

SENATE BILL REPORT

SB 6473

As Reported By Senate Committee On:
Human Services & Corrections, February 7, 2002
Ways & Means, February 12, 2002

Title: An act relating to the convicted offender DNA data base.

Brief Description: Facilitating the convicted offender DNA data base.

Sponsors: Senators Hargrove, Long, Costa and Winsley; by request of Governor Locke.

Brief History:

Committee Activity: Human Services & Corrections: 1/25/02, 2/7/02 [DPS].
Ways & Means: 2/11/02, 2/12/02 [DPS (HSC)].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6473 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Long and Stevens.

Staff: Edith Rice (786-7444)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6473 as recommended by Committee on Human Services & Corrections be substituted therefor, and the substitute bill do pass.

Signed by Senators Brown, Chair; Regala, Vice Chair; Fairley, Vice Chair; Fraser, Hewitt, Kline, Kohl-Welles, Long, Parlette, Poulsen, Rasmussen, Rossi, B. Sheldon, Snyder, Spanel, Thibaudeau and Winsley.

Staff: Bryon Moore (786-7726)

Background: Washington's DNA databank includes more than 33,000 DNA profiles of violent and sex offenders convicted since 1990. Recent advances in DNA identification science allow much more rapid and accurate matching of evidence from crime scenes to these databanks. With the help of a federal grant, Washington's Crime Lab has converted its databank to the new "short tandem repeat" (STR) technology, and entered the samples into the FBI's Combined DNA Index System. This system contains more than 460,000 samples from 34 states to be used by law enforcement agencies nationwide. Another result of STR conversion was the identification of a suspect in some of the notorious Green River murders of the 1980s.

In the first ten years of Washington's databank, there were seven "cold hits" to match crime scene evidence to offenders after traditional investigative methods had failed to identify a suspect. In the past six months, using the new STR matching, there have been 14 such "cold hits" " criminals who would not have been caught without this new tool.

Offenders convicted for felony sex or violent offenses are required to have a blood sample drawn to be entered in the DNA databank.

Summary of Substitute Bill: A new group of offenders are added to the existing list of those who are required to submit a biological sample (no longer a blood sample) to be entered into the convicted offender DNA data base. They are: adults or juveniles convicted of a felony, stalking under 9A.46.110, harassment under RCW 9A.46.020, communicating with a minor for immoral purposes under RCW 9.68A.090. Information from the data base can be used for criminal prosecution and the identification of human remains and missing persons. Testing on available samples is limited by funding available for this purpose, with priority to be given to samples of convicted felony sex and violent offenders. A fee is established as a legal financial obligation to pay for the collection of biological samples. A state DNA data base account is created in the State Treasury.

Substitute Bill Compared to Original Bill: Biological samples must be collected from a new and larger group of adults or juveniles. Added to the original list of sex offenders and violent offenders are those convicted of a felony, stalking under 9A.46.110, harassment under RCW 9A.46.020, communicating with a minor for immoral purposes under RCW 9.68A.090.

Language is added that clarifies the effective date of the obligation this act creates to provide a biological sample. It applies to adults and juveniles convicted of newly added offenses on or after the bill's effective date and to adults and juveniles serving confinement for the newly added offenses as of the bill's effective date.

Appropriation: None.

Fiscal Note: Available.

Effective Date: July 1, 2002.

Testimony For: The technology related to DNA identification has improved enough to warrant expanding its use. Increasing the pool of those to be tested will allow for more "cold hits" " identification of criminals who would otherwise not have been caught.

Testimony Against: None

Testified: Richard Dorsett, crime victim; Bob Sheehan, Tacoma Police Dept.; Fred A. Johnson, WAPA; Dick Van Wagenen, Governor's Policy Office; Tim Schellberg, WASPC; Barry Logan, Washington State Patrol; Tom McBride, WAPA.