

CALIFORNIA CRIME LABORATORY REVIEW TASK FORCE

Minutes: September 4, 2008

Los Angeles County Sheriff's Department

Scientific Services Bureau

1800 Paseo Rancho Castilla, Los Angeles, CA 90032

Members Present: Barry Fisher (Vice Chair), Dolores Carr, William Thompson, Sam Lucia, Jennifer Friedman, Jeff Rodzen

Staff Present: Mike Chamberlain, Colleen Higgins

Members of the Public: Patricia Huck (CAC Board - for Jennifer Mihalovich); Kevin Davis (CHP - for Jim McLaughlin); Bill Phillips (DOJ, Bureau of Forensic Science, Sacramento); Gary Asbury (CA DOJ-Riverside); Elissa Mayo (CA DOJ-Riverside); Joe Peterson (CSULA); Erin Morris (LA Public Defender criminalist); Rose Ochi (CSULA, FSI)

Acting Chair Barry Fisher called the meeting to order at 10:45 a.m.

Minutes

The minutes of the August 2008 meeting were approved by motion and vote.

Laboratory Visit Assignments

Finalized and approved.

Surveys

DOJ staff will disseminate a spreadsheet summary of all surveys sent and returned.

Laboratory Visits

DOJ will e-mail the agreed-upon "script" for the lab director interviews to all lab directors for purposes of preparation. DOJ will advise that the script represents the areas that will be covered in the interview. It was noted that the script is a general guideline, and does not preclude exploration of related areas (within the legislative mandate) that may arise in the course of the conversation. It is important, however, that the interviews be relatively standardized from lab to lab, and not stray too far from the script.

Additional interview questions regarding opinions on university contributions to forensic science will be submitted by Bill Thompson. The questions will explore the ideas of research and development of scientific techniques and instrumentation in a university setting. Forensic anthropology was held up as a possible model for further discussion.

Another series of questions was proposed relating to forensic science disciplines in which work is done outside the laboratory setting because government labs cannot afford to hire the necessary criminalists. In general, the topic of forensic investigation done outside a laboratory's control may be worth exploring. Bringing more aspects of an investigation under the laboratory umbrella (e.g., latent print examinations, crime

scene investigation) may result in higher quality work and the ability to hire additional qualified analysts. This issue relates directly to the topic of consolidation of forensic services offered by multiple agencies within or between jurisdictions. A related topic is whether ASCLD/LAB or FQS accredits local police department forensic science operations such as a latent print unit.

Final Report

The NAS report on forensic science is due out in fall 2008 or winter 2009. It will address many of the same issues this Task Force will, and it may be appropriate to incorporate recommendations from the NAS report by reference or otherwise. So too could the Task Force be explicit in distinguishing its recommendations from those set forth in the NAS report.

Time Line

The chronology of the Task Force's work was reviewed, with members generally agreeing to its parameters.

Future Speakers

It would be beneficial to hear brief presentations at the October meeting on fee-for-service issues (from BFS Chief Jill Spriggs), DA lab issues (Sacramento District Attorney Jan Scully and Bob Jarzen in lieu of Dolores Carr?), consolidation and related issues (Dean Gialamas), and non-law enforcement laboratory operations (Celia Hartnett of FASI?). Mike Chamberlain will coordinate speakers. In addition, speakers could address any significant organizational or "cultural" consequences of a laboratory being run by a law enforcement agency, a district attorney's office, or a non-law enforcement organization. Jennifer Mihalovich is coordinating a presentation in October by Peter Barnett, who will speak about ethics in forensic science.

Forensic Oversight Commission Discussion

Bill Thompson noted that the U.K. has instituted the office of Forensic Science Regulator, an individual with a staff of lawyers and scientists who oversees laboratory quality issues in Great Britain. The creation of the office was inspired by concerns over the quality of work being done by private labs in particular, and a high-profile exclusion of low copy number DNA analysis in a recent prosecution.

It may also be useful to consider the California Department of Health model for laboratory oversight. Clay Larson or Dean Gialamas may be called upon to make a presentation on that subject.

Public Comment

Patricia Huck, a CAC representative, described the importance of interagency integration, coordination, and communication when responding to a crime scene and laboratory follow-up. Interagency training is critical, and should involve a variety of forensic science disciplines. She cited LAPD/LASO efforts as a successful example of this kind of partnership.

Gary Ashbury of DOJ's Riverside Lab discussed his lab's preparation for the upcoming Task Force member visits.

The meeting was adjourned at 1:35 p.m.