



JUSTICE
THROUGH
SCIENCE

8 June 2017

Office of Legal Policy
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Re: Docket No. OLP 160, Public Comment on Advancing Forensic Science

DNA identification information for crime scene evidence is vital for ensuring public safety and adjudicating crime. Most DNA evidence is a mixture of two or more people. While forensic science service providers produce excellent DNA data, they usually fail to extract from that data information needed for criminal justice.

The root cause of this costly government waste is unaligned incentives. The public requires DNA information, yet providers are rewarded for processing samples, not for producing information. There is no penalty for DNA interpretation failure. Indeed, failure to report DNA results is rewarded with a lighter workload. Without incentives for producing accurate DNA information, providers use ineffective software.

Moving forward, the Department of Justice (DOJ) should institute incentives for service providers that encourage producing DNA identification information. In order to receive federal funding, service providers should be required to report on the information that they derive (or fail to derive) from DNA mixtures.

DOJ currently monitors the number of DNA samples processed by a provider. In addition, DOJ should record (a) how many of these mixtures failed to yield information, and (b) the average match information obtained from reported samples. DOJ should disseminate these results-oriented information measures, disclosing how much DNA bang the public is getting for its DNA buck. Eventually, DOJ can relate funding levels to provider success in producing useful information. This incentive may reduce DNA churning that has little impact.

I appreciate your interest in advancing the practice of forensic science. You have the means to measure how well service providers produce useful criminal justice information. Assessing information outcomes properly aligns incentives for forensic success.

Sincerely,

Mark W. Perlin, PhD, MD, PhD
President