



## **2018 Legislative and Policy Priorities**

### *Civil Asset Forfeiture*

- The civil asset forfeiture program, including equitable sharing, should remain intact at its core, while also ensuring that due process is afforded and seizures occur pursuant to the establishment of probable cause. Adequate training should be provided to law enforcement agencies to ensure proper documentation and the appropriate level of proof for seizures. When appropriate, a prosecutor should be involved in the review process for seizures.

### *Drug Policy*

- A consistent policy approach is needed to address substance abuse and drug addiction issues. Community based treatment is essential for early diagnosis and intervention and for providing options for law enforcement and prosecutors to offer diversion programs as alternatives to formal prosecution and incarceration. An ongoing commitment to interdiction of trafficking/sales operations and partnerships with source countries to eradicate supply is equally critical.

### *Forensic Science*

- Support forensic science advancement through exploration of rapid DNA technology.
- Support programs that increase the capacity of state and local prosecution offices to address the backlog of violent crime cases in which suspects have been identified through DNA evidence.

### *Electronic Communications*

- Law enforcement must have proper access to electronic evidence that is vital to the investigation and prosecution of criminals while ensuring privacy and protection of civil liberties, including but not limited to, when law enforcement encounters smartphone encryption and has a valid court order.
- The Electronic Communications Privacy Act (ECPA) must be updated to account for modern technology and include provisions for cases involving exigency and consent at a minimum.
- Telecommunications companies must be provided with enforceable time limits for responding to lawful process and must face delineated sanctions if the time limits are not met.

### *Human Trafficking*

- The Communications Decency Act (CDA) should be amended to hold Internet Service Providers (ISPs) accountable for facilitating online sex and human trafficking.

### *Incarceration*

- Efforts to reduce overcrowding in the federal prison system must be done in a manner consistent with protecting public safety and focus on reducing recidivism to avoid shifting any future investigation and prosecution burden to state and local authorities. Savings generated from a reduction in the Bureau of Prison (BOP) budget should be directed at restoring funding to state and local law enforcement grant programs.

### *Officer-Involved Shootings*

- Special prosecutors are NOT appropriate in cases of officer-involved shootings.
- Body-camera footage in these cases should not be prematurely released as it could jeopardize an investigation and the constitutional integrity of any subsequent prosecution.

### *Miscellaneous*

- Support additional funding for the John R Justice Student Loan Repayment program.
- Amend the Law Enforcement Officer Safety Act (LEOSA) to include prosecutors as “qualified law enforcement officers” by removing the requirement that prosecutors have arrest authority.
- Dialogue to build community trust should include racial disparities among victims of crime, impacts of officer involved shootings, violent crime in neighborhoods, and ways for law enforcement and prosecutors to engage more effectively with the communities they serve.
- Support funding and deployment of Crisis Intervention Team (CIT) training for law enforcement.