



Office of Representative Teresa Fedor, 45th District

September 29, 2015
House Bill 283
Sponsor Testimony

Chairman Butler, Vice Chair Manning and Ranking Member Stinziano, I am here to ask that you pass House Bill 283. This year I was approached by a Columbus Police Department Commander with a proposed legislative change which would expand the list of misdemeanors to allow DNA collection for offenses related to solicitation for paid sexual services. Specifically, House Bill 283 would amend section 2901.07 requiring an offender to provide a DNA specimen for misdemeanor convictions of voyeurism, public indecency, procuring, soliciting, loitering to engage in soliciting, and prostitution.

It is law enforcement's experience that there is a strong nexus between many notable serial abductors and rapists and those soliciting prostitution. Research shows that offenders who commit serious crimes often also commit minor crimes. For example: petit larceny became a DNA-eligible offense in 2006 in the State of New York and since that time, individuals convicted of that misdemeanor have been linked to 1,078 crimes including – burglary, sexual assault, robbery and homicide. ¹

Offenders linked to crimes through the New York DNA Databank had, on average, committed three offenses for which no DNA sample was required. An analysis of DNA Databank hits showed that if all-crimes where DNA had been in effect, nearly a quarter of hits to the Databank would have occurred an average of five years earlier, resulting in leads in 47 homicides, 125 sexual assaults and 2,313 other offenses. ²

¹ DNA Stops Crime: The Case for Misdemeanor DNA Collection; New York State Division of Criminal Justice Services

² Ibid

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A notable example in New York was the case of Kenneth Washington. On a day in August 2006, a NYPD officer awoke at 2 a.m. to find an intruder in her bedroom. He raped and physically assaulted her, leaving a bloody shirt – and his DNA – at the scene after the brutal attack. Kenneth Washington had been convicted of two misdemeanors, including criminal trespass, prior to the rape. His DNA was not in the state’s Databank because those misdemeanors were not DNA eligible at the time of his conviction.

For the next 14 months, the man went on to commit more violent crimes: he sodomized a pregnant woman; ransacked another home, stealing family’s Christmas presents; and bound and tortured a family during another burglary. He was finally linked to those crimes after being required to provide a DNA sample for a low-level assault conviction.

Had his DNA been collected after the criminal trespass conviction, the individual would have been caught after the violent rape in August 2006. He is now serving a 90 year sentence for his crimes.

A suspect’s criminal history is a critical part of his or her identity that officers should know, and it’s a common occurrence that people detained for minor offenses can turn out to be the most devious and dangerous criminals.

A DNA profile is powerful tool because it provides law enforcement with a form of identification to search records already in their valid possession and can produce a more comprehensive profile of a suspect’s identity. As a result, offenders can be linked to crimes sooner, resulting in fewer men, women and children being victimized.

I’m happy to answer any questions your may have at this time.

Thank you.

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