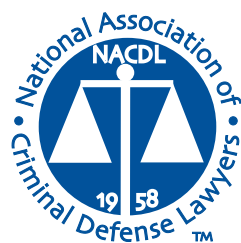


National Association of Criminal Defense Lawyers



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April 8, 2014

Chairman John D. (Jay) Rockefeller IV

Senate Committee on Commerce, Science, and Transportation

Re: S. 2022, "The Forensic Science and Standards Act of 2014."

Dear Chairman Rockefeller:

The National Association of Criminal Defense Lawyers (NACDL) strongly supports S. 2022, the "Forensic Science and Standards Act of 2014." NACDL is the preeminent organization representing America's criminal defense bar. Founded in 1958, NACDL's approximately 10,000 direct members--and 90 state, local and international affiliates totaling up to 40,000 members--include private criminal defense lawyers, public defenders, active-duty military defense counsel, law professors, and judges committed to preserving fairness within America's criminal justice system.

As noted in the National Academies' National Research Council 2009 report, Strengthening Forensic Science in the United States: A Path Forward (National Academies Press 2009) ("NAS Report"), "some forensic science disciplines are supported by little rigorous systematic research to validate the discipline's basic premises and techniques. There is no evident reason why such research cannot be conducted." Time and again, reliance on unvalidated and ultimately discredited forensic disciplines has wrought injustice, upset convictions, and undermined public confidence in the criminal justice system.

While not a solution for every problem identified in the NAS Report, providing a sound structure for identifying and prioritizing research needs and a mechanism for funding such research is a vital first step. Such research may cast doubt on some of the claims made in some of the forensic science disciplines but will simultaneously lead to scientific and technological advances in other areas.

Five years after the NAS Report, the lack of a comprehensive research agenda and analysis of conclusions that may be drawn based on existing research is one of the most serious problems pervading American courtrooms. The intent of Forensic Science and Standards Act is to address these deficiencies, setting a path forward that will protect public safety, ensure the rights of the accused, and restore public confidence our criminal justice system.

Sincerely,

A handwritten signature in black ink, reading "Jerry J. Cox". The signature is written in a cursive, flowing style with a large initial "J" and a distinct "Cox" at the end.

Jerry Cox
President