

## MARYLAND



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** ..... **Public Safety Code § 2-501**

The state administers its forensic services through the Maryland Department of State Police.

### **Laboratory Accreditation Requirements** ..... **Health Code § 17-2A-02**

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

### **State Oversight of Forensic Services** ..... **Health Code § 17-2A-12**

The state's Forensic Laboratory Advisory Committee is responsible for oversight of forensic services.

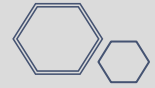
### **Convicted Offender DNA Analysis** ..... **Public Safety Code § 2-504**

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 burglary in the fourth degree and breaking and entering a motor vehicle.

### **Arrestee DNA Analysis** ..... **Public Safety Code §§ 2-504, 511**

People arrested for crimes of violence, an attempt to commit a crime of violence, burglary, and attempt to commit burglary must submit a DNA sample to state officials. A probable cause hearing is required and the sample is collected upon charging. The sample cannot be analyzed prior to the first scheduled arraignment date. The sample is expunged automatically.





**Post Conviction DNA Analysis.....Criminal Procedure Code § 8-201**

The state allows an individual convicted of first or second degree murder, manslaughter, first or second degree rape, or a first or second degree sexual offense to apply for post-conviction DNA testing. Their application must raise a reasonable probability the results of the test will exculpate the individual. Maryland code has specifications for the preservation of biological evidence.

**Familial DNA Testing/Partial Match Analysis....Public Safety Code § 2-506(d)**

Maryland prohibits familial DNA testing.

**Eyewitness Identification Procedures.....Public Safety Code § 3-506**

The state requires that each law enforcement agency have written policies relating to eyewitness identification.

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