

DNA LEGISLATION & NEWS

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Tim Schellberg tims@smithallinglane.com and Lisa Hurst lhurst@smithallinglane.com of Smith Alling Lane, P.S. provide nationwide governmental affair services to PE Biosystems. As part of the firm's representation weekly reports are generated which identify recent state and federal legislation and news articles. PE Biosystems has authorized Smith Alling Lane to make these reports available to anyone that requests them through this web site.

The information presented in these reports does not necessarily reflect the viewpoints of PE Biosystems or Smith Alling Lane, P.S.

The February 4, 2000 DNA report is attached. Relevant summaries are listed below.

These reports are prepared by Tim Schellberg and Lisa Hurst of Smith Alling Lane (253) 627-1091, on behalf of PE Biosystems.

COMMENTS

1. The Rhode Island legislation would require samples from all felons.
2. News articles 1, 2 & 8 indicate that the bills to expand forensic DNA testing Arizona and Georgia are still moving through the legislative process. Legislation discussed in news article 13 could result in more "hits" in New York's DNA index.
3. Alabama, New Mexico and New York have introduced budget bills which outline next year's spending on forensic DNA testing.

STATE LEGISLATION

Forensic DNA

1. Alabama SB 34 - \$.25 million appropriation from DNA Fund to Forensic Science Services Program.
2. Colorado HB 1317 - DNA testing of convicted sex offenders as a condition of probation does not apply to juvenile offenders.
3. Hawaii SB 2994 - Requires DNA testing for any unlawful sexual act as a condition of probation. Offender must pay or testing.
4. Iowa HSB 571 & SB 3019 - Requires DNA testing upon confinement rather than as a condition of probation or parole. Removes provisions indicating that sufficient funds must be available for the testing.
5. New Mexico SB 238 - Appropriates \$155,000 for DNA Identification System purchasing and hiring purposes.
6. New York AB 9504 & SB 6404 - \$2.5 million from Forensic Laboratory Improvement Integrated DNA Account for lab improvements, contractual services, and training. \$300,000 appropriation for expenses related to state identification systems, including DNA databank testing and training.
7. Oklahoma SB 1381 - Post Conviction DNA testing.
8. Rhode Island SB 2184 - Expands DNA testing to include all felony convictions.

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9. South Dakota HB 1064 - Technical changes to current law to ensure appropriate samples are collected.

10. Tennessee HB 2490 & SB 2964 - Post Conviction DNA testing.

Genetic Privacy

11. Alaska SB 225 - Creates the "Genetic Privacy Act".

12. Hawaii SB 2655 - Protects genetic privacy in insurance matters.

13. Indiana SB 379 - Requires informed consent for DNA testing.

14. Massachusetts HB 4993 - Genetic information cannot be used as a pre-existing condition by insurance companies, in absence of a diagnosis.

15. Missouri HB 1835 -- Genetic information cannot used by used by insurance or employers to discriminate against.

16. Utah HB 278 - Informed consent for genetic testing.

NEWS ARTICLES

Forensic DNA

1. Arizona Legislature considers a DNA expansion bill and a post-conviction DNA testing bill.

2. Support for Arizona DNA expansion bill.

3. Canada asks suspects to consent to DNA testing. Discussion of use of forensic DNA.

4. Australian Council on Civil Liberties to fight DNA testing of prisoners.

5. Toronto PD looks to create a national DNA databank for dangerous criminals. Funding campaign is criticized.

6. China working on convicted criminal DNA database.

7. Scottish PD to outsource DNA analysis and other forensic services.

8. Prospects "Good" for Georgia legislation to collect DNA samples from all felons.

9. In-depth article on Regina, Canada crime lab that accepts DNA cases from across Canada.

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10. Greenwood, Indiana PD gets forensic lab - plans to purchase DNA analysis equipment.
11. New York "Sexual Offender Reform Act" legislation to include samples from sex offenders in state's DNA index. Refusal to provide DNA sample will become a felony.
12. US Justice Dept. releases guide on crime scene investigation to improve evidence collection practices - includes guidance for DNA collection.
13. Volunteer group in Utah promotes DNA kits for children for medical and identification purposes.

Genetic Privacy

14. Royal Irish Academy on Ethics and the Molecular Life Sciences told that European Union needs legislation on bio-ethics.
15. Urges protection for genetic privacy and discrimination protection for Michigan residents.