



STATE OF CONNECTICUT



DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER

John A. Danaher III
Commissioner

Lieutenant Edwin S. Henion
Chief of Staff

March 20, 2008

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

*Attachment
(Bill # 5034)*

**HB 5034 AN ACT CONCERNING DNA COLLECTION FROM CERTAIN
ARRESTEES AND CONVICTED PERSONS**

THE DEPARTMENT OF PUBLIC SAFETY SUPPORTS THIS BILL

The Forensic Science Laboratory within the Connecticut Department of Public Safety's Division of Scientific Services has established an exceptional record for its work in DNA analysis. From its inception in 1994, the DNA Data Bank has been a tremendous public safety tool for solving crimes and also for establishing innocence.

As the number of profiles in the data bank has increased, there has been a commensurate increase in "hits" to unsolved cases. The Connecticut DNA Databank currently consists of over 32,367 profiles that have been entered into the system. Criminalists assigned to the Forensic Laboratory have gone from two to three databank matches every week in 2006 to a ratio of nearly one databank hit per day in 2007.

Section 1 of the proposed JFS language for this bill (attached) makes an important change to existing procedure for DNA samples collected from felons in the custody of the Commissioner of Corrections. Currently, the sample is taken prior to release. This bill would require that the sample be taken once such person is in the custody of the Commissioner of Correction. This will allow for the identification of matches with unsolved crimes at a much earlier date and for the commencement of criminal proceedings while the person is still in custody.

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Section 1(b) provides a similarly important procedural change for those required to give a sample who are not sentenced to a term of confinement. This change provides for taking of the sample at the time of sentencing rather than some future date that the person may resist complying with.

The Department of Public Safety also supports the language that increases the penalty for any person who refuses to submit a sample from a class A misdemeanor to a class D felony. The department currently has just over three thousand individuals that have failed to provide samples as required by courts pursuant to 54-102g (b). The agency believes that an increase in the penalty will send a clear message to those required to provide samples of the importance of their obligation. The proposed substitute language also applies this penalty to those who submit to the taking of such a sample under an assumed name or identity.

This bill makes a number of important changes that will help to continue the success of Connecticut's DNA data bank.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Danaher III". The signature is fluid and cursive, with a large initial "J" and "D".

John A. Danaher III
COMMISSIONER
Department of Public Safety