



CONSORTIUM OF FORENSIC SCIENCE ORGANIZATIONS (CFSO)

FLASH BRIEF

MAY 2017

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.

CFSO Board of Directors

Matthew Gamette, MS
Chair Representing ASCLD
matthew.gamette@gmail.com

Ken Martin, MS
Vice Chair Representing IAI
kenneth.martin@thecfso.org

Dee Krebs, MS, APRN, BC,
FNP, SANE, FAANP
Secretary Representing IAFN
Dolores_Krebs@URMC.Rochester.edu

Kim A. Collins, MD-
Representing NAME
kimcollinsmd@gmail.com

Timothy P. Rohrig, PhD
Representing SOFT/ABFT
timothy.rohrig@sedgwick.gov

Ken Melson, JD
Representing AAFS
kmelson01@aol.com

Yale Caplan, PhD
Representing ABFT
fortox@aol.com

Beth Lavach,
Legislative Liaison
bethlavach@elsandassociates.com

HOUSE JUDICIARY COMMITTEE HEARING: TO EXAMINE THE STATE OF FORENSIC SCIENCE IN THE UNITED STATES

The CFSO was pleased and honored to recently have three witnesses appear before the House Judiciary Committee, Crime, Terrorism, Homeland Security and Investigations Subcommittee. The purpose of the hearing was to explore the needs and the requirements of the forensic science provider community. The Majority witnesses were Matthew Gamette, Dr. Victor Weedn, and Dr. David Baldwin. Mr. Gamette discussed federal leadership in forensic science, grants, operational needs of providers, casework trends, and accreditation. Dr. Weedn discussed the need for an Office of Forensic Science (OFS) at the Department of Justice (DOJ) and the need for the role of forensic science to be increased in importance at DOJ commensurate with the importance forensic science has in the criminal justice system. Dr. Baldwin discussed the need for forensic science research in the federal government, his work with black box studies, what he feels are the next steps for black box research, and developing a forensic science research culture. The witness for the Minority was Ms. Sandra Guerra Thompson from the Houston Forensic Science Center. The focus of Ms. Thompson's testimony was her desire for labs to be independent from law enforcement. The testimony for each witness can be found on the CFSO website. The CFSO will continue to work with the Members of this Committee to advance the needs of the community.

<https://judiciary.house.gov/hearing/examine-state-forensic-science-united-states/>

REQUEST FOR PUBLIC COMMENT ON ADVANCING FORENSIC SCIENCE

On April 13, 2017, the Department of Justice posted a request on the Federal Register for public comment regarding how the Department should “move forward to evaluate and improve the underlying science of forensic evidence; improve the operational management systems of forensic science service providers; and improve the understanding of forensic science by legal practitioners.”

The CFSO encourages its membership to respond to this solicitation directly. In addition, we encourage you to contact the CFSO Board of Directors if there is anything in particular you would like the CFSO to address in our response.

Responses are due before June 9th. The posting may be found here:

<https://www.regulations.gov/document?D=DOJ-LA-2017-0006-0001>

FY17 BUDGET UPDATE

Fiscal Year 17 was a very active year for the CFSO when it came to the budget. Below is the final outcome of the funds that will become available to State and Local forensic science service providers. The Omnibus budget was passed by both the House and the Senate in early May after several Continuing Resolutions to keep the government from shutting down. In February we provided to you the President’s proposed budget and we were as disappointed as you were that again the DOJ did not fund the Coverdell grants and cut the Debbie Smith grants significantly. As a result we briefed both the Senate and the House on the needs of the community for these grants and supported the funding in the Forensic Initiative for the NIST OSAC. We pushed for the full amounts authorized. With the passage of the Justice for All Re-authorization Act of 2016 we were able to point to the \$13m authorized by both the House and Senate for FY2017. This played a key role in convincing the House to recede to the Senate in appropriations and give the forensic science community the full amount of funding authorized in the final omni-bus budget. The amount authorized for FY18 is \$ 18.5 and that is what we are working toward for next year. We are eager to see the specifics of the new Administration’s budget request on May 22nd when it is delivered to Congress.

Please call your Member of Congress and ask that they fund the Coverdell Program for at \$18.5m the DNA Initiative at \$125m and the OSAC at \$4m for FY18. You can find advocacy documents on our website www.cfso.org.

**DEPARTMENT OF JUSTICE
FINAL FY 17 FEDERAL FORENSIC BUDGET FOR STATE AND LOCAL**

Grant	DOJ FY17 Request	House	Senate	Final
Forensic Initiative	\$5m	0	\$5m (\$4m to NIST)	\$4m (\$3m to NIST)
Paul Coverdell Forensic Science	0	0	\$13m	\$13m
DNA Initiative Debbie Smith DNA Backlog Grant Kirk Bloodsworth Post Conviction Testing Sexual Assault Forensic Exam Program	\$105m	\$125m	\$125m	\$125 m (\$117m) (\$4m) (\$4m)
Community Teams to Reduce the Sexual Assault Kit Backlog (SAKI)	\$41m	\$45m	\$45m	\$45m

NOTE: A more detailed budget document is on www.cfso.org

The following was the only language in the Omnibus bill related to forensics:

Forensics.-The agreement does not adopt House report language regarding Forensic Science Advisory Committee activities. Instead, the agreement acknowledges a transfer of \$3,000,000, the current funding level, from the Department of Justice to NIST to support ongoing interagency forensics programs.

DEPARTMENT OF DEFENSE SPECIAL VICTIMS' COUNSEL PROGRAM

The CFSO remains concerned with the level of sexual assault in the military and supports the Department's continuing efforts to strengthen its sexual assault prevention and response program. The needs for legal advice and guidance of victims of sexual assault are particularly acute. To ensure that the Department continues to make progress protecting a victim's confidentiality and ending alienation during the investigation and prosecution of their case, the Committee recommends an additional \$25,000,000 for implementation of the Special Victims' Counsel Program across the services.

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The CFSO was invited to meet with the staff at the new OSTP and brief them on the status of forensic science. As there is no Director yet named, we met with the Acting Director. We will continue to dialogue with the office as they begin to build their staff. It does not appear that there will be another PCAST on Forensic Science at this time. We expressed our desire to see the OSAC continue and be funded at an appropriate level to sustain operations. We also expressed a desire for each applicable federal agency to have a strong forensic science research advisory board with a heavy representation of state and local forensic science providers and practitioners. We further expressed our interest in being part of any initiative at DOJ that would impact state and local forensic science providers.

RAPID DNA ACT OF 2017

The introduction of Rapid DNA technology has been an exciting one for the forensic science community. Several of our members have helped with the initial technology development and several more are currently participating in pilot programs to evaluate how best to implement this novel technology in the criminal justice system. We believe that the potential of this technology is promising and must be introduced into the criminal justice system thoughtfully. For this technology to be successful there must be:

- Rigorous validations performed by crime laboratory scientists and researchers
- Compliance with current industry standards and guidelines as defined by the FBI and the Scientific Working Group on DNA Analysis Methods to ensure its operability with the CODIS database
- A careful cost/benefit analysis performed prior to its widespread implementation
- Support for the IT infrastructure with the appropriate funding ensure its implementation

This bill has passed in both the Senate and House and we are hopeful it will be signed into law this May. This law will allow for Rapid DNA instruments to be used in a law enforcement application such as a booking station (outside of a lab); therefore, there must be arrestee legislation in place. However, even when the law is passed, the FBI must set rules, finalize the infrastructure, and approve this technology before data can be added or searched in CODIS. The Rapid DNA Bill of 2017 is just the legislation allowing the FBI the authority over these tasks. This bill will authorize criminal justice agencies using Rapid DNA devices, and requisite quality assurance methods approved by the FBI, to upload reference sample DNA profiles generated by such devices to CODIS. It will direct the FBI to issue standards and procedures for the use of Rapid DNA instruments outside of an accredited laboratory environment and the use of DNA analyses for reference samples derived from Rapid DNA instruments. It authorizes the FBI to waive the current requirement that samples collected from federal or District of Columbia offenders be sent to the FBI for processing in cases where samples are processed using FBI approved Rapid DNA instruments, quality assurance standards, and infrastructure, and maintains that this capability be limited to governmental law enforcement agencies. This bill also provides a measure that all matches be verified by an accredited lab prior to that information being used at trial.

OFFICE OF FORENSIC MEDICINE

The CFSO advocates for an Office of Forensic Medicine at CDC. This office would have support the forensic medicine community, promote the interaction of forensic medicine with other CDC components, and encourage efforts at the intersection of public safety and public health. This community support mission is analogous with that of the Office of State, Tribal, Local, and Territorial Support (OSTLTS) which is an organization that “plays a vital role in helping health agencies work to enhance their capacity and improve their performance to strengthen the public health system on all levels. OSTLTS is CDC’s primary connection to health officials

and leaders of state, tribal, local, and territorial (STLT) public health agencies, as well as other government leaders who work with health departments.”
(see: <https://www.cdc.gov/stltpublichealth/aboutstlts/index.html>).

The OFM would be formed from the existing CDC National Violent Death Reporting System (NVDRS), Sudden Unexpected Infant Death (SUID) programs, and other appropriate programs. The Office would be led by a forensic pathologist, and medicolegal death investigation would be the primary focus, but the current draft proposal for the OFM is broad and may include forensic anthropology, forensic nursing, forensic psychiatry, and other appropriate groups. The current draft also includes the creation of an advisory board from state and local practitioners. We are hopeful that this collaboration would be a mechanism to support State and local efforts to combat the current opioid crisis.

ORGANIZATION OF SCIENTIFIC AREA COMMITTEES (OSAC)

All 568 OSAC members (forensic science practitioners and other experts) and 85 invited guests continued to collaborate on a forward approach to forensic science in a meeting in Leesburg, VA April 18th-21st, 2017. There is great momentum among the 25 subcommittees as they are submitting documents to standards developing organizations (SDO). Once these are approved, the scientific area committees will request them to be added into the OSAC registry. Presently, there are six standards on the registry.

It is imperative that the OSAC continue to receive funding so as to sustain this momentum and add standards to the registry. FY17 legislation will continue to fund OSAC under NIST with \$3 million of funding from the DOJ. This will allow the OSAC to operate through September 2018. CFSO continues to advocate for \$4 million of funding each year for maximum operation of the OSAC.

The OSAC Affairs Office has presented three possibilities for the future of the OSAC:

- A federal/state partnership to develop codes, standards and model laws based on the model of the National Conference on Weights and Measures
- Restricting of OSAC to disperse subcommittee functions to the standards developing organizations while retaining the FSSB and SACs to focus on quality, science, and utility
- Use a Research, Development, Test, and Evaluation (RDT and E) model to operate in conjunction with the creation of forensic standards.

The OSAC Affairs office will present these options in more detail to the FSSB in May. They will then release a request for information to seek feedback from the public and stakeholders.

<https://www.nist.gov/topics/forensic-science/organization-scientific-area-committees-osac>

MEMBERS CORNER

American Academy of Forensic Sciences (AAFS)



The Department of Justice has requested public comment on how the Department should move forward to evaluate and improve the underlying science of forensic evidence; improve the operational management systems of forensic science service providers; and improve the understanding of forensic science by legal practitioners.

The AAFS Board of Directors will submit a general statement concerning our priorities in strengthening forensic science, such as the promotion of standards, research support, accreditation and certification, and full funding for the provision of forensic science services. The statement from the Board will be posted on our AAFS website upon submission to DOJ. The Board also encourages all members of the Academy to submit comments to DOJ on ways to advance forensic science that provide more detailed and direct recommendations based upon experience. Members who have served on, or worked with, any of the federal initiatives (e.g., National Commission on Forensic Science (NCFS), NIST Organization of Scientific Area Committees (OSAC)) are especially encouraged to provide comment on the value of those initiatives.

Written comment should be submitted through www.regulations.gov by June 9, 2017 (enter “advancing forensic science” in the search box). Reference “Docket No. OLP 160” on your submission.

Please feel free to mention your membership status and section in the Academy to ensure DOJ appreciates the commitment of Academy members to our mission of advancing science and its application to the legal system.

American Board of Forensic Toxicology/Society of Forensic Toxicologists



SOFT and TIAFT (The International Association of Forensic Toxicologists) will be holding the fifth combined scientific meeting of the organizations September 10-14, 2017 in Boca Raton, Florida. The Scientific Program will begin on Sunday, September 10, 2017, with two days of focused workshops followed by three days of oral and poster presentations. Other scientific program features include exhibitor sponsored lunch and learn events and the Elmer Gordon Open Forum where practitioners gather for a hosted forum on current challenges to the field of forensic toxicology. The social program will feature a welcoming reception on Monday evening, evening receptions sponsored by our exhibitors, a beach party on Tuesday evening, a dinner cruise on Wednesday evening and a Presidents banquet on Thursday night. For more information or to register, please visit the SOFT website at www.soft-tox.org.

American Society of Crime Laboratory Directors (ASCLD)



Last week ASCLD held their 44th Annual Symposium in Dallas. The Dallas meeting marks one of ASCLD's most successful conferences to date with 510 registered attendees representing 9 nations. The meeting welcomed keynote speakers crime survivor Natasha Alexenko, U.S. Attorney John Parker, professional leadership expert speakers Jim Ferrell from Arbinger Institute and Jimmy Capra from Front Line Leadership, and firearms expert Luke Haag for an incredible reconstruction of the JFK shooting at Dealey Plaza Museum.

The theme for this year's meeting was "Continuous Improvement: Leading through Continuous Learning". The goal was to provide innovative techniques to mentor and inspire employees by providing actionable tools and transportable information that could be directly applied to improve crime lab operations. With all the positive comments and feedback received, ASCLD went a long way towards meeting that goal.

At the symposium, ASCLD hosted its most successful Leadership Academy to date, welcoming 85 lab leaders for a 2 day capstone course, which concluded 12 weeks of distance learning through webinars and assignments. Twelve pre-meeting workshops covered a diverse variety of topics including leadership, latent cause analysis, quality issues, research initiatives, grants management, employee mentoring, training, and education. Thirty-three plenary presentations covered the gambit of forensic issues, with updates on emerging technologies, training, quality assurance and national initiatives. Perhaps the greatest benefit of the annual symposium are the face to face meetings and discussions among crime lab leadership, as old relationships are refreshed and new relationships are forged.

ASCLD honored outgoing President Jeremy Triplett, Past President Jody Wolf, and Board Member Adam Becnel for their outstanding service. New President Ray Wickenheiser, President-Elect Matthew Gamette, Treasurer Andrea Swiech, and Secretary Cecilia Doyle were introduced, and new Board Members Linda Jackson, Rita Dyas, and Erin Forry were welcomed.

This meeting renewed members' greater sense of crime lab community and joint purpose to work together in our mission to aspire to "Excellence through leadership in forensic science management."

ASCLD's next Annual Symposium is scheduled for May 20-24, 2018 in Atlanta. Mark your calendars as we look forward to seeing you there!



International Association of Forensic Nurses (IAFN)



The International Association of Forensic Nurses is a professional organization of nurses who provide specialized healthcare for patients impacted by violence and trauma. We establish and provide standards of practice and education for forensic nurses. Our members have the knowledge and expertise to decrease the healthcare consequences of violence, improve patient recovery and lower healthcare costs. Our public policy agenda for 2017 includes:

1. Support funding of the Violence Against Women's Act
2. Increase access to Forensic Nurses in the United States and Internationally.
3. Monitor and comment on Health Care Reform developments that impact access to forensic nurses and comprehensive care for their patients.

In February 2017, the IAFN signed onto "*Patient-centered Reforms Should Ensure Patients Access to Provider of Choice*". Nursing organizations representing over 3.5 million nurses, called on the Trump administration and Congress to prioritize *patient health and the patient-provider relationship in any health reform proposals*.

The IAFN collaborated with Emergency Nurses Association (ENA) on a position paper released in March 2017 called, "Care of the Pediatric Sexual Abuse Patients in the Emergency Care Setting" which highlights the need to provide high quality and an evidenced based response to child sexual abuse patients.

Of critical note is the policy paper IAFN released in March encouraging policies that ensure all Level I and II trauma centers in the U.S. provide prompt access to sexual assault nurse examiners (SANEs), 24 hours a day, regardless of the age of the patient.

The highlight of IAFN's legislative work this spring was the participation of nearly 100 forensic nurses from across North America on for IAFN's Lobby Day. Our Lobby Day was a success thanks to the Government Affairs Committee and Board of Directors. Patrick Cooney of the Federal Group, and IAFN's lobbyist, spoke about bills and upcoming US legislation and funding priorities affecting members, nurses, patients, forensic scientists and anti-violence organizations. While on Capitol Hill IAFN members were able to advocate, educate, and promote forensic nursing. The nurses had meetings with their legislative representatives and IAFN legislative priorities this year include increase funding for vital programs such as the Violence Against Women Act (VAWA), the Justice for All Act, as well as, funding to address nursing workforce, nursing research, and prevention efforts within the U.S. Department of Health and Human Services for FY2018.

More information can be found at the Government Affairs Committee section of the website <http://www.forensicnurses.org/?page=GovernmentAffairs>. For more information about the Association please visit the website at www.ForensicNurses.org.

International Association of Identification (IAI)



The International Association for Identification realizes the importance of education and research in the field of Forensic Identification. The **Johnson-Whyte Memorial Foundation Fund** has been established to fund scholarships. Applications for scholarships are being accepted until June 1, 2017.

College and University Scholarships

Scholarship applicants must be enrolled in a full-time course of study at a Council for Higher Education Accreditation (CHEA) accredited college or university. The degree being sought must be related to employment in the field of Forensic Identification. Undergraduate applicants must be juniors or seniors during the Fall term of the year in which the award is to be given. Applicants must have a cumulative grade point average of 3.0 or higher on a 4.0 scale.

Vocational Scholarships

Vocational scholarships may be provided to IAI members seeking to attend the IAI's Annual Educational Conference. Scholarship applicants must be Active Members of the IAI attending an official conference of the IAI in a country other than the country in which the applicant resides. Active membership for a period longer than one year is required before an application may be submitted.

Scholarship awards in this category will be based on financial need. Preference will be given to those members who are actively involved in the concerned conference as lecturers or poster presenters.

IAI's 102nd International Forensic Educational Conference August 6-12, 2017 in Atlanta, Georgia

The IAI is the oldest and largest forensic professional organization in the world; and the IAI Conference is THE leading educational experience for forensic physical evidence professionals.

With over 150 lectures and workshops to choose from, you will be able to fill your week-long calendar with topics related to crime scene processing, photography, collection and examination of latent print, footwear, tire track, bloodstain, biometric and other types of impression evidence. The latest techniques, standards, methods and developments are discussed here every year - don't miss your chance to be brought up-to-date!

This Conference is the most cost-effective and time-efficient investment that you can make in your career this year! Register now! Remember, workshops fill up fast, so make your selections and sign up for your hands on experience choices today!

National Association of Medical Examiners (NAME)



The National Association of Medical Examiners (NAME) is the national professional organization of forensic pathologists, physician medical examiners, medicolegal death investigators, and death investigation system administrators. These individuals, who total over 1000 members, perform investigations of medicolegal deaths and investigate various forms of trauma in living individuals. Current issues facing the organization are several with top three as: shortage of forensic pathologists, the opiate/opioid epidemic, and proposed legislation to create an office of forensic science and an office of forensic pathology/forensic medicine/medicolegal investigation. Across the United States, there is a massive shortage of forensic pathologists and many are retiring, a number greater than those entering the field. Few medical students are entering pathology as a specialty, and even fewer enter forensic pathology. In fact, many who train in forensic pathology do not choose to practice it; approximately 1/3 of those who trained in forensic pathology decide to practice in another area of pathology as their career. Issues such as low salary, lack of funding, high workload, and burn-out are but a few reasons for the workforce shortage. Compounding the forensic pathologist shortage dilemma is the current opiate/opioid crisis. This epidemic has overwhelmed many offices across the country, some reporting over a 50% increase in cases. Drug deaths now exceed motor vehicle deaths in many locations. Hoping to alleviate these and other issues facing forensic pathologists, NAME is very much involved in proposed federal legislation to strengthen the practice of forensic pathology and all forensic sciences. On the forefront is the creation of an office of forensic pathology/medicolegal investigation. Through its Governmental Affairs Committee, the CFSO, and the College of American Pathologists, NAME is committed to advancing positive change through grassroots efforts and actions in Washington, DC.

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.