

Deadline of Submission of Comments: 26-Jun-23
Document Number: ANSI/ASB Std 169
Document Title: Standard for Clinical Veterinary Forensic Examination

#	Section	Type of Comment (E-Editorial, T-Technical)	Comments	Proposed Resolution	Final Resolution
1	4.2.2	E	<p>As we commented last time this document went out for review, the current language is too permissive with regard to the information that examiners are permitted to review when conducting their examinations. It currently reads: "4.2.2 Context for Examination The veterinarian shall request and review all available information relevant to the examination, including but not limited to, investigative and witness reports, scene photography, and sketches, allegations or theories, so that the examination and opinion formation are made with context to known or possible explanations for the animal(s) conditions(s)."</p> <p>This passage requires (with "shall") that an examiner seek any and all available information that is relevant, without providing guidelines about relevance or any consideration about the potential dangers associated with wide discretion to seek access to case information. In the last round of comments, we did not provide specific wording and it appears that was the reason the subcommittee did not make changes in line with our comment. This time we have suggested specific language. In our proposed revised wording, we make use of published, evidence-based practices that would help to reduce any potential problems arising from unfettered access to information and providing concrete steps for the examiners to take depending on the individual situation in their lab and/or that case.</p>	<p style="text-align: center;">4.2.2 Context for Examination</p> <p>4.2.2.1 The veterinarian shall request that the case file include only the information most relevant to their examination initially. The veterinarian may request more information at a later time if necessary. Information that might be provided in a case file by default but is not always relevant to an examination includes investigative and witness reports, scene photography and sketches, and allegations or theories.</p> <p>4.2.2.2 When possible, another veterinarian or assistant should review the case information prior to the primary examiner and separate any information that is highly irrelevant, subjective, or has a high potential to bias the examiner's judgments prior to review.</p> <p>4.2.2.3 When it is not possible for another person to review the case file first, the primary examiner should document all information available to them during the examination and their judgments about the relevance, objectivity, and biasing power of such information.</p> <p>4.2.2.4 The examiner should document when they were exposed to each piece of information and any steps taken to mitigate the impact of irrelevant, subjective, or potentially biasing information on their expert opinion.</p> <p>NOTE: For a detailed explanation of the process described above, refer to Quigley-McBride et al. (2022).1</p> <p style="text-align: center;">----</p> <p>1 Quigley-McBride, A., Dror, I. E., Roy, T., Garrett, B. L., & Kukucka, J. (2022). A practical tool for information management in forensic decisions: Using Linear Sequential Unmasking-Expanded (LSU-E) in casework. <i>Forensic science international. Synergy</i>, 4, 100216. https://doi.org/10.1016/j.fsisyn.2022.100216</p>	<p>Reject: This section is for a clinical exam of a live patient, the need for prompt medical examination with all relevant documentation, and care of the animal takes priority over the concept of sequential unmasking or having an intermediary review the documents prior to the veterinary care of the animal.</p> <p>Live animal examination in a clinical environment is different from laboratory based forensic analysis and therefore the proposed resolutions are not applicable in a clinical context.</p>
5	4.2.8 b	E	The first phrase seems to indicate that the oral cavity should be collected, which doesn't make sense.	Replace b with "evaluation of the oral cavity; collect evidentiary material such as foreign objects and buccal swabs for DNA analysis, as appropriate"	Accept with modification: statement revised to read: "b) evaluation of the oral cavity (teeth and mucosal surfaces); collect evidentiary material as appropriate; "
6	4.2.8 b	E	The first phrase seems to indicate that the oral cavity should be collected, which doesn't make sense.	Replace b with "evaluation of the oral cavity; collect evidentiary material such as foreign objects and buccal swabs for DNA analysis, as appropriate"	Accept with modification: statement revised to read: "b) evaluation of the oral cavity (teeth and mucosal surfaces); collect evidentiary material as appropriate; "
3	4.3.3	T	<p>Regarding the language: "but may need to be performed on particular individuals at the discretion of the veterinarian and/or investigating agency based on available resources and the nature of the case..." ... Leaving to the "discretion" of the veterinarian/investigating agency is too vague. What resource limitations or types of cases would necessitate circumscribed analysis? Further, the existing standard does not address the question of what criteria should be used to select the animals for particularized</p>	Rewrite to provide additional guidance as to when this circumscribed analysis is permissible and how it should be carried out.	Reject: This was not a redlined section of the document, and not open for comment in this round. Additionally, it is a clinical decision of the veterinarian after initial triage to determine if ancillary tests are necessary on any animal considered physical evidence in an investigation.

2	4.5.2	E	<p>"4.5.2 Forensic Examination Documentation All portions of the forensic examination shall be documented including, but not limited to, all: a) normal and abnormal physical and behavioral findings, b) laboratory procedures and results, c) diagnostic imaging and results, d) those assisting in the forensic examination."</p> <p>The current wording in the proposed standard is insufficient from a human factors perspective permits the examiner wide discretion as to what is documented. It only requires that portions of the forensic examination be documented, whereas research shows that there is a need for transparency regarding the full range of information available during the examination, and people present during the examination. We have suggested proposed wording to correct this section so that it is in line with research on these matters.</p>	<p>4.5.2 Forensic Examination Documentation</p> <p>The examiner shall document the environment in which the examination was conducted, and the information available to the examiner. Both the nature of any environmental factors or pieces of information, and when the examiner was exposed to them, shall be documented, as well as how this information was used by the examiner. This includes, but is not limited to, all:</p> <ul style="list-style-type: none"> - normal and abnormal physical and behavioral findings, - laboratory procedures and results, - diagnostic imaging and results, - those assisting in the forensic examination. 	<p>Accept with modification: Section was revised to read:</p> <p>All information, generated or received, shall be documented and maintained in the clinician's case file, including, but not limited to:</p> <ul style="list-style-type: none"> a)normal and abnormal physical and behavioral findings; b)laboratory procedures and results; c)diagnostic imaging and results; d)those assisting in the forensic examination; e)location, date, and time; <p>f)justifications for deviations from the requirements and recommendations in this standard.</p>
4	4.5.2	T	<p>All portions of the forensic examination shall be documented as followsincluding, but not limited to all:</p>	<p>Add a 4.5.2(e) that says: "all itemized deviation(s) from elements within this standard, including those justified by animal welfare concerns."</p>	<p>Accept with modification: new item added to list: f)justifications for deviations from the requirements and recommendations in this standard.</p>