



NEW YORK STATE SENATOR

William Larkin

Senate Passes Bill To Expand DNA Database

[WILLIAM J. LARKIN JR.](#) May 20, 2007

Senator Bill Larkin (R-C, Cornwall-on-Hudson) today announced that the New York State Senate has passed legislation (S.5848), cosponsored by Senator Larkin, that would expand the State's DNA database to include samples from every person convicted of a crime. The bill will also improve the methods for collection and preservation of DNA evidence and extend the statute of limitations for cases based on DNA evidence.

"By expanding the DNA databank, we will be able to catch more criminals and protect more victims," said Senator Larkin. "Taking this action will not only help solve crimes more easily, but it will also reduce crime when would-be repeat offenders are arrested and convicted."

Last year, the Senate successfully fought for expansion of the DNA databank and enacted a law which for the first time included samples from criminals convicted of all felonies and the most common misdemeanors. Today's bill strengthens this law by mandating that authorities collect DNA from every person convicted of a crime, as well as individuals on probation, parole supervision or registered as sex offenders.

This legislation also extends the statute of limitations for DNA cases. A DNA sample found at a crime scene remains incredibly accurate, regardless of how much time passes.

Understanding the unique nature of DNA as evidence in an investigation makes this extension of the statute of limitations a critical way of utilizing the database.

The bill includes several provisions to expand the scope and effectiveness of DNA collection:

- *Expands the application for DNA collection to cover all convictions, including various misdemeanors, youthful offenders and registered sex offenders, in order to increase the utility of DNA in solving future crimes.

- *Specifies the public officers responsible for collecting DNA samples from defendants to ensure that every person convicted of a crime has their DNA collected and added to the databank.

- *Develops guidelines for the collection and preservation of DNA samples to establish effective and consistent practices whenever DNA is collected.

- *Enhances the rights of criminal defendants by allowing them to apply for DNA testing before their trial begins and also in cases where they have previously pleaded guilty. The bill also expands the scope of a defendant's application to include a comparison between crime-scene evidence and DNA databanks.