

## Best Practice Recommendations for the Resolution of Conflicts in Toolmark Value Determinations and Source Conclusions



### WHAT IS AN AAFS STANDARD FACTSHEET?

The AAFS produces clear, concise, and easy-to-understand factsheets to summarize the contents of technical and professional forensic science standards on the OSAC Registry. They are not intended to provide an interpretation for any portion of a proposed standard.

### WHAT IS THE PURPOSE OF THIS PROPOSED STANDARD?

Conflicts with toolmark value determinations or source conclusions may arise during the forensic science service provider's (FSSP's) quality assurance process. This proposed standard provides best practice recommendations for resolving these conflicts. It applies to both firearm-produced and non-firearm-produced toolmarks.

This standard recommends that the FSSP have processes in place to track these conflicts capturing data on types, root causes, and frequency. This data can be used to determine if supplemental training, additional mentoring, policy, and procedure updates, or enhanced monitoring of casework is needed.

Differences of opinion that occur during a consultation or organizational response once an error is discovered or conflict is resolved are not addressed.

This OSAC Proposed Standard has been sent to AAFS Academy Standards Board (ASB) for further development and publication. Get involved as a member or by providing public comment.

### HOW IS THIS PROPOSED STANDARD USED, AND WHAT ARE THE KEY ELEMENTS?

This best practice recommendation stresses the importance of FSSPs having a clear, written policy for deliberations between the primary examiner and the verifier, as well as a conflict resolution process, which may include blind comparison by a third examiner and/or forming a scientific review panel.

Key recommendations for resolutions when conflicting toolmark value determinations or source conclusions occur, include:

- Proceeding with a comparison when there is a conflict regarding a value determination (suitability decision).
- Escalating all unresolved source conclusion conflicts to management to determine the option that will be used for resolution.
- Determination of quality assurance measures to be taken.

This standard requires documentation of the conflict and its resolution, including all decisions, discussions, and outcomes and indication of the use of a conflict resolution process in reported results.

The standard emphasizes that under no circumstances must an examiner be required to report a source conclusion with which they do not agree.

### WHY IS THIS PROPOSED STANDARD IMPORTANT? WHAT ARE ITS BENEFITS?

This standard seeks to improve the quality and consistency of value determinations and source conclusions by offering best practice recommendations for resolving conflicts in toolmark examinations.

Variations in interpreting observed data for toolmark determinations and conclusions may arise due to the subjective nature of these comparisons, particularly when the observed data is limited in quantity and quality.

