



NYC
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From: Timothy Kupferschmid, ^{TOK}MBA, MFS, Chief of Laboratories

Date: December 18, 2023

Subject: Male Screening reporting language

This memo is in relation to the reporting of male screening results by Forensic Biology and the use of the phrase 'male DNA detected.' This phrasing was in use by the laboratory for results of a male screening test utilizing DNA quantification, most often for sexual assault cases involving at least one alleged male assailant and a female complainant. Male screening results are used in the laboratory to triage samples for downstream workflow. However, it was brought to our attention that this language

may have been interpreted as always confirmatory for male DNA, even in the absence of DNA typing results. Because of this, current Forensic Biology standard operating and reporting procedures as well as validation data were reviewed.

Male screening results are based on the DNA quantification procedure. This procedure is a quantitative real-time PCR which provides an estimate of the amount of total and male only DNA within a sample. This method is inherently subject to variation from test to test based on various factors. These include pipetting differences, instrument differences, and the PCR and detection processes. DNA quantification is an estimate and as the result approaches 0 that estimate, as expected, becomes more variable. Given the inherent variation of the quantification assay (especially at sub-picogram levels), interpretation of the results of this assay as 'confirmatory' for the presence of male DNA may not always be appropriate.

The reporting language for male screening has been updated to report the male screening results as presumptive, to make it clear for the reader of the report this is not a confirmatory test for male DNA. Any value of male DNA detected during male screening will be reported as presumptively positive for the presence of male DNA using the language 'male DNA indicated.' Samples with no male DNA detected will be reported as negative for the presumptive screening test, using the language 'no male DNA indicated.' In addition, language was added to the report appendix, defining the male screening test as presumptive, and indicating that it is a test for the possible presence of male DNA. Analysts at the laboratory were provided with guidance on how best to discuss the limitations of the screening test in relation to the validation data. Standard operating procedures and quality control procedures were also updated to reflect these changes.

Please review previous cases that report positive male screening results in the absence of DNA typing. If you feel this previous language may have impacted the adjudication of the case, please reach out.