



The American Society of Crime Laboratory Directors

"Excellence Through Leadership in Forensic Science Management"

ASCLD COMMENTS

NATIONAL COMMISSION on FORENSIC SCIENCE

ASCLD applauds the inception of the National Commission on Forensic Science (NCFS). Forensic science is more critical today in the pursuit of justice than ever before. A commission of this prestige is a step in the right direction toward continuing the advancements in forensic science research that we have seen in the last decade, as well as continuing to maintain the quality services that our Members provide to the judicial system.

All 30 individuals on this Commission have impressive experience and backgrounds. ASCLD understands that over 300 individuals applied, which demonstrates the overwhelming interest in this critical component of the country's judicial system. ASCLD is particularly proud to have three members, one of whom is a member of the ASCLD Board of Directors, on the Commission. These ASCLD members are presently directing crime laboratories in state and local jurisdictions. One leads a large federal laboratory system and is the Commission co-chair.

The findings and decisions made by the NCFS are of the utmost importance to the members of our organization and we are eager to provide any information or expertise you may deem appropriate. While it is our understanding that any decisions made by the Commission will be adopted by the federal crime laboratories, state and local laboratories will be allowed to make their own independent compliance determination. It is ASCLD's experience, however, that most decisions made about compliance in federal laboratories and the databases that they maintain are eventually applied to state and local crime laboratories. Therefore, we believe it is of the utmost importance that state and local crime laboratories are well represented and have significant input on the Commission.

While we are pleased the commission has selected its members and is ready to convene, we would like to ask for some consideration on a few matters of importance to our organization. These include:

- **State and Local Participation** - According to the 2009 Census of Public Funded Crime Laboratories, 92% of forensic science testing requests were completed by state and local crime laboratories with 62% done at the state, 29% city and county and 8% at the federal level. Additionally, this data only includes the labs surveyed and probably even misses the greater number of small local crime scene and latent print unit contributions. Because of the predominance in the delivery of forensic testing services by states and locals, we would like to have seen a greater percentage of forensic practitioners from state and local providers. We would offer that we can provide the commission input from our Members who are representative of smaller jurisdictions as no two crime laboratories face the same types of challenges in regards to case types, volume and statutory requirements.

- **Commission Composition** - While we recognize the need for attorneys, academic researchers and other stakeholders to participate on the Commission, only three crime laboratory directors from state and local jurisdictions and two federal laboratory directors which is less than 25% of the voting Committee are there to represent the voting “voice” of managerial and technical expertise related to forensic science. ASCLD believes it is important to have crime laboratory directors and forensic practitioners input because they are the ones directly involved with the daily developments in a crime laboratory. They understand developing trends, resource needs for scientific staff, and forensic-related issues in their areas better than anyone. ASCLD would like to offer to create a Committee of member-nominated individuals as a resource to the Commission to provide technical expertise in the operation of a laboratory system.
- **Comparative Evidence Expertise** – We believe that one of the most important concerns for our members is establishing a plan to clarify what research and guidance needs to be done for the comparative forensic sciences (e.g., latent prints and firearms/toolmarks). Of all the recommendations from the 2009 National Academy of Sciences report, this one topic probably generates the most contentious debates within the criminal justice system. We would encourage the Commission to add more voting members with these disciplines as their primary expertise
- **Digital Evidence**-ASCLD is pleased a Scientific Working Group in regards to Digital Evidence will remain, but we still believe there needs to be a place in the partnership between NIST and DOJ regarding digital evidence. Digital evidence is encountered at crime scenes and digital units are currently an integral part of many crime laboratories. Digital evidence has one of the fastest growing backlogs in crime laboratories, and is a discipline that evolves quickly due to new technology. It is critical that digital evidence be included in grant funding discussions to include the need for training and equipment, as well as backlog reduction.
- **Geographical Representation** -The NCFS is heavily composed of individuals from the East Coast. It is fair to say that only ten members originate from states west of the Mississippi while 20 are predominately from the East.

ASCLD understands that Boards and Commissions evolve and members come and go. Our hope is that as new vacancies occur, consideration for filling these positions could be given to address the matters identified above. We also believe that the community is starved for information. It would be an immeasurable benefit to the entire criminal justice community if all of these meetings could regularly be streamed via video and/or audio through the internet. We also would like to express our sincere thanks to the Commission for reconsidering our request to allow the audio taping of the first meeting.

In closing, forensic science is at the forefront of our criminal justice system. ASCLD looks forward to working with the Commission, and is ready to take an active role. Again, we embrace the concept of forensic practitioners developing guidance for crime laboratories across the United States and look forward to both commenting on recommendations from the commission as well acting as a resource for providing policies and standards for the Commission to consider.

ASCLD BOARD
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