



**SOURCE MATERIAL PROVIDED TO THE HOUSE JUDICIARY COMMITTEE IN SUPPORT OF
HOUSE BILL # 2026—H 7282**

House Bill #2026—H 7282 would:

- Increase the membership of the State Crime Laboratory Commission from five (5) to nine (9) by adding the Chief Justice of the Rhode Island Supreme Court; the President of the Rhode Island Bar Association; the Public Defender; and the President of the Rhode Island Association of Criminal Defense Lawyers as members of the Commission.
- It would also make the Deans of the University of Rhode Island's Colleges of Pharmacy and Engineering Co-Executive Secretaries of the Commission . As currently written the Dean of the Colleges of Pharmacy serves as the sole Executive Secretary of the Commission.
- **If these legislative changes were enacted into law Rhode Island would be in full compliance with national “Best Practice” standards for the delivery of forensic science services to law enforcement and the courts.**

The source material described here can be accessed at:

<https://www.dropbox.com/scl/fo/xfe3yq5nrtyiovnfr3n/ABpdyPhjVjnkzhgj5E3W9es?rlkey=c021glz0tp9v50c5ktz7xc7to&st=rkusbtr0&dl=0>

- **Detailed discussion of problems being experienced in the Lab, the responses thereto, and the impact on pending and past cases in Superior Court (utilizes information current as of 11/15/24).**
 - *Lessons Learned From A Not So Public ‘Mismatch’: Firearms, Toolmark Analysis, and Rhode Island’s Publicly Funded Crime Laboratories, The Rhode Island Bar Journal, January / February 2025, pp. 13-18.*
- **“Best Practices” for the composition of boards and commissions tasked with oversight of state crime laboratories:**
 - *Forensic Science State Commissions and Oversight Bodies - A 2022 Update, National Association of Forensic Science Boards (NAFSB), June 2022 (see especially ‘Legislative Models’ at p.15)*
 - *2024 American Academy of Forensic Science ABSTRACT: The National Association of Forensic Science Boards: A Collaborative Effort for State Level Forensic Oversight*
 - *Guide to Best Practices for Development of State Forensic Science Boards (NAFSB 4/24/24)*

- Testimony of the Rhode Island Association of Criminal Defense Lawyers in opposition to 2009--H 5983 - BUDGET ARTICLE 12 (cites the then recently promulgated and recommended 'Best Practices' contained in the *National Research Council Report, Strengthening Forensic Science in the United States: A Path Forward (2009)*.¹ This testimony was submitted in opposition to an attempt to consolidate forensic laboratories with the RI Department of Public Safety - ultimately rejected by the legislature.
- *Sandra Guerra Thompson, Cops in Lab Coats: Curbing Wrongful Convictions through Independent Forensic Laboratories (Carolina Academic Press, 2015)* Chapter 6. Resisting Independence at pp. 181-204. See especially p. 182 which references the Rhode Island State Crime Laboratory as a potential national model.
- **The Texas Forensic Science Commission (acknowledged by many as the “Gold Standard” for the delivery of forensic science services to the criminal justice system)**
 - Homepage: <https://www.txcourts.gov/fsc/about-us/>
 - Established in May 2013 by the TX State Legislature to investigate complaints involving forensic disciplines that are not subject to accreditation under Texas law, with the exception of autopsies.
 - In June, 2015, the TX State Legislature passed SB-1287 which transferred Texas' Crime Laboratory Accreditation Program oversight from the Texas Department of Public Safety to the Texas Forensic Science Commission which then established an accreditation process for crime laboratories and other entities conducting forensic analyses for use in criminal proceedings. As part of its accreditation mandate, the Commission is responsible for establishing procedures, policies, and practices to improve the quality of forensic analyses conducted in Texas. Please see our Accreditation page for more information.
 - The Commission has nine members, all appointed by the Governor of Texas. Seven of the members are scientists and two are attorneys (one prosecutor and one defense attorney). The Commission's presiding officer is designated by the Governor.

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¹ Recommendation #4 of the report states that “To improve the scientific bases of forensic science examinations and to maximize independence from or autonomy within the law enforcement community, Congress should authorize and appropriate incentive funds to the National Institute of Forensic Science (NIFS) for allocation to state and local jurisdictions for the purpose of removing all public forensic laboratories and facilities from the administrative control of law enforcement agencies or prosecutors' offices.” (emphasis added)

