

The FORVM

FORENSICS PROFESSIONAL GROUP The HUMAN FACTORS and ERGONOMICS SOCIETY

Volume 21

October 4, 2003

NUMBER 1

FPG Chair Robert Sugarman 132 Seabrooke Dr. Buffalo, NY 14225 716 634-8016 (voice) 716-631-6722 (fax) rcpsibob@aol.com	Secretary-Treasurer Ilene Zackowitz 2588 El Camino Real, F Carlsbad, CA 92008 (619) 255-0463 (voice) 858-623-2777 (fax) IBZ@home.com	Program Chair Dan Johnson 6221 Swayne Dr. NE Olympia, WA 98516 360-456-3434 (voice) 360-456-5521 (fax) DAJInc@aol.com	FORVM Editor Erik Olsen 302 Upland Road Blacksburg, VA 24060 540-951-3777 (voice) 540-231-1555 (fax)
--	--	---	---

Chair's Page

In my first official column as the chair of the Forensics Professional Group (FPG), I find that I have no stirring message to bring you, but I do want to stir you to attend the meeting in Denver. As a part-time resident of the Mile High City, I can attest to the fact that it has many attractions, lots of great places to eat, and a pleasant climate. Although you will probably want a jacket in the evenings, the days are usually very nice in October with plenty of sunshine. The 16th Street Mall with its free shuttle busses make shopping handy. The LoDo district for dining and the new Mayor's brewpub are readily accessible by the shuttle bus or with a reasonably short walk if you are so inclined. If you get there a day early or stay a day later, a trip to the mountains will provide some great scenery and the thrill of breathing rarefied air. The casinos at Blackhawk and Central City may provide you with the agony of defeat, if you so desire. The Air Force Academy is not much over an hour's drive from Denver, and in neighboring Colorado Springs there is the Garden of the Gods. The Cheyenne Mountain Zoo in Colorado Springs is also interesting, although you can see most everything that is there at the Zoo in Denver as well as seeing the Museum of Natural History with its collection of dinosaurs.

If you are not in a great hurry to get downtown from the Airport, you can take the RTD Bus that goes to 16th and Market for eight bucks (correct change only or you will spend more, for those over sixty-five it is half price). The bus departs from the East Terminal about once (sometimes twice) an hour outside the ticketing level and takes 40-45 minutes. There are shuttles that are not too expensive, but you may spend as much time waiting for them to get as many passengers as they want as you would waiting for the bus. They do however make stops at the major hotels. A taxi will cost about \$40+ and takes 30-40 minutes depending on traffic.

In addition to the convenience and beauty of the surroundings there is an even more compelling reason for attending the meeting. There will be many excellent paper sessions and the opportunity to mingle with your

peers. I often learn as much outside the meeting rooms as in them. Of course, the FPG business meeting will also be interesting. There should be some business that will engage both new and old (membership-wise) members of the group.

Unless you are running for governor of California, you have no excuse for missing the meeting, so I hope to see you there. By the way, we are including a form in this newsletter for nominations for new officers for the TIG. You may nominate any member of the group. It is not necessary that they be a porn star or a body builder. You may nominate yourself if you want to be sure that you have someone who will be willing to serve. Remember serving others is its own reward. I'm not sure there will be any other rewards, but you will have the thanks of the members.

S. David Leonard, FPG Chair

2003 HFES Annual Meeting

The 47th HFES Annual Meeting will be held at the [Adam's Mark Hotel](#), Denver, Colorado, from October 13 to 17, 2003. See info at <http://hfes.org/>. Our **FPG Business meeting** will be held on Wednesday, 10/15 at 4:30 PM, hopefully following the Safety TG's meeting.

Last year, the FPG was allotted only one paper session. It was suggested at least year's FPG meeting that we could possibly consider sessions co-sponsored with another appropriate TG such as the Consumer Products TG., Surface Transportation, Safety.

This year The FPG has been allotted two panel sessions and a paper session shared with the Consumer Products Technical Group (CPTG).

FP1 (Tuesday, 10/14/03, 1:30 - 3.00 PM): The first panel, entitled Some useful as well as problematic terms used by human factors forensic professionals, will discuss a glossary of terms that has been developed over the past several years. Some terms have different scientific, legal and colloquial meanings. For example, the terms Adequate, Dangerous or Defective [and

unreasonably dangerous], Due care, Duty, Foreseeable Misuse, Negligent/negligence, Open and obvious, Proper, Prudent, Responsible, Reasonable/unreasonable [care] and Safe/unsafe are some that can easily cause problems. Unless they are given operational definitions a forensics expert using such terms may be overstepping bounds and giving a legal opinion not based on the scientific approach. Methods around the use of these terms, which some attorneys may pressure an expert to employ, will be discussed. All of the participants have had extensive experience in the forensics area and have investigated or been consulted on many different types of injury events. The glossary, a 70+page document containing over 560 terms, is scheduled for publication by Taylor and Francis later this year.

FP2 (Thursday, 10/16/03, 3:30 - 5.00 PM): The second panel is entitled: Issues for Human Factors Practitioners in Litigation. The panelists include Richard J. Hornick, Hal Hendrick, Arthur Dan Fisk, Kenneth Laughery, Sr. and Richard Olsen. This session is proposed as another in a series of continuing sessions intended to provide a developmental experience for HFES practitioners in forensics. The format is that in which the chair will pose hypothetical questions that pertain to major issues faced by those who engage, or contemplate engaging, in the legal arena as human factors analysts or as expert witnesses.

The structure of this panel will stimulate a high level interaction with attendees. Panelists are considered to be stimulants for discussion, not lecturers. The goal is to make this session useful for experienced practitioners as well as for introducing novices to the real world of litigation.

Based on prior sessions, this panel will have two major foci. The first is that of fundamentals in forensic practice, dealing with business practices, use of contracts, ethical considerations, advertising, presenting one's qualifications, and some how to and/or what not to do basics.

The second and major focus will be on the operational vagaries of real world litigation experiences. Questions to be addressed will consider a number of what if situations. What if there is an HF expert witness on the other side? What if the attorney you are working with urges or pushes you in certain directions? How do you deal with an opposing counsel who is openly hostile? What kind of surprises might one encounter? How do you deal with demands for data of increasing depth? What kinds of traps have been set by opposite counsel? In this segment, panelists might be posed a question such as what was the most hostile or antagonistic court experience you had; how did you handle it; what could have been done better? How do you deal with the classic ...HF is just common sense, isn't it? Describe your most or least satisfying experience

from a human factors perspective? Have you participated in criminal trials? If so, how do those differ from the usual civil trials? It is anticipated that this session will be a stimulus for further discussion and debate about human factors in litigation.

CP3 / FP3 (Friday, 10/16/03, 10:30 AM - 12.00 PM): One of these papers, entitled Influences of Information and Personal Concerns on Monetary Judgments, summarizes a study by S. David Leonard. Previous studies have shown effects of various types of suggestions made by attorneys for developing a metric for damages to be awarded for pain and suffering. This study attempted to use rates set by respondents for their willingness to endure some of the problems of a wheelchair-bound individual for various time periods as a means of getting the respondents to devise suitable awards for pain and suffering. Although there was some relationship between the respondents ideas of what they would require to accept such a situation and the awards they provided, the strength of the relationship was not large. Some possible factors affecting this are discussed.

The second paper, entitled The Effects of Profit Information on Compensatory and Punitive Damage Award Decisions is by Danielle L. Paige and Kenneth R. Laughery, Sr. It describes three experiments examining the effects of defendant wealth on civil litigation damage award decisions. Wealth was manipulated by presenting participants with either high or low company profit information for that year. All participants read three trial scenarios in which the defendant Manufacturer was found responsible for the plaintiff's injuries. Participants awarded economic damages in the first experiment. Contrary to law, profit information influenced the economic awards, such that high profits resulted in significantly higher variance and a non-significant trend to award higher awards. In the second experiment, participants awarded pain and suffering awards. These awards were not influenced by profit information. The final experiment involved punitive damage awards. Higher profits increased both the magnitude and variability of punitive awards.

Your Input Matters!! The FPG Member Survey

<http://fpg.hfes.org/survey/>

The Forensics Professional Group invites you to participate in a survey of FPG members to learn more about forensics human factors practice. The information will be used to better understand our membership and to help the Forensics Professional Group better serve you. One of the outcomes will be an FPG workshop at the 2004 meeting. Even if you are new to FPG or to human factors forensics, your feedback is important to us. As an additional incentive, those who complete and return the survey will be entered in a drawing to win a \$50 discount on HFES membership, or on HFES publications, or on HFES annual meeting registration. (Please see

instructions at the end of the survey). Your input is valuable. Confidentiality and anonymity are guaranteed. Results will be reported only in aggregated form. Please help us by completing the enclosed questionnaire honestly and completely. For your convenience, you may return your completed survey by mail service, email, or by completing the survey on the FPG Web site: <http://fpg.hfes.org/survey/>. Thank you in advance for participating in this survey.

-Prepared by Kenneth Nemire

Human Factors as a Field (for those new to forensics)

Written by [Dr. Richard J. Hornick](#) for ExpertPages.com

The discipline of Human Factors offers an opportunity for attorneys to tap into a scientific field that is highly pertinent to a wide range of judicial matters, especially in workplace injury, product liability, personal injury, and transportation accidents. Human factors professionals (whether primarily practitioners, academicians, or researchers) have testified in plaintiff and defense matters and have successfully withstood [Daubert](#)-based motions to exclude their testimony.

Though having a variety of historical antecedents in behavioral and engineering sciences, the field of human factors is generally recognized to have its major impetus for growth during World War II as a direct result of the development of increasingly complex equipment and systems requiring a deeper understanding of human characteristics. Data were needed about human capabilities and limitations in order to increase the likelihood of safe and efficient operations in these systems. The field of experimental psychology provided the largest initial resource for that kind of information because of research conducted in areas such as vision, audition, perception, reaction time, information procession, decision-making, and capabilities in task performance.

Concurrently, industrial applications were developing in areas of personnel selection, training, motivation, inspection, and quality control. The term "ergonomics" is used as an adjunct to human factors and essentially is an equivalent term. However, ergonomics has been popularized such that much of the general population thinks of ergonomics as simply "comfort of office furniture" or "cumulative trauma disorder".

Today, the general goal of human factors specialists is to assure that the things that people use or maintain are designed in a manner to be most compatible with human capabilities and limitations in order to (a) reduce the probability of human error; (b) enhance system performance; (c) assure safety of anyone associated with the system or equipment. In designing small appliances, medical devices, high performance aircraft, transportation systems, manufacturing facilities and processes, office environments, or anything else, human factors professionals have demonstrated significant

accomplishments in increasing human safety, comfort and productivity.

Representative Issues. This brief section is meant to be illustrative, not exhaustive, in order to suggest the kinds of issues human factors forensics practitioners may address. In any particular accident matter, of course, any of the various factors included below may become involved. In a machinery accident: task operations and procedures; skill requirements; type of guarding provided; controls and displays; training and experience; instructions; warnings; reach and muscle force; lighting and visibility; reaction time. In a product liability matter: anticipated user population; expectancies and experience; controls and displays; color coding; guarding; warnings; manuals; hidden dangers; integration with body characteristics. In a vehicular accident: visibility and lighting; traffic control devices; perception and reaction time; training and experience; fatigue; age; roadway characteristics; intersection and/or railroad crossing features. In a personal injury accident: (e.g., a trip and fall) -- familiarity; visibility and lighting; placement of barricades; markings; warnings; handholds; railings.

Role of Human Error. Consider two aspects of "human error" -- pervasiveness and inducement. First, human error is involved in virtually any accident event. Most of us think of user or operator error (as in "pilot error" in an aviation accident) when hearing that term. However, human error can enter into an accident event in many other ways. During the design process, a design flaw may be introduced; in manufacture, assembly errors can occur; and during inspection, those defects may not be found because of human factors. A human factors specialist can provide understanding of the contributors to such errors at those different stages when they are important to the accident event. More importantly, human error is frequently "design induced". Studies have clearly shown that human errors are not just self-caused. Indeed, the design of controls, displays, workstation arrangement, guarding, instructional and warning label content, and environmental factors such as lighting or noise may elicit the error. Many tragic design-induced errors have been well documented. The tendency to dismiss an aviation accident, an air traffic control radar loss, a single vehicle fatality accident, and the like on "human error" is appropriately challenged in light of the fact that the design itself may promote human errors in the cockpit, in the factory, in a control room, or on a roadway. Here, the human factors specialist can play a pivotal role in understanding accident factors and interactions.

Conclusion. Human Factors is an established science and professional discipline. It provides a knowledge base for understanding the interaction of design with human capabilities and limitations. Those human characteristics are contained in several dimensions:

Psychological (e.g., cognitive skills, perception, reaction time, expectancies, information processing, decision making, motivation); stress; physiological (e.g., vision, audition, tactile sensations, fatigue); anthropometric (e.g., body size, reach, muscle strength).

Human factors data and criteria have been applied to the design of ordinary appliances, farm and construction machinery, transportation vehicles and systems, industrial equipment, office equipment, command and control rooms, and even to spacecraft. The major focus of the field is on the factors involved in "human error" and the implications for product design and system safety. An established database, a wealth of literature, notable journals, professional societies, and certification programs all attest to the validity of the field and its useful introduction into the forensics process.

Handbook of Forensic Human Factors & Ergonomics

Edited by Ian Noy and Waldemar Karwowski

The *Handbook of Forensic Human Factors and Ergonomics* is intended as a comprehensive reference text in the forensic application of human factors, ergonomics and safety. Scheduled for publication by Taylor & Francis, Ltd. later this year, this Handbook will address the role and application of the science of human-system interactions to matters concerning standard of care in the design and use of products, equipment, premises, and work systems.

The scope covers a broad range of forensic applications including general testimony issues, standards, warnings, consumer products, industrial machinery, manufacturing, legal issues in work-related musculoskeletal disorders, toxic hazards, construction safety, slips and falls, disability, ADA and human factors, transportation, public utilities and facilities, traffic collisions, process liability, professional ethics, malpractice issues, sports and leisure activities.

The authors of each chapter were asked to discuss the assigned topic from a neutral perspective, discussing key issues from the plaintiff and defendant perspectives. In addition, a feature of each chapter will be a summary of the principal relevant issues in the form of a checklist (i.e., a comprehensive list of factors and variables that may be implicated in the case and that should be considered in case analysis).

The intended audience includes human factors/ergonomics and safety professionals, lawyers, judges, forensic and paralegal professionals, accident investigators, students, health care and medical professionals, government officials, industrial designers, and consultants.

It is intended that this Handbook provide an international perspective, highlighting major differences among legal systems in North America, Europe and other regions. While standards of care may differ across the

globe, the fundamental human factors and ergonomics theory and principles are universal.

Over 40 topics will be discussed such as, the role of the expert, highway defects, driver distraction, headlights, motorcycles, pedestrian accidents, railroad crossings, eyewitness reporting, falls, memory, environmental ergonomics, standards and regulation, exercise injuries, warnings, age, visibility, legibility, and much more. For more details, contact Waldemar Karwowski, at (502) 852-7173 or karwowski@louisville.edu

A Guide to Forensic Human Factors Terminology

Included in the Handbook of FHFE

The Guide has been developed by an ad-hoc committee of Human Factors/Ergonomics (HF/E) professionals who have also been involved in forensic expert analysis and testimony work. The Glossary was felt to be needed to document generally agreed upon terms that come up in testimony and court documents related to personal injury, product design, and facilities design and management litigation. The Forensic Professional Group had discussed the need for such a document for some time, but had taken no formal action. So, several members, independent of the FPG, formed a committee on their own to attempt such an undertaking. Meeting in airport conference rooms and private homes, the committee spent the last several years drafting and debating various definitions that would be appropriate for the Glossary.

Terms included in the Glossary were primarily scientific terms as used by HF/E professionals. In addition, some problem terms with special meanings in litigation were included, that are used by lawyers in special ways. For example, "Adequate" and "Foreseeable" have very specific meanings to attorneys (each such term was flagged "Note: LEGAL TERM") and it was suggested that these definitions should be avoided by HF/E professionals. Other terms, such as "Safe" or "Reasonable" are so general that they should be used only with appropriate caution. Alternate definitions were included in the Glossary for some such terms, but several legal terms were flagged to be avoided completely, such as "Due Care," "Duty," "Negligent" and so forth. Several pages of analysis and discussion was given over to the proper use of these potentially problem terms, and how to avoid the improper use of such terms when they are suggested by attorneys.

The Glossary has been submitted to Waldemar Karwowski, editor of the HANDBOOK OF FORENSIC HUMAN FACTORS AND ERGONOMICS, to be published by Taylor & Francis, for inclusion as one of the chapters. The Glossary defines about 810 terms, contains 29,291 words spread over 71 pages (12 point Times Roman font), and has a Flesch-Kincaid grade Level of 11.0 for comprehension.

The members of the Glossary committee learned a great deal from discussing definition drafts with one another, and in trading "war stories" from various deposition and trial testimony that they had given or experienced. They all agreed that it had been a significant learning experience for each of them as well as providing a much-needed tome of standardized terminology for their professional work. The committee will discuss their efforts in session FP1 (see HFES announcement on page 1), including why certain terms were flagged as "problem terms" for HF/E professionals, at the HFES Meeting in Denver on Tuesday, October 14, at 1:30 - 3:00 pm

Members of the ad-hoc committee who drafted the final Glossary were David A. Thompson, H. Harvey Cohen, Donald P. Horst, Daniel A. Johnson, and Richard A. Olsen. They were ably assisted in some phases of the drafting by Rudolph Mortimer, Richard Pearson, Erik Olsen, Jake Pauls, and others. Any comments or questions can be sent to DavidThompson@HumanFactors.org.

A.R. Lauer Safety Award of the HFES

The winner of this year's A. R. Lauer Safety Award is Dr. Michael Wogalter "for his outstanding research in safety communications and warnings that has led to a greater understanding of the requirements for the design and the efficacy of warnings and for his contributions to develop national standards for warnings". Mike's reaction:

"Obviously I'm very honored to have won it. A bunch of other people are deserving too ... I understand that the Lauer award was initially set up to be a Transportation-related safety award. It's been a more general safety award for just the past few years. That's another reason why receiving it is even more of an honor."

Mike Wogalter's nomination was made by Stuart Parson and Joseph Seminara. The nomination package was reviewed and approved by the A. R. Lauer Safety Award Committee, chaired by Rudolf Mortimer, consisting of Dennis Beringer, Sue-Ann Bogner and Marc Resnick. The nomination was then reviewed by Jack Stuster, the HFES Awards Committee Chair, and was subsequently approved by the Executive Council of the Human Factors and Ergonomics Society.

The Lauer award will be presented at the opening Plenary Session of the HFES 47th Annual Meeting, Tuesday, October 14, 2003. The session, which begins at 8:00 am, will be held at the Adam's Mark Hotel, Denver, Colorado. Note that there is no longer an awards banquet.

Michael S. Wogalter, PhD, is a professor of psychology at North Carolina State University, Raleigh, NC. He has a Ph.D. from Rice University, an M.A. from

the University of South Florida, and a B.A. in psychology from the University of Virginia. Most of his research focuses on factors that influence the effectiveness of warnings, hazard and risk perception, and information design. Currently he has over 250 research-based publications. He serves on the editorial boards of several ergonomics and safety journals, including *Ergonomics*, *Applied Ergonomics*, *TIES*, *Occupational Ergonomics* and the *Journal of Safety Research*. He is a fellow of the HFES, and a member of several other professional-scientific organizations such as APA Div. 21, APS, and Sigma Xi.

A call for nominations for next year will be let out later this year. The deadline will be May 2004. **will be** sought for the award of persons with outstanding credentials who have made important and consistent contributions in any area of human factors that has the objective of enhancing the safety of persons and equipment. Nominees need not be members of the Society.

Nominations should include one letter by the person making the nomination, another letter of support and the vitae of the nominee. Please email these materials and any questions you may have before **May 10, 2004**, to: Dr. Rudi Mortimer, Chair of the A.R. Lauer Safety Award Committee, at rgm@uiuc.edu.

FPG Website and Listserv

The FPG now has a *website* at <http://fpg.hfes.org/>, described by one member as "Excellent: simple, functional." Visit soon and feel free to provide input. We are looking for someone who is interested and willing to take over as web master.

We also have a *listserv*, hfes-forensics@hfes.org. All FPG members will automatically become listserv members. The *hfes-forensics* listserv is a facility that manages names and electronic addresses of members of our TG and other interested parties. By participating with the listserv, you can exchange ideas and information with others who have an interest in human factors and transportation. The listserv receives e-mail and distributes it to each person subscribed to the list. It is managed by HFES and members of the FPG are automatically subscribed. Further questions should be addressed to HFES.

Mock Trial Videos Still Available

HFES still has the two-video set, "Mock Trial: Human Factors of Adaptive Cruise Control, Parts I & II." The mock trial, organized and chaired by HFES members Ian Noy and Alison Vredenburgh, was presented during the International Ergonomics Association XIVth Triennial Congress/Human Factors and Ergonomics Society 44th Annual Meeting, held July 30-August 4, 2000, in San Diego, California.

The video presents a fictitious case to demonstrate the human factors issues concerning an advanced automobile technology: adaptive cruise control (ACC). The video is useful in courses on law, human factors, safety, and industrial engineering/psychology as well as for anyone interested in vehicle safety or human factors/ergonomics design.

HFES members may purchase the set for \$60 plus \$7 shipping/handling; the nonmember price is \$110 plus \$12 shipping/handling (add \$5 to the shipping charges if mailed outside the U.S.; add sales tax if mailed to California addresses). The videos may also be rented for 15 days (\$30 members, \$50 nonmembers). To order, contact HFES at 310/394-1811, fax 310/394-2410, info@hfes.org.

A Book Review of: Automotive Vehicle Safety

(Writing the in Language of Human Factors)

Reviewed by: George Peters

In forensic endeavors, one the primary goals of the human factors specialist is "communication" with company forensic engineers, insurance claims adjusters, plaintiff and defense lawyers, trial and appellate judges, and ultimately the citizen jurors. Sometimes it is all of the players in a project, claim, or lawsuit that are tuned-in and ready to listen. But, they may hear something that seems to them to be too esoteric, unrealistic, and non-relevant to the critical issues that may have already become firmly embedded in the receptor's understanding of the problem. To the human factors specialist, the words and concepts or language used may seem profound, practical, and in accordance with peer consensus. How can the human factors specialist effectively communicate by getting on the same wavelength linguistically, focus on the key issues, and provide information helpful to the actual decision-makers?

A newly published book attempts to bridge the communications gap so that the human factors specialist can effectively translate and communicate to those in the forensic arena. The language used is easily understood by the human factors specialist, so that issues important to others can be addressed in their own language, dealing with their concepts, understanding, their interests, and directly answering their inquiries. The book provides concise explanations dealing with human performance, human error, human simulation, distractions, risk communication, accident reconstruction, and other topics that should be basic to the toolbox of the human factors specialist dealing with forensic issues. It explains how to evaluate products, processes, services and systems.

Contrary to its title, the principles and procedures are generic to a vast array of products. It may seem ideally suited for those in professional practice, but it is also tailored for classroom and seminar use.

Automotive Vehicle Safety is published by Taylor & Francis in London, England, and became available in November through its overseas distribution (in the USA the telephone is 1-800-634-7064). The authors are the father and daughter team of George A. Peters and Barbara J. Peters. George is a Fellow of HFES and was recently awarded the Lauer Safety Award. Barbara is a lawyer who has co-authored 39 books with her father and is a Fellow of the Roscoe Pound Foundation.

Construction project literature sought

Gary Bakken is looking for literature (legal or otherwise) that clearly illustrates a property owner supervising a construction project on the owner's property, even if the owner hires other contractors (excavating, plumbing, electrical, scaffolding, concrete, etc.) to perform parts of the project, is the prime contractor (in some locales, general contractor). Contact him at gmb@asi-az.com or call 520-882-5494.

Frequent Flier Tip

For those of you who are still considering going to the HFES conference, consider using your frequent flier miles to do it. Airlines often open up additional frequent flier seats after the "21-day window" has passed. If you call or check their website and do not find a flight, keep trying! New seats and flights are added daily up until just hours before departure. Many airlines have miles which never expire or which are active for several years. Points from hotel stays can sometimes be converted to airline miles as well. Finally, friends or relatives can either transfer points from hotel stays to your account and you can convert them to airline miles, or someone else can request a frequent flier ticket in your name.

FORENSICS PROFESSIONAL GROUP

The *FORVM* is a publication of the Forensics Professional Group (FPG) of the **Human Factors and Ergonomics Society**. Membership in the FPG is open to all people interested in the application of human factors and ergonomics to a professional forensics practice.

The FPG is concerned with the application of human factors knowledge and techniques to "standards of care" and accountability established within the legislative, regulatory, and judicial systems. The emphasis is on providing a scientific basis to human factors/ergonomics issues raised within these systems.

Membership in the Human Factors and Ergonomics Society is not required for membership in the FPG. For further information, contact the Central Office of the HFES: P.O. Box 1369, Santa Monica, CA 90406-1369, Phone: (310) 394-1811.

The FORVM, Newsletter for the HFES Forensics Professional Group
Volume 21, #1, October 4, 2003

CONTENTS

- Chair's Page
- 2003 HFES Annual Meeting
- Your Input Matters!! The FPG Member Survey
- Human Factors as a Field
- Handbook of Forensic Human Factors & Ergonomics
- A Guide to Forensic Human Factors Terminology
- A.R. Lauer Safety Award of the HFES
- FPG Website and Listserv
- Mock Trial Videos Still Available
- A Book Review of: Automotive Vehicle Safety
- Construction Project Literature Sought
- Frequent Flier Tip

Forms enclosed

-Application for Membership

-The FPG Member Survey

Application for Membership
Forensics Professional Group, Human Factors and Ergonomics Society

Membership in the FPG does not require membership in the Human Factors and Ergonomics Society. Members of the HFES may pay FPG dues with their HFES dues. Please print.

Name: _____

Title: _____

Organization: _____

Address: _____

Phone: _____

Fax: _____

Email: _____

Are you a full-time student? () yes () no Are you a member of the HFES? () yes () no

Please mail this application and a check for \$5.00 to:

Human Factors and Ergonomics Society
PO Box 1369
Santa Monica, CA 90406-1369 USA

Survey of Forensics Professional Group Members

Thank you for helping with the Forensics Professional Group members' survey. Your input is valuable to us. While the survey may look long, most questions require only a simple selection, and the survey should only take about 15 minutes to complete. Please think about each of the questions in this survey, and answer them as completely and accurately as you can. Confidentiality and anonymity are guaranteed. **Please remember to enter the drawing at the end of this survey for the \$50 discount on HFES membership, or on HFES publications, or on HFES annual meeting registration.**

Your Professional and Educational Background

1. In which industry do you work? *(Please check all that apply)*

- 1 Consulting
- 2 Corporate
- 3 Government
- 4 University
- 5 Other (please describe) _____

2. In which state/province and country do you work? _____

3. What is your highest academic degree?

- 1 High School
- 2 B.A./B.S.
- 3 M.A./M.S.
- 4 J.D.
- 5 Ph.D.

4. What are/were your areas of academic specialization? _____

5. To which HFES Technical Groups do you belong? *(Please check all that apply)*

- 1 Aerospace
- 2 Aging
- 3 Communications
- 4 Computer Systems
- 5 Consumer Products
- 6 Education
- 7 Environmental Design
- 8 Forensic Professional
- 9 Individual Differences
- 10 Industrial Ergonomics
- 11 Internet
- 12 Macroergonomics
- 13 Medical Systems
- 14 Perception and Performance
- 15 Safety
- 16 Surface Transportation
- 17 System Development
- 18 Test and Evaluation
- 19 Training
- 20 Virtual Environments
- 21 None

6. What is your current association with Human Factors and Ergonomics Society?

- 1 Affiliate
- 2 Associate
- 3 Fellow
- 4 Member
- 5 Student
- 6 None

7. What licenses or certifications do you hold? (Please check all that apply or add others)

- 1 AEP
- 2 AHFP
- 3 CEA
- 4 CHFP
- 5 CPE
- 6 CSP
- 7 Other (Please list) _____

Your Forensics-Related Practice

Please Note: In this survey, the term “forensics” is used to refer to all aspects of human factors as applied to litigation matters, both civil and criminal.

8. How many years have you been practicing forensics human factors? _____ years

9. During the past year, what was the total number of cases in which your service was requested?

10. During the past year, of the total number of cases in which your service was requested, how many did you actually take? _____. (If you took all cases, go to Question # 12).

11. Of the cases you did not take, what percent (approximately) were declined because of:

- % 1 ethical principles
- % 2 inability to offer needed testimony
- % 3 schedule conflict
- % 4 other (Please describe) _____

12. Of all the cases you actually took during the past year, what percent was for:

- % Plaintiff
- % Defense
- % The Court

13. During the past year, how many of the following have you testified in:

- Depositions
- Trials
- Hearings

14. How is your forensics practice currently organized? (Please check only one)

- 1 an individual
- 2 a small group of equal partners
- 3 a consulting company
- 4 other (Please specify) _____

15. In addition to your forensics service during the past year, did you currently work:

- 1 Fulltime
- 2 Part-time (____%)
- 3 Retired (disregard unearned income, pensions)

16. Please indicate the areas in which you specialize. (For each of the following topics, please check the first column if you *specialize* (S) in the topic OR check the second column if you include the topic in your *general* (G) work but don't consider it one of your specialties. You may write in other topics at the end of the list if your forensics specialty is not listed.)

(S)	(G)	TOPIC
_____	_____	1 Accident reconstruction
_____	_____	2 Accident simulation
_____	_____	3 Air traffic control
_____	_____	4 Audition/Noise
_____	_____	5 Biomechanics/Anthropometry
_____	_____	6 Control room design
_____	_____	7 Console / Workstation ergonomics
_____	_____	8 Consumer products
_____	_____	9 Demonstrative evidence
_____	_____	10 Falls / Slip, trips, and falls
_____	_____	11 Medical devices and practices
_____	_____	12 Highways, roads, traffic accidents
_____	_____	13 Human-computer interface
_____	_____	14 Occupational safety and health
_____	_____	15 Parks and recreation / Playground equipment
_____	_____	16 Pedestrian
_____	_____	17 Perception-Decision-Reaction Time
_____	_____	18 Sports / Water sports
_____	_____	19 Training/Instructions/Instructional materials
_____	_____	20 Vehicles—automobiles, vans, light trucks
_____	_____	21 Vehicles—aviation or aircraft
_____	_____	22 Vehicles—bicycles
_____	_____	23 Vehicles—boats and other marine vehicles
_____	_____	24 Vehicles—buses
_____	_____	25 Vehicles—construction, commercial
_____	_____	26 Vehicles—heavy trucks
_____	_____	27 Vehicles—mass transit
_____	_____	28 Vehicles—motorcycles
_____	_____	29 Vehicles—off-road recreational
_____	_____	30 Vehicles—railroad
_____	_____	31 Visual perception/Lighting
_____	_____	32 Warnings / Signs / Labels
_____	_____	33 Work physiology
_____	_____	34 Other (Please specify) _____
_____	_____	35 Other (Please specify) _____
_____	_____	36 Other (Please specify) _____

17. Which of the following do you primarily use in your cases? (Check all that apply):

- ___ 1 Animations
- ___ 2 Charts/diagrams
- ___ 3 Computer models
- ___ 4 Computer simulations
- ___ 5 Experiments
- ___ 6 Photographs
- ___ 7 Physical models
- ___ 8 Reconstructions
- ___ 9 Video
- ___ 10 Visibility studies

18. Do you use contracts with attorneys to specify fees and other arrangements?

- 1 Yes
- 2 No

19. How do you advertise your forensics practice? (Check all that apply)

- 1 Own/Company Web site
- 2 HFES Consultant's Directory
- 3 Other Web-based directories
- 4 Telephone Yellow Pages
- 5 Other paper-based directories
- 6 I don't advertise
- 7 Other (Please specify) _____

20. What percent of your income was from forensics service during the past year? _____%

21. What is your hourly rate for:

- \$_____ Preparation
- \$_____ Travel
- \$_____ Deposition
- \$_____ Trial

22. Do you charge a minimum amount (\$) per case? 1 Yes 2 No

If YES, what is your minimum?

- \$_____ per Case
- \$_____ per Deposition
- \$_____ per Trial

23. Do you ask for a retainer? 1 Yes 2 No.

If YES, how much do you ask? \$_____

24. If you ask for a retainer, is your retainer:

- 1 Refundable
- 2 Partially refundable
- 3 Non-refundable

25. Have you worked pro bono (less than 1/2 your regular fee)? 1 Yes 2 No.

If YES, in how many cases have you done so? _____

26. If you have worked pro bono, please describe the situation(s) in which you have done so:

27. Regardless of having worked pro bono, please describe the situation(s) in which you might consider doing so:

Your Thoughts on Forensic Professional Group

28. The Forensics Professional Group publishes a newsletter. Which best describes how often you read the newsletter?

- 1 I don't read the newsletter
- 2 I read very few issues
- 3 I read some parts of every issue
- 4 I read most parts of every issue

29. The FPG has a Web site (<http://fpg.hfes.org/>). Which best describes how often you have visited it?

- 1 I have not visited the FPG Web site
- 2 Once or twice since it launched
- 3 About once a month
- 4 About once a week
- 5 About once a day

30. What other benefits and activities should the Forensics Professional Group offer?

31. We would appreciate any other comments:

THANK YOU VERY MUCH FOR YOUR HELP!

To enter the drawing for the \$50.00 discount on HFES membership, or on HFES publications, or on HFES annual meeting registration, please provide a six-digit number with no repeating digits ____ ____ ____ ____ ____ ____.

Be sure to write this number in a safe place! It will be the only way to claim your \$50 discount. **The winning number will be announced in the next FPG newsletter.**

Please return your completed survey by mail service to:

Ken Nemire, POB 1055, Soquel CA 95073

OR by email to knemire@cruzio.com

OR complete the survey at the FPG web site: <http://fpg.hfes.org/survey/>