

# HCS SCS SB 754 & 794 -- DNA PROFILING SYSTEM

SPONSOR: Mayer (Lipke)

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime Prevention and Public Safety by a vote of 9 to 0.

This substitute changes the laws regarding DNA profiling analysis. It its main provisions, the substitute:

(1) Requires any juvenile adjudicated in a state juvenile court of an offense against a person or any sexual offense, if committed by an adult would constitute a felony, to provide a biological sample for DNA profiling before his or her release from the jurisdiction of the juvenile court;

(2) Allows a buccal swab to be an accepted biological sample taken for DNA profiling analysis;

(3) Allows the law enforcement agency of a county or St. Louis City in which the conviction, adjudication, finding of guilty, plea of guilty, or plea of nolo contendere occurred to collect biological samples for DNA profiling analysis;

(4) Specifies that any person who is required to provide a DNA sample and knowingly refuses or fails to provide the sample will be guilty of a class A misdemeanor; and

(5) Specifies that any person who knowingly and unauthorized tampers with, knowingly attempts to tamper with, knowingly and unauthorized uses of, knowingly attempts to use, knowingly disseminates of, or attempts to disseminate any sample collected for the DNA profiling system will be guilty of a class A misdemeanor.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.

PROPOSERS: Supporters say that the bill expands the DNA profiling requirements to include juveniles adjudicated for certain offenses and establishes a penalty for a person who refuses to provide a sample.

Testifying for the bill were Senator Mayer; and Susanne Brennecke, State Highway Patrol Crime Laboratory.

OPPOSERS: Those who oppose the bill say that there are some concerns about how the juveniles will be transported to the collection sites and the location of those collection sites.

Testifying against the bill was Missouri Juvenile Justice Association.