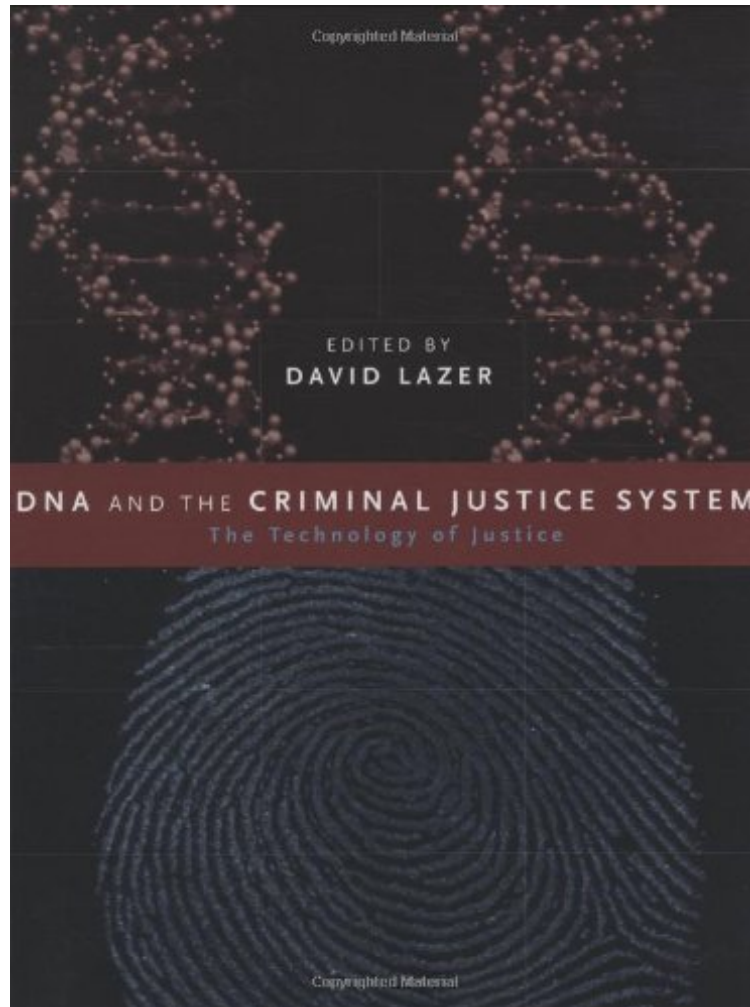


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## DNA and the Criminal Justice System: The Technology of Justice (Basic Bioethics)

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#2952285 in Books 2004-10-22Original language:EnglishPDF # 1 9.00 x 1.00 x 7.001, 1.48 #File Name: 026262186X424 pages | File size: 56.Mb

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Is DNA technology the ultimate diviner of guilt or the ultimate threat to civil liberties? Over the past decade, DNA has been used to exonerate hundreds and to convict thousands. Its expanded use over the coming decade promises to recalibrate significantly the balance between collective security and individual freedom. For example, it is possible that law enforcement DNA databases will expand to include millions of individuals not convicted of any crime. Moreover, depending on what rules govern access, such databases could also be used for purposes that range from determining paternity to assessing predispositions to certain diseases or behaviors. Thus the use of DNA technology will involve tough trade-offs between individual and societal interests. This book, written by a distinguished group of authors including U.S. Supreme Court Justice Stephen Breyer, explores the ethical, procedural, and economic challenges posed by the use of DNA evidence as well as future directions for the technology. After laying the conceptual historical, legal, and scientific groundwork for the debate, the book considers bioethical issues raised by the collection of DNA, including the question of control over DNA databases. The authors then turn to the possible genetic bases of human behavior and the implications of this still-unresolved issue for the criminal justice system. Finally, the book examines the current debate over the many roles that DNA can and should play in criminal justice.

Contributions from an assembly of preeminent experts on DNA testing make this book an extraordinary resource, one that is likely to set the agenda for science policy in this area for years to come. Gracefully written and overflowing with important and challenging insights, this book is essential reading. But its relevance extends far beyond the criminal law, since the limits and uses of DNA testing should concern us all. (David L. Faigman, Professor of Law, University of California, Hastings, and author of *Laboratory of Justice: The Supreme Court's 200-Year Struggle to Integrate Science and the Law*) Leaders in the field take the reader through a wide spectrum of critical issues involving DNA applications in the criminal justice system. This book is not only the most valuable reference for forensic practitioners, but is essential for the law-enforcement and academic communities as well. (Dr. Henry C. Lee, Connecticut Forensic Science Laboratory) This is a very important collection of essays. There has been no serious, comprehensive attempt to consider the social implications of genetic technology on the criminal justice system since Paul Billings' *DNA on Trial* from 1992. The topic is even more important today, as DNA evidence is more widely collected and used. The book should appeal to a broad audience of lawyers, judges, forensics experts, social scientists, public officials, and the public. (Mark A. Rothstein, University of Louisville School of Medicine, editor of *Genetic Secrets: Protecting Privacy and Confidentiality in the Genetic Era*) This book provides a rich compendium of fully up-to-date law and policy analysis, coupled with an accessible scientific narrative. It is a striking achievement, and I expect to refer to it often and with confidence that current trends, views, and perspectives, as well as the evolving state of our knowledge of legal and scientific issues relevant to criminal justice, has been amply presented. (Judge Andre M. Davis, United States District Court for the District of Maryland) From the Inside Flap "This is a very important collection of essays. There has been no serious, comprehensive attempt to consider the social implications of genetic technology on the criminal justice system since Paul Billings's *\*DNA on Trial\**, from 1992. The topic is even more important today, as DNA evidence is more widely collected and used. The book should appeal to a broad audience of lawyers, judges, forensics experts, social scientists, public officials, and the public." --Mark A. Rothstein, University of Louisville School of Medicine, editor of *\*Genetic Secrets: Protecting Privacy and Confidentiality in the Genetic Era\** "Contributions from an assembly of preeminent experts on DNA testing make this book an extraordinary resource, one that is likely to set the agenda for science policy in this area for years to come. Gracefully written and overflowing with important and challenging insights, this book is essential reading. But its relevance extends far beyond the criminal law, since the limits and uses of DNA testing should concern us all." --David L. Faigman, Professor of Law, University of California, Hastings, and author of *\*Laboratory of Justice: The Supreme Court's 200-Year Struggle to Integrate Science and the Law\** "Leaders in the field take the reader through a wide spectrum of critical issues involving DNA applications in the criminal justice system. This book is not only the most valuable reference for forensic practitioners, but is essential for the law-enforcement and academic communities as well." --Henry C. Lee, Connecticut Forensic Science Laboratory "This book provides a rich compendium of fully up-to-date law and policy analysis, coupled with an accessible scientific narrative. It is a striking achievement, and I expect to refer to it often and with confidence that current trends, views, and perspectives, as well as the evolving state of our knowledge of legal and scientific issues relevant to criminal justice, has been amply presented." --Andre M. Davis, United States District Court for the District of Maryland About the Author David Lazer is Associate Professor of Public Policy at the John F. Kennedy School of Government and Director and founder of the Program on Networked Governance at Harvard University. He is the editor of *DNA and the Criminal Justice System: The Technology of Justice* (MIT Press, 2004).