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### Forensic Science Oversight Board

**April 25<sup>th</sup>, 2025**

**10am – 1pm**

#### **Agenda**

1. Roll Call
2. Review/Approval of minutes (September, November, January, February)
3. Standards Presentation – OSAC
4. Review of MSP/BPDCL Grant funding
5. Potential Board Funding for FTE
6. Social Law Library Update
7. Subsection Points of Contact
8. Lab Auditing Procedure
9. Future Meeting Dates (Proposed dates: Friday May 16<sup>th</sup>, Friday May 30<sup>th</sup>)
10. Topics Not Reasonably Anticipated within 48 Hours
11. Public Comments

## I. Roll Call

Forensic Science Oversight Board - Attendance		
Name	Present	Absent
Undersecretary Kerry Collins, Chair	X	
Sabra Jones, PhD	X	
Dr. Robin Cotton	X	
Richard Lempert, PhD	X	
Gina Papagiorgakis	X	
Dr. Ann Marie Mires	X	
Clifford Goodband	X	
Professor Timothy Palmbach	X	
Lucy Davis *	X	
Adrienne Lynch, Esq.	X	
AAG Gabriel Thornton	X	
Ira Gant	X	
Lisa Kavanaugh, Esq.	X	
Justice Nancy Gertner	X	
• Stepped away for a moment		

## II: Meeting Minutes:

A review of February, January, November Meeting Minutes – Pass

September Meeting Minutes: Lisa clarified her comments; the changes were adopted, and the minutes passed.

## III: Standards Presentation - OSAC -

A presentation of the development and importance of forensic science standards, sparked by a National Academy of Sciences report nearly 20 years ago that highlighted the lack of such standards. In response, the forensic community formed **OSAC** (Organization of Scientific Area Committees for Forensic Science), which has involved over 500 volunteers across different disciplines to draft these standards. These standards function like technical guidelines that ensure uniformity and quality, much like how standardizing fire hose sizes helped cities fight fires more effectively in the early 1900s.

Once OSAC drafts a standard, it is sent to a **Standards Developing Organization (SDO)** for review, revision, and public comment. For example, a toxicology standard on measurement traceability received over 600 comments, which significantly improved it. Now, over **150** forensic standards have been published, and some states are encouraging or requiring their forensic labs to adopt them.

Vincent Desiderio, representing the Organization of Scientific Area Committees (**OSAC**) for Forensic Science, explains that OSAC operates under the National Institute of Standards and Technology (**NIST**). He has been with the group for about two years. The group's origin ties back to the 2009 National Academy of Sciences report titled

*Strengthening Forensic Science in the United States*, which highlighted a need for standardized practices across the field.

Before this report, there was some standardization, mostly developed by Scientific and Technical Working Groups (**SWGs**), often under the FBI, along with a few independent groups. These efforts were largely voluntary and not widely coordinated across disciplines. There was no centralized or formal system for unifying standards across the entire forensic science community.

Following the report, several discussions led to the decision to house this standardization effort at **NIST**, which was considered a natural fit. As a result, OSAC was officially launched in 2014, and it has since made significant progress in developing and improving forensic science standards. OSAC now includes 22 subcommittees, each focused on a specific forensic discipline—including toxicology. **OSAC** is organized into 22 discipline-specific subcommittees, which report to 7 Scientific Area Committees (SACs). All of this is overseen by the Forensic Science Standards Board (FSSB), which includes representatives from key forensic organizations such as the American Academy of Forensic Sciences and the Association of Firearm and Tool Mark Examiners, along with members from SACs and other at-large experts.

One of OSAC's core strengths is its diverse representation. Unlike earlier efforts (e.g., the Scientific and Technical Working Groups) that were heavily dominated by practitioners, OSAC deliberately includes a broader range of perspectives—legal, statistical, and scientific—to ensure standards are well-rounded and credible. However, it remains practitioner-heavy by design, because the people working in forensic labs are the ones who best understand the practical needs and realities of standard development. While this balance draws some criticism, OSAC views strong practitioner involvement as essential.

#### OSAC's Role in Standards Development

- OSAC does not publish official standards. Instead, it creates OSAC Proposed Standards, which go through a rigorous internal review involving scientific, legal, and human factors experts.
- Once vetted, these proposed standards are added to the OSAC Registry, serving as an interim, quality-assured list.
- To become official, standards must be submitted to a Standards Development Organization (SDO), such as:
  - ASB (Academy Standards Board) – A newer SDO established in part by Lucy.
  - ASTM International
  - SWGDE (Scientific Working Group on Digital Evidence) and others.

#### Why Standards Matter

- Standards form part of a "quality triangle": standardization, accreditation, and certification.
- They provide a uniform foundation that makes it easier to assess and accredit labs, helping reduce variability in lab procedures.
- Without national standards, each lab operates with unique SOPs, complicating oversight and increasing risk.
- When SOPs are based on national standards, that risk is shared and reduced, and accreditation becomes easier and more consistent.

#### The Value of Standards – Metaphors and Real-World Examples

- An airplane is described as “thousands of standards flying in close formation.”
  - Every material, process, and test involved in aircraft construction is standardized.
  - As a result, aviation is one of the safest industries.
- In contrast, the Titan submersible disaster illustrates what can go wrong when standards are ignored, leading to catastrophic failure.
  - The submersible lacked adherence to engineering standards and safety protocols—highlighting the danger of unregulated design.

#### OSAC Metrics and Impact

- OSAC tracks the number of standards on its registry and the implementation of those standards by forensic labs.
- As of now:
  - 230 standards are on the OSAC Registry.
  - 203 standards have been implemented by at least one forensic lab.
  - Over 234 labs (including some international ones) have reported implementing one or more OSAC standards.

#### Challenges and Outlook

- Developing a standard is a slow, multi-year process involving:
  - Drafting, public comment, revision, and approval.
- Early on, many standards were rejected, revised, and resubmitted—this iterative process eventually led to higher quality.
- Implementation is voluntary, and labs are encouraged to start small—implementing standards one discipline at a time, as capacity allows.
- OSAC emphasizes that adoption should be incremental

#### OSAC's Role in Monitoring Implementation (Not Enforcement)

- OSAC does not enforce standards or mandate adoption; they are *not the "standards police."*
- Data collection is done to:
  - Improve standards based on real-world use.
  - Allocate limited resources wisely.
  - Identify which disciplines are actively implementing standards.
  - Flag low-usage standards that may need revision or retirement.

#### Tracking Implementation Across the U.S.

- OSAC tracks 234 known implementers across the U.S.
- Labs are categorized into two groups:
  - Traditional labs (423 public labs, per the Bureau of Justice Statistics).
  - Non-traditional labs (thousands of units like crime scene, fingerprint, or digital evidence labs often run by local agencies).
- Goal: Collect implementation data from all 423 traditional labs, using the BJS benchmark of 90.4% reporting as a target.
- Some states (e.g., Alaska) are already at 100% participation (though they only have one lab).
- Only ~33% of traditional labs have submitted implementation data, despite 94.4% of them being accredited.

### Cost & Accessibility

- Implementing standards is less expensive than seeking accreditation, making it an accessible step for smaller or underfunded labs.
- While implementing takes time and resources, many standards are available free of charge, especially through partnerships with:
  - ASB (77 standards; 2,198 implementations)
  - ASTM
  - SWGDE

### OSAC Proposed Standards

- OSAC has 73 proposed standard interim standards developed internally before SDO publication.
- These fill gaps in areas historically underserved, like crime scene investigation.
- There are 977 recorded implementations of OSAC Proposed Standards—seen as a practical starting point for labs.
- Some are so solid they change little when eventually published by SDOs.

### Implementation of Trends by Discipline

- Human biology/DNA is the most widely implemented discipline—nearly every lab has a DNA section.
- Strong implementation also seen in:
  - Toxicology
  - Firearms
  - Controlled substances (seized drugs)
  - Standard lab operations

### Most Implemented Standards

- Top implemented standards include:
  - ISO/IEC 17025 (145 implementations) – The gold standard for lab accreditation.
  - Numerous discipline-specific standards (DNA, toxicology, firearms, etc.).
- Highlights broad adoption across diverse forensic domains.

### Access to Standards & Resources

- OSAC, in collaboration with ASB, ASTM, and AAFS, has made many standards publicly available online via its Registry web page.
- Users can:
  - Click on a listed standard to view metadata and download links.
  - Access most standards for free (may require an email address).
- Additional implementation resources and tools are available to help labs evaluate and adopt standards effectively. Streamlining Standards Implementation Reporting
- Previously, submitting implementation data to OSAC was cumbersome labs filled out manual checklists annually, a process that was time-consuming and impractical for already overburdened forensic labs.
- To solve this, OSAC launched an electronic survey system using Qualtrics (a platform commonly used for customer feedback, e.g., airline surveys).
- The new process is user-friendly and efficient:
- Labs receive an OSAC identification number.

- Once their data is entered, it is saved for future updates, eliminating the need to re-enter everything each year.
- Labs can easily log in, review, and update their standards implementation status annually.
- The survey is organized by discipline, so labs only see the standards relevant to their work (e.g., a lab that only handles drug analysis only reviews those specific standards).
- Final Notes
- OSAC is available to assist any lab with getting started on the survey or reporting process.
- The team is committed to helping labs navigate standards, implementation, and adoption.
- For more discipline-specific questions, OSAC can connect labs to subject matter experts.
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Questions regarding the presentation.

Lucy: How unaccredited labs are involved in implementing forensic standards.

Vincent explains that many unaccredited labs, such as those working with digital evidence or crime scene units, are actively contributing to a registry of forensic standards. Some smaller labs, especially those working with digital evidence, have found the registry helpful for building their standard operating procedures, which has been beneficial in their pursuit of accreditation.

Lucy mentions the challenge of having limited resources while dealing with emerging forensic applications

Vincent suggests that the existing resources, such as the registry, can be valuable. The board could highlight certain standards relevant to specific disciplines (e.g., fingerprints or activity level propositions) and encourage labs to implement them. Some standards may be controversial and require further deliberation, but the registry offers a way to prioritize and align standards for different forensic disciplines.

A document related to activity level, which was controversial, was not included in the registry. This example illustrates the board's careful deliberation process when deciding which standards to endorse. They prioritize a thorough review, considering all expert feedback before moving forward.

The board is concerned about the future of the Organization of Scientific Area Committees (OSAC), particularly with the potential implications of federal budget cuts and staffing reductions. Despite uncertainties, it is business as usual for OSAC, with strong administrative support for the priority of standards development. However, there is a sense of waiting to see how things unfold in the coming year.

The discussion revolves around the role of unaccredited labs in implementing standards, how boards with limited resources can prioritize certain standards, the challenges of controversial standards like the activity level proposition, and the impact of budget cuts on the future of forensic science standards development. Participation in the reporting system for both traditional and nontraditional laboratories is entirely voluntary. Labs are self-reporting their involvement and implementation of standards. The only exception where participation may not be voluntary is in cases where a state requires accreditation, such as ISO 17025 or 17020. In such cases, accreditation becomes a requirement. However, for most other standards, participation and implementation remain voluntary.

The board requests access to a list of the most implemented standards which were previously mentioned in the presentation. These standards are considered significant because their widespread implementation indicates their relevance. They ask for this list as a starting point to consider which standards they might recommend for broader implementation within their own context.

Fingerprint Standards Implementation: A follow up question noting that none of the top ten most implemented standards seem to be related to fingerprints. Are any statistics or information about which fingerprint-related standards are most broadly implemented. This is important as the group is currently focusing on fingerprint-related issues.

Access to Information on Activity Level Proposition - is still in development. The board expressed an interest in accessing information about the ongoing internal debates and perspectives surrounding this topic. They're seeking a broader understanding of the range of scientific views on the subject and want to know if there's any way to access the research or documents that OSAC (Organization of Scientific Area Committees) has been reviewing. They mention that Texas has also explored this issue and that they are in contact with Lynn Garcia. They're trying to find a way to better understand the current state of science and the differing opinions on this issue.

Possible Resources from OSAC: Vincent suggests that the board could likely reach out to the subcommittee chair for access to the specific information regarding the activity level proposition. This could help them have a better understanding of the ongoing discussions and the various perspectives on the topic. Sharing data on fingerprint-related standards, the draft document on activity level propositions, and the idea of creating stakeholder engagement training. They also mention the limitations imposed by the current budget situation but express a strong interest in further developing engagement initiatives if possible.

US Collins – It is the board's responsibility for auditing all forensic service providers in Massachusetts, which includes police departments. Emphasizing their dual role of auditing and improving education, seeking resources to help them in both tasks. Any helpful materials or information that could support this work. We welcome any additional insights or resources that may come to mind after the meeting.

In summary, the board is focused on auditing forensic service providers in Massachusetts and improving education. They are seeking resources to help them with both tasks and are open to any further support or information that could aid their efforts.



OSAC-Mass FSOB  
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#### **IV : Review of MSP/BPDCL Grant Funding:**

The board is seeking information on how federal funding cuts might affect the Massachusetts State Police and Boston Police Crime Labs, particularly regarding essential forensic funding for DNA backlogs, cold cases, and post-conviction testing. They have asked for updates from the State Police Crime Lab on any impact they may have experienced so far.

- DNA backlog funding (CVR funding)
- Coverdale funding
- Competitive grants for cold cases
- National grants like VGA and SAKI
- Post-conviction testing funding (Bloodworth)

Both the State Police Crime Lab and the Boston Police Crime Lab have not experienced any impact on their federal funding to date, but they are asked to notify Kathy if any changes occur.

Lisa updates the group on the Bloodsworth grant and its status, noting no impacts yet but tracking other related grant issues. There is a question about whether private foundations might fund state entities, with the response suggesting that such funding is rare, with the Soros Foundation being one potential exception. The distinction between being awarded a grant and receiving the money is raised, with a specific example of Annmarie College waiting for grant funding disbursement.

Kevin/Kristen; Yes, many FY25 grant funds have been received, but some disbursements are delayed due to unresolved special conditions or slow federal review processes. Grant recipients are advised to ensure all requirements are satisfied to access their funds. The real impact of any federal funding changes likely won't be felt for several more months. The labs are advised to update Kathy if there are any changes or reduction of grant funding in the future so that the board can be updated.

There's growing concern about the legality of cancelling awarded federal grants, and a suggestion that the Attorney General's Office might consider coordinated legal action or advocacy on behalf of impacted recipients. However, as of now, there's no indication that such efforts are underway within the AG's office.

#### **V: Potential Bard Funding for FTE:**

US Collins informed the board that there is no funding currently allocated for a Full Time Employee to help the board with their tasks, that perhaps there may be an opportunity in the Fiscal 2026 budget for this. Meaning potentially with a Summer Internship program participant filling that roll.

Board members have been volunteering their time outside their regular jobs. The lack of a dedicated research or administrative assistant is making it increasingly difficult to meet the board's statutory mandate, especially when evaluating small or nonstandard forensic labs.

Tim noted, the board currently lacks any statutory power to compel cooperation.

For example:

- Over 100+ forensic service providers are not obligated to respond to board inquiries or assessments.
- Without some form of legal authority, it's unlikely the board can carry out broad evaluations or even collect basic data from these labs.
- A mechanism to require forensic service providers to submit information (even without subpoena power).
- A process to access non-sensitive documents (not subject to grand jury or confidentiality exemptions) to support the board's investigatory function
  
- US Collins - Draft a letter to Senator Brownsberger outline:
  - The board's lack of budget and dependency on EOPS funding.
  - The gap between legislative expectations and available resources.
  - The need for additional statutory authority to fulfill the board's oversight mandate effectively.

The draft letter will be presented to the board to review and discuss at the next meeting.



Lisa flagged that cancellation of federal grants already awarded might constitute a contract violation, offered to pass along board concerns to relevant contacts within her office who handle litigation, as this issue is beginning to gain traction nationally.

The board is asked that they become aware of philanthropic funding sources, to pursuing those leads, as most states are likely seeking similar support.

#### **VI Social Law Library Update:**

- **Webinar Date:** December 3rd (Wednesday), 2025
- **Theme/Title:** Likely to be something along the lines of *"Forensic Testimony: Guardrails and Pitfalls"*
- **Webinar Concept:**
  - The session will explore the complexities of forensic testimony, focusing on how forensic experts and analysts manage their roles in the courtroom.
  - The webinar will center around a crime scene scenario, crafted to feature different types of forensic evidence. The scenario will be used to examine perspectives from:
    - A judge (Isaac Ornstein, retired judge, already confirmed)
    - Prosecutor and Defense Attorney (Adrienne Lisa, and Ann Marie will work on this)
    - Forensic Analysts (To be determined, ideally a DNA analyst and a crime scene expert)
  - The aim is to help attendees understand the "limits" of forensic testimony, particularly the challenges analysts face when asked questions outside their expertise.
- **Key Focus:**
  - Analyzing how forensic experts testify and manage their boundaries on the stand, including situations where they may be asked questions they can't answer or might be asked to testify beyond their knowledge or training.
  - Exploring the role of the judge as gatekeeper, including whether a judge has ever used their right to call an expert witness.
  - Discussing pitfalls and guardrails for experts, especially when they're faced with poorly phrased or misleading questions.
  - Crime Scene Scenario - A Case Example:
  - A proposed scenario involves a woman found at the bottom of a staircase, initially not treated as a crime scene. Later, it was discovered that her grandson had pushed her, which led to more forensic analysis (including toxicology and DNA). The case could involve issues like missing forensic evidence (e.g., no DNA analysis of fingernails or toxicology) and the ethical responsibility of forensic experts to testify within their scope.
- **Potential Involvement:**
  - Board members with experience as expert witnesses may be invited to share their insights on how to handle difficult questioning.
  - The team is reaching out to potential forensic experts, including those from the MDA and possibly other board members, to participate in discussions about managing testimony challenges.
- **Next Steps:**
  - Finalizing the lineup of experts, including the forensic analysts and prosecutor/defense attorney roles.
  - Reaching out to Tara McGuire and MDA to inquire about expert participation

#### **VII Subsections Points of Contact:**

- Purpose: To ensure compliance with the Open Meeting Law while advancing the board's work, each subsection of the broader project (e.g., complaint procedures, court coordination, etc.) needs a designated point of contact.
- Action Requested:
  - Board members are asked to review the document circulated by Kathy identifying these subsection leads.
  - If you're not listed but wish to be involved, you are encouraged to join.
  - Kathy will follow up with members who haven't responded yet.
- Assignments Made:
  - Ann Goldbach was proposed and approved as an emeritus member and will serve as point of contact for a subsection, thanks to her significant prior contributions.
  - Lisa will be the point person for Section G, particularly due to her leadership and presentations related to court procedures. The board expressed strong support for her continuing in this role.
- Reminders:
  - All communications and participation must respect the Open Meeting Law to avoid procedural violations.
  - Further comments or changes should be sent to Kathy.

### **VIII Lab Auditing Procedure:**

The board is facing challenges in reviewing trial transcripts due to a lack of cooperation from law enforcement agencies, who have not provided necessary case lists involving forensic analyst testimony. Without this, identifying relevant cases is nearly impossible. The board is considering drafting a letter to Senator Brownsberger and the Massachusetts Legislature to highlight both accomplishments since the 2018 Criminal Justice Reform Act and ongoing limitations, especially the lack of enforcement power and support. The goal is to prompt legislative awareness and potential action to help fulfill the board's mandate — particularly in ensuring compliance with forensic standards and addressing oversight gaps in smaller labs. The board aims to demonstrate both its progress and its continuing need for resources and authority.

Sabra, in her role as Regional Toxicology Liaison for the Northeast, supports government-funded toxicology labs across 14 states and territories. She notes that some labs have faced funding cuts and have recently had success accessing *Congressionally Directed Spending* (CDS) — a funding mechanism where U.S. Senators can propose allocations for state-specific needs, including forensic science and toxicology labs (e.g., for equipment or staffing). She asks whether any Massachusetts forensic labs have accessed CDS funds and suggests this could be a potential funding avenue not only for state labs (like Boston or State Police) but also for supporting the board's work, such as testimony reviews and other resource-limited tasks.

The board is open to exploring *Congressionally Directed Spending* as a potential funding source for both state forensic labs and the board's operational needs. In addition to reaching out to Senator Brownsberger, the board could consider directing the letter to the broader Massachusetts congressional delegation. However, in a recent subgroup meeting, Senator Brownsberger indicated that due to new leadership responsibilities, he may no longer be the best point of contact for advancing the board's agenda. As a next step, the board—particularly members based in Massachusetts—could help identify other state senators or representatives who might champion or support the board's efforts.

Given Senator Brownsberger's new leadership role and limited availability, the board should identify other Massachusetts legislators who may be interested in supporting its agenda.

Ann Marie, due to her legislative work, was suggested as a potential point person to help identify supportive lawmakers. She agreed to follow up and gather possible names.

Board members like Lisa and Adrienne are restricted from lobbying but can help identify and inform others who are allowed to advocate.

Gabe mentioned Senator Jamie Eldridge as a legislator often active on criminal justice issues.

Adrienne will also consult with the legislative director to provide a list of committee members and potentially supportive senators. Sabra raised the idea of seeking *Congressionally Directed Spending* or federal earmarks to support both the board and state forensic labs.

Ann Marie confirmed that Massachusetts has previously applied for federal earmarks, including one related to public safety interoperability.

the State Police Crime Lab reported that they've applied three times over the past three years through Senator Warren and Senator Markey's offices for funding under the Byrne JAG program for cold case DNA testing. While not successful yet, they continue to apply and monitor opportunities.

#### **Audit Procedure Development –**

- Main Point: Before launching new forensic service provider audits, the group is encouraged to pause and focus on creating a clear, standardized audit procedure.
- Purpose:
  - Avoid reinventing the wheel with each audit.
  - Establish a repeatable framework to increase efficiency, transparency, and consistency.
  - Support responses to external questions such as "Why hasn't the board audited more?"
- Suggestions & Agreements:
  - Use past audits (e.g., State Police and Springfield) as informal models.
  - Vincent's materials will help inform the framework.
  - Rick recommended involving a few labs of different sizes/specialties in drafting the procedure, to boost legitimacy and buy-in.
  - Ann Marie noted the need for two sets of procedures:
    - One for accredited labs.
    - One for non-accredited or smaller labs.

#### **IX Future Meeting Dates:**

- **May 16** is no longer feasible for the chair.
- **May 30** proposed as an alternative.
- Kathy will circulate a poll to confirm availability and:
  - Explore interest in a June meeting to finalize materials (draft audit procedures, letter).
  - Gauge whether members prefer a summer pause (July–August), with the group reconvening in September.

#### **X Topics Not Reasonably Anticipated within 48 Hours**

BORIM Complaint The board previously decided not to take immediate action on the forum complaint. However, Ann Marie had expressed interest in revisiting the issue to explore its nuances further.

Current Update:

- Ann Marie confirmed she still plans to present on the BORIM complaint and its potential implications for board action. She is seeking clarification on her original task, believed to involve analyzing the complaint and guiding the board through a discussion on whether further action is warranted.
- Anne Marie confirmed this understanding was correct and encouraged coordination with Kathy to:
  - Determine a suitable meeting date (May, June, or September).
  - Ensure the individual who submitted or is impacted by the complaint is notified and given the opportunity to attend that meeting.

Meeting Adjourned 12:20pm