



National District Attorneys Association
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RESOLUTION IN SUPPORT OF EFFORTS TO STRENGTHEN FORENSIC SCIENCE IN THE UNITED STATES

BE IT HEREBY RESOLVED, that the National District Attorneys Association (NDAA) supports initiatives which enhance the reliability of forensic evidence and the efficiency of America's forensic laboratories including funding, legislation and incentives that require mandatory and enforceable accreditation of all forensic science laboratories or service providers, public and private, to the recommended ISO 17025 standard or other recognized and appropriate standard as a means of reasonably insuring the reliability of forensic evidence;

FURTHER RESOLVED, that the NDAA believes that the quality and reliability of such evidence will be further enhanced by requiring mandatory and enforceable certification of testifying forensic science experts, public and private, and therefore supports efforts to mandating the same;

FURTHER RESOLVED, that a part of any effort to reasonably insure the quality of forensic evidence is the establishment and adherence to recognized standards and best practices for each of the various forensic disciplines, NDAA therefore supports efforts to identify such standards where currently they do not exist and establishment of the protocols necessary to their implementation;

FURTHER RESOLVED, that the validation of standards, methods and their underlying scientific support may require the identification and evaluation of existing data and the identification of other research necessary to bridge the gap to scientific validation; the establishment of a timetable appropriate for prioritizing and conducting such research; and the monies necessary to bring such research to completion; and NDAA supports the establishment of such a research regimen;

FURTHER RESOLVED, that the most scientifically rigorous protocol executed by the most highly certified scientists, within a laboratory operating at the greatest level of accreditation is still woefully inadequate if that laboratory lacks the capacity to meet the demand for accurate and reliable forensic services, NDAA therefore supports research and funding efforts necessary to improve laboratory efficiency through improved techniques, technology, recruitment and staffing;

FURTHER RESOLVED, that the capacity to meet these demands can be enhanced and made more efficient where current and future databases, including, but not limited to, the Automated Fingerprint Identification System and National Integrated Ballistic Information Network, achieve interoperability, NDAA supports the expenditure of funds and pursuit of other initiatives toward that end;

FURTHER RESOLVED, that like all attorneys, prosecutors have a moral and ethical obligation of candor to juries and courts, further prosecutors serve the unique role within the judicial system as ministers of justice, and whereby NDAA supports any effort that will enhance a truth-based system of criminal justice, we support the placement of reporting and testimonial requirements upon forensic experts, public and commercial, that will enhance the search for the truth through scientifically accurate, informative and reliable reporting;

FURTHER RESOLVED, that while the history of forensic science in this country has been, almost without exception, marked by the honest dedication of forensic practitioners, instances of forensic fraud by some members, public and private, have besmirched that otherwise distinguished record, and as a code of ethics represents a statement of principles by which professionals publicly affirm fidelity of the profession to the community they serve rather than their own petty interests, NDAA supports development and enforcement of a national code of forensic ethics;

FURTHER RESOLVED, that prosecutors, as official representatives of the communities we serve, mindful of our duty to pursue justice to the end that the guilty are brought to account, the innocent protected, and to the extent possible, justice restored to the victims of crime, recognize and support the autonomy of crime laboratories, public and commercial, as necessary to the integrity of forensic testing and the establishment of the truth;

FURTHER RESOLVED, that inasmuch as any human enterprise may be subject to error or bias, NDAA supports the study of such sources of errors and the methods necessary to reduce such mistakes as part of an overall strategy of laboratory quality assurance and quality control;

FURTHER RESOLVED, that the pursuit of justice on behalf of the citizens of a community is a noble effort warranting our “best” and our “brightest,” NDAA supports the use of incentives and other inducements in the effort to attract and recruit qualified individuals to careers in the forensic sciences and forensic medicine;

FURTHER RESOLVED, that the principles enumerated herein be extended to all aspects of the forensic sciences including death investigation as part of an overall effort to integrate all levels of the forensic science effort into its equally important effort in assisting in the protection of this nation and the security of its citizens;

FURTHER RESOLVED that NDAA supports the expenditure of such funds as are necessary to provide the training of scientists, technicians, lawyers, judges, law enforcement personnel and others necessary to fulfill this task;

FURTHER RESOLVED that NDAA supports the expenditure of all funds necessary, federal, state and local, to the accomplishment of these goals;

FURTHER RESOLVED that NDAA does not endorse the idea that such an effort requires the creation of a new federal agency, or the adoption of this mission by an existing agency ill-suited to the task, neither can we support divorcing local forensic services from the missions they were created to support, namely the ascertainment of the truth, where ever that may lead; the astronomical cost of doing so would be better spent by re-investing such cost into the appropriate and ethical operation of America's forensic service providers and the tasks we have outlined above.

FURTHER RESOLVED that NDAA opposes proposals that would require crime laboratories be independent, rather than autonomous, of law enforcement or prosecution agencies where they may be currently located; an estimated 90% of the more than 325 public crime laboratories are located within law enforcement or prosecution agencies; many of today's crime laboratories were created in the late 1960s and early 1970s in response to high crime rates; studies at that time by the Law Enforcement Assistance Administration documented that more effective evidence collection practices were employed by law enforcement agencies when laboratories were near to, or a part of, the agency conducting the investigation; organizational and geographical proximity of laboratories to investigating agencies provide the opportunity for scientific evidence to inform the pre-arrest phase of an investigation when it may have the greatest opportunity to influence and affect investigative and prosecutorial decision-making, thereby avoiding potential injustices; rather NDAA supports the implementation of procedures that promote laboratory autonomy within the greater agency as suggested in the National Academy recommendation relating to laboratory accreditation; the American Society of Crime Laboratory Directors Laboratory Accreditation Board, the pre-eminent laboratory accreditation agency in the United States began the process of implementing a laboratory autonomy accreditation standard several years before the release of the report of the National Academy of Sciences; that autonomy and the implementation of recognized quality assurance and quality control measures actually promote the integrity of a scientific testing or examination process, while removal and independence of laboratories is extremely costly and ineffective in improving reliability of the testing process; and NDAA believes that the manner in which a laboratory is managed and operated are of far more importance than the name of the building in which the laboratory is located; and

FURTHER RESOLVED that NDAA opposes efforts to create a new federal agency, the National Institute of Forensic Sciences (NIFS) as the cost of creating such an agency from the ground up would be astronomical; existing agencies with existing complementary missions have the expertise and experience necessary to fulfill the tasks to be performed by NIFS; adequate safeguards can be instituted to reasonably insure the integrity of the process of implementing the above-described improvements to the forensic science system; each of the tasks to be performed without the creation of an entirely new bureaucracy and its excessive cost would be better spent by re-investing such cost into the appropriate and ethical operation of America's forensic service providers and the tasks we have outlined above.

Adopted by NDAA Board, April 10, 2010
Charleston, South Carolina