

AB 16 (Cooper)

DNA Fingerprint, Unsolved Crime and Innocence Protection Act

Summaries/Studies/Analysis

DOJ 100 Sample Study:

- 40% DNA samples linked to unsolved violent crime.
- Of that 40%, the majority were linked to the violent crimes of:

Rape	64%
Robbery	19%
Murder	17%
- 82% of all these violent crimes were committed **before** the linking DNA was collected for lesser offenses.
- 59% of the *lesser* offenses were Drug (29%) and Property (30%) crimes.

Study Summary in numbers:

- Out of the 100 cases, 40 were linked to violent crimes in which the DNA was taken from arrestees/convicts who had committed lesser crimes.
- The lesser offenses of drug and property crimes were linked to 24 out of the 40 cases that were eventually linked to rape, robbery or murder.

DOJ 3,778 Sample Study:

- 92% of the violent (rape, robbery, murder) crimes committed were linked to lesser *non-serious, non-violent*, crimes.

Attorney's General, 15-Month Analysis (1/2009 – 4-2010):

- Data matching 69 DNA samples to *serious* violent and *non-serious* felony crime found the following correlation:

32% felony property crime
10% felony drug crime
10% fraud crime

National Center for Victims of Crime; New York State, 2013 Data

- Since 2006 – (2013) offenders convicted of petit larceny were linked to 1,078 other crimes through DNA collection. The breakdown of violent crimes in this number:

238 Sexual Assaults
137 Robberies
57 Homicide

- Up till June 30, 2013 there were a total of 12,947 investigative DNA leads in the New York Database. Hits towards investigative leads for violent crimes tallied:

4,058 Sexual Assaults
1,508 Robberies
1,038 Homicides

Virginia statistics on CODIS and Statewide Data, (6 year period):

- Approximately 80% of criminal DNA match hits would have been missed if collection was limited to violent felonies (Virginia does collect on certain misdemeanor offenses)
- Approximately 40% of violent crimes solved in Virginia were committed by individuals with *previous* property crime convictions

City of Chicago Study, 2005 (to State Legislature):

- Sampling of 8 individuals who committed 60 violent crimes between 1987 – 2004
- Including; 22 murders and 30 rapes
- The 8 offenders accumulated 21 felony arrests before being identified in the violent crimes
- Only 7 of these felony arrests were for violent crimes. The remaining 2/3rds of the arrests were non-violent felonies

City of Denver, District Attorney's Office Study

- Sampling of 5 individuals who committed 52 violent crimes
- Including; 3 Murders, 19 Sexual Assaults; 7 Kidnapping; and 5 Robberies
- In each of these cases the offender had committed undetected crimes that would have been discovered if DNA was collected
- In a separate grant project during a 2 year period (2005-07) 600 DNA profiles were loaded from property crime scenes, in which 245 (41%) yielded CODIS hits

Indiana, Dept. of Forensic and Investigative Science, 2009

- Crime scene DNA is loaded into CODIS/NDIS there is 40% yield on investigative leads or a direct hit

United Kingdom

- In 2003 England investigated 998,000 crime scenes. 57,000 (6%) yielded DNA evidence
- Roughly 50% of these collections lead to convictions
- A 2005 report showed that 1.8% of all individual DNA evidence loaded into the system yielded an *immediate* hit to an unsolved crime

- When new *crime scene* DNA evidence is loaded an *immediate* match of 46.5% is made against an existing subject profile

Miscellaneous Statistics and Information

- 70% of crime in the US is committed by 6% of its criminals (Michigan law review, Vol. 89, 1991)
- DNA evidence recovered from a “domestic” burglary scene (non-violent property crime) yields a suspect identification increase 15 to 46% and for each of these detections and convictions an additional 7.4 crimes are prevented from being committed (Urban Institute Just. Policy Center, DNA Field Experiment, March 2008)
- A single serial burglar can be responsible for more than 200 crimes a year (US Dept. of Justice, Varieties of Criminal Behavior, 1982)
- Statement from the National Institute of Justice, DNA Analysis for minor crimes (Journal No 253):

“Individuals who commit property crimes have a higher recidivism rate than those who commit other types of offenses, and their demonstrated potential to engage in more serious, violent behavior makes DNA evidence from property crimes not just an option, but a matter of necessity.”

Terminologies

Proposition 69 – DNA Fingerprint, Unsolved Crime and Innocence Protection Act, Passed in 2004

Proposition 47 – Safe Neighborhoods and Schools Act, Passed 20014

Penal Code 296 – 296.2 – DNA Forensic Identification Data Base; Offenders subject to sample collection

DNA - deoxyribonucleic acid, is the hereditary material in humans and almost all other organisms

CODIS - Combined DNA Index System, FBI national data base to collect and analyze DNA from *arrested, convicted and/or missing persons*

NDIS – National DNA Index System, FBI national database to collect and analyze DNA from *crime scenes*