Deadline of Submission of Comments: 18-Jul-25
Document Number: ANSI/ASB Std 199
Document Title: Standard for Familial DNA Searching

Comment #	Text Line # (s)	Document Section	Type of Comment E-Editorial T-Technical	Current Document Wording	Proposed Revision	Revision Justification	*For Working Group and Consensus Body use only, not to be completed by commenter.* Final Resolution
1		Foreword	E	N/A	Add “This standard also establishes requirements for safeguarding individual privacy and the confidentiality of familial DNA search results.”	Scope statement includes privacy and confidentiality safeguards as part of the standard’s requirements (item e) but foreword does not mention privacy. foreword should align with this.	Accept.
2		foreward	E	…may be used in criminal investigations, missing persons cases, and cold cases…	consider adding unidentified human remains,	more than for a missing persons case	Reject. The standard does not preclude usage of familial DNA searching for UHR based on particular case facts or cirmcumstances.
3		1 Scope	T	N/A	Add the following sentence to the scope: “This standard also includes requirements for personnel training in familial searching.”	Training appears to be an important requirement (see 4.2.5) in the standard, but it is not mentioned in the scope. The scope should reflect this requirement.	Accept with modification: Added requirement to the list. Changed wording to mirror 4.2.5.
4		1	E	"This standard provides the requirements for laboratories that perform…"	"This standard requires laboratories that perform…"	Changes the wording to a more active voice	Reject. As written it is consistent with standardized ASB language.
5		3	E	No definition	Possibly add definition for what determine and define mean in particular for sections 4.1.6, and 4.2.4.	Familial searching can and usually is achieved without needing to include methods for silent alleles, linkage, prior probability, and allowed level of dropout (eg at least CODIS 13 doesn't defined drop out elsewhere). We would need to know if language was needed stating that we aren't using those methods, or if it can just be ignored.	Reject: "Determine" and "define" common dictionary definitions are appropriate. This not used in a technical way.
6		3	E	No definition	Add definition for "evulation"	Training requirements unclear. Does evaluation of results mean running familial search software? Or does it mean those responsible for the result being released? Running the software doesn't necessarily equate with the need to be trainined in kinship.	Reject: "Evaluation" common dictionary definitions are appropriate. This not used in a technical way.
7		3.1	E	whose DNA profile is in the database	whose DNA profiles are in the database	Sentence switches between plural and singular.	Accept.
8		3.2	T	In defining LR, "The magnitude of its value expresses the weight of the evidence."	"The magnitude of its value expresses the weight of the evidence relative to the proposed hypotheses."	The current wording is a misstatement of fact.	Accept with modification: Extra context added. Different wording used.
9		3.2	T	The magnitude of its value expresses the weight of the evidence.	add "when evaluated under the selected propositions"	The definition does not containt a critical element--that the LR is driven by the choice of propositions.	Accept with modification: Extra context added. Different wording used.
10	p.2	3.5	E	NOTE For example, a laboratory may decide to investigate only a set number of the best ranked candidates regardless of the likelihood ratio.	NOTE For example, a laboratory may decide to investigate only a set number of the best ranked candidates (as defined by the laboratory) regardless of the likelihood ratio.	the statement in parentheses makes the intent clearer	Reject: Note already makes clear that the laboratory will make the decision.
11		4.1.1	T	"the familial search documents should be publicly available"	Change "should" to "shall"	*If* this standard is going to be published, transparency needs to be required	Accept.

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12		4.1.1	T	To aid the public and law enforcement in understanding the laboratory's familial search results, the familial search documents should be publicly available.	change should to shall	Necessary to make these documents publicly available, particularly given the controversy surroudning the technique	Accept.
13		4.1.2	T	The following should be considered in the case acceptance policy:	change should to shall	This information is critical for the lab to consider in its case acceptance policy; what is justification for not requiring it?	Accept.
14		4.1.2	T	"The following should be considered in the case acceptance policy:"	Change "should" to "shall"	*If* this standard is going to be published, it needs to limit discretion	Accept.
15		4.1.2 c)	E	case metadata and source testing laboratory notes provided as available	clarify to whom the notes should be made available (requesting agency, public, searching lab or all of the above)	wording unclear	Reject with modification: The language was removed.
16		4.1.3	T	"The familial DNA search process may involve individuals in the following roles:"	Change "may" to "must"	*If* this standard is going to be published, it needs to limit discretion	Reject: The familial DNA search process may not include all of these roles. This will depend on case scenario and jurisdiction.
17		4.1.3 h	T	a representative from the requesting law enforcment agency	a representative from the requesting law enforcment agency or coroner/medical examiner office	Law enforcement might not be involved in unidentified human remains investigations, and a medical examienr coroenr investigaiton soul be indepenednet form the law enforcement investigaiton.	Reject: This is not an exhaustive list.
18		4.1.3 i	T	a representiative frm the prosecuting agency	add "if it is a criminal cases"	A medical examiner/coroner could request the testing on a non criminal case of unidentified human remains.	Reject: This is not an exhaustive list.
19		4.1.3; j), p.3	T	"a representative of the defendant when the search is being performed at the request of the defense."	Clarify the intent of this provision. For example: "Where permitted by applicable law, a representative of the defendant may be present when a search is performed at the request of the defense."	It is unclear whether this is legally or practically feasible in many jurisdictions. Consider clarifying whether this is intended as a recommendation, a requirement, or simply an example of possible practice.	Reject: "May involve" implies an example of possibilities.
20		4.1.4	T	"The document shall define how information obtained through the familial search process is shared and released, and should inclue:"	Change "should" to "shall"	*If* this standard is going to be published, it needs to limit discretion	Accept.
21		4.1.4	T	The document shall define how information obtained through the familial search process is shared and released, and should include:	change should to shall	This is necessary to provide the most minimal privacy protections; what is the justification for not requiring it?	Accept.
22		4.1.4(a)	T	"safeguards for the disclosure of sensitive information to the proper individuals"	Delete "to the proper individuals"	Without a definition of "proper," this clause undermines the purpose of this requirement	Accept.
23	p.3	4.1.5	E	The document shall ensure that all the individuals with roles established in 4.1.3 are informed of the process, likely outcomes,.....	change likely to potential	Clarifies since the most likely outcome of a familiar search is all candidates eliminated (failure)	Accept.
24		4.1.6(a)	T	"the DNA sample was recovered directly from the crime scene (or associated with the crime scene)"	Change to "or directly associated with the crime scene"	Simply leaving it as "associated with the crime scene" is too discretionary	Accept with modification: "directly" was inserted after "associated" and the first part of the sentence was removed.
25		4.1.6 a	T	the DNA sample was recovered directly from the crime scene (or assocated with the crime scene)	the DNA sample was recovered directly from the crime scene (or assocated with the crime scene), or directly from the unidentified human remains	A medical examiner/coroner could request the testing on a non criminal case of unidentified human remains.	Reject. Familial DNA searching is for criminal cases.

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26		4.1.9; p.4	T	“the original 13 CODIS core loci”	As of January 1, 2017, the FBI expanded the CODIS Core Loci from 13 to 20. These are commonly referred to as the 20 CODIS Core Loci. This update should be reflected in the standard.	The reference to “the original 13 CODIS core loci” is outdated and should be updated to reflect current practice.	Reject: The note intentionally refers to the original 13 CODIS core loci. We understand that there are now 20.
27		4.1.9	E	NOTE Where needed, …	NOTE When necessary,	Better Phrasing	Reject: 4.1.9 was revised for clarity. The note was removed.
28		4.1.9 NOTE	T	"Where needed, the source testing laboratory may conduct expanded autosomal STR (beyond the original 13 CODIS core loci) and/or lineage testing (e.g., YSTR, XSTRs and/or mitochondrial DNA) of potential relatives."	Remove the NOTE.	No need for it.	Accept.
29		4.1.10	T	"The document shall define the thresholds (e.g., likelihood ratio and/or ranking)…"	Remove "/or"	In light of the definitions of LR threshold and ranking threshold, the /or doesn't make sense.	Accept.
30		4.1.11	T	"The following criteria may be considered prior to the release of the name(s) of the potential relative(s): a) the use of metadata for the evaluation of a potential relative, and b) assessing kinship using non-invasive techniques, i.e., one that does not require direct contact wtih a person of interest."	Reword "the use of metadata" in (a) and "assessing kinship" in (b)	I'm far from an expert, but I have no idea what (a) and (b) are saying, and if public transparency is a goal for this standard, it needs to be understandable to the general public. I don't think the general public would understand what 4.1.11 is saying as currently worded.	(now 4.1.11 AND 4.1.12) Reject with modification: Section split into two separate requirements. This standard is directed for forensic laboratories and these are commonly understood terms. No alternate language was provided.
31		4.1.11 b)	Ballot Comment	put the i.e. portion in parentheses.			Accept.
32		4.2.2.1 and 4.2.2.2	Ballot Comment	Standards 4.2.2.1 and 4.2.2.2 don't have shall/should statements. What is the intention of these two sub-standards? Also consider subjectivity across different lab's with using "reasonable" verbiage.			Accept with modification: Sections were changed to notes.
33		4.2.2.2	E	"with additional laboratory work, will give an estimate"	Remove the comma	Comma is unnecessary there	Accept.
34		4.2.2.2	T	A reasonable specificity test will examine how many individuals remain as candidates	unrelated individuals	Provides clarity on what type of matches specificity refers to.	Accept.
35		4.2.3 now 4.2.4	T	"This approach enhances the probability of releasing reliable leads."	Delete.	It's an opinion statement not appropriate for this document.	Accept.
36		4.2.3 now 4.2.4		Search criteria developed from sensitivity and specificity studies should be established to err on the side of minimizing false positives.	change should to shall	minimizing chance of identifying non relatives is critical	Accept.
37	p.5	4.2.4 now 4.2.3	E	The searching laboratory shall determine if the sensitivity and specificity process will incorporate the following:	The searching laboratory shall determine through sensitivty and validation testing whether the process will incorporate the following:	Clarify that the parameters for searching should be assessed during validation through the sens/spec testing	Reject: The suggested comment is more appropriate for developmental validation. A lab may choose to not include one or more of these parameters; hence, incorporated them through validation studies is not reasonable.
38		4.2.5	Ballot Comment	Standard 4.2.5 revisions: make second sentence a sub-standard and add an additional sub-standard for a requirement in documentation of training.			Accept.
39		4.2.5	T	"Training of an individual evaluating familial search results should include the following concepts:"	Change "should" to "shall"	*If* this standard is going to be published, it needs to limit discretion	Accept.

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40		4.2.5	T	"The searching laboratory shall"	add more wording similar to 4.1.1, "applicable to the laboratory's involvement": "applicable to the laboratory's search parameters", maybe.	Some protocols for searching and release of results don't require specific knowledge of LR distributions of the various relationship categories, nor evlautating pedigrees of more than 2 people (no FS are greater than 2) and many kinship training programs do not provide this.	Reject: The trainee shall have a conceptual understainding of these topics, regardless of if they are using it in their model.
41		4.2.5(g)	E	"true relatives; and"	"true relatives; and"	There appears to be an extra space after the semicolon	Accept.
42	p.7	Bibliography	E	3] Balding, D.J., Nichols, R.A. "A method for quantifying differentiation between populations at multi-allelic loci and its implications for investigating identity and paternity." Genetica vol. 133, 2008, pp. 107.	Remove this reference.	This reference is identical to reference 2 except for a different publication date in the same journal. I checked it and it is not correct. No such article exists with that date, author list and title.	Reject. The second reference is for an addendum to the first document.
43			Ballot Comment	Minor revision to standards 3.4 and 4.1.9 NOTE: add hyphens to Y-STR and X-STR. Minor revision: consistency with dropout vs. drop-out (other documents out for PC at this time using "drop-out".			Accept.
44		Need to add requirement	T		See 7.3 and 7.4 of the STRP for familial searching	Need to add requirements for reporting. Reporting is in the scope.	Accept with modification: reporting requirements can be found in 4.1.11.
45		Need to add requirement	T		Add a retroactivity provision--using STRP language except substituting shall for should: "Laboratories conducting familial search shall review their familial search policies and protocols (or program) for compliance with these requirements."	If a lab is conducting familial searching they should at least abide by this standard.	Reject: Laboratories that adopt this standard will automatically be required to review their policies and protocols for conformance.
46			Ballot Comment	I have serious concerns about the use of familial DNA searching because its use "exacerbates racial disparities in the criminal justice system, violates the privacy of those who are subjected to law enforcement intrusion simply by virtue of being related to an offender in the database, and expands databases beyond their original intended use and justification. See, eg, Erin Murphy, Relative Doubt: Familial Searches of Databases, 109 Mich.L.Rev. 291 (2010) (discussion of concerns over familial searching)" quote from STRP for this standard, available at https://www.nist.gov/system/files/documents/2023/04/14/STRP%20Final20Report%202021-S-0029.pdf.			Reject: Comment refers to the general use of familial DNA search, which is outside of the scope of the document.

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1		4.1.9	Ballot Comment	In section 4.1.9 there are two closed parentheses. Suggest to remove the one after the word "relatives."			Accept.
2		4.2.4.2	Ballot Comment	Section 4.2.4.2 is mislabeled as 4.2.5.2			Accept, Section revised to 4.2.6
3		4.2.5.2	Ballot Comment	Editorial error on line 180: Requirement # should be 4.2.4.2, not 4.2.5.2.			Accept, Section revised to 4.2.6
4			Ballot Comment	I maintain that we should not be weighing in on familial DNA testing because doing so gives an explicit stamp of approval for the practice, a practice that exacerbates existing racial disparities in the criminal legal system, implicates constitutional rights to privacy and freedom from unlawful searches and seizures, and expands the intended use of DNA databases.			Reject. No proposed revision.