

## CONSORTIUM OF FORENSIC SCIENCE ORGANIZATIONS (CFSO)

## FLASH BRIEF

APRIL 2024

The mission of the CFSO is to speak with a single forensic science voice on behalf of its member organizations of matters of mutual interest regarding forensic science, to influence public policy at the national level, and to make a compelling case for greater federal funding for public crime laboratories and medical examiner and coroner offices. The primary focus of the CFSO is national, state, and local policymakers, as well as the United States Congress.

#### **CFSO Board of Directors**

Matthew Gamette, MS Chair Representing ASCLD matthew.gamette@thecfso.org

Timothy P. Rohrig, PhD Vice-Chair Representing SOFT/ABFT timothy.rohrig@thecfso.org

Ken Melson, JD Secretary Representing AAFS kenneth.melson@thecfso.org

Ken Martin, MS Treasurer Representing IAI kenneth.martin@thecfso.org

James Gill, MD Representing NAME james.gill@thecfso.org

Bobbi Jo O'Neal Representing IACME bobbijooneal@thecfso.org

Beth Lavach, Legislative Liaison beth.lavach@thecfso.org

#### RECENT NIST PUBLICATIONS

CFSO participated in the Forensic Science Roundtable Discussion and Workshop hosted by NIST on September 6-7, 2023. The final report was published on March 12, 2024 and can be found at https://doi.org/10.6028/NIST.SP.2100-06

NIST published another report called the "Forensic Science Environmental Scan 2023" on March 7, 2024. This report can be found at <a href="https://doi.org/10.6028/NIST.IR.8515">https://doi.org/10.6028/NIST.IR.8515</a>

# BJS CENSUS OF PUBLICLY FUNDED CRIME LABS PUBLISHED

The Bureau of Justice Statistics, in the Department of Justice's Office of Justice Programs, released *Publicly Funded Forensic Crime Laboratories*, 2020. This report presents findings from BJS's most recent Census of Publicly Funded Forensic Crime Laboratories, which collected data for a 2020 reference year.

The report provides data on the workloads, staffing, resources, policies, procedures, and budgets of the 326 standalone forensic labs and multilab systems (totaling 423 individual labs) in 2020. It also includes counts of employees and service requests in 2019. <a href="https://bjs.ojp.gov/library/publications/publicly-funded-forensic-crime-laboratories-2020">https://bjs.ojp.gov/library/publications/publicly-funded-forensic-crime-laboratories-2020</a> CFSO is currently helping BJS plan the 2024 census. CFSO

Chair Matthew Gamette represented CFSO at a BJS hosted in-person March 2024 planning meeting with members of other CFSO organizations including ASCLD President Tim Kupferschmid. The CFSO request document to BJS can be found on the CFSO website at <a href="https://thecfso.org/wp-content/uploads/2024/04/BJS-Document-Final-.pdf">https://thecfso.org/wp-content/uploads/2024/04/BJS-Document-Final-.pdf</a>

# STRENGTHENING THE MEDICAL EXAMINER-CORONER SYSTEM GRANT

The Bureau of Justice Assistance (BJA) announced the opportunity to apply for funding under the FY2024 *Strengthening the Medical Examiner-Coroner System (MEC) Program*. This program has benefited many CFSO members. The MEC Program provides funding to help address the extreme shortage of board-certified forensic pathologists in the United States by offering grants to offices for up to \$150,000 per forensic pathology fellow. It also and provides MEC offices with the resources to become accredited and maintain that accreditation. More information is available at <a href="https://bja.ojp.gov/funding/opportunities/o-bja-2024-171979">https://bja.ojp.gov/funding/opportunities/o-bja-2024-171979</a>

### NAS FORENSIC GENEALOGY CONFERENCE

As reported on their website, the National Academy of Sciences recently hosted a two-day public workshop exploring law enforcement use of probabilistic genotyping, forensic DNA phenotyping, and forensic investigative genetic genealogy technologies.

NAS reported that presentations explored how these technologies are currently being used by law enforcement, their accuracy and reliability, and key considerations around their application including: issues of disparate impact, civil rights, civil liberties, and other legal considerations and precedents.

The video archive for the event can be found at this <u>link</u>. CFSO has learned that NAS intends to publish a report of the symposium events in coming months. CFSO will provide updates as they are available.

## NAS COMMITTEE MEETING ON FORENSIC PATHOLOGY

The National Academy of Sciences <u>Committee on Advancing the Field of Forensic Pathology</u> hosted a meeting was focused on lessons learned from death in custody investigations. CFSO Board Member Dr.

James Gill presented to the NAS on the topic of Forensic Pathology Challenges and Opportunities, Training, Practice, and Standards. The event was held in person in Washington D.C., and CFSO is not aware of any archived video of the event. The study committee is co-chaired by Dr. John Rich, Harrison I. Steans Director of the RUSH BMO Institute for Health Equity at RUSH University Medical Center, and Judge Raymond Lohier, United States Court of Appeals for the Second Circuit. Members of the working group include Paul S. Appelbaum, Edward Cheng, Dabney Friedrich, Mark L. Graber, Roger Mitchell, Jr., Josiah D. Rich, Julie Robinson, Nancy Rodriguez, Michael Rosenblum, and Peter Stout.

According to their publications, the charge to the committee is to issue a report with findings and recommendations that will consider:

- (1) the number of deaths while in custody throughout the criminal justice process and how those deaths are investigated, diagnosed, recorded, reported and made transparent;
- (2) the distribution of diagnoses for deaths that occur in custody (cause and manner of death) and the scientific bases for attributing such diagnoses to those deaths;
- (3) measures (and limitations thereof) that forensic pathologists should follow to conduct independent assessments of cause of death generally and in particular for deaths in custody;
- (4) the proper range of attributions for cause and manner of death that should be made in a medicolegal death investigation and the scientific bases and associated evidence needed to justify a diagnosis related to any death in general and, in particular, to deaths in custody;
- (5) mitigation strategies to be used to protect forensic pathologists from factors that may bias their diagnosis;
- (6) an assessment of the dual role played by the medicolegal death investigation system as fact finders of manner of death (often relying on non-medical information) for public health as opposed to for the criminal justice system; and
- (7) quality standards and regulations needed for improvement.

The study committee will reportedly issue a report with findings and recommendations in late September 2025.

## MEDICOLEGAL DEATH INVESTIGATION PROFESSIONALS WEEK

CFSO worked with Senator Cornyn (R-TX) and Senator Murphy (D-CT) to introduce a Senate Resolution recognizing and supporting the goals and ideals of National Medicolegal Death Investigation Professionals Week. Senate Resolution 532 was introduced in the 118<sup>th</sup> Congress on January 25<sup>th</sup> 2024 and passed on March 22<sup>nd</sup> 2024. CFSO member organizations the International Association of Coroners and Medical Examiners (IACME) and National Association of Medical Examiners (NAME) led the recognition and celebration during the week of January 21<sup>st</sup> to January 27<sup>th</sup> 2024. More information about this annual event

is coming to the CFSO, IACME, and NAME websites and social media. Plan now for the January 2025 event.

Some CFSO members may be interested in the language from the Congressional passage of this bill. From the Congressional Record:

"Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 532.

The PRESIDING OFFICER. The clerk will report the resolution by title. The senior assistant legislative clerk read as follows: A resolution (S. Res. 532) recognizing and supporting the goals and ideals of National Medicolegal Death Investigation Professionals Week. There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon table. A resolution (S. Res. 532) was agreed to. The preamble was agreed to."

### CFSO FEDERAL AGENCY MEETINGS

CFSO is conducting our annual meetings with federal agencies. CFSO held listening sessions with each of our member boards to determine the highest federal agency and Congressional priorities for each CFSO member organization. These priorities were divided out into an action request document for each federal agency. The letters to the federal agencies requesting these meetings can be found on the CFSO website. After these meetings have occurred, CFSO is posting on our website the discussion topics with each federal agency. These documents can be found at <a href="https://thecfso.org/advocacy/advocacy-current-legislative-efforts/2022/12/118th-congress-2023-2024-legislation-and-funding/">https://thecfso.org/advocacy/advocacy-current-legislative-efforts/2022/12/118th-congress-2023-2024-legislation-and-funding/</a> under the heading of "FY25 Budget."

# TIRE EXAMINATION BLACK BOX STUDY PUBLISHED

CFSO received notification that a forensic tire examination black box study has been published in *Forensic Science International*:

Richetelli N, LeMay J, Dunagan KM, Parks CL, Hicklin RA, Chapman WJ (2024). "Accuracy and Reproducibility of Forensic Tire Examination Decisions." *Forensic Science International*, 358(1112009). (https://doi.org/10.1016/j.forsciint.2024.112009)

## This link (<a href="https://authors.elsevier.com/c/1itKM1MCG0duk6">https://authors.elsevier.com/c/1itKM1MCG0duk6</a>) allows free downloading of the paper for the next 50 days.

#### **Abstract**

Tire impression evidence can be a valuable tool during a crime scene investigation—it can link vehicles to scenes or secondary locations, and reveal information about the series of events surrounding a crime. The interpretation of tire impression evidence relies on the expertise of forensic tire examiners. To date, there have not been any studies published that empirically evaluate the accuracy and reproducibility of decisions made by tire impression examiners. This paper presents the results of a study in which 17 tire impression examiners and trainees conducted 238 comparisons on 77 distinct questioned impression-known tire comparison sets (OKsets). This study was conducted digitally and addressed examinations based solely upon the characteristics of the tire impression images provided. The quality and characteristics of the impressions were selected to be broadly representative of those encountered in casework. Participants reported their decisions using a multi-level conclusion scale: 68% of responses were class associations (Association of Class Characteristics or Limited Association of Class), 21% were definitive decisions (ID or Exclusion), 8% were probable decisions (High Degree of Association or Indications of Non-Association), and 3% were neutral responses (Not Suitable or Inconclusive). Although class associations were the most reported response type, when definitive decisions were reported, they were often correct: 96% of IDs and 89% of Exclusions were consistent with ground truth regarding the source of the known tire in the QKset. Overall, we observed 4 erroneous definitive decisions (3 Exclusions on mated OKsets; 1 ID on a nonmated OKset) and 1 incorrect probable decision (Indications of Non-Association on a mated OKset). Decision rates were notably associated with both quality (lower quality questioned impressions were more likely to result in class associations) and dimensionality (2D questioned impressions were more likely to result in definitive decisions), which were correlated factors. Although the study size limits the precision of the measured rates, the results of this study remain valuable to the forensic science and legal communities and provide empirical data regarding examiner performance for a discipline that previously did not have any such estimates.

The study was conducted by Noblis under NIJ grant # 2020-DQ-BX-0026.

Please note that in addition to the main article, extensive information is included in supplemental information, including detailed appendices

(https://www.sciencedirect.com/science/article/pii/S0379073824000902?dgcid=coauthor#ec0005), all response data in data tables (https://www.sciencedirect.com/science/article/pii/S0379073824000902?dgcid=coauthor#ec0010), and the sample images (https://osf.io/frtx4/).

For other Noblis forensic science publications, please see https://noblis.org/publications/.