HB 294

STATE OF ALASKA

Tony Knowles, Governor
Ronald L. Otte, Commissioner

DEPARTMENT OF PUBLIC SAFETY
DIVISION OF ADMINISTRATIVE SERVICES

P.O. BOX 111200
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4336
FAX: (907) 586-2762

February 28, 2000

The Honorable Robin Taylor
Chair, House Judiciary Committee
State Capitol, Room 30
Juneau, AK 99801

Dear Senator Taylor:

This is to request a hearing of SB 201, "An act relating to violations of an order to submit to deoxyribonucleic acid (DNA) testing, to court orders and conditions of parole to collect samples for DNA testing, to removal of material from the DNA identification registration system; and to the collection and processing of samples from certain burglary perpetrators for the DNA identification registration system; and providing for an effective date." DNA identification is an increasingly effective tool for law enforcement investigation. This bill would expand the State's ability to use this method for detecting and abating the conviction of serious crimes by allowing the State to obtain DNA samples from convicted burglars.

In 1995, Alaska adopted a DNA identification registration system. In this program, persons convicted of most felony offenses against a person, and minors 16 years of age or older adjudicated delinquent for similar crimes, must provide a DNA sample to the Department of Public Safety for testing. Most other states in the country have a similar system of obtaining DNA samples from persons convicted of serious crimes. Since 1995, the technology and research into the uses of this information has grown rapidly. Research in other states into the criminal history of persons convicted of homicide and serious sexual assault has shown that over half the persons convicted of homicide or sexual assault were convicted of burglary before their convictions for the more serious crimes. DNA information from burglary convictions would be invaluable to law enforcement in the investigation of subsequent, more serious crimes against a person.

The bill also allows juvenile and adult correctional, probation, and parole officers and peace officers to collect oral DNA samples. The collection technology has improved so that a simple, inexpensive, non-obtrusive kit allows the tested person to take an oral swab without the need of a medical professional. If a blood sample is required, it would still be taken by a medical professional.

Penalties are provided for failure to cooperate with these sample requests. The bill also clarifies the procedures for removal of DNA material from the identification registration system, specifying that a court order is necessary for such removal.

Your consideration of this request is greatly appreciated.

Sincerely,

Kenneth Bischoff

Kenneth Bischoff
Director

Past Criminal History Offenses
Of Offenders Matched in Sexual Assault and Homicide Investigations

The Criminal history records were pulled on any offender that was involved in an offender to casework match with the Florida Department of Law Enforcement's Convicted Offender DNA Database. The majority of these matches were to sexual assaults and homicides.

The percentages do add up to more than 100% due to the fact that some of the offenders and committed one or more of the offenses noted.

OFFENSE	%
Firearm Possession	9%
Database Collection Offense	18% *
Drug Charge	29%
Robbery	33%
Grand Theft	33%
Burglary	52% **

*The definition of Collection offense is past criminal behavior that corresponded to the current crimes for which we collect. The 18 % on this category means that there were only 18 % of the offenders that had ***only*** crimes we collect for in their criminal history

**This high percentage indicates to our system that we need to add at least burglary convictions and also work burglary crime scene evidence for DNA.

Criminal History Activity of Offenders Matched to Sexual Assaults and Homicides in the State of Florida

(Updated 1/26/99)

The following numbers represent the breakdown of offenses identified in the criminal history of offenders we have matched to sexual assaults and homicide cases. You will notice that the % totals add up to be more than 100, this is because some offenders have had one or more of the specified offenses. It is interesting to note that there seem to be 5main categories of crimes. The state of Florida collects for 6 conviction offenses, sexual assault, lewd and lascivious, home invasion robbery, aggravated battery, carjacking and homicide, only 16% of the offenders in this study only had these 6 offenses in their criminal history.

Firearm Possession	11%
Drug Charge	30%
Robbery	34%
Grand Theft	34%
Burglary	52%

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
DNA DATABASE

BLOOD COLLECTION STATUTES
VS
UNSOLVED CRIME HITS

Updated 8/26/99

The following data compares the casework to offender hits the state of Florida has had with the statutes requiring blood collection.

Solved Crimes	Blood Collection Statute	
Sexual Assault	Sexual Assault	*(33)*
Sexual Assault	Aggravated Battery	*(18)*
Sexual Assault	Lewd and Lascivious	*(11)*
Sexual Assault	Car-Jacking	*(1)*
Sexual Assault	Homicide	*(6)*
Burglary	Sexual Assault	*(6)*
Sexual Assault	Home Invasion	*(1)*
Homicide	Sexual Assault	*(2)*
Homicide	Aggravated Battery	*(2)*
Homicide	Home Invasion	*(1)*
Homicide	Lewd and Lascivious	*(3)*
Burglary	Lewd and Lascivious	(3)
Burglary	Homicide	(2)
Burglary	Aggravated Battery	(3)

Criminal History Activity of Offenders Matched to Sexual Assaults and Homicides in the State of Florida

(Updated 1/26/99)

The following numbers represent the breakdown of offenses identified in the criminal history of offenders we have matched to sexual assaults and homicide cases. You will notice that the % totals add up to be more than 100, this is because some offenders have had one or more of the specified offenses. It is interesting to note that there seem to be 5main categories of crimes. The state of Florida collects for 6 conviction offenses, sexual assault, lewd and lascivious, home invasion robbery, aggravated battery, carjacking and homicide, only 16% of the offenders in this study only had these 6 offenses in their criminal history.

Firearm Possession	11%
Drug Charge	30%
Robbery	34%
Grand Theft	34%
Burglary	52%

August 16, 1999

Police Chiefs Join in Call for More DNA Sampling

Related Articles

- New York Plan Widely Expands the Sampling of Criminals' DNA (Aug. 7)
- DNA Traces Link Suspect to 17 Rapes, Police Say (April 9)

Forum

- Join a Discussion on Issues in Law Enforcement

By JAYSON BLAIR

The leadership of a worldwide association of police agencies has called for collecting DNA samples from all crime suspects as soon as they are arrested.

The resolution was pushed by New York City's Police Commissioner, Howard Safir, who told the group's executive board that collecting DNA from suspects when they were arrested was much more important than collecting it just from some felons after they were convicted, because the broader database would solve more crimes before the criminals it uncovered could strike again.

Safir is a member of the executive committee of the group, the International Association of Chiefs of Police. The committee unanimously endorsed a resolution calling on the Federal and state governments to pass broad DNA collection plans at a meeting at New York City Police Headquarters on Saturday. Safir proposed such a procedure for the city last year.

Law enforcement officials at the association's meeting said the expansion of New York State's database of convicts would help catch some suspects who had serious felony convictions. But officials said they needed to collect DNA at arrests to catch more

violent criminals after their first serious offense.

Safir said the value of a broad DNA database was demonstrated by the case of a man who this year was accused of sexually assaulting 51 women in the Bronx over five years. If the early collection plan had been in place, the Commissioner said, the police would have had DNA from the suspect, who had a criminal record, on file. They would then have been able to identify him after the first attack, Safir said, and "we would have had 50 less rapes."

Safir said in an interview that he supported destruction of DNA samples after they were entered into a database so they could not be used to disseminate detailed genetic information on suspects. The limited information taken from a DNA sample and put into a database is sufficient to allow law enforcement officials to match against a sample, like one collected at a crime scene.

The Commissioner also said that under his plan, information put in the database would be removed if charges were dropped or a suspect was acquitted.

The proposed early collection procedure goes far beyond a DNA database program passed by the New York State Legislature earlier this month. The state program will require felons convicted of any of a long list of crimes, including murder, manslaughter, sexual assault, robbery and burglary, to provide DNA samples. Most other states collect DNA samples only from limited categories of convicted criminals, usually including sex offenders.

"I think it's a terrific first step," Safir said of the new state program. "But we need more."

Norman Siegel, the executive director of the New York Civil Liberties Union, who had expressed misgivings about possible abuses of privacy even in a DNA collection program limited to convicted felons, said civil libertarians would vigorously oppose collection from unconvicted suspects.

He said the association's proposal "underscores the threat to civil liberties posed by the potential use of DNA by law enforcement zealots." He maintained that Safir's proposal "ignores privacy concerns and violates fundamental Fourth Amendment principles that protect individual privacy from unreasonable searches and seizures by police agencies."

"In less than a decade," he said, "we seem to be moving from collecting DNA from convicted killers to the collection of those samples from the innocent."

Siegel said that broader collection laws would be more vulnerable to

legal attacks than laws limited to the kinds of offenders most likely to be recidivists.

But the action by the influential police chiefs' group provides support for broader collection measures.

The resolution was "a clear mandate" from the association's leadership supporting the expansion of the use of DNA as a tool for law enforcement, said Ronald S. Nueber, the president of the association, which represents 12,500 police agencies in 112 countries.

"We have to do a better job of taking advantage of tools that make it easier for law enforcement to solve crimes, and DNA collection is a very important tool for that end," added Nueber, who is the Chief of Police in St. Peters, Mo.

"This is a good move," said James W. McMahon, the Superintendent of the New York State Police, who is also a member of the association's executive committee.

The resolution urges the Federal Government to create a national DNA database based on samples collected at the time of arrest, a concept that the Justice Department is studying. The resolution also called on states to pass laws supporting DNA collection at arrest.

Association officials said the resolution would be brought before the group's full membership for a vote at its annual convention in Charlotte, N.C., in October. Michael D. Robinson, vice president of the association and director of the Michigan State Police, said the membership was expected to support the resolution.

Anchorage Police Department

Service Since 1921

From: Detective Linda Branchflower
West District
4501 South Bragaw Street
Anchorage, Alaska 99507-1599
(907) 786-8575

Fax #: (907) 786-8726

To: Dep. Comm. Del Smith

Date: 09-24-99

Fax #: (907) 465-4362

No. of Pg: 1 (Including Cover Sheet)

Del - In 1995 Doris Hainta, an Indian female, age 33, was found raped and strangled near Ship Creek in Anchorage. At the time there were few clues, except that a blue van was seen in the area where the body was later discovered. Until last year, the case was unsolved. Last year a detective from North Carolina investigated a case where a young prostitute was raped and murdered and put in a car and the body burned. Gene Poirer (he would have been 28 at the time of the Anchorage murder), was arrested for the murder in North Carolina. Realizing that this may not be Poirer's first murder, the North Carolina detective questioned Poirer about where he lived in the past. He said that he lived in Anchorage. Further, the detective had blood drawn from Poirer. After contacting APD Detectives, Poirer's blood was matched through DNA testing to DNA found at the crime scene in Anchorage. APD now considers the case solved.

Crime-Fighting in the Blood

Just five years ago, Florida had a new crime-fighting tool, a DNA database containing samples from convicted sex offenders and murders. But it also had a crisis. Crippled by a lack of funds and staff to manage it, the database was too small to be useful. Only once had the database successfully matched crime scene evidence with a suspect. A state audit suggested that lawmakers consider scrapping the program altogether.

To Tim Moore, Florida's law enforcement commissioner, killing the database seemed a crime of bureaucratic impatience. Moore knew that, beyond money, the biggest thing this cutting-edge tool needed was time. It would take years for the database to grow to a viable size. And its targets—recidivist criminals—hadn't yet committed crimes again because most were still behind bars. "The answer is not to just quit now because you don't have it at 100 percent," Moore said at the time. "We're committed to the DNA database. It will make a difference."

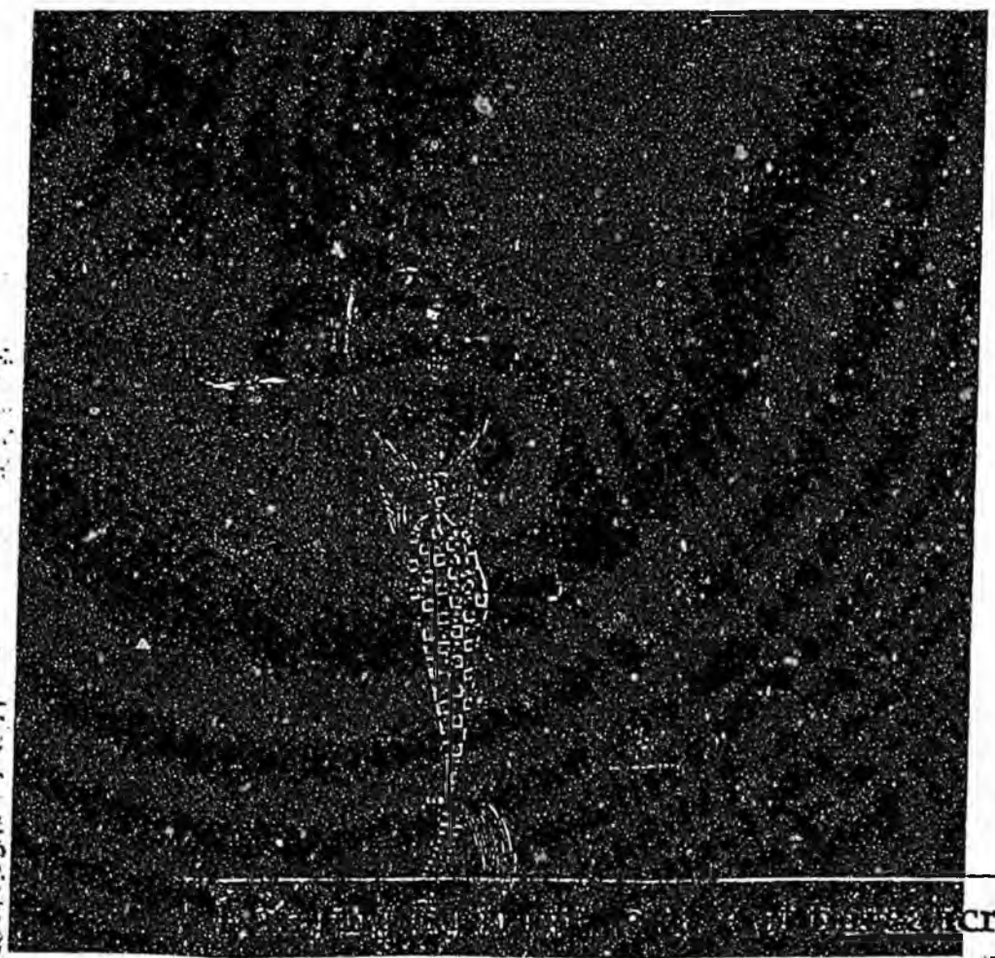
JAMES T. MOORE

In 1995, Moore persuaded lawmakers to hang tight. Not only did they boost the database's funding but they expanded the list of crimes for which convicts had to give blood samples. The results have been impressive. With some 60,000 samples, Florida's DNA database is today considered the nation's best. Already, it has helped in more than 300 investigations. Of all the suspect matches made from DNA databases around the country, more than one-third came from Florida alone.

Moore's embrace of new techniques and technologies—often before their time has come—has been a hallmark of his 11 years as Florida's top crime-fighter. It is a major reason why Florida's Department of Law Enforcement is today one of the most advanced and respected in the nation. While not a scientific whiz himself, Moore trusts those on his staff who are. And he throws his weight behind good ideas when he sees them. "He's an entrepreneurial public manager who takes risks, but not inordinate risks," says Dominic Calabro, president of the nonpartisan Florida Tax Watch. "He knows just how far to push."

No doubt Moore knows the department he leads as well as anyone ever could. He has spent his entire 26-year career at FDLE, working up the ladder at almost every job available (he started as a data entry clerk working nights in college). That head-to-toe familiarity with FDLE came in handy a few years back as Moore set out to restructure his agency around a performance measurement model.

At the time, the legislature was just starting to phase in its new system of performance-based budgeting. While many agency heads feared the change, Moore volunteered to make FDLE one of the first to go. The shift, in his view, was to be seen not as a threat but an opportunity. Moore flattened the department's chain-of-command, and gave regional directors more autonomy. To ensure accountability, he signed performance contracts between himself and his managers. As other state agencies now make the transition themselves, they are looking to FDLE as a model.



Meanwhile, other law enforcement agencies are watching what Moore does on the next crime frontier: computer crime. Long before the Internet gave criminals a new outlet, Moore made Florida the first state to create a forensic unit to pluck crime evidence out of their hard drives. Now, FDLE has set up a computer crime center with agents, analysts and computer experts dedicated solely to pursuing criminals who use modems rather than guns. "Whether it's someone's server getting hacked in to, or his identity getting stolen, computer crime will be the crack cocaine of the 2000s," Moore says. "The time to worry about it is not when you're up to your eyeballs in it."

—Christopher Swope

cratic impatience.

▶ home
▶ summary
▶ u.s.
▶ world
▶ business
▶ technology
▶
▶ health&living
▶ travel
▶ espn sports
▶ mr.showbiz
▶ dispatches
▶ abcnews shows
▶ gallery
▶ weather
▶ local
▶ search

Its Uses Aren't Restricted to Labs

DNA Goes Mainstream

By Abraham McLaughlin
The Christian Science Monitor

"(DNA) shows enormous promise for human benefit, but in almost every instance it can also be a tool for questionable or immoral behavior."
— *Mark Hanson*

BOSTON, Oct. 21 — It used to be that the science of genetics—the study of all those double helixes of DNA—thrived only in the realm of bleached lab coats and dry scientific journals. But not anymore.

DNA has gone decidedly mainstream. Today, the people who grapple with this subject—one that probes the molecules that hold the very blueprint for organic life—come from law offices and police stations, fertility clinics and jury boxes.

Moreover, the growing reach of DNA is forcing ordinary citizens to confront the double-edged nature of genetic science. Indeed, the wider application of DNA research is raising a host of concerns, from tough privacy issues to questions about the dangers of predicting that offspring of certain parents will be predisposed to disease.

"It shows enormous promise for human benefit, but in almost every instance it can also be a tool for questionable or immoral behavior," says Mark Hanson, an associate at The Hastings Center, a bioethics think tank in Garrison, N.Y. "It's a double-edged sword in just about any application you can think of."

On the positive side, DNA research is an aid in a growing number of arenas.

Used as a Crime-Fighting Tool

Its use as a crime-fighting tool is skyrocketing. The FBI's new nationwide DNA database will help catch criminals on the basis of a few strands of hair or drops of sweat they leave behind.

It's helping to set free those wrongly convicted of crimes, including a handful of death-row inmates.

It's helping moms determine, with little doubt, the identity of their children's father, thus lowering the number of paternity suits.

A case in Chicago dramatically illustrates the promise of DNA.

In the days after the August rape and murder of a young girl, police charged two boys, ages 7 and 8, with the crime, making national headlines. But their case fell apart and languished for months.

Then a DNA test of evidence at the scene made a near-match to a convict named Eddie Durr. Police suspected a close relative of Durr's had committed the crime. His brother gave a DNA sample and is now charged with the crime, as well as with two other rapes.

DNA Becomes the Main Clue

Why police waited so long to test the evidence isn't clear—and may point to the time and expense that DNA testing requires. But in the end, DNA was the main clue to finding a new suspect. Indeed, Florida tops US states with 155 "cold hits" from its database in cases where police had no other leads.

FBI officials expect more matches like these, now that the DNA databases of all 50 states are being linked. The move, announced last week, mimics a database in Great Britain. Since going online in 1995, the British DNA files have matched 28,000 people to crime scenes.

But Britain has few of the civil-rights safeguards enshrined in the United States Constitution. The American database, moreover, has many skeptics.

Currently the database is made up of samples from convicts. Each state decides which crimes—from burglary to rape or murder—qualify an offender to give a blood, saliva, or other sample.

For critics of a DNA database, it's a privacy issue that could someday affect more than just convicts.

What About the Others?

"It's invading their privacy because they're more likely to commit crimes. If

▶ mail to ABCNEWS.com
▶ send this page to a friend
▶ mailbox

you open that door, why not all men ages 16 to 36? Or all welfare recipients?" says Ruth Hubbard, biology professor emeritus at Harvard University in Cambridge, Mass. Indeed, one British police group is calling for all residents to submit DNA samples.

There's also the possibility that research would be done on the inmates' samples—and lead to discrimination based on people having a kind of "criminal" gene.

But DNA testing is also helping to prove innocence. Some 55 people, including several death-row inmates, have been exonerated with its help. Also, a recent FBI report on prime suspects found that a full 25 percent of those who were DNA-tested had no link to the crime.

In a more unusual application of DNA testing, it has helped Maine state game wardens nab 12 poachers this year. In one case, wardens raided a resident's freezer and found slabs of deer meat. The suspect said it was from a deer he shot legally last year. But DNA tests showed the meat was from two deer. He then admitted to killing a deer this year, illegally.

A Question of Paternity

Yet there's more to DNA testing than solving crimes. Take the fast-growing Houston-based paternity service, Identigene. Its 800 number is advertised on billboards from Los Angeles to Atlanta. For $475, a client can confirm paternity within a week.

The 300 to 400 calls the firm gets each day come from all kinds: fathers who want to be sure a child is biologically theirs before they commit to raising it, adults who have doubts about their parentage, or mothers who want to force a father to pay child support.

DNA testing is encouraging many reluctant fathers to settle out of court. In one Massachusetts county that includes Boston, 3,430 paternity suits were filed in 1996. This year, the total may be half as many.

But in parenting, breakthroughs in DNA research are also causing much debate. Scientists' recent declaration that certain genes may make their bearers—and their offspring—predisposed to anxiety or certain diseases makes for tough decisions, especially for aspiring parents.

If parents have a child—knowing the child is at risk for a disease or bad behavior—are they responsible for the problem? Could they even be charged with child abuse? And should an insurer have to pay for treatment for that child? These are some of the questions on the horizon.

Some couples are glad to know the information, so they can act accordingly. But the ominous part of genetics for some ethicists is the iron-clad description of destiny—medical or behavioral.

"Somehow, concrete information about the kind of person we're predisposed to be runs counter to our sense that our futures are open," says Mr. Hanson of the Hastings Center. "The biological equivalent of damnation of the soul is something people want to resist."

directly rather than taking it through Appellate. And if that looks promising, all things considered we should have something, oral arguments in front of the Supreme Judicial Court sometime in January or February. Which effectively enjoins my database for the rest of the fiscal year in Massachusetts.

That is, of course, the first shot across the front of the ship. We will see what happens when the dynamite goes off at the end.

Now with respect to what I'm here to do for you today, I want to take you through four types of backlogs. You may not have considered all of them, so I just want to set the ground rules.

There are convicted offender samples which have been collected. There are those which are owed. There is new casework received by laboratories. And then there are old cases that laboratories either have on hand or in their heads somewhere with detectives or DAs. That we will call cold cases.

I won't address postconviction testing, you've done that already.

Essentially, I'll use anecdotal information, because that's really all we have, from a few states that have some data about which I'm familiar. New York State's backlog of collected samples is around 7,000 with 3500 owed, and once things are up and running New York State will garner about 4,000 samples more per year.

Massachusetts has collected 2500 samples, is owed 11,500 in retrospective collections. Once we're done we should have about 1500 new samples per year coming into the system.

On the National basis, talking with Steve Misgoda (phonetic) of the FBI, about 250,000 samples have been tested from convicted offenders collected throughout the United States for RFLP. If you add those to the 350,000 backlog for RFLP, all of them need to be tested for STRs.

So essentially you have 600,000 samples that have been collected in the U.S. Backlog that need STR testing. You also have about a million samples, anecdotally speaking, that are owed to the system of convicted offender collections.

In our best estimate at this time, if the laws didn't change anywhere, would be about 100,000 new cases submitted for convicted offenders per year that would require testing.

I should also point out that somewhere, did you receive a handout of my presentation slides? Good, so you don't have to take too many notes. It's been a long time since I was a student.

COMMISSIONER DAVIS: What do you mean by owed?

MR. SELAVKA: Owed means they are convicted offenders who are index offenders and who owe the system a blood or a buccal swab.

MADAM CHAIRMAN ABRAHAMSON: So it hasn't been collected yet.

MR. SELAVKA: They have not been collected, that's correct.

As far as casework goes now the numbers become a bit more anecdotal even in the convicted offenders samples. Essentially about 23,000 samples of casework forensic DNA typing were done in the United States in 1998. About 6,000 backlogged case samples remain according to Steve Misgoda.

We really don't have a feel for how many in the future we should expect. I'm estimating, again based on anecdotal information, that the number of cases received by laboratories today and those that we may receive by 2001 might triple, based on investigators greater use of technology and our greater sensitivity.

Go ahead, Jan.

COMMISSIONER BASHINSKI: Is that 22,000 cases or 22,000 samples?

MR. SELAVKA: I believe they are samples tested.

COMMISSIONER BASHINSKI: So maybe 1/5th as many cases.

MR. SELAVKA: Let me take that back. These are samples that could go in CODIS so they are cases. I apologize.

COMMISSIONER FERRARA: You're talking about casework DNA samples.

MR. SELAVKA: No, these are cases, because these are CODIS ready cases if you will. This is from the summer survey for CODIS.

COMMISSIONER BASHINSKI: Unsolved case profiles is what you're talking about.

MR. SELAVKA: Casing that could be submitted to CODIS.

COMMISSIONER FERRARA: So it would have to be cases because we ran that many samples in Virginia alone last year.

MR. SELAVKA: Yes, sir. I apologize. So those are cases.

What we don't know even more so than this and unexplored is how many cold cases are testable. We don't really have a good sense at the National level, but we know there are probably a lot of cases.

We don't really know what the impact of the DNA Advisory Board's recommendations are going to be on the recruitment of scientists, retention of those scientists, and productivity in the laboratories. We're probably going to bog down our laboratories in meeting the new higher quality standards. And the testing technologies we anticipated as you have heard about already will have an impact on our ability to do testing and casework and databanks.

When it comes to laboratorians, if we take the world view and sort of talk with the FBI about this issue, what would be the future of the number of samples that could present themselves to CODIS for testing and entry.

If we look at all felonies in the United States, it could be as much as around a million a year that could be presented to the system for testing and incorporation. If we look at all the rest, it would be around one and a half million.

The FBI is planning on CODIS being able to take an about a million convicted offenders a year. That way, if we are anywhere less than that we should have sufficient server-client capacity if you will.

Casework samples we don't have good numbers of suspect and no suspect cases. Some are survey anecdotes. But we do suspect if we tested all possible cases the number of cases that could be submitted to or run against CODIS could equal one and a half million a year.

Again, big load. They're planning on that at the FBI in terms of their client-servers architecture.

When it comes to prioritization, I want to set aside some apparent benefits and then sort of address the reality and take you through some examples. These again are my opinions and raised for discussion points and not as what you should do. You decide.

But the apparent benefits of prioritization include an increased potential efficacy of the tests that are run giving reasonable results and probative value to cases sooner than later. And it is good policy and looks good. It makes you feel good when you prioritize. It makes you feel like your doing something positive.

The reality is I think there are some cost benefit questions that have to be addressed. When you try to prioritize case work I think the reality is local politics and policies will always outweigh the National -- if they're anything less than standards, they will be outweighed by the local reality.

And because of that, there is really no national policy that's likely to overlay on top of the regional, local, municipal realities that already exist, of which prosecutor gets served first, which kind of high-profile case gets run over others. There will always be jurisdictional and political reasons why things get tested.

There are also some efforts underway to provide some funding and resources otherwise to the effort for casework prioritization and testing and that includes the DNA laboratory improvement program grant. They are now in phase four of a planned five year, five phase program. And also the state identification systems grants giving somewhere around $200,000 a year to most states in order to provide some infrastructure for testing for DNA as well as to other components of databasing.

Let's look at where the offenders are physically. The ones who we care about the most are those who are basically sentenced to time served, those who are on probation and parole, those in jails, and those in prisons.

The people that owe samples, as I have talked to people in other states and looked at my own situation, are those who are sentenced to time served. Almost all of them owe me samples. I don't have a lot of them. Probationer and parolees owe a lot of samples and people sentenced to jail terms owe me a lots of samples.

The places where I have been able to get my samples are in prisons, sort of descending order from there. Jail inmates, parolees and probationers. So the larger number of collections have come from prisons.

Our liability I would argue though, comes with the following considerations. The people sentenced to time served are a huge liability because they are under no supervision at all. Those on probation or parole are under moderate supervision, and those in jails are under moderate supervision as well.

You could look at liability at another way, too, from a social aspect. That is sexual predators might be seen as providing us with the highest liability in terms of collection. Those involved with crossover crimes in the younger part of their career could be our greatest liability.

When you add all these things together I think we have to ask the question how can prioritization alleviate this liability. That's really what prioritization is about.

You can imagine some schemes for doing prioritization. One could be a simple time basis. The first person out to hit the streets should be the first collected and then go backwards to

the last one out. Maybe we should look at their crimes in the likelihood of recidivism for those crimes and use that to govern how we collect. Perhaps we should look at the likelihood of a person committing a certain kind of offense and leaving biological samples behind.

All of these are strategies that could be used. The reality is we will still end up with National inconsistencies unless you can come up with a standard. We also are missing some very important data at the local and state level to allow us to do some of the prioritization schemes that we can imagine.

And the time that you would spend and the errors inherent in doing any selection of samples for people out of this process are going to have significant costs and perhaps a cost not just in monetary terms but programmatic.

These are thorny issues that we have to deal with. I have a proposed strategy in order to enhance CODIS' effectiveness significantly. If we remember the goal, and that is, I think, to rapidly populate CODIS with as many profiles as possible, especially for convicted offenders, but also in the case of trying to minimize the cost and errors involved in that rapid population and create a firm infrastructure for offender collections and casework efforts.

One way we could do this is with collected samples, rapidly test all of them using STR and commercial laboratories with essentially no prioritization. If we can do them quickly prioritization becomes immaterial.

On the other hand, for samples we are owed from convicted offenders, perhaps we should prioritize them on the amount of supervision on the audience being collected from. Those who already hit the street, get theirs first. Those under limited or short term supervision, get theirs next. And finally get those in prison.

We do need a robust mechanism to make this happen, and that's the last point I'll argue. What exactly is a robust method. If you haven't lived in the process of collecting these things, I'll take you through what it means to me.

First of all, there are three key points. We need to identify a person as early as possible that they owe a blood or a DNA sample. We have to somehow get people to take ownership of the collection process. And finally, we have to do a double identification and verification that that is the right person we collected from and they were supposed to have a collection because they were an index offender.

Who identifies these people? Well, it could be identified by district attorneys, judges, and clerks of the court. Jail administrators and wardens can identify these people. Probation directors and parole administrators also could be the identifiers. You notice the laboratory is not really involved in the early identification of these offenders. We are not there yet.

We need some tools for this identification to occur. There is a missing infrastructure for information management. MIS stands for Management Information Systems.

Clerks of the court generally have an automated process by which they put in the results of the case. Criminal history databases are built on that data. Many times, New York State and Massachusetts are two examples. I've talked to other states, too, the clerks don't always put it in there. It's not always accurate.

Sex offender registries in some states are linked to the DNA databank. That could be a missing link in some states.

Correctional management systems. When a person is received by a correctional institution

they're supposed to have some data of identity, the crime for which they're convicted and sentenced, and that could trigger the blood draw request.

The DAs have information systems available to them to track cases and look at sentences. And then finally, DNA databank administrators

None of these databanks in most states are linked. All of them contain somewhat different information.

In order to do the best job we need to link them. And that is a piece where perhaps you could specify or recommended some piloting, pilot projects or funding to try to assist in that.

Also, because of the turnover of personnel involved in the collection process and the identification process there is a constant retraining need. In New York, for example, we have a person set aside at the policy analyst level, the supervisor level, who does nothing but goes out and trains people how to do the collection properly and tries to get them exciting about doing it.

So it usually takes slides. I've got three of her slides here. She goes out to the correctional facilities and tries to get them excited about the fact that for once they can try to keep future crimes from happening as opposed to taking care of people who are already convicted of crimes. Tries to get them excited about giving these criminals, these sex offenders a place to live, a spacious home with many doors and a large scenic fenced in yard and something nice to wear such as this forest green all cotton two-piece ensemble with a matching jacket.

It seems trivial, but someone has to do it. The people turn over routinely enough we have to make it happen. That takes money. New York State happens to use Burn funds for that. Not every state has that kind of availability of funding.

When we talk about ownership of the collection process, the laws in most states do not specify who gets to go get that blood. Most of these look like unfunded mandates to the locals. And in many cases, frankly, they are.

Most of the efforts are poorly coordinated. Florida has one of the best systems, Virginia is doing a good job now, California is coming along, Illinois is doing a good job, but many of the others states, especially us late arrivers, don't have any procedures in place and are very poorly coordinated.

In many states it revolves around a person who acts like a point of light to get it done. In New York City state Jim O'Connell, if this guy got hit by a truck New York State's program would be in deep trouble. He essentially makes the whole division of correctional services program of collection happen.

The prisons have some infrastructure available to them already, such as correctional health care facilities and contracts, department of health and medical examiner health, hospitals that can do collections. They even have contractors. Contractors provide you with responsiveness, with competitiveness, so a good price and good response, good service, if you will. They often lower the cost overall of collecting these samples.

In Florida they've now got a contract to do collections at the courthouse for those who would be sentenced to time served, they can collect them before they hit the street. It's good thinking by Florida. They have a program set up for it. They have set aside money in their State budget. They are getting it done. Many other states, my past and current included, are not in that situation.

It's a bit thornier, it ties people in knots at the local level for probation and parole. The reason for this is there is really no health care structure for probation and parole. They're law enforcement orphans. They don't have the things that jail administrators have or prisons have.

We've really got them poorly designed for the task of doing collections. They have a lot of administrative burdens, they are responsible for a wide distribution of services, and they have very limited access to funding. They're usually very overworked and very underfunded. That is a place where we could use some money.

On the third essential element of doing early identification is taking a double identification and verification step. We have to do this. We have to make sure that if there is a hit against CODIS we have a person in the databank for which the candidate match is forwarded that was supposed to be there. We have to make sure the finger or thumbprint that was collected was verified against AFIS. We have to make sure the sentenced offense is an index offense in that State, and that they were sentenced after the time that the databank law went into effect. All of that is very important.

In New York State we continue to have problems with people. New York State's law doesn't allow you to collect from people who are convicted of attempted anything. If you rape someone, you're sentenced and convicted for rape, we get your blood, convicted and sentenced for attempted rape, we don't get your blood. But the jailers love to get blood, so they get them on attempts anyway.

Them we figure out, whoops, that's not the right guy, we have to do an administrative removal process and get that blood out of there.

We have some people who know in localities, the jailer knows that this guy's a dirty scumbag. And even if he is not convicted of an index offense, he'll collect him anyway because he knows he is going to do something down the road. Well, that's great, but it increases the cost to the system.

We are on the road and we want to do the right thing but we've got to have all the pieces of this puzzle in the right place at the right time.

Again the goal, rapidly populate CODIS, minimize the cost and errors and create a firm infrastructure.

There is money to do this with. I would argue again that I think the samples we have on hand, let's get them done quickly and populate CODIS. The other ones, let's prioritize and do a good job with them.

Overall a successful database again, you know this but just to remind you, it identifies the right person and exonerates the innocent. Gives us the ability to link cases and ultimately saves a lot of lives. That's why we are doing all this. That's why you're here.

You're going to cause a lot of people to think outside the box. What you do here is very important. It impacts everybody, laboratories and those that collect blood for CODIS especially.

I wanted to make sure I acknowledge people who helped me with this. That includes people in New York, people in Florida, and my lab for letting me be here.

Before I slide out I do have a little bit of time for questions to help you with anything I can then I will be leaving and the dust will settle later.

COMMISSIONER SCHECK: First, on the samples owed, are you telling us by intuition,

are you telling us by some data that those are mostly coming from people that are on parole, probation, time served, people on some form of supervised release in the community?

MR. SELAVKA: Anecdotally from the states are whom I most discussed, I'm most familiar. That's our data. Prisons are not a problem. Prisoners we are getting.

COMMISSIONER SCHECK: So in other words, it's the people that are on the street that could commit crimes which we could actually type with the database that we have to capacity to get and type at this point.

MR. SELAVKA: That is exactly the point. We want to get the ones under the least supervision first because they are the ones that can commit more crimes now and they are the ones whom we've had the most problems because of missing infrastructure elements.

COMMISSIONER SCHECK: Do you have any sense whatsoever of how many old unsolved cases there are that can be typeable.

MR. SELAVKA: There is a lot more hand waving on the number of cases for which we don't really know. I can only tell you, you know well in New York we tried to get that number. It's very hard to get at.

COMMISSIONER CLARKE: Doctor, on the convicted offender strategy, aren't those people who are on the streets who have done time served, aren't they going to be actually the most difficult to find and the costliest to obtain samples from as opposed to somebody who is under some type of supervision or in custody.

MR. SELAVKA: I think the first part of your statement is absolutely correct. They would be the ones that are most important to get. I don't think they're the most difficult, if we use Florida's very new example of how to go about this.

What we need is for the conditions of sentence, this basically means we have to work with district attorneys, clerks of the court, and judges. Work with them in order to make it a condition of sentence even when the sentence is time served, that they provide that blood prior to hitting the street.

COMMISSIONER REINSTEIN: I agree if there is a sentencing order they can make them do anything. But I thought you were talking about capturing samples of people who were already on the street and going back to get those old ones that have been released in the last several years.

MR. SELAVKA: I look at that question somewhat pragmatically. If we believe in recidivism we will see them again. And what we can do is try to create the traps to hold the person in a stranglehold until you get the blood the next time at the very worse. And at the best, send letters to the home of record and do the best to find these people. Notify them of their obligation to provide the blood.

In some jurisdictions we've had district attorneys who actually chase this problem down. They know where the guy lives and they get a bench warrant to go get it.

Again, this is a local problem. It's kind of like politics. It really comes down to an individual district attorney or assistant district attorney believing in the program and making it work.

Everything we do at the Federal level is about providing funding for them to do it. The states ultimately have to work with the localities to make it happen.

COMMISSIONER SMITH: Are all these backlogs blood backlogs or are some of these systems designed to do swabs?

MR. SELAVKA: There are definitely states that are doing buccal swabs. But I talk blood because that's the world I live in, but I believe more than equal states are moving to buccal swabs.

COMMISSIONER SMITH: This may seem tangential, but if in fact probation and parole agents have no contact with the people who are stated on probation or parole, then I'm not sure that the most important thing to do is to collect blood samples. It seems to me the most important thing in jurisdiction like that is to see to it that some contact is achieved. And if some contact were achieved, and it weren't blood we were trying to get, then maybe the kind of contact ought to include a brief swipe at the cheek I would think.

The idea that people hav no contact at all with their probationer or parole is in itself something really to worry about.

MR. SELAVKA: I hate to say this, but what I found in my two years experience in New York, and I'm sure I'm going to find in Massachusetts when I get unenjoined, the DNA databank is acting like a quality control measure for the entire system of criminal justice.

We are findings database errors in AFIS, we are finding criminal history errors, we are finding unreported crimes and sentences, and we are finding everything through the provisions of DNA samples. It's horrible, but it's reality.

COMMISSIONER BASHINSKI: You were talking about the unfunded mandate. Our estimates are with the new changes in our new databank law that it's going to cost -- these are blood draws -- about a million dollars to draw the samples, that is the first year, of the people that we don't have that we are supposed to have. And the legislature passed a law without any money in it. And it's an unfunded local mandate which it's supposed to come out of the department of justice's budget.

MADAM CHAIRMAN ABRAHAMSON: Is that California's department of justice?

COMMISSIONER BASHINSKI: Yes. Not Massachusetts.

The other issue is that we have I'd say about 25 percent of our sex offenders, they're registered sex offenders, no one knows where they are and they are supposed to register every year.

MR. SELAVKA: Yes, ma'am. That is why let's get our blood early on in the program and use that to find the sex offenders the next time around.

MADAM CHAIRMAN ABRAHAMSON: One of the issues before the Commission is whether we should propose that this backlog of samples collected should be put into CODIS and that we should put the money in to get this backlog into CODIS.

And the question that is arising is whether there are in these samples, whether you can prioritize them so that you get the ones that are on the street first or the ones going to be released first, et cetera.

Do you have any views on that versus putting the money into collecting samples now and then testing?

MR. SELAVKA: Yes, ma'am. I would think if the money is available, outside testing goes quickly enough that prioritization becomes moot. In the impact that those samples being populated into CODIS would have, it would be very quick compared to the number

of cases that need testing.

I think we will save money in the long run doing the previously selected offenders' samples. Just test them. Don't even brother trying to prioritize them.

There are a lot of missing data links, there's a lot of errors you can make. On the other hand, prioritizing the cases that need to have testing done in a way that tries to get those that will have the greatest probative value most quickly and challenge the database that you now populated with the other money and take the power of the database forward.

I think a little of both. Don't prioritize the collected samples, prioritize the owed samples, and definitely prioritize casework samples.

COMMISSIONER SCHECK: Did you just say prioritize everything? What are you going to do about the owed samples of the people on the street?

MR. SELAVKA: If the people who are on the street and under no supervision at all, you can do the best you can. But the money may better be spent in jails and people on probation and parole. If they are sentenced to time served, we could say they're the priority, but the amount of money it will take to get them may outweigh the benefit.

COMMISSIONER SCHECK: But people -- I guess I'm just confused about this. Why is it that you can't -- you have collected samples from people that are on probation and parole, right, and those were the first ones we typed in New York; true?

MR. SELAVKA: Yes.

COMMISSIONER SCHECK: And when we asked them, they said oh, you can't do that but then you made them do it. True?

MR. SELAVKA: Yes.

COMMISSIONER SCHECK: So it's not like you can't do it, it's just that somebody, your point of light or whoever it is in a particular State, makes you do it.

MR. SELAVKA: Let me say how I did it, maybe that would be helpful. Five summer interns. We had to go through it by hand on criminal history records. By hand. So most states will not have this availability and make it happen quickly.

If you have a blood sample in the freezer, I'm arguing test it. Don't bother prioritizing, test it. For those that are uncollected, prioritize them and go after the ones that you know are the low-hanging fruit. Get them first. Everybody gets five summer interns.

COMMISSIONER SCHECK: How much do five summer interns cost?

MR. SELAVKA: Zero. They are unpaid.

DIRECTOR ASPLEN: Were those subsequently tested? How long did it take to test those that you prioritized?

MR. SELAVKA: It's still ongoing.

DIRECTOR ASPLEN: So that wasn't a scenario where we are looking at the cost benefit analysis of testing them immediately like we are in a context of outsourcing. So under that context, we'd still be in that process. With the five interns.

MR. SELAVKA: As I was saying before about the local overlay, this is Federal money

being used for out-testing and it's RFLP, it's not a STR model, and it took a while. I would suppose if we had done the prioritization and followed up with STR testing we would have been done by now.

COMMISSIONER SCHECK: We couldn't use the money that we wanted to use to do STR testing, we had to use RFLP testing.

MR. SELAVKA: I'm not even going to touch that. I love the NIJ.

COMMISSIONER SCHECK: I'm not an administrator.

COMMISSIONER FERRARA: Carl, these individuals who owe samples, now the statutes across this country indicate that upon conviction a sample has to be taken, correct? And that is how most of them are phrased.

MR. SELAVKA: New York City says the sentenced offender shall provide. It doesn't say who is going to collect it, it doesn't say ask him, it just says he shall.

COMMISSIONER FERRARA: So what you're saying is the difficulty is with the way the statute is written.

MR. SELAVKA: Yes, sir.

COMMISSIONER FERRARA: And carried out. Not a funding issue necessarily.

COMMISSIONER SCHECK: It doesn't say who should collect it, you mean?

COMMISSIONER FERRARA: The law is inadequate in that it doesn't address one, that the sample should be taken upon conviction, and that who should do it. So the issue is the inadequacy of laws and the collection of samples in at least 49 states because we don't have it in Virginia. It can be done and it can be done right.

MR. SELAVKA: I agree.

COMMISSIONER FERRARA: I don't think it's a funding issue. I think our working group will get into it tomorrow and discover that most of the problem is that the officials in the states are not carrying out their duties, neither the jails or the prison officials. If eventually you shouldn't have anyone on probation or parole who owes a sample. They shouldn't have a sample when they got convicted or sentenced. And once you've done all those individuals you get caught up, you don't have a problem trying to track people down around the street.

COMMISSIONER THOMA: But, Paul, at the very origin what Jan was referring to with RAB1332 that just passed, there is no funding of it. With regard to the actual collection, it doesn't really matter whether it says exactly who should collect it or not. They are not funding whoever could do that collection.

COMMISSIONER FERRARA: No one got funded in Virginia. I collected 175,000 samples in corrections, no one has received one cent. A sample of blood is taken normally upon medical examination when a person goes to a jail or goes to correction. A second tube is drawn at no extra cost and a sample is in the databank. 175,000 samples have been collected without one cent of money for the collection.

So I don't see that money is an excuse. It's a problem of the statute and the way it's written and enforced and carried out.

DIRECTOR ASPLEN: Hold on. We are going to have a entire discussion tomorrow on

sample collection, we're going to have another presentation on sample collections, the road blocks to that and then we will discuss it more in the context with our database discussion. That's exactly why we did this so we would engender this kind of discussion, but I need to let Carl go because he literally has to catch a plane.

So if we could save the rest of this discussion until tomorrow I would call back the postconviction folks.

COMMISSIONER ABRAHAMSON: Let's thank Carl.

Previous Contents *Next*

Back to National Commission Main Page

...Gerald Parker—then in a California ... on a parole violation stemming from a ...sentence for raping a child—was charged ...the rapes and murders of five women ...December 1978 and October 1979 ...murder of a fetus during a rape in ...DNA samples from the crime scenes ...through California's sexual assault/ ...offenders database, and four of the ...were found to have been committed by ...perpetrator. After DNA tests linked ...the victims, he confessed to the crimes. ...confessed to a similar, fifth crime for ...Kevin Lee Green had been wrongly ...ted and had served 16 years in prison.

...day's law enforcement officer has learned to look rou... fingerprints to identify the perpetrator of a crime, that ...r needs to think routinely about evidence that may ...NA. Recent advancements in DNA technology are ...law enforcement officers to solve cases previously ...be unsolvable. Today, investigators with a fundamen...edge of how to identify, preserve, and collect DNA ...properly can solve cases in ways previously seen only ...ion. Evidence invisible to the naked eye can be the key ...a residential bur...ual assault, or ...der. It also can ...dence that links ...rime scenes to ...in a small town, ...gle State, or ...s the Nation. ...on the stamp of ...reatening letter ...lls shed on a ligature of a strangled victim can be ...with a suspect's blood or saliva sample. Similarly, ...cted from the perspiration on a baseball cap discard... ...st at one crime scene can be compared with DNA in ...wabbed from the bite mark on a different rape victim.

Where Is DNA Contained in the Human Body?

DNA is contained in blood, semen, ...cells, tissue, organs, muscle, ...cells, bone, teeth, hair, saliva, ...cus, perspiration, fingernails, ...feces, etc.

Similar to fingerprints

DNA is similar to fingerprint analysis in how matches are determined. When using either DNA or a fingerprint to identify a suspect, the evidence collected from the crime scene is compared with the "known" print. If enough of the identifying features are the same, the DNA or fingerprint is determined to be a match. If, however, even one feature of the DNA or fingerprint is different, it is determined not to have come from that suspect.

This brochure will explain DNA and the related identification, preservation, and collection issues that every law enforcement officer should know.

What Is DNA?

DNA, or deoxyribonucleic acid, is the fundamental building block for an individual's entire genetic makeup. It is a component of virtually every cell in the human body. Further, a person's DNA is the same in every cell. For example, the DNA in a man's blood is the same as the DNA in his skin cells, semen, and saliva.

DNA is a powerful tool because each person's DNA is different from every other individual's, except for identical twins. Because of that difference, DNA collected from a crime scene can either link a suspect to the evidence or eliminate a suspect, similar to the use of fingerprints. It also can identify a victim through DNA from relatives, even when no body can be found. And when evidence from one crime scene is compared with evidence from another, those crime scenes can be linked to the same perpetrator locally, statewide, and across the Nation.

Forensically valuable DNA can be found on evidence that is decades old. However, several factors can affect the DNA left at a crime scene, including environmental factors (e.g., heat, sunlight, moisture, bacteria, and mold). Therefore, not all DNA evidence will result in a usable DNA profile. Further, just like fingerprints, DNA testing cannot tell officers when the suspect was at the crime scene or for how long.

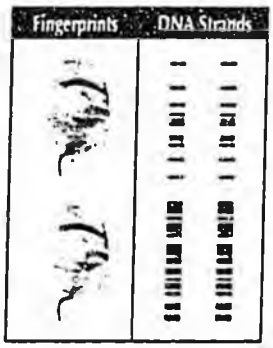
Where can DNA evidence be found at a crime scene?

DNA evidence can be collected from virtually anywhere. DNA has helped solve many cases when imaginative investigators collected evidence from nontraditional sources (see "Identifying DNA Evidence"). One murder was solved when the suspect's DNA, taken from saliva in a dental impression mold, matched the DNA swabbed from a bite mark on the victim. A masked rapist was convicted of forced oral copulation when his victim's DNA matched DNA swabbed from the suspect's penis 6 hours after the offense. Numerous cases have been solved by DNA analysis of saliva on cigarette butts, postage stamps, and the area around the mouth opening on ski masks. DNA analysis of a single hair (without the root) found deep in the victim's throat provided a critical piece of evidence used in a capital murder conviction.

Evidence Collection and Preservation

Investigators and laboratory personnel should work together to determine the most probative pieces of evidence and to establish priorities. Although this brochure is not intended as a manual for DNA evidence collection, every officer should be aware of important issues involved in the identification, collection, transportation, and storage of DNA evidence. These issues are as important for the first responding patrol officer as they are for the experienced detective and the crime scene specialist. Biological material may contain hazardous pathogens such as the human immunodeficiency virus (HIV) and the hepatitis B virus that can cause potentially lethal diseases. Given the sensitive nature of DNA evidence, officers should always contact their laboratory personnel or evidence collection technicians when collection questions arise.

Identifying DNA Evidence



Since only a few cells can be sufficient to obtain useful DNA information to help your case, the list below identifies some common items of evidence that you may need to collect, the possible location of the DNA on the evidence, and the biological source containing the cells. Remember that just because you cannot see a stain does not mean there are not enough cells for DNA typing. Further, DNA does more than just identify the source of the sample; it can place a known individual at a crime scene, in a home, or in a room where the suspect claimed not to have been. It can refute a claim of self-defense and put a weapon in the suspect's hand. It can change a story from an alibi to one of consent. The more officers know how to use DNA, the more powerful a tool it becomes.

Evidence	Possible Location of DNA on the Evidence	Source of DNA
baseball bat or similar weapon	handle, end	sweat, skin, blood, tissue
hat, bandanna, or mask	inside	sweat, hair, dandruff
eyeglasses	nose or ear pieces, lens	sweat, skin
facial tissue, cotton swab	surface area	mucus, blood, sweat, semen, ear wax
dirty laundry	surface area	blood, sweat, semen
toothpick	tips	saliva
used cigarette	cigarette butt	saliva
stamp or envelope	licked area	saliva
tape or ligature	inside/outside surface	skin, sweat
bottle, can, or glass	sides, mouthpiece	saliva, sweat
used condom	inside/outside surface	semen, vaginal or rectal cells
blanket, pillow, sheet	surface area	sweat, hair, semen, urine, saliva
"through and through" bullet	outside surface	blood, tissue
bite mark	person's skin or clothing	saliva
fingernail, partial fingernail	scrapings	blood, sweat, tissue

Contamination

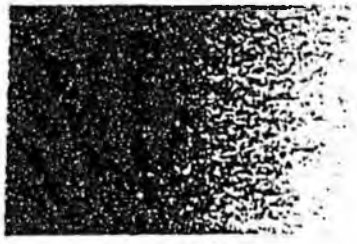
Because extremely small samples of DNA can be used as evidence, greater attention to contamination issues is necessary when identifying, collecting, and preserving DNA evidence. DNA evidence can be contaminated when DNA from another source gets mixed with DNA relevant to the case. This can happen when someone sneezes or coughs over the evidence or touches his/her mouth, nose, or other part of the face and then touches the area that may contain the DNA to be tested. Because a new DNA technology called "PCR" replicates or copies DNA in the evidence sample, the introduction of contaminants or other unintended DNA to an evidence sample can be problematic. With such minute samples of DNA being copied, extra care must be taken to prevent contamination. If a sample of DNA is submitted for testing, the PCR process will copy whatever DNA is present in the sample; it cannot distinguish between a suspect's DNA and DNA from another source.

Transportation and storage

When transporting and storing evidence that may contain DNA, it is important to keep the evidence dry and at room temperature. Once the evidence has been secured in paper bags or envelopes, it should be sealed, labeled, and transported in a way that ensures proper identification of where it was found and proper chain of custody. Never place evidence that may contain DNA in plastic bags because plastic bags will retain damaging moisture. Direct sunlight and warmer conditions also may be harmful to DNA, so avoid keeping evidence in places that may get hot, such as a room or police car without air conditioning. For long-term storage issues, contact your local laboratory.

To avoid contamination of evidence that may contain DNA, always take the following precautions:

- Wear gloves. Change them often.
- Use disposable instruments or clean them thoroughly before and after handling each sample.
- Avoid touching the area where you believe DNA may exist.
- Avoid talking, sneezing, and coughing over evidence.
- Avoid touching your face, nose, and mouth when collecting and packaging evidence.
- Air-dry evidence thoroughly before packaging.
- Put evidence into new paper bags or envelopes, not into plastic bags. Do not use staples.



National Commission on the Future of DNA Evidence

Identifying ***DNA Evidence***

Elimination samples

As with fingerprints, the effective use of DNA may require the collection and analysis of elimination samples. It often is necessary to use elimination samples to determine whether the evidence comes from the suspect or from someone else. An officer must think ahead to the time of trial and possible defenses while still at the crime scene. For example, in the case of a residential burglary where the suspect may have drunk a glass of water at the crime scene, an officer should identify appropriate people, such as household members, for future elimination sample testing. These samples may be needed for comparison with the saliva found on the glass to determine whether the saliva is valuable evidence. In homicide cases, be sure to collect the victim's DNA from the medical examiner at the autopsy, even if the body is badly decomposed. This may serve to identify an unknown victim or distinguish between the victim's DNA and other DNA found at the crime scene.

When investigating rape cases, it may be necessary to collect and analyze the DNA of the victim's recent consensual partners, if any, to eliminate them as potential contributors of DNA suspected to be from the perpetrator. If this is necessary, it is important to approach the victim with extreme sensitivity and provide a full explanation of why the request is being made. When possible, the help of a qualified victim advocate should be enlisted for assistance.

COmbined DNA Index System—CODIS

CODIS (COmbined DNA Index System), an electronic database of DNA profiles that can identify suspects, is similar to the AFIS (Automated Fingerprint Identification System) database. Every State in the Nation is in the process of implementing a DNA index of individuals convicted of certain crimes, such as rape, murder, and child abuse. Upon conviction and sample analysis, perpetrators' DNA profiles are entered into the DNA database. Just as fingerprints found at a crime scene can be run through AFIS in search of a suspect or link to another crime scene, DNA profiles from a crime scene can be entered into CODIS. Therefore, law enforcement officers have the ability to identify possible suspects when no prior suspect existed.

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. SB 201

Revision Date 4/5/00
Dept. Affected Public Safety
Title An Act relating to violations of an order to submit to deoxyribonucleic acid . . . effective date."
BRU AK. State Trooper - Detachments
Component AK. State Trooper - Detachments
Sponsor Rules by Request of the Governor
Requester Senate Judiciary Committee
Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

This bill is not expected to have a budgetary impact.

Prepared by: Royce Veller, Special Assistant
Phone 465-2649
Division Office of the Comissioner
Date/Time 4/5/00 12:00 AM
Approved by Commissioner Ronald L. Otte
Date 4/5/00
Agency Department of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

(Rev 10/99) 2000fnform.xls/OMB

SB 200
was read the first time and referred to the Judiciary and Finance Committees.

Indeterminate fiscal note published today from Department of Administration. Zero fiscal notes published today from Department of Corrections, Department of Law, Department of Public Safety.

Governor's transmittal letter dated January 18:

Dear President Pearce:

As part of the state's continuing efforts to control drug abuse, I am transmitting a bill that adds ketamine hydrochloride as a Schedule IVA controlled substance to the Alaska statutes relating to misconduct involving controlled substances.

Ketamine hydrochloride is a synthetic drug that was developed in the 1960s as an anesthetic. It is commonly used by veterinarians. It was used as an anesthetic on the battlefield during the Vietnam War and considered a desirable anesthetic under battlefield conditions because it takes effect quickly and is remains effective for a relatively short period. However, experience with the drug has shown that upon awakening, humans often experience hallucinations, agitation, and delirium. Currently the drug is being abused because of these side effects.

Ketamine hydrochloride has been listed as a controlled substance in other states such as New York, California, New Jersey, and Illinois, where abuse of the drug is prevalent. Although the drug is not yet common in Alaska, a veterinary clinic in Fairbanks was recently burglarized, and one of the alleged perpetrators admitted that the purpose of the break-in was to steal ketamine hydrochloride. Adding the drug to scheduled controlled substances will give law enforcement the necessary tool to help control its abuse in our state.

SB 200
I urge your prompt and favorable consideration of this bill.

Sincerely,
/s/
Tony Knowles
Governor

SB 201
SENATE BILL NO. 201 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

> "An Act relating to violations of an order to submit to deoxyribonucleic acid (DNA) testing, to court orders and conditions of parole to collect samples for DNA testing, to removal of material from the DNA identification registration system; and to the collection and processing of samples from certain burglary perpetrators for the DNA identification registration system; and providing for an effective date."

was read the first time and referred to the Judiciary and Finance Committees.

Indeterminate fiscal note published today from Department of Administration. Zero fiscal note published today from Department of Public Safety.

Governor's transmittal letter dated January 18:

Dear President Pearce:

Using DNA identification is an increasingly effective tool for law enforcement investigation. This bill I transmit today expands the state's ability to use this method for detecting and abating the conviction of serious crimes by allowing the state to obtain DNA samples from convicted burglars.

SB 201

In 1995 Alaska adopted a DNA identification registration system. In this program persons convicted of most felony offenses against a person, and minors 16 years of age or older adjudicated delinquent for similar crimes, must provide a DNA sample to the Department of Public Safety for testing. Most other states in the country have a similar system of obtaining DNA samples from persons convicted of serious crimes. Since 1995 the technology and research into the uses of this information has grown rapidly. Research in other states into the criminal history of persons convicted of homicide and serious sexual assault has shown that over half the persons convicted of homicide or sexual assault were convicted of burglary before their convictions for the more serious crimes. DNA information from burglary convictions would be invaluable to law enforcement in the investigation of subsequent, more serious crimes against a person.

The bill also allows juvenile and adult correctional, probation, and parole officers and peace officers to collect oral DNA samples. The collection technology has improved so that a simple, inexpensive, non-obtrusive kit allows the tested person to take an oral swab without the need of a medical professional. If a blood sample is required, it would still be taken by a medical professional.

Penalties are provided for failure to cooperate with these sample requests. The bill also clarifies the procedures for removal of DNA material from the identification registration system, specifying that a court order is necessary for such removal.

I urge your prompt and favorable consideration of this bill.

Sincerely,
/s/
Tony Knowles
Governor

SB 202

SENATE BILL NO. 202 BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR, entitled:

> "An Act amending the definition of 'personal injury' for awards by the Violent Crimes Compensation Board to include emotional harm."

was read the first time and referred to the State Affairs, Judiciary and Finance Committees.

Zero fiscal note published today from Department of Public Safety.

Governor's transmittal letter dated January 18:

Dear President Pearce:

I am transmitting a bill amending the definition of "personal injury" for awards by the Violent Crimes Compensation Board to include emotional harm.

Current state law defines "personal injury" for purposes of violent crime compensation as including only actual bodily harm. This definition is inconsistent with federal law, however, which recognizes emotional harm as a personal injury and ties federal funding to programs that cover these mental health needs.

For many victims, the emotional harm suffered as a result of victimization is far more significant than actual bodily harm. This is particularly true for victims of sexual assault and abuse. And in other cases, such as dependants of homicide victims, no physical injury has been suffered at all, but emotional harm is certainly present. Victims should be eligible for compensation for treatment for emotional harm; this bill will allow for that compensation.

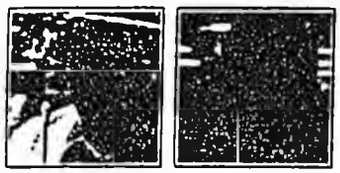
I urge your prompt and favorable action on this measure.

Sincerely,
/s/
Tony Knowles
Governor

February 19, 1998

DNA Databanks Giving Police Powerful Weapon: The Instant Hit

Related Article
- DNA Tests Free Two Men Convicted of Rape in '83 (Dec. 4, 1997)



By CAREY GOLDBERG

BOSTON -- Of all the new thrills that DNA analysis offers forensic scientists, nothing seems to beat what they call a "cold hit": when a computer discovers the identity of a killer or rapist by matching DNA from blood, semen or saliva left at a crime scene with a DNA profile in a database. A criminal is fingered by his own genes.

Until now, cold hits have come sporadically, mainly in several states where DNA forensic work is most advanced, totaling about 200 nationwide. But federal and stat experts say they will soon be cropping up much more often.

In the last several weeks, they say, two DNA logjams have been broken. The FBI and state laboratories have finally set new technical standards for testing DNA strands, allowing the development of a national system of quicker, cheaper testing to steam ahead. And the links of that system are starting to be hooked up: In December, eight states in the DNA vanguard began using FBI software that lets them pool their data on line for the first time, enabling them to identify criminals across their borders. Within minutes, they scored their first hit, linking a convicted sex offender in Illinois to a 1989 rape and attempted murder in Wisconsin, the bureau said.

"It's starting to grow geometrically," said David Coffman, the DNA database administrator for Florida, which has chalked up nearly half the country's hits. "For the first time, DNA labs are leading the investigators to the right person," as opposed to testing the DNA of known suspects.

The largest hurdle to establishing an American DNA database like the pioneering one in Britain, which holds hundreds of thousands of samples and has scored thousands of hits, is money -- for adding equipment and personnel, gathering hundreds of thousands of samples, analyzing and entering them, plowing through current backlogs and converting existing databases to new technology.

"It comes down to a cost-benefit analysis," said Christopher Asplen, an

assistant U.S. attorney who is executive director of the National Commission on the Future of DNA Evidence, which Attorney General Janet Reno recently created. "How much money are we willing to put into the system to reduce the backlog so that we can use DNA more quickly and more effectively to solve and prevent crimes?"

The mounting momentum behind DNA databases, however, is also pushing forward objections to DNA evidence. Last week in Massachusetts, for example, a judge halted the gathering of blood samples for DNA profiling from thousands of prison inmates, probationers and parolees after several sued the state, arguing that it was an illegal search and seizure performed without proper safeguards.

Although similar challenges in other states have failed, civil liberties questions continue to come up as states move ahead, including issues of who, exactly, must submit to testing, and who can have access to the data.

In the aftermath of the DNA debacle at the O.J. Simpson murder trial, in which the defense accused the Los Angeles Police Department of contaminating DNA evidence, concerns also linger over whether the police and laboratory workers are being properly trained to handle such potentially damning evidence.

Still, financing is a burning question for DNA overseers like Dr. Paul Ferrara of Virginia's Division of Forensic Science, whose groundbreaking DNA program has been given a $10 million budget for the next three years and who believes it will take $500 million to establish a full-fledged national databank.

"We still have backlogs of six months or more before we can get to every case," Ferrara said. "How many crimes that we took a year to solve could have been solved in a week? And how many further offenses, rapes or murders, were committed by that individual in the meantime?"

In Florida, Coffman recalled, a convicted rapist was just eight days away from being paroled in 1995 when his DNA sample was finally entered into the databank. It was found to match evidence left at the horrific rape, mutilation and murder of another woman more than three years earlier.

That is the difference DNA databanks can make, said Walter Rowe, a professor of forensic sciences at George Washington University who has advised the federal government on dispensing some of the $25 million that Congress allotted to DNA databases in 1994.

A national database, "God knows, may turn out to have an enormous impact," Rowe said, "if you reflect that rapists tend to be repeaters and studies have shown that most of the violent crime is committed by a very small number of criminals. If we're able to identify these guys and send them away, or if, instead of convicting the guy for one sexual assault we get him for 10 and he goes away for the rest of his life, think about the impact that will have on the safety of citizens."

Indeed, no one, not even those who have challenged DNA sample-gathering in court, deny that the databases can be heaven-sent crime-fighting tools. And DNA can work on prisoners' behalf as well. Already, 53 convicts have been exonerated after DNA testing was applied to the evidence in their cases, said Barry C. Scheck, whose Innocence Project at Yeshiva University's Benjamin Cardozo School of Law helped many of them gain freedom.

Rather, the main lingering questions about DNA testing and databases concern who should have to give samples and how those samples are handled.

The very existence of a DNA database smacks more of a Big Brother-ish assault on privacy than the existence of the national computerized network of fingerprints, civil libertarians say. Taking blood is much more invasive than fingerprints, they point out, and DNA carries so much more information -- information subject to abuse by insurance companies or even geneticists seeking the gene for something like pedophilia.

Furthermore, said Benjamin Keehn, a Boston public defender representing some of the inmates who have challenged the DNA collection here, "It's a very dangerous slippery slope" to round up thousands of convicts, probationers and parolees, as Massachusetts was doing, on the argument that they are likelier to commit a crime.

"Why not round up poor people?" Keehn asked. "Poor people are more likely to commit a crime, so shouldn't we have their DNA on file? Of course, there are benefits every time you get a cold hit. There are going to be dramatic success stories. But where does it stop? Why not take DNA samples at birth?"

In South Dakota, DNA samples are taken upon arrest, like fingerprints. Virginia, which has the most comprehensive database nationwide, with 160,000 samples gathered though only 10,000 have been analyzed, now gathers samples from all convicted felons, and even some juveniles.

And that, Ferrara argued, is the way to go. More than half of his cold hits from the crime scenes of rapes and murders came from felons who had previously been convicted only of breaking and entering or burglary, he said.

Scheck, who helped defend O.J. Simpson, advocates that states write into their DNA database laws that the data can be used by law enforcement agencies "for identification purposes only" to avoid abuses. Many states, like Massachusetts, have left their language more vague.

Two states, in fact, have not even passed database laws. But the two, Vermont and Rhode Island, are expected to finally join the other 48 this legislative session. Many other states have simply not allocated much money to their DNA databases, so large backlogs of unanalyzed samples have developed.

Even those that have kept up, however, will now have to start converting their samples from the old technique, known as Restriction Fragment Length Polymorphism, to a new method, Short Tandem Repeat, or STR. That faster, less expensive method looks at areas of the DNA strand that are generally considered something like "junk" DNA and do not determine an individual's traits.

It is a giant conversion task, experts say, but promises a great payoff. Technology has so advanced from the days when testing each DNA sample took weeks and cost several hundred dollars, they say, that in the near future, sample analysis will be largely automated, take only hours and eventually cost as little as $10.

The technology has also advanced in that it can analyze far tinier quantities of biological evidence -- even the saliva from a cigarette butt or envelope flap and the sweat from a hatband, said Terry Laber, supervisor of the DNA unit of the Minnesota Bureau of Criminal Apprehension.

In some ways, he said, DNA evidence has already surpassed fingerprints in usefulness, and Minnesota's state crime laboratory now does DNA testing at all crime scenes, including mere burglaries.

Whether or not it beats fingerprinting, DNA evidence is especially valuable because of the types of crime scenes where it is usually found, said Harlan Levy, a former New York City prosecutor who wrote "And the Blood Cried Out" (Avon 1997) about the power of DNA evidence.

"They're murder cases and sexual violence cases," he said. "The kinds of cases where people care very dramatically about identifying the people who committed them and getting them off the street. And DNA databanks make that possible."

Home | Sections | Contents | Search | Forums | Help

National Conference of State Legislatures

NCSL LEGISBRIEF

Briefing Papers on the Important Issues of the Day

JANUARY 2000 VOLUME 8, NUMBER 5

Using DNA to Fight Crime

By Donna Lyons

DNA technology today holds both questions and answers for criminal justice.

No longer the fingerprint of the future, DNA technology today holds both questions and answers for criminal justice. DNA (deoxyribonucleic acid) provides a biological identifier that, to date, has been used mostly in prosecuting defendants charged with violent crimes. The advent of state data banks containing DNA samples from convicted offenders opens the door for its use to identify and arrest criminals. Although some experts encourage fully tapping this crime-fighting potential, others are concerned about violations of civil liberties in genetic profiling.

All states allow collection of DNA samples from certain convicted offenders.

All states allow collection of DNA samples from certain convicted criminals. In 31 states, people convicted of many serious crimes must provide a DNA sample for the state database, and 19 states require specific sex offenders to do so. New Mexico, Tennessee, Virginia and Wyoming require a DNA sample from all felons. Lawmakers in New York and Illinois approved legislation this year to expand DNA testing to serious offenders and not just sex offenders. New York's measure includes drug offenders among those who must provide a DNA sample. In 19 states, certain juvenile offenders also must provide samples. Implementation of a 1997 Louisiana law to expand testing to people arrested in certain sex crimes has been delayed in order to upgrade the state police laboratory. Similar measures have been introduced, but not advanced, elsewhere.

Eleven states have statutory language addressing admissibility of DNA evidence in criminal cases, while courts in all states make case-by-case judgments on its use. DNA tests can help prove innocence as well as guilt. Laws in Illinois, Minnesota and New York specifically provide for post-conviction motions for DNA testing. Similarly, availability of DNA technology may prompt review of statutes of limitations on prosecuting cases. In New York, legislation currently is pending to extend from five to 10 years prosecution of rape based on DNA testing.

State public safety agencies generally administer the DNA offender database.

State public safety agencies generally administer the DNA offender database. Forensic labs under those agencies are responsible for processing samples, as well as handling crime scene evidence and defendant DNA samples. Most state laws prohibit anyone not in the criminal justice system from getting information from the DNA database. But privacy concerns have been raised about potential uses of the information, which often can be stored indefinitely. Thus far, state and federal courts have approved state policies to collect and preserve DNA samples from convicted criminals. Expansion of testing to arrestees would raise new issues as to when taking DNA constitutes an allowable search.

Referenced Legislation

New York—1999 A 9037
Louisiana—La. Rev. Stat. Ann. § 15:601-620 and 1999 La. HCR 40
Illinois—1999 Ill. Laws, P.A. #91-528
Minnesota—1999 Minn. Laws, Chap. 216, Art. 3
New York —N.Y. Criminal Procedure Law § 440.30
New York—1999 S 974 enrolled and A 349

National Conference of State Legislatures

Executive Director
William T. Pound

Denver
1560 Broadway, Suite 700
Denver, Colorado 80202
Phone 303.830.2200
Fax 303.863.8003

Washington, D.C.
444 North Capitol Street, NW, Suite 515
Washington, D.C. 20001
Phone 202.624.5400
Fax 202.737.1069

DNA databases in 18 states are connected to the National DNA Index System developed by the FBI. A blend of forensic science and computer technology, the system allows crime laboratories to electronically exchange and compare DNA profiles. Analysis of saliva, blood, semen or hair can be compared with that of a suspect and with other unsolved cases. The national system also can help solve cases where there is no suspect by comparing DNA evidence to samples provided by convicted offenders.

It is this investigative use of DNA analysis that has the greatest promise for identifying and stopping repeat criminals, especially sex offenders. However, current capability in states to collect and analyze samples lags behind the crime-fighting potential that has emerged with database laws and the national system. The FBI has identified a backlog of some 500,000 unanalyzed samples collected from convicted offenders. In addition, it is estimated that up to 1 million more samples are owed to the system, but as yet are uncollected. These include people held in corrections facilities, as well as other people on probation or parole. Often, the process by which samples are obtained does not have a system to prioritize collection from criminals in or about to be released to the community. Further, most state and local crime laboratories were designed and equipped for crime-scene evidence analysis. DNA profiling is a distinct, add-on lab capability that still is being developed in most places. Contributing to these improvements is $40 million authorized by Congress under the DNA Identification Act of 1994. Some states are contracting with private laboratories capable of high-volume, "robotic," or mechanical, DNA profiling of samples for databases.

Most state and local crime labs were designed and equipped for handling crime-scene evidence, not for the high-volume, more "robotic" processing of offender samples for databases.

Addressing these practical concerns has been among the first recommendations of a National Commission on the Future of DNA Evidence, established by the U.S. attorney general in 1998. As the immediate imperatives in adapting crime-fighting to the burgeoning science of DNA, the group has called for improvements in crime scene collection and preservation of potential DNA evidence, and streamlined capability for retrieving and analyzing samples.

Selected References

Asplen, Christopher H. "National Commission Explores Its Future," *National Institute of Justice Journal*, (January 1999): 17-24.

Connors, et al. *Convicted by Juries, Exonerated by Science: Case Studies in the Use of DNA Evidence to Establish Innocence After Trial.* Washington, D.C.: National Institute of Justice, June 1996.

Dawkins, Richard. "Arresting Evidence," *The Sciences*, (November/December 1998): 20-25.

Travis, Jeremy. "Getting to Fast, Available, Inexpensive DNA Testing." *NIJ News* (National Institute of Justice, U.S. Department of Justice), June 1998.

Weedn, Victor Walter, and Hicks, John W. *The Unrealized Potential of DNA Testing.* Washington, D.C.: National Institute of Justice, June 1998.

Contacts for More information

Donna Lyons
NCSL—Denver
(303) 830-2200, ext. 248
donna.lyons@ncsl.org

The National Commission on the Future of DNA Evidence—http://www.ojp.usdoj.gov/nij/dna

The National Institute of Justice—http://www.ojp.usdoj.gov/nij

Central Florida, the development of new divisions in one department, and the reorganization of agencies within another. All child-abuse cases will be handled by the Sheriff's Office. According to one source, the number of these cases being reported to authorities is three times what it was before the Kayla McKean Child Protection Act was implemented this past summer. At the Sheriff's Office, Sheriff Eslinger plans to take advantage of Web resources. When bank alarms are tripped, for example, Seminole's police technology should soon allow officers to monitor video images taken by cameras in banks via laptop computers. In addition, Seminole law enforcement agents are focused specifically on working more closely with the community.

"Digital Video For ATM Security Catching On"
American Banker (02/01/00) P. 9; Stock, Helen

Banks are increasingly junking their videotape systems and replacing them with digital video storage devices to increase automated teller machine (ATM) security. Several large banks, including Wells Fargo and Chase Manhattan, are piloting the new technology at various ATM locations. Security experts say that digital video storage, where images are saved as computer files instead of on videotape, allows images to be viewed thousands of times at the same quality and avoids the deterioration that comes with pictures stored on videotapes, which can often fade and become fuzzy after only five uses. New regulations in New York, spurred by an attack captured by an ATM camera whose tape quality was too poor to aid police, require that videotapes be reused only 12 times and be discarded after one year of operation. The regulations also encourage banks to find other ways to make sure image-quality is improved. Although digital video storage systems are about 50 percent more expensive than analog videotape systems, many proponents contend that they will cost banks less money in the long run.

"Forensic Lab Scientists Lead Fight Against Crime"
Vancouver Sun (01/29/00) P. B1; Margoshes, Dave

More cases are being solved through the use of forensic science, which is saving police and the Canadian government millions of dollars in investigation and court time, since most criminals change innocent pleas to guilty once DNA links them to the crime. A network of six forensic labs in Halifax, Ottawa, Winnipeg, Edmonton, and Vancouver is run by the Mounties, and many of these labs process DNA samples from across Canada. Scientists at these labs have honors degrees in science and work in chemistry, toxicology, alcohol, firearms, and document sections. Since it is almost impossible to leave the scene of a crime without leaving DNA evidence, forensic science has changed the way police go about solving crimes. In June, solving cases using this type of evidence will get even easier because a national DNA database will be operational with DNA samples recorded from all criminals convicted of

major crimes. DNA evidence also has the ability to eliminate suspects, which happens in about 25 percent to 30 percent of the cases, explains Jean Rodney, a veteran Regina lab scientist. DNA analysis is an expensive process that takes about two months to complete. Lab administrators are often frustrated by budget cuts and downsizing that limit what the lab can accomplish. Some cities with backlog DNA samples that have yet to be processed are turning to private labs like Helix Biotech, which charges C$1,000 per sample and can get testing done much faster.

"Missing Children System in Works: Banning Police, Working on Reports of Recent Kidnap Attempts, Say the "TRAK" Technology Will Speed Data to Other Agencies"
Press-Enterprise (01/25/00) P. B01; Olson, Krista

Banning, Calif., police are making an effort to acquire a new, high-tech computer system called "TRAK," which would enable them to send a photo across the country in a matter of minutes. TRAK, which stands for Technology to Recover Abducted Kids, is a computer, scanner, and printer that produces color images that can be simultaneously transmitted to schools, police stations, Internet addresses, and fax numbers. The system can be employed to find kidnapped children, missing people, and fugitives, as well as to report disasters and ongoing events. The Banning police department began raising money for the system several months ago, as it has to meet the $3,900 mark to match a grant it received. Chevron also donated $500 dollars toward the acquisition of TRAK.

"Printrak Teams With TRW to Provide Public Safety Communications System for Ohio"
Business Wire (01/27/00)

Printrak, the world's leading provider of digital justice solutions, has just been awarded a $10.8 million contract with TRW to create a public safety response system for the Ohio Multi-Agency Radio Communications System. The contract is the biggest ever received by the Boulder Division of Printrak. Printrak will integrate its computer-aided dispatch and records management system with the information systems platforms of TRW. The system will be used by many state agencies, which will allow for communications between departments. Richard Giles, Printrak president and CEO, said that the collaboration with TRW is yet "another great opportunity to leverage our leading edge technology for multiple state agencies."

"Scottish Prison Service Uses SPSS Software to Identify Problems"
M2 Presswire (01/31/00)

A survey of Scottish prisoners and workers was processed by software developed by statistics-oriented technology company

"Rape Case DNA Tests the Limits; Milwaukee Uses Genetic Evidence to File Warrants in Unsolved Crimes"
Los Angeles Times (02/11/00) P. A1; Slater, Eric

Milwaukee investigators and prosecutors have been running DNA tests on sex crime cases that have skirted the statute of limitations and have been issuing warrants based on the genetic makeup of the perpetrator. There is currently a strong possibility that even if a suspect is eventually caught, his or her defense can argue that the warrant is an end-run around the statute of limitations, but these prosecutors cannot bear the thought of horrible crimes going unsolved. State-run DNA databanks are hampered by a paucity of funding, a great backlog of untested samples, and incompatibility between different systems. The national FBI system is hampered because some states do not even have DNA databanks. In addition to the database difficulties and testing delays, there are 1 million convicted offenders who should have by law been tested but were not, and another half million who were tested but never had their genetic profiles entered into the database. The Milwaukee initiative is unusual in that DNA profiling has almost exclusively been used around the nation as a final proof against those already suspected of the crime. The existing problems and delays in utilizing DNA technology have so far hampered the great potential DNA offers as a crime fighting tool.