

**DOMESTIC VIOLENCE DIVISION STANDING ORDER OF OCTOBER 29, 2020**

**ORDER REGARDING DISCOVERY OF DISTRICT OF COLUMBIA DEPARTMENT  
OF FORENSIC SCIENCES QUALITY CORRECTIVE ACTION REPORTS**

WHEREAS, the United States Attorney's Office and Office of the Attorney General (collectively referred to herein as "the government") has, and may from time to time collect and maintain, in its custody and control certain information regarding District of Columbia Department of Forensic Sciences (DFS) Quality Corrective Action Reports (QCARS); and

WHEREAS, some or all of the information contained therein may constitute records maintained by DFS related to employment and are thus protected by the Privacy Act of 1974, 5 U.S. § 522a(b)(11), as applicable to the United States Attorney's Office; and

WHEREAS, some or all of the information contained in QCARS in the government's custody and control may nonetheless be discoverable pursuant to D.C. Superior Court Rule of Criminal Procedure 16, Juvenile Rule 16, *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, including *Giglio v. United States*, 405 U.S. 150 (1972); and

WHEREAS, this Order does not otherwise limit required government disclosures pursuant to *Brady* or in response to Rule 16 discovery requests; and

WHEREAS the Court has the authority to regulate discovery in accordance with its own rules and applicable law

IT IS HEREBY ORDERED, pursuant to 5 U.S.C. § 552a(b)(11), and consistent with Superior Court Rule of Criminal Procedure 16, Juvenile Rule 16, and *Giglio v. United States*, 405 U.S. 150 (1972), that the government is authorized to disclose in all cases in the Domestic Violence Division of the Superior Court of the District of Columbia any DFS QCAR, including all information in the QCARS that otherwise would be protected by the Privacy Act of 1974, 5 U.S.C. § 552a. A recipient may use the QCARS and the information contained therein only for purposes related to the litigation of criminal cases in the Domestic Violence Division. A judge may, upon motion of a party, notwithstanding this Order, enter an appropriate further protective order or other order regarding the disclosure or use of such information.

SO ORDERED this 2<sup>nd</sup> day of November 2020.



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Maribeth Raffinan  
Presiding Judge, Domestic Violence Division