



Office of the Attorney General
Washington, D.C. 20530

March 17, 2016

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS

FROM:

THE ATTORNEY GENERAL

SUBJECT:

Recommendations of the National Commission on Forensic Science
Announcement for NCFS Meeting Nine

In December, I announced that the Department would endorse aspects of the National Commission on Forensic Science (NCFS) proposal with respect to universal accreditation and directed components to take several steps to effect that endorsement. I also indicated I would continue to evaluate proposals as they are approved by the NCFS.

The NCFS has since passed several recommendations to advance and strengthen forensic science. These recommendations include promoting best practices in forensic laboratories and advancing the ability of law enforcement to more effectively search latent fingerprint databases.

I am pleased to announce today that I am directing the Department to take several steps to support these goals. I ask that you work with the Deputy Attorney General to implement these policies and issue guidance as appropriate.

1. Department entities that provide non-digital forensic science services must establish or maintain protocols and policies to address when a mistake or non-conforming event occurs. All Department entities that provide forensic science services should review their policies in light of the NCFS's research to determine if any change to them might be appropriate to create even more robust protocols and policies.
2. The Department has long supported technology associated with latent fingerprint analysis. The Department will continue to work with federal, state, local, and tribal law enforcement agencies to reduce barriers to widely accessing fingerprint systems.
3. Where relevant, the Department should redraft its grant solicitations for state, local, and tribal law enforcement to clarify that funds are available for purchase of latent fingerprint technology and that wherever possible, such funds should only be expended on interoperable systems.

4. The Department believes that communication among medical examiners and coroners is critical to advance the practice of medicolegal death investigation and will work with other federal agencies to support it.

Finally, the Department has reviewed two views documents put forth by the NCFS and identified a number of principles that are worthy of support.

The Department has reviewed the NCFS's views document on pretrial discovery and believes the NCFS has identified principles that encourage parties to engage in effective discovery practices. The Department recognizes the value of finding ways within the current rules to make sure disclosure of forensic science evidence and all aspects of pretrial discovery is meaningful. The Department is also committed to working with the Advisory Committee on Rules of Criminal Procedure to address this and any other recommendations from the NCFS regarding pretrial discovery.

The Department has also reviewed the NCFS's views on increasing the supply of forensic pathologists. The Department agrees that forensic pathologists play a critical role in public health and public safety and we support the NCFS's goal to raise awareness of the growing need for better training, funding, and facilities. We look forward to working with the NCFS to advance these goals.