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DIVISION OF PUBLIC DEFENDER SERVICES

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Testimony of Deborah Del Prete Sullivan, Legal Counsel/Executive Assistant Public Defender Office of Chief Public Defender

Raised Bill No. 1092 An Act Concerning the Membership of the DNA Data Bank Oversight Panel

Judiciary Committee Public Hearing - March 9, 2011

The Office of Chief Public Defender supports passage of *Raised Bill No. 1092, An Act Concerning the Membership of the DNA Data Bank Oversight Panel.* This is an agency proposal which would add the Chief Public Defender or her designee to the Oversight Panel. Currently, Karen Goodrow, the Director of the Connecticut Innocence Project within the Office of Chief Public Defender has been attending the meetings as the representative of this Office. Formally authorizing a seat on the panel for the Chief Public Defender would enable a greater flow of information between the agencies. Currently, Attorney Goodrow facilitates the Connecticut Post-conviction DNA Testing Assistance Program Grant which was awarded in the amount of 1, 486,134.00. The grant is a collaboration between this office, the Department of Public Safety and the Division of Criminal Justice. The grant was awarded with the purpose of "identifying cases of forcible rape, murder and non-negligent homicides in which incarcerated individuals were wrongfully convicted and are innocent." This grant will end on December of 2011.

The Office of Chief Public Defender does have a suggested amendment for the bill. During the meetings of the Oversight Panel, it routinely enters into executive session to discuss specific information pertaining to persons whose DNA has been entered into the data bank. The Oversight Panel is charged with assuring the integrity

of the DNA data bank, destroying samples taken inappropriately and purging identifiable information regarding the persons that the samples were taken from. Due to

the type of information that could be and is exchanged and the great potential that the persons discussed are clients of the Division of Public Defender Services, this Office agrees that it need not be a part of these discussions generally held in executive session. Therefore, this office submits the following language for insertion into the proposed bill in line 8 after designees:

> " except that the Chief Public Defender or her designee shall not have access to identifiable information pertaining to the persons from whom inappropriately obtained samples were taken and subject to destruction pursuant to the statute."

Thank you.