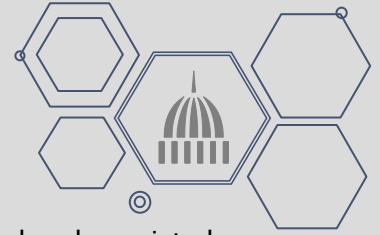


## ARKANSAS



State legislatures consider and enact laws that address the administration and use of forensic science by state justice systems. Issues addressed in these measures include the delegation of oversight responsibilities for forensic services, accreditation standards for forensic laboratories, access to post-conviction DNA testing, the collection and analysis of DNA samples from arrested and convicted individuals and procedures for eyewitness identification. Following is information on this state's legislative activity on forensic science issues. More information on forensic science policy from all 50 states and the District of Columbia is available on the NCSL [forensic science page](#).

### **Administration of State Forensic Services** ..... §§ 12-12-301, 12-12-1101 through 1120

The state administers its forensic services through the Arkansas State Crime Laboratory, which operates independently of any law enforcement or prosecutorial agency.

### **Convicted Offender DNA Analysis** ..... §§ 12-12-1109, 1103, 9-27-357

People convicted of any felony or sex crime misdemeanor must submit a DNA sample to state officials. Sample collection applies to juveniles.

### **Arrestee DNA Analysis** ..... §§ 12-12-1006, 1019, 1105

People arrested for capital murder, first degree murder, kidnapping, rape, and first and second degree sexual assault must submit a DNA sample to state officials. The sample is taken at booking and expunged upon request. Sample collection does not apply to juveniles unless they are charged as adults.

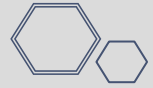
### **Post Conviction DNA Analysis** ..... §§ 16-112-201 through 208

The state allows an individual convicted of any crime to apply for post-conviction DNA testing. Their application must assert that their theory of defense would establish actual innocence. Applications can only be submitted if the individual has exhausted their direct appeals. Arkansas code has specifications for the preservation of biological evidence.

### **Sexual Assault Evidence and Backlogs** ..... § 12-12-402

State laws address standards for sexual assault evidence collection.





**Remote Testimony by Laboratory Analysts.....§ 12-12-313**

The state allows for remote testimony via two-way closed-circuit or satellite-transmitted television unless the defendant is charged with capital murder or murder in the first degree.

.....**§ 16-43-215**

Videotaped depositions of analysts are admissible in lieu of direct testimony.

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