



AMERICAN SOCIETY OF CRIME LABORATORY DIRECTORS, INC.

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The American Society of Crime Laboratory Directors (ASCLD) represents a membership of more than 600 crime laboratory directors and forensic science managers dedicated to providing excellence in forensic science through leadership and innovation. The ASCLD membership represents both public and private institutions from all 50 states in the U.S. and eighteen countries worldwide. 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 Organization of Scientific Area Committees (OSAC). ASCLD has remained a fervent advocate and supporter of the mission of the OSAC since its inception in 2014. ASCLD believes that the goals and work products of OSAC are critical to the forensic community and could have a significant impact for the entire criminal justice community and the administration of justice.

As a result, the ASCLD Board of Directors offers the following comments for consideration by the National Institute of Standards and Technology (NIST) on the recently released "Request for Information on the Development of the Organization of Scientific Area Committees (OSAC) for Forensic Science 2.0."

ASCLD remains ready to be a resource to NIST to support OSAC's goal of developing consensus based documentary standards underlined by strong technical merit and to encourage their implementation into practice.

Respectfully,
ASCLD Board of Directors

ASCLD Board Comments

Request for Information on the Development of the Organization of Scientific Area Committees (OSAC) for Forensic Science 2.0.

ASCLD has invested heavily into OSAC over the last three years. ASCLD has promoted the OSAC to our membership with weekly postings of current information in our Crime Lab Minute newsletter and by scheduling OSAC updates at every ASCLD symposium since OSAC's inception. ASCLD maintains five positions on the Quality Infrastructure Committee (QIC), one position on the Forensic Science Standards Board (FSSB), and chaired the FSSB for the first three years of OSAC's work. The ASCLD Board of Directors has directly engaged with NIST on multiple occasions to provide feedback on improving the structure and function of the OSAC and has advocated for dedicated funding for the OSAC. ASCLD managers allow and fund their employees to participate in OSAC activities. To that end, ASCLD is invested in the success and future work of OSAC and offers the following comments to the Request for Information.

(A) Purpose

ASCLD believes the current purposes presented in the OSAC charter are appropriate and necessary within the scope of the OSAC's work to support and continually improve forensic science practice. Further, ASCLD believes that OSAC is the best organization to perform the function of developing consensus-based documentary standards that are fit for purpose and have technical merit.

While ASCLD strongly supports the original OSAC purpose, we would note the mission of OSAC seems to have shifted from direct development to "facilitating the development..." of documentary standards from the time OSAC was announced and today. ASCLD believes OSAC, itself, contains all the necessary components of a proper standards developing organization and suggests those participating in the OSAC may find the development process more straightforward if OSAC were to return to the vision of "developing" documentary standards and posting them directly to the OSAC Registry. Should this not be possible, one potential solution would be to create an "Interim Registry" or "Registry of Best Practices" that would publish all documents developed within OSAC at the time they are sent to a Standards Developing Organization for further action. In this iteration, OSAC-developed work products would be available to forensic science practitioners for use more quickly. OSAC work products advance the field of practice and incorporation into the work process should be as timely as possible. Developing an "Interim Registry" or "Registry of Best Practices" would allow for rapid incorporation into practice. Once a standard has been approved by an SDO, OSAC could vote to move it to the "OSAC Registry of Approved Standards."

ASCLD strongly disagrees with the proffered Models 2, 3, and 4. We believe these models would fundamentally change the purpose of the OSAC and dismantle three years of work by hundreds of dedicated NIST employees, forensic science practitioners, and criminal justice stakeholders. ASCLD confirms the mission of OSAC and its origin as provided in Model 1.

(B) Oversight and independence

ASCLD believes that the NIST should maintain oversight of OSAC with appropriate deference to the organization for standards-based decisions. ASCLD supports the administration of OSAC to-date. NIST should be commended for how well OSAC has been administered. The OSAC Affairs staff has done a laudable job of launching a new organization with hundreds of participants and such an important mission.

ASCLD believes that NIST is the appropriate neutral, scientific body to organize such an effort and lends significant credibility to the OSAC initiative. Further, a government body with sustainable funding would provide a steadying confidence that the organization will continue well into the future.

ASCLD believes while NIST is the preferred entity to host the OSAC, one critical element to the organization's credibility is to ensure the complete autonomy on standards and Registry decision making should remain entirely within the OSAC and end with the Forensic Science Standards Board. ASCLD recognizes that the scientific, metrological, and statistical input provided by NIST scientists balanced by the practical understanding provided by forensic scientists represents a strong partnership which requires continued nurturing. ASCLD recommends that OSAC consider staffing their team with communication specialists with facilitation skills in order to enhance communication and execution of initiatives among OSAC members.

(C) Work products and aims

ASCLD believes OSAC is making progress toward achieving the aims set forth in the OSAC Charter; however, enough time has not passed to see significant progress on every aim listed. While only a few standards have been posted to the OSAC Registry, there are currently more than 200 standards at some point within the OSAC development or approval processes.

The OSAC is largely staffed with volunteer members who have full-time jobs and the standards development process, by nature, takes time. ASCLD recognizes these factors contribute to a slow roll-out of standards on the Registry.

ASCLD supports the release of OSAC work products to the broader community in as timely a manner as possible. Work products would find more widespread and rapid adoption if they were posted to an "Interim Registry" or a "Registry of Best Practices" once they are sent out of OSAC to an SDO.

ASCLD also supports the addition of a public comment period while documents are still in development at the subcommittee level, in order to obtain public input at a stage where it is most effectively incorporated.

Finally, ASCLD believes that OSAC should provide access to documentary standards published on the Registry to forensic laboratories and relevant criminal justice stakeholders.

(D) Structure

ASCLD believes the current structure of OSAC is effective; however, ASCLD believes each Scientific Area Committee (SAC) should also be staffed with someone with an appropriate skill set to act as a project lead/facilitator to enhance communication. ASCLD supports the majority composition of OSAC to be forensic science practitioners who understand the concrete needs of the community, as well as the operational considerations necessary for implementation, and who represent the ultimate end users of the work products. ASCLD also appreciates the constructive contributions provided by the inclusion of research scientists, educators, statisticians, and metrologists to OSAC.

ASCLD supports embedding individual members of the OSAC Resource committees as members of OSAC subcommittees and Scientific Area Committees. Rather than the primary focus and membership of those individuals residing within the Resource Committees, their participation would be in the subcommittee or SAC. In this iteration, the valuable input of stakeholders on the LRC, QIC, and HFC would be better heard at the subcommittee level while standards are still in progress and where the subcommittee is better able to incorporate that feedback. To that end, the Resource Committees would be modified to OSAC-wide task groups that report to the Forensic Science Standards Board with the collective discussion among legal, human factors, and quality-focused stakeholders maintained similarly to the currently functioning OSAC-wide Statisticians Task Group. This would shift the valuable input of these stakeholders down into the day-to-day discussions on standards which would allow for more efficient incorporation rather than delaying the input to comment periods or after-the-fact input.

ASCLD also believes the Forensic Science Standards Board should maintain the existing role to evaluate subcommittees and forensic disciplines represented in OSAC for their effectiveness in accordance with the current goals.

Finally, as discussed previously, ASCLD believes OSAC work products that move forensic science forward should be publicized earlier rather than later to allow for incorporation into laboratory procedures. ASCLD believes OSAC is staffed appropriately and more than capable of publishing its own “standards;” however, if this is not possible, ASCLD believes that an “Interim Registry” or “Registry of Best Practices” should be created in order to disseminate the documents in production as in as timely a manner as possible. The ultimate goal of OSAC should be to provide documentary materials which improve forensic practice. To date, reliance on SDOs as the sole purveyor of materials suitable for the OSAC Registry has created unnecessary duplication, confusion, and most significantly delays in improving the practice of forensic science.

(E) Participation

ASCLD believes the primary end-user of OSAC work products are forensic science practitioners. If OSAC consensus documentary standards that are fit-for-purpose and have strong technical merit are published/posted to the Registry with the express goal of improving forensic science and written/approved with an audience of forensic science practitioners in mind, the entire criminal justice

system will become the beneficiary. ASCLD believes this should be the guiding principle of the OSAC organization.

To that end, ASCLD strongly believes that OSAC should maintain a substantial composition of forensic science practitioners. Through the first three years of OSAC, practitioners have demonstrated a transparent willingness to engage with stakeholders to improve forensic science, including the posting of “research needs” which practitioners recognize as areas needing funding and research for improvement. ASCLD agrees, however, that the entire list of stakeholders offered in the Request For Information are important perspectives to have represented in OSAC (“e.g., practitioners, researchers, forensic science societies, accreditation bodies, scientific societies, human factors experts, metrologists, standards development organizations, legal practitioners”). ASCLD does not believe that any of the named participants should be excluded; rather we believe that this diversity and their participation is the principle reason why a NIST-sponsored OSAC is the most appropriate place for this critical work to occur.

(F) Funding

ASCLD believes the OSAC should be funded by the Federal government. Professional organizations or public-private partnerships are unlikely to financially sustain this initiative long-term at an effective level. A pay-to-play model precludes an equitable distribution of participation. Further, ASCLD believes OSAC should be funded with a sustainable, multi-year authorization. NIST should request this budget appropriation annually. One of the principle reasons OSAC has been able to achieve its results to date is due to the consistent funding from year-to-year for all disciplines. OSAC bridged a previous funding disparity which existed among different disciplines previously represented by the SWGs. The opportunity for all disciplines to rely upon consistent funding has allowed them to dedicate a significant amount of work to standards development. ASCLD believes that only through multi-year Federal authorization, will the OSAC continue to be effective.

ASCLD believes that OSAC should be Federally authorized in the NIST budget at a minimum of \$5 million per year.

This funding would allow all disciplines to hold two in-person technical, collaborative work sessions per year. In-person work sessions are key to producing technically-sound documentary standards in a timely manner and in-person work session models are currently used by other successful standards bodies such as the technical committees in the International Organization for Standardization. A key OSAC success has been the ability for subcommittees to interface with legal, academic, statistician, and human factors scientists in real-time at in-person meetings during the deliberation of work products. The ability for a subcommittee to directly and immediately get feedback from relevant stakeholders has been lauded as a significant achievement and dramatic improvement over the former Scientific Working Groups (SWGs). This success will be maintained with additional, sustained funding.