

## NEW YORK



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** .....Executive Law §§ 216-a, 995-b, c

The state administers its forensic services through the New York Division of State Police.

### **Laboratory Accreditation Requirements** .....Executive Law § 995-b

The state requires accreditation for forensic laboratories in numerous forensic disciplines. A state entity is responsible for issuing accreditation.

### **State Oversight of Forensic Services** .....Executive Law § 995-a

The state's Commission on Forensic Science is responsible for oversight of forensic services. The primary purpose of the commission is to develop minimum accreditation standards. The commission is required to meet at least four times each year.

### .....Executive Law §§ 995-b(13)(a), (b)

The DNA Subcommittee is responsible for overseeing all methodologies used in DNA analysis.

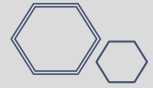
### **Convicted Offender DNA Analysis** .....Executive Law §§ 995-C, 995

People convicted of any felony or misdemeanor must submit a DNA sample to state officials.

### **Post Conviction DNA Analysis** .....Criminal Procedure Law § 440.10

The state allows any convicted individual to apply for post-conviction DNA testing. Their application must raise a reasonable probability the test will produce evidence favorable to the applicant. If a convicted person pled guilty they must meet additional criteria to apply for testing.





### **Sexual Assault Evidence and Backlogs.....Public Health Law § 2805-i**

State laws address evidence submission protocols for law enforcement, set communication standards for law enforcement with victims and set requirements for sexual assault evidence collection.

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