FORENSIC DNA POLICY AND FUNDING UPDATE: EMERGING TRENDS IN THE US AND ABROAD

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Forensic DNA programs and corresponding databases continue to experience tremendous growth, in both the US and abroad. At the same time, exciting new technologies – such as RAPID DNA and NGS – are drawing increasing scrutiny from policy makers. All of this is occurring in the US at a time when crime laboratories are facing unprecedented demand for additional sexual assault case analysis. The presenters will provide an overview of significant changes and trends in US policy and funding as it relates to forensic DNA programs, as well as a global perspective on the status of the DNA programs in countries throughout the world.
In the US, 29 states have expanded DNA database programs to include certain arrestees, although most laws have vast differences in scope and other implementation requirements. While the 2013 US Supreme Court decision in Maryland v. King, established that arrestee DNA collection laws are not a violation of Fourth Amendment rights, state-based challenges, such as People v. Buza in California, may still have a significant impact in shaping the future and possible limitations of arrestee DNA database programs. Presenters will discuss these issues and explore implications for current and future DNA database policies and related technology developments, such as RAPID.

Additionally, Congress and state legislators remain interested in the status of untested rape kits and related reform to establish uniform, state-wide policies for the treatment of collected rape kits. At the same time, emerging technologies such as NGS have the potential to provide important leads to these and other investigations, but their implementation carries with it a separate set of privacy considerations and potential policy implications. Between database program expansion and potential new requirements regarding rape kit testing, actions taken by state legislatures and Congress will continue to have a significant impact on the incoming workload at public crime laboratories.

Globally, the international community has also seen drastic expansion of DNA database programs as well as interest in increased regional database sharing. As with the US, there is a significant variation between countries in the extent of their DNA programs, the creation and scope of databases, and how new technologies are adopted.