

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Executive Office of Mayor Muriel Bowser**



Public Roundtable on

**The Operations of the Department of Forensic Sciences**

Testimony of  
**Chris Geldart**

Acting Deputy Mayor for Public Safety and Justice

Before the  
Committee on the Judiciary and Public Safety  
Charles Allen, Chairperson  
Council of the District of Columbia

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12:00 PM

Good afternoon, Chairperson Allen, members, and staff of the Committee on the Judiciary and Public Safety. I am Chris Geldart, Acting Deputy Mayor for Public Safety and Justice, and I am here to discuss the Department of Forensic Sciences.

In 2011, Chairperson Phil Mendelson, when he chaired this Committee, introduced legislation establishing a forensics laboratory to analyze evidence, produce unbiased analysis, in a timely and accurate manner, using best practices and the best available technology. The lab would be guided solely by unbiased science and transparency.<sup>1</sup>

In enacting that legislation, the Council determined it was essential that the District have a forensics laboratory, and be certified by accrediting agencies, that are independent from law enforcement and prosecutors. By doing so, the District took a progressive approach at ensuring the independence of the laboratory from the undue influence of criminal investigators or prosecutors. Indeed, the Committee report explicitly stated, “the bill transfers the functions and authority for forensic science services from the MPD to the proposed Department of Forensic Sciences to create an agency that is *separate and independent from the District’s police and prosecutors.*”<sup>2</sup>

As part of the statutorily-mandated oversight of DFS, the Council intentionally created a process for raising and addressing issues regarding the science or analysis process used by the forensics lab. The Council created a Science Advisory Board and a Stakeholder Council whose role is to address the complicated, scientific and legal matters that often accompany scientists and lawyers.

The nine-member Science Advisory Board is composed of scientists and forensic scientists, who through scientific peer review, ensure DFS is adhering to strict scientific protocols, following best practices, and incorporating new technologies. Board members are nominated by the Mayor and approved by the Council. The Board reviews all reports of negligence, misconduct, and misidentification or other testing errors within the DFS’s provision of services.

Additionally, the DFS Stakeholder Council allows our criminal justice partners and the Council to raise issues related to DFS and its work. The 10-member Stakeholder Council includes District agencies such as the Metropolitan Police Department, Department of Health, and Chief Medical Examiner, the US Attorney’s Office and Office of the Attorney General, the DC and Federal Public Defender Services, and Councilmembers. The Stakeholder Council is intended to provide all DFS customers a forum to address any concerns regarding the review and analysis done at DFS.

Finally, the Council required certification by an independent accreditation agency, which further prioritizes the pursuit of the best sciences to achieve impartial justice, not simply prosecutorial efficiency.

It is clear the Council’s intent was for the District to have an independent forensics laboratory that was guided by unbiased science. That is the policy we have followed for the past decade. It is important to note that at the time Council was considering the legislation creating an independent

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<sup>1</sup> Department of Forensics Sciences Establishment Act of 2011, effective Aug. 17, 2011 (D.C. Law 19-18; D.C. Official Code §§ 5-1501.01 *et seq.* [emphasis added].

<sup>2</sup> Committee on the Judiciary, Report on Bill 19-5, March 29, 2011, at 3.

forensics lab, the US Attorney's Office testified in opposition to both the agency's independence and the creation of the Science Advisory Board and Stakeholder Council.

In February 2021, when I was appointed to this position, I met with each agency in the public safety cluster and discussed frontline issues with each director. I spoke with Director Jenifer Smith about DFS's complicated working relationship with the US Attorney's Office and how DFS manages adverse positions on policy with federal prosecutors and the natural tensions that emerge from such discourse.

In some matters, some of our criminal justice partners may take issue with DFS policies impacting prosecutorial discretion, which can naturally cause strained interactions. But while there may be natural tensions with prosecutors, our goal is to abide by the District's stated policy of having a forensics lab that is independent of prosecutors and law enforcement. I understand the frustrations that federal prosecutors can have when they think DFS scientists are providing analyses that are not beneficial to their criminal cases. But that is the cost of having a truly independent forensics lab.

We are here today to discuss a way forward for the forensics lab. Since the suspension of ANAB accreditation, I have been working to listen to anyone with concerns about DFS management and processes. I have met with the US Attorney, the Attorney General, the Inspector General, ANAB, and our labor partners. My goal at each of these meetings was to listen to the concerns and discuss for possible solutions.

Part of the reason why we are here today is that some of the DFS stakeholders chose to take a route outside the process established by Council. That decision by those stakeholders raises questions as to whether the District can have a truly independent forensics laboratory.

We fully support transparency, accountability, and the need for trust in the criminal justice system. The forensics work at DFS is voluminous, challenging, and integral to the fair administration of justice. That said, we expect all DFS staff act at all times in a professional manner, both in how they do their work and in how they treat their colleagues.

In closing, the District policy for the past decade has been to have an independent lab. Our priority is the science, and using the established processes for accountability, to ensure the integrity of the science. With this as our focus, we will continue to work with all our criminal justice partners to ensure their concerns are heard and their issues are addressed.

Thank you for the opportunity to testify today. I welcome your questions.