

**Statement of the Honorable John Conyers, Jr. for the Hearing  
“To examine the state of forensic science in the United States”  
Before the Subcommittee on Crime, Terrorism, Homeland  
Security, and Investigations**

**Tuesday, March 28, 2017, at 3:00 p.m.  
2141 Rayburn House Office Building**

Thank you, Mr. Chairman.

And I would like to thank the witnesses here this afternoon for joining us today.

Today’s hearing by this subcommittee will give us a chance to focus on important issues that have emerged with respect to the use of forensics in our criminal justice system.

Forensic science is used in courtrooms across the country and plays a vital role by analyzing physical evidence to provide scientifically based information. Forensic scientists provide expert testimony in these court proceedings based on their analysis.

In recent years, reports have questioned methods of using forensic science and the reliance courts place on the expert testimony of forensic scientists. Our nation's forensic science community needs our increased support and direction in order to ensure that the use of forensic science in the criminal justice system is scientifically based, valid, reliable, and – ultimately – leads to just outcomes.

To achieve this, we must do better in several ways.

First, it is imperative that we ensure forensic science and its standards are based on strong scientific methodologies, yielding evidence that can be fully trusted in a court of law. The forensic science tools used by law enforcement and ultimately in courtrooms across the nation must be based on the best possible science guided by meaningful and consistent standards.

Failure to ensure forensic science is scientifically based can lead to convictions based on erroneous testimony. Such was the case with William Richards who was convicted of murder in 1997. The California Supreme Court overturned his conviction in May 2016 finding that false forensic testimony regarding bite mark analysis, which has been criticized as junk science, impacted the outcome of his trial.

Providing forensic evidence that is based on sound science aids in accurately identifying the real culprits, and is the best way to protect public safety.

Second, we must ensure the foundational validity of the results of forensic analysis. In 2016, the President's Council of Advisors on Science and Technology, otherwise known as P-CAST, issued a report stating that empirical studies are necessary to show that forensic science methods are repeatable, reproducible, and accurate. This provides foundational validity of the results.

P-CAST further mentioned in their report the importance of forensic science methods being reliably applied in practice. Ensuring that forensic science is valid and reliable will enhance the public's trust and confidence in our criminal justice system.

This brings me to my final point—that the use of forensic science in criminal justice should be just. Fairness and equal treatment under the law are fundamental values of our Nation's system of justice.

We must ensure that the expert testimony provided in court does not mis-apply forensic science or provide assurances that are not accurate. Inaccurate expert testimony based on mis-applied forensic science can result in innocent people serving long periods of imprisonment for crimes they did not commit, as I mentioned with Mr. Richards, who thankfully was exonerated.

The importance of forensic science in the criminal justice is vitally important. Forensic science can result in an innocent person appropriately remaining free. But expert testimony based on forensic science that is not scientifically based, or forensic science that is not valid and reliable, can have the opposite result of an innocent person being wrongfully convicted.

It is my hope that with more advanced technology, forensic science will improve. Such improvements in forensics science will help ensure the convictions of the true perpetrators of crime in our nation and enhance the public's trust in our criminal justice system.

I look forward to speaking with the witnesses here today and our discussion on these and other matters.

I thank the Chairman, and I yield back.