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HOUSE JOINT RESOLUTION

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WHEREAS, In order to minimize the serious impact of all types of crime, especially violent crime, upon Illinois residents, it is necessary for Illinois to be protected by a crime lab that is operated by the Illinois State Police in a manner that complies with state-of-the-art specifications for the rapid processing of evidence and identification of criminal suspects; and

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WHEREAS, In response to this need, the Illinois State Police has established a Division of Forensic Services, commonly referred to as the "State crime lab"; and

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WHEREAS, It has been publicly known for several years that there is a serious backlog in the time required for biological evidence to be processed for the establishment of admissible forensic evidence after that forensic evidence has been recovered from crime scenes, processed by law enforcement, and transferred to the Division of Forensic Services; and

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WHEREAS, This backlog in the examination process includes numerous cases where the processing of evidence collected following incidents of violent crimes, including murders, shootings, and criminal sexual assaults, is seriously delayed; and

1 WHEREAS, It typically takes at least one year for
2 biological evidence to be processed by the Illinois State
3 Police crime lab; and

4 WHEREAS, DNA evidence is critical to the solution of
5 crimes, especially in murder cases and sexual assaults, where
6 the biological evidence may be the last resort, the only thing
7 tying a murderer or rapist to a crime scene and a victim in a
8 way that can be proved in a court of law; and

9 WHEREAS, In today's climate where police and prosecutors
10 are increasingly scrutinized about their procedures, DNA
11 evidence is crucial to the successful prosecution of criminal
12 cases in the courtroom; and

13 WHEREAS, Modern biochemistry has developed the Rapid DNA
14 system, a system to enable the fully automated generation of a
15 full DNA profile from a cheek swab without human intervention;
16 the ability of Rapid DNA to carry out the efficient profiling
17 of criminal suspects has led Congress to pass the federal Rapid
18 DNA Act of 2017, which has been signed into federal law as P.L.
19 115-50; and

20 WHEREAS, This federal law directs the Federal Bureau of
21 Investigation (FBI) to issue standards and procedures to create

1 a nationwide police protocol for using Rapid DNA instruments to
2 analyze DNA samples of criminal offenders and criminal suspects
3 and to compile the data gathered therein within the Combined
4 DNA Index System or CODIS; and

5 WHEREAS, The 50 states and their residents will not enjoy
6 the benefits of Rapid DNA technology and the ability to conduct
7 instant CODIS identification of criminal suspects who have
8 already been taken into custody until they take steps to comply
9 with the protocol outlined in the Rapid DNA Act of 2017 and
10 implemented by FBI standards and procedures; and

11 WHEREAS, The usefulness of the CODIS system as a nationwide
12 database will depend upon the relative compliance of local law
13 enforcement throughout all 50 states; for reasons of both local
14 criminal justice and so that our State can do its part, it is
15 essential that Illinois law enforcement be granted the support
16 tools they need to appropriately deploy the Rapid DNA
17 instrumentation in booking stations and forensic laboratories
18 accredited in DNA analysis across Illinois; therefore, be it

19 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE
20 HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE
21 SENATE CONCURRING HEREIN, that the Auditor General is directed
22 to conduct a performance audit of the Illinois State Police
23 Division of Forensic Services; and be it further

1 RESOLVED, That the audit include, but not be limited to, an
2 examination of the Division's equipment, procedures, and
3 staffing levels, with the goal of identifying and reporting to
4 the General Assembly as soon as possible on barriers and choke
5 points in the way of full Illinois State Police and local law
6 enforcement compliance with the protocols created by the
7 federal Rapid DNA Act of 2017; and be it further

8 RESOLVED, That the Illinois State Police is directed to
9 comply fully and promptly with all features of this audit,
10 including elements aimed at identifying the increased
11 personnel and budgetary support required for the Illinois State
12 Police and local law enforcement to achieve full compliance;
13 and be it further

14 RESOLVED, That the Auditor General commence this audit as
15 soon as possible and report his findings and recommendations
16 upon completion in accordance with the provisions of Section
17 3-14 of the Illinois State Auditing Act; and be it further

18 RESOLVED, That the Department of State Police, the
19 Department of Innovation and Technology, the Department of
20 Corrections, and any other State agencies or Illinois law
21 enforcement agencies that receive State funds are directed to
22 comply fully and promptly with all features of this examination

1 and audit, including elements aimed at identifying increased
2 funding for the Illinois criminal justice community to
3 appropriately utilize Rapid DNA instrumentation; and be it
4 further

5 RESOLVED, That the Illinois State Police and its Division
6 of Forensic Services are directed to take all steps possible to
7 achieve compliance, or partial compliance, with the federal
8 Rapid DNA Act of 2017 on the statewide crime lab level to
9 fulfill implementation of any recommendations handed down by
10 the Auditor General; and be it further

11 RESOLVED, That we express continued support to all of
12 Illinois law enforcement, including but not limited to the
13 Illinois State Police, for their tireless and courageous work
14 to maintain public security in the face of growing challenges
15 created by drug violence and other social trends; and be it
16 further

17 RESOLVED, That suitable copies of this resolution be
18 delivered to the Governor of Illinois, the Director of State
19 Police, Col. Sean Cormier of the Illinois State Police Division
20 of Forensic Services-Forensic Sciences Command, and Auditor
21 General Frank J. Mautino.