

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2007

Legislative Fiscal Note

BILL NUMBER: House Bill 1697 (First Edition)

SHORT TITLE: Take DNA Sample on Arrest for Certain Crimes.

SPONSOR(S): Representatives Goforth and Ray

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2007-08</u>	<u>FY 2008-09</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>
EXPENDITURES					
Recurring	\$1,970,721	\$3,778,118	\$3,891,461	\$4,008,204	\$4,128,450
Nonrecurring	\$532,355				
Total	\$2,530,076	\$3,778,118	\$3,891,461	\$4,008,204	\$4,128,450
POSITIONS (cumulative):	17	17	17	17	17
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Justice and local sheriff offices.					
EFFECTIVE DATE: December 1, 2007					

BILL SUMMARY:

Enacts new G.S. 15A-502A requiring that an arresting officer provide for taking a DNA sample from any person arrested for (1) any Class A through Class E felony (except for violations of Chapter 90 or 143 or for larcenies or embezzlements); (2) violation of G.S. 14-32.1, assaults on handicapped persons; or (3) violation of G.S. 14-277.3, stalking. Directs that the sample be taken by blood, unless the arrested person objects, in which case it is to be taken by other means. Directs that the sample and record be stored and maintained in the State DNA Databank. Makes conforming amendments to other sections. Effective December 1, 2007.

Source: Bill Digest H.B. 1697 (04/18/0200).

ASSUMPTIONS AND METHODOLOGY: Currently, the Department of Justice (DOJ) collects DNA blood samples from convicted offenders and uploads this information into the SBI CODIS database. In 2006, the CODIS database recorded 259 DNA hits that lead to the capture of several criminal offenders that would still be free if this investigative resource were not available. HB 1697 would expand the pool suspected offenders from which DNA samples would be collected to include persons who are arrested for violent felonies or other criminal offenses outlined in the bill. With this bill, DOJ is estimates that State

Bureau of Investigations (SBI) will be collecting and processing an additional 80,000 DNA samples to be annually. Summarizing the key parts of the agency's estimate:

Staffing Requirements

DOJ requested 17 staff positions to accommodate the additional agency work associated with HB 1697. Annual salary and benefits cost: **\$996,253 (R)** for the following positions:

- 8.0 SBI DNA Non Sworn Analysts to coordinate statewide collection, processing and CODIS uploading. They will also assist in service of DNA search warrants, collect confirmation DNA samples.
- 2.0 SBI DNA Database Analysts, to update database, process expungements and perform related technician functions.
- 1.0 ITD Technology Application Analyst to modify and maintain existing databases, integrates with CCH, SAFIS and related systems.
- 2.0 SBI Office Assistants to provide support to DNA professional staff and process open record and expungement requirements.
- 1.0 Academy Training Coordinator to provide front end additional in service training.
- 1.0 Sheriff Standard/CJ Standard shared position to ensure law enforcement agency compliance with new requirements.
- 1.0 Academy Office Assistant to support training coordinator and statewide training efforts.
- 1.0 SBI Criminal Audit Supervisor to monitor and test statewide quality control and appropriate updates to CCH and SAFIS with local agencies.

Contractual service costs: \$ 2,080,000 (R)

The Department has requested \$2,080,000 to pay for private laboratory contracts to process the DNA samples collected. It costs the Department about \$26.00 for each sample that is processed by a private contractor.

Scientific supply costs: \$ 412,000 (R)

To collect the 80,000 DNA samples, the agency estimates that it will cost \$5.15 per DNA oral swab kit needed for each DNA sample collected.

Office lease cost: \$ 200,000 (R)

DOJ estimates that the agency will need additional space (8,000 square feet) to accommodate the staff positions requested.

Other operating costs: \$ 89,864 (R)

The agency estimate includes and \$89,864 in recurring funds for other costs such as staff training, office supplies, computer software and postage.

Start up costs: \$ \$532,355 (NR)

The Department's estimate includes \$532,355 in start up costs for the following items:

Scientific Equipment:	\$ 215,500
Automobiles:	\$ 120,000
IT Contracting:	\$ 96,000
Computers:	\$ 48,839
Furniture:	\$ 44,200
Custody Equipment:	\$ 7,816

The box on page one provides the annual costs associated with the implementation of HB 1697. This agency estimate was developed in consultation with Fiscal Research staff. The Fiscal Research Division is in agreement with the agency estimate as submitted for HB 1697.

SOURCES OF DATA: Department of Justice

TECHNICAL CONSIDERATIONS: None.

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DATE: May 24, 2007



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