

**Statement of Chairman F. James Sensenbrenner, Jr.  
House Judiciary Markup of the “Rapid DNA Act of 2017, H.R. 510”**

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Rapid DNA is a promising new technology that would allow for the almost immediate DNA analysis of an arrestee. Unlike standard DNA practices which require sending DNA samples from arrestees out to labs with a result taking weeks to ascertain, Rapid DNA results take only a few hours and can be done right at the booking station. Like fingerprinting, photographing, and other booking procedures which at the time were novel but have now become routine, Rapid DNA will soon be standard procedure in police stations throughout the country.

There is only one problem with Rapid DNA technology--- Federal Law. Our law, written in 1994 when DNA technology was still in its infancy, prohibits the use of Rapid DNA technology in booking stations. This is not because of any limitation in Rapid DNA technology, but simply because at the time, Rapid DNA technology was not even

contemplated. Similar to the transformation of musical devices – records leading to cassette tapes, cassette tapes leading to CDs, CDs leading to MP3, and now iPods and online music hosting services, -technology moves quicker than we can legislate. Now is the time to change the law to permit Rapid DNA technology.

Rapid DNA machines are compact, approximately the size of copy machines, and can provide a DNA analysis from a cheek swab sample of an arrestee within 2 hours. This has two profound implications. First, arrestees may be exonerated of crimes in 2 hours, rather than waiting for up to 72 hours for release, or months for more standard DNA testing. Second, those arrested for a crime, can quickly be matched to other unsolved crimes where there was forensic evidence left at the crime scene, but for which there is no identified suspect.

The Rapid DNA Act updates current law to allow DNA samples to be processed using Rapid DNA instruments located in booking stations and other approved locations. The bill will require the FBI to issue

standards and procedures for the use such instruments and their resulting DNA analyses to ensure the integrity of such instruments and the accuracy of results. It will permit those results to be included in the DNA Index if the criminal justice agencies taking Rapid DNA samples comply with the standards and procedures that the FBI approves. In this way, the bill would permit this new category of DNA samples to be uploaded to the index with the same protections and quality standards as current DNA samples.

Not only does H.R. 510 have the potential to reduce crime, help expeditiously exonerate the innocent, but also to positively impact the current backlogs for rape kits and other DNA sample analysis. This committee has spent a great deal of time and significant work to try and reduce the forensic DNA backlog, especially in rape kits. Rapid DNA could not at this time be used for rape kits, but the implementation of Rapid DNA will allow forensics labs to focus on forensic samples, not on identification samples which can easily be handled by Rapid DNA

machines. I hope this will reduce the rape kit backlog which will also prevent future rapes from happening.

I am pleased that the House is taking a significant step in furthering the use of this technology, and implementing Rapid DNA in a manner that will aid law enforcement investigations. I urge my colleagues to support H.R. 510 and yield back the balance of my time.

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