

OSAC PROPOSED STANDARD

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Standard for Case File Management and Reporting in Forensic Anthropology

Forensic Anthropology Subcommittee
Medicine Scientific Area Committee (SAC)
Organization of Scientific Area Committees (OSAC) for Forensic Science



OSAC Proposed Standard

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Standard for Case File Management and Reporting in Forensic Anthropology

Prepared by
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The STR consists of an independent and diverse panel, which may include subject matter experts, human factors scientists, quality assurance personnel, and legal experts as applicable.

The selected group is tasked with evaluating the proposed standard based on a defined list of scientific, administrative, and quality assurance based criteria.

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Foreword

The Forensic Anthropology Subcommittee of the Organization of Scientific Area Committees (OSAC) for Forensic Science, under the guidance of the National Institute of Standards and Technology (NIST) recognizes that the clear, concise, and accurate reporting of forensic test results, which is supported by the proper management of technical records, is integral to the medicolegal and justice systems. This document is intended to assist practitioners when documenting, recording, and reporting about forensic anthropology casework. Using documents initially published by the Scientific Working Group of Forensic Anthropology (SWGANTH), the subcommittee has reformatted the best practice guideline into a standard following the Academy Standards Board requirements. This document also incorporates recommendations put forth in the *Guidance for OSAC Subcommittee Drafting and Updating Standard on Reports and Testimony*.

Keywords: *technical records, administrative records, reporting, forensic anthropology*

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Standard for Case File Management and Reporting in Forensic Anthropology

1 Scope

This standard establishes procedures for creating, maintaining, and disposing of technical records and reporting results for forensic anthropological examinations.

This standard applies to all forensic anthropology service providers regardless of the number of personnel or the extent of the scope of testing.

This standard does not imply that terminology, definitions, or reports provided prior to its effective date that may differ from those set forth within this document were erroneous, incorrect, or indefensible.

2 Normative References

None.

3 Terms and Definitions

For the purposes of this document, the following definitions apply.

3.1

administrative review

An evaluation of the report and supporting documentation for consistency with organizational policies and for editorial correctness.

3.2

amended report

A report used to document any subsequent modifications, particularly those that affect or correct an original result or interpretation.

3.3

case file

Compilation of all technical records, administrative material (e.g., submission, supporting, review, or tracking records), and a copy of the issued report for a specific case investigation.

3.4

data

Information collected to be examined, considered, and/or used to help decision-making.

3.5

field notes

A record of original observations that consists of any examination documentation created or used during scene processing; may include written notes, maps/diagrams, photography, videography, digital scanning, and sketches.

3.6

interpretation

Explanations for observations, data, and calculations.

3.7

laboratory notes

A record of original observations that consists of any examination documentation created or used during laboratory examination.

3.8

observation

Recognizing and noting an occurrence.

3.9

opinion

View, judgment, belief – takes into consideration other information in addition to observations, data, calculations and interpretations.

3.10

preliminary results

Results of examination(s) that have not yet been subjected to technical review (if applicable) or are not yet presented in a finalized report.

3.11

result

The product of the forensic service provider. The term is broad and includes observations, data, calculations, interpretations, and opinions.

3.12

supplemental report

A report used to document additional work performed with subsequent reporting of results.

3.13

technical record

All pertinent items created or used to support findings of a forensic anthropological examination. Technical records may be field and/or laboratory notes documenting tests undertaken, photographs and medical imaging forming the basis for analysis or technical conclusions, test records, antemortem medical and dental records, and other documentation (e.g., bench notes, inventories, observations, diagrams, sketches, charts).

3.14

technical review

A qualified second party's evaluation of reports, notes, data, and other documentation to ensure there is appropriate and sufficient support for the actions, results, conclusions, opinions and interpretations.

3.15

test record

A record generated or received by a laboratory pertaining to the testing performed. For example, computer output produced or used in the course of testing (e.g., FORDISC results).

3.16

verification

Performance of subsequent testing (by an independent verifier) to ascertain if results are concordant.

4 Requirements

4.1 General

4.1.1 Documentation (e.g., case file; entry in a tracking system) shall be created for all examinations, including those not requiring a report (e.g., non-human remains, image examinations).

4.1.2 All case documentation shall be provided based upon discovery request, subpoena, or other legal procedures, according to the forensic anthropology service provider's policies and procedures, and any applicable laws or protections for classified information.

4.2 Procedures

4.2.1 Technical Records

4.2.1.1 Technical records shall be recorded contemporaneously with examination and be documented in a permanent manner.

4.2.1.2 All documentation created during the course of the field recovery and examination shall be accounted for and organized to ensure completeness of the technical record.

4.2.1.3 Technical records shall be authenticated by the practitioner with the following:

1. Unique case identifier (e.g., case number)
2. Identity of the practitioner responsible for observations, data, calculations, and interpretations in the report
3. Date(s) that observations, data, calculations, and interpretations were made

4.2.1.4 Technical records, including descriptions of all pertinent data, observations, photographs, radiographs, statistics, or results, shall be documented in sufficient detail for independent expert review.

4.2.1.5 The technical record shall include the following material:

1. Manner of receipt of test items (e.g., FedEx, hand delivery)
2. Descriptive identification of all items received
3. Any abnormal conditions of item(s) upon receipt
4. Documentation of all features relied upon when making an association or conclusion
5. All calculations and test results, even if they are not utilized in the final analysis or reported conclusions.
6. Any images (e.g. photographs, radiographic documentation, drawings) used for evidence documentation or as part of a test or examination
7. References consulted in conducting tests, or forming conclusions or opinions
8. The names and affiliations of each person who assisted in the evidence processing or who generated data used for analysis
9. Description and justification for any re-analysis, changes to data, or changes to interpretations made after initial testing of the evidence, including a record of any features that were not identified in the initial examination of evidence that are subsequently identified after comparison to antemortem information
10. Documentation of substantive consultations and conversations (e.g., those related to investigative or scientific discussions and not administrative in nature)
11. Explanation of or justification for any deviations
12. Relevant internal validation summaries
13. Documentation of verification of results (when applicable), including the dates and names of verifiers
14. Documentation of technical and administrative reviews, including the dates and names of reviewers. If reviews are not conducted, an explanation as to why a review was not done.
15. Documentation of disagreements between analysts occurring during verification and technical review that do or do not require mediation through laboratory protocols
16. Chain of custody

4.2.1.6 Forensic anthropology service providers shall have procedures for making corrections to technical records such that there is documentation of what was changed, by whom, and when, including changes made following verification and technical or administrative review (e.g., a single line strikethrough with initials and date alongside corrections or electronically tracked changes).

4.2.1.7 The forensic anthropology service provider shall have policies and procedures for the compilation, retention, release, and disclosure of technical records. These policies and

procedures shall conform to applicable agency, jurisdictional, and/or state requirements regarding the retention of technical records.

4.2.1.7.1 All technical records shall be retained by the laboratory, institution, or agency and shall not be considered the property of an individual practitioner.

4.2.1.8 Practitioners, particularly sole practitioners, shall implement a plan for the continuity of technical records that includes the final disposition of records in the event of retirement, death, or other event that terminates the conducting of forensic services.

4.2.2 Field Notes

4.2.2.1 If the forensic anthropology service provider is responsible for field search and recovery, field notes shall be treated as technical records.

4.2.2.2 Field notes shall include sufficient detail necessary to reconstruct the context from which evidence was observed and/or recovered.

4.2.2.3 Field documentation should include spatial, contextual, and temporal information upon which subsequent decisions (e.g., field strategy, methods, techniques, evidence handling) are made, and may be created using a variety of media, including, but not limited to, field notebooks, maps/diagrams, photographs, and sketches.

4.2.3 Reports

4.2.3.1 The forensic anthropology service provider shall have policies and procedures in place regarding reporting requirements for various types of examinations. Policies and procedures shall also be in place for various types of submitted evidentiary items, including those for which no examination or partial examination is completed (e.g., photo examinations).

4.2.3.2 Reports shall be issued to the original requesting party or other parties upon authorization by the original requesting party.

4.2.3.3 Reports shall be clearly written, accurate, unambiguous, objective, and provide sufficient detail to support the interpretation of the test results.

4.2.3.4 Results, opinions, and interpretations provided in the report shall be supported by scientific or medical data and based on the totality of the information provided to the analyst.

4.2.3.5 Reports shall include the method(s) utilized (including version and date when applicable) in such a manner as to allow a detailed review and replication by another forensic anthropology service provider.

4.2.3.6 Results shall be reported in accordance with any specific instructions associated with the method(s) utilized and/or in accordance with published standards.

4.2.3.7 Report format (e.g., sections, headings, sequence) and content style (e.g., narrative vs. tabular) may vary between providers, but shall adhere to the policies and procedures established by the forensic anthropology service provider.

4.2.3.8 The author(s) of a report shall have conducted, participated in, observed, or supervised the testing.

4.2.3.9 Administrative Content

4.2.3.9.1 Each report shall include the information listed below, if applicable to a specific case analysis. If omitted from the report with permission from the contributor, the information shall be included elsewhere in the case file.

1. Title (e.g., Forensic Anthropology Report)
2. Name, address, and contact information of the forensic anthropology service provider
3. Location where the tests were carried out, if different from the forensic anthropology service provider's address
4. Name of requesting party
5. Any unique case identifier assigned (e.g., requesting party's case number)
6. Unique identification of the test report (e.g., laboratory number)
7. Date of report
8. Date of receipt of test items if custody of evidence was transferred
9. Unambiguous descriptive identification of all items received, sampled, examined, or tested
10. All relevant requests made to the forensic anthropology service provider, including those that were not conducted or completed
11. Indication when the report contains results performed by subcontractors or consultants
12. Statement that makes it clear that the report does not contain all documentation associated with the work performed (e.g., " Supporting documentation is maintained separately in the technical record and is necessary for independent evaluation of the work, interpretation of the data, and drawing of conclusions.")
13. Planned or completed disposition of evidence (e.g., additional examinations pending; evidence transferred; evidence consumed; returned to requesting party; retained)

14. Page numbers on each page with an indication of the total number of pages in the report
15. Printed name, title, and signature of author(s) of report and date of signature
16. Printed name of verifier
17. Printed name of technical reviewer. Otherwise indicate “none” or provide an explanation as to why a technical review was not completed
18. Documentation of disagreements between analysts occurring during verification and review that require mediation through laboratory protocols regarding the final reported results
19. Statement that makes it clear that the opinion report may be subject to change based upon new information that becomes available

4.2.3.10 Technical Content

4.2.3.10.1 Reports shall contain:

1. A statement regarding the scope of the work performed
2. A statement of what was tested
3. A summary of the method(s) used
4. A summary of the equipment and materials used (including measurement devices, software, and databases)
5. A description of sampling procedure or strategy (if conducted)

4.2.3.10.2 Reports shall contain a summary of data, observations, calculations, interpretation, and other information reviewed that were used to develop the reported opinions (e.g., contextual information received about the case)

4.2.3.10.3 Results and interpretations shall be organized according to the type(s) of test(s) performed, such as:

- Medicolegal significance
- Minimum number of individuals
- Biological profile (sex, age, population affinity, stature)
- Data relevant to identification
- Identification comparison
- Pathological conditions
- Antemortem trauma
- Perimortem trauma
- Postmortem alterations
- Postmortem interval
- Other testing (e.g., isotope, histological analysis, DNA testing)
- Scene recovery

4.2.3.10.4 Additional definitions and guidance on reporting language for specific type(s) of test(s) or conclusions can be found in relevant individual forensic anthropology standards.

4.2.3.10.5 When available, testing methods that include statistical results such as error rates and confidence intervals shall be used and these statistical results shall be reported.

4.2.3.10.6 When results are “inconclusive”, a clear description of what this result means and the reason(s) for this result shall be reported.

4.2.3.10.7 When included in the report, interpretations and opinions shall be clearly marked, and the basis upon which they have been made shall be documented. A statement explaining that portions of the report are opinions or interpretations shall be included.

4.2.3.11 Additional Report Content

4.2.3.11.1 Reports shall include the information listed below:

1. A statement of any deviations in the analytical standard operating procedure (SOP), normal test procedure, quality assurance procedures, or published method, or any abnormal environmental or sample conditions that may impact the results
2. A statement regarding any non-conformities during the analysis that includes an indication of how the non-conformities were resolved
3. An estimation of the known error rate of qualitative measurements (i.e., scoring), or a statement that no information regarding error rates currently exists for that measure
4. A statement on the estimated uncertainty of measurement
5. A statement on the limitations of databases (e.g., Fordisc; other reference populations) used for biological profile estimation or other examinations (e.g., “Available databases may not include individuals from relevant populations”).
6. A general limitations statement (e.g., “The conclusions that can be reached from anthropological examination of skeletal remains are dependent on the completeness and condition of the skeletal material as well as the availability and quality of antemortem information. Results based on fragmentary or poorly preserved material may be inconclusive”).
7. Limitation statements for each specific type(s) of test(s) or conclusion, which may be found in available relevant forensic anthropology standards
8. A statement if the forensic anthropology service provider is not certified in the discipline reported on, and/or if a procedure used by an accredited provider is outside their scope of accreditation

4.2.3.12 Review of Reports

4.2.3.12.1 Administrative and/or technical reviews shall be conducted and documented as outlined in the forensic anthropology service provider’s policies and procedures. The technical and administrative reviews may be performed by the same qualified person.

4.2.3.13 Supplemental and Amended Reports

Substantive changes and/or additions to an issued report shall be made only in the form of a supplemental or amended report.

4.2.3.13.1 Supplemental Reports

A supplemental report documents additional information that becomes available after a report is issued. The date of the previously issued report shall be referenced. A report containing only the supplemental findings may be issued and shall conform to this standard.

4.2.3.13.2 Amended Reports

An amended report documents modifications to an issued report. The date of the previously issued report shall be referenced, and modifications shall be clearly indicated. Amended reports shall conform to this standard.

4.2.3.14 Use of Accreditation Symbols and/or Accrediting Body Names

Forensic anthropology service providers including accreditation symbols and/or accrediting body names in their test reports shall ensure there is no misleading or unauthorized representation of accreditations or accreditation status contained in the report. In the event the report contains both accredited and non-accredited testing, test results, and/or related content, the non-accredited material shall be clearly identified.

4.2.4 Considerations

4.2.4.1 The case file should note any deviation from procedures to optimize information sequencing and to promote transparency in the decision-making process (e.g., exposure to potentially task-irrelevant/biasing information)

4.2.4.2 Dissemination or discussion of preliminary results is permitted provided they are clearly presented as such. The preliminary results shall be provided with clarification that the finalized written report is pending and may include changes to the initial findings. When possible, it is recommended that the practitioner finalizes their report prior to disseminating their findings.

4.2.4.3 When evidence is under direct custody of the forensic anthropology service provider, they shall communicate the disposition of the evidence to the requesting party, preferably in the written report.

4.2.4.4 A case file shall be generated when critically analyzing another practitioner's case file for potential legal proceedings. The forensic anthropology service provider shall operate independently of the requesting party and clearly state to the requesting party and legal authority the limitations of the review based on the available material.

4.2.4.5 Forensic anthropology service providers shall not:

1. Use ambiguous, biasing, or inflammatory terminology.

2. Provide a conclusion that includes a statistical or numerical degree of probability except when based on relevant and appropriate data.
3. Assert the cause or manner of death.