

Deadline of Submission of Comments: 8-Jul-24
Document Number: ANSI/ASB BPR 183
Document Title: Best Practice Recommendation for Limited Friction Ridge Examinations

Comment #	Text Line # (s)	Document Section	Type of Comment	Current Document Wording	Proposed Revision	Revision Justification	For Working Group use only, not to be completed by commenter.
			E-Editorial T-Technical				Final Resolution
1		Full Document	T/E	Full Document	This document is significantly better than the OSAC document . This could be used as an example for other documents because it includes risk assessment, communication with stakeholders, and outlines documentation requirements. It's also nice to see that the document takes no stance on the topic. When there is a lack of scientific underpinnings for a process, it's appropriate that the document clearly states it is an operational decision, not scientific, and therefore does not take a stance on limited examinations.	Good job.	Noted and thank you
2		First Intro page	E	AAFS website hyperlink: www.aafs.org/academy	AAFS website hyperlink: https://www.aafs.org/academy-standards-board	Fix hyperlink.	Accept with modification: The draft of the document that was released for this round of public comments already contained the proposed link.
3		Second Intro page	E	2nd AAFS website hyperlink: www.aafs.org/academy	2nd AAFS website hyperlink: https://www.aafs.org/academy-standards-board	Fix hyperlink.	Accept with modification: The draft of the document that was released for this round of public comments already contained the proposed link.
4		Second Intro page	E	3rd AAFS website hyperlink: www.aafs.org/academy	3rd AAFS website hyperlink: https://www.aafs.org/academy-standards-board	Fix hyperlink.	Accept with modification: The draft of the document that was released for this round of public comments already contained the proposed link.
5		Third Intro page	E	www.asbstandardsboard.org	https://www.aafs.org/academy-standards-board	Fix website and hyperlink.	Accept: This section was not redlined and therefore not open for comment. However, after reviewing the comment the CB chose to accept the proposed revision.
6		3.1	E	examiner (friction ridge) An individual authorized to conduct independent friction ridge examinations for the forensic service provider by observing and interpreting data, making decisions, forming conclusions and opinions, issuing reports and/or providing testimony. Use of the term “examiner” in these documents refers to a “competent friction ridge examiner” and not a “trainee.”	examiner (friction ridge) – (compare to trainee) An individual who has successfully completed their FSP's training program, and is authorized to conduct independent friction ridge examinations for the FSP by observing and interpreting data, making decisions, forming conclusions and opinions, issuing reports and/or providing testimony. Use of the term “examiner” in these documents refers to a “friction ridge examiner” and not a “trainee” refer to those definitions for further clarification.	This is the current wording of this definition in TR016 Draft 06.	Accept: This section was not redlined and therefore not open for comment. However, after reviewing the comment the CB chose to accept the proposed revision. Definition changed to match the on in TR016 at the time of these comment adjudications.
7		3.3	E	friction ridge detail friction ridge features The combination of ridge flow, ridge characteristics, and ridge structure of friction ridge skin, as reproduced and observed in an impression. The observed data used to compare and interpret similarity or dissimilarity between impressions.	friction ridge detail (synonym of friction ridge features) friction ridge features (synonym of friction ridge detail) The combination of ridge flow, ridge characteristics, and ridge structure of friction ridge skin, as reproduced and observed in an impression. The observed data used to compare and interpret similarity or dissimilarity between impressions.	This is the current wording of this definition in TR016 Draft 06.	Accept: This section was not redlined and therefore not open for comment. However, after reviewing the comment the CB chose to accept the proposed revision. Definition of “friction ridge detail” changed and definition of “friction ridge features” added, to match the on in TR016 at the time of these comment adjudications.
8		3.4 (Now section 3.5)	T/E	Examinations of latent friction ridge evidence that are not complete as defined by Standard Operating Procedures (SOPs).	Limited exams are partial analyses, comparisons, and/or processing that do not fully utilize the capabilities of a Forensic Service Provider (FSP).	The definition of limited examinations in section 3.4 is too vague and broad. This leaves it to an agency to specifically state in an SOP that examinations are limited. If they do not state that, then nothing is limited, even if the process clearly would be limited. The proposed resolution is the definition in the scope of the document. That is a much better definition. CB could consider deleting the definition of limited examination under section 3.4 because it is already defined in the scope, or at least revise 3.4 to be the same definition mentioned in the scope.	Accept: This section was not redlined and therefore not open for comment. However, after reviewing the comment the CB chose to accept the proposed revision. Definition changed to language contained in the scope.

25		4.1.1	E	NOTE 2 has a trailing quotation mark and is missing a period	Replace the quotation mark with a period		Accept
9		4.1.1 Note 2	E	"	Delete quotation mark	This is a stray quotation mark	Accept
10		4.1.1 Note 2	E	There is an end quotation at the end of the note, but no beginning quotation and no need for a quotation mark	Remove quotation mark.	Grammar	Accept
11		4.1.1 Note 2	E	non-scientific reasons."	non-scientific reasons.	Remove unnecessary quotation mark.	Accept
12		4.1.4	T	Improper use of 'shall' While I wholeheartedly agree that random sampling is not an appropriate practice for this document, this requirement not permitted in a BPR per the ASB Manual	Reword as a 'should' or add a note to the definition that limited examinations and random sampling are considered mutually exclusive		Accept with modification: This section was not redlined and therefore not open for comment. However, after reviewing the comment the CB chose to accept the proposed revision, with modification. Language of 4.2.1 and 4.3.1 covers the intent of this statement. Therefore this statement (4.1.4) was deemed unnecessary and deleted.
13		4.2.2 Line 57	E	processing techniques(s)	processing technique(s)	Remove extra s.	Accept: This section was not redlined and therefore not open for comment. However, after reviewing the comment the CB chose to accept the proposed revision.
14		4.2.3	E	The requesting stakeholder shall be notified prior to employing limited processing techniques	The FSP shall notify the customer prior to employing limited processing techniques	The current language not only uses the passive voice but also does not make sense. Read literally, it says that that the stakeholder employs processing techniques.	Accept with modification: Proposed rewording of sentence was accepted, but the term "requesting stakeholder" was used in place of the proposed term of "customer."
15		4.2.3	T	Improper use of 'shall' While there have been multiple discussions of the use of 'shall' statements in BPRs, I do not believe the current usage, nor the explanations of the usage, are permitted per the ASB manual. ASB Manual states "Imperative or 'shall' language can be used in a secondary context when necessary to clarify a recommended action or approach." In 4.2.3, the 'shall' statement is not necessary to clarify the prior 'should' statement. The 'shall' statement made within this section, while related to the 'should' statement, is a separate recommendation and therefore must employ the 'should' language. It is improper to simply combine two recommendations within one section to elevate the second recommendation to a 'shall'.	Return to original 'should'		Reject with modification: Comment was considered, and the shall statement was found to be relevant enough to the should statement as to be within ASB procedures for a BPR. Language was added to the shall statement to clarify relevance.
16		4.3.1	T	Improper use of 'shall' While there have been multiple discussions of the use of 'shall' statements in BPRs, I do not believe the current usage, nor the explanations of the usage, are permitted per the ASB manual. ASB Manual states "Imperative or 'shall' language can be used in a secondary context when necessary to clarify a recommended action or approach." In 4.3.1, the 'shall' statements are not necessary to clarify the prior 'should' statement. The 'shall' statements made within this section, while related to the 'should' statement, are a separate recommendation and therefore must employ the 'should' language. It is improper to simply combine two recommendations within one section to elevate the second recommendation to a 'shall'.	Return to original 'should'		Reject with modification: Both "shall" statements in section 4.3.1 were found to be relevant to other sections. Both sentences were deleted, and language was added to section 4.3.5 to maintain spirit of the deleted "shall" statements. In the new section of 4.3.5, the "shall" statement is relevant to the preceding "should" statement and therefore follows ASB style guidelines and will remain a "shall."
26		4.3.2	T	Acronym ABIS is used but is not defined	Add definition of ABIS to Terms and Definitions (Section 3)		Reject: At the time of these comment adjudications, new definitions are not being created in documents outside of ASB document TR016 (the document on terminology)
27		4.3.5	T	This section indicates what the FSP should communicate to the stakeholder prior to limiting any portion of the friction ridge examination(s) or search(es). However, the stakeholder is not receiving information about associated risks.	Add that the FSP shall communicate with the requesting stakeholder known applicable risks as assessed in 4.1.2.		Accept with modification: Language added to include communication of risks assessed in section 4.1.2. However, statement remained a "should" instead of the recommended "shall."

17		4.3.5 (now deleted & moved to 4.1.4)	T	<p>Improper use of 'shall'?</p> <p>While there have been multiple discussions of the use of 'shall' statements in BPRs, I do not believe the current usage, nor the explanations of the usage, are permitted per the ASB manual. ASB Manual states "Imperative or 'shall' language can be used in a secondary context when necessary to clarify a recommended action or approach." In 4.3.5, the 'shall' statement may not necessary to clarify the prior 'should' statement (though this set of statements may be the closest to meeting the requirement for necessary clarification). Guidance from ASSB staff is needed.</p>	Return to original 'should'		<p>Reject with modification: In discussing the proposed revision, the Working Group deemed the "shall" statement to be an unreasonable requirement. The "shall" statement was therefore deleted. Furthermore, the remaining content of this section 4.3.5 (the "should" statement) was found to be more relevant to section 4.1. It was therefore moved (now section 4.1.4).</p>
18		4.3.6 (now 4.3.5)	T	The statement made in Section 4.3.6 does not include either 'should' or 'shall'. The statement currently employs recommendation like verbiage (i.e., chooses and may) in an imperative syntax (i.e., "may do so only once each...").	Reword as a recommendation		Accept: Section was reworded and any use of "may" was eliminated.
19		4.3.6 (now 4.3.5)	E	only once each individual has been identified on a particular surface or item(s)	only once each individual has been associated with a particular surface or item(s)	The current language is imprecise. Read literally it seems to mean that a person's body is actually on a surface. In addition, it only covers the identification conclusion and overlooks inconclusive with similarities.	Reject: This was discussed and decided that simple association (such as inconclusive with similarities) is insufficient to stop manual comparisons.
20		4.3.6 (now 4.3.5), lines 86 and 87	T	or once multiple source identifications have been made to the same individual	Remove this portion of the statement. If not remove, add clarification about where these identifications need to occur such as "from a minimum of two different items or locations from the scene."	The first part of the statement refers to stopping comparisons after an identification of one print on one item, and you could stop doing comparisons on that one item to that same person. It's too large of a jump to say you can stop comparing an individual's prints after two identifications to that individual at any location anywhere on any evidence.	Accept: Section was reworded for clarity.
21		4.4.1	T	<p>Improper use of 'shall'?</p> <p>While there have been multiple discussions of the use of 'shall' statements in BPRs, I do not believe the current usage, nor the explanations of the usage, are permitted per the ASB manual. ASB Manual states "Imperative or 'shall' language can be used in a secondary context when necessary to clarify a recommended action or approach." In 4.4.1, the 'shall' statement may not necessary to clarify the prior 'should' statement (though this set of statements may be the closest to meeting the requirement for necessary clarification). Guidance from ASSB staff is needed.</p>	Reword as a recommendation		Reject: Comment was considered, and the shall statement was found to be relevant enough to the should statement as to be within ASB procedures for a BPR.
22		4.4.1	T	The written report should state what additional processing or examinations could be conducted (within the bounds of FSP capabilities at the time) in the future.	The written report should state that additional processing or examinations could be conducted.	Please consider changing "what" to "that". These are generally very large cases to begin with - with many items that may be at various stages of processing, having to list in the report all of the different techniques that could still possibly be used on items or all the different people that specific latents could still be compared to is onerous. Having a statement in the report that additional processing could still be done on particular items or that additional comparisons could still be done on particular latents would be adequate and easier for customers to digest.	Accept
28		4.4.2	E	There is a trailing sentence following 4.4.2: "Any pertinent communication..."	Include this sentence into 4.4.2 or add a section label for this sentence, as appropriate.		Accept: Sentence was included in 4.4.2.

23		4.4.2	T	Any pertinent communication with the stakeholder regarding how the examination was limited should be documented in the case file.	Replace "stakeholder," "relevant stakeholder," and "requesting stakeholder" with "customer" throughout document	I believe that the term "stakeholder" is usually used in the plural when it is needed to encompass a variety of entities that cannot all be described by a single term. That is not the case in this document. "Stakeholder" is always used in the singular, and it is clear from the document that there is only one stakeholder whose interests matter: the requesting law enforcement agency. This makes the term "stakeholder" misleading because arguably no one has a greater "stake" in the examination than persons of interest. I suggest returning to the use of the term "customer" which is at least candid about whose interests are being served by the recommendations.	Reject: The use of "requesting stakeholder" in this document refers to more than just a law enforcement agency. For example, government FSPs may receive a request from an attorney. Non-government FSPs may receive a request from a variety of sources. Furthermore, uses of "stakeholder" in this document refer to any entity/person connected to the case who is receiving communication from the FSP, not just the entity/person who made the initial request for work. Trading "stakeholder" to "customer" would therefore be inappropriate.
24			Ballot Comment	Limited' is defined in such a way that the definition of limited may be different for each FSP, which does not create consistency between agencies and within the discipline. A recent report was put out by the Texas Forensic Science Commission stating, "When standards are so vague as to capture any and all comparison approaches, they do not actually help practitioners establish method conformance". I agree and feel this is a prime example of a guideline that captures any and all approaches. (here is the link to the report https://www.txcourts.gov/media/1458523/complaint-2127-final-report-051024.pdf) The report also states, "The Commission urges the Forensic Science Standards Board (FSSB), which is responsible for approving standards for the OSAC Registry, to insist on clearly defined standards that will in turn be useful to laboratories in developing clearly defined protocols." I agree and feel a minimum standard needs to be developed before anything can be stated to be 'limited'. Otherwise, if an FSP SOP's have no minimum standard then nothing is considered 'limited'.		Recommended Resolution: standardize the definition of limited to be the same for all FSP's (e.g., minimum of 4 processes - visual, light source, reagent, dyestain, and/or powder, etc.)	Reject with modification: Definition of "limited examinations" was changed to what appears in the scope in an effort to minimize variance of what a "limited examination" will be from FSP to FSP. Minimum recommendations are provided in this document for the subjects of what impressions should be searched in ABIS (section 4.3.2), when manually-encoded ABIS searches should happen (section 4.3.3), and to what extent manual comparisons should be conducted (section 4.3.5). Some minimum recommendations are additionally provided for processing (sections 4.2.2 and 4.2.3). Additional recommendations for processing are not possible given the variance of types of evidence, what techniques may or may not be appropriate, as well as what equipment and techniques are available to individual FSPs. Due to the inherent nature and variability of evidence items, it is not feasible to recommend a minimum number of processing techniques. No consensus exists to support a given number of recommended processes, nor is there consensus as to what constitutes a complete examination.