



NEW YORK STATE SENATOR

Stephen M. Saland

## Senator Saland Announces His Bill to Expand Dna Databank Passes Senate

STEPHEN M. SALAND January 31, 2012

| ISSUE: **CRIME, VICTIMS, CORRECTIONAL, DOMESTIC VIOLENCE**



### *All Felony and Misdemeanor Convictions Would Require Submission of DNA Sample*

The New York State Senate today passed legislation, sponsored by Senator Steve Saland (R-I-C, Poughkeepsie) for the largest expansion of the state's DNA databank since it was created in 1994 (S.5560A). The legislation mirrors the databank expansion plan proposed by Governor Cuomo in his Executive Budget to require people convicted of all felonies, as well as all

misdemeanors in the penal law to submit DNA samples.

Under the existing law, people convicted of about half the crimes that are committed are required to submit DNA samples, including every penal law felony and just 36 misdemeanor crimes in the penal law. The legislation would expand that list to include all felonies in state law and every penal law misdemeanor. It is projected that the expansion would add about 46,000 individual DNA samples a year to the databank.

“Currently, not all misdemeanors and felonies require a DNA sample to be collected. The expansion is particularly critical when studies show that persons who commit serious crimes have also often committed other crimes including lower-level misdemeanors,” stated Senator Saland. “Enactment of this legislation will provide a powerful tool to bring closure to unsolved crimes and prevent further crimes from taking place, while providing a means by which a wrongfully convicted person can be exonerated, or a suspect eliminated.”

The DNA databank expansion bill (S.5560A) proposal 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.

"Today the New York State Senate passed the DNA Databank Expansion Bill, an important step in protecting New Yorkers and modernizing the state's criminal justice system. This critical crime fighting resource embraces technology to help protect the innocent and convict the guilty. I want to thank Senators Golden and Saland for sponsoring this legislation. I call on the Assembly to do the same so I can sign this bill into law immediately," stated Governor Andrew Cuomo.

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.

Senate Republicans pushed for establishment of the DNA databank in 1994. Since then they have enacted half a dozen laws to expand and improve the databank, and most recently in 2006, to include all DNA from those convicted of all felonies and 17 misdemeanor offenses.

The state's DNA databank has transformed criminal investigations and prosecutions to make them more accurate and effective, as well as helped to exonerate the innocent.

However, DNA is only collected in approximately 46 percent of crimes because current law does not include the collection of DNA from all those convicted of crimes, such as some misdemeanors. This has reduced law enforcement's ability to resolve investigations as quickly and enabled some criminals to remain free to commit more crimes, sometimes with devastating consequences.

Members of the Senate Republican Conference are launching a petition drive to gather public support for enactment of the DNA databank expansion bill.

The bill was sent to the Assembly.