

Expand the State DNA Identification Index

The DNA Identification Index is a valuable resource for law enforcement, reducing New York's crime rate, unearthing suspects, and reducing wrongful convictions. Expanding the Index to include DNA samples from all suspects on arrest maximizes the utility of the available technology and infrastructure. Collecting DNA at arrest would give law enforcement a fast, reliable, and cost-effective tool in their search for justice.

Because DNA samples are only taken from convicted felons and select convicted misdemeanants, violent criminals who are brought in for low level crimes pass through the system without being identified as perpetrators of more serious unsolved crimes.

Solution: Seasoned criminals commit an array of crimes, from low-level misdemeanors to violent felonies. DNA profiles should be taken for all crimes, not just select crimes, in order to connect criminals to all of the crimes they have committed.

Fingerprints aren't foolproof. Technology has progressed tremendously, but we aren't taking full advantage of available forensics techniques.

Solution: DNA is the modern-day fingerprint. A DNA profile consists of a uniquely occurring set of numbers derived from a few segments of each person's "junk DNA" – although they are an accurate identifier, they cannot be used to predict anything about a person's health, appearance, or behavior.

Suspects are fingerprinted at the time of arrest, but DNA samples are not collected until after conviction. DNA evidence would exonerate suspects who are in fact innocent of the charged crime early in an investigation, avoiding wrongful convictions.

Solution: By taking DNA samples *upon arrest* (like fingerprints), rather than after conviction, the investigative process becomes more efficient, more effective, and innocent people are spared unwarranted investigation and possible incarceration.

Not everyone who is arrested is found guilty of a crime. What happens to their DNA profile?

Solution: DNA samples will be treated the same as fingerprints. If the charges are dropped or a defendant is found not guilty, the samples are purged from the system.

Why do we need these changes?

- A 2008 Department of Justice study on the use of DNA in property crimes found that it identified and led to the prosecution of twice as many suspects.
- Past expansions of the database have reaped significant crime-solving benefits; as of 2007 the Index was responsible for 937 convictions.

What will these changes cost taxpayers?

- In the short and long term, DNA from all suspects at arrest will save resources by focusing investigations and quickly exonerating or implicating suspects in the case-at-hand as well as any other unsolved crimes in the system.



New York State Law Enforcement Council

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