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DEPUTY MAJORITY WHIP

Judicial Proceedings Committee
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Administrative, Executive, and
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Children, Youth, and Families

Senate Chair, Legislative Ethics

Chair

Baltimore County Senate Delegation



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony for Senate Bill 549
Criminal Procedure – Forensic Genetic Genealogical DNA Analysis and Search – Applicability for
Deceased and Missing Children
February 9, 2024

Good afternoon, Chair Smith, and members of the Judicial Proceedings Committee,

Senate Bill 549 (“SB 549”) is a straightforward bill: it allows forensic genetic genealogical DNA analysis and searches (“FGGS”) to be conducted on deceased or missing minors without requiring judicial authorization as required under §§ 17-102 -103 of Maryland’s Criminal Procedure Code. Essentially, FGGS utilize forensic genetic genealogical DNA testing to develop a profile that is then compared to others in databases and public records to find matches to the profile.¹

While photos are “still the most powerful tool for finding missing kids,” the use of DNA in identifications of both deceased, and living victims, has increased drastically.² From 2010-2020, the National Center for Missing & Exploited Children resolved 238 cases of missing or unidentified deceased children by using DNA.³ SB 549 allows FGGS to happen in Maryland without requiring formal court authorization.

Our current law reflects our dedication to Marylanders’ privacy. However, SB 549 creates a small, yet important, exception. By allowing the use of FGGS on deceased or missing minors without judicial authorization, SB 549 will accelerate identification and provide answers to families, friends, and loved ones.

For the reasons stated above, I respectfully request a favorable report for SB 549.

¹ Md. Code Ann., Criminal Procedure § 17-101.

² Patricia Davis, *Finding Missing Kids: It’s In Our DNA*, National Center for Missing & Exploited Children, <https://www.missingkids.org/blog/2020/finding-missing-kids-its-in-our-dna>

³ *Id.*