

**This document provides examples of the scientifically-supported conclusions and opinions that may be contained in Department of Justice reports and testimony. These examples are not intended to be all inclusive and may be dependent upon the precedent set by the judge or locality in which a testimony is provided. Further, these examples are not intended to serve as precedent for other forensic laboratories and do not imply that statements by other forensic laboratories are incorrect, indefensible, or erroneous. This document is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable by law by any party in any matter, civil or criminal, nor does it place any limitation on otherwise lawful investigative and litigative prerogatives of the Department.**

**DEPARTMENT OF JUSTICE  
PROPOSED UNIFORM LANGUAGE FOR TESTIMONY AND REPORTS  
FOR THE FORENSIC TEXTILE FIBER DISCIPLINE**

**Purpose and Scope**

If adopted, this document will apply to Department of Justice personnel who perform forensic examinations and/or provide expert witness testimony regarding the forensic examination of fiber evidence. This document does not imply that statements made or language used by Department personnel that differed from these proposed statements were incorrect, indefensible, or erroneous.

This document provides the acceptable range of opinions expressed in both laboratory reports and during expert witness testimony while acknowledging that this document cannot address every variable in every examination.

**Statements Approved for Use in Fiber Examination Testimony and/or Laboratory Reports**

**Fiber Classification**

The examiner may state or imply that a textile fiber is natural or manufactured (man-made).

**Natural Fibers**

1. The examiner may state or imply the type of natural fiber (e.g., cotton, wool, silk).

**Manufactured Fibers**

2. The examiner may state or imply the type of manufactured fiber (e.g., polyester, nylon).  
The examiner may further state or imply that the manufactured fiber is consistent with a particular sub-group (e.g., polyethylene terephthalate, nylon 6).

**Comparisons**

### **Inclusion**

3. The examiner may state or imply that the questioned fiber exhibits the same microscopic characteristics and optical properties as the known sample and accordingly, the questioned fiber is consistent with originating from the source of the known sample or from another item comprised of fibers that exhibit the same microscopic characteristics and optical properties. A fiber association is not a means of positive identification and the number of possible sources for a specific fiber is unknown. However, due to the variability in manufacturing, dyeing, and consumer use, one would not expect to encounter a fiber selected at random to be consistent with a particular source.

### **Exclusion**

4. The examiner may state or imply that the questioned fiber is dissimilar to the known fiber sample and accordingly, is not consistent with originating from the source of the known sample.

### **Statements Not Approved For Use in Fiber Examination Testimony and/or Laboratory Reports**

#### **Individualization**

1. The examiner may not state or imply that a fiber came from a particular source to the exclusion of all other sources.

#### **Statistical Weight**

2. The examiner may not state or imply a statistical weight or probability to a conclusion or provide a likelihood that the questioned fiber originated from a particular source.

#### **Zero Error Rate**

3. The examiner may not state or imply that the method used in performing fiber examinations has a zero error rate or is infallible.

**DEPARTMENT OF JUSTICE PROPOSED UNIFORM LANGUAGE  
FOR TESTIMONY AND REPORTS REVIEW SHEET**

**Directions:** This review sheet is designed to assist you in evaluating the attached Proposed Uniform Language for Testimony and Reports document against certain criteria while maintaining internal consistency in review and assessing comments.

Your use of this rating sheet is completely **optional**. While it is anticipated this review sheet will encourage comments on issues of particular importance, you are welcome to submit comments in any format that you believe appropriate. This review sheet is not intended to limit comments in any way.

If you elect to use the review sheet, you may find it helpful to frame your comments as suggested below.

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**Proposed Uniform Language Discipline Reviewed:**

**Reviewer Name:**

**Reviewer Organization:**

**Statements Approved for Use in Laboratory Reports and Expert Witness Testimony**

Provide a summary of your assessment of the statements approved for use, including the most important highlights from the individual criteria comments.

- The statements approved for use are supported by scientific research.
- The statements approved for use accurately reflect consensus language.
- The statements approved for use are stated clearly.

**Statements Not Approved for Use in Laboratory Reports and Expert Witness Testimony**

Provide a summary of your assessment of the statements not approved for use, including the most important highlights from the individual criteria comments.

- The statements not approved for use are supported by scientific research.
- The statements not approved for use accurately reflect consensus language.
- The statements not approved for use are stated clearly.