



# Science And Technology In Judicial Decision

**Tal GOLAN, Tal Golan**



## Science And Technology In Judicial Decision:

**Science and Technology in Judicial Decision Making** Carnegie Commission on Science, Technology, and Government. Task Force on Judicial and Regulatory Decision Making,1993      **Reference Manual on Scientific Evidence**,1994      *Science, Technology, And Policy Decisions* Anne L. Hiskes,Richard P. Hiskes,2019-07-09 This text written by a philosopher of science and a political theorist introduces students to the issues and controversies surrounding science and technology policy in the United States As the impact of technological advancement is increasingly felt the policy making process for science and technology is undergoing a marked transition The making of this policy is no longer solely the function of government agencies and institutions New actors in the policy arena are raising questions about the future of technological advancement in the United States and elsewhere and their voices are affecting sometimes obstructing the traditional policy process This book surveys the entire domain of science and technology policy making with special emphasis on the growing role of citizen participation the ethical issues raised by modern policy problems and the general principles that guide current policy The authors discuss current philosophical views about the nature of science and technology as social and political entities and also consider the history of the relations between these fields and political authority They combine an issues and case study approach with a narrative discussion of how ethical participatory and institutional factors have merged in the policy process Among the topics addressed are nuclear power and siting policy hazardous waste communications technology and biomedical technology After reviewing the difficult problems facing the modern policy maker the authors assess the methods and ethical assumptions of the current policy making framework and consider alternatives that are more sensitive to the complexity of contemporary policy issues Intended as a core text for courses in Science Technology and Public Policy the book can also be used in interdisciplinary courses focusing on the relationship between science technology and society The text is also appropriate for courses in the philosophy of science and technology and for courses in social and political philosophy      The Myth of Scientific Literacy Morris Herbert Shamos,1995 Shamos argues that a meaningful scientific literacy cannot be achieved in the first place and the attempt is a misuse of human resources on a grand scale He is skeptical about forecasts of critical shortfalls in scientific manpower and about the motives behind crash programs to get more young people into the science pipeline      Environmental Health Perspectives ,1993      *Theory and Practice in Policy Analysis* M. Granger Morgan,2017-10-12 Practitioners of policy analysis will better understand the tools of their trade and the broader contexts in which analysis contributes      **Scientific Evidence and Equal Protection of the Law** Angelo N Ancheta,2006-02-02 Scientific and social scientific evidence has informed judicial decisions and the making of constitutional law for decades but for much of U S history it has also served as a rhetorical device to justify inequality It is only in recent years that scientific and statistical research has helped redress discrimination but not without controversy Scientific Evidence and Equal Protection of the Law provides unique insights into the judicial process and scientific inquiry

by examining major decisions of the U S Supreme Court civil rights advocacy and the nature of science itself Angelo Ancheta discusses leading equal protection cases such as Brown v Board of Education and recent litigation involving race related affirmative action gender inequality and discrimination based on sexual orientation He also examines less prominent but equally compelling cases including McCleskey v Kemp which involved statistical evidence that a state s death penalty was disproportionately used when victims were white and defendants were black and Castaneda v Partida which established key standards of evidence in addressing the exclusion of Latinos from grand jury service For each case Ancheta explores the tensions between scientific findings and constitutional values

**S. 171, Department of the Environment Act** United States. Congress. Senate. Committee on Governmental Affairs,1993

**Laws of Men and Laws of Nature** Tal GOLAN,Tal Golan,2009-06-30 Are scientific expert witnesses partisans or spokesmen for objective science This ambiguity has troubled the relations between scientists and the legal system for more than 200 years Modern expert testimony first appeared in the late eighteenth century and while its use steadily increased throughout the nineteenth century in cases involving everything from patents to X rays the respect paid to it steadily declined inside and outside of the courtroom With deep learning and wry humor Tal Golan tells stories of courtroom drama and confusion and media jeering on both sides of the Atlantic until the start of the twenty first century as the courts still search for ways that will allow them to distinguish between good and bad science

**Annual Report** Federal Judicial Center,1993

**Forensic Epidemiology** Michael Freeman,Maurice P. Zeegers,2016-03-10 It is an inescapable fact that causation both generally in populations and specifically in individuals cannot be observed Rather causation is determined when it can be inferred that the risk of an observed injury or disease from a plausible cause is greater than the risk from other plausible causes While many causal evaluations performed in forensic medicine are simplified by the fact that the circumstances surrounding the onset of an injury or disease clearly rules out competing causes eg a death following a fall there are many cases that present a more complicated picture It is these types of investigations in which an analysis of comparative levels of risk from competing causes is needed to arrive at a reliable and accurate determination of the most likely cause that forensic epidemiology FE is directed at In Forensic Epidemiology the authors present the legal and scientific theories underlying the methods by which risk is used in the investigation of individual causation Methods and principles from epidemiology are combined with those from a multitude of other disciplines including general medicine pharmacology forensic pathology biostatistics and biomechanics inter alia as a basis for investigating the plausibility of injury and disease exposures and mechanisms The ultimate determination of the probability of causation PC results from an assessment of the strength of association of the investigated relationship in the individual based on a comparison between the risk of disease or injury from the investigated exposure versus the risk of the same disease or injury occurring at the same point in time in the individual but absent the exposure The principles and methods described in Forensic Epidemiology will be of interest to those who work and study in the fields of forensic medicine

epidemiology and the law Historical perspective on how epidemiologic evidence of causation has been used in courts in the US and Europe Theory and science underlying the use of risk to assess individual causation Primer on epidemiologic methods and various measures used to arrive at individualized comparative risk assessments and PC The use of statistical methods applied to publicly available data for ad hoc analysis of PC applicable to the specific circumstances of a case Background on complementary disciplines including forensic pathology death investigation biomechanics and survival analysis Examples of applied FE in the investigation of traffic injury and death automotive and other product defect litigation medical negligence and criminal prosecution and defense *New at the Energy Library* Energy Library,1991 **Scientific Evidence Review** Cynthia H. Cwik,Helen E. Witt,2006 This seventh book in the best selling monograph series presents articles addressing current issues and strategic questions at the cross roads of science technology and the law including the selection and use of scientific expert witnesses scientific uncertainty in the courtroom public health quarantines takings and much more **The Cambridge Handbook of Psychology and Legal Decision-Making** Monica K. Miller,Logan A. Yelderman,Matthew T. Huss,Jason A. Cantone,2024-02-29 Presenting state of the art research this Handbook summarises emerging and establishing topics in the area of legal decision making Interdisciplinary in its approach it covers decisions made within the criminal justice system the trial process and clinical settings Chapters written by accomplished academics and experts in the field synthesize historical context identify gaps in existing literature propose future directions of study and discuss policy limitations It also includes perspectives from the field essays written by professionals a judge an attorney a police officer a trial consultant and a probation officer to bridge the gap between academic research and its application to the real world It is intended as a go to resource for students and researchers who want to immerse themselves in a body of scientific research to understand its history and shape its future **Adjudicating Climate Change** William C. G. Burns,Hari M. Osofsky,2009-07-27 Courts have emerged as a crucial battleground in efforts to regulate climate change Over the past several years tribunals at every level of government around the world have seen claims regarding greenhouse gas emissions and impacts These cases rely on diverse legal theories but all focus on government regulation of climate change or the actions of major corporate emitters This book explores climate actions in state and national courts as well as international tribunals in order to explain their regulatory significance It demonstrates the role that these cases play in broader debates over climate policy and argues that they serve as an important force in pressuring governments and emitters to address this crucial problem As law firms and public interest organizations increasingly develop climate practice areas the book serves as a crucial resource for practitioners policymakers and academics *Financial Services and General Government Appropriations for 2010, Part 6, March 19, 2009, 111-1 Hearings* ,2009 **Financial Services and General Government Appropriations for 2010** United States. Congress. House. Committee on Appropriations. Subcommittee on Financial Services and General Government,2009 **Black Robes, White Coats** Rebecca C. Harris,2008 Scientific evidence is

commonplace in today's criminal trials. From hair and handwriting analysis to ink and DNA fingerprints, scientists have brought their world to bear on the justice system. Combining political analysis, scientific reasoning, and an in-depth study of specific state supreme court cases, *Black Robes White Coats* is an interdisciplinary examination of the tradition of gatekeeping the practice of deciding the admissibility of novel scientific evidence. Rebecca Harris systematically examines judicial policymaking in three areas: forensic DNA, polygraphs, and psychological syndrome evidence to answer the question: Why is scientific evidence treated differently among various jurisdictions? These decisions have important implications for evaluating our judicial system and its ability to accurately develop scientific policy. While the interaction of these professions occurs because the white coats often develop and ascertain knowledge deemed very useful to the black robes, Harris concludes that the black robes are well positioned to render appropriate rulings and determine the acceptability of harnessing a particular science for legal purposes. First book to systematically gather and analyze judicial decisions on scientific admissibility. Analyzes several key cases including *Arizona v. Bible* and *Kansas v. Marks*. Includes examples of evidence in three appendices: forensic DNA, polygraph evidence, and syndrome evidence. Presents an original model of the gatekeeping process. *Expert Evidence and Scientific Proof in Criminal Trials*, Paul Roberts, 2017-07-05. Forensic science evidence and expert witness testimony play an increasingly prominent role in modern criminal proceedings. Science produces powerful evidence of criminal offending but has also courted controversy and sometimes contributed towards miscarriages of justice. The twenty-six articles and essays reproduced in this volume explore the theoretical foundations of modern scientific proof and critically consider the practical issues to which expert evidence gives rise in contemporary criminal trials. The essays are prefaced by a substantial new introduction which provides an overview and incisive commentary contextualising the key debates. The volume begins by placing forensic science in interdisciplinary focus with contributions from historical, sociological, Science and Technology Studies (STS), philosophical, and jurisprudential perspectives. This is followed by closer examination of the role of forensic science and other expert evidence in criminal proceedings, exposing enduring tensions and addressing recent controversies in the relationship between science and criminal law. A third set of contributions considers the practical challenges of interpreting and communicating forensic science evidence. This perennial battle continues to be fought at the intersection between the logic of scientific inference and the psychology of the fact-finder's common sense reasoning. Finally, the volume's fourth group of essays evaluates the limited success of existing procedural reforms aimed at improving the reception of expert testimony in criminal adjudication and considers future prospects for institutional renewal with a keen eye to comparative law models and experiences, success stories and cautionary tales. **Moore's Federal Practice**, 1997.

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