



## Forensic DNA Testing *Fingerprints of the 21<sup>st</sup> Century*

**Frees the Innocent** as soon as possible and will not permit someone falsely accused to remain in jail when they should be freed. Consider the following exonerations in recent news:

**Arkansas** – Man detained in jail since April 2004 on murder charges finally released on December 31, 2004 after DNA evidence from the murder is not a match. (9 months incarceration without trial)

*Arkansas Democrat-Gazette, February 20, 2005.*

**New Jersey** -- Man detained in jail on rape charges since 2003 finally released March 2, 2005 after DNA evidence from the rape is not a match. (Over one year incarceration without trial)

*Courier News, March 4, 2005.*

**Oregon** – Man detained in jail since January 2006 on attempted murder charges finally released in July when analysis of DNA evidence from the crime is not a match. (Six months incarceration without trial)

*Columbian, July 12, 2006.*

**West Virginia** – Man detained in jail on rape charges since April 2004 finally released in February 2005 after DNA evidence from the rape is not a match. (10 months incarceration without trial)

*The Associated Press, March 15, 2005.*

**Solves crime faster** and keeps the guilty behind bars. Collecting DNA from arrestees means identifying criminals at an earlier stage in the criminal justice process, and will allow for more efficient prosecution practices. Virginia, which began collecting DNA from arrestees in 2003, has already solved 222 crimes through links to arrestees.

**Prevents crime.** A Chicago study has documented 60 *violent* crimes that could have been prevented if the perpetrator had been required to submit a DNA sample for a prior felony *arrest*. These 60 victims are a tragic testament to the potential for DNA testing of arrestees to halt the needless victimization of state residents.

**Purges racial bias from the criminal justice system.** The science of DNA is blind to race, and requiring DNA from all felony arrestees will ensure that those who are wrongfully accused of serious crimes will be freed in a timely manner. They will not become victims themselves of an overburdened system, with many wrongfully accused slipping through the cracks.

**Minimally invasive and not similar to predictive genetic testing.** Forensic DNA testing conducted on cheek cells gives only the most basic data necessary for a unique forensic identity. Crime labs do not have the personnel, training, software, time or money to screen DNA samples for predictive health tests. Moreover, such tests would serve no purpose to criminal investigations.

**Federal and state laws strictly prohibit and harshly penalize any misuse of DNA samples collected for database purposes.** Misuse includes disclosure of samples or related data for any use not related to law enforcement. The privacy of the forensic DNA samples is tightly guarded.

**Use is specific to law enforcement.** *Unlike fingerprints*, DNA databases are not, and cannot, be checked for the general purpose criminal history background checks that are often completed for employment screening by using fingerprints. By law, DNA taken from arrestees can only be used for comparison against profiles from unsolved crimes.

**Not an effort to create a database of the innocent.** DNA samples can be routinely expunged upon acquittal or dropped charges. Additionally, samples that are not expunged will have no impact on a person's criminal history record – the DNA database is only checked for linkages to DNA profiles found at unsolved crime scenes.