

S 2513

DNA Sexual Assault Justice Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: May 14, 2002

Current Status: By Senator Leahy from Committee on the Judiciary filed written report under authority of the order o

Latest Action: By Senator Leahy from Committee on the Judiciary filed written report under authority of the order of the Senate of 10/17/2002. Report No. 107-334. (Nov 4, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/2513>

Sponsor

Name: Sen. Biden, Joseph R., Jr. [D-DE]

Party: Democratic • State: DE • Chamber: Senate

Cosponsors (20 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		May 14, 2002
Sen. Cantwell, Maria [D-WA]	D · WA		May 15, 2002
Sen. Carper, Thomas R. [D-DE]	D · DE		May 22, 2002
Sen. Schumer, Charles E. [D-NY]	D · NY		Jun 24, 2002
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 27, 2002
Sen. Feinstein, Dianne [D-CA]	D · CA		Jun 27, 2002
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jun 27, 2002
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jun 27, 2002
Sen. Jeffords, James M. [I-VT]	I · VT		Jul 12, 2002
Sen. Specter, Arlen [R-PA]	R · PA		Jul 17, 2002
Sen. Carnahan, Jean [D-MO]	D · MO		Jul 30, 2002
Sen. Crapo, Mike [R-ID]	R · ID		Jul 30, 2002
Sen. Murray, Patty [D-WA]	D · WA		Jul 30, 2002
Sen. Warner, John [R-VA]	R · VA		Jul 30, 2002
Sen. Johnson, Tim [D-SD]	D · SD		Jul 31, 2002
Sen. Craig, Larry E. [R-ID]	R · ID		Sep 3, 2002
Sen. Edwards, John [D-NC]	D · NC		Sep 3, 2002
Sen. Collins, Susan M. [R-ME]	R · ME		Sep 5, 2002
Sen. Torricelli, Robert G. [D-NJ]	D · NJ		Sep 12, 2002
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Sep 17, 2002

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Jul 18, 2002
Judiciary Committee	House	Referred to	Oct 7, 2002

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

DNA Sexual Assault Justice Act of 2002 - (Sec. 2) Directs the Attorney General, acting through the Director of the National Institute of Justice, to survey Federal, State, local, and tribal law enforcement jurisdictions to assess the amount of DNA evidence contained in rape kits and in other evidence from sexual assault crimes that has not been subjected to testing and analysis.

(Sec. 3) Amends the DNA Analysis Backlog Elimination Act of 2000 to: (1) authorize grants to States to ensure that DNA testing and analysis of samples from rape kits and non-suspect cases are carried out in a timely manner; (2) reauthorize grants; (3) authorize local governments and Indian tribes to apply for and receive grants (but requires certification by local government applicants that they participate in a State laboratory system; assurances by States, local governments, and Indian tribes regarding implementation of a plan for forwarding all samples collected in sexual assault cases to a laboratory that meets quality assurance standards for testing; and certifications by such entities of compliance with regulations under this Act); (4) direct the Attorney General to give priority in awarding grants to a State or local governmental unit that has a significant rape kit or non-suspect case backlog; (5) authorize appropriations to the Federal Bureau of Investigation (FBI) for the collection and use of DNA identification information from certain Federal offenders; (6) expand the scope of DNA samples subject to privacy protections; and (7) set the penalty for use (currently, limited to disclosure) of a DNA sample or DNA analysis at \$100,000 per offense (currently, up to \$100,000).

(Sec. 7) Directs the Attorney General to review existing national, State, local, and tribal government protocols on the collection and processing of DNA evidence at crime scenes and to develop a recommended national protocol, including for crimes of rape and other sexual assault.

Amends the Victims of Trafficking and Violence Protection Act of 2000 to direct the Attorney General to recommend sexual assault forensic examination training for all emergency response personnel.

(Sec. 8) Directs the Attorney General to make grants to States, local governments, institutes of higher learning, Indian tribes, sexual assault examination programs, and State sexual assault coalitions to: (1) establish and maintain sexual assault examiner programs; (2) carry out sexual assault examiner training and certification; and (3) acquire or improve forensic equipment. Directs the Attorney General to give priority to proposed or existing programs for under-served populations.

(Sec. 9) Directs the Attorney General to make grants to States, local governments, institutes of higher learning, and Indian tribes to train: (1) law enforcement personnel and all other first responders at crime scenes in the handling of sexual assault cases and the collection and use of DNA samples for use as forensic evidence; (2) State and local prosecutors on the use of DNA samples for use as forensic evidence; and (3) law enforcement personnel to recognize, detect, report, and respond to drug-facilitated sexual assaults.

(Sec. 10) Amends: (1) the Federal criminal code and the Federal Rules of Criminal Procedure to authorize "John Doe" DNA indictments for sexual abuse (allows describing a person as an unknown individual who has a particular DNA profile if the identity of the accused or defendant is unknown); and (2) the DNA Identification Act of 1994 to authorize appropriations to the FBI to carry out a redesign of the Combined DNA Index System.

(Sec. 13) Amends the DNA Analysis Backlog Elimination Act to direct the Attorney General to establish procedures to limit access to, or use of, stored DNA samples or DNA analyses. Requires that such regulations: (1) limit use, dissemination, and re-dissemination of such information; (2) ensure accuracy, security, and confidentiality; (3) protect privacy rights; and (4) provide for timely removal and destruction of inaccurate information.

Actions Timeline

- **Nov 4, 2002:** By Senator Leahy from Committee on the Judiciary filed written report under authority of the order of the Senate of 10/17/2002. Report No. 107-334.
- **Nov 4, 2002:** By Senator Leahy from Committee on the Judiciary filed written report under authority of the order of the Senate of 10/17/2002. Report No. 107-334.
- **Oct 7, 2002:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Sep 13, 2002:** Message on Senate action sent to the House.
- **Sep 13, 2002:** Received in the House.
- **Sep 13, 2002:** Referred to the House Committee on the Judiciary.
- **Sep 12, 2002:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S8577-8580; text as passed Senate: CR S8578-8580)
- **Sep 12, 2002:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S8577-8580; text as passed Senate: CR S8578-8580)
- **Jul 18, 2002:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 18, 2002:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Jul 18, 2002:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Jul 18, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 501.
- **May 14, 2002:** Introduced in Senate
- **May 14, 2002:** Sponsor introductory remarks on measure. (CR S4331-4333)
- **May 14, 2002:** Read twice and referred to the Committee on the Judiciary.