



NATIONAL COMMISSION ON FORENSIC SCIENCE

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

Adjudication of Public Comments on the Initial Draft Accreditation and Recognition of Forensic Science Certification Bodies

Type of Work Product:

Adjudication of Public Comments on Initial Draft Accreditation and Recognition of Forensic Science Certification Bodies

Public Comment Summary:

The document was posted as proscribed by Commission by-laws. Five individuals or groups submitted comments. All were supportive of the Accreditation and Recognition of Forensic Science Certification Bodies overall, but had specific requests relating to the specific recommendations. The implementation and time frame element considerations are potentially significant and are of concern.

Adjudication Process Used by Subcommittee:

The subcommittee met via teleconference on August 2, 2016. All comments, responses and proposed changes to the views document were discussed in detail. The revised document was submitted to the subcommittee for a vote on August 12, 2016.

Itemized Issues and Adjudication Summary:

1. ASCLD Board of Directors

The ASCLD Board of Directors supports the Views of the Commission on the accreditation of forensic science certification bodies to ISO/IEC 17025 standard by an accrediting body operating in accordance with ISO/IEC 17011 and applauds the Commission's inclusion of Appendix D: *Additional Considerations for Implementation* (National Commission on Forensic Science, 2016). The ASCLD Board of Directors are concerned about the HR implications, challenges the mandatory certification requirements will have on parent organizations specific to the Fair Labor Standards Act and requirements for employers regarding changes to hiring practices, compensation and benefits due to revised minimum job requirements, and conditions of employment contingent on successful certification. Resourced necessary to meet and certifications, personnel implications if an individual fails to maintain certification are of concern. The ASCLD Board of Directors supports development of local certification programs through a state or local government agency.

Subcommittee response

We agree that there are very real concerns regarding mandating certification. Appendix D delineates potentially significant considerations which may contribute to delays and there may be inconsistencies with adoption by certification bodies. Addressing these issues is imperative for a successful program and each Forensic Science Service Provider must be diligent during this process.

2. Chair of the AFTE Certification Program:

- The "\$25 fee is for recertifying every 5 years

Subcommittee response

This has been clarified in Appendix A

- The "categories of testing" should be "Firearms" not "Firearms and ballistics".

Subcommittee response

This has been clarified in Appendix A

- The third category should read "Firearm Distance Determination" or something similar (it is currently blank).

Subcommittee response

This has been clarified in Appendix A

- In Appendix B "Scene investigation...Photographer" is listed as a discipline/subdiscipline without a certification body...

Subcommittee response

Since certification for photography is in Appendix A (IAI), This line has been deleted from Appendix B.

- In Appendix A shows Evidence as being certified by both IAI and EPIC (although the subdiscipline for the latter should be listed as "Evidence photography" instead of merely "Evidence").

- *Subcommittee response*

- As of August 3, 2016, the EPIC website has the following announcement and as a result, EPIC information will be removed from Appendix A:

Evidence Photographer Certification

Due to the current economic situation, our classes and certification exams have been put on hold for the time being. If you are interested in general photography knowledge, though, we encourage you to visit www.PPA.com, our sister organization

Professional Photographers Association (PPA) does offer certification.

3. Association of State Criminal Investigative Agencies (ASCIA)

Supports the certification of forensic science professionals and the accreditation of forensic science certification bodies to ISO/IEC 17024 standard by an accrediting body operating in accordance with ISO/IEC 17011. Regarding Appendix D, *Additional Considerations for Implementation* (National Commission on Forensic Science, 2016), it is noted that the considerations are significant and will contribute to delays and varied adoption by certification bodies, and public/private forensic science service providers for both the individual and the parent organization if they are not addressed.

Subcommittee response

We agree that there are very real concerns regarding mandating certification. Appendix D delineates potentially significant considerations which may contribute to delays and there may be inconsistencies with adoption by certification bodies. Addressing these issues is imperative for a successful program and each Forensic Science Service Provider must be diligent during this process.

4. Forensic Video Examiner and Chair of the Forensic Video Certification Board of the IAI,

I question the entry in “Appendix B” that lists “Digital Evidence-Video “of the Audio, Video and Computer Analysis Category of Testing as a sub- discipline without a certification body. I’m curious to learn why “Digital Evidence-Video” is listed in Appendix B.

Subcommittee response

This was an oversight. The Audio, Video and Computer Analysis Digital Evidence-Video line was deleted from Appendix B as this information is in Appendix A.

5. NCFS Commissioner

A. Page 2, Background section: the statement “Accreditation under ISO/IEC 17024 ensures the validity, reliability and quality of the certification programs.” (Accreditation) cannot *ensure* the “validity, reliability and quality” of a certification program.

Subcommittee response

We agree. This sentence has been changed to read: “Accreditation under ISO/IEC 17024 *provides strategic tools to objectively assess* the validity, reliability and quality...”

B. Page 3, second to last full sentence: “In addition, the FSSPs will have to implement new policies and procedures if practitioners are not successful in obtaining certification.” This statement is a bit cryptic. What new policies and procedures will need to be implemented if practitioners cannot obtain certification? The statement is not self-explanatory.

Subcommittee response

In order to clarify this statement and to include potentially other policies that may have to be written for certification requirements, the in the comment above has been deleted and the following inserted:

A FSSP may also be impacted in that policies and procedures must be written to address a certification program. These may include the addition of a certification statement in job descriptions, designation of approved certifying bodies, defined time intervals for certification, and defined personnel actions based on successful or unsuccessful certification.