

## Proposed Forensic Identity Standards – Comments and Responses

Proposed Standards were made available to New York State permitted laboratories and laboratories in application for a permit on March 4<sup>th</sup>, 2020. The announcement was by e-mail to the facility and laboratory contact person's e-mail address and the Proposed Standards were posted to the CLEP website.

The comment period ended June 15<sup>th</sup>, 2020. Comments received from any regulated parties and responses are shown here.

Standards will be adopted July 13<sup>th</sup>, 2020, with an effective date of August 1<sup>st</sup>, 2020.

### Forensic Identity

<b>Forensic Identity</b>	
<b>Proposed Standard</b>	<b>Proposed Guidance</b>
<b>Forensic Identity Standard of Practice 11 (FI S11): Evidence Consumption Authorization</b> Evidence must not be consumed in testing without prior written authorization by the submitting agency or authorized person. E-mail authorization is allowed, and must be retained with the case file.	Refer to Federal Bureau of Investigation Quality Assurance Standards (FBI QAS) for Forensic DNA Testing Laboratories - definition for evidence, standard 7.4, 7.4.1, and the FBI QAS Guidance Document – guidance for standard 7.4.1.

#### COMMENT:

Clarify if evidence is equal to raw material and not DNA extract unless the entire raw material is collected and extracted.

#### RESPONSE:

Guidance has been added based on the comment received.

<b>Forensic Identity</b>	
<b>Proposed Standard</b>	<b>Proposed Guidance</b>
<b>Forensic Identity Standard of Practice 17 (FI S17): Limited Sample Reagent Testing</b>  In addition to routine quality control (QC) of critical reagents to ensure their proper functioning, QC testing must be performed on <i>all</i> reagents prior to their use <b>on a limited sample in DNA testing or body fluid screening/identification tests of a sample which cannot be recollected or retested.</b>	

**COMMENT:**

Clarify "limited sample". All samples are limited. Are reference samples considered unlimited because additional samples can be collected if necessary? Clarify if it applies to DNA and serology reagents.

**RESPONSE:**

Based on the comment received the standard has been modified to indicate requirements for samples that cannot be recollected or retested.