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HOUSE JOINT RESOLUTION 7

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WHEREAS, In order to minimize the serious impact of all types of crime, especially violent crime, upon Illinois residents, it is necessary for Illinois to be protected by a crime lab that is operated by the Illinois State Police in a manner that complies with state-of-the-art specifications for the rapid processing of evidence and identification of criminal suspects; and

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WHEREAS, In response to this need, the Illinois State Police has established a Division of Forensic Services, commonly referred to as the "State crime lab"; and

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WHEREAS, It has been nationally recognized for several years that there is a serious backlog of biological evidence to be processed in the time required for the establishment of admissible forensic evidence after that forensic evidence has been recovered from crime scenes, processed by law enforcement, and transferred to crime laboratories; and

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WHEREAS, This backlog in the examination process includes numerous cases where the processing of evidence collected following incidents of violent crimes, including murders, shootings, and criminal sexual assaults, is seriously delayed; and

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1 WHEREAS, It typically takes at least one year for
2 biological evidence to be processed by the Illinois State
3 Police crime lab; and

4 WHEREAS, DNA evidence is critical to the solution of
5 crimes, especially in murder cases and sexual assaults, where
6 the biological evidence may be the last resort, the only thing
7 tying a murderer or rapist to a crime scene and a victim in a
8 way that can be proved in a court of law; and

9 WHEREAS, In today's climate where police and prosecutors
10 are increasingly scrutinized about their procedures, DNA
11 evidence is crucial to the successful prosecution of criminal
12 cases in the courtroom; and

13 WHEREAS, Modern biochemistry has developed the Rapid DNA
14 system, a system to enable the fully automated generation of a
15 full DNA profile from a cheek swab without human intervention;
16 the ability of Rapid DNA to carry out the efficient profiling
17 of criminal suspects has led Congress to pass the federal Rapid
18 DNA Act of 2017, which has been signed into federal law as P.L.
19 115-50; and

20 WHEREAS, The Federal Bureau of Investigation (FBI) will
21 conduct a pilot study in Arizona, California, Florida,

1 Louisiana, and Texas in 2019 to evaluate Rapid DNA
2 instrumentation in booking stations where buccal (cheek) swab
3 samples will be processed from individuals arrested, indicted,
4 or convicted of specific criminal offenses, and, upon
5 completion of this pilot study, the FBI will identify
6 NDIS-approved Rapid DNA instrumentation for use in booking
7 stations; and

8 WHEREAS, This federal law directs the FBI to issue
9 standards and procedures to create a nationwide police protocol
10 for using Rapid DNA instruments to analyze DNA samples of
11 criminal offenders and criminal suspects and to compile the
12 data gathered therein within the Combined DNA Index System or
13 CODIS; and

14 WHEREAS, The 50 states and their residents will not enjoy
15 the benefits of Rapid DNA technology and the ability to conduct
16 instant CODIS identification of criminal suspects who have
17 already been taken into custody until they take steps to comply
18 with the protocol outlined in the Rapid DNA Act of 2017 and
19 implemented by FBI standards and procedures; and

20 WHEREAS, The usefulness of the CODIS system as a nationwide
21 database will depend upon the relative compliance of local law
22 enforcement throughout all 50 states; for reasons of both local
23 criminal justice and so that our State can do its part, it is

1 essential that Illinois law enforcement be granted the support
2 tools they need to appropriately deploy the Rapid DNA
3 instrumentation in booking stations and forensic laboratories
4 accredited in DNA analysis across Illinois; therefore, be it

5 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
6 HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
7 SENATE CONCURRING HEREIN, that the Illinois State Police is
8 directed to review and evaluate its varied duties and
9 responsibilities to determine the most effective and efficient
10 use of Rapid DNA technology and to recommend improvements to
11 Illinois' DNA submission laws with the goal of taking full
12 advantage of Rapid DNA technology throughout Illinois; and be
13 it further

14 RESOLVED, That the Illinois State Police may consult with
15 any State and local agencies they determine necessary, which
16 may include, but not be limited to, the Department of
17 Innovation and Technology, the Department of Corrections, and
18 any State, county, or local law enforcement agency which
19 utilizes State funds to identify and apprehend criminal
20 offenders; and be it further

21 RESOLVED, That the examination include, but not be limited
22 to, an examination of equipment, procedures, staffing levels,
23 required legislation, administrative rules, funding, and

1 information technology infrastructure, including status and
2 recommended improvements to Illinois' DNA arrestee submission
3 law to fully take advantage of Rapid DNA technology, with the
4 goal of identifying and reporting to the General Assembly as
5 soon as possible on barriers and choke points in the way of
6 Illinois State Police, local law enforcement, booking
7 stations, and accredited NDIS-participating forensic
8 laboratories across Illinois enabling full compliance with
9 existing and future protocols approved by the FBI created by
10 the federal Rapid DNA Act of 2017; and be it further

11 RESOLVED, That the Department of Innovation and
12 Technology, the Department of Corrections, any State agency and
13 any Illinois law enforcement agency which utilizes State funds
14 to identify and apprehend criminal offenders are highly
15 encouraged to assist the Illinois State Police with this
16 report, including elements aimed at identifying the increased
17 funding, personnel and budgetary support required for the
18 Illinois State Police, local law enforcement, and the entire
19 Illinois criminal justice community to appropriately utilize
20 Rapid DNA instrumentation to achieve full compliance; and be it
21 further

22 RESOLVED, That the Illinois State Police commence this
23 examination and submit a report of their findings and
24 recommendations to the Governor and Illinois General Assembly

1 by September 30, 2019; and be it further

2 RESOLVED, That the Illinois State Police and its Division
3 of Forensic Services are directed to take all steps possible to
4 achieve compliance, or partial compliance, with the federal
5 Rapid DNA Act of 2017 on the statewide crime lab level to
6 fulfill implementation; and be it further

7 RESOLVED, That we express continued support to all of
8 Illinois law enforcement, including but not limited to, the
9 Illinois State Police, for their tireless and courageous work
10 to maintain public security in the face of growing challenges
11 created by drug violence and other social trends; and be it
12 further

13 RESOLVED, That suitable copies of this resolution be
14 delivered to the Governor of Illinois and the Director of State
15 Police, Col. Sean Cormier of the Illinois State Police Division
16 of Forensic Services-Forensic Sciences Command.