

# Overview of Ethics Procedures

Society of Forensic Toxicologists Inc.



# Overview



- Upon renewing membership annually, each SOFT member affirms the following:

I agree to conduct myself in a professional manner. I understand that if I behave in a manner that is detrimental to S.O.F.T. or the profession of toxicology in general, and a report of this behavior is substantiated by the S.O.F.T. Ethics Committee and confirmed by the Board, I may be censured or expelled from membership.  
*Initials*

I hereby certify that all information is true and understand that any misrepresentation may lead to dismissal from the Society of Forensic Toxicologists, Inc.

- A member in any category may be censured or may be expelled from SOFT for unethical or other conduct detrimental to the profession of forensic toxicology, or conduct detrimental to SOFT as an organization.
- **Charges alleging any such conduct must be presented in writing to the President of SOFT who shall refer the matter to the Ethics Committee.**

# Overview



The information presented here describes the following:

- Duties of the SOFT Ethics Committee
- Composition of the SOFT Ethics Committee
- Cites relevant sections of the SOFT Bylaws
- The SOFT Code of Ethics
- The SOFT Guiding Principles of Professional Responsibility
- The location of the Ethics Committee Procedures document

# Duties of the Ethics Committee



*In accordance with Chapter V, Section 3B of the SOFT Bylaws:*

**DUTIES OF THE ETHICS COMMITTEE:** The duties of the Ethics Committee shall be to investigate complaints brought against SOFT members and to recommend action, if any, to the Board of Directors. The operating procedures of the Ethics Committee shall be approved by the Board of Directors.

# Composition of the Committee



*In accordance with Chapter V, Section 3A of the SOFT Bylaws:*

## Section 3. Ethics Committee

COMPOSITION OF THE ETHICS COMMITTEE: The President with the approval of the Board of Directors shall appoint members to the Ethics Committee. The Committee shall consist of five (5) members, serving staggered three (3) year terms. In the first year, the five members shall be designated to serve the following terms: two members for three years, two members for two years, and one member for one year. The chair of the committee shall be appointed annually by the President from one of the five committee members. A committee member may recuse him/herself or be recused by the chair of the committee from considering a particular complaint. If a member is excused, the President will appoint another SOFT member to serve on the committee for the consideration of the particular complaint. The replacement member will serve until the complaint for which he/she was appointed is concluded.

# Consequences for Membership



*In accordance with Chapter II, Section 3 of the SOFT Bylaws:*

## Section 3. Termination of Membership

Membership in SOFT may be terminated by written notification from the member to the Secretary or the Secretary's designee.

A member in any category may be censured or may be expelled from SOFT for unethical or other conduct detrimental to the profession of forensic toxicology, or conduct detrimental to SOFT as an organization. Charges alleging any such conduct must be presented in writing to the President of SOFT who shall refer the matter to the Ethics Committee. The Ethics Committee shall investigate the charges and recommend the action, if any, to the Board of Directors. Any action taken against a member must be approved by the Board of Directors. Prior to any adverse action, a member shall be notified in writing of the nature of the charges and afforded an opportunity to file a written response to the charges and/or to appear at a formal hearing.

# Code of Ethics



As a Member of the Society of Forensic Toxicologists (the “Society”), I agree to conduct myself in a professional manner, in accordance with the following ethical principles. I understand if I behave in a manner detrimental to the organization or the profession of forensic toxicology in general, I may be censured or expelled from membership.

## **Members agree to:**

1. Perform professional activities with honesty, integrity and objectivity.
2. Refrain from knowingly misrepresenting professional qualifications including, but not limited to: education, training, experience, certification, area of expertise, and professional memberships.
3. Hold in confidence and refrain from misuse of information obtained or received in the course of professional activities.
4. Provide expert advice and opinions within the limits of individual competence and generally accepted scientific principles.
5. Render testimony in a truthful manner without bias or misrepresentation.
6. Refrain from exercising professional or personal conduct adverse to the best interests and objectives of the Society.

# Guiding Principles of Professional Responsibility



## **Preamble**

The Guiding Principles are intended to create a culture of ethical behavior and professional responsibility among SOFT members and/or affiliates. The concepts presented here have been drawn from other professional codes and suggestions made by leaders in the forensic community. The Guiding Principles have been vetted and adopted by the Society of Forensic Toxicologists (SOFT) Board of Directors with the expectation that forensic toxicologists and forensic toxicology laboratory personnel and management will use them in training sessions, performance evaluations, disciplinary decisions, and as guides in other professional and management decisions. It is important that all individuals engaged in forensic toxicology are equally aware of these Guiding Principles and incorporate the principles into their daily work.

These Guiding Principles provide a framework for describing ethical and professional responsibilities in the forensic community. While not all inclusive, they describe key areas and provide some specific rules to supplement the existing Code of Ethics adopted by SOFT.

The Guiding Principles of Professional Responsibility are based upon the ASCLD/LAB Guiding Principles of Professional Responsibility for Crime Laboratories and Forensic Scientists. Prior to adoption, ASCLD/LAB disseminated the Guiding Principles to thirty forensic science organizations (including the Society of Forensic Toxicologists) for comment.



# Guiding Principles of Professional Responsibility



## Professionalism

The ethical and professionally responsible forensic toxicologist and forensic toxicology laboratory manager:

1. Are independent, impartial, detached, and objective, approaching all examinations with due diligence and an open mind.
2. Conduct full and fair examinations. Conclusions are based on the evidence and reference material relevant to the evidence, not on extraneous information, political pressure, or other outside influences.
3. Are aware of their limitations and only render conclusions that are within their area of expertise and about matters which they have given formal consideration.
4. Honestly communicate with all parties (the investigator, prosecutor, defense, and other expert witnesses) about all information relating to their analyses, when communications are permitted by law and agency practice.
5. Report to the appropriate legal or administrative authorities unethical, illegal, scientifically questionable conduct or impaired competence.
6. Take appropriate action if there is potential for, or there has been, a miscarriage of justice due to circumstances that have come to light, incompetent practice or malpractice.
7. Report conflicts between their ethical/professional responsibilities and applicable agency policy, law, regulation, or other legal authority, and attempt to resolve them.
8. Do not accept or participate in any case on a contingency fee basis or in which they have any other personal or financial conflict of interest or an appearance of such a conflict.

# Guiding Principles of Professional Responsibility



## Competency and Proficiency

The ethical and professionally responsible forensic toxicologist and forensic toxicology laboratory manager:

1. Are committed to career-long learning in the forensic disciplines in which they practice and staying abreast of new technologies and techniques. Conclusions and opinions are based on generally accepted tests and procedures.
2. Are properly trained and determined to be competent through testing prior to undertaking the examination of the evidence.
3. Give utmost care to the treatment of any samples or items of potential evidentiary value to avoid tampering, adulteration, loss or unnecessary consumption.

# Guiding Principles of Professional Responsibility



## Clear Communications

The ethical and professionally responsible forensic toxicologist and forensic toxicology laboratory manager:

1. Accurately represent their education, training, experience, and area of expertise.
2. Present accurate and complete data in reports, testimony, publications and oral presentations.
3. Make and retain full, contemporaneous, clear and accurate records of all examinations and tests conducted, and conclusions drawn, in sufficient detail to allow meaningful review and assessment of the conclusions by an independent person competent in the field.
4. Prepare reports in which facts, opinions and interpretations are clearly distinguishable, and which clearly describe limitations on the methods, interpretations and opinions presented.
5. Do not alter reports or other records, or withhold information from reports for strategic or tactical litigation advantage.
6. Support sound scientific techniques and practices and do not use their positions to pressure an examiner or technician to arrive at conclusions or results that are not supported by data.
7. Testify to results obtained and conclusions reached only when they have confidence that the opinions are based on good scientific principles and methods. Opinions are to be stated so as to be clear in their meaning.

# Ethics Procedures



The SOFT Ethics Procedures document describes the following:

- Enforcement procedures
- Review and investigation
- Ethics committee meetings
- Board of Directors hearing
- Filing and disposition of records

The complete document is available on the SOFT website [www.soft-tox.org](http://www.soft-tox.org) in the Members Section under Documents

# Further Information



- For additional information, contact the SOFT Office:

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