



## CONSORTIUM OF FORENSIC SCIENCE ORGANIZATIONS (CFSO)

# FLASH BRIEF

APRIL/MAY 2015

*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.*

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### IMPORTANT NEWS

#### SAFER Act

The National Institute of Justice (NIJ) Sexual Assault Forensic Evidence Reporting (SAFER) Act Subcommittee met in March to develop best practices with regards to sexual assault kits. CFSO was heavily involved in the initial drafting and passing of this legislation and CFSO members were well represented at this NIJ meeting. A second meeting has been set for August 2015. Topics discussed were: Evidence Collection, Analysis of Rape Kits, Prioritization of Evidence and Time Periods, Agency Protocols for Evidence Inventory, Tracking and Audits and Communication. As you recall the SAFER Act was passed in February 2013 as part of the Violence Against Women Act (VAWA). One provision of the Act includes the NIJ working with federal, state and local stakeholders (law enforcement, prosecutors, victim advocates, nurse examiners, crime labs, etc.) to produce a set of non-binding protocols and practices for accurate, timely and effective collection and processing of crime scene DNA evidence, including protocols and practices specific to sexual assault cases.

#### CFSO Presents and Co-Sponsors the ABA-6th Annual Prescription for Criminal Justice Forensics

The American Bar Association held its sixth annual forensic forum at Fordham University in New York City on Friday, June 5, 2015. CFSO is a co-sponsor of this event and addressed the attendees. CFSO is an active participant on the planning and coordination of this event. Topics included: A Progress Report-Strengthening Forensic Science, DNA Update (LCN Admissibility), Research and Development, Issues in Forensic Lab Certification and Accreditation-Moving Beyond the Lab and Ineffective Assistance of Counsel and Forensic Evidence.

Additional information, including session video, will be coming soon to the CFSO website. This event is June 3<sup>rd</sup> next year at Fordham.

### **CFSO/ASCLD “Day on the Hill”**

On April 27<sup>th</sup> 2015 CFSO and ASCLD members had a very successful day on the Hill with Congressional Members and Staffers. CFSO was very well-represented at the event with Board of Director Members and by the Presidents of AAFS, IAI, and ASCLD. We want to express appreciation to Legislative Liaison Beth Lavach for countless hours of coordination and preparation. We also want to express appreciation to CFSO Chair Matthew Gamette and ASCLD Advocacy Co-Chair Jeremy Triplett for their efforts preparing documents and coordinating the event. Finally, thank you to all of the CFSO member organizations for editing point papers and encouraging their members to attend. The event was very successful.



A kickoff meeting was held on the Hill where Stephen Tausend, Senior Counsel to Senate Judiciary Committee (Senator John Cornyn), addressed the group about the importance of forensic legislation. There were thirty-three (33) people at the event and twenty-five (25) official visits were recorded. Attendees took talking points on Rapid DNA, Coverdell, and Forensic Advancement Legislation. The documents from this event are all posted on the CFSO website [www.thecfso.com](http://www.thecfso.com).

### **CFSO at the ASCLD Meeting**

CFSO had a large presence at the ASCLD meeting in Washington D.C. CFSO Chair Matthew Gamette, AAFS President Victor Weedn, and IAI President Steve Johnson presented on behalf of CFSO regarding the successes and future direction of CFSO. Stephen Tausend, Senior Counsel to Senate Judiciary Committee (Senator John Cornyn), and Chan Park, General Counsel for Senate Judiciary Committee (Senator Patrick Leahy), addressed the symposium regarding forensic advancement legislation. Mr. Tausend and Mr. Park both explained their interest in legislation, their actions taken to this point, and the future direction they anticipate taking in the next few months. CFSO played a large role in coordinating this portion of the symposium and the efforts and presentations of these two respected Senate Staffers was very much appreciated. CFSO presented the current legislative priorities for CFSO to the attendees:

- **Forensic Science Advancement Bill**
- Accreditation funding for laboratories and medical examiner offices
- Certification funding for forensic professionals
- Grant Reform/Coverdell
- Rapid DNA legislation
- Rape kit backlog
- NSF and other Federal Agency Research Funding
- Grant funding available for forensic science education instrumentation
- Grant funding and programs for training in forensic disciplines
- Model legislation for MDI
- Increasing the workforce in forensic pathology
- VAWA Reauthorization
- Campus Sexual Assault Legislation

### **CFSO “FBI Hair Case Review” Involvement**

The CFSO Board of Directors wrote a letter to Attorney General Loretta E. Lynch encouraging her to include CFSO and CFSO members in the FBI hair case review process. This letter is available on the CFSO website <http://www.thecfso.org/advocacy/> CFSO offered resources such as qualified analysts, technical reviewers, and experts in root cause analysis to assist in this process. CFSO also offered to help in the communication with other laboratories regarding lessons learned from the FBI process. Further, CFSO encouraged the FBI Office of General Counsel to release the review criteria to the forensic community. At publication time for this newsletter, no response has been received from the Attorney General’s Office and the review criteria has yet to be released publically. CFSO will continue to work to provide information to the forensic community on this issue. The FBI has provided several press releases on their partnership with the National Association of Criminal Defense Attorney’s and the Innocence Project on this review. That information is posted at <http://www.fbi.gov/about-us/lab/scientific-analysis/fbi-doj-microscopic-hair-comparison-analysis-review>

### **CFSO “FBI Allele Table Amendment” Involvement**

CFSO has been very active working with the FBI Laboratory and accrediting organizations to share information regarding the recent FBI Allele Table Amendments with the forensic community. CFSO members have been very active in obtaining information, coordination of information sharing, and even working with publishers to disseminate information on this topic. CFSO member organizations have done an amazing job of helping the forensic community become educated on this issue, and providing practitioners with the tools they need to take appropriate corrective and preventative actions. CFSO member organizations will continue to share information on this topic, provide resources to laboratories and the criminal justice system to deal with this issue, and coordinate training events. The level of coordination and collaboration in the forensic community on this issue has been exceptional and commendable. Information that CFSO distributed to member organizations on this topic is posted on the [CFSO website](#).

### **Sexual Assault Hearing**

On May 20, 2015 the Senate had a hearing titled "Taking Sexual Assault Seriously: The Rape Kit Backlog and Human Rights." CFSO provided briefing materials to members of the Senate Judiciary Committee. CFSO worked with individual lab directors to have them provide information to their Senators on the Senate Judiciary Committee on the current status of sexual assault kit backlogs in their states. These lab directors did a fantastic job and the information provided was very helpful. The information provided showed that many states have been working on this issue proactively for some time. CFSO issued a press release ([available on the CFSO website](#)) commending the Senate on taking on this issue and advocated for more federal funding for DNA and other forensic disciplines. The press release also emphasized the great work being done around the country by many states to eliminate unsubmitted sexual assault kits and challenged the current estimates for unsubmitted sexual assault kits in the United States based on the work already done in many states.

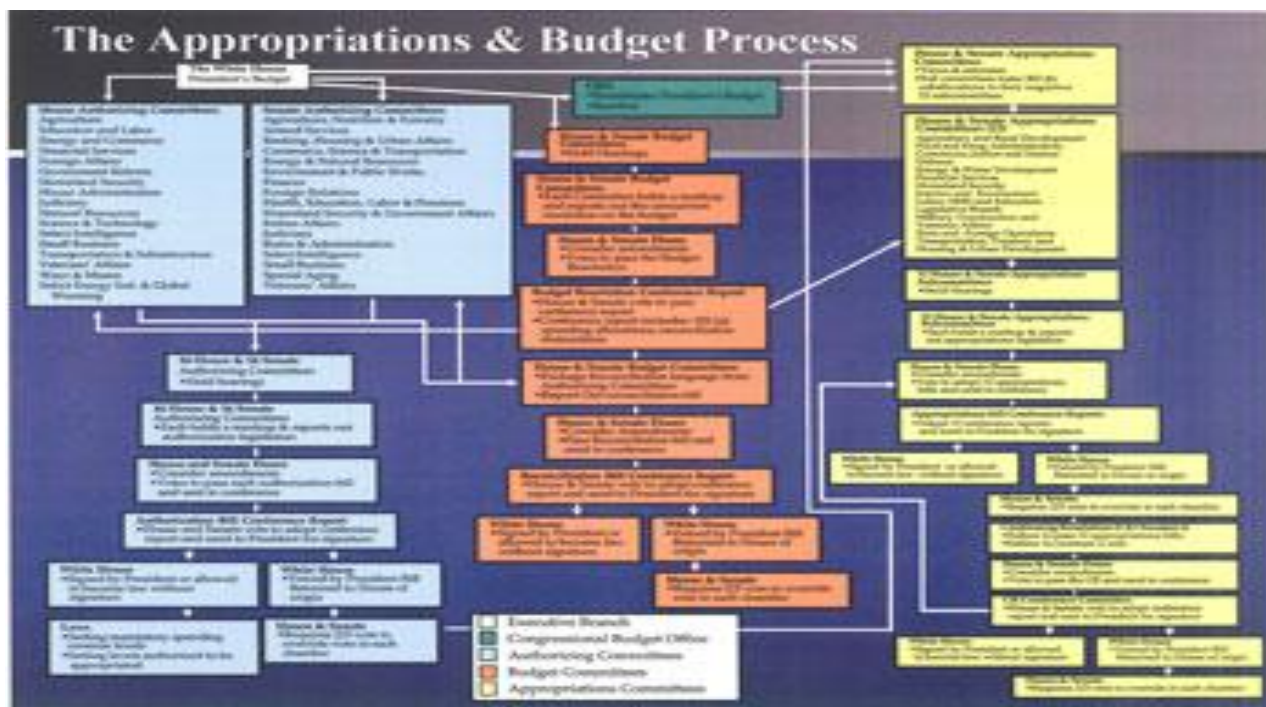
### **GENERAL COMMENTS**

The American Society of Crime Lab Directors and the National Commission on Forensic Science just finished holding meetings in Washington D.C. Along with the flowers popping up, so are a plethora of news and magazines articles. Congress is working toward the budgets passing their

individual Committees and the Judiciary Committees are reviewing a variety of proposals on Forensic Science. We ask that you pay close attention to what the press seems to be proposing and what the Commission is proposing in their published documents, as all of this will dramatically affect the way the local, county, state, and federal laboratories systems work. It is important that individuals and organizations take the time to review documents being offered for public review. CFSO is making an effort to respond to each document and we would appreciate your feedback so that we can represent you effectively.

### FEDERAL BUDGET

Congress is moving into the “thick of things” as they say and some are hopeful that normal order has been resumed on the budget, but only time will tell. Before Congress left for a two-week recess at the beginning of April, both the House and Senate passed budget resolutions that provide guidance to the appropriations committees. While both resolutions adhere to the sequester spending caps, the Department of Defense budget had increased spending in an Overseas Contingency Operations Account. Since the budget process can be so confusing we thought we’d include a chart to attempt to unravel the mystery of the budget. If you have questions please send them our way.



### FEDERAL LEGISLATION UPDATE

**Justice for Victims of Trafficking Act:** Provides guidance on computer forensics and digital evidence to assist in preventing human trafficking. This bill was delayed in negotiations over abortion language but at print those issues have been resolved and the bill is moving now.

**S. 590 and HR 1310 Campus Accountability and Safety Act:** This bill has 28 cosponsors in the Senate and has a high likelihood of passage. See CRS description below.



“Amends provisions of the Higher Education Act of 1965 (HEA) known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education (IHEs) that participate in title IV (Student Assistance) programs to include in their annual campus security reports provided to current and prospective students and employees:

- the memorandum of understanding that this Act requires IHEs to enter into with local law enforcement agencies (and update, as necessary, every two years) to clearly delineate responsibilities and share information about certain serious crimes, including sexual violence, occurring against students or other individuals on campus; and
- specified information regarding the number of sex offenses reported to the IHE and the IHE's disposition of sex offense cases.

Requires IHEs to provide new students and employees with a statement that identifies domestic violence, dating violence, sexual assault, and stalking as crimes which will be reported and with respect to which, based on the victim's wishes, the IHE will cooperate with local law enforcement. Requires an IHE's disciplinary procedures for such offenses to comply with its campus security policy and provide both the accuser and accused written notice of the outcome of such procedures or a change in an outcome within 24 hours after it occurs.

Directs the Secretary to develop and administer through an online portal a standardized, online, and biannual survey of students regarding their experiences with sexual violence and harassment. Omits survey responses from the annual crime statistics IHEs must report, but requires the Secretary to publish survey information that includes campus-level data for each school on the Department of Education's (ED's) website biannually. Requires IHEs to publish the campus-level results of the survey on their websites and in their annual security reports.

Requires ED to make publicly available guidance regarding the intersection of the campus security and crime statistics reporting requirements under title IV and requirements under title IX of the Education Amendments of 1972.

Requires each IHE that receives funding under the HEA to establish a campus security policy that includes:

- the designation of one or more confidential advisors at the IHE to whom non-employee victims of sexual harassment, domestic violence, dating violence, sexual assault, or stalking can report, including anonymously;
- provision on the IHE's website of specified information to assist the victims of such crimes, including contact information for the confidential advisor;
- authorization for the IHE to provide an online reporting system to collect anonymous disclosures of crimes and track patterns of crime on campus;
- an amnesty policy for any student who, in good faith, reports sexual violence to a higher education responsible employee, with respect to a non-violent student conduct violation revealed in the course of such a report;
- a training program, developed by the Secretary, for IHE employees who are involved in implementing the school's student grievance procedures or responsible for interviewing alleged sexual assault victims;
- a uniform process (for each of the IHE's campuses) for student disciplinary proceedings relating to claims of sexual violence against a student attending the IHE;
- the annual provision of information to ED's Office for Civil Rights and the Civil Rights Division of the Department of Justice (DOJ) regarding the IHE's title IX coordinator;
- the provision of written notice to the accuser and accused student within 24 hours of the IHE's decision to proceed with an institutional disciplinary process regarding an allegation of sexual misconduct; and
- the provision of written notice to the accuser and accused student within 24 hours of the determination of responsibility made by the disciplinary board and any sanctions.

Directs the Secretary to establish a title IX website that includes:

- the name and contact information for the title IX coordinator at each IHE, including a brief description of the coordinator's role and the roles of other officials who may be contacted regarding sexual harassment; and
- ED's pending investigations and the actions it has taken regarding all title IX complaints and compliance reviews related to sexual harassment.

Directs the Secretary to develop online training materials for training higher education responsible employees, title IX coordinators, and individuals involved in implementing an IHE's student conduct grievance procedures.

Authorizes the Secretary to impose civil penalties upon IHEs that fail to: (1) enter into memorandums of understanding with their local law enforcement agencies, (2) carry out campus security and crime statistics reporting requirements, or (3) establish the requisite campus security policy.

Amends the Violence Against Women and Department of Justice Reauthorization Act of 2005 to: (1) increase the minimum grant that may be provided to IHEs to combat domestic violence, dating violence, sexual assault, and stalking on campuses; and (2) authorize the use of such grants to train campus personnel in how to use victim-centered, trauma-informed interview techniques.

Amends the HEA to authorize the Secretary, using amounts collected under this Act's penalty provisions, to award competitive grants to IHEs to enhance their ability to address sexual harassment, sexual assault, domestic violence, dating violence, and stalking, on campus.

Amends the Education Amendments of 1972 to authorize the Secretary or DOJ to impose civil penalties on IHEs that violate or fail to carry out title IX requirements regarding sexual violence. Gives individuals 180 days after their graduation or disaffiliation with an IHE to file a complaint regarding such a violation with ED's Office for Civil Rights."

**H.R. 320-Rapid DNA:** This bill is still pending in the House with no date for a vote in sight and no Senate bill. Please see the CFSO website for the CFSO position paper and additional information

**Cornyn/Leahy Forensic Reform Bill :** Negotiations are ongoing for the re-introduction bill. CFSO is very active in these discussions and negotiations.

**Previous Rockefeller Bill:** CFSO has been contacted by Members of Congress looking to re-introduce this legislation. CFSO will be involved in and carefully monitoring these developments.

**Justice For All Act:** Like the Rockefeller bill, there are rumors that this bill will be re-introduced but we have not seen a draft yet.

**Appropriations Process:** At the time of print for this newsletter the House has completed their version of the budget. A synopsis of the House version is in this newsletter (page 7). We continue to lobby for forensic funding as the appropriations process moves forward. The Senate is due to complete their version this week. Look for the Senate information in our next newsletter.

## HOUSE BUDGET

### NIST :

Overall budget \$855,000,000 (\$8,900,000 below FY15 and \$264,661,000 below request)

Standards Coordination and Special Programs: \$55,000,000 for standards coordination and special programs. Within these amounts, up to \$5,000,000 is included to maintain NIST's current forensic research and standards work. The recommendation does not include funds to support or operate Forensic Science Advisory Committees. The recommendation does not include the requested increase for Manufacturing Entrepreneurship

### JUSTICE:

*Regional Computer Forensics Laboratories.*—The Committee is aware that the FBI is exploring the possibility of expanding Regional Computer Forensics Laboratories, to include coverage in areas not currently served by them. The Committee supports this effort and expects the FBI to keep the Committee apprised of any plans to expand the laboratories or add new ones.

### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the Committee recommends \$1,996,200,000 for State and local law enforcement and crime prevention grant programs, including \$1,924,200,000 in discretionary appropriations. The discretionary total is \$333,600,000 below fiscal year 2015 and \$502,700,000 below the request.

*Research, evaluation and statistics.*—In lieu of providing a base appropriation for the National Institute of Justice and the Bureau of Justice Statistics, the recommendation provides flexibility for the Department to fund these functions through a set-aside of grant programs. The Department shall provide a proposed allocation of funds for these activities in the spending plan required by this Act.

*Office of Victims of Crime (OVC).*—The recommendation provides \$344,164,000 above the current level for OVC. Within available re- sources, OVC may implement the office's Vision 21, which seeks to bring better technology, planning, research and data into the crime victims services field.

The Committee understands that OVC recently released new guidelines to revise performance metrics for both Victim Compensation and Victim Assistance formula grant programs. The Committee directs OVC to submit a report, no later than 90 days after enactment of this Act, on the steps it has taken to assist grantees in complying with the new requirements.

***Forensics.*—The recommendation does not include funding for the forensics initiative. The Committee is concerned that the Administration's forensic sciences initiative lacks the involvement of the State and local practitioner community, making the community an observer—not a participant—in addressing forensic reform, and thereby running the risk that the initiative will not take into consideration existing, proven standards and processes used within the community. This matter is also addressed elsewhere in the report.**

Byrne Memorial Justice Assistance      \$490,000

## HOUSE BUDGET CONTINUED...

DNA Initiative	\$125,000
(Debbie Smith DNA Backlog)	(\$117,000)
(Kirk Bloodsworth Post Conviction)	(\$ 4,000)
(Sexual Assault Forensic Exam Programs)	(\$ 4,000)
 Paul Coverdell Grant	 \$0

*Byrne Memorial Justice Assistance Grant (Byrne/JAG) program.*—The recommendation includes \$409,000,000 for the Byrne/ JAG program. Funding under this formula program is authorized for law enforcement programs; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation. Within the amount provided, \$20,000,000 is for presidential nominating convention security; \$4,000,000 is for research on domestic radicalization; \$15,000,000 is for the Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR) Initiative; \$22,500,000 is for the Bulletproof Vest Partnership program; and \$2,500,000 is juvenile indigent defense. Excluding carveouts, the recommendation for Byrne/JAG is \$12,250,000 above fiscal year 2015 and \$25,500,000 above the request.

The Committee encourages the VALOR Initiative to continue its training partnerships that offer nationwide dynamic, force-on-force scenario-based training. The Committee understands the training has been adopted by numerous States and agencies as their standard active shooter training and the FBI has adopted this program as its national training standard for active shooter response.

*Forensics training.*—The Committee understands there is a lack of emphasis on solution-based approaches to training local officers and using available technology to reduce court backlogs and increase prosecutions. The Committee encourages that an emphasis be placed on providing resources for multi-jurisdictional forensic service providers who, in collaboration with universities, can help provide access to forensic expertise, assistance and continuing education to law enforcement agencies, particularly in rural under- served areas.

*Digital forensics tools.*—The Committee understands that there is a sizable backlog in completing investigations to enable prosecution of child sexual exploitation cases. Greater use of innovative technologies may be of great value in reducing the backlog. As such, the Committee encourages the Department to examine the use of mobile digital forensic tools to help combat child sexual exploitation.

*DNA initiative.*—The recommendation includes \$125,000,000 for DNA-related and forensic programs and activities, an increase of \$20,000,000 above the request and the same as the fiscal year 2015 level. Within the funds provided, the Committee provides \$4,000,000 each for Post-Conviction DNA Testing grants and Sexual Assault Forensic Exam Program grants. The Committee expects that OJP will make funding for DNA analysis and capacity enhancement a priority to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit, as part of its spending plan, a plan for the use of all funds appropriated for DNA-related and forensic programs and a report on the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.



## HOUSE BUDGET CONTINUED...

### COMMUNITY ORIENTED POLICING SERVICES

*Sexual assault kit backlog grants.*—The Committee is concerned with the ongoing sexual assault kit backlog in jurisdictions across the country. The Committee encourages stakeholders and local law enforcement to continue working with Federal law enforcement to resolve this important issue. The recommendation includes \$41,000,000 for grants to address the sexual assault kit backlog.

### FORENSIC PRESS

Every day there are more and more articles about crime labs published, but we wanted to provide the links to some that we have seen.

We'd like to see what your response is to this coverage and what you would like to see from CFSO in regard to this negative publicity. Email us at [matthew.gamette@thecfso.org](mailto:matthew.gamette@thecfso.org)

- 1) "FBI Admits Flaws in Hair Analysis Over Decades", The Washington Post, April 18, 2015, Spencer Hsu. This provides an overview of a report published about the flaws in the hair analysis.  
[http://www.washingtonpost.com/local/crime/fbi-overstated-forensic-hair-matches-in-nearly-all-criminal-trials-for-decades/2015/04/18/39c8d8c6-e515-11e4-b510-962fcfab310\\_story.html?hpid=z1](http://www.washingtonpost.com/local/crime/fbi-overstated-forensic-hair-matches-in-nearly-all-criminal-trials-for-decades/2015/04/18/39c8d8c6-e515-11e4-b510-962fcfab310_story.html?hpid=z1)
- 2) "CSI Is a Lie, America's Shameful System of Forensic Investigation is Overdue for Sweeping Reform", The Atlantic, April 20, 2015, Conor Friedersdorf. This article also references the Washington Post article about the FBI and provides an overview of incidents in other States along with recommendations for reform from Balko and Koppl for reform  
<http://www.theatlantic.com/politics/archive/2015/04/csi-is-a-lie/390897/>
- 3) "A Brief History of Forensics", Washington Post, April 21, 2015, Radley Balko. A followUp to the FBI story in the Washington Post. As a lengthy article, it provides an overview of forensic science in the courtroom and "how easily good science could quickly go terribly wrong". It points out that "most forensic disciplines weren't invented in labs, then subjected to peer review in scientific journals. But instead most were invented by people in law enforcement, not in the quest for knowledge, but as aide to help them solve crimes."  
<http://www.washingtonpost.com/news/the-watch/wp/2015/04/21/a-brief-history-of-forensics/>
- 4) "Why Do Crime Labs Keep Screwing Up", Mother Jones, April 20, 2015. This article provides an overview of recent issues and provides the comment that the Commission is meeting but its recommendations are not binding.  
<http://www.motherjones.com/politics/2015/04/why-do-crime-labs-keep-screwing-dna-tests>
- 5) A survey sent out recently by the Science Advisory Board to many lab directors titled "Should We Stop Using Forensic DNA Testing?"

## MEMBERS CORNER

### [American Academy of Forensic Sciences \(AAFS\)](#)



The AAFS (<http://www.aafs.org/>)

The AAFS Humanitarian and Human Rights Resource Center continues to gather momentum under the direction of AAFS Past President Doug Ubelaker. The Center seeks to utilize the assets of the AAFS to promote the application of contemporary forensic science and forensic medicine principles to global humanitarian and/or human rights projects requiring special forensic assistance.

The Center will have four committees: (1) **Publications and Documents**. Chair: Marilyn Huestis NIH (Tox.) [mhuestis@intra.nida.nih.gov](mailto:mhuestis@intra.nida.nih.gov) This group will assemble publications and documents that are relevant to the Center's interests; (2) **Laboratory and Analysis Protocols**. Chair: Sabra Botch-Jones Boston Univ. School of Medicine MA (Tox) [sabra@bu.edu](mailto:sabra@bu.edu); Requests are likely to originate from outside the AAFS membership and our Center can provide a useful service in identifying and making this information available. (3) **Education**. Chair: Dawn Mulhern Fort Lewis College, CO (Anthro) [mulhern\\_d@fortlewis.edu](mailto:mulhern_d@fortlewis.edu) This group will explore mechanisms to enrich educational efforts with the value of solid forensic science contributions to humanitarian and human rights issues; and (4) **Equipment**. Chair: Ron Singer Tarrant County MEO, Fort Worth, TX (Crim) [crimelab@flash.net](mailto:crimelab@flash.net) This group will evaluate requests for equipment support and recommend solutions.

The Academy News is going green with the brand new AAFS News Feed online. This means AAFS related news becomes fully text searchable, categorized, and easily accessible whenever you need it and wherever you go.

The AAFS International Educational Outreach Program will take place in Croatia this year in June. Following an exciting tour of some of Croatia's outstanding cultural, scientific, and historic landmarks, participants will have the opportunity to attend the 9<sup>th</sup> ISABS Conference on Forensic and Anthropologic Genetics and Mayo Clinic Lectures in Individualized Medicine. This is an ideal platform for exchanging and sharing ideas and the latest information in the forensic science field with over 500 attendees from all continents.

In May, President Victor Weedn and President-elect John Gerns attended the Council of Scientific Society Presidents meeting in Washington, DC. The Council of Scientific Society Presidents (CSSP) is a unique organization representing the breadth of science and engineering research disciplines through its member societies and federations. CSSP member societies are represented by their presidents, president-elects, and recent past presidents of leading scientific societies and federations whose combined membership is over one million. We both found it an invaluable experience that greatly enhanced our knowledge and understanding of some of the fantastic research and development occurring across the wide spectrum of science.

## [American Board of Forensic Toxicology/Society of Forensic Toxicologists](#)



### **SOFT Continuing Education Workshop SWGTOX Standard Practices for Method Validation in Forensic Toxicology/Advanced Excel Operations**

June 25-26, 2015

Milwaukee, Wisconsin

The first part of this workshop is on method validation. Validation is the process of performing a set of experiments that reliably estimates the efficacy, reliability, and reproducibility of an analytical method. The goal of conducting validation experiments is to establish evidence which demonstrates that a method is capable of successfully performing at the level of its intended use and to identify the method's limitations under normal operating conditions.

The second part of this workshop is designed for users of Excel. This workshop is intended for those already proficient in Microsoft Excel software and who desire to further their application of the software in a laboratory setting. The workshop will provide hands-on training for the following applications.

Click [here](#) for additional information.

Click [here](#) to download the registration form.

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## [American Society of Crime Laboratory Directors \(ASCLD\)](#)



ASCLD had a very successful symposium in Washington D.C. The symposium had 9 meetings, 8 special events, 25 plenary session presentations, 30 breakout session presentations, 15 workshops, and 23 posters. In addition it was the highest attendance of any ASCLD symposium ever! There were over 551 total attendees including 178 vendor attendees. The theme of "Policy and Practice in the 21<sup>st</sup> Century" was very well suited for the Washington D.C. setting. The keynote speaker Commissioner William B. Evans of the City of Boston Police Department gave a wonderful introduction to the conference by talking about leadership during times of crisis. His presentation on the Boston Marathon Bombings was compelling and his message was inspiring. Presentations were given on the National Commission on Forensic Science, Organization of Scientific Area Committees, and many other current topics such as report writing, sexual assault kit policy, synthetic drug issues, and rapid DNA analysis. Personnel issues

such as staffing, decision making, and maintaining high performing teams were discussed. The information was very relevant to all attendees. We want to thank our CFSO partners for contributing to the symposium and offering presentations in a number of sessions.

ASCLD has developed a very successful webinar program and we look forward to some very engaging webinars for technical and laboratory directors in the next few months. The focus this year for the webinars will be to provide training for laboratory managers and directors in disciplines that they may not have worked in as an analyst. The focus will be to provide those key things that a manager needs to know to manage a discipline where they may have less familiarity with the technical information. The first will be a June webinar regarding the “FBI Allele Table Amendments.” We anticipate offering a technical section where technical training will be provided by the FBI and others on the amendments. That session will be followed by a management section where lab directors will break down the topic for managers with less experience in DNA analysis. Information on these webinars will be in the ASCLD Crime Lab Minute and will also be advertised by CFSO.

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### [International Association of Forensic Nurses \(IAFN\)](#)



IAFN will host our annual conference in Orlando Florida October 28<sup>th</sup>-31<sup>st</sup>. The goals of this conference are to:

1. Describe the current state of the science in forensic nursing.
2. Provide opportunities to exchange knowledge related to the future of forensic nursing.
3. Identify strategies to influence the future of forensic nursing and the global response to violence.
4. Evaluate the risks and benefits of technological advances as they relate to forensic nursing and issues of violence.
5. Incorporate evidence-based strategies into forensic nursing practice.

We look forward to seeing many of our CFSO partners at this annual conference!

## [International Association of Identification \(IAI\)](#)



The IAI is celebrating the 100<sup>th</sup> International Educational Conference August 2<sup>nd</sup>-8<sup>th</sup> in Sacramento California. The conference theme of “A Proud Past, A Bright Future” will be on display during the 5-day schedule of presentations and workshops. Expert instructors will concentrate on the technologies and trends that have the greatest impact for forensic identification professionals. The 100<sup>th</sup> International Education Conference will provide the perfect opportunity to develop a network of peers that will enhance skills and provide professional resources.

CFSO will give a presentation to the general membership highlighting activity over the past year.

The IAI eCert project went live on December 6, 2013, and paper applications are no longer accepted. There were 706 applications submitted through eCert for 2014. Listed below are the certification totals for all boards:

- Crime Scene- 1574
- Bloodstain- 41
- Forensic Art- 32
- Forensic Photography- 52
- Latent Print- 1023
- Ten Print- 114
- Forensic Video- 22
- Footwear - 112

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## [National Association of Medical Examiners \(NAME\)](#)



NAME now accredits 80 national and international death investigation systems. NAME accredited medical examiner, coroner and autopsy services provide medicolegal death investigation expertise to approximately 1/3 of the United States population. Currently, NAME is looking to develop ISO-level NAME accreditation as an option for those current and future NAME accredited offices.

NAME is very interested in reaching out to international forensic pathologists and medicolegal death investigators as well as associations, societies, institutions, and departments of legal medicine throughout the world. Since its creation in 1994, NAME’s International Relations Committee has been very active promoting communications with and learning of colleague’s practices throughout the world. The committee’s chair, Thomas Noguchi, MD, is also President of the World Association for Medical Law and its 21<sup>st</sup> meeting will be held August 2-6, 2015 in Coimbra, Portugal.

The next annual meeting of NAME is in Charlotte, NC October 2-6, 2015 at The Westin Charlotte.

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## **NATIONAL COMMISSION ON FORENSIC SCIENCE**

The sixth commission meeting was held in Washington DC on April 30 – May 1, 2015 at the House of Sweden. The CFSO was represented at the meeting on both days. CFSO and CFSO members have reviewed and commented on most documents posted by the NCFS. NCFS has a new charter posted on the website and solicitations for new Commissioners are being accepted. The deadline was May 28, 2015. CFSO posted information to apply on the CFSO website. Check the NCFS website for periodic updates of documents or register with federal register to receive notification. The NCFS approved several documents and established a new bylaws group comprised of John Butler, Nelson Santos, Marilyn Huestis, Matt Redle, Pam King, Dean Gialamas, and Tania Simoncelli.

The next commission meeting will be held in Washington DC on August 10, 11, 2015.

CFSO Responses to the NCFS documents can be found at <http://www.thecfso.org/advocacy/>

## **ORGANIZATION OF SCIENTIFIC AREA COMMITTEES**

The OSACs continue to meet on a regular basis and work hard on forensic science standards. The FSSB and Resource Committees are working hard to finalize the process to get standards to the Registry. The SAC Chairs recently presented at the NCFS meeting and also at the ASCLD symposium. The priorities of each group have been defined and the OSAC is working hard on each one of these priorities. We want to express appreciation to all the CFSO members dedicating time to the OSAC effort. We know that each of you is a volunteer and we appreciate your commitment to the forensic and criminal justice communities.

## **NEW CFSO ADVOCACY DOCUMENTS**

- [Day on the Hill documents](#)
- [Letter to AG Lynch on FBI Hair Review](#)
- [Press release on U.S. Senate hearing on Sexual Assault Kits](#)

## **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. Please see the next section for important state legislation.



## IMPORTANT STATE LEGISLATION

State	Title/Information	Bill Number		Status
CA	Post conviction Testing	AB818	<p>Existing law allows an incarcerated person who has been convicted of a felony to make a written motion for the performance of forensic deoxyribonucleic acid (DNA) testing according to a specified procedure. Existing law allows the court to order a hearing on the motion if the court determines the convicted person has met specified requirements and that the hearing is necessary. Existing law requires the motion to be granted if certain facts have been established, including, among others, that the identity of the perpetrator of the crime was, or should have been, a significant issue in the case. This bill would authorize a party in a criminal action to make a written motion for the comparison of DNA evidence, evidence or latent fingerprint evidence, or firearms-related evidence with information contained in relevant databases. The bill would require the party seeking the comparison to provide written notice, as specified, 30 court days prior to a hearing on the motion. The bill would require authorize the court to grant the motion if, in the case of a DNA comparison, if the source of the DNA profile or the latent fingerprint comparison is material to guilt or innocence, in the case of latent print comparison, the comparison may identify the putative perpetrator of the crime, or, in the case of firearms-related evidence comparison, the comparison may provide evidence that is material to guilt or innocence. The bill would require that the local law enforcement agency to conduct the comparison and provide the results of any comparison to the court. The bill would require the court, if the results are material, to disclose the results to the parties. court for distribution to the parties. By imposing additional duties on local law enforcement agencies with regard to evidence comparison, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.</p>	<p>Apr 7, In committee: Hearing postponed by committee, April 14, Assembly Public Safety Hearing, April 15, from committee: Amend and do pass as amended, Apr 16 read second time and amended, Apr 20 re-referred to Com, Apr 29 Assembly Appropriations hearing, Apr 29 In committee: Set first hearing; May 27 and 28 Hearing, May 28: In committee held under submission</p>

	Forensic testing: DNA samples	AB84	<p>AB 84, as amended, Gatto. Forensic testing: DNA samples. (1) Existing law, as amended by the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, Proposition 69, approved by the voters at the November 2, 2004, general election (the DNA Act) requires that any adult person who is arrested or charged with any felony offense to provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required for law enforcement identification analysis. Existing law requires that blood specimens and buccal swab samples be forwarded promptly to the Department of Justice for analysis. Existing case law , People v. Buza (2014) 231 Cal.App.4th 1446, review granted February 18, 2015, S223698, holds that the DNA Act, to the extent it requires felony arrestees to submit to a DNA sample for law enforcement analysis and inclusion in the state and federal DNA databases, without independent suspicion, a warrant, or a judicial or grand jury determination of probable cause, unreasonably intrudes on the arrestee's expectation of privacy and is invalid under the California Constitution. The DNA Act provides that it may be amended by a statute passed by each house of the Legislature that furthers the purpose of the measure. This bill would state that it is the intention of the Legislature to further the purposes of the DNA Act in light of the above-specified case law. The bill would , if the California Supreme Court rules to uphold People v. Buza, require that a blood specimen or buccal swab sample taken from a person arrested for the commission of a felony be forwarded to the department after a judicial determination of probable cause to believe the person has committed the offense for which he or she was arrested has been made. (2) Existing law, as amended by the DNA Act, requires a person who has been convicted of a felony offense to provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required for law enforcement identification analysis. Existing law makes these provisions retroactive, regardless of when the crime charged or committed became a qualifying offense. Existing law, subject to exceptions, provides that any person who has been convicted of certain misdemeanors may not, within 10 years of the conviction, own, purchase, receive, possess, or have under his or her custody or control, any firearm. This bill would require a person who has been convicted of a misdemeanor to which the 10-year prohibition on the possession of a firearm applies, specified misdemeanors to provide buccal swab samples,</p>	<p>Apr 7 In committee: Set, first hearing. Hearing canceled at request of author; Apr 14 Assembly Public Safety Hearing; Apr 22 from committee: amend and do pass as amended and re-refer to Com on APPR: Read second time and amended; Apr 27 Re-referred to Com. On APPR; May 13 In committee: Set, first hearing. Referred to APPR suspense file; May 27 Assembly Appropriation Hearing; May 28 In committee held under submission</p>
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right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required for law enforcement identification analysis. By imposing additional duties on local law enforcement agencies to collect and forward these samples, this bill would impose a state-mandated local program. (3) Existing law, as amended by the DNA Act, requires that a DNA specimen and sample be destroyed and that a searchable database profile be expunged from the data bank databank program if the person from whom the specimen or sample was collected has no past or present offense or pending charge which qualifies that person for inclusion in the database and if that person submits an application, as specified. Existing law gives the court discretion to grant or deny the application. This bill would, if the California Supreme Court rules to uphold People v. Buza, require the DNA specimen and sample to be destroyed and the searchable database profile expunged from the database without the requirement of an application. (4) Existing law, as amended by the DNA Act, states that nothing in the act shall be construed to restrict the authority of local law enforcement to maintain their own DNA-related databases or databank. This bill would allow a law enforcement agency to use a publicly available database, excluding a law enforcement database that is not linked to the Combined DNA Index System (CODIS), if the case being investigated involves a homicide or sexual assault involving force and the case is unsolved and all investigative leads have been exhausted, in which case the bill would require the law enforcement agency to review non-forensic information in order to identify additional evidence bearing on relatedness. (4) (5) Existing law, as amended by the DNA Act, states that its provisions do not prohibit collection and analysis of specimens, samples, or print impressions as a condition of a plea for an offense that does not require the taking of samples and specimens. The bill would state that it is the intent of the Legislature to allow buccal swab samples to be taken for DNA analysis as a condition of a plea or reduction or dismissal of charges. The bill would permit a law enforcement agency to use any publicly available database to aid in the investigation of a crime. (5) (6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory

			provisions.	
<b>CO</b>	Adds forensic nurses to the medical personnel when collecting kits	SB 128	<p>Current law requires a medical facility to report to law enforcement when certain medical personnel collect medical forensic evidence of a sexual assault (evidence) if the victim consents. The bill adds nurses to the medical personnel. The bill requires the report to be: A law enforcement report if the victim requests that the evidence be collected and at the time of the medical treatment chooses to participate in the criminal justice system; A medical report if the victim requests that the evidence be collected but at the time of the medical treatment chooses not to participate in the criminal justice system; or An anonymous report if the victim consents to the collection of the evidence but at the time of the medical treatment chooses not to have personal identifying information disclosed to law enforcement or to participate in the criminal justice system. For an anonymous report, the medical facility shall not provide information identifying the victim to law enforcement, and law enforcement shall not submit the evidence for testing. For a law enforcement or medical report, law enforcement shall submit the evidence for testing pursuant to existing law. The bill clarifies that a victim may speak anonymously to law enforcement and that no report is required if evidence is not collected</p> <p><a href="https://www.govtrack.us/states/co/bills/3d94b168d29d/">https://www.govtrack.us/states/co/bills/3d94b168d29d/</a></p>	March 30 signed into law
<b>CT</b>				
<b>HI</b>	Sexual Assault Response Team	SB275	<p>Establishes the statewide sexual assault response system, sexual assault response teams in each county, and sexual assault victim examination protocols, including time frames pertaining to the collection, submittal, and analysis of forensic medical evidence.</p> <p><a href="https://www.govtrack.us/states/hi/bills/3d94b168d29d/sb275">https://www.govtrack.us/states/hi/bills/3d94b168d29d/sb275</a></p>	Mar 25, 2015: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none
	DNA Sample Collection	SB211	<p>Specifies the requirements of DNA sample collection from subject criminal offenders that are released on parole, probation, or other release</p> <p>Makes it a class C felony to intentionally or knowingly fail to provide DNA samples, and a misdemeanor for negligent or reckless failure to</p>	May 1, 2015: Enrolled to Governor

			comply. <a href="https://www.govtrack.us/states/hi/bills/3d94b168d29d/sb211">https://www.govtrack.us/states/hi/bills/3d94b168d29d/sb211</a>	
	Evidence Retention	SB152	Specifies the criminal offenses for which biological evidence must be retained for a certain period following a conviction and the standards for uses of retained evidence. Establishes a process for the disposal of biological evidence earlier than the prescribed period for retention. <a href="https://www.govtrack.us/states/hi/bills/3d94b168d29d/sb152">https://www.govtrack.us/states/hi/bills/3d94b168d29d/sb152</a>	March 12, 2015: Referred to JUD
<b>ILL</b>	Sexual Assault Emergency Treatment Program Fund.	HB3848	An act that amends the Sexual Assault Survivors Emergency Treatment Act. Creates the Illinois Sexual Assault Emergency Treatment Program Fund. Prohibits a hospital, health care professional, ambulance provider, laboratory, or pharmacy furnishing hospital emergency services, forensic services, transportation, or medication to a sexual assault survivor from directly billing the survivor. Requires every hospital and health care professional to establish a billing protocol to ensure that no sexual assault survivor is billed for treatment. Contains penalty provisions. Makes other changes. Amends the State Finance Act. Creates the Illinois Sexual Assault Emergency Treatment Program Fund as a special fund in the State treasury. <a href="https://www.govtrack.us/states/il/bills/32570542c593/hb3848">https://www.govtrack.us/states/il/bills/32570542c593/hb3848</a>	Added Co-Sponsor Rep. Robyn Gabel, May 31
	Coroner Training Board Act	HB 4054	A bill that creates the Coroner Training Board Act. Creates the Coroner Training Board which will have the power to establish application, training, and certification standards for coroners, and to review and approve annual training curriculum for coroners. Provides that the new Board will select and certify coroner training schools, shall conduct or approve a training program in death investigation for the training of coroners, and be allowed to accept contributions and gifts from any organization having a legitimate interest in coroner training. Amends the Illinois Police Training Act and the Counties Code removing the Illinois Law Enforcement Training Standards Board from overseeing coroner training and replacing with the Coroner Training Board. Amends the Vital Records Act providing that 25% of the Death Certificate Surcharge Fund may be used by the Coroner Training Board (currently the Illinois	April 24 2015: Re-referred to Rules COmmittee

			<p>Law Enforcement Training Standards Board) for the purpose of training coroners, deputy coroners, and forensic pathologists, and police officers for death (currently homicide) investigations and lodging and travel expenses relating to training.</p> <p><a href="https://www.govtrack.us/states/il/bills/32570542c593/hb4054">https://www.govtrack.us/states/il/bills/32570542c593/hb4054</a></p>	
	Synthetic Drug ID Pilot Program	HB3588	<p>Synthetic Drug ID Pilot Program, creates the Synthetic Drug Identification Pilot Program Act. Provides that at least once every 90 days, and in consultation with the Division of Forensic Services of the Department of State Police, the Department of Human Services shall submit a report to the Governor, Attorney General, and General Assembly outlining whether the Division of Forensic Services of the Department of State Police has identified any new chemical formulas that are used to make synthetic cannabinoids or cathinones (synthetic drugs) that are not currently illegal under State law. Provides that if the Department of Human Services' report to the Governor, Attorney General, and General Assembly confirms the Department of Human Services has identified new chemical formulas that are used to make synthetic drugs, the Department Human Services shall as soon as practicable propose an emergency rule to add any new chemical formulas to the current list of chemical formulas that are listed in the Illinois Controlled Substances Act as Schedule I controlled substances, and adopt the proposed rule as quickly as allowed for under the Illinois Administrative Procedure Act. Provides that if the Department of Human Services adopts the emergency rule, the new rule shall be recognized as law under the Illinois Controlled Substances Act. Provides that the Department of State Police, by rule, shall create a pilot program that uses technologies and protocols to instantly identify synthetic cannabinoids and cathinones (synthetic drugs), as well as other designer drugs. Provides that the pilot program shall focus on using technology capable of presumptive identification of illicit drugs in the field. Repeals the Act on July 30, 2018. Amends the Illinois Controlled Substances Act to make conforming changes. Effective immediately.</p> <p><a href="https://www.govtrack.us/states/il/bills/32570542c593/hb3588">https://www.govtrack.us/states/il/bills/32570542c593/hb3588</a></p>	<p>April 24, 2015: Re-referred to Rules Committee</p>



	Identify new chemical formulas that are used to make synthetic cannabinoids or cathinones	HB 3660	<p>Cont Sub-emergency schedule Amends the Illinois Controlled Substances Act. Provides that at least every 90 days, and in consultation with the Department of State Police Division of Forensic Services and the State Board of Pharmacy of the Department of Financial and Professional Regulation, the Department of Human Services shall send official correspondence to the Governor, Attorney General, and the General Assembly describing whether the Department of Human Services has identified any new chemical formulas that are used to make synthetic cannabinoids or cathinones (synthetic drugs) that are not currently illegal under State law. Provides that to identify new chemical formulas, the Department shall routinely communicate with the Department of State Police Division of Forensic Services, the United States Drug Enforcement Administration, the United States Office of National Drug Control Policy, and the Scientific Working Group for the Analysis of Seized Drugs (SWDRUG), and other state boards that schedule controlled substances. Provides that if the Department's official correspondence to the Governor, Attorney General, and General Assembly confirms that the Department has identified new chemical formulas that are used to make synthetic drugs, the Department shall immediately propose an emergency rule to add any new chemical formulas to the current list of chemical formulas that are listed in the Act as scheduled controlled substances, and adopt the proposed rule as quickly as allowed for under the Department's notice and public comment rules. Provides that if the Department adopts the emergency rule, the rule shall take effect as quickly as allowed under the Illinois Administrative Procedure Act, and the new rule shall have the force of law under the Act. Provides that any emergency rule adopted under this provision shall be inoperative 12 months from the date that the emergency rule becomes effective, or when the General Assembly by law takes action to ratify, change, or reject the emergency rule adopted by the Department. Provides that nothing in these provisions shall interfere with the exemptions provided for under State law to any person or entity that possesses a chemical formula defined as a scheduled controlled substance for a lawful purposes.</p> <p><a href="https://www.govtrack.us/states/il/bills/32570542c593/hb3660">https://www.govtrack.us/states/il/bills/32570542c593/hb3660</a></p>	April 24, 2015: Re-referred to Rules Committee
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<b>KY</b>	Number of untested sexual assault examinations kits	SJR 20	JOINT RESOLUTION directing the Auditor of Public Accounts to report on the number of untested sexual assault examinations kits in the possession of Kentucky law enforcement and prosecutorial agencies. <a href="https://www.govtrack.us/states/ky/bills/3d94b168d29d/sjr20">https://www.govtrack.us/states/ky/bills/3d94b168d29d/sjr20</a>	March 23, 2015: signed by Governor
<b>LA</b>	Provides relative to the examination, treatment and billing of victims of sexually-oriented criminal cases	HB835	AN ACT 2 To amend and reenact R.S. 13:5713(F) and R.S. 15:622(A)(2) and (4) and R.S. 46:1802(4), 3 (7) through (10), 1806(B), (C), and (D), 1809(B)(3) and (4)(a), and 1817(A) and to 4 enact R.S. 15:623 and Part XLIV of Chapter 5 of Title 40 of the Louisiana Revised 5 Statutes of 1950, to be comprised of R.S. 40:1300.41, and R.S. 46:1802(10.1), (11), 6 (12), and (13), 1806(E), and 1807(B)(7) and to repeal R.S. 40:2109.1, relative to the 7 treatment and billing of victims of a sexually-oriented criminal offense; to require 8 the coroner to examine victims; to require the use of a barcode to maintain 9 confidentiality; to provide for the transfer of evidence; to provide for the forensic 10 medical examination; to provide for ancillary healthcare services; to require a 11 regional sexual assault response plan; to provide for input by stakeholders; to provide 12 procedures for the billing of services provided to a victim; to authorize certain 13 licensure disciplinary actions for violations; to provide relative to forensic medical 14 examinations; to provide for certain application requirements for reparations relative CODING: Words in struck through type are deletions from existing law; words underscored are additions. HB NO. 835 ENROLLED 1 to victims of sexually-oriented criminal offenses; to require the Crime Victims 2 Reparations Board to promulgate rules and regulations; to provide for certain 3 eligibility provisions; to provide for notification requirements; to provide for 4 definitions; and to provide for related matters. <a href="https://www.govtrack.us/states/la/bills/3d94b168d29d/hb835">https://www.govtrack.us/states/la/bills/3d94b168d29d/hb835</a>	June 4, 2015 Signed by President of the Senate
<b>MD</b>	Public Health-Forensic Laboratories-Regulation	HB1207	For the purpose of requiring the Department of Health and Mental Hygiene for a certain purpose to require that certain forensic laboratories be accredited by a certain accreditation body; specifying that certain required inspections be conducted for certain forensic laboratories in the State ;requiring a forensic laboratory to obtain accreditation from a	February 26, 2015: First Reading House Rules and Executive

			certain accreditation body before applying for a certain license ; defining a certain term ;and generally relating to the regulation of forensic 8 laboratories in the State. <a href="https://www.govtrack.us/states/md/bills/3d94b168d29d/hb1207">https://www.govtrack.us/states/md/bills/3d94b168d29d/hb1207</a>	Nominations
<b>MA</b>	Relative to the Forensic Science Advisory Board	S1240	For legislation relative to the Forensic Sciences Advisory Board. Public Safety and Homeland Security <a href="https://www.govtrack.us/states/ma/bills/9dbba6d92551/s1240">https://www.govtrack.us/states/ma/bills/9dbba6d92551/s1240</a>	May 7 2015; Hearing Scheduled
	Relative to the establishment of independent forensic sciences laboratories and the oversight and accreditation of such laboratories	S1236	For legislation to establish and accredit independent forensic science laboratories <a href="https://www.govtrack.us/states/ma/bills/9dbba6d92551/s1236">https://www.govtrack.us/states/ma/bills/9dbba6d92551/s1236</a>	April 15, 2015: House concurred
<b>NC</b>	Clarify report admissibility	H59	An Act to Clarify the admissibility of reports of forensic and chemical analysis <a href="https://www.govtrack.us/states/nc/bills/09e003defbfc/h59">https://www.govtrack.us/states/nc/bills/09e003defbfc/h59</a>	May 5, 2015: Re-referred Committee on Judiciary
<b>NJ</b>	Authorizes court to order law enforcement to submit DNA evidence to national database to determine whether the	A1678	Under current law, certain persons convicted of crimes and seeking exoneration may request forensic DNA testing of evidence obtained from the crime scene. This bill is intended to facilitate such testing. The bill: (1) authorizes the court to order law enforcement officials to submit DNA evidence from a crime scene to the Combined DNA Index System ("CODIS") for testing and to order the State Police laboratory to evaluate private laboratories for compliance with certain FBI standards; and (2) allows convicted persons not currently serving a term of imprisonment to request forensic DNA testing. Forensic DNA Testing and CODIS: Currently, under section 1 of P.L.2001, c.377 (C.2A:84A-32a), the court may order forensic DNA testing upon a motion by a person convicted of	May 14 Assembly Substitution

	evidence matches a known individual or DNA		<p>a crime and serving a term of imprisonment. However, the statute does not specifically authorize the court to order law enforcement officials to submit crime scene evidence to CODIS for a search to determine whether the evidence matches another person: either a known individual or an unknown individual whose DNA profile was obtained from an unsolved crime. This bill would provide the court with that specific authority.</p> <p>Private Laboratories: The bill contains a provision intended to facilitate the use of accredited private labs for forensic DNA analysis. Under federal law, forensic DNA analysis may be conducted by either an "NDIS" lab or an accredited private lab (known as a "non-NDIS" lab), but the private lab must comply with certain additional requirements if the samples are to be uploaded to CODIS for a search for potential DNA matches. (An NDIS lab is one that has been designated to operate the State DNA Index System and participate in the National DNA Index System and CODIS.) Because private labs do not have direct access to the CODIS database, any DNA profiles they produce can be uploaded to the system only with the assistance of an NDIS lab. In addition, before testing any samples in a particular case, the private lab must be evaluated by an NDIS lab and receive pre-approval in order for samples to be eligible for uploading to CODIS for a search for potential matches. Currently, if DNA samples are tested by an accredited lab but the lab has not been pre-approved by an NDIS lab, the results of the testing may be used in court, but may not be uploaded to CODIS for a search for potential matches. The bill provides that if a party seeks to conduct DNA analysis at a private lab that otherwise meets the accreditation requirements set forth in section 1 of P.L.2001, c.377 (C.2A:84A-32a), that party may request the court to order the NDIS lab to evaluate the private lab. If the court so orders, within 45 days of receiving such a request the NDIS lab would be required to complete the pre-approval process to determine if the private lab is in compliance with FBI Quality Assurance Standards for Forensic DNA Testing Laboratories, either by conducting its own site visit and assessment of the private lab or by obtaining and reviewing an on-site visit conducted by the FBI or another NDIS lab. The bill also provides that in the event that the FBI requirements are amended or otherwise superseded, the NDIS lab would be required to complete such other process as may be prescribed for the assessment. Motion by Person Convicted of a Crime: Under the statute, any person who has been convicted of a crime and is currently serving a term of imprisonment may make a motion before the court for forensic</p>	
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			<p>DNA testing. The bill provides that any person who has been convicted of a crime may make such a motion, whether or not the person is currently imprisoned. Clarifying amendment: The bill also amends the "DNA Database and Databank Act of 1994," P.L.1994, c.136 (C.53:1-20.17 et seq.), which requires persons convicted of crimes or arrested for certain crimes to submit blood or other biological samples for DNA testing. Under the statute, the test results are used for various purposes, including law enforcement identification; research and protocol development of forensic DNA analysis methods; and criminal defense on behalf of a defendant charged with a crime. This bill would clarify that the test results could also be used for defense purposes on behalf of a defendant convicted of a crime, and for the purpose of identifying a match between DNA profile information obtained from crime scene evidence and the DNA profile of a known individual or the DNA profile from an unsolved crime.</p> <p><a href="https://www.govtrack.us/states/nj/bills/413e4d3f5b59/a1678">https://www.govtrack.us/states/nj/bills/413e4d3f5b59/a1678</a></p>	
	<p>Imposes time constraints on submission and analysis of rape kits</p>	<p>A1084</p>	<p>This bill, to be known as the "Sexual Assault Evidence Submission Act," would require municipal, county, State and federal law enforcement agencies to submit to the appropriate forensic laboratory evidence collected in the investigation of a sexual assault case within 10 business days. The bill requires this evidence, often referred to as a "rape kit," to be analyzed by the lab within six months of when it is received if sufficient staffing and resources are available. Under the bill, law enforcement agencies have 45 days to provide to the Superintendent of State Police, in writing, the number of sexual assault cases in the agency's custody that have not been previously submitted to a laboratory for analysis. The superintendent and the agency then have 180 days to make appropriate arrangements to ensure the submission of this evidence. Within 120 days of the effective date of this act, the superintendent is required to submit to the Governor, Attorney General, President of the Senate, and Speaker of the General Assembly a plan for analyzing these submitted cases. The plan is to include a timeline for completing the analysis of the rape kits and a summary of the inventory received, as well as requests for funding and resources necessary to meet the established timeline. A rape kit submitted for analysis as required under the bill must include a signed certification as follows: "This evidence is being submitted by (name of investigating law enforcement</p>	<p>March 5, 2015: Judiciary Hearing</p>

			agency) in connection with a prior or current criminal investigation." Guidelines issued by the Attorney General currently govern the handling of rape kits in this State. Under these guidelines, rape kit evidence is held for 90 days within which a victim can decide whether to release the evidence to law enforcement. The victim is informed of the county policy regarding time frames for the storage and possible destruction of evidence.	
	Establishes right of sexual assault victim to notification of certain developments in criminal case	A3936	This bill establishes the Sexual Assault Victims' Rights Act. The bill requires sexual assault victims to be notified of certain developments concerning the evidence in their case. Specifically, the bill expands the State's Crime Victim's Bill of Rights to give sexual assault victims the right to be informed if: (1) a DNA profile of an assailant was obtained from the processing of evidence in the sexual assault case; (2) a DNA profile of an assailant has been entered into any data bank designed or intended to be used for the retention or comparison of case evidence; (3) there is a match between the DNA profile of an assailant obtained in the sexual assault case to any DNA profile contained in any data bank designed or intended to be used for the retention or comparison of case evidence; and (4) sexual assault evidence is submitted to a forensic laboratory, if that evidence is compared against any data bank, and the results of the comparison. Under the bill, upon the request of a victim of a sexual assault offense, the law enforcement agency with the primary responsibility for investigating that sexual assault case is required to inform the victim of the status of the processing of all evidence collected in that case. The bill authorizes the victim to designate another person of the victim's choosing to receive information requested by the sexual assault victim or any notice required by the bill. The victim is responsible for keeping the law enforcement agency informed of the name, address, telephone number, and electronic mail address of the person to whom the information should be provided, and of any changes in this information. <a href="https://www.govtrack.us/states/nj/bills/413e4d3f5b59/a3936">https://www.govtrack.us/states/nj/bills/413e4d3f5b59/a3936</a>	February 5, 2015: reported out of assembly
<b>NY</b>	Processing evidence related to sexual assault	A04524	An ACT to amend the executive law, in relation to establishing the state sexual offense forensic evidence index and the processing of evidence related to sexual offenses,. <a href="https://www.govtrack.us/states/ny/bills/951b5db9504c/a04524">https://www.govtrack.us/states/ny/bills/951b5db9504c/a04524</a>	March 3, 2015: print number 4524a



	Establish state sexual offense forensic evidence index	SO1455	An ACT to amend the executive law, in relation to establishing the state sexual offense forensic evidence index and the processing of evidence related to sexual offenses. <a href="https://www.govtrack.us/states/ny/bills/951b5db9504c/s01455">https://www.govtrack.us/states/ny/bills/951b5db9504c/s01455</a>	February 25, 2015; Print Number 1455A
	Establishes the minimum period of time that forensic samples should be retained by investigating authorities; creates the state commission on the integrity of the criminal	A04582	AN ACT to amend the executive law, in relation to establishing the minimum period of time that forensic samples should be retained by investigating authorities; in relation to appointments to the commission on forensic science; to amend the judiciary law, in relation to creating the state commission for the integrity of the criminal justice system, as an independent agency, and providing for such commission's powers and duties; to amend the criminal procedure law, in relation to special fictitious name indictments; to amend the executive law, in relation to requests for certain DNA test comparisons; to amend the criminal procedure law, in relation to forensic DNA testing; to amend the court of claims act, in relation to claims for unjust conviction and imprisonment; to amend the executive law and the criminal procedure law, in relation to DNA testing, confidentiality, data collection and record keeping; to amend the state finance law, in relation to establishing the DNA evidence fund; in relation to establishing the innocence research project program; and to amend the criminal procedure law, in relation to electronic recordings of interrogations <a href="https://www.govtrack.us/states/ny/bills/951b5db9504c/a04582">https://www.govtrack.us/states/ny/bills/951b5db9504c/a04582</a>	February 3, 2015: referred to codes
<b>TN</b>	Sexual assault evidence collection	HB1239	As introduced this bill creates a protocol for the collection of sexual assault evidence kits, and for the submission of certain kits to the police. <a href="https://www.govtrack.us/states/tn/bills/3f32eacfac48/hb1239">https://www.govtrack.us/states/tn/bills/3f32eacfac48/hb1239</a>	April 30, 2015: Pub. Ch. 253
<b>TX</b>	Relating to post-conviction forensic DNA analysis	SB487/HB 2438	Relating to post-conviction forensic DNA analysis. <a href="https://www.govtrack.us/states/tx/bills/06e81db16d40/sb487">https://www.govtrack.us/states/tx/bills/06e81db16d40/sb487</a>	May 22, 2015: Signed into law by Governor

	Texas Forensic Science Commission	SB1287	Relating to the Texas Forensic Science Commission, the accreditation of criminal laboratories, and the licensing and regulation of forensic analysts; authorizing fees; requiring an occupational license  <a href="https://www.govtrack.us/states/tx/bills/06e81db16d40/sb1287">https://www.govtrack.us/states/tx/bills/06e81db16d40/sb1287</a>	June 1 2015: Sent to the Governor
<b>WA</b>	Collection of blood samples	SB5066	An ACT relating to the collection of blood samples for forensic testing; amending RCW 46.61.506 and 46.61.508; adding a new section to chapter 18.130 RCW; adding a new section to chapter 43.70 RCW; and adding a new section to chapter 46.04 RCW.4.  <a href="https://www.govtrack.us/states/wa/bills/fdcb073b93e9/sb5066">https://www.govtrack.us/states/wa/bills/fdcb073b93e9/sb5066</a>	April 24, By resolution returned to Senate Rules Committee for third reading, April 29, By resolution reintroduced and retained in present status, May 29, By resolution, reintroduced and retained in present status