

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	3/10, 4/6, 4/20, 4/22

WHAT THE MEASURE DOES: Requires a law enforcement agency in an aggravated murder, murder, manslaughter I and II, criminally negligent homicide, aggravated vehicular homicide, and sex crimes to preserve biological evidence in an amount sufficient to develop a DNA profile. Does not require that physical evidence be preserved if the evidence is of such a size as to make retention impracticable. Effective upon passage. Sunsets on January 2, 2012.

ISSUES DISCUSSED:

- Need to preserve evidence

EFFECT OF COMMITTEE AMENDMENT: Amendments replace the bill.

BACKGROUND: We have a provision for the collection and retention of DNA for missing persons, ORS 146.187. We allow a person, as part of post-conviction relief, to prove his or her innocence with DNA evidence, ORS 138.690 to 138.698. We do not have a statutory provision for the storage and retention of DNA.