



AMERICAN SOCIETY OF CRIME LABORATORY DIRECTORS, INC.

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July 4, 2016

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Attn: Recommendation on Documentation, Case Record and Report
Contents and Views Document on Report and Case Record Content

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. 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, recommendations, and impact statements for consideration by the sub-committee on the *“Recommendation on Documentation, Case Record and Report Contents”* and the *“Views Document on Report and Case Record Content”*.

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

Recommendation on Documentation, Case Record and Report Contents and Views Document on Report and Case Record Content

The ASCLD Board of Directors supports the *Recommendation on Documentation, Case Record and Report Contents and Views Document on Report and Case Record Content* with the following comments for consideration:

Recommendation 1: We agree that the case record should contain all records pertaining to the examination as well as any documentation from the technical review by a reviewer that has been trained to competency.

Recommendation 2: We agree that the case record should make reference to documents that are posted or maintained and archived appropriately with version control and other identifiers that would indicate the date and time that the reference was available and accessed.

Recommendation 3: We agree that the reports should clearly state the purpose of the examination or testing, the method and materials used; a description or short summary of the results; and qualify and identify any limitations, variances or uncertainty with the data used to support the conclusion.

Recommendation 4: We agree that the case record should provide a comprehensive review of the work performed and the data supporting the conclusions with an exception. We do not agree that all general disagreements or discussions between analysts regarding a conclusion should be documented in the case record; however, discussions that rise to the level of a formal conflict resolution panel would be important to document in the case record as well as the outcome of the conflict resolution panel.

Also noted in the views document is the requirement to record "all" communication that occurs with the investigator or parties in the case record. In some cases, there may be information exchanged in a case that is law enforcement sensitive or classified. We recommend that the information is documented and disclosed in accordance with agency security policies.



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Recommendation 5: The ASCLD Board of Directors supports the statements noted above; however, the exceptions should be noted.

In general, the documents offer best practices and views that align with the ISO 17025 General requirements for the competence of testing and calibration laboratories with the exception of the concerns noted for consideration.

References

- National Commission on Forensic Science. (2016, June 6). *Recommendation to the Attorney General Documentation, Case Record, and Report Contents*. Retrieved from US Department of Justice: <https://www.justice.gov/ncfs/draft-work-products-open-public-comment>
- National Commission on Forensic Science. (2016, June 6). *Views of the Commission on Case Records and Documentation*. Retrieved from US Department of Justice: <https://www.justice.gov/ncfs/draft-work-products-open-public-comment>