



NIST Proposed **Organization of Scientific Area Committees (OSAC)** - what were previously called "Guidance Groups"

Presentation for National Commission
on Forensic Science

February 4, 2014

Washington, DC



Harry T. Edwards
U.S. Court of
Appeals (DC)
Co-Chair,
Forensic Science
Committee

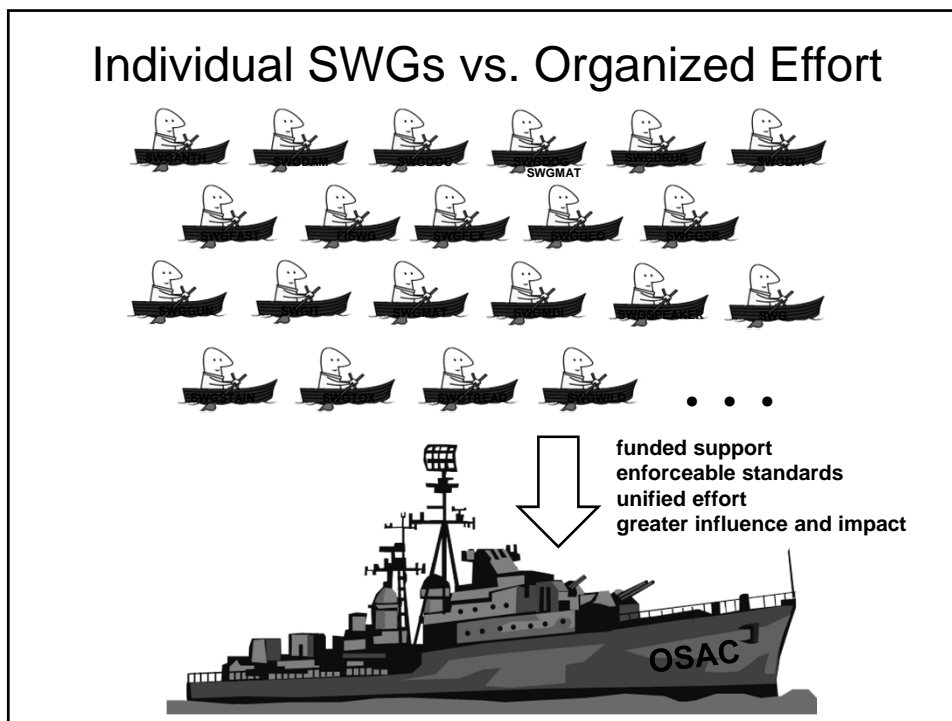


Some Criticisms of Current Scientific Working Groups (SWGs)

from Judge Harry Edwards, co-chair of the 2009 NAS Committee

- Need regular source of funding
- Need membership criteria
- Need to produce specific, enforceable standards
- Need mandate for community to follow
- Need follow-up to measure impact of work

Source: Honorable Harry T. Edwards, Presentation at the Superior Court of the District of Columbia Conference on The Role of the Court in an Age of Developing Science & Technology: The National Academy of Sciences Report on Forensic Sciences: What it Means for the Bench and Bar (May 6, 2010) – see **Giannelli, P.C. (2012) The 2009 NAS forensic science report: a literature review. *Crim. L. Bulletin* 48: 378** (available at <http://ssrn.com/abstract=2039024>)



Organization of Scientific Area Committees (OSAC)

Value

- Practitioner generated (forensic scientists)
- Courtroom connected (legal input)
- Scientifically valid (researchers)
- Standards enforcement (standards developers & accreditation bodies)

Public Input – NIST seeks public input – *and we listen*

- Met with SWG Chairs at NIST on June 18, 2013
- Collected public input through Notice of Inquiry (NOI) published in Federal Register (Sept 27 – Nov 26, 2013)
- NIST planning team developed a proposed infrastructure (Dec 2013/Jan 2014); discussions with AAFS, AFTE, IAI, NAME, and SOFT
- 30-minute presentation before the National Commission on Forensic Science at their first meeting (Feb 4, 2014)
- Posting slides and plan on NIST.gov/forensics website following NCFS presentation
- 90-minute presentation at AAFS (with webcast) on Feb 18, 2014

Notice of Inquiry (NOI) Responses Received

- **82 responses received**

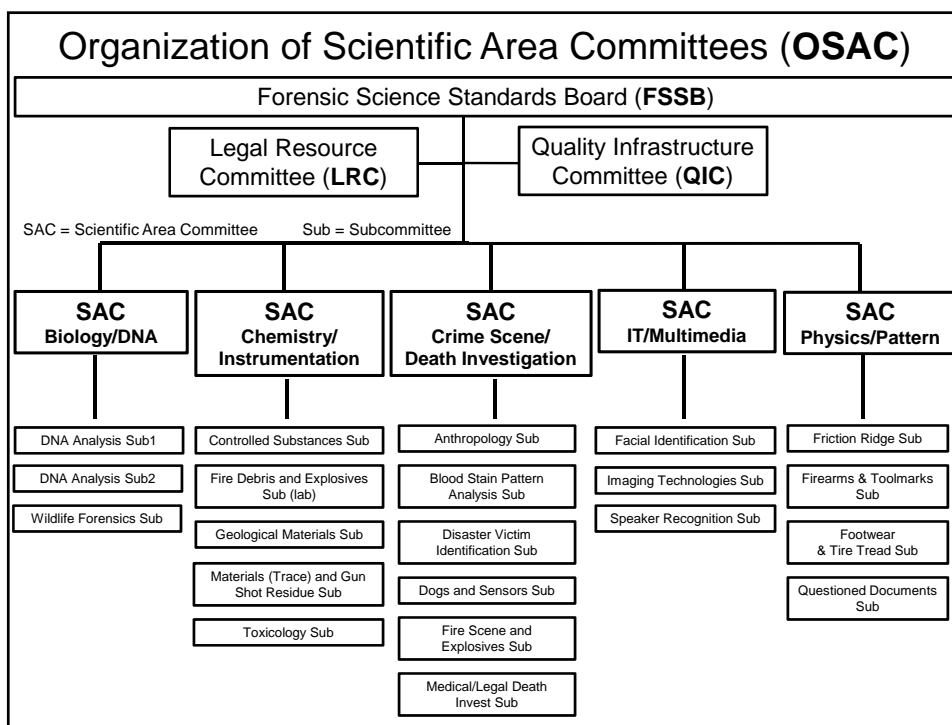
- 12 SWGs commented
- 15 other groups including ASCLD, CAC, CFSO, IAI, Innocence Project, NACDL
- More than a dozen labs and a half dozen companies
- Individuals from 21 states and four countries (UK, Canada, Germany, and Australia)

In general, **the responses support the proposed structure offered in the next slide.**

- Public posting of comments on NIST.gov/forensics

- Highlights:

- *Practitioner voice should be a major player*
- *Strongly urged to include all forensic science disciplines*
- *Concern about funding (no “pay-to-play” fees)*
- *Interest in consistent and open support for web postings*
- *Interest in face-to-face and virtual meetings*
- *Encouragement to include existing professional organizations*

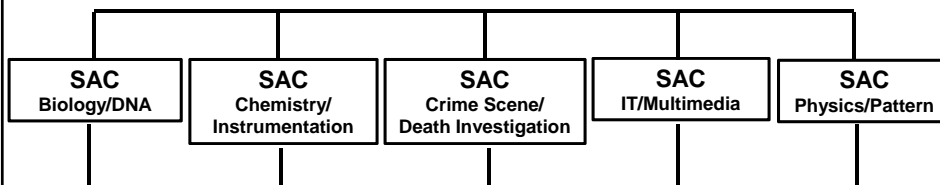




NIST Forensic Science Planning Team

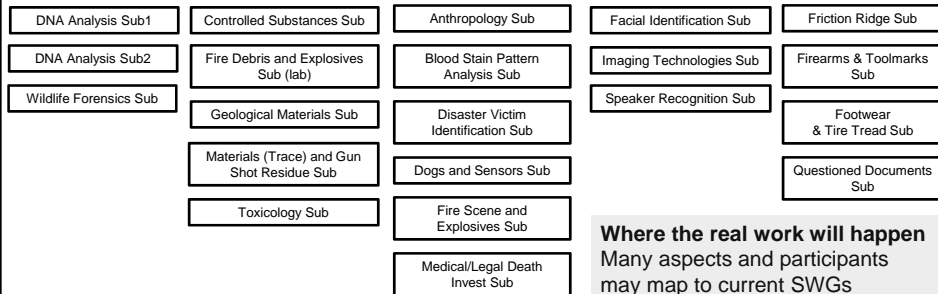
Individual	Position within NIST
Susan Ballou	Office of Special Programs (OLES) (SWGDE, SWGMAT, SWGDRUG)
John Butler	Office of Special Programs (SWGDM)
Rich Cavanagh	Director, Office of Special Programs
Gordon Gillerman	Standards Coordination Office
Barbara Guttman	Information Technology Laboratory (SWGDE)
Christina Hacker	Program Coordination Office
John Paul Jones	Office of Special Programs (OLES)
Karen Reczek	Standards Coordination Office
Mark Stolorow	Office of Special Programs (OLES)

Scientific Area Committees (SACs)



- **Sets priorities for subcommittee work** and enables a bigger picture view on topics like report wording and statistical analysis
- Recommends (to FSSB) creating, merging, or abolishing subcommittees
- **SAC meetings will be open to the public** and agendas made available prior to meetings (following review by NIST and DOJ)
- **Each SAC is comprised of up to 15 members** including
 - Subcommittee chairs
 - Representatives of professional forensic science organizations appropriate to the scientific area (e.g., AAFS, AFTE, IAI, NAME, and SOFT)
 - Researchers
 - Measurement scientists (including statisticians)

SAC Subcommittees



- **Develops and vets formal documents** to be submitted for approval by SAC (in case of guidelines) or SAC & FSSB (in case of standards)
- Communicates activities and progress to SACs
- Each subcommittee has a **maximum membership of 25** (20 voting members and 5 invited guests)
 - Distribution goal of **70% practitioner** (20% federal, 30% state & local, 20% civil or other), **20% researchers** (including statisticians), and **10% R&D technology partners and providers**
 - *Practitioner is defined as someone actively doing or managing casework*

OSAC Oversight and Support

Forensic Science Standards Board (FSSB)

Legal Resource Committee (LRC)

Quality Infrastructure Committee (QIC)

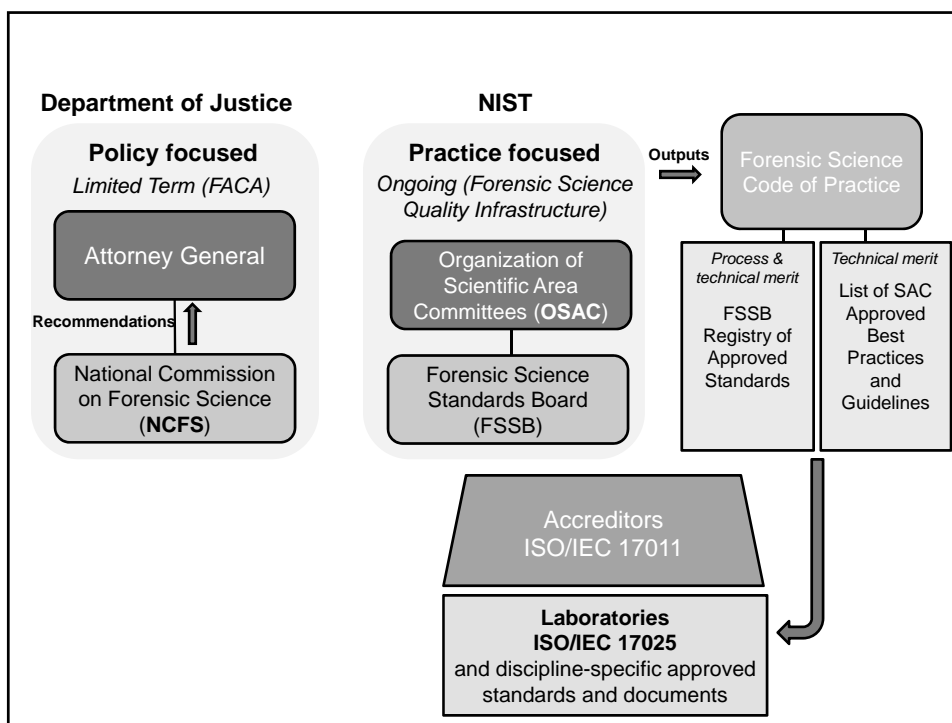
- Ensures communication flow among SACs and overall OSAC infrastructure and the forensic science community
- Approves standards for inclusion in Forensic Science Code of Practice
- **FSSB composed of 16 members** initially appointed by NIST-DOJ leadership and membership selection committee
 - **5 SAC Chairs, 5 representatives** of professional forensics organizations (e.g., AAFS, AFTE, IAI, NAME, SOFT), **5 Members at large** from the research and measurement science communities, **1 NIST ex-officio**
- **LRC** composed of up to 10 judges, lawyers, and legal experts who **provide guidance (as requested by the FSSB) about the legal ramifications** of forensic standards under development and input on the meaningful presentation of forensic results to the legal system; **responsible for writing and updating a Professional Code of Ethics**
- **QIC** composed of up to 10 standards experts, quality systems managers, and accreditation and certification specialists who are **responsible for writing and updating the Forensic Science Code of Practice**

Administering Organization

- **Funds travel for OSAC participants**
- Handles logistics of in-person and virtual meetings
- **Ensures communication support** including regularly updating OSAC website
- Responsible for rendering a decision in event of an appeal or dispute
- **NIST will serve in this role** with a goal to transition OSAC support to an independent professional organization in 3 to 5 years

OSAC Membership

- **Initial selection of FSSB, LRC, and QIC, and SAC will be by NIST-DOJ leadership & membership committee**
- SAC subcommittee members will be selected by FSSB and SACs (after review by NIST-DOJ committee)
 - FSSB will define term-limits and plan to apply uniformly
 - NIST scientists will participate as standards and coordination experts as appropriate in the FSSB, SACs, and subcommittees
- Planned Timeline
 - **Solicit applications and recruit potential OSAC members starting in March 2014**
 - Appoint FSSB in April
 - Appoint LRC, QIC, and SAC membership in May
 - Define subcommittee membership in June
 - Conduct OSAC training virtually over the summer
 - **Hold in-person meeting in September 2014**



Organization of Scientific Area Committees (OSAC)

Creating a quality infrastructure for forensic science with a connection to accreditation bodies

- Practitioner generated (forensic scientists)
- Courtroom connected (legal input)
- Scientifically valid (researchers)
- Standards enforcement (standards developers & accreditation bodies)



www.nist.gov/forensics