

CONSORTIUM OF FORENSIC SCIENCE ORGANIZATIONS

JULY-AUGUST, 2012

House in Session
13 days until Election

LEGISLATIVE UPDATE

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Summer has arrived in Washington and Congress is headed home to run for re-election. So what has happened in July and what do we expect in the fall. Unfortunately once the Members come back there will be very little time before they return home for the actual election. At this time, everything in Washington is always subject to change though, the House has departed as of August 4th for summer recess and returns for business on September 10th but due to the election they will depart again on September 21st and then return for one week from October 1st to 5th. This leaves 13 days for them to complete quite a bit of work. In other words, the forensics community should not expect much of the legislation we have been working on to pass this year. What does that mean? We start all over in January with Justice For All Act, Violence Against Women Act, Forensic Advancement (Leahy and Rockefeller bills) and the budget for the Department of Justice. The legislation could pass during the lame duck session, November – December, but it will depend greatly on the outcome of the election. This is not necessarily a bad thing as there were some things in the bills in which the community had concern with. As such, we now have time to work with the key policy-makers to change the legislation to be more operationally friendly to the forensic practitioner community. So where is everything exactly?

BUDGET

The budget is stuck and it appears that we will have a continuing resolution for 6 months again at the FY12 dollar figures. While the House has passed 6 out of 12 of their appropriations bills, the Senate has not brought any to the floor and only 10 out of 12 are completed in Committee. The Justice Appropriations Bill passed by the House on May 10, 2012 but it has only passed the Senate Appropriations Committee. We hope to provide you details of the Continuing Resolution in the September newsletter as the details will be discussed during the August recess.

JUSTICE FOR ALL ACT

The Justice For All Act, as discussed in the June newsletter was passed in the Senate Judiciary Committee but has not been to the floor for a vote and has not made it to the House Judiciary Committee for a markup yet. The intent of the Justice For All Act is “to protect crime victims’ rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.”¹ This bill also authorizes the Paul Coverdell grants. We continue to work with both the House and the Senate on matters within this bill that are of importance to us. As we discussed in the last newsletter, the SAFER Act was not part of this legislation and we are continuing to work with the Member of Congress who has written that Bill as it will go to a markup in September.

VIOLENCE AGAINST WOMEN ACT

This legislation has passed the House and Senate and is in conference. However, Senator Leahy, Chair of the Senate Judiciary Committee has recently expressed concern with the House appointees to conference. This bill is referenced in great detail in our April newsletter.

FORENSIC ADVANCEMENT

S132, the Criminal Justice and Forensic Science Reform Act continues to be discussed and revised in the Senate Judiciary Committee. Our website has the latest release from the Committee (July 2012) which is a discussion draft. The CFSO continues to work with Senator Leahy and his staff on this bill and we are in discussions with Senator Grassley (the Ranking Member of the Committee) about our positions on the text of the legislation. Jill Spriggs, President of ASCLD, testified in a hearing in July addressing this legislation and on behalf of the CFSO Membership expressed her support for the process by which the Committee is working with the community. Her testimony is also on our website.

We are very pleased and encouraged by the direction the latest draft has taken and will continue to bring your thoughts, comments and ideas to the Members of Congress for consideration. While this legislation will not pass in this current Congress we are assured that it will be re-introduced when Congress returns in January and we will continue to work with all of the key policy makers to get a piece of legislation which assists in the advancement of forensic science.

S3378, FORENSIC SCIENCE STANDARDS ACT OF 2012

Senator Rockefeller as Chair of the Senate Commerce, Science, and Transportation has introduced legislation that addresses research and standards for forensic science. We have met with both the Chairman and Ranking Members of this Committee and have expressed our concern with the lack of participation of the forensic practitioner community

¹ S.250: Justice For All Reauthorization Act of 2012

in the legislation. The Senators have both agreed to work with the CFSO in the drafting of legislation that the CFSO can have a more favorable position on. This legislation was scheduled for a markup in July, but it has been delayed until a later date.

The Consortium of Forensic Science Organizations wishes everyone an enjoyable remainder of the summer and as always if you have any questions, comments or ideas, please feel free to contact individual organization representatives as listed in this newsletter.