NATIONAL COMMISSION ON FORENSIC SCIENCE

Use of the Term "Reasonable Scientific Certainty"

Subcommittee

Reporting and Testimony

Type of Work Product

Adjudication of Public Comments on Final Draft Views Document on Use of the Term "Reasonable Scientific Certainty"

Public Comment Summary:

The document was posted as proscribed by Commission by-laws. Eight individuals or groups submitted comments.

Adjudication Process Used by Subcommittee:

All comments, responses and proposed changes to the views document were adjudicated by the task lead.

Itemized Issues and Adjudication Summary:

Comment (general)	Comment (specifics)	Name(s)	Adjudication
Support		Sheila Willis; Samuel Leonard; Madeline DeLone	
Keep term but define better	define the term within the context of the specific disciplines.	Anonymous, anonymous	Rejected – term has no meaning; and issue of specific language has been referred to OSACs
Change substantially	Remove cites by commission members; change caselaw discussion; remove NCFS from role in finding alternative language	Ted Hunt	Cites to commission and subcommittee member authored works removed; caselaw discussion abbreviated; reject idea of removing NCFS from any possible role in finding alternative language
Support with modest suggestions	Caselaw discussion change; remove NCFS from role in finding alternative language	Cecilia Crouse	Caselaw discussion abbreviated; reject idea of removing NCFS from any possible role in finding alternative language

Comment (general)	Comment (specifics)	Name(s)	Adjudication
Support with modest suggestions	Wording changes only	Geoffrey Morrison	Document underwent subsequent revision for clarity; no further changes required
Support but generate "recommendations	Delete sentence that using "scientific" connotes that each discipline is a science	ASCLD	Wording revised (sentenced re disciplines changed to "Use of the term "scientific" cloaks the opinion with the rigor, acceptance and reproducibility of scientific study;" separate recommendations document has been created