

## SOUTH CAROLINA



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 ..... §§ 23-3-12, 600 through 700**

The state administers its forensic services through the South Carolina Law Enforcement Division.

### **Convicted Offender DNA Analysis ..... § 23-3-620**

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 eavesdropping, peeping, and stalking. Sample collection applies to juveniles.

### **Arrestee DNA Analysis ..... §§ 23-3-620, 660**

People arrested for all felonies and enumerated misdemeanors, including eavesdropping, peeping, and stalking, must submit a DNA sample to state officials. The sample is collected at booking and expungement is automatic. Sample collection does not apply to juveniles.

### **Post Conviction DNA Analysis ..... §§ 17-28-10 through 120**

The state allows an individual convicted of enumerated violations, including murder and spousal assault, to apply for post-conviction DNA testing. Their application must demonstrate by a preponderance of evidence that the evidence to be tested is material. If a convicted person pled guilty or no contest, they must apply for testing within seven years of sentencing. South Carolina code has specifications for the preservation of biological evidence.

### **Sexual Assault Evidence and Backlogs ..... § 16-3-1350**

State standards require training for sexual assault examiners and set protocols for sexual assault evidence collection.