

HOUSE No. 2342

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Higgins and Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to lawfully owed DNA.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/17/2023</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/17/2023</i>
<i>Adam Scanlon</i>	<i>14th Bristol</i>	<i>1/23/2023</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>1/24/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/24/2023</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>1/24/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/24/2023</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>1/25/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/26/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/30/2023</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>2/6/2023</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>2/8/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>2/8/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/17/2023</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/17/2023</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/17/2023</i>

HOUSE No. 2342

By Representatives Higgins of Leominster and Jones of North Reading, a petition (accompanied by bill, House, No. 2342) of Natalie M. Higgins, Bradley H. Jones, Jr., and others that the crime laboratory within the Department of the State Police conduct an audit of offender DNA profiles included on the state DNA databank system. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to lawfully owed DNA.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The crime laboratory within the department of the state police shall conduct
2 an audit of offender DNA profiles included on the state DNA databank system in order to
3 identify the number DNA profiles that are missing from the databank which should have been
4 collected under section 3 of chapter 22E of the General Laws. The crime laboratory shall support
5 this effort as necessary to comply with report deadlines.

6 The audit shall initiate with offender DNA samples that were required to be collected
7 under section 3 of chapter 22E of the General Laws. The audit shall include those offenders who
8 would have been covered under retroactive provisions of the law that require DNA samples from
9 persons, regardless of conviction date, as the statute provides.

10 A preliminary report including the overall number of estimated owed DNA samples shall
11 be reported to the legislature promptly upon completion of the initial audit, due to the significant

12 risk to public safety of any failed collections. The preliminary report should be provided without
13 delay, and no later than ninety days after enactment or December 15, 2023, whichever is soonest.

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