

**SCIENCE ADVISORY BOARD**

April 26, 2015

The Honorable Muriel Bowser  
Mayor  
District of Columbia  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004-3003

Dear Mayor Bowser:

I am writing to you today in my capacity as chairman of the Science Advisory Board (SAB) that was established in accordance with the enabling legislation that created the D.C. Department of Forensic Sciences. As you know, the nine-member SAB includes five scientists with expertise in scientific research and methodology who have published in peer-reviewed scientific journals, including a statistician and an expert in quality assurance, as well as four forensic scientists.

Among our responsibilities are periodically reviewing the Department's program standards and protocols, reviewing allegations of negligence, misconduct, misidentification or other testing errors, and advising the DFS Director, the Mayor, and the Council on matters relating to forensic science.

At our October 7, 2014 meeting, the SAB was addressed by Assistant US Attorney Michael Ambrosino who expressed some concerns with the methods used by the DFS to interpret complex DNA mixtures. I specifically asked AUSA Ambrosino if this was an official allegation of testing error, and Mr. Ambrosino indicated that this was not an allegation. However, after discussion, the Board determined that we should look into the concerns under § 5-1501.12.(1) and (2). The four members of the SAB with extensive experience in this area - Dr. Clifton Bishop, Dr. Michael Coble, Dr. Charlotte Word, and Dr. Sandy Zabell - reviewed the laboratory's procedures and made recommendations for improving the interpretation of DNA mixtures. Revisions of the Standard Operating Procedures were made by the DFS, training of analysts was conducted, and the laboratory is now in the final stages of implementing the recommended improvements.

The SAB held a regularly scheduled meeting on Friday, April 24, 2015, in the course of which we were presented with copies of two reports -- one prepared at the behest of the United States Attorneys' Office and a second report prepared by the ANSI-ASQ National Accreditation Board (ANAB). It is our understanding that both of these



## SCIENCE ADVISORY BOARD

reports were undertaken with the goal of assessing and improving the DFS's practices and procedures, particularly with respect to the interpretation of complex DNA mixtures. It goes without saying that the latter is no simple matter. Within the scientific community, there is, to date, no single, universally accepted set of best practices in this, and many other areas.

As you and the DFS staff review the two reports, my colleagues and I urge you not to rush to judgment. The SAB will carefully review and evaluate the reports' findings and recommendations over the next few weeks. If we deem it advisable, we will reach out to the principal investigators involved in preparation of the ANAB audit report.

Particularly at a time when throughout the United States, serious questions are being raised about the quality of forensic science, it is imperative that all of us -- scientists, the police, prosecutors, the defense bar, elected officials, and the community at large -- commit ourselves to the development of rigorous, high quality, unimpeachable standards for this most promising field of inquiry. This is the course we are on in concert with the DFS scientists, and many other forensic scientists across the country and beyond.

If you have any questions for the Board, please feel free to contact me at (443) 798-0861 or [ilitofsky@comcast.net](mailto:ilitofsky@comcast.net).

Sincerely,

A handwritten signature in black ink, appearing to read "I. Litofsky", with a long horizontal flourish extending to the right.

Irvin B. Litofsky  
Chairman  
Science Advisory Board

cc: Members, Science Advisory Board, District of Columbia  
Mr. Kevin Donahue, Deputy Mayor for Public Safety and Justice  
Hon. Phil Mendelson, Chairman, Council of the District of Columbia  
Hon. Kenyan McDuffie, Chairman, Committee on the Judiciary