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**MAYOR BLOOMBERG, POLICE COMMISSIONER KELLY, DISTRICT ATTORNEYS
AND SEXUAL ASSAULT VICTIMS URGE STATE LEGISLATURE TO PASS THE
NATION'S FIRST LAW MANDATING THE COLLECTION OF
DNA SAMPLES FROM ALL CONVICTED CRIMINALS**

*New York State Would Be First to Require DNA Samples from All Convicted Criminals –
43 States Have Laws Mandating DNA Samples from All Convicted Felons*

*Current New York State DNA Databank Law is One of the Country's Weakest With
Less Than Half of All Convicted Felons Required to Give DNA Samples*

Mayor Michael R. Bloomberg today called upon the State Legislature to pass legislation that would require all convicted criminals to provide DNA samples for inclusion in the State DNA Databank. Currently, New York State has one of the weakest DNA Databank laws in the country and is one of only seven states that does not require DNA samples from all convicted felons. Pending legislation – if enacted – would make New York the first state in the country to require all convicted felons and misdemeanor offenders to provide DNA samples, adding an estimated 80,000 profiles to the Databank each year. The DNA legislation, also supported by Governor George Pataki, was passed in the State Senate in February and is currently pending in the State Assembly.

The Mayor was joined by Isa Cekic and Debbie Smith, both of whom were rape victims and are advocates for DNA Databank legislation, Police Commissioner Raymond W. Kelly, Criminal Justice Coordinator John Feinblatt, Chief Medical Examiner Charles S. Hirsch, Manhattan District Attorney Robert M. Morgenthau, Brooklyn District Attorney Charles J. Hynes, Queens District Attorney Richard A. Brown, Bronx District Attorney Robert T. Johnson, Staten Island District Attorney Daniel M. Donovan, Jr., Special Narcotics Prosecutor Bridget Brennan, Susan Xenarios of the DownState Coalition for Crime Victims and Lynn Parrish of the Rape Abuse and Incest National Network (RAINN). The announcement was made at the future site of New York City's new state-of-the-art DNA laboratory in Manhattan which is scheduled to open in the fall.

“In New York City, we've driven crime down to its lowest levels and the establishment of a State DNA Databank will ensure that we keep making America's safest big city even safer by helping prevent crimes before they happen,” said Mayor Bloomberg. “There is no doubt that a State DNA Databank is our best tool for catching violent offenders before they become serial offenders – and 43 states across the country have already recognized this and enacted similar laws. Today, New York State has one of the weakest DNA databank laws in the country and it's time for that to change. I urge expedited enactment of this critical legislation because when it comes to cutting-edge policing and enforcement technologies, New York should be leading the charge, not lagging behind.”

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The law establishing the New York State DNA Databank was passed in 1996 and the Databank itself became fully operational in April 2000. The Databank is divided into two areas, a Forensic Index and a Convicted Offender Index. The Forensic Index contains DNA profiles extracted from crime scene evidence while the Convicted Offender Index contains the profiles of offenders convicted of certain crimes designated by state law. The DNA profiles in the Databank are constantly compared to each other to identify patterns among different crimes and matches between convicted offenders and crimes. Under current law, less than half of all convicted felons and approximately 6% of all convicted misdemeanor offenders are required to provide DNA samples for inclusion in the Databank. Forty-three states currently require all convicted felons to provide DNA samples for inclusion in their respective DNA databanks. Twenty-seven states, including New York, require DNA samples from offenders convicted of certain misdemeanors. No state currently requires all convicted criminals to provide DNA samples.

The hits generated in the first six years of the New York State DNA Databank illustrate that violent felony offenders do not confine themselves to violent offenses. Since the advent of the Databank, 1,478 New York City crimes have been the subject of DNA Databank matches or “hits,” 1,207 of them sexual assaults. Approximately 85% of the hits received on sexual assault cases have come from non-sex-related qualifying offenses. When the Databank was expanded in 2004, it immediately began matching offenders convicted of non-violent crimes like bail jumping and promoting prison contraband with violent crimes like rape and homicide. In other states, DNA databanks have solved numerous violent crimes with samples taken from offenders convicted of crimes like forgery, drug possession, and car theft, none of which require a DNA sample in New York.

New York City has invested more than \$250 million in what will be the most advanced forensic DNA laboratory in the country. Scheduled for completion in November of 2006, this new state-of-the-art facility will greatly expand existing testing capacity, allowing for DNA analysis to be performed in all cases as business as usual, instead of just sex crimes and homicides. It will also be the first forensic laboratory in the country with the ability to perform a new type of “high sensitivity” analysis designed to extract DNA profiles from tiny samples left behind at crime scenes. The new laboratory is expected to significantly increase the number of forensic samples that New York City contributes to the state’s DNA Databank. However, without passage of this DNA legislation the lab will be unable to maximize its capacity to analyze and evaluate this critical data.

“DNA data has been responsible for 210 sex offender arrests in New York City since 2002 alone,” said Police Commissioner Kelly. “DNA evidence also played a crucial role in the arrest recently of a Queens man for a string of rapes dating back to 1995. By including DNA from everyone convicted of misdemeanors, the database would be vastly expanded and provide even greater protection against predators who would no longer be able to manipulate the standard statute of limitations.”

“New York State needs to take full advantage of scientific advances in DNA technology,” said Manhattan District Attorney Morgenthau. “The expansion of the State DNA Databank to include all criminal convictions is a long overdue legislative change.”

“DNA technology is one of the most effective tools available to law enforcement today,” said District Attorney Hynes. “It has the power to solve previously unsolvable crimes, as well as to exonerate the innocent and since the establishment of DNA databanks, my office has been able to prosecute over 100 rapes that had previously been unsolved.”

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“The cost of omitting over half of all crimes from those requiring submission of a DNA sample upon conviction – as is the case under existing law – is that those who commit brutal acts of violence may escape identification and remain free to leave more victims in their wake,” said Queens District Attorney Brown. “That price is too high. New York needs to expand its DNA database to include all convicted criminals as soon as possible.”

“This proposal can only help to further build the public’s confidence in the process of seeking justice for all concerned,” said Bronx District Attorney Johnson. “Law abiding citizens will have nothing to fear, and it also benefits those defendants who, in fact, are innocent of a crime with which they may have been charged.”

“The community at large will be better protected as a result of our enhanced ability to arrest those who have engaged in criminal conduct and thereby limit their opportunity to commit still more crimes in the immediate future,” said Johnson.

“DNA samples are to the 21st century what fingerprints were a century ago,” said District Attorney Donovan. “The State Legislature needs to heed our call so that countless crimes, from rapes and murders, to burglaries can be solved and prosecuted. The end result will be more criminals taken off our streets.”

“Contrary to popular belief, violent serial offenders – especially sex offenders – are not specialists,” said Criminal Justice Coordinator Feinblatt. “They get convicted of every crime in the book, from the most serious felony to the most minor misdemeanor. And every time that happens, it is an opportunity for us to prevent a rape or save a life. Expanding New York’s DNA Databank to include all crimes will give us exactly the tool that we need to stop violent offenders at the beginning of their criminal careers, not the end – after one rape, instead of five or ten or twenty. The sooner we get their DNA into the Databank, the sooner we can get them off of our streets.”

“This law will help in the acquisition of sound evidence, and sound evidence enhances the likelihood of just verdicts,” said Dr. Hirsch. “With the passage of this legislation, the City will be able to maximize its investment in this critical DNA technology to help keep all New Yorkers safe.”

Under Mayor Bloomberg, the City has made several significant investments in DNA technology. These include cutting-edge initiatives like the John Doe Indictment Project, in which prosecutors present charges and obtain Grand Jury indictments against the DNA profiles of unknown perpetrators, or "John Does," thus stopping the clock on the statute of limitations and ensuring that these perpetrators will be held accountable no matter how long it takes to arrest them. Since the program began, prosecutors throughout the City have secured 82 John Doe indictments – almost four times the total of all prior years combined.

In addition, the Bloomberg Administration created the Sexual Assault Response Team (SART), a program that provides teams of highly-trained medical professionals that are on-call 24-hours a day to respond to victims of sexual assault at all City hospitals within one hour of their arrival. These teams provide counseling and other essential services to victims while also collecting crucial forensic evidence to enhance the prosecution of these terrible crimes. The SART program was launched in the Bronx in April 2004, expanded to Brooklyn in June 2005 and to both Queens and Manhattan in March 2006. In addition, the NYPD has launched the BioTracks Project, which employs specially trained teams to look for DNA evidence in burglaries, crimes in which DNA was not previously recovered.