

Forensic Science Statewide Body – Background of FSSB Subcommittee Report for July 19 Task Force Meeting

Sources for outline of potential legislation:

- Subcommittee discussions
- Prior meetings and reporting of the Task Force subcommittees:
 - Commissions subcommittee
 - Negligence, Misconduct, and Misapplication subcommittee.
- Senate Bills 276 and 277 (2019)
- Illinois legislation
- Forensic Science Task Force Survey Responses (10 responses from Task Force members, not all voting members)

Potential Mandates:

1. Accreditation (100% survey respondents)

The FSSB will review required accreditations for all public and private FSSPs. The body will not create their own accreditation requirements, but rather review and ensure that public and private forensic service providers are properly accredited.

2. Registration (90% survey respondents)

The FSSB will register all persons who provide forensic science opinions or testimony services. The FSSB will require all experts who testify to register with the entity to compile a record of testimony. The FSSB will compile data that includes registration status, information about prior testimony, and any records of past misconduct. The FSSB may revoke registration and set up minimum qualifications for certain disciplines.

3. Complaints, Reports, and Investigations (100% survey respondents)

The FSSB will set up a process to report and investigate negligence, misconduct, or nonconformance by or in a forensic laboratory or an expert witness that affects the integrity of the forensic science or forensic medicine results, or the practice of forensic science.

4. Notification (90% survey respondents)

The FSSB shall develop and implement a notification procedure for investigations and disclosed information. Notification includes all criminal legal system stakeholders, including people who have been convicted based on forensic science evidence.

5. Education and Information (90% survey respondents on forensic science education and information functions; 70% on a database with the remainder seeking more information)

The FSSB will provide a clearinghouse and disseminate information on forensic science developments, information on training, a central database of experts, and collect information and recommendations on current laws, rules, and procedures.

The expert database allows for more information for the criminal legal system stakeholders to best access and prepare for expert involvement in a case, and to discover any potential misconduct.

6. Grants and Recommendations (80% survey respondents on grants, with 10% more information)

The FSSB will advocate for proper funding and resources for public labs. The FSSB will provide grants to act as incentives to help improve the quality of institutional labs, especially where these labs are now subject to additional oversight. The grants will focus on best practices established by the FSSB in priority areas such as strengthening methodologies and quality assurance, allowing defense access to evidence, compartmentalization and independence, and cognitive bias.