



**TO: Rep. Jason Kropf, Chair
Rep. Kim Wallan, Vice-Chair
Rep. Tom Andersen, Vice-Chair
Members of the House Committee on Judiciary**

FR: Oregon District Attorney's Association

RE: HB 2309 – SUPPORT

March 21, 2023

Thank you for the opportunity to offer our support for HB 2309. This bill seeks to adopt the legal procedures already established by many states across the nation to collect a person's DNA after an arrest for certain crimes. Currently, 30 other states have similar legislation, including 18 states with far broader rules than HB 2309, which require collection of DNA for all offenses after an arrest. The provisions of HB 2309 give clear directives to collect this information during police booking much like how fingerprints have been collected routinely for decades. HB 2309 is also tailored to easily allow destruction of the DNA, and any subsequent analysis, should the arrestee be acquitted, the case dismissed, the conviction reversed on appeal, or when a prosecution is not commenced within the applicable statute of limitations.

ODAA supports this bill as it accomplishes several important goals: 1) making sure Oregon keeps pace with law enforcement measures throughout the United States; 2) accurately identifying the persons and possessions taken into custody; and 3) helping crime victims and the community by identifying perpetrators of serious offenses.

It is important to note that the seizure and logging of an arrestee's DNA is already approved by the Supreme Court of the United States as serving significant governmental interests while not being an unreasonable invasion of privacy. See *Maryland v. King*, 569 U.S. 435 (2013).

Additionally, other states who have passed similar laws have been able to identify perpetrators of serious person offenses. In one California case, DNA obtained after an arrest revealed the person to be a serial rapist.

These cases would not have otherwise been solved, and as a result, the safety of the public and crime victims are served by this bill. We urge your support.