



Department of Legislative Services  
Office of Legislative Audits

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# **Status of OLA's Implementation of Chapter 337, Laws of MD, 2008**

## **Compiling, Evaluating and Reporting on Crime Scene DNA Evidence**

Presentation to the Joint Audit Committee

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### Crime Scene DNA Reporting Established

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- Chapter 337, Laws of Maryland, 2008
    - Established new data reporting requirement for DNA evidence collected at crime scenes.
    - Local law enforcement units required to report, on a biennial basis, certain information from the previous calendar year.
    - Also requires hospitals to report certain information.
    - First report due is for calendar year 2009 activity.
    - OLA responsible for receiving data, compiling and evaluating the data, and submitting a summary report to the Governor and General Assembly.
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### What Will Be Reported

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- Reporting requirements include:
  - Crimes for which DNA is routinely collected
  - Approximate number of DNA evidence samples collected for the preceding year by category of crime
  - Average time between DNA evidence collection and analysis
  - Number of samples collected but not analyzed at the end of the reporting period
  - Number of samples submitted to the Statewide DNA database in the preceding year
  - DNA evidence collected by hospitals



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### Actions Taken to Date

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- OLA worked with its Counsel to ensure data to be reported by law enforcement units met law's requirements.
- Assisted Department of State Police in developing regulations (COMAR 29.05.01.16) to more explicitly define the actual reporting requirements. *For example*, the regulations:
  - Defined DNA samples collected as those samples collected and submitted to a lab for analysis, and
  - Set reporting deadlines.
- Coordinated with GOCCP to develop the reporting form to be used by law enforcement units.
- Attended presentation made to Police Chiefs' Association on reporting requirements.



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### Ongoing Work

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- Audit plans and programs under development by OLA. OLA anticipates the process will include:
    - Sending notifications and reminders to police units,
    - Visiting selected police units and testing of reported data, and
    - Evaluating the law's implementation and related processes and results.
  - Reporting to OLA will be done in coordination with Governor's Office of Crime Control and Prevention (GOCCP).
  - Reporting timeframes:
    - Law enforcement units to file data by Jan 31,
    - GOCCP will provide compiled data to OLA by Feb 28,
    - DHMH to report the number of hospital DNA examinations in each county by April 1, and
    - OLA prepares summary report after April 1.
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