

## NEW HAMPSHIRE



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** .....§§ 106-B:2-a, 651-C:1 through C:7

The state administers its forensic services through the New Hampshire State Police.

### **Convicted Offender DNA Analysis** .....§ 651-C:2

People convicted of any felony or sex crime misdemeanor must submit a DNA sample to state officials. The state also collects DNA for those convicted of an offense against a child.

### **Post Conviction DNA Analysis** .....§§ 651-D:1 through D:4

The state allows an individual in custody to apply for post-conviction DNA testing. Their application must demonstrate by clear and convincing evidence that the results will constitute new, noncumulative evidence that will exonerate the individual. New Hampshire code has specifications for the preservation of biological evidence.

### **Remote Testimony by Laboratory Analysts** .....§ 516:37

The state allows laboratory analysts to testify by video teleconference if the testimony is limited to expert testimony or the results of tests conducted at the forensic laboratory. Video teleconference testimony is not permitted during a felony prosecution unless: the defendant affirmatively assents if the testimony is offered by the state; or the state affirmatively assents if offered by the defendant.



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