



**AMERICAN SOCIETY OF
CRIME LABORATORY DIRECTORS, INC.**

139 A Technology Drive Garner, NC 27529

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May 9, 2016

Attn: Office of Legal Policy, Department of Justice

The American Society of Crime Laboratory Directors represents more than 600 members of crime laboratory directors and forensic science managers dedicated to providing excellence in forensic science through leadership and innovation. The membership represents both private and public institutions from all 50 states in the U.S. and eighteen countries from across the globe. Our mission is to promote the effectiveness of crime laboratory leaders throughout the world by facilitating communication among members, sharing critical information, providing relevant training, promoting crime laboratory accreditation, and encouraging scientific and managerial excellence in the global forensic science community.

ASCLD is dedicated to advancing forensic science through a multitude of initiatives including the National Commission on Forensic Science. ASCLD currently has more than twenty members serving on the Commission and its sub-committees. The efforts of the Commission are important and have significant implications for the entire criminal justice community. As a result, the ASCLD Board of Directors offers the following comments on the "Presentation of the Forensic Science Discipline Review Framework to the National Commission on Forensic Science".

ASCLD remains ready to be a continuing resource to assist the Commission and the Department of Justice in the development of these important work products for the forensic science community so that a broader based acceptance and implementation of these products may be realized.

Regards,
ASCLD Board of Directors



The American Society of Crime Laboratory Directors

"Excellence Through Leadership in Forensic Science Management"

ASCLD Board Comments

The American Society of Crime Laboratory Directors mission includes a strategic focus on “managerial and scientific excellence in the global forensic community”. In light of this strategic focus, ASCLD is a proponent of continuous improvement of forensic science and believes resources should be dedicated to the total quality management of the industry. During the March meeting of the National Commission on Forensic Science, the Department of Justice’s Office of Legal Policy presented a proposed framework to review the testimony from various forensic science disciplines. The intent of the review and proposed methodology is admirable and ASCLD offers the following comments and recommendations.

- The Root Cause Analysis of the FBI’s hair review must be completed and the lessons learned from this study should be implemented into the DOJ forensic science discipline review methodology.
- The discipline review process must be transparent and provide multiple opportunities for community feedback.
- The FBI’s ASSTRs must be made available for public comment prior to the implementation of the review so that community feedback and consensus can be developed prior to the evaluation of any expert testimony.
- The discipline review methodology must be predetermined with clear *parameters* regarding the threshold that determines testimonial inaccuracies and open to public comment. Practitioners must be included when determining a discipline specific error.
- Additional information regarding what a primary review entails versus a secondary review must be made available prior to the execution of the review and open to comment.
- The review must be sensitive to the standards and expectations for the timeframe during which the testimony was offered as compared to the best practices and standards of today’s practice.
- The interdisciplinary team responsible for the study design and execution must be appropriately balanced with significant practitioner involvement.
- The interdisciplinary team cannot have a financial interest in the outcome of the study. For example, an attorney can’t identify a case during the review and then reap financial benefit from representing participants in legal matters.
- The study design, project timelines, status reports, and outcomes must be transparent and reported in a timely basis to the public.
- Ongoing cases and cases currently in trial should be excluded from the discipline review study.