work of the Division as a whole. All members of the Judicial, Criminal Justice, Law Enforcement and Scientific communities rely on the quality and impartiality of the DSS.

Employees have a responsibility to avoid involvement in any activity or action that might be construed as compromising the forensic defensibility of the Division's analyses, reports, or their personal integrity.

C. RESPONSIBILITIES:

It is the responsibility of all DSS employees, no matter what job function they perform, to work in an ethical manner. Employees representing the DSS through work on external professional bodies such as those on an OSAC, on a board of a professional group (NEAFS, IAI, AAFS, etc...) or similar are expected to follow the guidance of this document in the performance of those duties. Confidentiality of any data/information obtained in the performance of duties within the DSS will be maintained except as required by law.

Employees of the DSS shall disclose confidential information to only appropriate recipients.

Note: All state employees are required to abide by the 'Public Officials and State Employees Guide to the Code of Ethics'. Additionally all DESPP employees are required to abide by the DESPP 'Ethical Conduct' policy. Links to these documents are provided in the reference section below.

The ANAB '*Guiding Principles of Professional Responsibility for Forensic Service Providers and Forensic Personnel*' has been adopted as a component of the DSS ethics policy. As such, all employees are responsible to adhere to the guidance of this document.

Employees are also responsible for adhering to the ethical guidelines of their respective professional organizations, such as the Academy of Forensic Sciences (AAFS).

Note: The term employee is used to include contract employees assigned to the DSS.

D. PROCEDURE:

1. Employees of the DSS must work in an ethical manner in all aspects of their job. This includes all aspects of their work including but not limited to:
 - . providing or undertaking training
 - . taking or administering competency tests
 - . taking proficiency tests
 - . performing case analysis
 - . reporting findings (written or oral)
 - . testifying
 - . working relationships with vendors
 - . working relationships with co-workers
 - . working relationships with customers
- a. Employees are expected to resist any external commercial and financial pressures which may influence the work they perform.
- b. The Division of Scientific Services references the ANAB document ‘*Guiding Principles of Professional Responsibility for Forensic Service Providers and Forensic Personnel*’, as part of the DSS ethics policy. This ANAB document and this procedure (GL 5) will be reviewed annually by all Division personnel. This will be scheduled by the Quality Section through Qualtrax (or other as appropriate). The record of this review will be maintained for a period no less than 10 years.
 - i. The Director may identify and require other ethics training such as cognitive bias training. Generally this will be assigned through Qualtrax.
2. The following is guidance for ethical work behavior for all employees within the DSS regardless of title:
 - a. General Guidance:
 - i. Report any unethical behavior which may compromise the integrity of the DSS. Reporting can be through any DSS Manager or through the DESPP Ethics Liaison or State Ethics Department.
 - (a) DESPP Ethics Liaison is located at Headquarters in the Legal Affairs Unit. The contact number is 860-685-8150.
 - (b) The CT Office of State Ethics contact number is 860-263-2400.
 - ii. Ensure that outside employment does not compromise the work performed for the Division.

- (a) Prior to taking on outside employment (paid or unpaid) all employees must complete a DPS-259-C form (Request to Engage in Outside Employment) for approval. This form must be updated annually.
 - (b) Prior to taking on outside research which relates to DSS activities or prior to performing consulting work (paid or unpaid) a DPS-259-C must be completed and approved.
 - (c) When an employee of the Division performs consulting (paid or unpaid) work it must not interfere ethically with the work performed at the Division of Scientific Services.
- iii. Report conflicts of interests including those where personal or financial gains may be obtained.
- iv. Maintain confidentiality regarding proprietary rights of vendor's products.
- v. The DSS is responsible to manage all information obtained and/or created as part of the work performed as part of normal laboratory activities. As such all employees of the DSS are responsible to maintain customer confidentiality. This includes case specific information and customer specific information such as statistics that are specific to a customer or group of customers.
 - (a) If use of statistical information is of importance to the DSS, an agreement with the customer must be obtained to use the data. A record of the agreement will be maintained within the Quality Section.
 - (b) Employees presenting data (such as in a paper or other presentation) must obtain customer permission if using statistical information or other specific information that can be directly associated with the customer. Employees will work with the Quality Section to appropriately document the required permissions.
 - (i) This does not apply to information made public by the customer.
- vi. Respect the work of fellow employees.
- vii. Respect the work environment of fellow employees.
- viii. Perform work in a way that supports safe working conditions for yourself and your fellow workers.
- b. Guidance for Training and Testing:
 - i. Undertake training, as a trainee or trainer, in a manner to ensure compliance with DSS procedures.
 - ii. When taking competency tests (practical or written/oral) do so independently. Do not reach out to others for answers or advise on how to proceed.
 - iii. When taking Proficiency tests or Internal Tests do so independently. In Units where tests are shared analysts must work their portion of the test independently. Analysts will not

- reach out to other analysts (internally or at other laboratories) to discuss the test while the test is active.
- iv. When performing an observation (observing or being observed) as part of internal audits or for internal observational based monitoring do so in a manner to ensure compliance with DSS procedures.
- c. Guidance for Performing Case Analysis:
- i. Maintain impartiality when performing case analysis and minimize preconceived notions on case work. Be willing to rethink findings based on additional information presented.
 - ii. Maintain the confidentiality of cases except as required by law, including:
 - (a) Data/information associated to a specific case.
 - (b) Any data/information obtained or created during the performance of laboratory duties.
 - (c) Maintaining confidentiality extends to DSS and personal social media accounts.
 - iii. Maintain the integrity of case materials.
 - iv. Perform testing based on methods/tasks authorized in and as set forth in SOPs.
 - v. Report cases that present a conflict of interest to your Lead, Supervisor or Unit Manager so that appropriate measures can be taken, if necessary.
 - (a) Conflict of interests include involvement of any family member, close friend or similar in a case. This may be due to the individual(s) being a victim or suspect. But may also be due to their involvement based on the work they perform (law enforcement, attorney etc.).
 - vi. Maintain accurate records of analysis.
 - vii. Report mistakes made so they can be rectified.
- d. Guidance for Reporting Case Work/Testifying:
- i. Understand the limits of the methodologies performed.
 - ii. Understand the limits of your own expertise as pertaining to testifying on case findings and explanations.
 - iii. Honestly report and describe laboratory findings.
 - iv. Do not withhold information which could potentially be of significance in a case.
 - v. When opinions are given, make sure that it is clear that the statement is an opinion.
 - vi. Maintain impartiality when testifying.
 - vii. Do not misrepresent yourself or the DSS when testifying.

- (a) Clearly represent your individual credentials such as level of educational background and training.
 - (b) Clearly represent the laboratory based on accreditation status only for disciplines on the scope of testing.
- e. Guidance for Supervising or Managing other Employees:
 - i. Do not use your position to unduly influence case analysis or those that report to you.
 - ii. Report conflicts of interest including those that could influence case analysis, hiring or purchasing.
 - iii. Report unethical behavior.
 - iv. Act on reported unethical behavior.
 - (a) When unethical behavior is reported to an employee they are responsible to bring this information to the Unit Manager or a member of the Quality Section. The Manager is responsible to report the information to the Director.
 - (b) The Director will assess the issue presented and decide the appropriate action based on the issue.
 - (c) The follow-up will be based on the nature of the reported issue. Appropriate actions may range from simple documentation of the issue, to filing a report with the DESPP Ethics Liaison as a personnel issue, reporting to the CT Ethics Office or other.
 - v. Take appropriate actions if a miscarriage of justice is discovered due to unethical behavior, incompetent practices or other actions.
- f. Purchasing:
 - i. Do not make private agreements with vendors to aid them in obtaining state purchase contracts.
 - ii. Make purchasing decisions based on the needs of the testing/laboratory not on personal affiliations.
- g. Customers:
 - i. Fairly and clearly communicate results of analysis.
 - ii. Distinguish opinions versus facts when discussing case work/findings.
 - iii. If information is obtained about a customer from another source, the source of the information will remain confidential between the DSS and the source unless agreed upon by the source.
- h. Social Media:
 - i. Division Social Media Accounts:

- (a) The DSS may have social media accounts on various platforms such as LinkedIn. These will be set up and maintained following state Social Media Policy guidance.
- (b) These sites shall not contain information or opinions related to active DSS case work and will not post opinions related to DSS casework.
- ii. Personal Social Media: DSS staff will not post any information related to laboratory casework on social media accounts.
- iii. Sharing links to published news articles related to laboratory cases would be acceptable.

E. REFERENCES:

1. ANAB Guiding Principles of Professional Responsibility for Forensic Service Providers and Forensic Personnel <https://anab.qualtraxcloud.com/ShowDocument.aspx?ID=6732>
2. Code of Ethics of the American Academy of Forensic Scientist www.aafs.org
3. Northeastern Association of Forensic Scientists Code of Ethics www.neafs.org
4. The Association of Firearms and Tool Mark Examiners Code of Ethics: <http://www.afte.org>
5. Guide to the Code of Ethics for Public Officials and State Employees; State of Connecticut Office of State Ethics; http://www.ct.gov/ethics/lib/ethics/publications/public_officials_guide_09_final.pdf
6. CT Department of Emergency Services and Public Protection Ethical Conduct Policy <http://intranet/intranet/CT%20DPS%20Ethical%20Conduct%20Policy.pdf>
7. The International Association for Identification of Ethics and Professional Conduct; theiai.org
8. CT DPS-259C Request to engage in outside employment; <http://intranet/hr/HR%20Main.htm>
9. CT OPM Social Media Policy: <https://portal.ct.gov/opm/fin-general/policies/social-media-policy>