

**(2) Report**

For 5 years after September 13, 1994, the Director of the Federal Bureau of Investigation shall submit to the Committees on the Judiciary of the House and Senate an annual report on the results of each of the tests described in paragraph (1).

**(b) Privacy protection standards****(1) Generally**

Except as provided in paragraph (2), the results of DNA tests performed for a Federal law enforcement agency for law enforcement purposes may be disclosed only—

(A) to criminal justice agencies for law enforcement identification purposes;

(B) in judicial proceedings, if otherwise admissible pursuant to applicable statutes<sup>1</sup> or rules; and

(C) for criminal defense purposes, to a defendant, who shall have access to samples and analyses performed in connection with the case in which such defendant is charged.

**(2) Exception**

If personally identifiable information is removed, test results may be disclosed for a population statistics database, for identification research and protocol development purposes, or for quality control purposes.

**(c) Criminal penalty**

(1) A person who—

(A) by virtue of employment or official position, has possession of, or access to, individually identifiable DNA information indexed in a database created or maintained by any Federal law enforcement agency; and

(B) knowingly discloses such information in any manner to any person or agency not authorized to receive it,

shall be fined not more than \$100,000.

(2) A person who, without authorization, knowingly obtains DNA samples or individually identifiable DNA information indexed in a database created or maintained by any Federal law enforcement agency shall be fined not more than \$250,000, or imprisoned for a period of not more than one year, or both.

(Pub. L. 103-322, title XXI, § 210305, Sept. 13, 1994, 108 Stat. 2070; Pub. L. 106-546, § 8(c), Dec. 19, 2000, 114 Stat. 2735; Pub. L. 108-405, title II, § 203(e)(1), Oct. 30, 2004, 118 Stat. 2270.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 14133 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## AMENDMENTS

2004—Subsec. (c)(2). Pub. L. 108-405 substituted “\$250,000, or imprisoned for a period of not more than one year, or both” for “\$100,000”.

2000—Subsec. (a)(1)(A). Pub. L. 106-546 substituted “semiannual” for “, at regular intervals of not to exceed 180 days,”.

<sup>1</sup> So in original. Probably should be “statutes”.

## PART B—POLICE PATTERN OR PRACTICE

**§ 12601. Cause of action****(a) Unlawful conduct**

It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers or by officials or employees of any governmental agency with responsibility for the administration of juvenile justice or the incarceration of juveniles that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

**(b) Civil action by Attorney General**

Whenever the Attorney General has reasonable cause to believe that a violation of paragraph (1)<sup>1</sup> has occurred, the Attorney General, for or in the name of the United States, may in a civil action obtain appropriate equitable and declaratory relief to eliminate the pattern or practice.

(Pub. L. 103-322, title XXI, § 210401, Sept. 13, 1994, 108 Stat. 2071.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 14141 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12602. Data on use of excessive force****(a) Attorney General to collect**

The Attorney General shall, through appropriate means, acquire data about the use of excessive force by law enforcement officers.

**(b) Limitation on use of data**

Data acquired under this section shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of the victim or any law enforcement officer.

**(c) Annual summary**

The Attorney General shall publish an annual summary of the data acquired under this section.

(Pub. L. 103-322, title XXI, § 210402, Sept. 13, 1994, 108 Stat. 2071.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 14142 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## SUBCHAPTER IX—MOTOR VEHICLE THEFT PREVENTION

**§ 12611. Motor vehicle theft prevention program****(a) In general**

Not later than 180 days after September 13, 1994, the Attorney General shall develop, in co-

<sup>1</sup> So in original. Probably should be “subsection (a) of this section”.