



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

SB 678 Support

March 6, 2026

The Honorable William C. Smith Jr.
Chair, Judicial Proceedings Committee
Senate Office Building – 2 East Miller
11 Bladen Street
Annapolis, MD 21401

RE: Support of SB 678 – Criminal Procedure – Forensic Genetic Genealogical DNA Analysis and Search – Affidavit for Judicial Authorization

Dear Chair Smith, Vice Chair Waldstreicher, and Honorable Members of the Committee,

I write to express strong support for SB 678 on behalf of the Office of the State's Attorney for Baltimore City. Forensic Genetic Genealogy (FGG) is a burgeoning scientific approach that jurisdictions across the nation have begun to employ to solve difficult violent crimes. Maryland law enforcement has had some recent FGG successes¹ but is often unnecessarily limited by one of the nation's most restrictive statutes.

Currently, for Maryland to conduct FGG investigation, Title 17 mandates, among other conditions, that "an STR DNA profile has already been developed from the forensic sample, was entered into the statewide DNA database system and the national DNA database system² and failed to identify a known individual" [17-102(iv)(1)].

But what if an otherwise relevant forensic sample cannot be entered into CODIS?

This bill addresses that deficiency in Title 17—the necessity for the putative perpetrator's forensic sample to be CODIS-eligible. By amending the language of 17-102(iv) to now include forensic samples suitable for direct comparison yet ineligible for entry into CODIS due to not meeting its tier requirements, Maryland will expand the realm of murder, rape, and national security cases open to FGG investigation.

¹ To name a few: the 2024 arrest of Victor Martinez Hernandez for murdering Rachel Morin (Harford County); the 2024 conviction of Eugene Teodor Gligor for murdering Leslie Preer (Montgomery County); solving the 1998 murder of Sherry Crandell (Prince George's County); the 2025 arrest of the 1979 rape and murder of Kathryn Donohue (Prince George's County).

² Collectively "CODIS"



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A brief background on the relevant science is necessary to fully understand the problem, which I will now provide after consulting with a DNA expert who works with these issues daily. Historically, for a sample to be CODIS-eligible, it needed to have data at eight of the original 13 "core loci"³. These "core loci" were selected because, at the time, they provided the most variance for DNA analysts. However, in 2017, CODIS gave seven additional loci the "core" label due to many of them having greater variance than the original 13. Despite this change, CODIS still mandates that the sample has data at eight of the original 13 "core loci" for eligibility. Currently in Baltimore City alone, there are 359 forensic DNA samples that are in the state database but are not CODIS-eligible for not meeting at least one tier requirement. Some samples in this cohort may be otherwise eligible for FGG investigation— **these are among the most violent and important cases that this legislation may help to solve!**

This expansion will invariably make our state safer—and at little, to no, cost. FGG investigations would still be limited to the types of crimes enumerated by Title 17 and subject to significant judicial scrutiny and authorization. Law enforcement should not be needlessly cabined by the administrative requirements of the state and national DNA databases. Many families are waiting patiently for justice; Maryland should allow more, not fewer, cases to be investigated with this new, effective approach.

I urge you to give a favorable report on SB 678. Thank you for your time.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Bjorklund".



Ivan J. Bates
State's Attorney

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³ To give context, most DNA analysts are now looking at up to 22 autosomal loci, depending on the type of amplification kit being used.