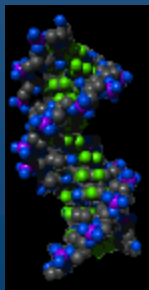


# ORGANIZATION OF SCIENTIFIC AREA COMMITTEES LEGAL RESOURCE COMMITTEE (LRC)

---

*The Attorneys, Love'em or Hate'em. You Can't  
(should not) Do Standards Without'em"*



Organization of Scientific Area Committees  
Seattle, Washington  
February 20<sup>th</sup>, 2018



*Hon. Christopher J. Plourd  
Chair, LRC*

# ■ SCIENCE IN THE COURTROOM



**AND THE LAW**



# THE LRC LOOKS AT STANDARDS FOR USE IN AN ADVERSARIAL LEGAL SYSTEM

---

*Attorneys*

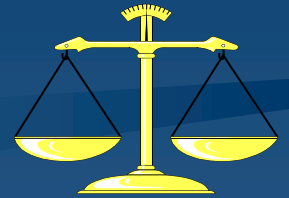
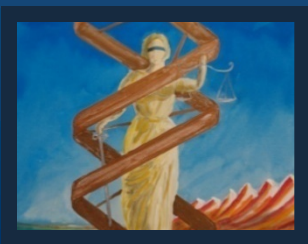


# THE COURTROOM



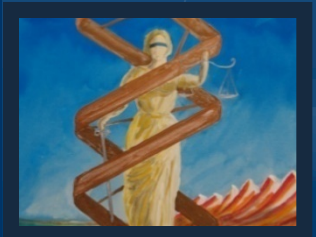
# LEGAL RESOURCE COMMITTEE (LRC)

- Judges.
- Prosecutors.
- Defense attorneys.
- Innocence network attorneys.
- Academic and Government representatives.



# WHAT DOES THE LEGAL RESOURCE COMMITTEE (LRC) DO?

- Input to Scientific Area Committee (SAC'S) and Subcommittees.
- Maintain open dialog through liaisons.
- Evaluation of standards.



# CHRISTOPHER J. PLOURD



*LRC Chairman*



# ACADEMIA

ANDREA ROTH



DAVID KAYE





# PROSECUTION

RICHARD "DICK" REEVE



ELIZABETH GEDDIS



# JUDICIAL

RON REINSTEIN



KENT CATTANI



# GOVERNMENT INNOCENCE NETWORK

LYNN ROBATELLI GARCIA



BARRY SCHECK



# DEFENSE ATTORNEYS

JENNIFER FRIEDMAN



JOHN ELLIS



# AFFILIATES

TED HUNT

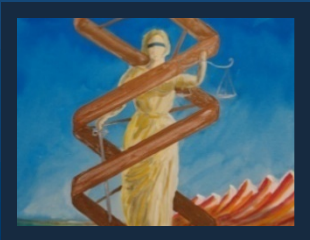


LINDSEY HERF



# LEGAL RESOURCE COMMITTEE MISSION

- The legal ramifications of standards.
- Meaningful use of forensic science standards by the legal system.





# LRC QUESTIONS

- Is the subject of the standard or guideline a new or novel technique?
  - A novel application of an older technique or method?
- Are there any adverse appellate court rulings on the admissibility of the technique?
  - If so, does the standard address the concerns identified in the court opinion(s)?
  - How?

# LRC QUESTIONS

- Does the standard address the documentation and preservation of underlying materials and data?
- Does the standard require any documentation of the case information the examiner was exposed to before or during the analysis?







# LRC QUESTIONS

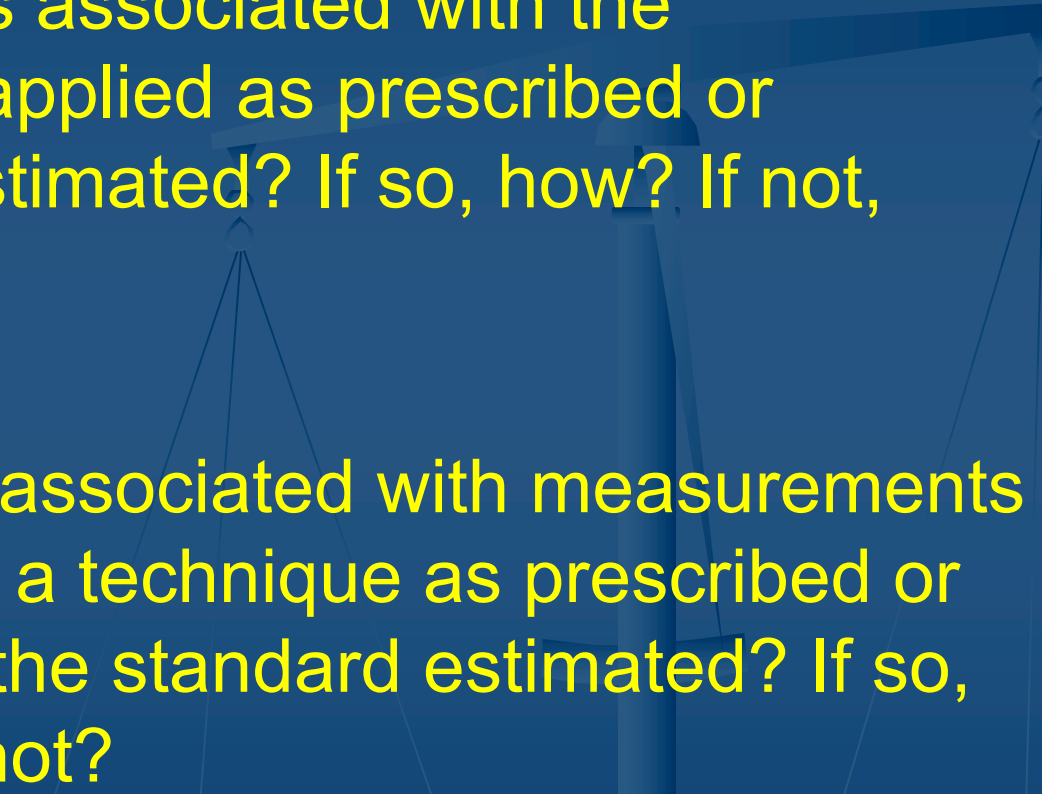
- Are the directives of the standard specific and clear as to what they require or recommend?
- Are the technical terms used in the standard defined within the document?
  - If not, does the standard or guideline refer the reader to definitions published elsewhere?

# LRC QUESTIONS

- Does existing research or data support the standard? If so, where can these be found?
- To what extent and how has the technique been validated?



# LRC QUESTIONS

- Are the error rates associated with the technique, when applied as prescribed or recommended, estimated? If so, how? If not, why not?
  - Is the uncertainty associated with measurements obtained by using a technique as prescribed or recommended in the standard estimated? If so, how? If not, why not?
- 

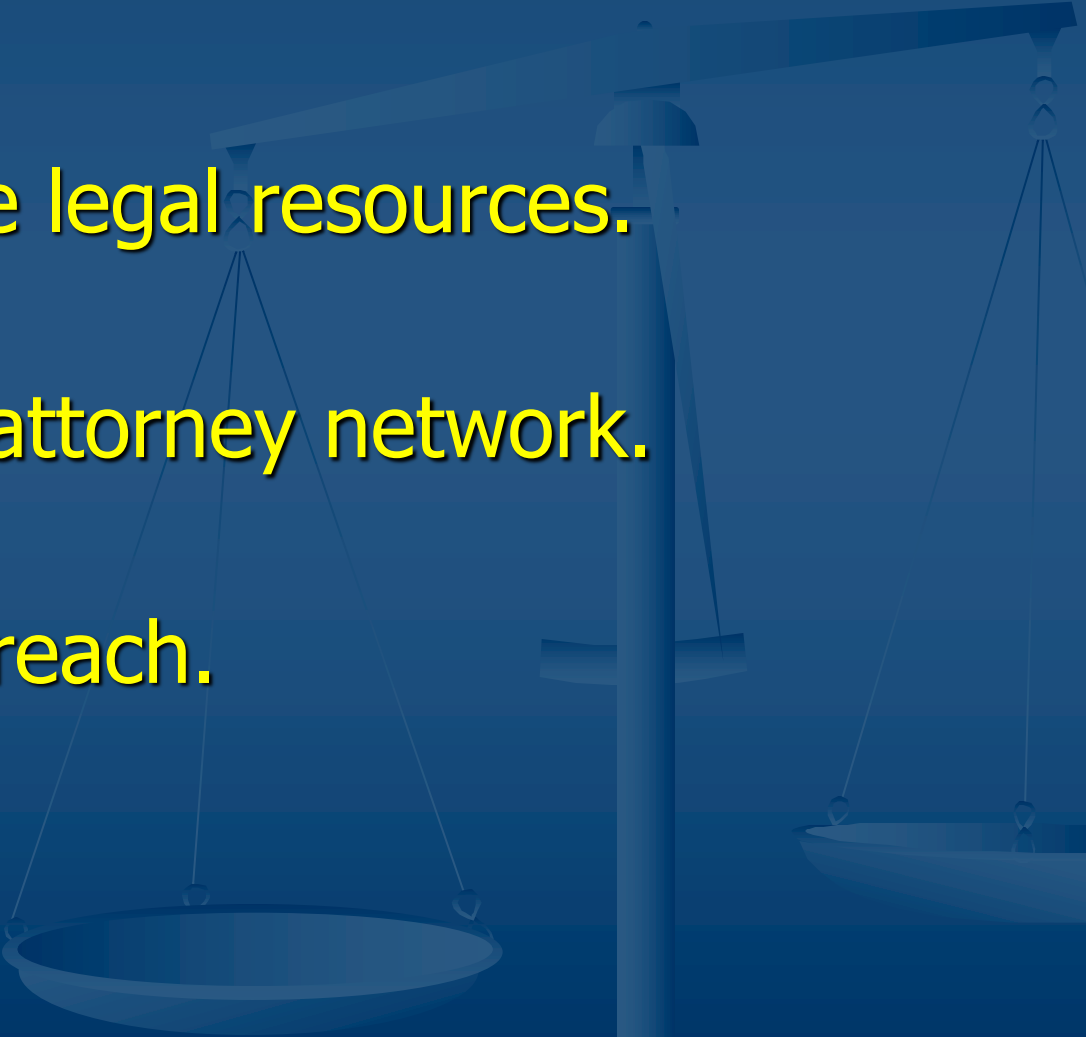


***Is something bad about to happen?***

# USE OF STANDARD BY LEGAL SYSTEM

- What is needed by the legal community.
  - Legal obligations for disclosure.
  - Focus on electronic communication.
- 

# LRC COMMUNITY OUTREACH

- Forensic science legal resources.
  - Legal resource attorney network.
  - Community outreach.
- 

# THANK YOU!



# QUESTIONS?



[Christopher.Plourd@imperial.courts.ca.gov](mailto:Christopher.Plourd@imperial.courts.ca.gov)

