



Criminalistics Section – 2007

B119 Reporting the Results of Forensic Science Examinations

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After attending this presentation, attendees will become familiar with the enhancements in report writing to satisfy the possible future requirements of the judicial system

This presentation will impact the forensic community and/or humanity by demonstrating the process of reporting the results of forensic examinations may be tightened by the judicial system. This presentation is the first step in familiarizing forensic science examiners and attorneys of possible ways to address this issue.

An important facet of any forensic science examination is the report of analysis prepared by the examiner. In many criminal cases, the report will determine, or at least influence, the direction of the case for both the prosecutor and the defense. The thoroughness of reports has been subject to much debate. From a defense perspective the reports are often incomplete and a subterfuge to sandbag the defendant. ASCLD/LAB has recently revised the standards for contents of laboratory reports. Statements of conclusions or opinions may also be vague or misleading to the non-scientist. From the view of the criminal justice system, these reports are crucial. But what should they contain?

A case record in the laboratory is different from the report of analysis that usually ends up in the hands of the attorneys. Case records consist of both examination documentation and administrative documentation. Currently, the report of analysis that leaves the laboratory can run the spectrum of one word ("Cocaine") in a drug case to a multi-page report in a DNA or trace evidence case. How much of the case record should be included in the report?

This joint session involving attorneys and criminalists will address the following issues: What is the responsibility of the government laboratory to provide all the information and data as a part of the report of analysis? Is the discovery process sufficient for the defense to obtain information that is not in the report? What standards or controls are in place to ensure that results are reported clearly, unambiguously and objectively? How does the analyst distinguish between an opinion, an interpretation, and a conclusion? Should the examiner define the meaning of terms used in the conclusion or opinion contained in the report? Should the report include a narrative on how a conclusion was derived, or should the conclusion stand on its own? Should all reports from experts on both the prosecution and defense sides be subjected to the same degree of scrutiny and generally accepted standards?

Reporting Requirements, Case Records, Results of Examination