

*American Academy of Forensic Sciences  
American Society of Crime Laboratory Directors  
International Association for Identification  
International Association of Forensic Nurses  
National Association of Medical Examiners  
Society of Forensic Toxicologists/  
American Board of Forensic Toxicology*

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May 12, 2015

The Honorable Loretta E. Lynch  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

**RE: FBI Microscopic Hair Comparison Analysis Review**

Dear Attorney General Lynch,

We are respectfully writing to you today regarding the Department of Justice (DOJ)/Federal Bureau of Investigation (FBI)/Innocence Project (IP)/National Association of Criminal Defense Lawyers (NACDL) review of hair and potentially other cases at the FBI laboratory. The review of these cases is important to us. We would like to offer the expertise of our members to assist in this effort and request that we be included as a partner in the remainder of this hair analysis review and any future case review in other disciplines.

The member organizations of the Consortium of Forensic Science Organizations (CFSO) include the American Academy of Forensic Sciences (AAFS), the American Board of Forensic Toxicology (ABFT), the American Society of Crime Laboratory Directors (ASCLD), the International Association of Forensic Nurses (IAFN), the International Association for Identification (IAI), the National Association of Medical Examiners (NAME), and the Society of Forensic Toxicologists (SOFT). The CFSO is the premiere organization representing over 15,000 forensic science practitioners from these organizations. The CFSO is aware that the FBI laboratory and DOJ have partnered with the IP and NACDL to review thousands of cases related to hair analysis conducted by the FBI laboratory. The CFSO has been monitoring this review process with great interest. The results of these reviews undertaken by the FBI, or any other federal laboratory, will have a direct impact on state, county, and local laboratories along with all criminal justice system stakeholders. We believe it is critical to investigate any instances where conclusions may be incorrect or where information was potentially misrepresented in the criminal justice system. It is important to provide as much technical and contextual information as we can to officers of the court (prosecutors and defense lawyers) and the court system so they may be fully informed in making critical case decisions. It is important for state, county, and local laboratories to be informed and understand the FBI hair review process; therefore we support an open and transparent process in the evaluation of the cases in question along with any testimony involved.

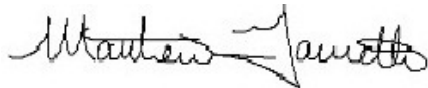
As a result of our organizational membership, we are uniquely poised to communicate the hair review information to our members. We believe CFSO participation in this review process would allow our membership to be informed about the process and would give this project a vital communication and technical resource. We also believe adding scientists with the technical qualifications in the discipline would add a necessary element to the FBI review process. The CFSO member organizations advocate for sound technical and quality

assurance practices in all forensic science disciplines. With the vast technical, quality, and management resources in our member organizations, we would be a valuable resource in this review process. We know that the Department of Justice is committed to a timely and thorough review of these cases and the associated laboratory policies and procedures; having said that we would like to offer our immediate assistance as a partner organization in several ways:

- Independent technical and contextual review of the conclusions made in laboratory reports and in court transcripts to assist local officers of the court in making impact decisions
- Independent technical and scientific investigation of the FBI Laboratory protocols, practices, and procedures to determine how this occurred and why (root cause analysis)
- Communication with state, county, and local labs regarding the progress of the review, potential impacts on the judicial system, and recommendations for best handling the case follow-up
- Knowledge transfer of best practices, lessons learned, and other information to states already engaged in independent reviews or contemplating starting their own independent review processes

We are grateful that the FBI Office of General Counsel has agreed to make the FBI hair review criteria document available to the public. We believe this is a strong statement about transparency and know it will help the forensic community understand the context of errors being reported by DOJ.

We realize the importance of a thorough, independent, transparent, and balanced investigation. We all have a substantial stake in the trust and confidence of the public, the criminal justice system, and the judiciary in the reliability of forensic science and the work product of forensic scientists. We would appreciate the opportunity to meet with the DOJ and the FBI to discuss potential roles for the CFSO in this all important process.



Matthew Gamette M.S., C.P.M.  
CFSO Chair  
On behalf of the CFSO Board of Directors