



## The American Society of Crime Laboratory Directors

"Excellence Through Leadership in Forensic Science Management"

# ASCLD's Comments on the Release of the NAS Report on Forensic Science

February 19, 2009

On February 18, 2009, the National Academy of Sciences released their long anticipated report on the forensic sciences in the United States. The report, entitled "Strengthening Forensic Science in the United States: A Path Forward," will bring opportunities to make unprecedented changes to the structure and delivery of forensic sciences in the United States. The Board of Directors of American Society of Crime Laboratory Directors (ASCLD) has had an opportunity to briefly review the extensive report and is providing some points for ASCLD members to consider.

### What This Report Means to ASCLD

ASCLD is excited about the future progress and opportunities afforded to forensic science with this report. We welcome and appreciate the scientific and scholarly peer review of our profession as well as the constructive discussions and debates centering around science and policy issues. **The complexity of the report distills down to two fundamental issues: the need for both standardization and resources in the forensic community.** ASCLD has been a strong advocate in both of these areas over the last several years.

Crime laboratories all across America have been under-resourced especially considering the significant demands placed upon them. **Overall, most laboratories lack adequate, dedicated and stable funding to fully accomplish their work.** Doing more with less, crime laboratories today are generally forced to address the heavy casework demands placed upon them with limited resources without the ability to address equally important professional needs such as training, research and new, innovative technology development and transfer. ASCLD looks forward to working with the professional scientific community; our strategic partners in science, education and policy; and all criminal justice stakeholders to indeed create "a path forward" for forensic science that focuses on continuous improvement and excellence.

## **Background**

In 2005 Congress, with the leading efforts of Senator R. Shelby (R-AL), authorized The National Academies to conduct a study on forensic science. The congressional authorization directed that, among other things, the report should "assess the present and future resource needs of the forensic science community," "make recommendations for maximizing the use of forensic techniques," and "make recommendations for programs that will increase the number of qualified forensic scientists and medical examiners." In the fall of 2006, a committee was established by the National Academy of Sciences to implement this congressional charge. Beginning in 2007, the committee held eight meetings and was provided with testimony and documentation by numerous presenters, including ASCLD and representatives from other forensic science organizations. On February 18, 2009, the report was released to the public. For more information, please see <http://www.nas.edu/morenews/20090218.html>.

## **Recommendations from the NAS Report**

The attached Executive Summary from the NAS provides a listing and brief summary of the committee recommendations. The following comments are from the opening statements of The Honorable Harry T. Edwards, Co-Chair, NAS Forensic Science Committee,. These comments summarize the committee's overall opinions about forensic science in the United States.

*"It was easy for the committee to see that there are a number of talented and dedicated people in the forensic science community. The problem that we found, however, is that too many scientists and other practitioners in the forensic science community are strapped in their work, for lack of adequate resources, sound policies, and national support. And the forensic science community is plagued by fragmentation and inconsistent practices in federal, state, and local law enforcement jurisdictions and agencies. The quality of practice in forensic science disciplines varies greatly. And the quality of practice often suffers because of the absence of adequate training and continuing education; the absence of rigorous, mandatory certification requirements for practitioners; the absence of mandatory accreditation programs for laboratories; failures to adhere to robust performance standards; and the lack of effective oversight. These shortcomings obviously pose a continuing and serious threat to the credibility of forensic science practice."*

## **Why This Report Is Important**

The Consortium of Forensic Science Organizations (CFSO) was largely responsible for convincing Congress of the need for the formation of this committee. ASCLD, along with our other CFSO partners, supported these efforts. During the course of the committee's work, ASCLD was invited to present its position concerning the issues facing forensic science. These issues included critical needs in the following areas:

- Technology and Scientific Advances – *improving the current fragmented and inconsistent technology available in crime laboratories across the United States and addressing a need for standards in forensic science*

- Personnel and Training – *mandating ethics guidelines, ensuring quality through establishing standards for education, training, accreditation, certification, and use of common language*
- Best Practices and Efficiencies – *identifying means toward improvement such as benchmarking, process improvements, balancing service priorities*
- Financial Resources – *appropriating sustainable funding sources at the national, state and local levels*

**ASCLD recognizes that the committee’s recommendations pave the way for a significant national focus on the needs of forensic science – a focus that includes policy, scientific and funding improvements.** There will undoubtedly be intense discussion and debate with forensic science critics and even with those in the profession. **However focus must remain on the most important goals: improving both standardization and resources.** The new White House Administration has indicated that the needs of the forensic community are a top priority, so the forensic science community must seize the opportunity that is afforded it through this report.

### **What Laboratory Directors and Managers Should Expect and Do Next**

First and foremost, laboratory directors and managers need to **prepare their staff** for the issues raised in this report and how it will influence and drive questions from attorneys in the courtroom. Laboratory directors and managers need to properly educate staff so they are prepared to address these concerns when raised in the courtroom.

The forensic science community can expect an **intense focus on the science** behind what we do. There has been recent debate addressing some of the long-standing disciplines of forensic science – in particular fingerprints, firearms and questioned documents. As a community working together and with our sister organizations, we must identify and take the steps necessary to prove the existence of valid, reliable science and interpretations behind the forensic analysis.

Paradigm shifts at all levels in the laboratory will be necessary to **embrace the needed changes** which will preserve and improve our profession. Many crime laboratories across the United States have robust, validated methods, and are confident of the science behind the work they do. This documentation may not be readily available in some laboratories or the published literature, leading to a perception that the science behind some types of disciplines is lacking. Changing that perception can only be accomplished through engagement, collaboration and healthy debate and not by defensive and dismissive postures or positions.

### **Conclusion**

ASCLD is encouraged by and thankful for all the effort put into this review. We acknowledge the current Administration, Congress, the National Academies and our stakeholders for making forensic science a priority in national policy. ASCLD intends to be an active participant in the long process ahead. We are confident forensic science is valid and valuable, and with appropriate standardization and sufficient resources, it can become even better.