



DEPARTMENT OF DEFENSE  
COMPUTER FORENSICS LABORATORY (DCFL)  
911 Elkridge Landing Road, Suite 300  
Linthicum, MD 21090

22 Oct 07

Lt Col Michael J. Salyards  
Director  
911 Elkridge Landing Rd.  
Linthicum, MD 21090

Mr. Ralph Keaton  
139J Technology Drive  
Garner, NC 27529

Dear Mr. Keaton

In Aug 07, we identified discrepancies in a previously examined case. These anomalies included: a) files that were reported as recovered from the wrong profile/username, b) recovered filenames were misreported as actual picture files, and c) several computer viruses were not reported accurately.

We assigned five examiners to re-examine this case. Next, a task force of 12 examiners verified findings in all forensic examinations assigned to the examiner in question. This initial review revealed a pattern of similar problems as well as confusing note-taking that made traceability difficult. We also sent electronic mail (attached for your review) to the Inspector Generals (IG) of the four major DCFL customers and to Special Agents in Charge or Detachment Commanders at each office who submitted evidence that was worked on by the examiner in question. Based on these communications, we have received several requests to re-examine evidence.

The examiner responsible for the discrepancies has been removed from the DCFL, decertified as a DoD/DCFL forensic examiner, and we do not endorse him for ASCLD/LAB Inspector duties. Our QA Section telephonically notified ASCLD/LAB Staff in Aug 07 with information about the identity of the examiner in question.

Prior to discovering this incident, we had already implemented several improvements that should guard against this type of problem in the future. First, a simplified report, and note-writing format ensures traceability and makes findings easier to read. These changes are good not only for our customers but also for our QA process because it will be easier to detect discrepancies. Second, our peer review process has been refocused from grammar and format to technical and forensic issues. Finally, we have added random re-examination to our proficiency testing program.

Our project officer is Shannon Sherlock. Please feel free to contact her at (410) 981-0100. You may also reach me or my deputy, Tom McAleer at the same number.

Sincerely

A handwritten signature in black ink that reads "Michael J. Salyards".

Michael J. Salyards, Lt Col, USAF

## **Sample of Email sent to Inspector Generals (IG)**

Subject: Defense Computer Forensics Laboratory Quality Control Issue

We have recently discovered a pattern of incomplete and inaccurate work by one of our examiners. Our records indicate that he has completed approximately 50 cases during his tenure. We do not have any reason to believe he deliberately fabricated evidence. However, in an abundance of caution, we will be sending the email below to Special Agents in Charge or Detachment Commanders who submitted a case that was worked by this examiner. We wanted you to be aware of this situation in case your field units up channel our email. Our project officer, Shannon Sherlock can be reached at (410) 981 -1133. Our Deputy Director, Tom McAleer, can be reached at (410) 981-0117, and you are welcome to call me directly.

V/R,

Lt Col Jeff Salyards  
Director, Defense Computer Forensics Laboratory

## **Sample of E-mail sent to Special Agents in Charge or Detachment Commanders**

Subject: Submitting Agency Case # -- DCFL Quality Control Issue

1. In Aug 07, we discovered some discrepancies on a recently completed exam. This discovery led to a thorough review of one of our examiner's work. Unfortunately, we found a pattern of incomplete and inaccurate examinations. The examiner in question has been decertified and removed from the DCFL. We have reviewed all of the cases where we still had access to the evidence, and do not have any indications that the examiner fabricated findings. Sound ethical practices demand that we make every effort to determine if this problem has resulted in any unfair administrative or judicial outcomes.

2. Your assistance is needed for the referenced case above. Please check your records and determine if any action was taken or is pending as a result of your investigation. If there was action taken (administrative, discharge, Article 15, civilian or military charges, etc), please contact the responsible legal office and determine if our DCFL report had any bearing on the case. Please let us know the results of your inquiry. If action was taken as the result of our exam, we will give the highest priority to reexamining your evidence. Even if no action was taken, you may also want to re-send evidence in cases where you have concerns about potential leads that may have been missed if our exam was incomplete.

3. Prior to discovering this unfortunate situation, we had already taken steps to improve our technical review and quality assurance process. We also view this process as an opportunity to scrub our process and capture any lessons that will improve future exams. I apologize for this inconvenience and thank you for your cooperation. Our project officer, Shannon Sherlock can be reached at (410) 981 -1133. Our Deputy Director, Tom McAleer, can be reached at (410) 981-0117, and you are welcome to call me directly.

V/R,

Lt Col Jeff Salyards  
Director, Defense Computer Forensics Laboratory