

Justice for All Reauthorization Act of 2016

Senator John Cornyn (TX), Senator Patrick Leahy (VT), Representative Ted Poe (TX), Representative Jim Costa (CA)

The bipartisan Justice for All Act of 2004 increased resources devoted to DNA and other forensic technology, established safeguards to prevent wrongful convictions, and enhanced protections for crime victims. This legislation builds on the Justice for All Act to improve the criminal justice system and ensure public confidence in it.

Strengthens crime victims' rights and programs

- Increases access to restitution for crime victims and requires that interpreters be available to all federal crime victims who wish to participate in a court proceeding. Reauthorizes important programs used to notify crime victims of their right to be heard in court, and to provide them with legal assistance.
- Improves housing rights for domestic violence victims and protects Violence Against Women Act (VAWA) funding from federal penalties.

Reduces the rape kit backlog and provide resources for forensic labs

- Requires at least 75 percent of amounts made available to DOJ for forensic testing be used for direct testing of crime scene evidence, including rape kits, as described in the Debbie Smith DNA Backlog Reduction grants. Supports law enforcement audits of backlogged rape kits and reporting systems to track the results.
- Improves the sexual assault nurse examiner program by incentivizing the hiring of full-time nurses, particularly in rural and underserved areas.
- Reauthorizes and improves the Paul Coverdell Forensic Sciences Improvement Grants, which awards grants to states and local government to improve the quality of forensic science services. Requires the Attorney General to conduct a needs assessment for state and local forensic science labs to better target federal funding.

Protects the innocent by improving access to post-conviction DNA testing

- Encourages states to test DNA evidence in criminal cases for which there is untested DNA evidence. Expands state access to post-conviction DNA testing funds by narrowing the evidence preservation requirement.
- Authorizes federal post-conviction DNA testing for individuals who pled guilty, when they can show exculpatory DNA evidence exists in their case.

Improves the administration of criminal justice programs

- Increases accountability for federal funds spent by state and local governments by requiring that states receiving funds under the Edward Byrne Memorial Justice Assistance Grant Program develop a strategic plan detailing how the funds will be spent. Requires the Justice Department to assist state and local governments to improve their indigent defense systems.

Ensures implementation of the Prison Rape Elimination Act (PREA)

- Creates an improved incentive structure for state compliance with PREA. Increases accountability for state and local facilities to comply with PREA, while creating the flexibility necessary for full compliance.