



COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY
REPUBLICANS Frank Lucas, Ranking Member

Opening Statement of Ranking Member Frank Lucas

Full Committee Hearing

Raising the Bar: Progress and Future Needs in Forensic Science

September 10, 2019

Thank you, Chairwoman Johnson for holding today's hearing on the state of forensic science in the United States.

Forensic science is the study and application of science to matters of law. As members of the Science Committee, we're focused on the science part of the equation. But we can't ignore the law either. The integrity of forensic science can have a profound impact on the lives of Americans who are victims of crime, and those accused of committing a crime.

The Constitution states only one command twice. The Fifth Amendment says to the federal government that no one shall be "deprived of life, liberty or property without due process of law." The Fourteenth Amendment uses the same eleven words, called the Due Process Clause, to describe a legal obligation of all states.

These words are a commitment to fair trials and judgments at all levels of American government.

This is important because most forensic science methods, programs, and evidence are governed by state and local law enforcement entities or are covered by statutes and rules governing state judicial proceedings.

Our task is to look at what role the federal government can play to advance the accurate, reliable, and fair use of forensic science.

As forensic science plays an increasing role in our criminal justice system, it is important to make sure we are getting the science right and that all Americans have confidence in its fairness and integrity.

DNA evidence has revolutionized the justice system. When properly collected and analyzed, DNA can be used to identify criminals with incredible accuracy. DNA can also be used to clear suspects and exonerate people mistakenly accused or convicted of crimes. To date, over 350 individuals have been totally exonerated by DNA analysis.

The science of DNA is well established, but there are many other areas of forensic science that are still evolving, such as human hair analysis and bite mark identification. The truth is forensic science is more complex than what is portrayed on popular television shows.

Even when the science is well supported, putting it into practice in the field is a challenge. In many small police departments across the country, law enforcement is not afforded the luxury of specialization due to the community's size and case load. Not all police officers can be experts in collecting and evaluating forensic evidence and may not be able to utilize groundbreaking new tools.

The National Science Foundation (NSF) and the National Institute of Standards and Technology (NIST) can help address this. Both agencies do important work on forensic science, strengthening fundamental research and improving standards for the practice of forensic science in criminal investigation.

I have said before that many Americans may not know the critical role NIST plays in our nation's innovation. Today is another fine example.

We will hear more about their research in several forensic science disciplines, and their administration of the Organization of Scientific Area Committees on Forensic Science (OSAC).

Through OSAC, NIST is bringing together experts in science, measurement, statistics, law and policy to develop and evaluate forensic science standards. It is challenging work getting these communities to cooperate, and I look forward to hearing how that process is going and any recommendations to make it better.

As the Chairwoman stated, it has been ten years since the National Research Council issued their report, "Strengthening Forensic Science in the United States: A Path Forward." I'm glad we have this opportunity to hear what progress has been made since then, and what work still needs to be done.

We have a distinguished panel of witnesses today who represent the science, law enforcement, and legal communities to help us understand the challenges and opportunities in forensics.

I look forward to a balanced discussion of how we can all work together to ensure American trust in the use of science in our criminal justice system.

Thank you, and I yield back.

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