

Committee on Public Safety and Homeland Security

Bill Summary

Bill Number: H2626

Name: An Act permitting familial searching and partial DNA matches in investigating certain unsolved crimes

Sponsor(s): Representative Danielle Gregoire

Hearing Date: July 24th at 1:00 PM in room A2

Prior History: N/A

Summary:

This bill amends Chapter 22E of the General Laws to enhance regulations on DNA record handling and familial DNA searching, establishing stricter oversight, privacy protections, and transparency. The new provisions aim to prevent the misuse of DNA data and establish rigorous criteria for familial searching in criminal investigations.

Section 1 - Amendment to Language:

- Updates section 10 of Chapter 22E to include gender-inclusive language by adding “/her” after “his.”

Section 2 - DNA Record Use Restrictions:

- Introduces stipulations for electronic DNA requests, including prohibiting their use for aggregating DNA records in unregulated databases and requiring a Use and Dissemination Agreement to prevent such databases.

Section 3 - Prohibition on DNA Aggregation:

- Outlaws the aggregation of DNA records outside the CODIS system and bans the development of unregulated secondary DNA databases by external agencies.

Section 4 - Definitions and Familial DNA Searching Regulations:

- Allele: One of the alternate forms of the DNA at a particular genetic locus.
- Casework DNA record: A DNA profile generated by testing biological evidence related to a crime.

- Convicted offender DNA record: The DNA record from a casework sample collected from a convicted offender.
- Familial search: A search in the DNA databank for relatives of a DNA record contributor, using specialized software.
- Forensic DNA laboratory: A lab that conforms to federal standards and performs DNA testing from casework evidence.
- Forensic DNA testing: DNA testing from human body samples to resolve identification issues, excluding tests for genetic diseases.
- Partial match: A DNA record match suggesting the offender may be a relative of the source of the forensic index DNA record.
- LDIS: Local DNA Index System.
- Loci: Specific chromosomal locations of genes or other DNA elements.
- Mitochondrial DNA analysis (mtDNA analysis): Analysis of DNA polymorphisms occurring in mitochondria.
- STR DNA record: A list of alleles at specific genetic loci using short tandem repeat sequences.
- Y-STR: STR loci on the Y-chromosome.
- Regulations for Familial DNA Searching:
 - Specifies the conditions under which familial searches can be conducted, including oversight by a new familial search oversight committee.
 - Details the process for handling partial DNA matches and sets guidelines for the use and confidentiality of such matches.

Section 5 - Effective Date:

- Immediate Implementation: Specifies that the act shall take effect upon its passage.

