

2023 -- H 5435 SUBSTITUTE A

LC001435/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL PROCEDURE -- DNA DETECTION OF SEXUAL AND
VIOLENT OFFENDERS

Introduced By: Representatives Edwards, Diaz, Ackerman, Cortvriend, Kislak, Knight,
Kazarian, Alzate, Baginski, and Potter

Date Introduced: February 08, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 12-1.5 of the General Laws entitled "DNA Detection of Sexual and
2 Violent Offenders" is hereby amended by adding thereto the following section:

3 **12-1.5-19. DNA offender audit.**

4 (a) The crime laboratory pursuant to chapter 1.2 of title 12 shall conduct an audit of
5 offender DNA profiles included on the state DNA databank pursuant to chapter 1.5 of title 12 in
6 order to identify the number of DNA profiles that are missing from the databank which should have
7 been collected pursuant to chapter 1.5 of title 12. The crime laboratory shall support this effort as
8 necessary to comply with report deadlines.

9 (b) The audit shall initiate with offender DNA samples that were required to be collected
10 under chapter 1.5 of title 12, and shall include all samples required pursuant to § 12-1.5-7.

11 (c) A preliminary report including the overall number of estimated owed DNA samples
12 shall be reported to the general assembly promptly upon completion of the initial audit, due to the
13 significant risk to public safety of any failed collections. The preliminary report shall be provided
14 by January 1, 2024.

15 (d) A final report to further include additional details on types of offenses for which DNA
16 samples are owed, and an overview of where collection failures occurred shall be submitted no
17 later than December 31, 2024. Thereafter, an annual audit shall be completed and reported to the
18 general assembly no later than December 31 of each year.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO CRIMINAL PROCEDURE -- DNA DETECTION OF SEXUAL AND
VIOLENT OFFENDERS

- 1 This act would require the state crime laboratory to conduct an audit of DNA samples in
- 2 the DNA databank to ascertain the rate of compliance with DNA recording requirements.
- 3 This act would take effect upon passage.

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