

[DATE]

[Defendant]
[Address]

Re: *Virginia Department of Forensic Science Microscopic Hair Comparison Case Review*
[Case Name]

Dear [NAME]:

The Department of Forensic Science (DFS) has undertaken a review of its prior cases involving microscopic hair comparisons. The Forensic Science Board, the Department's policy board, has developed a process for this Review. A Review Team consisting of two attorneys and one forensic scientist, is reviewing the hair comparison reports and any testimony provided by the examiner. If the Review Team determines that the examiner overstated the value of the microscopic hair comparison analysis evidence, it can recommend to the Subcommittee of the Forensic Science Board that a notice be sent to the parties.

Your case, *Commonwealth v. [Defendant's name]*, has been included in this Review. **The Forensic Science Board, based on a recommendation of the Review Team and/or the Subcommittee, has determined that the hair examiner's testimony in this case exceeded the acceptable limits of science.** The attached documentation details the Review Team's concern(s) with the testimony of the examiner.

We do not know what role this testimony played in the overall outcome of your case. Neither DFS nor the Forensic Science Board can provide you with any legal advice. You may wish to talk to a lawyer of your choice about this notice and discuss your options.

The Institute for Actual Innocence at the T.C. Williams School of Law can offer you free and confidential legal advice about this notice. They may be reached at:

Institute for Actual Innocence
University of Richmond School of Law
28 Westhampton Way
Richmond, VA 23173

If evidence from the case is still available and DNA testing is agreed to by the parties or ordered by a court, DFS is willing to discuss available testing options.

The prosecutor and the law enforcement agency have been notified of this information by separate letter.

Sincerely,

Chair
Forensic Science Board