

## VERMONT



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.....Title 20 §§ 1931 through 1946**

The state administers its forensic services through the Vermont Department of Public Safety.

### **Convicted Offender DNA Analysis.....Title 20 §§ 1932, 1933**

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 domestic assault.

### **Arrestee DNA Analysis .....Title 20 §§ 1932, 1933, 1940**

People arrested for all felonies must submit a DNA sample to state officials. A probable cause hearing is required. The sample is collected at a time and date set by the court at arraignment. Expungement of the sample is automatic.

### **Post Conviction DNA Analysis.....Title 13 §§ 5561 through 5577**

The state allows an individual convicted of enumerated offenses, including arson, murder, and sexual assault, to apply for post-conviction DNA testing. Their application must raise a reasonable probability the results of the test would have resulted in non-conviction.

### **Sexual Assault Evidence and Backlogs.....Title 20 § 1946**

The state requires the Commissioner of Public Safety to report annually on forensics backlogs.

### **Eyewitness Identification Procedures.....2007 VT. Acts, Act 60**

The state created the Eyewitness Identification and Custodial Interrogation Study Committee in 2006. The committee released its [final report](#) in December 2007.

