Standard Scale and Criteria for Source Conclusions in Toolmark Examinations





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410 North 21st Street Colorado Springs, CO 80904

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Foreword

This document was developed to provide a standard scale of conclusions and criteria to be used for toolmark examinations and comparisons by forensic firearm and toolmark examiners.

Throughout this document, the term "toolmark" is used to refer to both firearm produced and non-firearm produced toolmarks.

The American Academy of Forensic Sciences established the Academy Standards Board (ASB) in 2015 with a vision of safeguarding Justice, Integrity and Fairness through Consensus Based American National Standards. To that end, the ASB develops consensus based forensic standards within a framework accredited by the American National Standards Institute (ANSI), and provides training to support those standards. ASB values integrity, scientific rigor, openness, due process, collaboration, excellence, diversity and inclusion. ASB is dedicated to developing and making freely accessible the highest quality documentary forensic science consensus Standards, Guidelines, Best Practices, and Technical Reports in a wide range of forensic science disciplines as a service to forensic practitioners and the legal system.

This document was revised, prepared, and finalized as a standard by the Firearms and Toolmarks Consensus Body of the AAFS Standards Board. The draft of this standard was developed by the Firearms and Toolmarks Subcommittee of the Organization of Scientific Area Committees (OSAC) for Forensic Science.

Questions, comments, and suggestions for the improvement of this document can be sent to AAFS/ASB Secretariat, asb@aafs.org or 410 N 21st Street, Colorado Springs, CO 80904.

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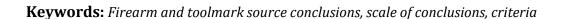
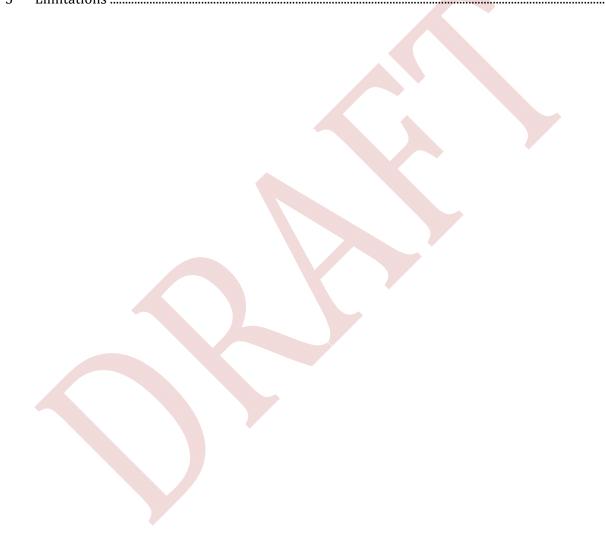


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	Normative References
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1 Standard Scale and Criteria for Source Conclusions in Toolmark Examinations

2 **1 Scope**

- 3 This standard provides a scale of conclusions and criteria to be used for all toolmark examinations
- 4 and comparisons. These comparisons are conducted for the forensic purposes of determining
- 5 whether or not two or more toolmarks could have been created by the same tool. This document is
- 6 limited to the process of reaching source conclusions and does not address or consider other types
- 7 of conclusions possible in the analysis of toolmark evidence.

8 2 Normative References

- 9 There are no normative reference documents. Annex A, Bibliography, contains informative
- 10 references.

11 3 Terms and Definitions

- For purposes of this document, the following definitions apply.
- 13 **3.1**
- 14 class characteristics
- physical features of a specimen which indicate a restricted group source
- NOTE Class characteristics result from design and manufacturing decisions that are within acceptable
- manufacturing tolerances and are, therefore, determined prior to manufacture.
- 18 **3.2**
- 19 Known Same Source Toolmarks
- 20 KSST
- 21 toolmarks known to have been made by the same tool
- Note KSST was also termed as known match (KM).
- 23 **3.3**
- 24 Known Different Source Toolmarks
- 25 KDST
- toolmarks known to have been made by different tools or different working surfaces of the same
- 27 tool
- Note KDST was also termed as known non-match (KNM).
- **29 3.4**
- 30 individual characteristics
- 31 marks produced by the random imperfections or irregularities of tool surfaces, produced incidental
- to manufacture and/or caused by use, corrosion, or damage, and relevant for comparison between
- an individual item and a potential source
- Note Individual characteristics are not expected to be seen in the same arrangement of detail repeated in
- another source.
- 36 AFTE Glossary [mod]

- 37 **3.5**
- 38 source conclusion
- an opinion of same source, an opinion of different sources, or an inconclusive opinion
- 40 3.6
- 41 subclass characteristics
- 42 toolmarks produced during the manufacturing process that persist on a series of sequentially
- 43 manufactured items fabricated by the same tool
- 44 NOTE These features are not determined prior to manufacture and are more restrictive than class
- 45 characteristics.
- 46 3.7
- 47 task-relevant information¹
- information that is necessary for drawing conclusions:
- 49 a) about the propositions in question;
- b) from the physical evidence that has been designated for examination;
- c) through the correct application of an accepted analytic method by a competent
- 52 analyst
- 53 4 Requirements
- 54 4.1 Value Determinations
- 55 **4.1.1 General**
- The examiner shall evaluate each item as defined in 4.1.2 and 4.1.3.
- 57 4.1.2 Of No Value (Unsuitable) for Source Conclusion
- The examiner shall render this opinion when the item lacks sufficient quality or quantity of
- features, size, or clarity suitable for source conclusions (e.g., an object that does not bear any class,
- 60 subclass and/or individual characteristics). However, the item may have value to other paths of
- forensic inquiry (e.g., crime scene reconstruction).
- 62 4.1.3 Of Value for Source Conclusion
- When the examiner determines that the item under consideration has potentially sufficient class,
- subclass and/or individual characteristics for further evaluation, examination, or comparison with
- other known-source or questioned-source items for potential source conclusion, the examiner shall
- proceed with the examinations.

¹ Available from: https://www.justice.gov/ncfs/file/818196/download

- 67 4.2 Scale of Source Conclusions and Related Criteria
- 68 4.2.1 Opinion of Different Source (Exclusion)
- 69 **4.2.1.1** General
- An examiner shall render an opinion that toolmarks originated from different sources based on the
- 71 criteria listed in 4.2.1.2. An opinion of different source is justified when the observed characteristics
- of the items in question provide a high level of support that they were marked by different tools
- and a low level or no support that they were marked by the same tool.
- 74 4.2.1.2 Criteria for Opinion of Different Source (Exclusion)
- 75 **4.2.1.2.1** An examiner shall render an opinion of different source when there is a demonstrable
- incompatibility in class characteristics between the items in question.
- 77 **4.2.1.2.2** If the discernable class characteristics are compatible, an examiner shall render an
- opinion of different source only if there are demonstrable differences in individual characteristics
- or potential subclass characteristics, such that the excluded toolmarks fall outside the range of
- variability of marks produced by the same tool (KSST).
- Task-relevant information should be considered when determining if differences observed in the
- 82 comparison of two toolmarks support an opinion of different source. These include, but are not
- 83 limited to, the following:
- 84 a) when examining a suspect tool:
- 85 evidence of potential alteration to the tool working surface:
- ability of the tool to consistently reproduce the individual characteristics;
- 87 condition of the tool working surface or substrate (e.g., visible rust or corrosion);
- relative hardness of the tool working surface or substrate;
- EXAMPLE A bolt cutter was used to cut the hardened steel shackles of padlocks. Since the tool is not much harder than the workpiece, the tool is damaged each time it is used to act upon the workpiece. Therefore, the tool may exhibit changes from that damage in the test marks produced.
- history of the tool, to the extent it can be established, including any known time interval
 between deposition of questioned toolmark(s) and collection of the tool, during which
 changes to the tool could have occurred due to use, abuse, or corrosion.
- NOTE For the purpose of determining if an opinion of different source is warranted based on differences in individual characteristics, investigative details relating to the possible use or non-use of the suspected tool during the time interval between the criminal incident and the collection of the tool as evidence may be contextual task-relevant information because it may help the examiner draw an accurate forensic conclusion.

- 101 b) when examining questioned toolmarks:
- time interval between the production or collection of the questioned toolmarks, if related to different events;
- quantity and quality of any additional questioned toolmarks available for analysis, to the
 extent it can be determined that they represent a reliable range of variability of individual
 characteristics arising from the same source tool.

107 EXAMPLE A group of four questioned bullets determined to have been fired from the same 108 unknown firearm based on consistently reproduced individual characteristics in the rifling 109 impressions is compared to a bullet having no exclusionary differences in the discernible 110 class characteristics but displaying sufficient disagreement of individual characteristics with the aforementioned group; in this example, the fifth bullet could justifiably be excluded 111 112 (per the criteria in 4.2.1.2.2) as having been fired from the same firearm that marked the 113 group of four bullets, if it can be assumed there are no factors (e.g., a lengthy time interval 114 between the crime scenes, a difference in ammunition) that could possibly account for the 115 observed disagreement.

4.2.2 Opinions of Inconclusive

117 **4.2.2.1** General

116

- An examiner shall render an inconclusive opinion as to the source of toolmarks based on the
- criteria listed in 4.2.2.2.1, 4.2.2.3.1, and 4.2.2.4.1. An inconclusive opinion is justified when there is
- agreement of discernible class characteristics, but there is insufficient agreement or disagreement
- of the individual characteristics observed on the items in question to support either the items
- were marked by the same tool or the items were marked by different tools. This source conclusion
- may be expressed as one general inconclusive statement (section 4.2.2.3), or can be further
- specified as described in the sections 4.2.2.2 and 4.2.2.4. The FSSP shall conduct a risk assessment
- to determine whether or not they choose to adopt categories 4.2.2.2 (insufficient support for
- opinion of different source (exclusion)) and 4.2.2.4 (insufficient support for opinion of same source
- 127 (identification)). The FSSP shall have procedures that include what additional information beyond
- the term "inconclusive" can be added to the report and what, if any, additional quality control or
- documentation shall be required.

130 4.2.2.2 Insufficient Support for Opinion of Different Source (Exclusion)

131 **4.2.2.2.1** General

- An examiner shall render an inconclusive opinion of Insufficient Support for Opinion of Different Source
- 133 (Exclusion) based on the criteria listed in 4.2.2.2.2. This opinion is justified when the observed
- characteristics of the items in question provide support that they were marked by different tools coupled
- with low level or no support that they were marked by the same tool, but the differences are potentially
- within the range of variability of marks produced by the same tool (KSST) and are, therefore, insufficient
- for an Opinion of Different Source (Exclusion).

138	4.2.2.2.2 Criteria for Insufficient Support for Opinion of Different Source (Exclusion)
139 140 141	An examiner shall conclude that there is insufficient support for an opinion of different source (exclusion) when there is agreement of discernible class characteristics and some differences in individual characteristics or possible subclass characteristics, but potentially within the range of variability of marks
142	produced by the same tool (KSST).
143 144	4.2.2.3 Insufficient Support for Either Opinion of Different Source (Exclusion) or Opinion of Same Source (Identification)
145	4.2.2.3.1 General
146 147 148 149 150 151	An examiner shall render an inconclusive opinion of Insufficient Support for Either Opinion of Different Source (Exclusion) or Opinion of Same Source (Identification) based on the criteria listed in 4.2.2.3.2. This opinion is justified when there is agreement of discernible class characteristics, but, due to an absence of individual characteristics, lack of demonstrable agreement or disagreement of individual characteristics, or lack of reproducibility of individual characteristics, no other conclusion can be reached.
152 153	4.2.2.3.2 Criteria for Insufficient Support for Either Opinion of Different Source (Exclusion) or Opinion of Same Source (Identification)
154 155 156	An examiner shall conclude that there is insufficient support for either an opinion of same source (identification) or opinion of different source (exclusion) when there is insufficient agreement and/or insufficient disagreement of observable characteristics.
157	4.2.2.4 Insufficient Support for Opinion of Same Source (Identification)
158	4.2.2.4.1 General
159 160 161 162 163 164	An examiner shall render an inconclusive opinion of Insufficient Support for Opinion of Same Source (Identification) based on the criteria listed in 4.2.2.4.2. This opinion is justified when the observed characteristics of the items in question provide support that they were marked by the same tool coupled with low level or no support that they were marked by a different tool, but the similarities are potentially outside the range of variability of marks produced by the same tool (KSST) and are, therefore, insufficient for an Opinion of Same Source (Identification).
165	4.2.2.4.2 Criteria for Insufficient Support for Opinion of Same Source (Identification)
166 167 168 169	An examiner shall conclude that there is insufficient support for an opinion of same source (identification) when there is agreement of discernible class characteristics and some agreement of individual characteristics, but potentially within the range of agreement that has been demonstrated by toolmarks made by different tools (KDST).
170	4.2.2.5 Additional Considerations for Opinions of Inconclusive
171 172	An examiner shall consider the following (non-exhaustive) conditions which may contribute to an inconclusive opinion:
173	a) quantity/quality of individual characteristics;

174	b) variability of individual characteristics;
175	c) damage;
176	d) sample quality;
177	e) sample size;
178	f) potential subclass characteristics.
179	4.2.3 Opinion of Same Source (Identification)
180	4.2.3.1 General
181 182 183 184	An examiner shall render an opinion that toolmarks originated from the same source based on the criteria listed in 4.2.3.2. An opinion of same source is justified when the observed characteristics of the items in question provide a high level of support that they were marked by the same tool and low level or no support that they were marked by different tools.
185	4.2.3.2 Criteria for Opinion of Same Source (Identification)
186 187 188 189 190	If the discernable class and subclass characteristics are compatible, an examiner shall render an opinion that toolmarks originated from the same source only if there are demonstrable similarities in individual characteristics, such that the toolmarks fall within the range of variability of marks produced by the same tool (KSST) and the agreement exceeds that which has been demonstrated by toolmarks made by different tools (KDST).
191 192 193	Task-relevant information should be considered when determining if similarities observed in the comparison of two toolmarks support an opinion of same source including, but not limited to, the following:
194	— ability of the individual characteristics on the tool surface to be reproduced;
195	— condition of the tool working surface or substrate, if available;
196	— relative dates of collection of all evidence.
197	5 Limitations
198 199 200 201 202	A source conclusion is ultimately an examiner's opinion and as such is necessarily subjective, potentially subject to error, and cannot be made to the exclusion of all other tools, or to any specific degree of certainty. Care must be taken when choosing terminology; terms such as "unique" or "individualize" can imply that a source conclusion is justified without fairly representing the significance of the science or data.
203 204	The examiner shall be aware of and intercept the negative effects of bias at the points they impact the process of making source conclusions.
205 206 207	The FSSP shall have a policy regarding the expression of source conclusions through testimony, lab reports, lab notes, and other written or verbal communications to include suitable limitations. At a minimum, the FSSP shall include in the policy that an examiner shall not assert that two toolmarks

originated from the same source to any numerical/statistical degree of certainty and cannot be made to the exclusion of all other tools. The examiner should be familiar with contemporary statements pertaining to these issues. 2



² https://www.justice.gov/olp/page/file/1284766/download

218	Annex A
219	(informative)
220	Bibliography
221 222 223	This is not meant to be an all-inclusive list; other publications on this subject may exist. At the time this standard was drafted, these were the publications available for reference. Examiners should take into consideration the current state of professional practice and scientific research.
224 225 226 227	1] AFTE Criteria for Identification Committee "Theory of Identification, Range of Striae Comparison Reports and Modified Glossary Definitions - AFTE Criteria for Identification Committee Report." <i>AFTE Journal</i> , 1992, Vol. 24(3), pp. 336-338.
228	2] AFTE Glossary ³
220	





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