

# New York State Report Standardization

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# Disclaimer:

- The views expressed in this presentation are the personal views of the speaker and not on behalf of or reflecting the position of New York State, the Division of Criminal Justice Services, or the Commission on Forensic Science and its DNA Subcommittee, or any other entity linked to the speaker.



New York is a  
special  
snowflake!



# The Office of Forensic Services

- Administers the state's DNA Databank in cooperation with the New York State Police Crime Laboratory;
- Provides staff support to the state Commission on Forensic Science and its DNA Subcommittee;
- Monitors public forensic laboratory compliance with state accreditation standards;
- Facilitates technical training and other activities that enhance the efficiency, effectiveness and reliability of forensic testing services in the state;



# The Office of Forensic Services

- Promotes coordination and information sharing among the public laboratories; and
- Works with public forensic laboratories, law enforcement and other criminal justice agencies to improve the quality and delivery of forensic services.
- Provides DNA Convicted Offender Collection Kits to agencies across the state and provides training on their use.
  - Updated in 2022
- Provides Sexual Offense Evidence Collection Kits to collection sites across the state and provides training on their use.
  - Updated in 2023



# New York State Snapshot

- New York State Commission on Forensic Science and its DNA Subcommittee
- Article 49-B of the Executive Law
- NYS CFS 14 members, DNA Subcommittee 7 members
- Varies on the seat they are filling (next slides)
- The Commission is empowered to, among other things, develop minimum standards and a program of accreditation for all forensic laboratories in New York State. Accreditation of a forensic DNA laboratory is granted through the DNA Subcommittee. The Subcommittee also advises the Commission on any matter related to the implementation of scientific controls and quality assurance procedures for the performance of forensic DNA analysis.
- Both meet quarterly
- New York State Division of Criminal Justice Services, Office of Forensic Services
- ~\$50,000, several part-time
- Future- unknown



# Commission on Forensic Science

- The Commission has 14 members appointed by the Governor. As detailed in law, the Commissioner of the Division of Criminal Justice Services serves as chair and the Commissioner of the Department of Health or designee is an ex-officio non-voting member. Other members:
  - Chair of the New York State Crime Laboratory Advisory Committee
  - A director of a forensic laboratory located in New York State
  - The director of the Office of Forensic Services at the Division of Criminal Justice Services
  - Two scientists with experience in the areas of laboratory standards or quality assurance regulation and monitoring
  - A representative of a law enforcement agency
  - A representative of prosecution services
  - A representative of the public criminal defense bar
  - A representative of the private criminal defense bar
  - An attorney or judge with a background in privacy issues and biomedical ethics
  - A representative recommended by the state Senate
  - A representative recommended by the state Assembly



# DNA Subcommittee

- All members are scientists, and individuals with expertise in the following disciplines must be represented: molecular biology; population genetics; forensic science; and laboratory standards and quality assurance regulation and monitoring.
- The Division of Criminal Justice Services Commissioner appoints the DNA Subcommittee Chair, and the Chair selects the remaining members upon recommendation by the Division of Criminal Justice Services Commissioner and the state Health Commissioner.





# Commission on Forensic Science

- The Commission members are all appointed by the Governor of New York State.
  - This process can be quite arduous and does require annual financial disclosure on the part of the members.
- The Commission and Subcommittee meet quarterly.
  - Meetings are archived on YouTube for all to see



# Labs throughout NYS

- Erie County Department of Central Police Services Forensic Laboratory
- Erie County Medical Examiner's Office Forensic Toxicology Laboratory
- Monroe County Public Safety Laboratory
- Monroe County Office of the Medical Examiner Forensic Toxicology Laboratory
- Nassau County Office of the Medical Examiner Toxicology Laboratory
- Nassau County Division of Forensic Sciences Laboratory
- New York City Police Department Police Laboratory
- New York City Police Department Latent Print Laboratory
- New York City Office of the Chief Medical Examiner Department of Forensic Biology
- New York City Office of the Chief Medical Examiner Forensic Toxicology Laboratory
- New York City Office of the Chief Medical Examiner Anthropology Laboratory
- New York State Division of Criminal Justice Services Latent Print Laboratory
- New York State Police Crime Laboratory
  - NYSP Albany Forensic Investigation Center
  - NYSP Mid-Hudson Satellite Facility
  - NYSP Southern Tier Satellite Facility
  - NYSP Western Satellite Facility
- Niagara County Sheriff's Department Forensic Laboratory
- Onondaga County Center for Forensic Sciences
- Onondaga County Health Department Forensic Toxicology Laboratory
- Suffolk County Crime Laboratory
- Suffolk County Office of Chief Medical Examiner Toxicology Laboratory
- Westchester County Department of Laboratories and Research - Division of Forensic Sciences
- Westchester County Department of Laboratories & Research, Division of Forensic Toxicology
- Westchester County Department of Public Safety Crime Laboratory
- Yonkers Police Department Forensic Science Laboratory



# New York Crime Lab Advisory Committee (NYCLAC)

- Each of the 22 Laboratory Directors, DEA representative, NYS Fire Representative, Director of OFS
- Meeting twice a year
  - Have by-laws
- Oversee the Technical Working Groups (TWG) throughout the state
  - TWG for each testing discipline and QA
  - They meet quarterly



# NYCLAC

## ARTICLE II – PURPOSES

The purpose of the New York State Crime Laboratory Advisory Committee shall be:

1. To serve as an advisory board to the Division of Criminal Justice Services, the New York State Commission for Forensic Sciences, and other governmental agencies and the accredited public forensic laboratories throughout New York State, hereafter known as forensic laboratories.
2. To identify problems in the providing of forensic laboratory services and to make recommendations to resolve these problems.
3. To recommend the standardization of forensic laboratory services.
4. To serve as a forum for the discussion of problems and the exchange of ideas between the users and the providers of crime laboratory services.
5. To examine and discuss pending legislation and/or other types of regulation affecting crime laboratories throughout New York State and, where appropriate, to adopt a position with respect to such legislation and/or regulation.



# TWGs

In order to achieve their mission, the TWGs will:

- encourage consistency in laboratory reports and reporting procedures;
- promote uniformity in testing methods and procedures;
- identify technical and policy issues affecting the discipline;
- identify training and developmental needs of discipline personnel;
- share and exchange information;
- serve as a resource to NYCLAC in resolving technical issues.



# Report Standardization Project

- In 2011 NYCLAC tasked the TWGs with developing report standardization within each of their testing disciplines.
- These were to be evaluated at each meeting for relevance, updating, etc. and annually they would be modified, if the group felt necessary
  - NYCLAC would vote on the changes that were recommended prior to implementation
- 2014 the TWGs would complete the initial phase of the project



# But why?

- 2009 NAS report called for standardized reporting
- Report Standardization defined as (agreed by the TWGs):
  1. Standard components as defined by each discipline
  2. Standardized statements for:
    - Inclusions
    - Exclusions
    - Inconclusive results
      - along with predefined situations where qualifiers and uncertainty is necessary
  3. Defined terms



# Customer Service

- Because of the Laboratory structures and jurisdictions covered, standardization is important
- Want the “customer” who may receive reports from different testing laboratories to have the same understanding of what the terms and reports mean





# Housed on the DCJS website

- Each of the agreed upon report standardizations are located on the DCJS website, which the OFS staff will update when directed by NYCLAC
- There is a link present on the bottom of each of the reports that will guide the customer to the website for definitions/report standardization
- This will hopefully not only keep consistency throughout the state, but maintain the high-level quality forensic reporting
- <https://www.criminaljustice.ny.gov/forensic/labreportstandards.htm>



# Standardization Project



BioTWG  
 Crime Scene TWG  
 DE TWG  
 Drug TWG  
 TWGfire

Firearms TWG  
 Latent TWG  
 QD TWG  
 Tox TWG  
 Trace TWG

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# Future

- Consider OSAC standards and implementation?
- Restructuring the Commission/Subcommittee Law and Regs?
- How to help the Labs?
- Deal with advancing technology and testing?



Thank You!

