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WASHINGTON STATE PATROL

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July 21, 2015

Mr. Tom McBride, Executive Secretary
Washington Association of Prosecuting Attorneys
206 10th Avenue, SE
Olympia, WA 98501

Subject: FBI Database Amendments

Dear Mr. McBride,

In May of 2015 the FBI Laboratory announced the existence of errors in data published in the *Journal of Forensic Sciences*, and they submitted an erratum notice entitled, "Population data on the thirteen CODIS core short tandem repeat loci in African Americans, U.S. Caucasians, Hispanics, Bahamians, Jamaicans, and Trinidadians," (*Journal of Forensic Sciences* 1999 44(6):1277-86). These errors emerged during preparations to update the data for the new DNA typing kits that expand the CODIS core loci from 13 to 23 typing sites. Of the 1100 profiles from the various population databases, 27 samples affecting 51 alleles were found to have discrepancies. Six samples were removed as duplicates.

This data was in the *FBI POPSTATS* program that the Washington State Patrol Crime Laboratory Division (WSP CLD) has always used when estimating the significance of having included an individual as a possible contributor to a forensic DNA typing profile. Consequently, if an inclusion statistic is recalculated with the new amended database, then there might be a difference between the new and old estimates.

The FBI believes that these discrepancies are unlikely to materially affect any assessment of evidential value. We share this view and acknowledge that some probabilities will be slightly stronger while some others will be slightly weaker.

As of June 3, 2015 the *POPSTATS* databases at all WSP Crime Laboratories were changed to comply with the new amended versions. Case files completed prior to this date that are scheduled for trial, or case files that are subject to discovery or public disclosure will have the probability estimates recalculated. If there is a difference of greater than 10-fold between the old reported and newly calculated estimates, then an amended report containing the new probability estimate will be issued following appropriate review.

In preparation for court testimony, our DNA scientists have been instructed to call the prosecuting attorney and inform them about the amended database. The need to contact prosecutors for this purpose will be reassessed after a year because, by then, it might no longer be necessary.



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The most common estimates from Caucasian, African American and Hispanic populations are reported by the WSP CLD as being representative of the US population. To date, in recalculated probabilities, either no or very minor changes were observed.

Please share this information with all appropriate parties. If you have any questions or concerns, please contact our DNA Technical Leader, Dr. Gary Shutler. He can be reached at 206-262-6053 or at gary.shutler@wsp.wa.gov. Thanks for your attention to this.

Sincerely,



James Tarver
Crime Laboratory Division Commander

JAT/ggs

cc: Director Larry Hebert, WSP Forensic Laboratory Services Bureau
Ms. Christie Hedman, Washington Defenders Association
Hon. David S. McEachran, Washington Forensic Investigations Council