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April 10, 2015

Senator Eric Coleman, Co-Chair
Representative William Tong, Co-Chair
Senator John Kissel, Ranking Member
Representative Rosa Rebimbas, Ranking Member
Judiciary Committee
Room 2500, Legislative Office Building,
Hartford, CT 06106

Re: House Bill 7013 – An Act Concerning DNA Testing For Persons Arrested For Murder Or Sexual Assault

Dear Senator Coleman, Representative Tong and Committee Members:

During the public hearing on **House Bill 7013**, the undersigned testified live on behalf of the CCDLA. During that live testimony, Senator Kissel asked whether the CCDLA would support an expansion of the bill to include burglaries as crimes for which arrestees would have to provide DNA.

The Executive Board of the CCDLA met earlier this week and voted on that item. The Board regrettably cannot support expansion of **HB 7013** to include burglaries. In Connecticut, there are a wide range of crimes that are labeled "burglaries". Among them is Burglary in the Third Degree, which is a class D felony and is classified as a non-violent felony. The CCDLA is concerned that inclusion of a non-violent felony in this bill would make the statute run afoul of the Constitutional limitations imposed by the United States Supreme Court in Maryland v. King.

The Board further urges this committee to ensure that the other requirements of Maryland v. King – complete erasure and deletion of DNA in the event of anything short of a conviction and limiting the use of the DNA evidence to identification of the arrestee – are codified in our general statutes before it votes favorably on this bill.

Respectfully submitted,
Tejas Bhatt
Executive Board Member, CCDLA