

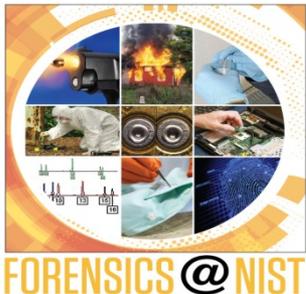
MOU on Forensic Science between NIST and US DOJ

June VCAT Meeting

Mark D. Stolorow

Director, Law Enforcement Standards Office

June 11, 2013

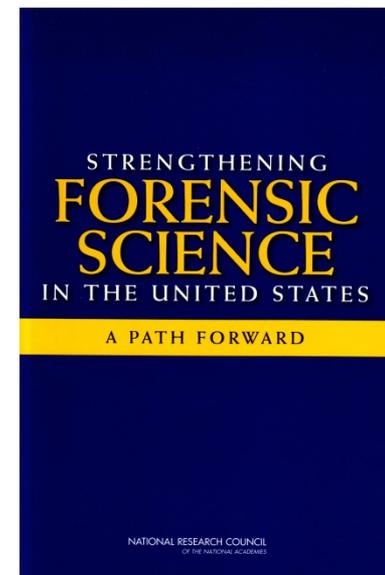
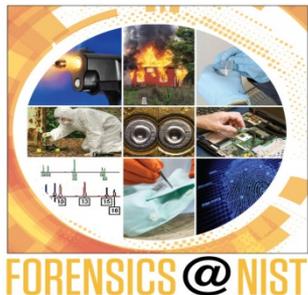


NAS Report on Forensic Science



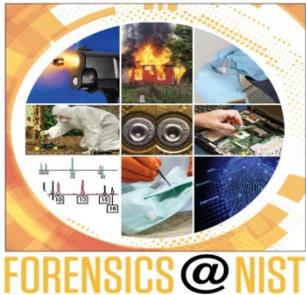
Harry T. Edwards
U.S. Court of
Appeals (DC)
Co-Chair,
Forensic Science
Committee

- 2009 – Published “Strengthening Forensic Science in the United States - A Path Forward”
- 13 recommendations provided to Congress
- **Recommends establishing a National Institute of Forensic Science (NIFS)**



Background / Chronology

- 2011 – NIST and DOJ initiate high level bilateral discussions on forensic science
- **2013 – NIST and DOJ sign MOU to create a National Commission on Forensic Science**
 - Chartered by DOJ under authority of FACA
 - Co-chaired by NIST and DOJ
 - 30 commissioners appointed jointly by NIST & DOJ
 - Balance of scientists, practitioners and criminal justice advocates



National Commission on Forensic Science

“ . . . to provide recommendations and advice to DOJ concerning national methods and strategies for:

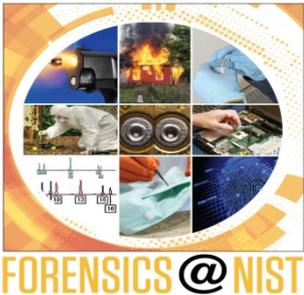
- strengthening the validity and reliability of the forensic sciences (including medico-legal death investigation);
- enhancing QA/QC in forensic science laboratories and units;
- identifying and recommending scientific guidance and protocols for evidence seizure, testing, analysis and reporting by laboratories and units;



National Commission on Forensic Science

. . . to provide recommendations and advice to DOJ concerning national methods and strategies for: (continued)

- identifying and assessing other needs of the forensic science communities to strengthen their disciplines and meet the increasing demands generated by the criminal and civil justice systems at all levels of government.”



MOU on Forensic Science

Attorney General

DOJ

NIST



National Commission on Forensic Science
(DOJ & NIST co-chairs plus 30 members)

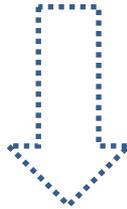
Guidance Groups



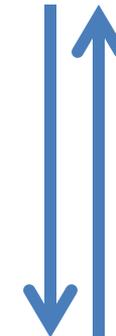
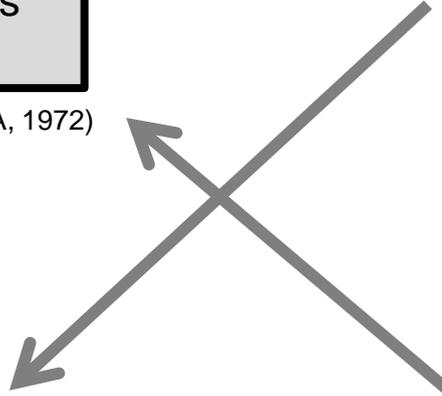
21 Current Scientific Working Groups (SWGs)

Federal Advisory Committee (FACA, 1972)

Direct authority only over federal labs (FBI, DEA, ATF)

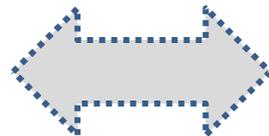


- 1) Notice of Inquiry (NOI) questions on Federal Registry (June/July)
- 2) SWG chairs meeting (June 18)
- 3) Public meeting planned (Fall)



Crime Laboratories

NIST Operating Units (OUs) Measurement Science Efforts



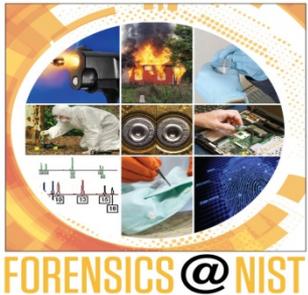
The status quo may be challenging to change

We need to learn what is not known (the knowledge gaps)



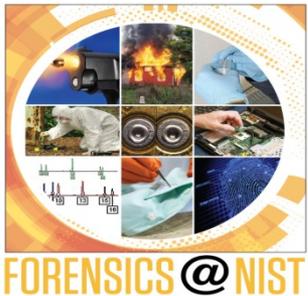
Guidance Groups

- Currently 21 Scientific Working Groups (SWGs)
- Uncoordinated *ad hoc* specific discipline groups
 - DNA
 - Facial Recognition
 - Document Examination
 - Seized Drugs Analysis
 - Toxicology
 - Fire & Explosive Scenes
 - Gunshot Residue
 - Imaging Technology
 - Voice Identification
 - Bloodstain Pattern Analysis
 - Wildlife Forensic Analysis
 - Anthropology
 - Digital Evidence
 - Dogs & Orthogonal Detection
 - Disaster Victim Identification
 - Friction Ridge Analysis
 - Geological Materials
 - Firearms & Toolmarks
 - Trace Materials Analysis
 - Medico-Legal Death Investigation
 - Shoeprint and Tire Tread Evidence



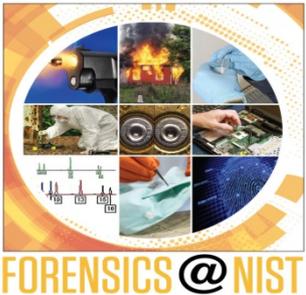
Guidance Groups

- Current 21 SWGs' members primarily limited to forensic science practitioners
- To be replaced by Guidance Groups that will:
 - Be consolidated by common science categories
 - Add members from academic and research scientists and statisticians in addition to practitioners
 - Harmonize standards development process compliant with openness and balance requirements
 - Develop prioritized list of research needs



Guidance Groups

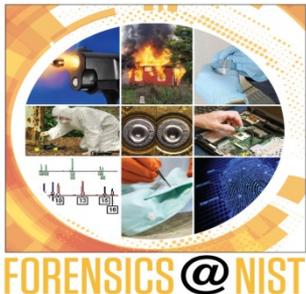
- Guidance Groups to be:
 - Responsible for strengthening forensic science practice through adoption and promulgation of standards in areas including:
 - Professional responsibility
 - Requirements for training, accreditation and certification
 - Needs assessment in education and research for development of the science
 - Standards for discipline-specific best practices



Guidance Groups

NIST will seek public input in creating framework for Guidance Groups – **How will NIST do this?**

- NOI to be published in Federal Register
- SWG Chairs Meeting at NIST on June 18, 2013
- Relevant stakeholder forum will be convened at NIST in fall 2013



NIST Path Forward

- Administer and coordinate “Guidance Groups” and work toward future permanent organizational home
- Co-chair National Commission on Forensic Science
- Develop a coherent research, measurement and standards program to:
 - Test and validate selected existing forensic science practices and standards
 - Quantify metrics and uncertainty measurements for disciplines including those currently using subjective, experiential test interpretation criteria
 - Identify gaps and develop new technologies to solve current and future forensic science challenges

