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THE STANDARDIZATION OF CRIMINOLOGICAL NOMENCLATURE

Paul L. Kirk

Paul L. Kirk is Professor of Biochemistry, Medical School, University of California, Berkeley, where he conducts a course in Technical Criminology for the scientific training of identification experts. As an outgrowth of this program he is frequently called upon to serve as an identification expert or "criminalist" in police investigations involving microanalysis, comparative micrography, microchemistry, and allied fields. The question of the proper descriptive title for this kind of specialist in the police laboratory and consultants such as Prof. Kirk has yet to be satisfactorily determined. This article not only raises the question but offers a suggested solution.—EDITOR.

Considerable confusion surrounds the use of terms used to identify the expert witness in the field of evidence examination. Many such witnesses must have shared the author's discomfiture in attempting an explanation to a court of his activities in the field of physical evidence examination, or in fact, in stating succinctly what constitutes that field. Whether the witness is an employee of a police department or a private consultant, the search for simple terms which are accurately descriptive of his field or of himself is disheartening. It appears useful then to re-examine the nomenclature in this connection.

The term "criminology" is far too ambiguous to be accurately descriptive of any reasonably restricted activity of an individual, including as it does the broad aspects of the study of crime, its causes, control and effects, as well as the identification of the criminal. Its meaning may be subject to almost as much variation as the meaning of the term "scientist" which may include in its scope the world's leading physicist and the Christian Scientist day-laborer. To refer to oneself as a "criminologist" might almost imply a desire to obscure the truth rather than to elucidate it. Yet, it is by this term that students and practitioners of many loosely related, or almost unrelated, fields often identify themselves in common.

The frequent combination of the adjective "forensic" with the nouns "chemistry", "medicine", "ballistics" and similar terms appears to the writer to be also objectionable in spite of its wide use, chiefly in British publications. The original sense of this term, viz. its reference to the forum, or to public debate, does not fit with its use in modifying such nouns as chemistry or medicine. While it must be admitted that the exposition in court is at least as essential as the work that leads the witness to the stand, it is an obvious absurdity to speak of practicing

medicine or chemistry in the public forum. Usage has given to the term a popular meaning approximately synonymous with "legal". The definition in this sense is evidently quite artificial and not truly descriptive.

The term "police science" is much too vague and indefinite to describe adequately the work of the expert examiner of material evidence. This term might well include various aspects of traffic control, or the systematic techniques of criminal investigation and apprehension of criminals as well as the work of the laboratory itself. Moreover, the expert witness in court can certainly not state his occupation as a "police scientist".

Even the use of the term "legal chemist" is subject to misinterpretation, since as one cross-examiner queried, what would then be an illegal chemist? A similar criticism must be leveled at the term "police chemist" which frequently appears in job classifications on civil service records. An effective police chemist would in practice utilize chemistry in only a small percent of his cases, and to a limited extent only in those. Most of the techniques of the police laboratory directly involve chemistry to so small an extent as to make the use of that term highly questionable. To add the word "legal" or "forensic" to an already misused term does nothing to correct the situation.

At least one investigator in the author's acquaintance prefers to be known as a "police technician". While this does not miss by far the description of the activity which is followed by many investigators, it has the very unfortunate and often untrue connotation which is always associated with the word "technician". In any other field, a technician is understood to be a person who is incapable of doing independent work but is skilled in the routine performance of laboratory operations according to a predetermined routine established and supervised by others. Technicians are consequently in the lowest salary bracket of all trained laboratory workers. The clever attorney may well make capital of this fact if the witness is willing to accept this title.

Other terms which come to mind that might express the status of the examiner of physical evidence are "laboratorian", "technologist" and "identification expert". Such terms are little more desirable than the word technician, either because they carry the same implications or because they are not descriptive of the occupation of the individual.

The system of designating by the broad term "criminologist" those individuals who have intimate knowledge of and are concerned with the causes, manifestations, prevention, cure, or detection of crime seems to have general acceptance. A term

sometimes used in Europe which designates in a narrower and more specific sense the science of laboratory crime investigation is "criminalistics". This usage appears to the author to be superior to the other terms discussed. Under it the investigator becomes a "criminalist". This term suffers from easy mispronunciation and may be readily misunderstood. In some quarters also, a criminalist is defined as a specialist in criminal law, a meaning which is completely at variance with that suggested here.

Despite these difficulties, no better term to describe the activities of the laboratory examiner of physical evidence has occurred to the author. Unless we are to proceed through life labelled as examiners of this and examiners of that, or technical experts in the field of thus and so, it would seem desirable for some standardized nomenclature to be adopted. In the absence of better terms than "criminology" and "criminalistics" in their European sense, and of "criminologist" and "criminalist" to designate the individual practicing in these fields, the tentative suggestion is offered that they be regularly adopted in this country in the sense indicated. If others have suggestions which seem superior to this, they should be presented for discussion by the members of this growing and important field.