



North Carolina Criminal Justice Information Network

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Robert S. Brinson, Chair
North Carolina Department of Public Safety

Vice-Chair - Vacant

May 22, 2012

MEMORANDUM

TO: Honorable R. Andrew Murray, District Attorney, Mecklenburg County
Honorable Ronald L. Moore, District Attorney, Buncombe County
Honorable Susan I. Doyle, District Attorney and Past President of the DA's Conference, Johnston County
Honorable Benjamin R. David, District Attorney and President of the DA's Conference, New Hanover and Pender Counties

FROM: Robert S. Brinson, Chair
Criminal Justice Information Network Governing Board

SUBJECT: DNA Expunction – Board Resolution

At the February 23, 2012 meeting of the Criminal Justice Information Network Governing Board, the members received an overview of the challenges facing the District Attorneys in regards to expunging DNA. As a follow-up to this issue, the Board received a comprehensive presentation from Al Williams, Senior Assistant District Attorney, Buncombe County at the March 29, 2012 Board meeting – see attached for Mr. Williams' documentation.

After a lengthy discussion regarding the significant cost of including an expunction feature into the e-Courts System (design, development, and implementation) along with the potential that the defendant's DNA does not get expunged (automating the process and all its variations), the Board voted unanimously to recommend that the legislature consider handling DNA expunction in the manner adopted by the majority of states that collect DNA with certain arrests.

Because no automated system exists, having the defendant initiate the process of expunction rather than the district attorneys would be more reliable, less expensive, and more efficient.

If you have questions or desire additional information, I can be reached at (919) 716-3501.

cc: Criminal Justice Information Network Governing Board Members

Attachments: DNA Expunction
State Survey
California Form
House Bill