



# NATIONAL COMMISSION ON FORENSIC SCIENCE

**NIST**  
National Institute of  
Standards and Technology  
U.S. Department of Commerce

## Recommendation to the Attorney General Documentation, Case Record, and Report Contents

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<b>Subcommittee</b>
Reporting and Testimony

<b>Date of Current Version</b>	08/17/2016
<b>Approved by Subcommittee</b>	08/23/2016
<b>Approved by Commission</b>	09/13/2016
<b>Action by Attorney General</b>	

### Commission Action

The Commission voted to adopt this Recommendation on September 13, 2016 by a more than two-thirds majority vote (97% yes, 3% no, 0% abstain).

*Note: This document includes recommendations developed and adopted by the National Commission on Forensic Science and proposes specific acts that the Attorney General could take to further the goals of the Commission. The portion of the document directly labeled "Recommendations" represents the formal recommendations of the Commission. Information beyond that section is provided for context. This document does not necessarily represent the views of the Department of Justice or the National Institute of Standards and Technology. The National Commission on Forensic Science is a Federal Advisory Committee established by the Department of Justice. For more information, please visit: <https://www.justice.gov/ncfs>.*

### Recommendations

The National Commission on Forensic Science (NCFS) recommends that the Attorney General take the following action:

- **Department of Justice Forensic Science Service Providers (FSSPs) develop and maintain written policies for documenting the examination, testing, and interpretation of evidence and for reporting results, interpretations, and conclusions that are consistent with the following requirements:**
  1. Records should be created contemporaneous with the examination of evidence and the technical review that, along with the FSSPs' quality management system documents relating to the forensic work performed, would allow another analyst or scientist, with proper training

and experience, to understand and evaluate all the work performed and independently analyze and interpret the data and draw conclusions.

2. Providing all of the documentation encompassed by recommendation #1 in a single report in every case is impractical. Instead, if not in the report, the documentation described herein must be maintained in a case record.<sup>1</sup> Generic documentation such as standard operating procedures and definitions must either be a part of the case record or be easily accessible (e.g., posted on a Web site, available on request).<sup>2</sup>
3. Reports should clearly state: the purpose of the examination or testing; the method and materials used; a description or summary of the data or results; any conclusions derived from those data or results; any discordant results or conclusions; the estimated uncertainty and variability; and possible sources of error and limitations in the method, data, and conclusions.
4. Every report should state that the report does not contain all of the documentation associated with the work performed. In order to understand and evaluate all the work performed, and independently analyze and interpret the data and draw conclusions, a review of the case record is required.
5. The case record should be organized and made available in a manner consistent with the National Commission on Forensic Science discovery recommendations.

## **Background**

The NCFS has previously expressed its views on standards for documentation, case records, and report contents for forensic testing and developed the above recommendations to give effect to those views within the Department of Justice.

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<sup>1</sup> A case record is all administrative records; examination records; and any other applicable technical records or communications, whether electronic or hard copy, generated or received by a FSSP or Forensic Medicine Service Provider (FMSP), pertaining to a particular case.

<sup>2</sup> National Commission on Forensic Science. [Recommendation on Transparency of Quality Management System Documents](#). Adopted by the Commission on March 22, 2016.