



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

November 23, 2015

MEMORANDUM FOR HEADS OF DEPARTMENT COMPONENTS

FROM: Loretta E. Lynch *Loretta E. Lynch*
Attorney General

SUBJECT: Recommendations of the National Commission on Forensic Science
Announcement for NCFS Meeting Eight

Our justice system depends on reliable, scientifically valid evidence. For the past two years, the National Commission on Forensic Science (NCFS) has developed recommendations for how the Department of Justice can strengthen the field of forensic science. The Department is reviewing those recommendations on a rolling basis, and will continue to evaluate proposals as they are approved by the NCFS.

The Commission has identified a number of key principles for advancing and strengthening forensic science. These principles include promoting universal accreditation and finding ways to improve upon medical-legal investigative practices.

Today, I am directing the Department to take several steps to support these goals and to strengthen forensic science. I ask that you work with the Deputy Attorney General to implement these policies and issue guidance as appropriate.

1. By December 2020, all Department entities that provide forensic science services,¹ except those conducting digital analysis, must obtain or maintain accreditation.
2. By December 2020, all Department attorneys must use, whenever practicable, accredited forensic testing entities when they request testing of evidence, except for evidence involving digital analysis. The Executive Office for U.S. Attorneys, in conjunction with other Department litigating components, shall work to create implementation guidance to put this into effect.

¹ Generally speaking, this would include Department forensic labs that provide traditional forensic science services such as drug chemistry, ballistics, trace evidence, DNA testing, and toxicology. Activities with purely investigative or automated functions would be excluded. The criteria for inclusion of other activities will be based on the Commission's definition, with revisions to ensure clarity and practicability.

3. Where relevant, the Department should redraft its grant solicitations to provide incentives for state, local, and tribal forensic testing entities to apply for and use discretionary funding to seek and maintain accreditation.
4. The Department should work with the Congress and with federal, state, local, and tribal law enforcement agencies to support accreditation.

In addition, I request that NCFS prepare recommendations for my consideration as to whether the first two policies described above should be expanded to include ways to encourage accreditation for forensic testing entities that conduct digital analysis.

Finally, the Department has reviewed the views documents put forth by the Commission and identified a number of principles that are worthy of support. The Department agrees that rigorous research, review, and testing processes are essential elements of strong forensic science, and values opportunities for the forensic science community to share, publish, and review each other's work to strengthen confidence in the results obtained in forensic examinations. The Department also agrees with the Commission that it is important to have clear and consistent terminology for use within the forensic science community and in the courtroom. We look forward to working with the Commission to advance these goals.