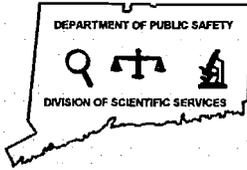




STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY OFFICE OF THE COMMISSIONER

John A. Danaher III
Commissioner

Lieutenant Edwin S. Henion
Chief of Staff

Rep. Michael P. Lawlor, Co-Chairman
Sen. Andrew J. McDonald, Co-Chairman
Judiciary Committee
Legislative Office Building
Hartford, CT 06106

April 4, 2007

SB 838 AN ACT REQUIRING DNA TESTING OF CERTAIN ARRESTED PERSONS

The Department of Public safety advises the committee of existing backlog and fiscal impact.

In 2003, the Connecticut General Assembly amended CGS 54-102g to require that all persons convicted of felonies be required to submit to the taking of DNA samples. This legislative proposal would further expand the mandatory collection requirements to include anyone arrested for the commission of a class A or B felony. While such an expansion is desirable for public safety goals, the committee should be aware of the following:

1. The Forensic Laboratory is currently not fully staffed nor funded to process the number of samples that are being submitted under existing law.
 - a. The DNA unit of the laboratory is currently understaffed by approximately 5 positions. This is a result of the 2003 expansion of the DNA Databank to collect samples from all individuals convicted of a felony and the continued increase in the number of cases submitted for DNA analysis.
 - b. The processing of the currently submitted convicted offender samples and forensic cases is dependent upon approximately \$750,000.00 of federal grant money per year and the allocation of approximately 80 hours of overtime per week.

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c. Even with overtime usage, current staffing levels of the DNA Unit result in an increasing backlog of unprocessed cases. As of April 1, 2007 the backlog is in excess of 500 cases.

2. The Presidential Initiative to fund the reduction of DNA backlog samples is due to sunset at the end of the 2008-2009 federal fiscal year.

a. At an National Institute of Justice funded DNA Summit Meeting in February, Mark Nelson the Senior Program Manager, reported that there is no more federal money projected beyond the '08-'09 federal fiscal year. Mr. Nelson stated that state and local labs would need to make preparations to replace the federal money with other sources.

b. Federal funds for the processing of database samples are first tasked to samples collected from convicted offenders. Samples collected from arrestees will only be funded on an as available basis, with no guarantees of availability.

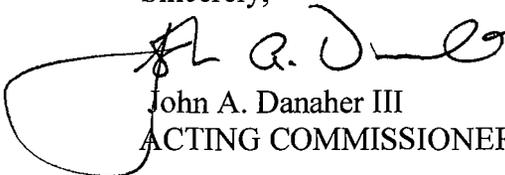
b. The CT Forensic Laboratory currently receives approximately \$750,000.00 in federal assistance, per year, for convicted offender samples processing and forensic casework backlog reduction.

3. Expansion of the DNA Databank to include arrestees would require additional State resources.

a. The laboratory would require additional staff and an increase in funding in order to process the additional samples that would be submitted following a further expansion of the DNA Databank.

b. Expansion to arrestee collection would necessitate a statewide accessible computer network. To prevent multiple collections from the same individual and the resultant duplicate DNA processing, a statewide database would be needed. This database would need to be accessible to all collecting agencies (state and local police, Department of Corrections, and Judicial Division) and to be updated by all collecting agencies. If not, some other method for instant database update would need to be developed.

Sincerely,



John A. Danaher III
ACTING COMMISSIONER