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Goddard: Purge DNA files automatically on acquittal

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PHOENIX — People forced to provide DNA samples when arrested should be entitled to have those records purged from the system automatically if they are later acquitted, Attorney General Terry Goddard said Tuesday.

Goddard's statement came as he announced formation of a commission to monitor and coordinate the functioning of the four state crime laboratories and four labs run by individual cities. He said the panel also will work toward reducing the backlog of about 50,000 DNA samples that have yet to be analyzed and classified.

Goddard said one reason for the backlog is that state lawmakers have repeatedly expanded the list of crimes that require samples.

While the law already allows for the information to be purged from the state's database if the person is found innocent, that person must file legal papers and get a judge's signature.

Todd Griffith, chief of the Department of Public Safety crime lab, said some people have done that.

"But it's not a huge number," he said.

Pressed on the question of whether destruction of the records should be automatic, Goddard said, "I don't have a problem with it."

That stance, however, puts him at odds with the Pima County Attorney's Office.

Kathleen Mayer, a deputy county attorney who handles "cold" cases, said the records are nothing more than "profiles," containing certain digital information that can be used to solve open cases. In that sense, she said, they are like fingerprints.

And Mayer said those fingerprints are kept on file permanently, even if the person is found innocent.

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