



# Prosecuting Attorneys Association of Michigan

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May 10, 2011

The Honorable Rick Jones  
Chairman, Senate Judiciary Committee  
P.O. Box 30036  
Lansing, MI 48909-7536

Dear Chairman Jones:

Re: DNA Evidence from Prisoners: SB 346

The Prosecuting Attorneys Association of Michigan supports SB 346.

When first enacted in 1990, the DNA collection law required the collection of DNA from felons convicted of certain violent felonies and sex offenses. That law was later expanded to all convicted felons and to certain juvenile offenders and misdemeanants, and now requires that DNA be taken at the time of arrest if the person has been arrested for a violent felony. MCL 750.520m.

For offenders who were in prison at the time the DNA testing law was enacted, or for prisoners who fell through the cracks and weren't tested prior to being sent to prison, MCL 791.233d provides that their DNA must be taken before they are released from prison. In some instances, this has resulted in a delay of 20 years or more before a prisoner's DNA has been entered into CODIS. Further if the prisoner dies in prison, their DNA might never be entered. Our best estimate is that around 6,000 prisoners have not had their DNA tested and entered into CODIS. The potential for resolving unsolved crimes is obvious.

SB 346 will fill this gap in the law by requiring a DNA sample to be taken by December 1, 2011 from all prisoners who do not have a sample in CODIS. For the future, SB 346 also requires that a sample will be taken from any prisoner within 90 days of imprisonment if a sample was not obtained at the local level.

We urge the Judiciary Committee to favorably report the bill.

Sincerely,

Ronald J. Schafer  
President