



*CONSORTIUM OF FORENSIC SCIENCE
ORGANIZATIONS (CFSO)*

FLASH BRIEF

JANUARY 2024

The mission of the CFSO is to speak with a single forensic science voice on behalf of its member organizations of matters of mutual interest regarding forensic science, to influence public policy at the national level, and to make a compelling case for greater federal funding for public crime laboratories and medical examiner and coroner offices. The primary focus of the CFSO is national, state, and local policymakers, as well as the United States Congress.

*UNITED STATES SUPREME COURT
CASE PRESENTATION*

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On January 10, 2024 the United States Supreme Court heard a case that will decide whether the Confrontation Clause of the Sixth Amendment permits the prosecution in a criminal trial to present testimony by a substitute expert conveying the testimonial statements of a non-testifying forensic analyst, on the grounds that (a) the testifying expert offers some independent opinion and the analyst's statements are offered not for their truth but to explain the expert's opinion and (b) the defendant did not independently seek to subpoena the analyst. This case will have an enormous impact on the practice of forensic science. CFSO is again providing information on this case and the US Supreme Court hearing.

US Supreme Court [Oral Argument Audio](#)

US Supreme Court [Oral Argument Transcript](#)

[State Court Decision](#)

The National Institute of Justice Forensic Technology Center of Excellence (FTCoE) provided this [briefing](#) on the topic.

FORENSIC GENEALOGY

The [National Technology Validation and Implementation Collaborative](#) recently published version 2 of their NTVIC FIGG Policies and Procedures document. This document can be downloaded from their [website](#) under the publications section or directly from the [FSI-Synergy Journal](#) as an open access article. This updated document provides guidelines and considerations for public and private crime laboratories and investigative agencies exploring the establishment of a forensic investigative genetic genealogy program.

Gene By Gene Ltd. and Othram Inc. recently announced a strategic alliance in forensic investigative genetic genealogy (FIGG) for the use of the FamilyTreeDNA database by forensic science and law enforcement professionals. The press release indicates that Othram will work to enhance law enforcement and forensic search capabilities, while allowing Gene by Gene to separate their ancestry testing customers from their law enforcement and forensic customers. Gene By Gene will continue to 100% own and control the FamilyTreeDNA database while Othram will work to launch and manage a self-service law enforcement web portal to speed approvals and enhance forensic searching of the database by law enforcement and forensic customers. More information is available in the joint company [press release](#). Othram has expressed interest in seeking feedback from the CFSO, NTVIC, and other forensic science partners as they develop this new search tool, so that they can build capabilities that best service the law enforcement and forensic community.

MEDICOLEGAL DEATH INVESTIGATION PROFESSIONALS WEEK

CFSO worked with Senator Cornyn (R-TX) and Senator Murphy (D-CT) to introduce a Senate Resolution recognizing and supporting the goals and ideals of National Medicolegal Death Investigation Professionals Week. [Senate Resolution 532](#) was introduced in the 118th Congress on January 25th 2024. CFSO member organizations the International Association of Coroners and Medical Examiners (IACME) and National Association of Medical Examiners (NAME) led the recognition and celebration during the week of January 21st to January 27th 2024. More information about this annual event is coming to the CFSO, IACME, and NAME websites and social media channels.

NEW NAME BOARD

On January 1, 2024 the National Association of Medical Examiners (NAME) welcomed a new executive leadership team. NAME is excited to have [Keith Pinckard](#), M.D., Ph.D., Chief Medical Examiner of the Travis County, Texas Medical Examiner's Office as the 2024 NAME President. Dr. Pinckard is joined by Vice President Dr. Read A. Quinton, M.D., Treasurer Dr. J. Scott Denton M.D, Board Chair Dr. Joyce L.

deJong D.O., and Executive Vice President M.J. Menendez, J.D. More information about the NAME leadership team is available on the [NAME website](#).

NIJ UPDATES

On September 26, 2023, NIJ announced \$16 million in new funding to support 33 projects under the *FY23 Research and Development in Forensic Science for Criminal Justice Purposes* solicitation and \$1.9 million in funding to support five new projects under its *Research and Evaluation for the Testing and Interpretation of Physical Evidence in Publicly Funded Forensic Laboratories* (Public Labs R&E) program. Through this program, NIJ continues to advance the speed, accuracy, cost-effectiveness, and reliability of forensic analysis, ultimately bolstering the administration of justice.

<https://nij.ojp.gov/funding/nij-awards-16m-support-forensic-science-research>

<https://nij.ojp.gov/funding/nij-announces-19m-fund-research-public-forensic-laboratories-2023>

The FTCOE ASCLD 2024 Series has two cool trainings coming up (January 16 and January 24). These will be recorded – so can be watched post-presentation.

<https://nij.ojp.gov/events/increased-value-forensic-science-lead-gun-crime-investigations-part-i>

The NIJ symposium will be at AAFS this year in Colorado hosted by the Forensic Technology Center of Excellence. Check out information here: <https://nij.ojp.gov/events/2024-nij-forensic-science-rd-symposium>

NIJ is having another research conference with a forensic science track! The conference is going to be in Pittsburg, PA September 16-18, 2024. Folks can submit ideas for talks and posters now! Read more here:

<https://nij.ojp.gov/events/conference>

FEDERAL WORKING GROUPS

MDI-Data-Working Group

The Medicolegal Death Investigation Data Exchange Working Group (MDI-DATA-WG) was established in 2021 to convene experts in the field to address topics and inform the National Institute of Justice (NIJ), the Center for Disease Control and Prevention (CDC), NIJ's Forensic Technology Center of Excellence (FTCOE), and the collaborating communities of data exchange practices on lessons learned, challenges, and barriers to help develop a strategy to improve data exchange within medical examiner and coroner systems

(MEC) carried out during the process of death investigations. Three MDI-Data-WG subcommittees were formed in 2023 to place specific emphasis on: 1) *Data Elements*- focuses on information obtained during an MDI investigation including cause and manner-specific data elements; 2) *Emerging Drugs*— developing methods of capturing and disseminating information on the types of drugs involved in deaths (e.g., drug toxicology taxonomy and other categorizations and classification needs) among MDI collaborators to facilitate data exchange related to drug overdose mortality; and 3) *Workflow Processes*—gathering and developing information about the collecting, storing, and reporting processes between MDI offices and others who either use or contribute to MDI data.

The MDI-Data-WG subcommittees produced 11 deliverables in 2023 which are summarized below:

Case Specific Data Elements - This graphic highlights several specific fatality case types (i.e., drowning, substance related, falls, firearm related, and sudden unexpected infant deaths) and the set of data elements that need to be collected when those types of cases are suspected by a MEC. The accompanying chart gives the data element name, definition, and primary documentation related to the element.

Frequently Used Data Elements Collection Systems and Primary Documentation- This measles chart is intended to provide a graphical representation of government systems that collect similar death investigation data elements.

Medicolegal Death Investigation Data Elements Graphic for Toxicology and Seized Drugs- This graphic shows the list of data elements that should be considered and reported with toxicology and seized drug (chemistry) cases.

Forensic Community Drug Database Conceptualization White Paper- This white paper gives an overview of the need for a database system to allow for more efficient exchange and consistent reporting of drug information, its target users, suggested key data elements to be included in the database, and recommendations for medical examiner/coroner offices, toxicology and seize drug laboratories, and public health offices.

Classification and Taxonomy Mapping Graphic- This diagram that can assist forensic scientists seeking to better understand key features needed for drug classification and naming. It depicts seven key elements (e.g., Drug Class) with examples that fit within each element (e.g., stimulant).

White papers- Four white papers were prepared to support policies and procedures within an organization, agency training on the importance of these data exchange topics, and to disseminate community awareness and collaboration efforts to improve how MDI data is exchanged and modernized. White paper topics include:

- *Electronic Medical Records in Medicolegal Death Investigations*
- *Electronic Death Registry in Medicolegal Death Investigation*
- *Information Sharing Between Medicolegal Death Investigation Offices and Organ and Tissue Recovery Organizations*
- *Information Sharing Between Medicolegal Death Investigators and Toxicology Testing Services*

General Provider Resources: Medical Records for Medicolegal Death Investigations Toolkit- This toolkit contains a full range of guidance resources, each with descriptions, to help MECs obtain medical records.

Interactive Map: Medicolegal Death Investigation Data Flow-This interactive map graphically presents the data workflow processes that can be created, interpreted, and shared between various data users and producers in medicolegal death investigation. It provides an overview of the magnitude and

complexity of the diverse MDI data needs, as well as the relationships and collaborations built around these data.

All will be available on the [FTCOE website](#) beginning in January 2024.

Forensic Laboratory Needs Technology Working Group

The Forensic Laboratory Needs Technology Working Group (FLN-TWG) was established in 2018 to provide objective and independent knowledge, data, information, and expertise to inform NIJ's decision-making process on the research, development, and operational needs of federal, state, local, and tribal practitioners regarding forensic technology.

Currently, the FLN-TWG is comprised of four subcommittees, which are focused on the following goals: 1) improve the LIMS environment across the nation's crime laboratories, 2) identify the technology needs of the forensic science practitioner to facilitate adoption of standards, 3) increase research activities in the crime laboratories to aid in the adoption of new technologies, and 4) highlight novel approaches and technologies to challenges in seized drug analysis.

In 2023, the FLN-TWG subcommittees developed seven work products and currently have two drafts under review. An overview of each community resource is provided below.

Published

[A Roadmap to Improve Research and Technology Transition in Forensic Science](#) – this roadmap identifies actionable areas for forensic community members to improve research and technology development and transition within the forensic science community. Additional steps in this roadmap are aimed at identifying partnership opportunities between researchers and practitioners to collaborate and achieve common goals within the forensic science community.

[Gas Chromatography Vapor-Phase Infrared Spectroscopy \(GC-VIR\)](#) – this technical note details the utility of Gas Chromatography Vapor-Phase Infrared Spectroscopy as a supplemental or alternative technique to the traditional methods, gas chromatography-mass spectrometry (GC-MS) and infrared spectroscopy (IR), to analyze seized drugs.

[Microcrystal Tests](#)– this technical note details the utility of microcrystal tests, an effective alternative technique to instrumental analysis, to analyze seized drugs.

[Ultra-High Performance Liquid Chromatography Photo Diode Array Ultraviolet Single Quadrupole Mass Spectrometry \(UHPLC-PDA UV-MS\)](#) – this technical note details the utility of ultra-high performance liquid chromatography (UHPLC) coupled with photo diode array ultraviolet spectroscopy (PDA UV) detection and single quadrupole mass spectrometry (MS) detection in series as a complementary technique to gas chromatography-electron ionization-mass spectrometry (GC-EI-MS) in seized drug analysis.

[Direct Analysis in Real Time Mass Spectrometry \(DART-MS\)](#)—this technical note details the utility of direct analysis in real time mass spectrometry (DART-MS) as a technique to rapidly screen seized drug evidence.

[Gas Chromatography-Vacuum Ultraviolet Spectroscopy \(GC-VUV\)](#) — this technical note details the utility of gas chromatography-vacuum ultraviolet spectroscopy (GC-VUV) as a method of seized drug analysis.

Technical Note: Analysis of Marijuana and Marijuana Products — this technical note summarizes a variety of sample preparation types and instrumental methods that can be used to identify marijuana and marijuana products.

Drafts Under Review

Current and Next Generation States of Laboratory Management Information Systems in Forensic Science Service Provider Laboratories—this guidance document provides FSSP decision-makers with a comprehensive list of functional requirements to assist with discovering and enumerating functional requirements, both when responding to request for proposals (RFPs) and developing documents after procuring a new laboratory information management system (LIMS).

Evolving Approaches and Technologies for Seized Drug Analysis—this white paper highlights evolving approaches and technologies that address the current challenges facing seized drug laboratories. It was created to inform forensic laboratory leaders and those involved in procurement of analytical instrumentation.

For additional information, please visit the [FLN-TWG](#) and the [Resources for Forensic Researchers](#) webpages.
