

HOUSE BILL ANALYSIS

HB 2732

Brief Description: Expanding the DNA identification system.

Sponsors: Representatives Miloscia and O'Brien.

Hearing: February 1, 2000

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND 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. This was further extended in 1999 to include all felony sex and violent offenders, regardless of when they were convicted, as long as they were still incarcerated on July 25, 1999 (the effective date of the 1999 legislation).

The county is responsible for collecting samples from offenders who serve their term of confinement in a county facility. The Department of Corrections and the Juvenile Rehabilitation Administration are responsible for taking the blood sample from offenders who serve their term of confinement in their respective facilities. Blood samples are taken during the intake process for new offenders. Offenders already incarcerated when the 1999 legislation took effect were to have blood samples drawn within a reasonable time of that date, beginning with those scheduled to be released the soonest.

Blood samples 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.

SUMMARY OF BILL:

Any adult or juvenile convicted of any felony must have a blood sample drawn for the purposes of DNA analysis. The requirement applies to all felons convicted after the effective date of this legislation, and all felons convicted before that date as long as they are still incarcerated on that date. Blood samples must be taken within a reasonable time after the legislation takes effect, beginning with those who are to be released the soonest. If the offender is not sentenced to any term of confinement, the blood sample must be taken prior to release by the court.

Blood samples that are taken may be used only for identification analysis and for the prosecution of felony offenses.

FISCAL NOTE: Received on January 24, 2000.

EFFECTIVE DATE: Ninety days after adjournment of a session in which bill is passed.