



**CONSORTIUM OF FORENSIC SCIENCE
ORGANIZATIONS (CFSO)**

FLASH BRIEF

FALL 2017/WINTER 2018

The mission of the CFSO is to speak with a single forensic science voice in matters of mutual interest to its member organizations, to influence public policy at the national level, and to make a compelling case for greater federal funding for public crime laboratories and medical examiner offices. The primary focus of the CFSO is local, state, and national policymakers, as well as the United States Congress.

2017: A YEAR IN REVIEW

As the CFSO begins 2018 full steam ahead, we wanted to recap the achievements of 2017:

NOTE: All Legislation is posted on the CFSO website along with summaries if appropriate.

S.2577 Justice for All Act (Now Law)

The New Year brought the final passage and signing into law of the Justice for All Act. It was a several year endeavor, but in the end the levels of funding for Coverdell grants were raised and administrative fees were lowered. The minimum grant levels were raised for the smallest grantees. In the end, we achieved an increase in Coverdell funding for most states. Of great significance, the CFSO also succeeded in its push for a true needs assessment of the forensic science community; this was included in the law. NIJ has been tasked with completing the needs assessment and is currently hosting listening sessions with forensic science practitioners. The report will be provided to Congress in late 2018.

Rapid DNA Act (Now Law)

The Rapid DNA Act was a significant piece of legislation passed by the US Congress this year and signed into law. This was a high priority for the CFSO and we took a very active role in both the providing specific talking points for the law's content, as well as actively working to its passage. Some of the activities used to push toward passage were assisting the lab director in Utah write an editorial for the local media about the need of this technology, sending a letter of support to the authors of the bill with the signature of the CFSO Presidents, and numerous meetings with staff about the substance of the bill. Upon completion, the CFSO assisted several Members of Congress addressing the Rapid DNA working group.

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S. 1766, the SAFER Reauthorization Act (Now Law)

This legislation is a reauthorization of the SAFER Act we worked on in 2013. After much back and forth on text, the bill was essentially a straight re-authorization. There were numerous discussions about language pertaining to rape kit standardization and best practices for evidence retention. None were adopted — only assistance to pediatric sexual assault nurses was added.

H.R. 3415, The Megan Rodini Act (ACTIVE)

This legislation was introduced in July of 2017 and requires all hospitals to have a Sexual Assault Nurse Examiner. The CFSO provided numerous edits to this legislation and it is pending in Committees. We will continue to be involved in this process.

H.Res. 550, Sexual Assault Rape Kit Resolution (Rep. Meehan-MA) (ACTIVE)

This legislation is a “resolution” to urge states to pass comprehensive sexual assault kit reforms by 2020, such as developing and implementing tracking systems for rape kits and requiring DNA testing to be done in a specified time frame. There were numerous concerns with the language in this resolution, which we provided to the legislator’s staff for review. This bill has not moved and we will continue to work and monitor it. At this point, CFSO does not support this legislation as written for a number of reasons.

Violence Against Women Act--VAWA (ACTIVE)

This bill is at the beginning stages of draft. We are working with Judiciary Committee and personal staff to provide input. This bill MAY include the Debbie Smith Act. CFSO is working on comments and looking for feedback from its Membership. Please contact your CFSO POC with comment or thoughts. Text of this bill is on our website.

A major issue for all in Forensic Science has been the “opioid crisis.” The CFSO has been very active on this front with numerous activities:

S. 2008, Combating the Heroin Epidemic through Forensic Drug Testing Act of 2017 (Shaheen-NH) (ACTIVE)

This bill would provide \$30 million to the forensic science community to address the opioid crisis. It was originally introduced last year and re-introduced at the beginning of this session. We worked with the author to add Medical Examiners to the allowable recipients of the funding. Some activities have included writing a letter of support for the bill, meeting with numerous Members of Congress, and continuous discussion with the author to push for its passage.

S. 708, Interdict Act (Markey-MA, Brown-OH) (Now Law)

While this legislation does not directly pertain to us in forensic science, it is one that we were approached to support by its authors. This bill would assist US Customs and Border Patrol in seizing opioids at the border. We supported this legislation with a letter and in

the letter addressed the needs of the forensic science community. The bill was signed by the President on 1/10/2018. Note: The House version H.R. 2142 is what moved forward.

HR 1781 Comprehensive Fentanyl Control Act (Rep Donovan-R-NY)

This legislation not only addresses sentencing, but also deals with the scheduling of certain drugs. We have provided to its author suggested changes to the legislation and continue to work with his office.

Other Legislative Interests

S. 573, National Criminal Justice Commission Act of 2017 (ACTIVE)

This legislation has been introduced each year and it has yet to pass. It sets up a Commission to address criminal justice reform. We have met with the authors and co-sponsors and are part of the drafting and dialogue.

NON-Legislative Efforts

Hearings

Numerous hearings were held in Committees that oversee NIH/CDC as well as DOJ. In each instance we briefed appropriate staff on our concerns and issues and provided questions for the record along with statements from the CFSO to go with the witness packages to each Member of Congress on the Committee. It is rumored that there will be more legislation introduced to address the opioid crisis. We are working to include forensic science practitioner needs related to handling opioids into all legislative hearings, documents and legislation written, and all public discussions on opioids.

**As a result of the increased visibility of the effect of the opioid crisis on the forensic science community, a Dear Colleague letter signed by 32 Members of the US Senate was sent to the Attorney General. The letter expresses support for assistance to the community beyond existing efforts and requests a brief to Congress as to what is being done to address these concerns. It also addresses the intent of the Needs Assessment in the Justice for All Act. The CFSO assisted in developing the language and acquiring the signatures on this letter.

Matters not related to Sexual Assault or Opioids continued to move forward:

Office of Forensic Science (OFS)

The House of Representatives conducted a hearing: "To Examine the State of Forensic Science in the United States" to highlight the need for an OFS. The CFSO worked with witnesses, met with all staff of personal members on the Committee, and assisted in the management of the hearing.

The Senate and House continue to work toward passage of an OFS. The Senate has facilitated collaboration between the CFSO and other stakeholders to iron out large issues

before introduction. The Senate Judiciary met with CFSO many times in January 2018 to discuss the potential vehicles for this legislation in the coming year.

Office of Forensic Medicine (OFM)

The Office of Forensic Medicine has been a goal of the CFSO this year. Many meetings have been held with Senate staff about the best approach with CDC on this initiative and steps are being taken to address the needs of the forensic medical practitioners at CDC.

Office of Scientific Area Committees (OSAC)

CFSO briefed House and Senate Science Committees on the status of the OSAC and discussed the need for codification of OSACs. CFSO helped get funding to continue OSAC in the next year in the FY18 cycle. Other organizations provided us their comments on OSAC 2.0. CFSO also met with the new Chief Technology Officer at the White House to discuss OSAC and PCAST in the new administration. CFSO has also met a number of times with NIST officials about OSAC 2.0 to ask questions and discuss ideas. We are being told that NIST anticipates putting a proposal forward to the community for consideration in summer 2018 regarding OSAC 2.0.

Victims Meeting

Senator Cornyn orchestrated a meeting with the key victim advocacy groups. We continue to develop those relationships from this meeting.

Appropriations

The Senate provided funding of \$13.5 million for Coverdell, but the House did not. We continue to work toward a conference, but the Congress has passed a continuing resolution for the time being. During that process we provided outside witness testimony and Coverdell support questions for the Attorney General to staff on the Committees. NIST OSAC was also re-funded, as were the DNA programs. We also had meeting with the Office of Management and Budget (OMB).

Attorney General Forensic Initiative

The Attorney General (AG) ended the National Commission of Forensic Science (NCFS) and put forward a new initiative. In response to this, the CFSO had many meetings with DOJ and the office of the AG, DAG, and OLP to discuss opioids, OFS, the need for input by state and local forensic science service providers to the DOJ, DEA issues, and many other topics.

Each organization wrote a letter to the AG. These letters were provided to key staff on the Hill.

The CFSO put forward a press release reacting to the initiative that was provided to the Hill.

The CFSO worked to organize meeting with AG/DAG and assisted the attendees in preparation as well as with the IAI visit. Letters of thanks were sent to the DAG for his comments at the IAI meeting by many CFSO members.

There were numerous inquiries from the Hill on the position of the CFSO on the sun-setting of the NCFS and the new AG Initiative. We responded to each. Concern over state and local involvement resulted in the Dear Colleague letter to the AG, discussed above, concerning the opioid crisis and activities.

Other Efforts

The CFSO requested, and was provided, a welcome video from Senator Cornyn for the ASCLD Symposium in Dallas in May.

The CFSO was invited to and attended a CDC-DEA-DOJ meeting to address the opioid crisis.

The CFSO signed onto several letters with other criminal justice organizations such as one supporting Byrne JAG funding.

The CFSO, with an introduction from Congress, worked with the DC Circuit Court on a meeting titled "The History and Future of Forensic Science."

The CFSO met with the WH on numerous occasions to discuss Forensic Science Policy.

The CFSO attended a symposium in Boston of the Judicial Conference, Advisory Committee on Evidence Rules regarding amendments to FRE 702.

A LOOK FORWARD:2018

Listed below are actions that need to be taken in the short term as well as current anticipated activities for 2018:

Appropriations

CFSO is continuing to work with the Administration and Congress to maximize funding for the Forensic Science Community. Continue to look for notes regarding needed assistance from the community. The release of the budget from the Administration is currently slated for February 12, subject to change.

Violence Against Women Act (VAWA)

We are seeking feedback from the community and have put the bill on our website for your review. Please provide comment to your CFSO Representative.

Office of Forensic Medicine (OFM)

We continue to work with Congress on a strategy and drafting of legislation on this matter. There will be numerous efforts in the next few months moving toward this goal to include letters from Congress, a summit with key policy-makers and legislation.

Office of Forensic Science (OFS)

We continue to work with Stakeholders to develop a bill that is amenable to all involved. Currently staff on the Hill is discussing how to introduce and pass this bill.

Opioid Crisis

We will continue to work with Senator Shaheen (NH) on passage of her bill. CFSO is in continued dialogue with staff on various Committees to include language and funding for the forensic science Committee.

Research/OSAC

CFSO is currently compiling information from our Members to determine action that may be needed in Congress to maintain the existing OSAC structure.

Letter to AG recapping all Associations meetings on NIJ JFAA Needs Assessment

We are very pleased that NIJ/DOJ held listening sessions with ASCLD, AAFS, SOFT/ABFT, IAI, and NAME. CFSO proposed the language in the JFAA statute that authorized this operational needs assessment. CFSO is in the process of gathering information from all the various organizations about what was discussed at these sessions so we can provide our ideas again in writing to NIJ and to the Hill. This will be a single compilation letter from CFSO.

Other Efforts for 2018

CFSO must address all remaining active legislation from last year as well as legislation that is introduced by others during this cycle.

MEMBERS CORNER

American Academy of Forensic Sciences (AAFS)



The Academy's annual meeting is the week of February 19th, 2018, in Seattle. CFSO will be meeting with the AAFS Board of Directors, and holding an open meeting for attendees of the annual meeting to discuss AAFS priorities for CFSO and the work that has been and is being done, and holding a Board meeting. The Academy meeting will also host various listening sessions for the Operational Needs Assessment Report being accomplished by NIJ. CFSO has been very actively engaged with AAFS and looks forward to a very successful annual meeting.

American Board of Forensic Toxicology/Society of Forensic Toxicologists



The Society of Forensic Toxicologists [SOFT] and our worldwide colleagues, The International Association of Forensic Toxicologists [TIAFT], figuratively and literally weathered the challenges of hurricane Irma, which led to postponement of the joint meeting in Boca Raton, FL from September 2017 to January 2018. The re-scheduled meeting was a resounding success with 1,309 registered attendees and 46 countries represented. The presentations and

discussions covered timely topics, in particular addressing the opioid crisis and the significant role that toxicology plays in identifying new novel analogs deeply impacting criminal justice and public health in our country and around the world.

American Society of Crime Laboratory Directors (ASCLD)



The ASCLD annual symposium is in Atlanta, Georgia on May 20-24, 2018. This meeting is going to be excellent! Along with registration, the meeting agenda has also been posted at: <https://www.ascldsymposium.com/agenda-cqfe>. The focus of this year's meeting is leadership, with our theme "Leading Forensic Advancement; A Formula for Success." You will see the topic of leadership evident throughout the array of engaging and informative workshops scheduled for Sunday and Monday, followed by an outstanding plenary session Tuesday through Thursday. Highlights of the plenary session include high level outside business speakers and panels on changing to the new 17025:2017 accreditation, and developing new leaders in an organization. There will be an evening event at the world renowned Georgia Aquarium, a rapid DNA implementation workshop, and three exceptional keynote speakers on various leadership topics. Space is limited to many of the events and we encourage you to register before space runs out in your favorite workshop or event.

ASCLD also encourages everyone to sign up on the ASCLD social media sites to get the most current information on the ISO TAG, leadership training being done on a national and international level, education for forensic science technical and operational managers, and many other topics.



International Association of Identification (IAI)



The IAI's 103rd International Forensic Educational Conference will be held July 29th – August 4, 2018 in San Antonio, Texas. All educational sessions, meetings, and events will be held at the Henry B. González Convention Center and the Grand Hyatt San Antonio Hotel. Registration will be \$375 (U.S.) for International Association for Identification members and \$475 for nonmembers. The full registration DOES NOT include workshops that require an additional fee. Individual workshops are estimated to range from \$30 to \$200 depending on the specific workshop cost and how many workshops are selected by the attendee. Please note this cost could be higher if multiple workshops are selected. The full registration includes all conference materials; the Sunday President's Reception and Exhibit Grand-Opening Reception;

Tuesday-night Poster Presentation/Photo Contest and Reception; and Friday-night Installation and Closing Banquet. (Note: receptions are not full meals).

**The full conference program details are anticipated to appear on the website April, 2018
To see the tentative Conference-At-A-Glance:**

<https://www.theiai.org/conference/2018/glance.php>

Additional details are available at:

<https://www.theiai.org/conference/2018/index.php>

National Association of Medical Examiners (NAME)



The National Association of Medical Examiners recently participated in several days of discussions with NIJ on the needs of Medical Examiners, Coroners, Forensic Pathologists, and Medicolegal Death Investigators in the country. In conjunction with this event, NIJ hosted a listening session to hear the operational needs of the ME offices. We are grateful to NIJ for hosting this event and the information that was shared about the Coverdell grant programs and other efforts NIJ is making to address the needs of Medical Examiners.

NAME has also been heavily engaged in the battle on opioids. ME offices across the country are being overwhelmed with this crisis, resources are being depleted, and staffing shortages are more and more evident. Accreditation status is being threatened or revoked in many offices across the country. NAME appreciates the efforts of CFSO to address this critical crisis by getting the word out, putting forward new legislation, getting MEs included on existing legislation, and generally helping to find and access resources to address this national emergency. We appreciate the efforts of CFSO to attend and present at our very successful annual meeting in Scottsdale Arizona a few months ago! We hope you will all join us in October 2018 in West Palm Beach Florida.

CLOSING

We hope you have enjoyed the newsletter. CFSO will do its best to keep you abreast of the most important news in the forensic community that we represent, as well as important legislation topics.

