

STATE LAWS FOR ARRESTEE DNA DATABASES

(As of August 10, 2010)

STATE	QUALIFYING OFFENSE				COLLECTION POINT		EXPUNGEMENT	
	Murder Arrestees	Sex Crimes Arrests	Burglary Arrests	All Felony Arrests	Booking	Arraign-ment	Upon Request	Automatic
ALABAMA	✓	✓	✓	✓	✓		✓	
ALASKA	✓	✓	✓	✓	✓			✓
ARIZONA	✓	✓	✓		✓		✓	
ARKANSAS	✓	✓			✓		✓	
CALIFORNIA	✓	✓	✓	✓	✓		✓	
COLORADO	✓	✓	✓	✓	✓1	✓1	✓	
CONNECTICUT								
DELAWARE								
FLORIDA	✓	✓	✓	✓	✓		✓	
GEORGIA								
HAWAII								
IDAHO								
ILLINOIS								
INDIANA								
IOWA								
KANSAS	✓	✓	✓	✓	✓		✓	
KENTUCKY								
LOUISIANA	✓	✓	✓	✓	✓		✓	
MAINE								
MARYLAND	✓	✓	✓		✓1	✓1		✓
MASSACHUSETTS								
MICHIGAN	✓	✓			✓		✓	
MINNESOTA	✓	✓	✓			✓	✓2	✓2
MISSISSIPPI								
MISSOURI	✓	✓	✓		✓			✓
MONTANA								
NEBRASKA								
NEVADA								
NEW HAMPSHIRE								
NEW JERSEY								
NEW MEXICO	✓	✓	✓		✓		✓	
NEW YORK								
NORTH CAROLINA	✓	✓	✓		✓		✓	
NORTH DAKOTA	✓	✓	✓	✓	✓		✓	

STATE	QUALIFYING OFFENSE				COLLECTION POINT		EXPUNGEMENT	
	Murder Arrestees	Sex Crimes Arrests	Burglary Arrests	All Felony Arrests	Booking	Arraignment	Upon Request	Automatic
OHIO	✓	✓	✓	✓	✓		✓	
OKLAHOMA								
OREGON								
PENNSYLVANIA								
RHODE ISLAND								
SOUTH CAROLINA	✓	✓	✓	✓	✓			✓
SOUTH DAKOTA	✓	✓	✓	✓	✓		✓	
TENNESSEE	✓	✓	✓		✓			✓
TEXAS	✓	✓	✓		✓3	✓3	✓	
UTAH	✓	✓	✓		✓1	✓1	✓	
VERMONT	✓	✓	✓	✓		✓		✓
VIRGINIA	✓	✓	✓			✓		✓
WASHINGTON								
WEST VIRGINIA								
WISCONSIN								
WYOMING								
TOTAL	24	24	22	12	21	7	17	8
FEDERAL GOVT	✓	✓	✓	✓4	✓		✓	

- 1 Colorado, Maryland and Utah law permits collection at booking but samples may not be uploaded until there are charges (or probable cause finding in Utah).
- 2 Minnesota legislation provides for automatic expungement upon a finding of not guilty, or at the request of the individual if the charges were dismissed or dropped.
- 3 Texas requires DNA upon arraignment for most offenses; however, if the person in custody has a prior conviction for certain crimes, then samples are to be taken at booking.
- 4 Federal applies to all arrests – felony and misdemeanor