



# The American Society of Crime Laboratory Directors

**"Excellence Through Leadership in Forensic Science Management"**

## **A STATEMENT BY THE AMERICAN SOCIETY OF CRIME LABORATORY DIRECTORS**

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**TOPIC: Public Crime Laboratories Must Conduct Technical Reviews of Outsourced DNA Cases**

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The backlog of rape kits in the United States has understandably become a matter of great public concern. A significant portion of these backlogs, which exist in a very small number of public laboratories, is attributable to DNA profiles that have been reported by private laboratory companies and are awaiting technical review by a public crime laboratory before being uploaded to the Combined DNA Index System (CODIS).

A technical review is generally defined as the review of analytical data and documentation in a case record by a qualified scientist. Technical reviews are critical quality assurance checks that minimize the likelihood of errors when DNA profiles are uploaded into CODIS. It is the position of ASCLD that technical reviews must be performed by public crime laboratories who accept responsibility for data produced by private laboratory companies. Public laboratories are not motivated by profit margins and exist solely to protect the safety of the public. This standard of practice is now enforced by the Federal Bureau of Investigation (FBI) under its existing quality assurance standards for forensic DNA testing laboratories.

"The maintenance and administration of databases that contain sensitive law enforcement information, to include biographical and biometric information on U.S. citizens, is an inherently governmental function, particularly given the privacy considerations relative to DNA records and criminal histories." This was the testimony of Dr. Christian Hassell, Assistant FBI Director assigned to oversee the FBI's Laboratory Division, on May 20, 2010 before the House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security.

The FBI has recently proposed a plan to eliminate the requirement for mandatory technical reviews by public crime laboratories prior to uploading DNA profiles into CODIS. ASCLD stands firm in its support of existing DNA quality assurance standards, which have been in place since 1998, and recommends the consideration of more reasonable alternatives to resolve isolated problems. For example:

1. A national effort can be initiated under the leadership of the FBI to identify inefficiencies in how technical reviews are currently conducted in the small number of public laboratories experiencing problems.
2. A "Consortium of Laboratories" can be established through which public crime laboratories assist each other, particularly within a given geographic region, to conduct technical reviews with more speed and efficiency.

These alternatives ensure the quality of the DNA typing results and the quality of investigative leads that result from CODIS searches. Victims deserve to have their DNA results analyzed and uploaded in a timely manner without jeopardizing quality. This approach is consistent with ASCLD's longstanding position on using available resources to expand the capacity of public crime laboratories.