SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,	)	
	)	
Plaintiff,	)	No. 10-1-09274-5 SEA
	)	
vs.	)	
	)	DECLARATION OF THOMAS
EMANUEL FAIR,	)	HEBERT
	)	
Defendant.	)	
	)	
	)	
	)	

I, Thomas Hebert, hereby declare as follows:

1. I am over 18 years of age and I am competent to make this declaration.

2. I hold a Bachelor's Degree in Biochemistry and a Master's Degree in Forensic Science. I am currently a certified Fellow in Molecular Biology with the American Board of Criminalistics.

3. I am currently employed as the DNA Technical Leader for the Baltimore City Police Department.

4. I am familiar with Cybergenetics, and its TrueAllele software. TrueAllele is a probabilistic genotyping computer system that interprets DNA evidence using a statistical

DECLARATION OF THOMAS HEBERT- 1

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model. I am familiar with the many published TrueAllele validation studies that have established the reliability of the method and software.

5. The Baltimore Police DNA lab has used TrueAllele in casework since October 2015, following a validation started in October 2014.

6. In addition to TrueAllele, the Baltimore Police Department DNA lab has completed validations of two other computer programs since January 2015, 3130*xl* Data Collection version 4.0 and GeneMapper® *ID-X* version 1.5. These validations were all completed without reviewing the source code of the programs.

7. We have never requested the source code for the TrueAllele software. In my opinion, I do not believe the source code is necessary for determining the reliability of TrueAllele because source code is not normally used in the validation of software programs for forensic use. The underlying principles are well known and can be understood without the source code. With that understanding, the program can be tested.

8. A proper validation will test samples with known results. These results can then be compared to results generated by the program. A wide variety of samples should be used and they should be similar to real casework type samples. This will show the limitations of the program which is the goal of the validation.

9. I am not aware of any forensic DNA labs that require source code of computer programs to complete a validation.

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Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief.

Signed and dated by me this 31st day of March, 2016, at Baltimore, Maryland.

THOMAS HEBERT

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