



## Interstate Commission for Adult Offender Supervision

### DNA Survey Results - January 2005

STATE	REQUIRED BY STATUTE TO TAKE DNA ON ALL SEX OFFENDERS	FEES	COMMENTS
Alabama	Alabama is required to take DNA samples from all offenders placed on probation or parole, regardless of offense.	The kits are provided by the Alabama Department of Forensic Sciences at no charge to our agency.	Alabama takes DNA samples from all offenders, including Interstate Compact offenders who relocate to Alabama.
Alaska	Alaska requires all sex offenders to submit to DNA registration.	There is no cost to the state or the offenders. The Federal government pays the cost.	A.S.44.41.040.
Arizona	Arizona statute requires DNA testing on all persons convicted of a felony sex offense and those convicted of a misdemeanor sex offense that are required to register.	There is no cost to the offender for the testing. The cost is absorbed through fines and surcharges.	
Arkansas	Pursuant to A.C.A. Section 12-12-906 and A.C.A. Section 12-12-1101 et seq., Arkansas is required to take a DNA sample from all sex offenders.	The mandatory fee is \$250.	
California	No Response	No Response	
Colorado	Colorado requires DNA testing on all offenders.	\$15-\$25	
Connecticut	Connecticut's Department of Public Safety (State Police) is responsible for this process regarding sex offenders. We are required by statute to do this.	It is approximately \$50.00 a sample.	
Delaware	No Response	No Response	
District of Columbia	In Washington DC the DNA statute requires most sex offenders to submit DNA. Without listing all of the offenses that qualify, essentially the law excludes the crime of Misd. Sexual Abuse where the victim is an adult and other non-violent sex offenses, such as Indecent Exposure, Peeping, etc...	The statute does not require the offender to pay for testing, the Gov. pays for the tests.	
Florida	Florida is required to take DNA on Sex Offenders.	There is usually no cost to the offender if done by DC staff. However, if the test is done by jail officials there may be an administrative cost set by the Sheriff. These costs vary by county.	

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Georgia	Georgia...our inmates are tested. no parolees are tested as they have already been tested in prison. With the exception of those that were released prior to the law implementation in 2003.		
Hawaii	Hawaii requires sex offenders to undergo DNA testing by county police	The fee imposed is \$500	
Idaho	No Response	No Response	
Illinois	No Response	No Response	
Indiana	Indiana does not collect DNA from sex offenders as a condition of probation or parole.		
Iowa	In Iowa we are collecting DNA from some types of sex offenders but not all.	There is no cost to the Department of Corrections as the kits are provided for free by the Department of Public Safety. There is currently no charge to the offenders for this procedure.	
Kansas	No Response	No Response	
Kentucky	No Response	No Response	
Louisiana	In Louisiana, DNA is required from all persons arrested for felonies and certain other offenses, which in our state would include all sex offenders. In addition, previous law had been on the books for several years that required DNA testing of sex offenders. If the test if not done at the time of arrest (some of the Sheriff's have been slow to implement), either the Department of Corrections institution (if sent to DOC) or Probation and Parole (if placed on probation) does the test upon conviction.	DOC and P&P do blood tests, the Sheriff's do testing orally by buccal swabs. I do not know the cost as State Police furnishes all testing equipment, training, and is responsible for either reading and storing the results or contracting out with a vendor to do so. Offenders do not pay anything for the testing at this time.	
Maine	The State of Maine requires a DNA sample of all offenders convicted of a felony. The statute does not identify sex offenders specifically.	The cost of the kit we use is approximately \$9.00.	

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Maryland	See Comments	See Comments	Maryland Law requires that if adequate funds for the collection of DNA samples are appropriated in the State budget, an individual who is convicted of a felony (which includes all felony sex crimes) shall have a DNA sample collected on intake to a correctional facility, or provide a DNA sample as a condition of sentence or probation if the individual is not sentenced to a term of imprisonment.
Michigan	The State of Michigan requires that all sex offenders provide a DNA sample.	The fee is \$60.00 for each felony conviction and \$45.00 for each misdemeanor conviction.	
Minnesota	Minnesota Statute requires that a DNA sample be taken on all felony level offenders.	The samples are processed by the Bureau of Criminal Apprehension. The costs approximately \$30 - \$35 per test.	
Mississippi	No Response	No Response	
Missouri	On Jan. 1, 2005 in accord with the provisions of Senate Bill No. 1000, (Section 650.055 1 RSMo, the Missouri Board of Probation and Parole will require DNA samples from every probationer or parolee convicted of a felony and under supervision by the Board in Missouri. Failure to comply with testing requirements will result in a recommendation for revocation.		
Montana	In Montana, sex offender's DNA is taken by law enforcement.	The cost is the burden of the offender.	
Nevada	Yes	\$150	
New Hampshire	New Hampshire does require DNA testing for sexual assault offenders and certain violent offenses. The following offenses are applicable: any sexual assault, murder, attempted murder, manslaughter, felony assault, arson, kidnapping, robbery, felony burglary, negligent homicide. The sexual assaults go back to anyone in incarcerated or under probation or parole supervision as of 8/2/96 or convicted after that date. For other violent offenses. It is effective for anyone already incarcerated as of 7/1/03 or convicted of such offense after that date.		The problem currently faced is that there is no specifically designated authority to do the actual testing. There is interagency discussion on this issue, but it is currently unresolved and may require legislation. Currently, the NH Department of Corrections does not do this testing.
Nebraska	In Nebraska, certain defined sex offenders are required to submit to DNA testing, whether on probation, parole or in prison.	The costs are paid by the State.	

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New Jersey	New Jersey is required by statute to obtain DNA samples from all offenders, including sex offenders.	The cost of the collection, analysis and recording of the information in a database is provided by the Attorney General's Office.	
New Mexico	All convicted felons are required DNA Testing.	The cost is \$100	Convicted misdemeanants are required if it is stated in the Conditions of Probation.
New York	Yes	The cost of the kit is only about \$4.00. We at DCJS provide the kits free of charge to anyone who is collecting for us. Example-Probation will forward a kit to the out of state agency and that agency will collect for us with our own kit. This kit is designed for NY collections. Each state may have a different method but we require our own kit to be used.	
North Carolina	Yes Pursuant to G.S. 15A-266, all convicted felons must submit to DNA sampling	There is no fee	However, if DNA testing was used as evidence at trial and the defendant is found guilty, then the Judge may impose a \$300 fee on the defendant to reimburse the SBI for these laboratory test as per G. S. 7A-304(a) 7.

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North Dakota	<p>The court shall order any person convicted on or after August 1, 1995, of any sexual offense or attempted sexual offense in violation of sections 12.1-20-3, 12.1-20-03.1, 12.1-20-04, 12.1-20-05, 12.1-20-06, subdivision 3 or f of subsection 1 of section 12.1-20-07, or section 12.1-20-11 or any other offense when the court finds at sentencing that the person engaged in a nonconsensual sexual act or sexual contact with another person during, in the course of, or as a result of, the offense or any person who is in the custody of the department after July 31, 1995, as a result of a conviction of one of these offenses to have a sample of blood or other body fluids taken by the department for DNA law enforcement identification purposes and inclusion in law enforcement identification data bases. The court shall order any person convicted after July 31, 2001, of a felony offense contained in chapter 12.1-16, 12.1-17, or 12.1-18, section 12.1-22-01, or chapter 12.1-27.2 or any person who is in the custody of the department after July 31, 2001, as a result of a conviction for one of these offenses to have a sa</p>	<p>The sentencing court shall assess the cost of the procedure against the person being tested. The department shall collect the cost of the procedure from the person being tested and transfer the amount collected to the attorney general for deposit in the general fund.</p>	
Ohio	<p>Starting in 2005, Ohio will have to test all felons.</p>	<p>The Attorney General's office supplies the testing (swab) kit and does the testing, so there is not a cost to the parole authority.</p>	
Oklahoma	<p>No Response</p>	<p>No Response</p>	
Oregon	<p>Oregon requires that sex offenders have a DNA taken. We are currently reviewing the law concerning the ability of PO's to take those samples but at current time they do.</p>		

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Pennsylvania	See Comments	A mandatory cost of \$250 is assessed.	Pennsylvania has adopted a revised DNA Detection Act; Act 185 of 2004 which is effective 1-30-05. The PA State Police are responsible for related policy management and as such are charged with promulgating rules and regulations to carry out the provisions of the act. The necessary rule and regulation promulgation are in the preliminary stage, so it cannot yet be answered with certainty whether the Commonwealth of Pennsylvania will require the DNA collection of other states' sexual & felony offenders transferred through the compact to PA.
Puerto Rico	No Response	No Response	
Rhode Island	Rhode Island has a relatively new statute on DNA and sex offenders, however, it has not gone into effect yet, as its effective date is contingent on the receipt of federal funding.		The statute is RIGL 12-1.5-1 et.seq "DNA Detection of Felony Offenders."
South Carolina	Pursuant to § 23-3-620 of the Code of Laws of South Carolina, a sample from which Deoxyribonucleic Acid (DNA) may be obtained for inclusion in the State DNA Database must be provided by any offender who is: -under the Department's supervision for eavesdropping or peeping (Section 16-17-470), any offense classified as a felony in Section 16-1-90, or any other offense that carries a maximum term of imprisonment of five (5) years or more; or -under supervision for an offense for which they were ordered by the court to provide a sample.	Offenders are assessed a \$250.00 fee for processing the DNA.	
South Dakota	Any person (including a sex offender) who is convicted or adjudicated delinquent for a qualifying offense is required to provide a DNA sample in SD.	The State Forensic Laboratory processes the samples at no cost to the offender.	
Tennessee	Tennessee makes all offenders convicted after 1/1/96 provide DNA samples.	The offender pays for the testing at \$22.50 per test.	Offenders on parole are tested at the institution prior to release and probation offenders must go to the local Health Department.
Texas	No Response	No Response	
Utah	Utah law states that all convicted felons and some misd. convictions for person crimes submit DNA samples.	The cost is \$75.00.	

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Vermont	All sex offenders with one exception. That exception is as follows Title 13 of Vermont Statutes Annotated, Section 3252 Sexual Assault (a) 3 "The other person is under the age of 16...and the act is consensual"	The oral swab collection kit is \$10	
Virginia	Virginia requires a DNA sample from each convicted felon including transfers received under the Compact.	We now use "buccal" sampling and currently do not charge a fee.	
Washington	In Washington State, the statute for collecting DNA on sex offenders is RCW 43.43.754 and reads as following:(1) Every adult or juvenile individual convicted of a felony, stalking under RCW 9A.46.110, harassment under RCW 9A.46.020, communicating with a minor for immoral purposes under RCW 9.68A.090, or adjudicated guilty of an equivalent juvenile offense must have a biological sample collected for purposes of DNA identification analysis in the following manner:		(4) This section applies to all adults who are convicted of a sex or violent offense after July 1, 1990; and to all adults who were convicted of a sex or violent offense on or prior to July 1, 1990, and who are still incarcerated on or after July 25, 1999. This section applies to all juveniles who are adjudicated guilty of a sex or violent offense after July 1, 1994; and to all juveniles who were adjudicated guilty of a sex or violent offense on or prior to July 1, 1994, and who are still incarcerated on or after July 25, 1999. This section applies to all adults and juveniles who are convicted of a felony other than a sex or violent offense, stalking under RCW 9A.46.110, harassment under RCW 9A.46.020, or communicating with a minor for immoral purposes under RCW 9.68A.090, or adjudicated guilty of an equivalent juvenile offense, on or after July 1, 2002; and to all adults and juveniles who were convicted or adjudicated guilty of such an offense before July 1, 2002, and are still incarcerated on or after July 1, 2002.
West Virginia	As of November 2004, all felon offenders convicted in WV are subject to DNA Testing and some Misdemeanor Sex Offenders are subject to DNA Testing. The State Police in WV controls this function.	The kits are provided thru monies from a Federal grant and the actual sample gathering is done thru current employees of the agency that has the offender (e.g., inmates are tested by medical staff at the facility where they are housed.)	
Wisconsin	All convicted felons are required to submit DNA specimens.	A \$250 surcharge is imposed by the court.	

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Wyoming	Wyoming requires all convicted felons under the jurisdiction of the Wyoming Department of Corrections to have their blood drawn fro DNA Recording.	The WY Dept. of Corrections pays for the blood draw and then our Division of Criminal Investigation does the processing and recording.	We only do convicted felons who are under our jurisdiction, i.e., persons on probation, on parole, out of state convicted felons on compact supervision in Wyoming, and offenders in our institutions. It doesn't matter if they are sex offenders or not, any convicted felons.