

SENATE BILL NO. 320

BY SENATOR MIZELL AND REPRESENTATIVE MANDIE LANDRY

1 AN ACT

2 To enact R.S. 15:605.1, relative to DNA detection of sexual and violent offenders; to
3 provide reporting of outstanding CODIS hit data; to provide for a central repository;
4 to provide for an outstanding CODIS hits tracking system; to provide for reporting;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:605.1 is hereby enacted to read as follows:

8 **§605.1. Outstanding CODIS hit data; reporting**

9 **A. The legislature recognizes the importance of improving the collective**
10 **response of the criminal justice system to criminal investigations, including**
11 **sexual assault investigations; therefore, measures shall be taken to create**
12 **accountability in the CODIS hit notification and resolution process. Tracking**
13 **of outstanding CODIS hits is essential to ensuring that scientific work done in**
14 **the crime laboratories successfully translates into justice in the state, and that**
15 **future convictions or exonerations in older cases are not lost or buried under**
16 **new caseloads.**

17 **B. As used in this Section, the following terms have the following**
18 **meanings:**

19 **(1) "CODIS hit" means a confirmed database match that aids a criminal**

1 investigation and one or more of the investigations involved in the match are
2 unsolved.

3 (2) "CODIS hit notification" means a formal communication sent by a
4 CODIS-participating laboratory to a criminal justice agency when a DNA
5 profile from an unsolved case is confirmed to have matched a DNA profile
6 already in the CODIS database.

7 (3)"CODIS hit resolution" means that an agency has taken steps to
8 determine if the investigative lead provided by the CODIS-participating
9 laboratory is probative to the case at hand. The ultimate disposition of the
10 CODIS hit should be either a communication to the CODIS-participating
11 laboratory that the lead has been exhausted or that the lead has probative value
12 and shall be followed up on by collection and submission of a reference DNA
13 sample to the laboratory from the associated individual, if applicable.

14 (4)"Outstanding CODIS hit" means that a criminal justice agency has
15 officially received a CODIS hit notification and that investigative lead has not
16 been cleared, acted upon, or resolved by that agency within ninety days of
17 receipt.

18 C. The state police shall serve as the central repository for tracking of
19 outstanding CODIS hits in Louisiana.

20 D. The state police shall create and operate a statewide outstanding
21 CODIS hit tracking system. The state police may contract with public or private
22 entities, including but not limited to private software and technology providers,
23 for the creation and maintenance of the system.

24 E. The statewide outstanding CODIS hit tracking system shall
25 accomplish all of the following:

26 (1) Track the status of the CODIS hits sent to criminal justice agencies
27 that have not been resolved within ninety days.

28 (2) Allow criminal justice agencies to update and track the status of
29 outstanding CODIS hits.

30 (3) Use electronic technology in order to allow continuous access.

1 **(4) Provide for cross-jurisdictional data sharing with law enforcement**
2 **agencies.**

3 **F. The state police may use a phased implementation process in order to**
4 **launch the system and facilitate entry and use of the system for required**
5 **participants. The state police may phase in initial participation according to the**
6 **region or volume.**

7 **G. All law enforcement agencies that receive CODIS hit notifications,**
8 **including CODIS-participating laboratories, investigating law enforcement**
9 **agencies, district attorneys' offices, and agencies that aid in the identification of**
10 **missing persons and human remains, shall provide all required information to**
11 **the tracking system and fully participate in the system no later than January 1,**
12 **2027.**

13 **H.(1) After implementation of the tracking system, the state police shall**
14 **submit an annual report on the statewide outstanding CODIS hit tracking**
15 **system to the Senate Committee on Judiciary C, the House Committee on**
16 **Administration of Criminal Justice, the governor, and the David R. Poynter**
17 **Legislative Research Library pursuant to R.S. 24:771 and 772 no later than**
18 **March first of each year. The state police shall make public the current report**
19 **on its website. The report shall include all of the following:**

20 **(a) The total number of outstanding CODIS hits in the system statewide**
21 **and by jurisdiction.**

22 **(b) The number of outstanding CODIS hits added to the system in the**
23 **reporting period statewide and by jurisdiction.**

24 **(c) The total number of outstanding CODIS hits that have been resolved**
25 **in the system statewide and by jurisdiction.**

26 **(2) For the purpose of the report required by this Subsection, an**
27 **outstanding CODIS hit shall be assigned to the jurisdiction associated with both**
28 **the CODIS-participating laboratory who processed the evidence associated with**
29 **the unsolved case that received the CODIS hit, as well as the criminal justice**
30 **agency that submitted the applicable evidence to the CODIS-participating**

1 laboratory.

2 I. The state police shall adopt rules as necessary to implement the

3 provisions of this Section.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____