

FINAL BILL REPORT

HB 1757

C 329 L 99

Synopsis as Enacted

Brief Description: Expanding the number of inmates subject to mandatory DNA testing.

Sponsors: Representatives Miloscia, O'Brien, Koster, Lovick, Haigh, Hurst and Radcliff.

House Committee on Criminal Justice & Corrections
Senate Committee on Human Services & Corrections

Background:

In 1990, the Legislature provided that any adult convicted after July 1, 1990, of a felony sex or violent offense must have a blood sample drawn for purposes of deoxyribonucleic acid (DNA) identification analysis. In 1994, the Legislature extended the provision to juveniles adjudicated guilty of equivalent offenses after July 1, 1994. However, neither adults convicted on or prior to July 1, 1990, nor juveniles adjudicated guilty on or prior to July 1, 1994, are required to have blood samples drawn.

Blood samples taken from a convicted felon for the DNA Identification System must be used solely for the purposes of providing DNA or other blood grouping tests for identification analysis and prosecuting sex or violent offenses. DNA identification analysis results are kept in a convicted felon identification data bank maintained by the Washington State Patrol. Any data obtained from DNA identification procedures cannot be used for any research or other purpose that is not related to criminal investigation or to improving the operation of the system.

Samples must be drawn prior to release by the county jail or detention facility, or a Department of Corrections facility or a Juvenile Rehabilitation Administration facility.

Summary:

Three changes are made to the statutes governing DNA identification of certain offenders.

The statute is expanded to require that all adults convicted prior to, on, or after July 1, 1990, and all juveniles adjudicated guilty prior to, on, or after July 1, 1994, of an equivalent juvenile sex or violent offense have blood drawn for purposes of DNA

identification analysis, if they are still incarcerated on or after the effective date of this act.

Adults and juveniles convicted of a felony sex or violent offense on or after the effective date of this act are required to have blood samples drawn as part of the intake process, rather than prior to release.

Adults and juveniles convicted of a felony sex or violent offense who are incarcerated prior to the effective date of this act and who have not yet had a blood sample drawn, are required to have blood samples drawn within a reasonable time after the effective date of this act, beginning with those individuals who will be released the soonest.

Votes on Final Passage:

House 83 10
Senate 46 1 (Senate amended)
House (House refused to concur)
Senate (Senate receded)
Senate 42 2 (Senate amended)
House 96 0 (House concurred)

Effective: July 25, 1999