

WEST VIRGINIA



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§§15-2B-1 through 4

The state administers its forensic services through the West Virginia State Police.

Convicted Offender DNA Analysis§ 15-2B-6

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 child abuse misdemeanors. Sample collection applies to juveniles.

Post Conviction DNA Analysis§ 15-2B-14

The state allows an individual convicted of a felony and serving a term of imprisonment to apply for post-conviction DNA testing. Their application must show that the evidence is material and would raise a reasonable probability of a more favorable sentence.

Eyewitness Identification Procedures§§ 62-1E-1 through 3

The state specifies procedures for eyewitness identification.
