

## MINNESOTA



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 ..... § 299C.155

The state administers its forensic services through the Minnesota Bureau of Criminal Apprehension.

### State Oversight of Forensic Services ..... § 299C.156

The state's Forensic Laboratory Advisory Board is responsible for oversight of forensic services. The primary purpose of the board is to develop and encourage forensic policy and best practices. The board is required to release an annual report by Jan. 15 each year. Here is the latest [report](#).

### State Studies Addressing Forensic Services ..... 2007 Minn. Sess. Laws, Chap. 148, Art. 2, § 74

The Genetic Information Work Group was established to develop principles for public policy on the use of genetic information. The work group released its [report](#) Jan. 15, 2009.

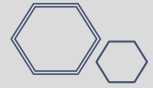
### Convicted Offender DNA Analysis ..... § 299C.105

People convicted of enumerated felonies, including murder, manslaughter, assault, and robbery must submit a DNA sample to state officials. The state also collects DNA for those convicted of sex crime misdemeanors. Sample collection applies to juveniles.

### Arrestee DNA Analysis ..... § 299C.105

People arrested for enumerated felonies (murder, manslaughter, assault, sex crimes, etc.) and enumerated misdemeanors (false imprisonment, unreasonable restraint of children, etc.) must submit a DNA sample to state officials. A probable cause hearing is required. The sample is collected after the probable cause determination. Upon request, the biological specimen is destroyed and the records are returned to the individual. Sample collection applies to juveniles. The state's judicial system held this provision unconstitutional in *In re Welfare of C.T.L.*





### Post Conviction DNA Analysis ..... §§ 590.01 through .06

The state allows an individual convicted of any crime to apply for post-conviction DNA testing. Their application must show that the test will provide evidence material to the conviction. Applications must be filed within two years of final judgment. Minnesota code has specifications for the preservation of biological evidence.

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