

Firearms/Toolmarks Discipline Blind Verification

1 Purpose

This procedure outlines the criteria and methods used by qualified and authorized Examiners for performing blind verification (BV) examinations to comply with the *LOM - Practices for Blind Verification*.

2 Scope

This procedure applies to examiners who are qualified to conduct forensic examinations of firearms/toolmark evidence for pattern examinations and/or fractured items for fracture examinations conducted in the Firearms/Toolmarks Discipline (FTD). The procedure covers the range of conclusions as follows:

- Pattern Examinations to include source identification, source exclusion, and inconclusive.
- Fracture Examinations to include physical and fracture fit, exclusion, and inconclusive.

BV consists of an independent examination of evidentiary items by a second qualified Examiner (referred to as BV Examiner throughout remaining document), who is prohibited from knowing the result(s) generated by the original Examiner. A Unit Chief (UC), Examiner, or Technician may select a submission, case record and examination request (referred to as case throughout the remaining document) for BV when it meets one of the following criteria:

- The case contains two items (one questioned and one known) for comparison.
- The case contains a limited number of items for comparison.
- The case contains a limited number of inconclusive results as identified by the Administrative Reviewer.

3 Responsibilities

3.1 The Unit Chief will:

- Select cases with a limited number of items for BV.
- Select cases that represent the range of possible conclusions for BV.
- Maintain a list of assigned and performed BVs.
- Evaluate the number of BVs performed annually.
- Generate an *FTD Blind Verification Evaluation Form* (Appendix A).

- Assign a BV Examiner on a rotating basis.
- Maintain completed *FTD Blind Verification Evaluation Forms*.
- Review Examiner and BV Examiner's examination records and results.

3.2 The Examiner performing the original examination will:

- Evaluate item listing to determine if the submission meets the criteria for BV.
- Perform the requested examinations.
- Reach examination results independently and without consultation with other FTD Examiners.
- Provide examination records and results to the UC.

3.3 The BV Examiner will:

- Perform the necessary examinations for the BV.
- Generate examination records.
- Reach examination results independently.
- Provide examination records to the UC.

3.4 The FTD Technical Leader (TL) will:

- Assist the UC in completing the evaluation of the examination records and results provided by the Examiner and BV Examiner.

4 Procedures

4.1 Blind Verification Assignment by the Unit Chief

4.1.1 The UC will maintain a list of assigned and performed BVs and evaluate the number of BVs performed annually.

4.1.2 When a case is received, the UC will ensure a review of the item listing is completed to determine if the case is suitable for BV.

4.1.2.1 If a case is selected for BV during case assignment, the UC will inform the assigned Examiner that the case has been selected for BV. The UC will initiate an *FTD Blind Verification Evaluation Form* during the case assignment.

4.1.2.1.1 During case assignment, the UC can select limited items within a case for BV. The UC will inform the Examiner that selected items within a case have been designated for BV.

4.1.3 When conducting an administrative review on casework that has not been previously selected for BV, the UC can select to resubmit the case for BV when the casework contains a limited number of inconclusive results.

4.1.3.1 If a case is selected for BV that contains a limited number of inconclusive results, the UC will inform the assigned Examiner that the case has been selected for BV.

4.1.3.2 The UC will instruct the Examiner to transfer the evidence to the appropriate evidence storage room/location and collect the original Examiner's examination records and results.

4.1.4 The UC will assign another Examiner, qualified and authorized in the same discipline, to perform the BV. The selection of an Examiner for BV will be on a rotating basis, as appropriate, or at the UC's discretion.

4.1.5 The BV Examiner will proceed to section 4.2.9 to conduct the BV.

4.2 Examination of Evidence for Blind Verification

4.2.1 An Examiner will evaluate evidence received in each Laboratory submission or case record to determine if it meets the FTD criteria for BV (see Section 2). This evaluation can occur during the examination process prior to any verification.

4.2.1.1 The Examiner will inform their UC when a case has been received that meets the FTD criteria for BV.

4.2.2 The Examiner will conduct the necessary examinations as outlined in the FBI Laboratory FTD quality documents.

4.2.3 The Examiner will perform the requested examinations and generate the appropriate examination records.

4.2.4 The Examiner will not obtain a verification and consultation on any result and is prohibited from discussing the results of their examination with other FTD Examiners.

4.2.5 The Examiner will return the evidence, including secondary evidence, to the appropriate evidence storage room/location.

4.2.6 The Examiner will provide the UC with the generated examination records and results.

4.2.7 The UC will initiate an *FTD Blind Verification Evaluation Form*.

4.2.8 The UC will assign a second Examiner to perform the BV.

4.2.9 The BV Examiner will retrieve the evidence from the appropriate evidence storage room/location. This evidence transfer will be recorded. The BV Examiner will perform the necessary examinations and generate the appropriate examination records and results.

4.2.10 The BV Examiner is prohibited from discussing the results of their examination with other FTD Examiners.

4.2.11 The BV Examiner is prohibited from obtaining a verification and consultation on any result.

4.2.12 Upon completion of the examination by the BV Examiner, the BV Examiner will return the evidence to the appropriate evidence storage room/location, record the evidence transfer and provide the UC with their examination records and results.

4.2.13 The UC and TL will evaluate the results of the Examiner and BV Examiner, unless the TL is participating as the Examiner or BV Examiner. In cases where the TL is a participant, the UC will select a SME to assist with the evaluation. The evaluation of the results will be recorded on the *FTD Blind Verification Evaluation Form*. If the Examiner and BV Examiner reach the same comparison conclusion, the results of the BV Examiner will serve as the verification for this examination. If there is a disagreement in the results of the Examiner and BV Examiner and consultation does not resolve the differences, the UC will refer to the *LOM - Practices for Resolution of Scientific or Technical Disagreement*. A record of the Examiner and BV Examiner's discussions regarding their disagreement will be recorded on the *FTD Blind Verification Evaluation Form*.

4.2.14 Upon successful completion of the BV, the BV Examiner's examination records will be retained with the Examiner's examination records and serve as the verification.

4.2.15 A total of six source conclusion blind verifications will be performed in the FTD per quarter. A source conclusion blind verification is based on a one-to-one examination of two items of evidence. If this total is not reached during the quarter, the SBAU and/or FTU Chief(s) will record the reason(s).

5 Records

The following records will be generated and/or retained as a result of these procedures and the *LOM - Practices for Blind Verification*:

- *FTD Blind Verification Evaluation Forms*.
- List of assigned and performed BVs.
- Record of reason(s) for total number of BVs not completed per quarter.
- Any notes derived from consultation during the resolution of differences in results of examinations.

- Record of the number of blind verifications performed annually, including the FBI Laboratory number, category of testing, the type of source conclusion blind verification, evaluation of BVs and any noted differences in results of examinations between the Examiner and the BV Examiner.

6 References

ISO/IEC 17025 - General Requirements for the Competence of Testing and Calibration Laboratories, International Organization for Standardization, Geneva, Switzerland, 2017.

ISO/IEC 17025:2017 - Forensic Science Testing and Calibration Laboratories Accreditation Requirements (AR 3125), ANAB, Milwaukee, WI, April 29, 2019.

FBI Laboratory Quality Assurance Manual, Federal Bureau of Investigation, Laboratory Division, latest revision.

FBI Laboratory Operations Manual, Federal Bureau of Investigation, Laboratory Division, latest revision.

United States. Department of Justice. Office of Legal Policy. Forensic Science. (2020, August) *Department of Justice Uniform Language for Testimony and Reports for the Forensic Firearms/Toolmarks Discipline – Fracture Examination*. Retrieved from the Department of Justice Web site: <https://www.justice.gov/olp/page/file/1284761/download>

United States. Department of Justice. Office of Legal Policy. Forensic Science. (2020, August) *Department of Justice Uniform Language for Testimony and Reports for the Forensic Firearms/Toolmarks Discipline – Pattern Examination*. Retrieved from the Department of Justice Web site: <https://www.justice.gov/olp/page/file/1284766/download>

Rev. #	Issue Date	History
7	12/02/19	Updated to reflect the issuance of the DOJ ULTR for Pattern Match and Fracture Match Examinations. The scope and Section 3.1 was updated to reflect the range of source conclusion examinations that are covered within the Firearms/Toolmarks Discipline and also clarified the selection of cases to cover the range of source conclusions by an administrative reviewer. Updated Section 3.2 to clarify involvement of any consulting Examiner. Delineated the records being provided to UC in Section 3.3. Section 4.1.2 was clarified to reflect a case is reviewed to determine BV selection. Section 4.1.2.1.1 was expanded to allow UC flexibility on item selection. The evidence transfer was clarified in Sections 4.2.9 and 4.2.12. Clarified the TL and/or SME involvement with the BV evaluation in Section 4.2.13. Section 4.2.15 was updated to include the total number of source conclusions that would be achieved by the discipline. Section 6 was updated to include the updated accreditation documents and DOJ ULTR references. The form in Appendix A was also updated to include range of source conclusions.
8	4/15/21	Section 2 updated to remove 'match' to align with ULTRs; DOJ ULTR references updated; minor grammatical edits throughout the document.

Approval

Redacted - Signatures on File

Firearms/Toolmarks
 Acting Unit Chief

Date: 04/15/2021

Scientific & Biometrics
 Analysis Unit Chief

Date: 04/15/2021

Firearms/Toolmarks
 Technical Leader

Date: 04/15/2021

QA Approval

Quality Manager

Date: 04/15/2021

Appendix A: *FTD Blind Verification Evaluation Form*

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