



CALIFORNIA ASSOCIATION OF CRIME LABORATORY DIRECTORS

"Advancing Forensic Science Through Effective Management"

May 19, 2010

Position Statement Regarding Statewide Forensic Science Oversight

The California Association of Crime Laboratory Directors (CACLD) is a non-profit corporation and professional association whose members represent the managers of crime laboratories throughout the state of California. Its members are from public and private sector laboratories engaged in the forensic sciences. Individual members include top-level managers, as well as first-line supervisors.

Its purposes as stated in its by-laws are:

- (1) To promote, encourage and maintain the highest professional and ethical standards of practice in the field of forensic science laboratory services.
- (2) To actively promote the exchange of information at the forensic science laboratory management level.
- (3) To promote an increase in the effective utilization of forensic science services.
- (4) To improve management methods in forensic science laboratories.
- (5) To promote the common professional interests of its members.
- (6) To evaluate proposed legislation, propose legislative alternatives, and assist in preparation of regulatory methods affecting forensic science laboratories.

On behalf of forensic professionals in crime laboratories throughout California, the California Association of Crime Laboratory Directors expresses its appreciation for the work of the California Crime Laboratory Review Task Force. Task Force recommendations ("An Examination of Forensic Science in California", November 2009) clearly identify the serious need for resources for the adequate delivery of forensic services and carefully explore critical issues of training and professionalism. These are challenging issues, and the CACLD appreciates the thoughtful approach and efforts of the Task Force members.

After a review of the Task Force report, the CACLD would like to express its position regarding the Task Force recommendation in Chapter 6 entitled, "Statewide Forensic Science Oversight." The Task Force recommendation states, "California should establish a statewide body to consider issues related to forensic science."

The California Association of Crime Laboratory Directors is opposed to the creation of an entity or body created with a regulatory or investigatory function, however named:

1. There are several established and internationally recognized groups that provide external accreditation and certification programs. There are also established, nationally recognized scientific working groups and standards setting bodies that establish best protocols and practices.
2. The State of California has an established process that has been approved by the State of California Emergency Management Agency and the National Institute of Justice (NIJ), which currently administers the Coverdell grant programs, for the investigation of complaints of serious negligence or misconduct.

The California Association of Crime Laboratory Directors opposes the continuing efforts of the Task Force toward the creation of a statewide forensic science commission, oversight entity, or advisory body, however named:

1. Legislation on forensic science oversight at the federal level has been drafted and creates the potential for conflict between the goals of a proposed California body and the goals of the defined federal Forensic Science Commission. This federal legislation had not been proposed when the Task Force was convened. The draft federal legislation proposes regulatory oversight of accreditation, certification, research, standards, and best practices. Therefore, at this time, there is no reason to duplicate efforts and to place the State of California into a potential conflict with the federal oversight proposals as their work is currently in progress.
2. Existing efforts by the President's Office of Science and Technology Programs (OSTP) has already created five Inter-agency Working Groups (IWG's) to address accreditation, certification, standards, research, best practices, and outreach. The OSTP efforts likewise were not in place when the Task Force was convened. Therefore, at this time, there is no reason to duplicate efforts and to place the State of California into a potential conflict with the OSTP efforts.

3. In the current fiscal environment, the CACLD questions the wisdom of seeking scarce State funds for a state body when the Task Force has already identified serious deficiencies in funding forensic services.

The purpose of this document is to provide guidelines, to those outside the forensic community, that the CACLD views as important in order to safeguard the integrity and value of our profession. We recognize the critical role that crime laboratories and all practitioners of the forensic sciences play in assisting the criminal justice system to administer justice. We believe that California has been a progressive leader in the forensic science profession for many years. For example, all of the State and local government crime laboratories in California have achieved accreditation and many were among the first to be accredited when such a program as the American Society of Crime Laboratory Directors / Laboratory Accreditation Board (ASCLD/LAB) began more than twenty-five years ago. A sister organization, the California Association of Criminalists (CAC), took the lead many years ago in formalizing a certification program for crime laboratory personnel which became the model employed to develop what has evolved into the American Board of Criminalistics certification program. The CAC was also a pioneer in developing and enforcing a code of ethics for its practitioners – a code that has been looked to by many other organizations that have subsequently embodied such codes.

It is the genuine desire of our members and their laboratories that CACLD play an active role in developing and implementing the policies that will be considered in the years to come for the continuous improvement and development of quality and integrity within our profession.

For questions or further information, please feel free to contact:

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