



AMERICAN SOCIETY OF CRIME LABORATORY DIRECTORS, INC.

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November 16, 2018

Re: ASCLD Comments to NIST Draft NISTIR 8225, Scientific Foundation
Reviews

The American Society of Crime Lab Directors (ASCLD) is a nonprofit professional society of over 600 crime laboratory directors and forensic science managers across the United States and worldwide, dedicated to providing excellence in forensic science through leadership and innovation. The purpose of the organization is to foster professional interests, assist the development of laboratory management principles and techniques; acquire, preserve and disseminate forensic based information; maintain and improve communications among crime laboratory directors; and to promote, encourage and maintain the highest standards of practice in the field.

On September 24th, NIST published *Draft NISTIR 8225, Scientific Foundation Reviews*. This publication describes NIST's approach to conducting scientific foundation reviews in forensic science, which seek to document and evaluate the body of scientific data underpinning forensic methods. This letter includes ASCLD's input to NIST in preparing its final document.

ASCLD is supportive of the need to demonstrate the scientific foundation of forensic disciplines and of NIST leading the initiative in true partnership with the forensic science community. As a neutral and objective scientific body, NIST is well positioned to conduct studies regarding the level of documentation existing to provide the current state, as well as highlight those areas needing additional research and documentation. Critical to this endeavor, is the extensive involvement, inclusion, input and direction from the relevant forensic disciplines and expertise to ensure all practical aspects and knowledge is included in this evaluation. Studying the foundation of heart surgery while including extensive involvement of heart surgeons would be expected as a given. This is not to understate the importance of having a neutral and objective scientific based organization conducting the study, but to illustrate the pivotal nature of specific experience and expertise needed to ensure the study is valid.

In fact, the inclusion of forensic expertise is noted in line 705-706 on Page 12 (point 2) specifically addresses the input from "a variety of outside experts". Lines 758-760 follows up with the need for forensic expertise involvement. ASCLD feels the need for forensic expertise is absolutely fundamental to ensure the resulting review is well informed, valid and accepted within the forensic community. Failure to involve a large component of forensic expertise would undermine what we believe could be a very positive step forward for the direction of forensic science disciplines.

Of note, line 802 begins a recommendation that those disciplines that do not pass muster should not have standards placed on the OSAC registry. ASCLD believes this point should be reconsidered. For disciplines that are in the process of developing their foundation, the creation of standards represents a key component of their development. Therefore, holding back disciplines from raising their science, processes, and procedures is counter-intuitive, and should be re-thought.

Some previous attempts at evaluating and guiding forensic science have suffered from severe shortcomings, the most critical of which were the lack of intimate involvement of relevant forensic experts and the inclusion of their input as the final document was being developed through its completion. Input must not only be sought, but taken into account, through a thorough vetting process of the comments received and the provision of multiple levels of draft documents for review. Inclusion of content from a well-seasoned and broad-based group of forensic experts not only provides input and guidance, it provides relevance, validity and acceptance with the community tasked with its execution and stewardship. Draft documents must be provided at multiple stages during the process to ensure that input opportunities are real and included. Properly done, the proposed foundational studies must truly be done in partnership with the forensic community.

There are approximately 400 plus crime laboratories across the US, with federal, state and local labs conducting a wide range of analyses under varying conditions and procedures. This broad base of representation will ensure relevance to the laboratories that are tasked with making improvements arising from the studies proposed. Therefore, ASCLD supports the NIST foundational review concept, with the caveat that extensive involvement of forensic expertise from our community is absolutely critical. As the organization which represents the leadership of the forensic community, ASCLD welcomes the opportunity to assist in leading this valuable initiative to ensure that it is valid and appropriately conducted.