

SENATE BILL REPORT

HB 1391

As Reported By Senate Committee On:
Children & Family Services & Corrections, April 2, 2003

Title: An act relating to requests for postconviction DNA testing.

Brief Description: Adjusting procedures for postconviction DNA testing.

Sponsors: Representatives Kagi, Delvin, O'Brien, Campbell, Sullivan, McIntire, Cooper, Moeller, Simpson, Flannigan, Wallace, Wood and Kenney.

Brief History:

Committee Activity: Children & Family Services & Corrections: 3/28/03, 4/2/03 [DP].

SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Stevens, Chair; Parlette, Vice Chair; Carlson, Deccio, Hargrove, McAuliffe and Regala.

Staff: Tony Rugel (786-7754)

Background: A convicted felon who is in prison and has been denied postconviction DNA testing may submit a request to the county prosecutor to have tests performed on DNA evidence from his or her case, if the court of conviction has ruled that DNA testing did not meet scientific standards or technology was not developed to sufficiently test the DNA at the time of conviction.

Summary of Bill: The felon submits a request for DNA testing to the Office of Public Defense who then passes the request on to the county prosecutor. The county prosecutor screens the request and informs the Office of Public Defense and the felon of its decision. If the decision is to not allow for DNA testing, then the county prosecutor must inform the felon of his or her appeal rights.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: There is general support for the bill.

Testimony Against: None.

Testified: PRO: Joanne Moore, Washington State Office of Public Defense.