

Department of Correction

Testimony of Leo C. Arnone

Public Safety and Security Committee

Committee Bill No. 5341 *An Act Requiring the Collection of DNA from Persons Arrested for a Serious Felony*

February 15, 2011

Good morning, Senator Hartley, Representative Dargan and members of the Public Safety and Security Committee. The Department of Correction supports efforts such as Committee Bill No. 5341, *An Act Requiring the Collection of DNA from Persons Arrested for a Serious Felony*, which would require the taking of DNA samples at the front end of the system. The Department cautions, however, what the effect of a significant number of samples being processed at the DPS laboratory would be given the current fiscal climate.

The Department does have concerns about lines 94-99 of the bill. As currently drafted, the language could be interpreted to mean that if the arresting agency does not collect a DNA sample from a person pursuant to subsection (a) of the bill, and the unsentenced person is committed to the custody of the Department of Correction, the Department would then have responsibility for the collection of DNA samples. This would result in an increased workload and associated fiscal implications for the Department and staff of the agency's contracted health care provider, Correctional Managed Health Care. Perhaps the Committee would consider clarifying its intent to avoid any unintended consequences.

Thank you for your consideration of the Department's view on this matter.