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DNA Technology Research and Development: (Increase \$5 million)

Objective

In 2001, \$5 million is requested for the DNA Technology Research and Development Program, which will be administered by the Office of Justice Programs.

The challenge for forensic DNA testing in the 21st Century is to be able to identify offenders quickly, with high discriminatory power, and lower cost from minuscule sources of physical evidence. DNA testing needs to be faster, cheaper, and better. NIJ's 5-Year DNA Technology Research & Development Plan, begun in 1999, will harness the tremendous growth in the field of DNA technology by directing research toward the development of highly discriminating, reliable, economical, portable, and rapid DNA testing methods for suspect identification or exclusion in violent crime investigations. The goals of this five year, \$25 million initiative are to develop technology tools that will allow for free DNA testing of any biological sample at the crime scene, and to develop and apply new biotechnology methods such as microchips and mass spectrometry to allow unique identification of any evidence sample.

This program, previously funded by the Department of Justice's NIJ, directs research toward the development of highly discriminating, less costly, reliable, rapid, and portable DNA testing technology tools for the investigation of violent crime. NIJ anticipates that this initiative will result in the development of at least two acceptable DNA testing technologies complete with the training and validation necessary for court acceptance. These innovations will provide new tools for suspect identification or exclusion in violent crime cases and for development of a nationwide DNA database system, thus increasing the likelihood that the guilty will be identified and reducing the likelihood that the innocent will be charged or convicted. Improvements in rates of analysis, discriminatory power, and costs can enhance the criminal justice system and society as a whole by bringing investigations to a faster conclusion and quickly removing the guilty from society.

NIJ's 5-Year DNA Technology Research and Development Plan is critical to the stimulation of technological innovations and the continued advancement of DNA science within the criminal justice system. NIJ is the only source of funding available to private industry for such forensic DNA research and development efforts. Much of the forensic DNA research conducted in the U.S. has been funded in whole or in part by NIJ. Since 1985, NIJ has invested more than \$7 million in DNA technology research and development. The DNA markers known as STRs, which are now being implemented in all public and private laboratories in the U.S. and abroad, and are the required genetic markers for the National convicted offender database, CODIS, were first developed for forensic use under an NIJ-funded effort.

NIJ received \$5 million in each of 1999 and 2000 to implement a five-year effort to make the performance of forensic DNA testing faster, easier, and less expensive. Continued funding of \$5 million per year through 2003 will complete the development of technologies to meet Technical Working Group on DNA Analysis Methods (TWGDAM) and DNA Advisory Board (DAB) requirements for casework and database testing, field testing of prototype technologies (including validation of test results), and development of training programs for the certified use of these technology tools.

Program Characteristics

The proposed 2001 activities of the DNA Technology Research and Technology Development 5-Year Plan are attainable within the 2001 resource request of \$5 million. The program's objectives are:

- Reduce DNA test performance time to minutes instead of hours within a number of technology platforms
- Reduce DNA testing costs to less than \$10 per test
- Develop inexpensive, single-use DNA test tools for analysis at the crime scene
- Increase the number of DNA traits to achieve unequivocal identity of a crime scene stain
- Reduce the time delay in entry of DNA profile data into state and national CODIS databases
- Increase the availability of court-ready methods for all aspects of forensic DNA testing

Criminal Records Upgrade: (Increase \$70 million)

Objective

In 2001, a total of \$70 million is requested for the Criminal Records Upgrade (CRU) Program, which will be administered by the Office of Justice Programs.

This program, which is also referred to as the National Criminal History Improvement Program (NCHIP), assists states in the upgrade of criminal history, criminal justice, and identification record systems; promotes capability and participation in national, state, and local systems; and captures information for statistical and research purposes.

NCHIP, established in 1995, and administered since then by the Office of Justice Programs Bureau of Justice Statistics (BJS), was designed as an umbrella program providing support to states in the expanding range of areas which impact on the improvement of criminal history records and record systems. The program was initially focused primarily on ensuring that states could fully

DNA Backlog Elimination: (Increase \$15 million)

Objective

In 2001, \$15 million is requested for the DNA Backlog Elimination Program, which will be administered by the Office of Justice Programs.

The *National Commission on the Future of DNA Evidence*, charged by the Attorney General with the improvement of the use of DNA technology throughout the criminal justice system, recently identified the elimination of the Combined DNA Index System (CODIS) convicted offender DNA sample backlog as an urgent priority. Currently, the system contains approximately 650,000 backlogged, or unprocessed, samples, representing an untold number of crimes as yet unsolved for lack of these potential sources of evidence. DNA technology has been widely recognized as key both to fighting crime and preserving justice through the identification of the guilty and the exoneration of the innocent. Funding for this program will provide DNA laboratories with the technology to dramatically improve analytic capacity, thereby reducing the backlog and freeing up laboratory resources for the analysis of new DNA and other types of forensic evidence.

DNA is key to fighting violent crime. The power of DNA technology has been widely documented and agreed upon by the legal, law enforcement, and scientific communities. So much is possible in this new millennium that seemed like science fiction only a decade ago. With a 62 percent felony recidivism rate and almost 2 million felonies per year brought through the criminal justice system, we must make better use of DNA technology. We are poised and ready to use DNA data to stop crimes before they happen.

To date, analysts find one "hit", or DNA match, per one thousand samples entered into the FBI's CODIS National DNA database. At this rate, adding 300,000 high priority convicted offender samples to the database may result in 300 hits or more representing approximately 300 offenders who will be brought to swift justice.

For example, in February of 1995, in Tallahassee, Florida, the Florida Department of Law Enforcement linked semen found on a Jane Doe rape-homicide victim to a convicted offender's DNA profile. The suspect's DNA had been collected, analyzed, and stored in a CODIS database while he was incarcerated for another rape. The match was timely; it prevented the suspect/offender's release on parole, which had been scheduled to occur eight days later. By prioritizing the samples of convicted offenders, we will maximize the number of cases solved; those destined for parole, those out on time served, or parole, should have their DNA profile in the database before they step away from custody.

Program Characteristics

Eliminating the backlog is a priority. In 1997, the Attorney General asked the National Institute of Justice to establish and administer the *National Commission on the Future of DNA Evidence*. The Commission's mandate is to improve the use of DNA technology throughout the criminal justice system, from the crime scene to the courtroom. In March 1998, the Commission, a group of twenty-two of the country's leading authorities on DNA technology and policy, met for the first time. Among the most pressing concerns the Commission presented to the Attorney General was the elimination of convicted offender samples backlogged for entry into local, state and national databases. In November of 1998, the Commission voted to recommend both backlog elimination and convicted offender sample prioritization as urgent issues to be addressed.

In order to eliminate the backlog, it is estimated to cost a total of \$30 million over a two-year period. These resources will assist state and local DNA labs in eliminating their backlog of statutorily mandated convicted offender DNA samples while keeping pace with current DNA casework needs. This funding will complete the forensic analysis of all samples identified as urgent priority samples (i.e., samples for homicide and rape/sexual assault cases) in the current backlog of convicted offender DNA samples. The backlog has accumulated as states across the country have passed laws requiring that DNA samples of convicted offenders be included in state or national databases. States were unable to begin processing samples until September 1997, when the National system (CODIS) announced the 13 STR acceptable DNA markers. By then a surplus of convicted offender samples had already occurred. There are currently 650,000 samples waiting to be analyzed and this number is estimated to reach 1 million by the year 2000. To reduce the backlog, grants will be awarded to state and local crime labs to either conduct or outsource analysis of convicted offender samples. An estimated cost of \$50/sample for the 13 DNA markers allows the analysis of 300,000 high priority samples with the \$15 million request.

In 2000, the Department's NIJ was directly appropriated \$15 million to initiate the first year of DNA backlog reduction activities. In 2001, the Department of Justice requests \$15 million for the second year of the two-year effort. The \$15 million request will permit the Department, through NIJ, to assist crime labs to eliminate the convicted offender backlog, thereby freeing future time to analyze samples quickly and immediately. DOJ believes these goals may be reached within two years due to advanced technology such as mass spectrometry and microchip DNA analysis. Prototype state-of-the-art machines are already screening 3,000 samples per day in contrast to the maximum of 300 samples per day analyzed with the technology in place at most crime labs today. Samples that currently take three hours to analyze will take less than three minutes; a result that can be achieved in-house by the more sophisticated labs or by outsourcing to private contract laboratories.