

LEGISLATIVE UPDATE

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The discussion over Forensic Reform and Advancement continues to move forward in Washington with numerous individuals and policy-makers weighing in with what is wrong with the Crime Labs and what needs to be reformed. Most discussions seem to focus on the science behind the disciplines and inadequacies of current methods and procedures. This month, the Senate Committee on Commerce, Science, and Transportation conducted a hearing on “Forensics in the Courtroom”, and the CFSO was pleased to have two witnesses testify to this matter. However, the hearing did not proceed without a great deal of what appeared to be disagreement between the Chairman and the CFSO witness Ms. Jill Spriggs. It was unfortunate that this discussion took place during a hearing and not in a more collaborative forum whereby Ms. Spriggs could have the opportunity to expand on her statements. To that end we felt it was important to restate some of the positions that Ms. Spriggs presented in her testimony:

- 1) **NAS Study:** This study was requested by the community to address the needs of the community and in particular the capacity building needs.
- 2) **Leadership:** It is the belief of the CFSO that there should be a DOJ Office of Forensic Science to assist in the guidance facilitation and coordination of such matters as accreditation, training, education, certification, and resource allocation. However, it is critical that practitioners be a key part of this process as the science is ultimately utilized for the needs of criminal justice community whether to free the innocent or convict the guilty.
- 3) **Accreditation and Certification Standards:** There is a misconception that standards do not exist which could not be further from the truth. The ISO standards by which crime labs are accredited are from a well respected organization that was created in 1946 and in which 163 countries and 3,368 technical bodies now participate. It is the belief of the CFSO that the Office of Forensic Science should work to ensure that international standards be a starting point and begin incorporation of these international standards or equivalent for Forensic Pathology and Toxicology.
- 4) **SWGs:** Provision of federal resources is necessary to maintain the Scientific Working Groups.
- 5) **Research:** While basic research has its place, developmental research as well as standard validation methods are needed.
- 6) **Capacity Building:** Ironically, this is the issue that prompted the request to have the NAS study done, but it has not been provided the attention it deserves by policy-makers.

Finally, the National Commission on Forensic Science is an idea the Consortium applauds; however, after receiving the Charter (see attached) we have concerns with the exclusion of digital evidence and the institution of FACA rules which does not guarantee transparency and State and Local public comment on the recommendations of the Inter-Agency Working Groups (IWGS).

We continue to work with Congress and the Administration to move forensic advancement forward and as always look forward to your comments and feedback.