



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

April 7, 2022

## NIST REQUEST

Support the President's request for Forensic Science Research at \$20,500,000 and add \$2,000,000 for the Standards Development Organizations.

### BACKGROUND.

As stated in the 2009 National Research Council report, Strengthening Forensic Science in the United States: A Path Forward:

*"...Standards and best practices create a professional environment that allows organizations and professions to create quality systems, policies, and procedures and maintain autonomy from vested interest groups. Standards ensure desirable characteristics of services and techniques such as quality, reliability, efficiency, and consistency among practitioners."*

Based on the above recommendation in 2014, the National Institute of Standards and Technology (NIST) created the OSAC to develop draft standards for the forensic science community. These standards define minimum requirements, best practices, standard protocols, and other guidance to help ensure that the results of forensic analysis are reliable, verifiable, and reproducible. OSAC's 550-plus members, and affiliate members, are actively employed in forensic science laboratories or represent various educational and stakeholder groups and collectively have expertise in at least 22 forensic disciplines, as well as scientific research, measurement science, statistics, law, and policy. These experts produce collaborative work product documents, determine appropriate terminology and definitions, and work to implement these standards by forensic science service providers in the United States. The importance of OSAC in developing forensic science standards is enormous to ensure reliable, consistent, and quality data from all forensic science service providers. Standards essentially "set the bar" for the practice of forensic science in the United States. These standards, once adopted, ensure that examinations being conducted by forensic science service providers across this country are conducted with consistency and the results are both reliable and verifiable, ensuring confidence within the criminal justice system and the stakeholders we serve.

The draft standards developed by OSAC must further go through a Standards Developing Organization (SDO) for the standards' evolution into a "voluntary consensus standard" pursuant to the NTTAA and A-119. The SDO has a process whereby the public and the stakeholder community may comment in a balanced interest process, and those comments must be adjudicated or addressed as the standard before the standard is approved. The standard is considered for technical merit, fitness for purpose, and other important considerations such as practicability of implementation. Some SDO's processing NIST draft standards charge for a copy of the resulting voluntary consensus standards, burdening laboratories, litigants, courts, and the public with the cost of their purchase. Many of these criminal justice members and stakeholders do not have adequate budgets to purchase these standards from the various organizations. The best practice is to allow for a cost-free access to these standards to obtain the widest distribution and equality within the criminal justice system. SDOs can be incentivized by making them available at no cost by allowing forensic science service providers to pay for operational costs with federal grants. Those SDOs that do not charge for their voluntary consensus standards may not have financial resources for operational expenses without this federal grant funding. Federal grants from NIST in support of these SDOs are important for the adoption of the SDOs and for the continued operation of the OSAC, which was not created to generate voluntary consensus standards.

<https://www.nist.gov/topics/organization-scientific-area-committees-forensic-science/osac-standards-and-guidelines>

### POC

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