

S 2441

Post-Conviction DNA Testing Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: May 2, 2002

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3868-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3868-3870) (May 2, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/2441>

Sponsor

Name: Sen. Specter, Arlen [R-PA]

Party: Republican • **State:** PA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	May 2, 2002

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Summary (as of May 2, 2002)

Post-Conviction DNA Testing Act of 2002 - Amends the Federal criminal code to establish procedures for post-conviction DNA testing. Authorizes an individual imprisoned because of a conviction of a criminal offense in a U.S. court to make a written motion to the court for the performance of forensic DNA testing on specified evidence.

Sets forth requirements regarding: (1) the substance of the motion (including an assertion of innocence of the crime if exoneration would result in a mandatory sentence reduction) and the timing of its filing (within 60 months); (2) notice to the Government, the preservation order, and appointment of counsel; (3) the order for DNA testing; (4) testing and result reporting procedures; (5) post-testing procedures where test results are inconclusive, positive, or negative or produce exculpatory evidence; and (6) finality of an order granting or denying DNA testing or a new trial.

Prohibits the Government from destroying any biological material preserved if the defendant is serving a term of imprisonment following conviction in a case until the later of: (1) 60 months after enactment of this Act; or (2) the date DNA testing proceedings are completed.

Directs the Attorney General to establish a system for reporting and tracking motions under this Act. Prohibits a State from denying an application for DNA testing made by a prisoner in State custody who would be eligible for such testing under Federal provisions pursuant to this Act. Authorizes a prisoner in State custody to enforce such provision in a civil action for declaratory or injunctive relief.

Actions Timeline

- **May 2, 2002:** Introduced in Senate
- **May 2, 2002:** Sponsor introductory remarks on measure. (CR S3859-3865)
- **May 2, 2002:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3868-3870)