

**CALIFORNIA DEPARTMENT OF JUSTICE  
RICHMOND DNA LABORATORY  
APRIL 24, 2002**

**Cold Hit Program**

The California Cold Hit Program, funded by the Governor's Office of Criminal Justice Planning and administered by the Attorney General's Department of Justice DNA Laboratory, is a statewide project designed to identify suspects in sexual assault cases through evidence analysis and the creation of an evidence data bank. The \$46 million program helps local law enforcement agencies analyze biological evidence, such as semen, blood and hair, from unsolved sexual assault cases and homicide cases with a sexual component. Once a profile of the suspected offender's DNA is developed, it is compared against the state's data bank of qualifying offenders in order to find a match.

Offenses that qualify for the program include, but are not limited to, the following: assault with intent to commit mayhem, rape, sodomy and oral copulation; felony sexual battery; rape in concert with force/violence; felony sodomy; lewd or lascivious acts involving children; felony oral copulation; and penetration with a foreign object.

Qualifying cases must have occurred between January 1, 1994 and October 1, 2003.

The following offenses may also be submitted if the crime was committed in conjunction with a sex crime. The following cases need not to have occurred between January 1, 1994 and October 1, 2003: murder, including attempts; murder, special allegations, and attempts; 2<sup>nd</sup> degree murder, with prior murder, and attempts; and voluntary manslaughter, including attempts.

While the program has only just begun, a total of 27 suspects have already been identified by the Cold Hit Program.

Case-to-case hits are also important in furthering investigations of serial crimes, even when no suspect is immediately identified by the DNA profile. So far, the Cold-Hit Program has made 30 such case-to-case hits.

## **Cal DNA Data Bank**

The Cal DNA data bank is a computerized DNA identification database that is used to help solve crimes by comparing stored DNA of known qualifying offenders to DNA evidence from a crime. Until recently, the qualifying offenses requiring the collection of DNA samples from a felon included: rape, murder, attempted murder, voluntary manslaughter, domestic violence, kidnapping, child molestation, mayhem and torture. In 2001, Assembly Bill 673 (Migden) added first degree robbery, residential burglary, arson and car-jacking, as well as attempts to commit these offenses, as qualifying offenses. Once a suspect is identified via the data bank, a new blood sample is drawn from the suspect for confirmation of the DNA match. When this process results in a match, it is called a “cold hit.”

There are currently over 200,000 DNA profiles from convicted offenders in the Cal DNA data bank. As of April 24, 2002, 89 suspects have been identified by Cal DNA data bank since it was established in 1994. 68 of these “cold hits” have been made since January 1, 2001. In total, the data bank has aided in 116 investigations.

## **Missing Persons DNA Program**

The Missing Persons DNA Program uses DNA analysis and data matching to determine the identity of missing persons. The Missing Persons DNA Program stores DNA profiles in two different files. One file is made up of either DNA profiles from relatives of reported missing persons or a DNA profile established from a sample from the missing person (reference file). The second file is made up of DNA profiles developed from samples from unidentified persons. An identification will be made if the DNA profile of the sample from the unidentified person “matches” a DNA profile in the reference file.

For the reference file, oral swabs will provide sufficient DNA to develop a profile. For samples from the missing person, baby teeth and hairs may be appropriate for DNA profiling. Blood, tissue and bone samples from unidentified persons may be submitted for DNA testing.

The Missing Persons DNA Program was enacted by passage of Senate Bill 1818 (California Penal Code sections 14250-14251) and became effective January 1, 2001. In addition, Senate Bill 1736 (Rainey), which also became effective January 1, 2001, requires coroners to take DNA samples from unidentified deceased persons for DNA testing.

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