

Deadline of Submission of Comments: 18-Mar-24
Document Number: ANSI/ASB Std 102
Standard for Verification of
Document Title: Source Conclusions in
Toolmark Examinations

Comment #	Text Line # (s)	Document Section	Type of Comment	Current Document Wording	Proposed Revision	Revision Justification	Final Resolution
			E-Editorial T-Technical				
1		3.2		Ballot comment	I now have a question about whether 3.2 "source conclusions" is consistent with the configuration of other standards, e.g., 100.		Reject: the definition of source conclusion is word for word the same in other documents
2		4.1/4.4		Ballot comment	My abstention is a reflection of my concern about the language removed from 4.1 balanced with my appreciation for the language added to 4.4.		Accept
3		4.1	T	Although the standard only addresses source conclusions, the deleted language leaves labs able to (and perhaps even implicitly encouraged to) have a verification requirement for source conclusions but not for other conclusions (e.g. "of no value"), which would not be truly blind.	Add language making clear that the lab should have verification requirements for source conclusions that mirror the requirements for other conclusions so as to preserve the objectivity of the verification.		Accept with modification: language was added to 4.1 and 4.2 to address value/no value determinations.
4		4.2	T	This language (requiring blind verification re: original source conclusion only where "practicable") is still a dealbreaker for many LTG members. Why not require that non-blind verification be justified, with reason documented, and explain what would be a good enough justification? This seems critical to making verification meaningful.	Require that non-blind verification be justified, with reason documented, and explain what would be a good enough justification.		Reject: the document requires the FSSP to conduct a risk assessment and retain that documentation
5		4.2	T	Why leave it to the labs to have a risk assessment, and if so, why not require documentation of the risk assessment criteria? It's ASB's responsibility (like the latent print community has) to give at least some guidance. So if you are not going to always do blind you should do so in "high risk cases" ie single mark comparisons, damaged bullets, database cases, no gun cases, at minimum.	Replace discretionary risk assessment by each lab with requirement of blind verification and avoidance of task-irrelevant information at minimum in "high risk cases" ie single mark comparisons, damaged bullets, database cases, no gun cases.		Reject: the document requires the FSSP to conduct a risk assessment and retain that documentation
6		4.4	T	In the following: "The FSSP shall have a policy for the arbitration of differences in source conclusion(s) between the primary examiner and verifier that requires the arbitration information be documented in the case record. The arbitration information shall be descriptive enough for an outside expert to be able to follow the steps that occurred and discern all conclusions (original, intermediate, and final) reached by each examiner throughout the process. Please replace "source" with a term that encompasses disagreements between a source opinion, an exclusion, and an inconclusive opinion. Differences between a source opinion and an inconclusive opinion have significant consequences in a criminal proceeding and should be treated with the same level of care and documentation. In addition, per the FSSB guidance on reporting and testimony, include a requirement that the fact of a disagreement be noted in the report. (If this sort of discrepancy would already be included as a difference, just make that clearer).	Differences between a source opinion and an inconclusive opinion have significant consequences in a criminal proceeding and should be treated with the same level of care and documentation. In addition, per the FSSB guidance on reporting and testimony, include a requirement that the fact of a disagreement be noted in the report.		Reject: Source conclusion is defined in the document: 3.2 source conclusions An opinion of same source, an opinion of different sources, or an inconclusive opinion

7		4.4	T	<p>Re: the language: "arbitration information shall be descriptive enough for an outside expert." Thank you for providing information for review by an outside expert - we think, however, the language as is is too vague.</p> <p>Rather than say it should be descriptive enough, it should say it must include, at a minimum, (1) a description of each step taken by each FSP who examined the item; (2) each conclusion reached, including the timeline of the conclusion(s) (e.g., original, intermediate, and final)... [We may be missing some things that need to be included--we're just trying to work off of what they have listed here and make it clear that the standard needs to provide specific requirements, not general guidance about giving a description.]</p>	Too vague as written, although critical concept that's great to include... (see suggestions)		Reject: the substance of the section is sufficient to address the bulk of the concerns and a more specific document detailing the arbitration process is currently being drafted at the OSAC
8		4.4		Ballot comment	I appreciate the change made to section 4.4 regarding documentation of conflict resolution. But I also believe that it was ill-advised to remove section 4.1's discussion of the need to verify at least certain value determinations. Because of that mixed opinion I am abstaining.		Accept with modification: language was added to 4.1 and 4.2 to address value/no value determinations.
9		throughout	T	The last part of the sentence in each section "reached by each examiner" should conform to the first part of the section (which specifies "examiner and verifier.") Otherwise, the requirement of "reached by each examiner" may be understood to exclude those only acting as verifiers.			Accept with modification: in section 4.4, the final sentence was changed to read "each examiner/verifier"