



NEW YORK STATE SENATOR

Stephen M. Saland

## JUST THE FACTS ABOUT DNA DATABANK EXPANSION by SENATOR STEVE SALAND

STEPHEN M. SALAND March 20, 2012

| ISSUE: **CRIME**

At the risk of dating myself, I am borrowing a phrase from Sergeant Joe Friday of the old television series, *Dragnet*: “All we know are the facts, Ma’am”.\*

In an action hailed by law enforcement throughout our State as the single most effective crime fighting tool, I sponsored a law in collaboration with Governor Andrew Cuomo that just expanded DNA databank collection in New York State to include all felonies and all penal law misdemeanors.

Despite the overwhelming and convincing evidence that DNA collection leads to greater justice delivered in convicting the guilty and exonerating the innocent, there are those who object to the expansion.

The facts on DNA collection in criminal cases will clearly dispel the myths that DNA collection is an invasion of an individual's privacy.

FACT: The DNA analyzed for criminal cases is “junk DNA”: it cannot be used to predict anything about a person's health, appearance, or behavior.

FACT: DNA is collected upon conviction of the crime, not upon arrest when fingerprints are taken.

FACT: DNA is unique to the individual and never changes.

FACT: Dangerous felons have been caught using the DNA databank and no privacy rights have been abused in over 16 years of DNA storage and collection in New York.

FACT: No contamination or mixing of DNA samples has led to a wrongful conviction.

FACT: The law allows DNA samples to be expunged should someone be exonerated after having been previously convicted.

FACT: Costs are minimal - it only costs \$30 to swab and analyze the convicted offender's profile.

FACT: A hit on the DNA databank can save months, even years in investigative resources.

FACT: From the inception of the DNA databank in 1999, it has led to 9,351 hits: 3,353 sexual assaults, 800 murders, 983 robberies, and 3,092 burglaries. And 2,060 hits have linked offenders from New York State to crimes in other states.

FACT: Only State accredited labs handle DNA collected from convicted offenders.

Proficiency tests, outside auditors and triple review of results are mandated for quality assurance.

FACT: More cold cases will be solved.

FACT: DNA solves crimes, prevents crimes and exonerates the innocent.

FACT: This new law will save lives.

\* Trivia for those of us who remember Dragnet. For the record, I have always thought Sgt Joe Friday said, "Just the facts, Ma'am". However, I have learned it's a common misquote.

###