



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan Announces DNA Databank Expansion

JOHN J. FLANAGAN March 16, 2012

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Senator John Flanagan (2nd Senate District) announced that the New York State Senate has, in cooperation with Governor Andrew Cuomo and the State Assembly, approved the largest expansion of the State's DNA Databank since it was first created in 1994. The change would make New York State the first "all crimes DNA" state in the nation by requiring DNA samples to be collected from anyone convicted of a felony or a penal law misdemeanor.

Since its inception, DNA stored in the databank has been used to identify perpetrators in about 10,000 crimes, including 900 murders and 3,500 sexual assaults. Since 2006, when the DNA databank was expanded to include 36 misdemeanors, law enforcement agencies have used the information to convict 1,460 criminals.

While the current databank has been a benefit for victims of crimes across New York State, DNA samples have been required in less than half of all crimes committed in New York State.

The legislation supported by Senator Flanagan would expand the list of crimes to include all felonies in state law and every penal law misdemeanor. It is projected the expansion would add about 46,000 individual DNA samples a year to the databank.

This historic expansion will assist law enforcement in solving thousands of open cases, bring justice to crime victims, and help prevent dangerous criminals from committing additional crimes. In addition, the bill also significantly expands defendants' access to DNA testing and comparison both before and after conviction in appropriate circumstances, as well as to discovery after conviction to demonstrate their innocence.

“By working together, we have come up with a system that will provide New York law enforcement with one more tool to protect the residents of this state. This expansion will help to identify and convict those who victimize our fellow New Yorkers while making sure that those who are innocent of crimes are cleared of any wrongdoing. It is the right thing to do for so many reasons and it is great that it got done,” stated Senator Flanagan.

The Senate Republican Majority has led the effort to expand the databank and had approved legislation to expand the DNA Databank last year with the strong support of district attorneys and crime victims' advocates from throughout the state. Governor Andrew Cuomo also included a similar measure as part of his 2012 Executive Budget, and the Senate passed a bill in January that mirrored his proposal.

The DNA Databank expansion is supported by law enforcement organizations across the state, including the New York State Sheriffs Association, District Attorneys Association of the State of New York, the New York State Association of Chiefs of Police, the New York State Troopers PBA, Downstate Coalition for Crime Victims, Joyful Heart Foundation, the Safe Horizon victim assistance organization and many other law enforcement groups throughout the state.

Laura A. Ahearn, Executive Director of Parents for Megan's Law and the Crime Victim Center applauded Senator Flanagan and the State Senate for their leadership role in bringing justice to sexual assault victims in New York State. She added that, “The DNA

evidence collected in sexual assaults and other cases, does not have much value unless it can be directly tied to a perpetrator. The expansion of the databank to include all misdemeanors will ensure that sexual predators convicted of lower level, non-sex crime offenses, will be added to the databank for potential matches on unsolved sex crimes."

The DNA Databank expansion will go into effect on October 1, 2012.