

Assembly Bill No. 1697

CHAPTER 454

An act to add Section 295.2 to the Penal Code, relating to forensic identification.

[Approved by Governor September 19, 2014. Filed with
Secretary of State September 19, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1697, Donnelly. DNA and forensic identification database and databank.

Existing law, as amended by the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, Proposition 69, approved by the voters at the November 2, 2004, general election, subjects certain offenders to the collection of buccal swab samples, right thumbprints, a full palm print impression of each hand, and blood specimens or other biological samples for law enforcement identification analysis. The DNA Laboratory of the Department of Justice (DOJ) is required to serve as a repository for blood specimens, buccal swabs, and other biological samples collected, and is required to analyze specimens and samples, and to store, compile, correlate, compare, maintain, and use deoxyribonucleic acid (DNA) and forensic identification profiles and records related to several functions, including, but not limited to, using anonymous DNA records for training, research, statistical analysis of populations, quality assurance, or quality control. Proposition 69 amended these provisions to include buccal swabs as samples and using anonymous DNA records for quality assurance.

This bill would prohibit the DNA and forensic identification database and databank and the DOJ DNA Laboratory from being used as a source of genetic material for testing, research, or experiments, by any person, agency, or entity seeking to find a causal link between genetics and behavior or health.

The people of the State of California do enact as follows:

SECTION 1. Section 295.2 is added to the Penal Code, to read:

295.2. The DNA and forensic identification database and data bank and the Department of Justice DNA Laboratory shall not be used as a source of genetic material for testing, research, or experiments, by any person, agency, or entity seeking to find a causal link between genetics and behavior or health.

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