

California Department of Justice  
DIVISION OF LAW ENFORCEMENT  
Edward Medrano, Chief



# INFORMATION BULLETIN

*Subject:*

**New *Mandatory* Deadlines for Law Enforcement Agencies and Public Crime Laboratories to Submit and Test Sexual Assault Evidence and Upload DNA Profiles to CODIS (Senate Bill 22)**

*No.*

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**TO: All California Law Enforcement Agencies and Public Crime Laboratories**

**Effective January 1, 2020**, there are new **mandatory deadlines** for law enforcement agencies and public crime laboratories that handle sexual assault forensic evidence. This bulletin provides a summary of the new deadlines established by Senate Bill 22, Chapter 588, Statutes of 2019 for any sexual assault evidence received by a law enforcement agency or public crime laboratory **on or after January 1, 2016**.

## **DEADLINES FOR LAW ENFORCEMENT AGENCIES**

A law enforcement agency **must** submit sexual assault evidence to a crime laboratory within 20 days of booking any sexual assault sample into evidence. Alternatively, the law enforcement agency shall ensure that a rapid turnaround DNA program is in place at a medical facility that will submit forensic evidence collected from a sexual assault victim directly to the crime lab within five days after the evidence is obtained from the victim.

## **DEADLINES FOR PUBLIC CRIME LABORATORIES**

Public crime laboratories **must** process, at minimum, representative samples of submitted sexual assault evidence and upload qualifying DNA profiles into the Combined DNA Index System (CODIS) as soon as possible, but no later than 120 days after receiving the evidence.

Alternatively, if a public crime laboratory is going to transmit sexual assault evidence to another crime laboratory for analysis, it must do so within 30 days of its original receipt of that evidence. The crime laboratory that originally received the evidence remains responsible for uploading a qualifying DNA profile to CODIS within 30 days of being notified that a qualifying DNA profile was developed from a sexual assault evidence sample.

## **SCOPE**

SB 22 does not require a lab to test all items of forensic evidence collected in a sexual assault forensic evidence examination. Instead, a lab can process representative samples of the evidence to detect a perpetrator's DNA. A DNA profile from sexual assault evidence must meet federal standards for the lab to upload that profile to CODIS.

## **LOCAL ASSISTANCE GRANTS**

The Legislature has appropriated funding to assist with the processing of sexual assault forensic evidence. Approximately \$4.1 million will be available in the spring under three grant programs administered by the California Department of Justice: \$2 million from the Budget Act of 2019 (Assembly Bill 74, Stats. 2019, ch. 23), \$1.8 million from the Budget Act of 2018 (Senate Bill 862, Stats. 2018, ch. 449), and \$313,000 from the Voluntary Tax Contribution Fund (Assembly Bill 280, Stats. 2017, ch. 698). The application process for these grant opportunities will be announced in separate Department of Justice communications.

## **ADDITIONAL INFORMATION**

Answers to frequently asked questions (DNA FAQs) will be published on the Attorney General's website at <https://oag.ca.gov/bfs/prop69>.

For the full text of SB 22, see [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200SB22](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB22).