



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF CHIEF STATE'S ATTORNEY CHRISTOPHER L. MORANO

IN SUPPORT OF:

S.B. No. 331 (RAISED) AN ACT CONCERNING THE DNA DATA BANK AND OVERSIGHT PANEL
H.B. No. 5465 (RAISED) AN ACT CONCERNING DNA TESTING AND THE DNA DATA BANK

JOINT COMMITTEE ON JUDICIARY
MARCH 13, 2006

The Division of Criminal Justice respectfully recommends that the Committee merge these two bills, utilizing the language of Section 3 from H.B. No. 5465, and that the resulting bill receive your Joint Favorable Substitute Report.

These bills would further fine tune and improve the landmark DNA initiative put into place in the State of Connecticut through this General Assembly. Thanks to your efforts, Connecticut is on the leading edge of utilizing the latest in scientific technology in the pursuit of justice.

And that it what this bill is all about - the pursuit of justice, whether it means obtaining conclusive evidence of guilt or the basis for exoneration.

Section 1 of the bill increases the penalty for refusing to provide the biological sample required by law from a class A misdemeanor to a class D felony. This is a more appropriate sanction for refusing to provide the sample. You must be able to obtain the data if a data bank is to serve its purpose.

Section 2 would allow law enforcement agencies to confirm the existence of data - i.e., that the DNA of a specific individual is available without submitting a specific sample and checking for a match. This is important for investigative purposes. For one thing, the information can be used to eliminate specific individuals as suspects in specific crimes.

Section 3 expands the membership of the DNA Data Bank Oversight Panel. S.B. No. 331 would give the Chair of the Panel the latitude to appoint ad hoc members. H.B. No. 5465 specifically adds the Executive Director of the Court Support Services Division of the Judicial Branch to the Panel.

The addition of the Executive Director is appropriate in that the Judicial Branch is one prong of the system used to collect biological samples. The Branch is responsible for collecting samples from those individuals convicted of applicable felony offenses who do not enter the correctional system but go directly into the probation system.

The Division of Criminal Justice recommends a Joint Favorable Substitute merging the two bills and retaining the language of Section 3 as now presented in H.B. No. 5465.