

Proposed Questions for Survey

1. Does your laboratory maintain Standard Operating Procedures Manuals (SOP Manuals) for every discipline? _____ Yes _____No

a. If not, for which disciplines do you *not* maintain SOP Manuals?

b. Are your SOP Manuals available in electronic form (e.g., Word or PDF files)? _____Yes _____No

c. What is your policy on disclosure of SOP Manuals to the following entities (e.g., freely available on request; available only with a court order; not available)

(1) the District Attorney’s Office

(2) Defense lawyers

(3) The general public

2. Does your laboratory maintain a Quality Assurance Manual (or manuals) that covers every discipline? _____ Yes _____No

a. If no, which disciplines are not covered by Quality Assurance Manuals?

b. Are your Quality Assurance Manuals available in electronic form (e.g., Word or PDF files)? _____Yes _____No

c. What is your policy on disclosure of Quality Assurance Manuals to the following entities (e.g., freely available on request; available only with a court order; not available)

(1) the District Attorney's Office

(2) Defense lawyers

(3) The general public

3. Does your laboratory maintain a log or file containing documentation of proficiency testing discrepancies, casework errors and corrective actions or unexpected results (this includes control discrepancies)?

_____ Yes _____ No

a. Do you maintain such documentation for all disciplines? _____ Yes _____ No
(If no, for which disciplines do you *not* maintain such files?)

b. What is your policy on disclosure of this documentation to the following entities (e.g., freely available on request; available only with a court order; not available)

i. the District Attorney's Office

ii. Defense lawyers

iii. The general public

4. For which disciplines has your laboratory conducted validation studies?

a. Has your laboratory prepared written descriptions of all, some or none of these validation studies? _____All _____Some _____None

b. What is your policy on disclosure of validation studies to the following entities (e.g., written description freely available on request; available only with a court order; not available)

i. the District Attorney's Office

ii. Defense lawyers

iii. The general public

5. Has your laboratory adopted procedures designed to minimize "observer effects" or "context effects" in forensic testing, such as procedures for "masking" or "blinding" of examiners when interpreting data? _____ Yes _____No

a. If yes, please describe

6. Does your laboratory have procedures in place for monitoring the testimony of analysts and examiners? _____ Yes _____ No

a. If yes, who is responsible for monitoring testimony and how is it done?

b. Are all laboratory disciplines covered by monitoring procedures? ____ Yes
____No

c. If no, which disciplines are not covered?

DISCOVERY REQUESTS FROM DEFENSE LAWYERS

7. Approximately what percentage of staff time in your laboratory is devoted to responding to discovery requests from defense lawyers? _____

8. How much time on the average do your testifying employees spend in court on discovery issues in a calendar year? _____

9. Are familiar with the requirements of *Brady v. Maryland*, a Supreme Court case which requires lab employees to disclose certain types of evidence to the defense?

____Yes ____No

10. Have you or your employees had any training with regard to the requirements of *Brady v. Maryland* (information that is required to be turned over to the defense because it favorable evidence to the defense)? ____ Yes ____ No

a. If yes, please describe the training.

b. Do you have any rules or policies in place regarding the disclosure of so-called Brady materials (evidence favorable to the defense). ____ Yes
____No

c. If yes, please describe your policies .

QUALITY ASSURANCE:

11. Do you have a quality assurance section of your lab? ____ Yes ____No

a. If yes, how many FTE work in that unit? _____

b. What are their responsibilities? _____

c. What documents are maintained in that unit? _____

12. What procedures does the lab have for reporting allegations of "serious negligence and misconduct"? _____

13. Does your lab permit defense experts to observe testing in your lab? _____ Yes
_____ No

14. Does your lab permit defense experts to use lab facilities to conduct independent examinations? _____ Yes _____ No

a. What is your policy on allowing defense experts to examine evidence in your laboratory?

