Deadline of Submission of Comments: 20-Oct-23

Document Number: ANSI/ASB BPR 183

Document Title: Best Practice Recommendation for Limited Friction Ridge Examinations

#	Document Section	Type of Comment	mment Current Document Wording	Proposed Revision	Revision Justification	For Working Group use only, not to be completed by commenter.
		E-Editorial T-Technical				Final Resolution
1	whole manuscript	Т	entire document	There should not be any tacit approval of limited examinations for the friction ridge discipline put forth by a committee.	It is inappropriate for FSPs to limit examinations that can change the scope of what the evidence can say about a case. Citizen's lives are at stake and there is no justifiable reason to make a very early decision on what is important to a case that has drastic downstream consequences (e.g. the vast majority of cases are plead out with little to know ability to challenge merits of the work performed). There are always better approaches to administratively address backlog reduction that does not require not performing full examinations.	(No proposed revision) This document does not support nor condone the use of limited examinations.
2	3	E		Thank you for deleting customer/client. This is a nice model for other stds.	n/a	(No proposed revision, therefore no resolution)
3	4.1.1 (Note 2)	Т		If so, perhaps change to "The decision to perform a limited examination is not a scientific decision, but rather a decision based on practical non-scientific reasons such as resource constraints."	Some LTG members expressed concern about the "no scientific basis" language (no sci basis for limited exams or for NOT doing limited exams?). Is this just meaning to convey to the reader that the decision whether to do a limited exam or not is made for non-science reasons?	Accept with modification: The purpose of this statement was to clarify the document was not outlining a scientific process, but an operational one. Sentence reworded to "Limited examinations are an operational process. The decision to perform a limited examination is based on operational, non-scientific reasons."
4	4.1.1 Note 1	т	NOTE 1 This document does not state nor imply that performing limited examinations is best practice, nor does it take position on whether limited examinations should be performed.	This document should not be approved as a best practice document as there is no established best practice that has been researched and validated as a good procedure	This note conflicts with the title of the document. The note is saying that the document does not imply limited examinations are a best practice and yet the title of the document states "Best Practice for Limited Friction Ridge Examinations." The title is tacit acceptance of limited examinations as a procedure and implies that there is a best practice for performing these types of examinations of which there are not	Reject: Per the ASB manual and style guide, the purpose and definition of a Best Practice Recommendation document is that it "sets forth the optimal way to carry out an action or actions" and "provides practical information and recommendations on issues such as preferred technical practices, optimal variations in procedures, necessary personnel training, and the like." By this definition, a BPR published by the ASB does NOT claim the "action" within the document is best practice. But rather a BPR simply states the optimal way to carry out the action, should an FSP choose to perform that action (in this instance, the "action" is limited examinations). The ASB Friction Ridge Consensus Body discussed at length (before and after the first round of public comments) what type of document this should be (e.g. standard, BPR, guideline, etc.) and it was found the content was most aligned with the requirements of a BPR. Additionally note the title of the document states "Best Practice Recommendations for Limited Examinations." Not that limited examinations ARE a best practice recommendation.
5	4.1.3	Т		Add "such as avoiding exposure to task irrelevant information such as confessions or exculpatory statements by a suspect or other evidence of guilt or innocence independent of the forensic friction ridge examination" and other specific guidance, in consult with HFTG?	Std newly and admirably directs examiners to "apply tools to identify potential biasing information" but doesn't give guidance as to what this would be?	Reject: While we understand the spirit of the commenter's suggestion, setting forth procedures or recommendations on how to avoid bias is out of the scope of this document, and are within the scope of other documents such as the Human Factors report or the upcoming OSAC draft on task relevant information in friction ridge examination.
6	4.2	E		"stakeholder" (mentioned several times in document)	"Stakeholders" - it has come up in some HF groups in some labs that persons were concerned about the historical connotation with this use. Some labs (eg UNT) use the term criminal justice participants instead.	Reject: The term "stakeholder" originated from ISO documents and has been discussed at length amongst the ASB Friction Ridge Conseunsus Body for its use, and determined to be the most appropriate and accurate term. Furthermore, forensics is not limited to only the criminal justice system. Therefore "criminal justice participants" would not accurately reflect all potential involved parties.
7	4.2.1	E	When deciding which evidence to process first, if evidence is identified by the relevant stakeholder as probative, the FSP should take that recommendation into consideration.	When deciding which evidence to process first, the FSP should take into consideration evidence that is identified by the relevant stakeholder as more probative.	original sentence seems convoluted	Accept
8	4.2.3	Т	4.2.3 The FSP should communicate with the requesting stakeholder prior to limiting a processing examination, if limiting the examination will prohibit or jeopardize future additional processing.	update "should" to be a "shall" statement. The stakeholder needs to be contacted prior to deviating from full processing and be the decision maker on what is appropriate to process. This communication also needs to be documented in the case record.	The FSP is not in a position to make a determination on which items would be most probative to a case. In addition, while there may be a low success rate on a particular item, that does not mean that an item couldn't have a print developed on it.	Accept with modification: The FSP, not a stakeholder, decides what items will or will not be processed. Sentence modified to include the recommended "shall" statement regarding communication if future processing is jeapordized. New sentence states: "Conducting limited processing of evidence for latent prints should not be done in such a way as to inhibit or jeopardize additional processing techniques from being applied in the future. The requesting stakeholder shall be notified prior to employing limited processing techniques that may negate further processing in the future." Furthermore, section 4.4.3 was added to address documentation of communication with stakeholder.
9	4.3.2	Т	The FSP should develop and retain all suitable friction ridge impressions.	The FSP should preserve and retain all suitable friction ridge impressions.	seems like "develop" belongs under 4.2 processing?	Accept

10	4.3.2	Т	The FSP should develop and retain all suitable friction ridge impressions; however, can. Should the FSP choose to defer any remaining manual comparisons, they may do so only once each named person of interest has been identified on thea particular surface or item(s). The FSP may halt comparisons after); or once multiple source identifications have been made to the same individual.	"suspect" is sufficient to not test other hypotheses (e.g. there are other suspects	This is biasing information. Just because an individual is listed as a suspect in a case does not mean they are guilty of that crime. All citizens should be considered innocent until proven guilty in a court of law. This statement assumes that if someone is listed as a suspect that they have some association to the case and no other individuals need to be considered if an identification is made to the listed person. I can't even begin to count how many wrongful convictions have occurred due to this very tunnel vision being proposed.	comparisons was moved to the bottom of section 4.3, after ABIS
11	4.3.6	Т	The FSP shallshould communicate with the customers when performing limited examinations; bothrequesting stakeholder prior to determine if the examination is still required and to establish the extent or order of the examinations. 4.3.6 Any FSP that performs or plans to perform limited examinations shall notifylimiting any customersportion of that policy in advance.the friction ridge examination(s) or ABIS search(es).	Change to a shall statement	The investigator should be the decision maker on limiting examinations and needs to be contacted prior to limiting an examination. That documentation needs to be included in the case record.	Accept with modification: sentence was changed to a "shall" statement as recommended. Because a BPR document allows the use of a "shall" statement only after the use of a "should" statement, the sentence "The FSP should communicate with the requesting stakeholder the existence of a policy allowing for limited examinations" was added to the beginning of the section (now section 4.3.5). It is not the recommended the investigator must be the decision maker on limited examinations.
12	4.4.1	Т	. The written report should state what additional processing or comparisons could be conducted (within the bounds of FSP capabilities at the time) in the future.	Change to a shall statement	If more comparisons can be conducted this needs to be clearly communicated on a report	Reject: This sentence of section 4.4.1 will remain a "should" as it is recommended, but not required. Additionally, the other sentence of this section does outline what content SHALL be included in a report and case file, which includes what evidence was not processed or examined.
13	4.4.2	т	Any discontinuation/stoppage of work inrequested by a limited examinationstakeholder should be fully documented in the case file. 4.3.5 It is up to the FSP to assess the risks in deciding whether to implement a limited examination policy. 4.4.2 and report (if applicable).	Change to a shall statement	If the stakeholder has requested a stoppage in work this needs to be documented in the case file for transparency.	Reject: Other ASB documents address minimum parameters on what shall be reported and included in the case file and report. This document addresses only recommendations on what should be additionally be included when performing limited examinations. Consequently this sentence remains a "should" recommendation instead of a "shall" requirement. Furthermore, anything being requested by the stakeholder, as addressed in this section, is already known to the stakeholder as they were the requester.
14		ballot comment		Not a BP for the discipline.		(No proposed revision, therefore no resolution) Additionally, Per the ASB manual and style guide, the purpose and definition of a Best Practice Recommendation document is that it "sets forth the optimal way to carry out an action or actions" and "provides practical information and recommendations on issues such as preferred technical practices, optimal variations in procedures, necessary personnel training, and the like." By this definition, a BPR published by the ASB does NOT claim the "action" within the document is best practice. But rather a BPR simply states the optimal way to carry out the action, should an FSP choose to perform that action (in this instance, the "action" is limited examinations).