

Pennsylvania State Police Testimony
House Judiciary Committee
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Presented By:
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Good Morning Mr. Chairman and members of the Committee. I am Major Ken Hill, Director of the Bureau of Forensic Services of the Pennsylvania State Police. On behalf of Colonel Frank Pawlowski, Commissioner of the Pennsylvania State Police, I want to thank you for the opportunity to speak with you today about HB 928, Child Rapist and Predator Detection.

Before I specifically address this legislation, I would like to give you some insight into our current and past operations regarding Convicted Offender Registration and Forensic DNA Casework. These are the two sections that we operate at the DNA Laboratory. At present Pennsylvania has over 221,000 Convicted Offenders registered in the National Combined DNA Index System (CODIS). Over the past three years, 2007-2009, we have averaged approximately 25,000 samples received and uploaded per year. Over the past 5 years there have been 2,344 hits to cases uploaded by our DNA Laboratory. In 2009 alone there were 617 hits to the State database and 61 hits to out-of-state offenders through the National CODIS database. At the end of 2009, our backlog was just over 3,000 samples, which is approximately a one month delay from receipt to upload into CODIS.

The Casework Section analyzes samples obtained from crime scenes for DNA. As the technology becomes better understood by investigators and prosecutors and as success stories mount, our casework has risen from approximately 1,200 submissions in 2006 to approximately 2,100 cases in 2009. This increase, along with attrition of scientists and the current negative fiscal picture, has affected our ability to keep up with that casework. At present our turnaround time for DNA is 189 days. We expect DNA casework submissions to continue increasing.

Our DNA analysts are trained, educated and certified to interpret results that identify the DNA of the donor only. In this legislation the analyst would be required to interpret results from the fetus or donor and extrapolate those results to identify the sperm donor. None of our analysts are certified or trained to conduct that interpretation. Given the extent of our current workload we do not have the luxury of taking analysts off the bench to train, educate, certify and accredit the new process proposed in this legislation without a significant loss in production. I estimate that it would take approximately three years to obtain accreditation for this process. Training costs are estimated at approximately \$10,000 per analyst.

There are other private laboratories that specialize in forensic relationship testing, are accredited, offer easy access for users and often receive federal grant funding to offer limited free testing to law enforcement. Marshall University in West Virginia is one of such Labs.

Since we do not conduct forensic relationship testing; I recommend that the PSP be removed as the regulating body and promulgating authority for this particular section.

Given the very specific nature of this legislation it would not be cost efficient for the PSP to undertake this additional task and it would add further delays in providing results to law enforcement. Further delays in providing the identification of often violent criminals to law enforcement translates to those criminals remaining on the streets free to commit further crimes while their DNA sits untested in the lab. Were there no other alternative we would of course take on this role, however there are very reasonable alternatives available to accomplish the goal of this legislation faster and cheaper with no negative implications for the PSP or the citizens of the Commonwealth.

Again I thank you for the invitation to discuss this subject and will be happy to answer any questions you may have.