

2023 -- H 5435

LC001435

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 should be provided  
14 without delay, and no later than ninety (90) days after the enactment of this section or December  
15 15, 2023, whichever is soonest.

16 (d) A final report to further include additional details on types of offenses for which DNA  
17 samples are owed, and an overview of where collection failures occurred shall be submitted no  
18 later than December 15, 2023. Thereafter, an annual audit shall be completed and reported to the

- 1 [general assembly no later than December 15 of each year.](#)
- 2 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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