



DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

March 3, 2020

The Honorable Luke Clippinger, Chair
House Judiciary Committee
Room 101, House Office Building
Annapolis, Maryland 21401

Re: House Bill 1096 – Evidence – Chain of Custody – DNA Profile – Letter of Information with Amendment

Dear Chair Clippinger and Committee Members:

The Maryland Department of Health (Department) submits this letter of information regarding House Bill 1096 “Evidence – Chain of Custody – DNA Profile”. This bill, if enacted, will enable forensic DNA analysts to establish a DNA profile without requiring the analyst or each person in the chain of physical custody or control of evidence to personally appear in court. Forensic DNA analysts collect, test and analyze blood samples to process crime scenes and assist the investigation of crimes according to established laboratory protocols in an accredited lab.

For example, the Maryland State Police Forensic Sciences Division which processes DNA casework must meet FBI Quality Assurance Standards to participate in the National DNA Index System. One of these standards is that the lab must be accredited by a nonprofit forensic professional association such as the ANSI National Accreditation Board, which accredits the Forensic Sciences Division. In addition to methods, policies, and procedures, the accrediting entity also review the qualification and training of staff performing the forensic analysis. Creating a new certification process for DNA analysts at the state level would be redundant with existing accreditation oversight. Based on this information, the Department also recommends the amendment offered by the Department of State Police as below:

AMENDMENT TO HOUSE BILL 1096
(First Reader File Bill)

On Page 2, strike lines through 26 through 28 inclusive.

We hope that this information is helpful. If you have any questions or need additional information, please feel to contact Webster Ye, Director of Governmental Affairs, at webster.ye@maryland.gov or 410.260.3190.

Sincerely,

Robert R. Neall
Secretary