

#	Section	Type of Comment	Comments	Proposed Resolution	Final Resolution
11		T	This standard only addresses best practices for elimination databases that contain DNA profiles from individuals whose professions put them in contact with biological evidence or supplies used in the testing process. It does not cover quality assurance for DNA profiles from people who may submit elimination profiles in a specific case such as sexual assault victims or consensual partners. Will the quality management of elimination databases of DNA profiles gathered for case specific purposes be included in this standard or in a future standard.	Please clarify if the quality management of elimination databases of DNA profiles gathered for case specific purposes will be addressed in this standard or in a future standard.	Reject- See definition 3.3 for elimination profile. Case-specific profiles are outside of the scope of this document.
35	all	T	Consider adding a section prohibiting use of elimination databases for law enforcement searches (similar to the alleged rape victim's rape kit sample being used to implicate her in a property crime, as recently reported by the San Francisco DA and acknowledged by the SF Police Department). If you choose not to include such a prohibition, then acknowledge explicitly that the elimination databases can be used for this purpose, and seek explicit written consent from the donor for such law enforcement use.	The standard's current discussion of "intentional misuse" does not explain what would or wouldn't be misuse, and some labs might believe that use of elimination samples in solving unrelated future crimes is not a misuse. If that is true, such use should be explained to the donor.	Reject- See definition 3.3 for elimination profile. Case-specific profiles are outside of the scope of this document.
27	Foreword	E	The Foreword contains several sentences on "contamination," then has several sentences beginning with "An elimination database is an additional component that can be used to directly evaluate case samples for possible contamination." These sentences should be preceded by one that informs the reader what an "elimination database" is. There is a later definition, but a foreword is meant to set the stage for later reading.	Add an explanatory sentence before the several sentences on elimination databases. Make this set of sentences its own paragraph.	Accept with modification- The set of sentences were put in its own paragraph. See definition 3.2 and 3.3 for elimination database.
28	Foreword	E	The sentence about hyperlinks is ASB boilerplate, but it does not help the reader understand the document. Will someone be checking the integrity of the links on the day that it is published?	Delete the sentence in order to inform ASB that it should not require this sentence in its standards..	Reject: This is a standard requirement for all ASB's published documents as per ASB's Style Guide.
1	Scope	T	This document really only applies to <i>human forensic</i> DNA labs (i.e., it does not apply to wildlife labs)	Clarify in the Scope (and Title?) that this is best practice for human forensic DNA laboratories	Accept with modification- The word human was added to the first sentence of the forward to indicate that the document does not apply to wildlife.
29	1. Scope	E & T	A number of leading scientific journals and many style guides forbid or discourage the use of "and/or." See, e.g., https://www.grammarbook.com/blog/effective-writing/what-about-and-or/ . ASB should do the same. The sentence "This document provides best practice recommendations for the collection, storing, searching, and retention of DNA elimination samples and/or profiles in a quality assurance database" is especially problematic because the lab does not search both a sample and a profile in a database. One does not collect and store a database. One enters profiles into a database of profiles--the profiles, not the samples, are the data.	Rewrite the sentence using the distinct conjunctions "and" and "or" to make it clear what "collection" pertains to, what "storing" pertains to, what "searching" pertains to, and what "retention" pertains to.	Reject- The approved scope is relevant for all labs who maintain DNA samples and/or DNA profiles. It is critical that both components be covered.
30	3.1	T	"Contamination" is defined as "Exogenous DNA or other biological material in a DNA sample, PCR reaction, or item of evidence; present before the sample is collected or introduced during collection or testing of the sample." Why cannot a sample be contaminated with something other than DNA? Why cannot contamination occur after the DNA sample is tested?	Use the normal definition of contamination and explain that the database is only for detecting contamination with DNA from sources that did not contribute to the material collected from the crime scene or victim prior to its collection.	Reject- The standard only applies to human DNA. Other forms of contamination, which could be present are not applicable.

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31	3.2	E or T	"Elimination profile" is defined as "DNA profile from an individual whose access, role, or activities might result in DNA contamination;" But if a woman is an alleged rape victim, would not the DNA profile from a boyfriend be an elimination profile despite the fact that he could not have contaminated the evidentiary sample (as this standard defines contamination).	Define "elimination profile" as a DNA profile obtained from an individual not suspected of committing the crime under investigation but used to determine whether his or DNA contributed the alleles detected in a sample collected from a forensic evidence sample.	Reject- See definition 3.3 for elimination profile. Case-specific profiles are outside of the scope of this document.
2	3.2 and 3.3	E	Not in alphabetical order	Switch	Accept
15	3.4	T	Prosecutors responding to the crime scene should be included	insert "prosecutors"	Reject- Prosecutors are covered by the law enforcement requirement. It is not an exhaustive list. This does not preclude a prosecutor providing an elimination DNA sample.
21	3.4	Technical	The list of personnel in the definition is too broad.	We suggest not including all of the other people at the crime scene (such as investigative personnel and lab personnel) as first responders and leaving it as law enforcement/medical/fire, paramedic responding to the scene.	Reject- All of these individuals can be considered first responders.
32	3.4	E or T	"First responder" is defined as "Any individual responding to a crime scene, including but not limited to: law enforcement, investigative, medical, fire/paramedic, and laboratory personnel." Under this broad definition, a good Samaritan who tries to help a victim before police arrive is a first responder. Is the standard suggesting that such private persons be approached for consent to be in elimination database?	Make it clear in the standard how private persons who may be the first on the scene should be treated when it comes to establishing elimination databases.	Reject- See definition 3.3 for elimination profile. Case-specific profiles are outside of the scope of this document.
34	4	T	The recommendations include a lot "think about" or "have policies on" provisions. Although there are some specific recommendations, there is a conspicuous lack of guidance on what the best practices would be with respect to various matters.	Substitute BPRs for recommendations to labs to figure it out for themselves.	Reject- This is a best practice document. No specific change was proposed.
33	4.1	E and T	"The laboratory should maintain and use an elimination database in accordance with the laws of its jurisdiction." Is this a recommendation to have a program but to ensure that it is legal, or is there no recommendation, but a recognition that if there is to be a program, it should be legal? If the latter, this "best practice recommendation" seems to be "do not do something illegal." A BPR should either describe a system that is legal or how best to achieve that outcome.	The foreword could note that there are unresolved legal issues in establishing an elimination database (police departments have been sued over them) and the scope section could say that the legal issues are not considered in this standard. (But they should be.)	Reject- See paragraph 2 of the forward. This is a scientific BPR document aimed at DNA testing laboratories.
3	4.2	E	Reads a bit oddly at end (where the colon is used)	Consider "...4.3 through 4.10. These include:"	Reject- The colon is an ASB formatting requirement.
16	4.2(b)	T	Maintenance of the database should be included	Add "maintenance"	Accept
4	4.2d	E	unneded "and"	"and" at end of d) is not needed, and is not used in other sections	Accept
5	4.3	E	Similar to 4.2--bit awkward ("from the categories")	"from the following categories" ?	Accept
22	4.3.1.b	Technical	First responders are listed under 4.3.1.b and 4.3.2.b	Change 4.3.1.b from " first responder personnel who may respond to crime scenes" to "first responder personnel that come in contact with the victim(s) or evidence". This would differentiate from the first responders listed in 4.3.2.b "first responders who may be present at crime scenes".	Reject- The proposed language is too limiting. The existing language is intentionally broad. See 3.3 and 3.4 for relevant definitions.
36	4.3.1 c)	T	'DNA unit' not technically accurate	change to 'DNA laboratory workspace'	Accept with modification- "unit" was changed to analysis
17	4.3.1(c)	T	Personnel handling evidence being moved from the unit should be added	Add "to/from" the forensic biology/DNA unit	Reject- This is focused on the receipt of evidence prior to DNA testing.
6	4.3.1e	E	Coroners not mentioned	include with MEs (for those states that do not have MEs)	Accept with modification- coroner and other personnel added.
37	4.3.1 g)	T	'DNA unit' not technically accurate	change to 'DNA laboratory workspace'	Accept
38	4.3.2 a)	T	'DNA unit' not technically accurate	change to 'DNA laboratory workspace'	Accept

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39	4.3.2 c)	T	'DNA unit' not technically accurate	change to 'DNA laboratory workspace'	Accept
12	4.4	T	The retention policy should also include provisions for expungement. Retention relates to how long a profile is retained and expungement relates to proactively excising a profile from a database.	Edit 4.4 part (f) to state: f) the retention and expungement policies for the samples, raw data, and the resultant profile.	Accept with modification- "destruction" also added
13	4.5.2	T	4.5.2 refers to samples that need to be retyped when the lab implements a new DNA kit. This clause should further clarify how "direct contact" is defined. For example, does every police officer who could potentially respond to a crime scene qualify for retyping under 4.5.2?	Please clarify the definition of "direct contact" and refer to the categories of individuals in 4.3.1-4.3.3 who may qualify.	Reject- If individuals are not routinely going to be handling evidence, they do not have to be retyped. Those not retyped will still have many loci in the database to help with a contamination assessment.
18	4.6.2	T	Allowing outside samples to be maintained by an "external entity" is too lenient and discretionary	Define what is an acceptable "external entity"	Accept with modification- "external entity" defined within the section.
7	4.7	E	Period or colon	Change period to a colon at end of sentence? Other places as well	Reject with modification, section modified to call out the specific sections referred to.
8	4.7.1	E	use of "donated"	"donated" doesn't seem like the correct word for contamination. "Source of..."?	Accept with modification- "Donated" changed to "provided"
9	4.7.3	E	meaning of "version control"	clarify what this means?	Accept with modification- Version control was changed to tracking the samples.
19	4.8.1	T	"When feasible" is redundant	Eliminate "when feasible"	Accept
10	4.8.2	E	Awkward sentence (2nd paragraph) "The benefit is that this approach could be relied upon..."	Just awkwardly written; not sure exactly what it is trying to say or how to then correct.	Accept with modification- The awkward sentence was eliminated
14	4.9	T	4.9 should make it clear that all potential contamination should be reported in the case file; some lab protocols may require that but that isn't necessarily true for all laboratories.	Edit 4.9.1 to indicate that in addition to a root cause analysis, disclosure is the best practice.	Accept with modification- Disclosure in the case record was added.
23	4.9	Technical	4.9 The laboratory should have policies (4.9.1 through 4.9.3) addressing the investigation, <u>reporting, and communicating</u> of possible associations <u>to clients and legal parties</u> resulting from an elimination database search.	Standard 4.9 specifically addresses the investigation of possible associations. Reporting of associations is covered in section 4.10, therefore, the words <u>"reporting and communicating" and "to clients and legal parties" should be removed.</u>	Reject- Section 4.9 discusses possible associations while 4.10 discusses confirmed associations. There needs to be policies addressing possible reporting in both instances
24	4.9	Technical	4.9 The laboratory should have policies (4.9.1 through 4.9.3) addressing the investigation, reporting, and communicating of possible associations to <u>clients and legal parties</u> resulting from an elimination database search.	If "reporting and communicating" is kept in this statement - <u>remove the words "to clients and legal parties"</u> . Section 4.10. addresses the reporting requirements and indicates that if the association is noticed after a report has been issued, it should be communicated to the recipients of the original report. There should be no obligation on the laboratory to report above and beyond the parties that they provide reports to through the normal course of business. Laboratories do not refer to submitters as "clients" and "legal parties" is vague. If the intent is to ensure that the information is passed on to the defense community, this should be covered through the normal course of discovery as the standard 4.10.2 requires that the information is retained in the case record.	Reject- Section 4.9 discusses possible associations while 4.10 discusses confirmed associations. There needs to be policies addressing possible reporting in both instances
20	4.9.1 NOTE	T	The laboratory should report to all relevant parties, including the defense	Add that reporting is required to any relevant defense team	Reject- This is covered by "legal parties" under section 4.9.
25	Annex A Bibliography	Technical	ANSI/ASB Standard 018, Standard for Validation of Probabilistic Genotyping Systems, First Edition, 2020 and ANSI/ASB Standard 020, Standard for Validation Studies of DNA Mixtures, and Development and Verification of a Laboratory's Mixture Interpretation Protocol, First Edition, 2018.	Remove ANSI/ASB Standard 018, Standard for Validation of Probabilistic Genotyping Systems, First Edition, 2020.a and ANSI/ASB Standard 020, Standard for Validation Studies of DNA Mixtures, and Development and Verification of a Laboratory's Mixture Interpretation Protocol, First Edition, 2018. These standards are not related to the topic being addressed in this document.	Reject- Some laboratories setup elimination database in their probabilistic genotyping software and some laboratories compare evidence DNA mixtures to the DNA elimination database

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26	Annex A Bibliography	Technical	There are two other standards that are related to this document that should be added back in, however they are not published yet and perhaps that is why they were removed.	Add these back, if possible. 1.Reporting DNA results and conclusions for DNA profiles associated with contamination or failed controls. 2.Forensic Laboratory Standards for Prevention, Monitoring, and Mitigation of DNA Contamination ASB Standard	Reject- ASB's Style provides guidance to have references to be published in order to be included in a bibliography