



# CONNECTICUT POLICE CHIEFS ASSOCIATION

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## Testimony to the Judiciary Committee

March 20, 2008

### Chiefs Anthony Salvatore & James Strillacci, Connecticut Police Chiefs Association

The Connecticut chiefs have since March 2000 testified in favor of expanding DNA because it is the best scientific method to identify people. Two bills would require pre-conviction collection of DNA from those arrested for A and B felonies: **RB #5034, AAC DNA Collection from Certain Arrestees and Convicted Persons** and **RB #692, AAC DNA Testing of Certain Arrested Persons**. This change recognizes that criminals often re-offend while on bond between arrest and conviction, and that early DNA collection will help police solve those crimes.

Bill #5034, the Governor's bill, provides for taking a DNA sample by court officials at arraignment; #692 would have police take the sample before the subject's release. We anticipate that the first method will be more acceptable.

Expansion of the DNA database will increase the odds both of convicting the guilty and of absolving the innocent. Therefore CPCA urges your support and the passage of this proposal.

We oppose **HB #5832, AAC Eyewitness Identification**. It ignores the measures already put in place by Connecticut police and prosecutors to eliminate suggestion from identification procedures. It would mandate so-called blind sequential line-ups, whose effectiveness has been theorized by advocates but remains unproven by field research.

The Illinois legislature commissioned a field study on sequential double-blind ID; its March, 2006 report found that "sequential, double-blind procedures resulted in an overall *higher* rate of known false identifications than did simultaneous lineups." (Read it at: <http://www.chicagopolice.org/IL%20Pilot%20on%20Eyewitness%20ID.pdf>.) Though this study has its critics, scientists remain divided on witness identification methods.

In the National Institute of Justice Journal No. 258 (October 2007) "Police Lineups: Making Eyewitness Identification More Reliable," experts note that "At the present time, [when comparing simultaneous and sequential lineup presentations,] there is no definitive sense that one form of lineup presentation is superior to the other," and caution, "There are people on the one hand who would like to strangle this double-blind sequential thing and end it right here and now, and there are other people who would like to legislate it down people's throats. We have to try to avoid the two extremes." (Read it at: <http://www.ojp.usdoj.gov/nij/journals/258/police-lineups.html>.)

That's sound advice. Let's make sure what works before we make it law.

**RB # 608, AAC Videotaping of Interrogations**, would require in-custody interviews in capital, A, and B felonies to be taped to be admissible. We support a pilot program between the Chief State's Attorney and police to establish and encourage best practices regarding the questioning of suspects; we would like it better if funded. But we cannot support this bill, which interposes a procedural hurdle for the admission of voluntary and truthful statements without providing the means to overcome it.