

SB241\_L.032

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB09-241 be amended as follows:

1 Amend reengrossed bill, page 7, after line 24, insert the following:

2           **"16-23-106. Reporting.** (1) BEGINNING ON OR BEFORE JULY 1,  
3 2010, AND EACH JULY 1 IN AN EVEN-NUMBERED YEAR THEREAFTER, THE  
4 COLORADO BUREAU OF INVESTIGATION SHALL PROVIDE THE GENERAL  
5 ASSEMBLY AND THE GOVERNOR WITH A REPORT REGARDING DNA  
6 COLLECTION AND TESTING THAT INCLUDES:

7           (a) THE TOTAL EXPENSES INCURRED FOR THE OPERATION AND  
8 MANAGEMENT OF A STATE INDEX SYSTEM AND DNA TESTING, SPECIFYING  
9 THE ACTUAL AND HUMAN RESOURCE COSTS OF DNA COLLECTION AND  
10 TRANSPORT, DNA ANALYSES, DATABASE OPERATION AND OVERSIGHT,  
11 AND STATE LABORATORY PERSONNEL AND MAINTENANCE;

12           (b) THE TOTAL FUNDING PROVIDED BY THE STATE TO EACH  
13 FORENSIC CRIME LABORATORY IN THE PRECEDING YEAR;

14           (c) A STATISTICAL ANALYSIS OF THE RACIAL DEMOGRAPHICS OF:

15           (I) INDIVIDUALS WHO HAVE BEEN CHARGED WITH A CRIME OF  
16 VIOLENCE, AN UNLAWFUL SEXUAL BEHAVIOR OFFENSE, OR A BURGLARY  
17 OFFENSE, OR ATTEMPT TO COMMIT ANY OF SUCH OFFENSES; AND

18           (II) VICTIMS OF CRIMES ALLEGED TO HAVE BEEN COMMITTED BY  
19 THE INDIVIDUALS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c),  
20 WHEN KNOWN;

21           (d) THE NUMBER OF BIOLOGICAL SAMPLES COLLECTED FROM THE  
22 INDIVIDUALS SPECIFIED IN SUBPARAGRAPH (I) OF PARAGRAPH (c) OF THIS  
23 SECTION;

24           (e) THE SUFFICIENCY OF PROTOCOLS AND PROCEDURES ADOPTED  
25 TO PREVENT THE UNLAWFUL TESTING OF DNA AND TO ENSURE THE



1 EXPUNGEMENT OF DNA RESULTS AS REQUIRED UNDER THIS ARTICLE; AND

2 (f) A DETAILED ANALYSIS OF THE INVESTIGATIONS AIDED BY DNA  
3 PROFILES THAT INCLUDES:

4 (I) THE NUMBER OF MATCHES;

5 (II) THE NUMBER OF MATCHES THAT RESULTED IN AN  
6 INVESTIGATION OF THE PERSON IDENTIFIED;

7 (III) THE NUMBER OF MATCHES THAT RESULTED IN FORMAL  
8 CHARGES;

9 (IV) THE NUMBER OF MATCHES THAT RESULTED IN CONVICTIONS;

10 (V) THE NUMBER OF MATCHES THAT RESULTED IN EXONERATIONS;

11 (VI) THE NUMBER OF MATCHES THAT RESULTED IN CONVICTIONS  
12 FOR PERSONS NOT ALREADY INCARCERATED; AND

13 (VII) THE PRIOR OFFENSES FOR WHICH A PERSON WAS CONVICTED  
14 FOR CASES IN WHICH A MATCH OCCURRED.

15 (2) BEGINNING ON OR BEFORE JULY 1, 2010, AND EACH APRIL 1 IN  
16 AN EVEN-NUMBERED YEAR THEREAFTER, EACH LAW ENFORCEMENT  
17 AGENCY SHALL PROVIDE THE COLORADO BUREAU OF INVESTIGATION WITH  
18 THE FOLLOWING INFORMATION TO BE INCLUDED IN THE REPORT IDENTIFIED  
19 IN SUBSECTION (1) OF THIS SECTION:

20 (a) THE CRIMES FOR WHICH BIOLOGICAL SUBSTANCE SAMPLES ARE  
21 ROUTINELY COLLECTED FROM CRIME SCENES;

22 (b) THE APPROXIMATE NUMBER OF BIOLOGICAL SUBSTANCE  
23 SAMPLES THAT WERE COLLECTED FROM CRIME SCENES DURING THE  
24 PRECEDING YEAR FOR EACH CATEGORY OF CRIME REPORTED PURSUANT TO  
25 PARAGRAPH (a) OF THIS SUBSECTION (2);

26 (c) THE AVERAGE TIME ELAPSED FROM THE COLLECTION OF  
27 BIOLOGICAL SUBSTANCE SAMPLE EVIDENCE FROM CRIME SCENES TO  
ANALYSIS."

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