

Deadline For Public Comments: October 3, 2022
Standard 139, Reporting DNA Conclusions

#	Section	Type of Comment (E-Editorial, T-Technical)	Comments	Proposed Resolution	Final Resolution
2	General	T	The laboratory should include any discrepancies or issues that occurred during the DNA analysis.	Include a section about disclosing any issues or discrepancies (e.g. contamination, sample switch up, etc.) that occurred during the analysis in the report summary.	Reject. while we understand the intent/sentiment of the comment, the suggested resolution is not specific enough. Specific types of "discrepancies" or "issues" (e.g., nonconforming work) and reporting requirements are addressed in various sections of this and other documents (e.g., ISO 17025 and FBI QAS).
17	3.1 & 4.3.2	T	Because "conditioned" is used synonymously with "assumed" in section 4.3.2, it should be put back into the definition at 3.1 (or given a separate definition if it is not meant to be used synonymously).		Accepted. "Conditioned" was added to 3.1.
20			I believe the definition of "probative" (3.10) is inappropriate in this laboratory standard. I believe such a result is better characterized as "informative," because a label of "probative" suggests the laboratory personnel are a part of the investigative team and is inappropriate to a role that must remain objective. In the same vein, I do not believe 4.1.3 should be included in the Standard. I also object to the use, in 4.3.2, of the term "bitemark swab," because scientific consensus acknowledges that "bitemarks" cannot be reliably identified, so such terminology should not be used in an ASB Standard.	CB Member comment on ballot	Reject. Probative is appropriately defined for use in this specific document and requirement 4.1.3 reflects standard practice in the community. Neither the definition nor requirement 4.1.3 is intended to reference the legal definition of "probative," or to suggest the analyst acts as an investigator when determining when to report a statistical value. Reject with modification. With respect to 4.3.2, labs will receive evidence labelled as "bitemark swab"; therefore, added "samples labelled as" to the list of examples.
21			While I vote yes, I think the comments submitted by -other CB member- are important and should be thoroughly discussed by the working group (of which I am a member).	CB Member comment on ballot	Reject. Probative is appropriately defined for use in this specific document and requirement 4.1.3 reflects standard practice in the community. Neither the definition nor requirement 4.1.3 is intended to reference the legal definition of "probative," or to suggest the analyst acts as an investigator when determining when to report a statistical value. Reject with modification. With respect to 4.3.2, labs will receive evidence labelled as "bitemark swab"; therefore, added "samples labelled as" to the list of examples.
3	3.14	T	validation studies aren't the only means of deciding that a result is uninformative. The lab may use literature studies or recommendations by authoritative bodies (e.g., SWGDAM) to determine where to set their "uninformative" limits.	remove "and based on validation studies"	Reject. Uninformative results must be supported by validation studies but does not preclude the use of other supporting information.
4	4.1	T	not only internal validation studies. SOPs get information from other sources like developmental validation, literature, and recommendations by authoritative bodies	remove this sentence or add other foundational materials. At least remove "internal" to widen it to also encompass developmental validation as well.	Reject. Internal validation studies are necessary to support the protocols, but certainly other information may also be used in developing the protocols.

5	4.2.1	T	This requirement makes sense until "particularly..." After that, it becomes hard to follow and impossible to audit. Labs who write confusing reports don't think their reports are confusing, and no lab wants to be misleading. The example about "sperm fraction" is specific and could be in a note (without the comments about confusing or misleading). However, the "or when the definition of terms may vary..." should be removed. If my lab uses "is included" I shouldn't have to note all other phrasings I can think of in my endnotes.	Move the first part of the sentence (before particularly) to a NOTE or a new number (4.2.2), but separate it from the original 4.2.1 since it's a separate standard/thought/idea. Remove all text including and after "particularly"	Reject with modification. The suggested changes did not add clarity, but the sentences were separated for clarification. Further, the recommendation does not suggest having to include all variations of a term used in reports, but to define the term that the laboratory does use. This will be specific to each lab and its own language.
1	4.2.2	E	There's a misplacement of Note 2.	Note 2 should be under note 1 in section 4.2.1	Accepted.
6	4.2.2/NOTE 2	E	The first sentence is NOTE 2, and the rest seems to be what belongs in 4.2.2	fix by moving NOTE 2 above 4.2.2	Accepted.
8	NOTE at 4.3.1 - think this is for 4.3.4	E	"many individuals" should be "any individual"	change "many individuals" to "any individual"	Accept with modification: deleted "many".
16	Under 4.3	T	Add 4.3.10 to be compliant with ISO/IEC 17025 7.8.2.2 and provide clarity to assumptions made in the interpretation. That those assumptions are made on information provided by the customer (e.g. the shirt is from the victim). If the shirt wasn't taken from the victim, your assumption of probative/non-probative profile may change.	4.3.10 When assumptions related to the interpretation is based on information provided by the submitter of the evidence and not known as a fact, the report shall state that information provided by the submitting agency was used in the interpretation of the evidence and may affect the final conclusions.	Accept with modification. Added to 4.3.2: "The report shall also state when an assumption used is based on information provided by a source external to the laboratory and identify the source of the information used."
7	4.3.2	E	The Examples sentence should be a note instead part of the standard. However, these examples are more detailed than needed for a standard on reporting (not statistics).	Make the paragraph of examples a NOTE; consider removing some of this detail as it isn't a statistics standard	Accept with modification. Paragraph made a NOTE. No change was made as this requirement regards interpretation and not statistics. 4.3.3 addresses statistical statements.
9	4.3.5	T	I don't agree in counting up all of the loci where we didn't get results and adding this confusing info to the report (first sentence). The rest of this paragraph is outside the scope of this document and should be addressed in the statistical standards, not here. In addition, the added sentence is unclear as to what includes any scenario...?	remove this requirement.	Reject. There is no requirement to count loci to meet this requirement. The remaining statements have been retained as a NOTE.
10	4.3.5	T	The added sentence is unclear as to "This includes... " What includes ?	Rephrase or remove the last sentence. I don't know what it means, even after reading the comment adjudication. Very unclear as to what value we're adding here	Accept. The phrase "(e.g., the comparison of two profiles via an intermediary profile that shares loci with both the evidentiary and reference data)" was added to provide clarity.
11	4.4	T	partial data isn't always unexpected for a reference sample and doesn't need to be included in the report unless the sample is unsuitable (or another sample is more suitable) and it isn't being used.	remove "(e.g., partial data)"	Reject. Agree that partial data may be expected, but is provided as an example as a possible unexpected result. "Mixture" was added as another example.
12	4.6	E	This requirement is phrased with a different style than the rest of the document. Rephrase	Update to "A statement shall be included in the report indicating that documentation associated with the work performed is not contained within the report."	Accept with modification. The requirement was modified to read: A statement shall be included indicating that the report does not contain all of the documentation associated with the work performed.
15	4.6	T	Why was this requirement added? This is a decision related to lab policy and not really required to be specific for just DNA reports. It doesn't add any benefit and does add additional requirements that are not really necessary for clarity	Remove 4.6	Reject. Important to communicate that there is more information available regarding the DNA testing than what is included in the report.
13	4.6 NOTE	T	this note is not needed. No one reading this standard needs this clarification.	remove note	Reject. Important to communicate that there is more information available regarding the DNA testing than what is included in the report.
14	Bibliography	E	check italics and check (10) and (11) entry	(1) First Edition shouldn't be italicized, (3) First Edition, 2020.c shouldn't be italicized, (4) e (at end) shouldn't be italicized, (6) the "G" in General Requirements should be italicized, (10) entry has the 11th entry not separated, (11) should just share the "i" footnote? instead of the download link?	Accepted.

18	Bibliography	Editorial	e Link to FBI QAS	The link goes to a generic FBI webpage that is cumbersome to search. Suggest instead linking to the SWGDAM page for the QAS directly	Accepted. Link to SWGDAM documents was added.
19	Bibliography	Editorial	i link to SWGDAM	The link does not work, update link	Accepted.