



## Jurisprudence Section – 2010

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### **E10 The NAS Report: An Update on the Judicial, Legislative, and Executive Branch Responses**

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After attending this presentation, attendees will have learned about the judicial reaction to the National Academy of Sciences Report on the status of forensic science, the legislative response to the report, and the executive branch's work to improve forensic science through the subcommittee on forensic science.

This presentation will impact the forensic science community by providing important information as to the most current responses to the NAS study on the status of the forensic sciences.

The National Research Council of the National Academy of Sciences (NAS) issued a report during the 2009 AAFS Annual Meeting examining the state of the forensic sciences. As a result, has anything changed? A number of courts have ruled on defense *Daubert* motions that used the NAS Report as the main thrust of their attack. Although not uniform across all courts as to all disciplines, the judicial response has not been a surprise. Is that response the result of judicial precedence, practicality, or a real exercise of its gatekeeping function? The Legislative Branch of the federal government has taken some action, but has it put their money where the need is, and was the reauthorization of the Justice for All Act truly helpful to the forensic science community? The Executive Branch reacted to the NAS Report at the highest levels of government by forming the Subcommittee on Forensic Science, part of the National Science and Technology Council in the Executive Office of the White House. The Subcommittee brought the federal, state, and local forensic science stakeholders together to develop the strategic process of improving forensic science across the broad spectrum of disciplines, including issues such as validation studies, standards development, terminology refinement, quality management oversight, and personnel competency and proficiency. This presentation will give the audience an insight into the current state of forensic science from the viewpoint of a presenter who is involved in the relevant legal issues, laboratory oversight, and the Executive Branch response to the NAS Report.

#### **A Path Forward, NAS Report, Subcommittee on Forensic Science**