

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.



H-E-A-R-T, Inc.
Debbie Smith Founder/CEO
Rob Smith President

P.O. Box 1813 Williamsburg, VA 23185-1813
E-mail: robanded@direcway.com
Office: (804)829-2981
Fax #: (804)829-2656

April 12, 2005

Assemblyman Bernie Anderson
Chairman, Assembly Judiciary Committee
Members, Assembly Judiciary Committee

I am writing to you in support of AB 382, a bill that would require forensic DNA samples from all persons convicted of felony crimes in Nevada. I believe that this policy measure will have a profound and lasting impact on public safety, and will prevent additional Nevada residents from being needlessly victimized. Additionally, expanding your state's DNA database will allow Nevada to take full advantage of the federal funding now available to states for offender DNA programs. I sincerely hope the Assembly Judiciary Committee will give full consideration to this legislation and to the public safety benefits it will bring to your state.

In 1989 I became a victim of a horrific rape. Over the next six and a half years I waited in constant fear as my rapist remained unidentified. Thankfully, the State of Virginia passed legislation in 1990 to collect DNA from all convicted felons, which eventually allowed my rapist's DNA to be matched against Virginia's DNA database of criminal offenders. When my rapist was caught through the DNA match, my constant fears were lifted, but I still had the daily pain of knowing that other women in states *without* all felon DNA database laws would likely never experience the peace of having their rapist apprehended. Unfortunately, eleven state legislatures have yet to pass the all felons DNA database legislation, **and Nevada is one of them.**

As of this writing, **39 states plus the federal government and the military require DNA from persons convicted of any felony crime.** Failure to expand Nevada's database to include all convicted felons will needlessly allow criminals to remain undetected, jeopardizing the safety of your residents and visitors. My state of Virginia estimates they would have missed 81% of the hits against their database if they had limited their database to only violent felons (Virginia is currently averaging 3 database matches per day). In fact, over 400 matches for unsolved crimes have been made to drug offenders in Virginia, and over 100 matches made to persons with prior convictions of felony forgery.

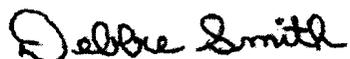
I am also pleased to tell you that Congress has recently passed the *Justice for All Act* (HR 5107) which enacted President Bush's DNA Initiative. The legislation authorizes over \$1 billion to help states pay for passing the all felons legislation, and to complete DNA casework on hundreds of thousands of unsolved homicide and rape cases. Last year alone, Congress appropriated **\$110 million in federal funds for DNA grants**, which require *no state match* and can be used to outsource offender DNA samples to private laboratory for analysis as well as to build-up the infrastructure at Nevada's CODIS laboratory. However, the offender DNA grants are based on backlog numbers -- every year that Nevada waits to enact this important legislation is another year in which Nevada's laboratory is missing out on applying for its full share funds for the analysis of offender samples.

ASSEMBLY JUDICIARY
DATE: 4/13/05 EXHIBIT C PAGE 1 OF 2
SUBMITTED BY: Ms. Debbie Smith

There are 39 other states with all felons laws who are able to take full advantage of this federal money – Nevada is wasting an opportunity for federal assistance by not joining these states.

In the name of crime victims throughout Nevada, please give your full consideration to AB 382. If you wait any longer, Nevada will unnecessarily allow rapes, homicides and other crimes to go unsolved. Furthermore, waiting to pass the law allows criminals to remain on the street to commit more crime. I am hopeful that the Nevada legislature will make the all felons DNA database legislation a priority for 2005. With thirty-nine state legislatures moving ahead of you and millions now available from the federal government to help pay for it, there is really no excuse not to move forward.

Sincerely,

A handwritten signature in cursive script that reads "Debbie Smith".

Debbie Smith
Founder/CEO