

  
Chairman Phil Mendelson

**AMENDMENT #1**

B24-838, "Restoring Trust and Credibility to Forensic Sciences Amendment Act of 2022"  
(Committee Print)  
December 6, 2022

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**Amendment:**

**Amendatory subsection (a-1), Section 2(o)(3), on lines 291 through 303, is amended to read as follows:**

“(a-1) There is established a Science Advisory and Review Board, which shall consist of 9 voting members to be appointed pursuant to section 2(f) of the Confirmation Act of 1978, effective May 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), as follows:

“(1) “(1) Four members with experience in scientific research and methodology in a forensic science discipline and who have published in a peer-reviewed journal;

“(2) One member with experience in quality management or assurance in a forensic science or public health laboratory;

“(3) One member with expertise in human factors;

“(4) One member with expertise in statistical analysis;

“(5) One member with expertise in microbiology; and

“(6) One member with expertise in epidemiology.”.

**Rationale:** The Science Advisory and Review Board, currently named the Science Advisory Board, serves a critical quality assurance on the work of employees of the Department of Forensic Sciences. Right now, the Board has 9 members as prescribed by D.C. Official Code § 5–1501.11. As marked up by the Committee on Judiciary and Public Safety, Bill 24-838 would expand the Science Advisory and Review Board from 9 to 11 members, adding two seats: one for a member with experience in criminal prosecution and one for a member with experience in criminal defense. While attorneys can certainly speak to court rules regarding the admission of forensic evidence at trial or how juries may weigh forensic evidence in determining guilt or innocence, attorneys are not experts in forensic science or a related field. As such, these members would be unable to substantively contribute to discussions and recommendations about the technical aspects of forensic science or public health, including DNA analysis, toxicology, forensic firearm examination, and disease surveillance. Additionally, including two attorney members may lead to a more adversarial process that is not conducive to the kind of scientific and technical reviews and investigations the Board has and will continue to undertake. Given this, this amendment strikes the two attorney members from the Board, leaving only experts in forensic science or public health.