



*American Academy of Forensic Sciences
American Society of Crime Laboratory Directors
International Association for Identification
International Association of Forensic Nurses
National Association of Medical Examiners Society of
Forensic Toxicologists/ American Board of Forensic
Toxicology*

FY17 SENATE APPROPRIATIONS

CFSO advocates for appropriate and sustainable levels of federal funding in support of forensic science laboratories and medico-legal death investigation offices in the United States. CFSO continuously interacts with members of appropriate Congressional committees and members of Congress to ensure the needs of forensic practitioners are addressed in the federal budgetary process. The following is an update for 4/24/2016 including the language that has been included in the Senate Commerce, Justice, Science Appropriations bill regarding forensic science. Completion of this step means that we are about a quarter of the way through the process. The President first proposed a budget to Congress earlier in the year and now the Senate has taken the first step toward making the FY17 budget a reality. There is still a long way to go. The attached language must go to the floor of the Senate, which will occur shortly, then the House must mark up their version and go to the House floor and then they must reconcile the differences between the Senate and House versions before it is voted on again and sent to the President for signature. We hope Congress is able to avoid another continuing resolution this year.

The Senate was very supportive of our requests this year and in summary provided the following items:

- **Continuation of the NIST OSAC with a \$4m recommendation in the Forensics Initiative to continue their work with the community.**
- **\$13.5 m for the Paul Coverdell Grant Program**
- **\$125m for the DNA Backlog and Crime Lab Improvements. Within those funds \$117m is for the Debbie Smith DNA Backlog Reduction grants, \$4m for Kirk Bloodsworth Post Conviction DNA Testing and \$4m for Sexual Assault Nurse Examiner grants. The language further states that of the funds not less than 75% is to go to direct testing and 5% for audits in law enforcement of their backlogs.**
- **\$45m to the Reducing the Rape Kit Backlog**

Thank you to all of you who have written your Members of Congress. Please keep those letters coming.

Forensic Science.-The Committee provides no less than the fiscal year 2016 enacted level for the Forensic Science Center of Excellence. The Committee recommends that NIST continue to work in concert with statisticians and researchers in related scientific fields to bring additional scientific resources and expertise to the practice and application of forensic science. Additionally, within funds provided, NIST is encouraged to work with the forensic science community to establish developmental validation standards for forensic science test methodologies.

Cybercrime.-As national and international cyber threats become increasingly sophisticated, our Federal prosecutors must become better versed in digital forensic evidence. The Committee's recommendation provides no less than \$58,331,000, which is \$2,666,000 above the budget request, for cybercrime activities. The USAO will be able to increase the number of investigations and prosecutions of cyber attacks and cyber intrusions, and provide the high-caliber level of training on cybercrime and digital evidence needed for Assistant U.s. Attorneys to be able to analyze and present digital evidence across all types of criminal cases.

The Committee does not support proposed funding cuts for Intellectual Property and Child Pornography activities, and instead directs USAO to provide no less than the fiscal year 2016 funding level for prosecution of these cyber-related crimes.

Trauma-Informed Training.-The Committee encourages the Department's grant making agencies to focus on efforts to provide specialized trauma-informed training in responding to, and investigating, sexual assault, including forensic interviewing and evidence-gathering techniques and trauma-informed investigative skills. The goal is to increase the capacity of law enforcement agencies whose officers may come into contact with survivors of sexual assault, including survivors of sexual assault on college campuses, and to help ensure law enforcement resources are made available in an appropriate and timely manner.

Combating Online Crime, Hate, and Terror Groups.-The Committee encourages OJP to provide funding within existing grant opportunities targeted at expanding the ability of academic forensic technology programs to assist in identifying and profiling online crime, hate, and terror groups.

Spending Plans.-The Department shall submit to the Committee as part of its spending plan for State and Local Law Enforcement Activities a plan for the use of all funding administered by the National Institute of Justice and the Bureau of Justice Statistics, respectively, for approval by the Committee prior to the obligation of any such funds.

National Institute of Justice [NIJ].~The Committee's recommendation provides \$36,000,000 for the NIJ, in addition to \$4,000,000 transferred from the OVW for research and evaluation on violence against women and Indian women. The NIJ's mission is to advance scientific research, development, and evaluation to advance the administration of justice and public safety.

Forensic Initiative.-The Committee provides \$5,000,000 for a forensic initiative, of which \$4,000,000 is provided by transfer to the National Institute of Standards and Technology [NIST] to support Scientific Working Groups. The Department of Justice shall coordinate its forensic initiative activities with NIST.

Regional Information Sharing Activities.-The Committee recommends \$36,000,000, an increase of \$11,000,000 above the budget request and \$1,000,000 above the fiscal year 2016 enacted level, to support activities that enable the sharing of nationwide criminal intelligence and other resources with State, local, and other law enforcement agencies and organizations. Such activities should address critical and chronic criminal threats, including gangs, terrorism, narcotics, weapons and officer safety or "event deconfliction," and should reflect regional as well as national threat.

Edward Byrne Memorial Justice Assistance Grant Program.-The Committee recommends \$384,000,000 for Edward Byrne Memorial Justice Assistance Grants [Byrne-JAG]. Funding is not available for luxury items, real estate, or construction projects. The Department should expect State, local, and tribal governments to target funding to programs and activities that conform with evidence-based strategic plans developed through broad stakeholder involvement. The Committee directs the Department to make technical assistance available to State, local, and tribal governments for the development or update of such plans. Funding is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; 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.

Training for Forensic Services.-The Committee is interested in solution-based approaches to train local law enforcement officers and utilize available technology to reduce court backlogs and prosecutions. To the extent appropriate, OJP should explore ways to provide resources for multi-jurisdictional forensic service providers, in collaboration with universities, to provide access to forensic expertise, assistance, and continuing education to law enforcement agencies. The Committee encourages OJP to remind awardees that these objectives could be met through the Byrne-JAG program.

National Instant Criminal Background Check System [NICS] Initiative Grants.-The Committee recommends funding the program at \$750,000,000, which is \$20,000,000 above the budget request, to continue to improve the submission of State criminal and mental health records to NICS. This investment will strengthen the national background check system by assisting States in finding ways to make more records available in the NICS system, especially mental health records, thereby addressing gaps in Federal and State records currently available in NICS. Those gaps significantly hinder the ability of NICS to quickly confirm whether a prospective purchaser is prohibited from acquiring a firearm.

DNA Backlog and Crime Lab Improvements.-The Committee is once again extremely disappointed that the Department's budget request slashes funding by \$20,000,000 for critical grant programs to help State and local agencies address their backlogs and test forensic evidence. The Committee continues its strong support for DNA backlog and crime lab improvements by recommending \$125,000,000 to strengthen and improve Federal and State DNA collection and analysis systems that can be used to accelerate the prosecution of the guilty while simultaneously protecting the innocent from wrongful prosecution. Within funds provided, \$117,000,000 is for Debbie Smith DNA Backlog Reduction grants, \$4,000,000 is for Kirk Bloodsworth Post-Conviction DNA Testing grants, and \$4,000,000 is for Sexual Assault Nurse Examiners grants.

From within the funding provided for Debbie Smith DNA Backlog Reduction grants, the Committee expects the department to prioritize reducing rape kit backlogs, given that it is the primary reason why the Committee continues to provide robust funding for these grants. The Committee directs the Department to provide not less than 75 percent of the total grant amounts for direct testing activities to reduce the backlog. The Committee further directs DOJ to provide at least 5 percent of funds to law enforcement agencies to conduct audits of their backlogged rape kits and to prioritize

testing in those cases in which the statute of limitations will soon expire, as authorized by the Sexual Assault Forensic Evidence Reporting Act of 2013 (Public Law 113--4).

The Committee expects that the OJP will make funding for DNA analysis and capacity enhancement a priority in order to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit to the Committee as part of its spending plan for State and Local Law Enforcement Activities a plan with respect to funds appropriated for DNA-related and forensic programs, including the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.

Reducing the Rape Kit Backlog. -The Committee's recommendation includes \$45,000,000 to continue a competitive grant program started in fiscal year 2015 as part of the initiative to reduce the backlog of rape kits at law enforcement agencies. The NIJ shall provide competitively awarded grants with a comprehensive community-based approach to addressing the resolution of cases in the backlog. The Committee directs the NIJ to provide a report not later than 90 days after enactment of this act on its progress in developing a strategy and model to serve as best practices for discovering and testing kits, training law enforcement, and supporting victims throughout the process as required by Public Law 113-235.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE [In thousands of dollars]

PROGRAM	COMMITTEE
Byrne Memorial Justice Assistance Grants	384,000
VALOR Initiative.	(15,000)
Smart Policing.	(10,000)
Smart Prosecution.	(2,500)
Firearm Safety and Gun locks	(1,000)
NamUS .	(2,400)
Improved Police Responses to the Mentally III	(5,000)
State Criminal Alien Assistance Program	100,000
Victims of Trafficking Grants	47,649
Drug Courts	43,000
Mentally III Offender Courts	11,000

Residential Substance Abuse Treatment	14,000
Capital Litigation Wrongful Prosecution Review	2,500
Economic, High-Tech, and Cybercrime Prevention	14,000
IP Enforcement	(2,500)
Cybercrime Prosecutor Pilot Program	(1,000)
John R. Justice Grant Program	2,000
Adam Walsh Act Implementation	20,000
Children Exposed to Violence Initiative	8,000
Bulletproof Vests Partnership	22,500
Transfer to NIST/OIES	[1,500]
National Sex Offender Public Web site	1,000
Violent Gang and Gun Crime Reduction	6,500
National Instant Criminal Background Check System [NICS] Initiative	75,000
NICS Improvements	[25,000]
Paul Coverdell Forensic Science	13,500
DNA Initiative	125,000
Debbie Smith DNA Backlog Grants	[117,000]
Kirk Bloodsworth Post-Conviction DNA Testing Grants	[4,000]
Sex Assault Exam Kits	[4,000]
Community-Based Sexual Assault Response Reform	45,000
Court-Appointed Special Advocates [CASAI	9,000
Second Chance Act	75,000
Smart Probation	[6,000]
Children of Incarcerated Parents Demo Grants	[5,000]

Project HOPE Opportunity Probation with Enforcement	[4,000]
Pay for Success	[7,500]
Veterans Treatment Courts	6,000
Prescription Drug Monitoring	14,000
Comprehensive School Safety Program	75,000
Community Trust Initiative	70,000
Body Worn Camera Partnership Program	[22,500]
Justice Reinvestment Initiative	[25,000]
Byrne Criminal Justice Innovation Program	[17,500]
National Crime Statistics Exchange (NCS-X)	[5,000]
TOTAL	1,183,649

DEA

Diversion Control Program

Full funding of \$382,662,000 is provided for the Diversion Control Program, which is an increase of \$11,148,000 from the fiscal year 2016 enacted level for expanded forensic support of diversion cases and is fully offset with fee collections.

Cooperation with State and Local Forensic Crime Laboratory Community

The Committee encourages the DEA to collaborate and share any available resources with State and local forensic crime laboratories in their important efforts to combat the growing use of synthetic, or designer, drugs.