

# Department of the Interior Departmental Manual

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**Effective Date:** 08/20/2010 (Interim)

**Series:** Law Enforcement and Security

**Part:** 446 Law Enforcement

**Chapter 30:** DNA (Deoxyribonucleic Acid) Sample Collecting Policy

**Originating Office:** Office of Law Enforcement and Security (OLES)

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446 DM 30

**30.1 Purpose.** This chapter establishes the policy and procedures for Deoxyribonucleic Acid (DNA) sample collection for the law enforcement programs of the Department of the Interior (Department/DOI). The regulations governing DNA-sample collection in the federal jurisdiction appear in 28 CFR Part 28.

**30.2 Scope.** This policy applies to all bureau/office law enforcement programs of the Department pursuant to regulations governing DNA-sample collection in the federal jurisdiction as it appears in 28 CFR Part 28.

**30.3 Policy.** The Department is required to ensure the collection, analysis and filing of DNA as set forth in 42 U.S.C. 14135a. It is the responsibility of the Department to make certain that DNA-sample collection policies are implemented within those bureaus/offices that obtain fingerprints, or to ensure that DNA is collected from arrestees transferred to Federal, State, local or tribal detention and holding facilities when the bureau/office does not operate their own facilities.

**30.4 Objectives.** The DNA identification system is necessary for comparison of evidence from a wide variety of crimes to existing DNA database profiles collected by State and Federal governments.

- A. Maintain a DNA collection policy and procedures;
- B. Provide reasonable assurance that DNA collection is consistent with the statutes, regulations and guidelines of the Federal and State law enforcement programs, as well as the policies and procedures of the Department;
- C. Evaluate collection activities in detail to determine their effectiveness and efficiency;

### 30.5 Responsibilities.

- A. Director, Office of Law Enforcement and Security is responsible for policy development and provides program guidance and oversight of the Department's law enforcement programs.
- B. Heads of Bureaus and Offices are responsible for developing any counterpart policy or procedure required to implement the policy established in this chapter.
- C. Bureau/Office Law Enforcement Officers, supervisors, and managers are responsible for familiarizing themselves with Part 446 DM 30 and established bureau/office policy and procedures.

### 30.6 Standards.

- A. Follow the FBI Laboratory Services Buccal Collection Kit guidelines (Current guidelines available from FBI.gov- Laboratory Services) attached as an addendum.
- B. Bureaus that rely on state or local agencies to process or house prisoners are encouraged to establish written agreements (MOUs/MOAs) with those agencies to assure that they are in compliance with these regulations.
- C. **Refusals.** If an individual refuses to provide a DNA sample, the following steps should be taken:
  - (a) The individual should be instructed that they are required to submit a DNA sample, and that refusals are not permitted.
  - (b) Bureaus/offices may use such means as are reasonably necessary to detain, restrain, and collect a DNA sample from an individual who refuses to cooperate in the collection of the sample. These actions should be well-documented. Video documentation of involuntary DNA sample collection is also recommended.

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## Federal Convicted Offender Program DNA Analysis Unit I, FBI Laboratory

### Federal Convicted Offender Program

- The Federal Convicted Offender (FCO) Program develops nuclear DNA profiles from known samples submitted from federal and District of Columbia convicted offenders as well as federal arrestees and non-U.S. citizens detained by the U.S. Government.
- DNA profiles are entered into the National DNA Index System (NDIS) and are searched and compared to forensic profiles.

### DNA Fingerprint Act 2005 / Adam Walsh Child Protection and Safety Act 2006

- Federal agencies should collect DNA samples from individuals who are "arrested, facing charges, or convicted, or from non-United States persons who are detained under the authority of the United States."
- Effective January 9, 2009.

### FCO Buccal Collection Kit

- Kit will contain everything needed in order to obtain two buccal (cheek) swab samples.
- Kit will be in contained in a white tyvek tamper evident envelope (approx. 7 1/2 in. by 10 1/2 in.).
- Each kit will contain the following:
  - 1 request for National DNA Database Entry Form (FD-936)
  - 2 EasiCollect™ buccal collection devices
  - 2 collection device envelopes
  - Buccal collection instructions
  - 1 pair of nitrile (latex-free) gloves
  - 1 pre-inked fingerprint pad
  - 2 clean wipes for ink removal
  - 1 kit return envelope

### FCO Buccal Collection Kit Components



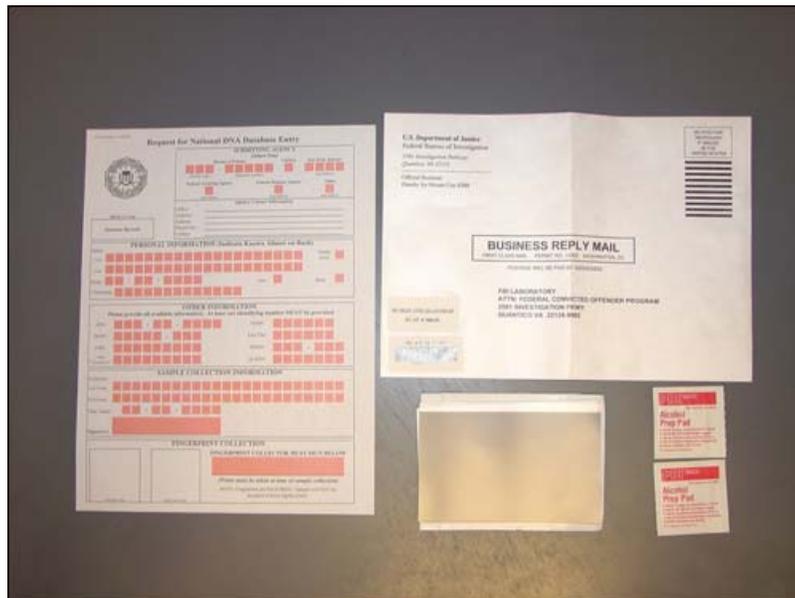
CODIS  
 Chemistry  
 DNA-Nuclear  
 DNA-Mitochondrial  
 Trace Evidence

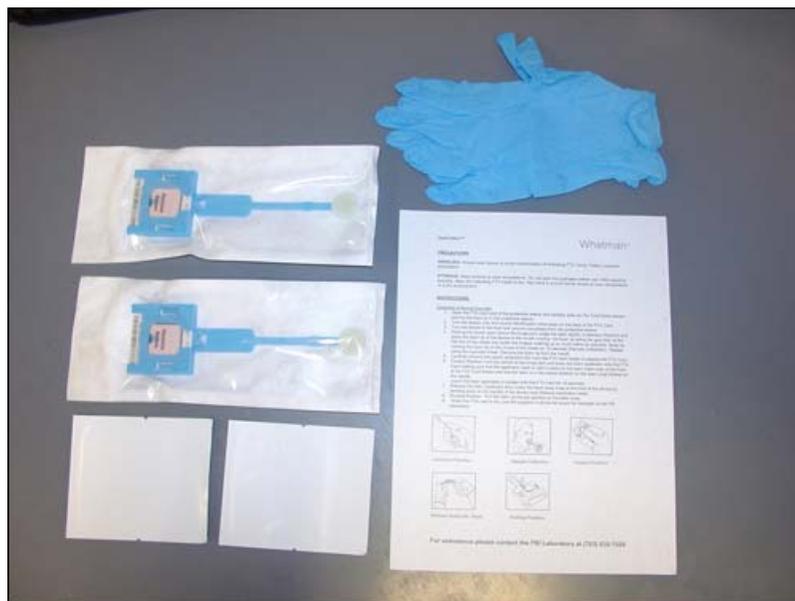
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Chemical Biological Sciences  
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Counterterrorism and  
 Forensic Science  
 Forensic Science Support  
 Crime Scene Survey  
 Forensic Facial Imaging

**Evidence Control  
 Training**





Request for National DNA Database Entry Form (FD-936)

- FD-936 form must be completed and submitted in each kit.
- Detailed instructions on how to properly complete the form and process the kit are located on the back of each form.
- Read instructions carefully before initiating collection.
- Print legibly in the red boxes.
- Only one letter or number is allowed per box.
- FD-936 must be completed in ink.
- Do not use correction fluid (ie. White-Out).
- If required information cannot be provided, enter "UNKNOWN".

Request for National DNA Database Entry Form (FD-936)

- **Submitting Agency (Revised 11/6/2009)** – The required information provided in the Submitting Agency section is dependent on whether the agency is collecting the DNA sample from a **Convicted Offender, Arrestee or Detainee**. For example, if a federal agency is collecting the DNA sample from an Arrestee, the "Federal Arresting Agency" box should be selected. However, if the same federal agency is collecting the DNA sample from a Detainee, the "Federal Detainee Agency" box should be selected. **It is essential that this section is filled out completely and correctly.** Additional questions on how to properly complete this section may be directed to the Federal Convicted Offender

Program at 703-632-7529.

- **Convicted Offender** – Any individual convicted of a federal offense or certain District of Columbia qualifying offenses.
  - Bureau of Prisons: Print facility code and sequence number ( DNA number).
  - CSOSA: Place an "X" in the box marked "CSOSA".
  - Federal Probation: Print probation district number.
- **Arrestee** – Any individual arrested or facing charges for a federal offense.
  - Any federal agency collecting the DNA sample from an Arrestee: Place an "X" in the box marked "Federal Arresting Agency".
- **Detainee** – Any non-United States person who is detained under the authority of the United States.
  - Any federal agency collecting the DNA sample from a Detainee: Place an "X" in the box marked "Federal Detainee Agency".

Agency Contact Information	
Office:	_____
Address:	_____
Address:	_____
Phone/Fax:	_____
Contact:	_____

- Agency Contact Information
  - All agencies need to complete field.
  - A mailing label containing all of the necessary contact information may be used for this section only.

PERSONAL INFORMATION (Indicate Known Aliases on Back)			
Name:			
Last	[Red Boxes]		Middle Initial [Red Box]
First	[Red Boxes]		
DOB:	[Red Box] / [Red Box] / [Red Boxes]	Sex: [Red Box]	Race: [Red Box]
Citizenship:	[Red Boxes]		

- Offender Information
  - Complete all fields.
  - Any known aliases may be listed in the spaces on the back of the form

OTHER INFORMATION			
Please provide all available information. At least one identifying number <b>MUST</b> be provided.			
SSN:	[Red Boxes]	FINS#:	[Red Boxes]
BOP#:	[Red Boxes]	PACTS#:	[Red Boxes]
FBI#:	[Red Boxes]	PDID#:	[Red Boxes]
JABS Transaction #:	[Red Boxes]	ALIEN#:	[Red Boxes]

- Other Information
  - Provide **ALL** available information.
  - At least one identifying number **MUST** be provided.

SAMPLE COLLECTION INFORMATION	
Collector:	
Last Name	[Red Boxes]
First Name	[Red Boxes]
Date Taken:	[Red Box] / [Red Box] / [Red Boxes]
Signature:	[Red Signature Box]

- Sample Collection Information
  - Individual collecting buccal sample should print his/her name and date of collection in the appropriate boxes.
  - Person collecting buccal sample **MUST** sign his/her name within the red signature box.

FINGERPRINT COLLECTION		
Left Index Finger	Right Index Finger	<p style="text-align: center;"><b>FINGERPRINT COLLECTOR MUST SIGN BELOW</b></p> <div style="background-color: red; height: 20px; width: 100%;"></div> <p style="text-align: center;"><i>(Prints must be taken at time of sample collection)</i></p> <p style="text-align: center;">NOTE: Fingerprints are <b>REQUIRED</b>. Sample will <b>NOT</b> be accepted without legible prints.</p>

- Fingerprint Collection

- DNA collection kit will **NOT** be accepted without legible fingerprints.
- The person taking the fingerprints **MUST** sign in the red Fingerprint Collector box.



- Fingerprints
  - Fingerprints should be taken from both the left and right index fingers.
  - **It is imperative that the left index finger be placed in the left index finger box and the right index finger be placed in the right index finger box.**
  - If an index finger is not available, a thumb or other finger may be used. The alternate finger that was used **MUST** be documented on the FD-936 form.
  - Space is available on the back of the form if fingerprint re-prints are needed.



- Clean wipes provided to remove ink from finger.

#### Buccal Collection

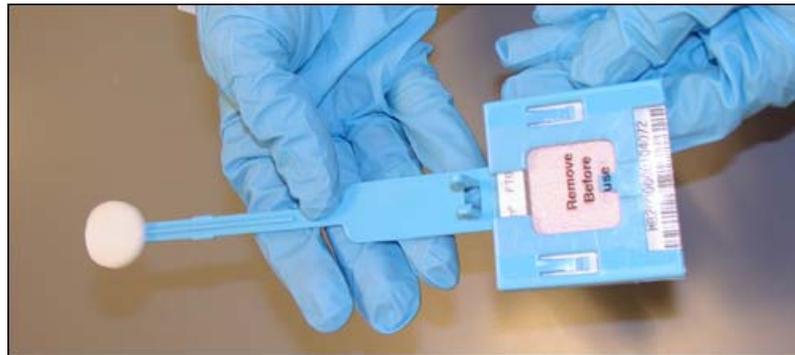


#### Safety/Contamination Precaution

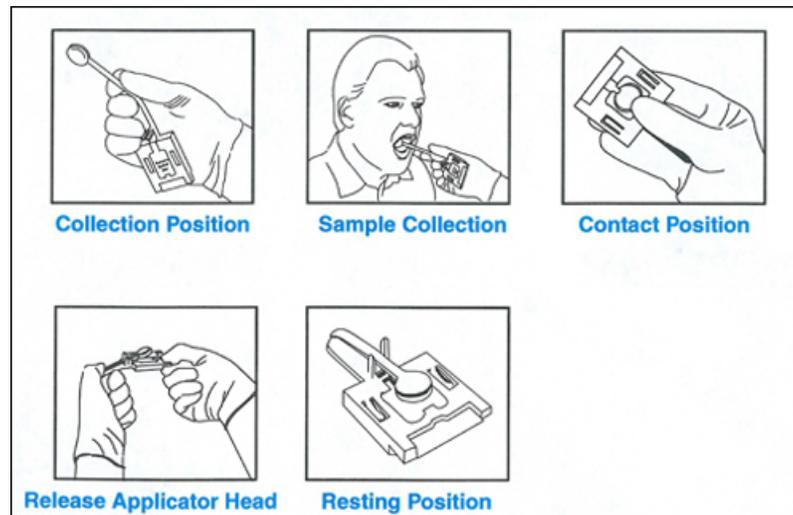


- Wear gloves at all times while handling buccal collection device.

#### Buccal Collection Device



#### Buccal Collection Procedure

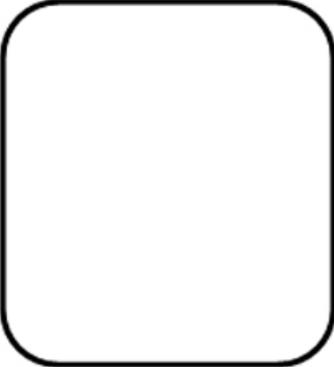


[Download Higher Resolution photo of Buccal Collection Procedure](#)

Each kit will have a detailed instruction sheet for how to obtain a buccal sample.



- Open the FTA Card end of the protective sleeve and partially slide out device.
- Leave foam applicator in the protective sleeve.

<b>Offender Name</b> _____

<b>Collection Date</b> _____
<b>Collector</b> _____

- Turn over device and slide FTA card out of device.
- Record offender name, collection date, and collector name on the FTA card. Samples without this information will **NOT** be accepted.



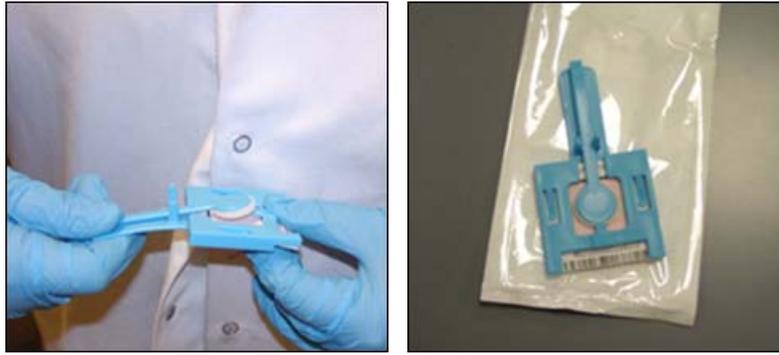
- Slide FTA card back into collection device.
- Remove device completely from sleeve.
- Hold the plastic stem, angle the stem slightly. This is the collection position.



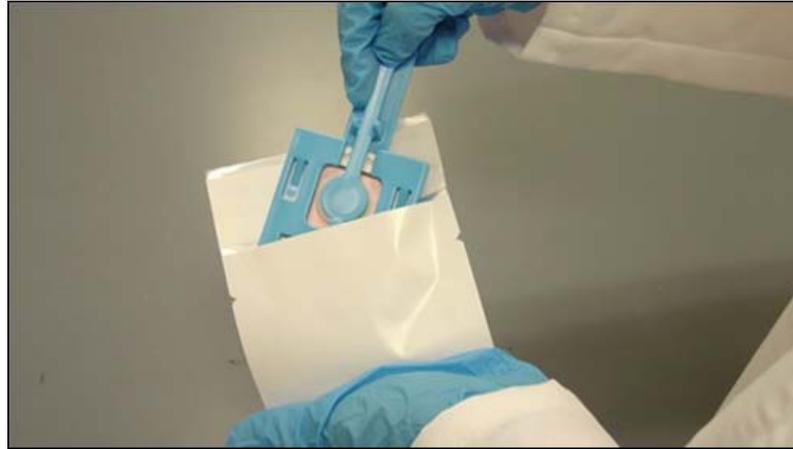
- Place the foam applicator into the mouth.
- Soak up as much saliva as possible by running the applicator along gum-line, at fold line in cheek, and under tongue.
- Then, swab inside of cheeks for 15 seconds.



- **REMOVE** plastic protective film from the FTA card holder.
- Fold device at hinge joint.
- Press the foam applicator onto the FTA card and snap down two notches to the **LOWEST** position on the stem snap located on the handle. Ensure that there is contact between the foam head and the FTA card.
- Leave the foam applicator in contact with the FTA card for **AT LEAST** 10 seconds.

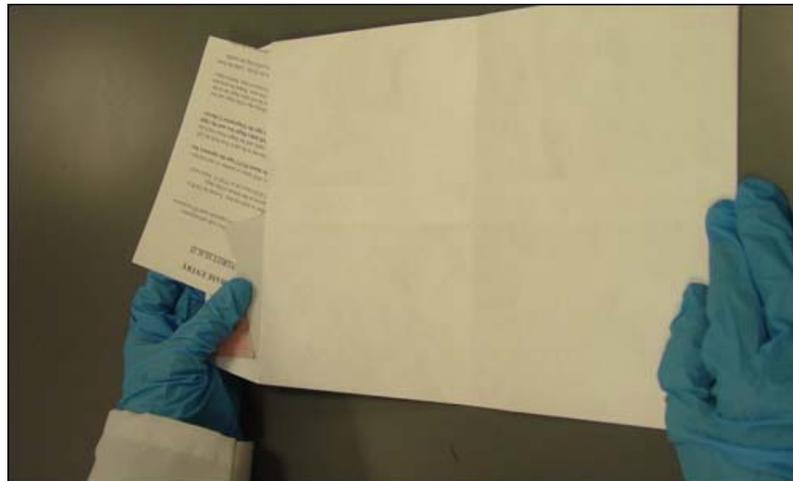


- Release the foam applicator from under the foam head snap by bending back on the handle of the device.
- Fold the stem again and snap into the TOP position on the stem snap. This ensures the foam applicator is not touching the FTA card.

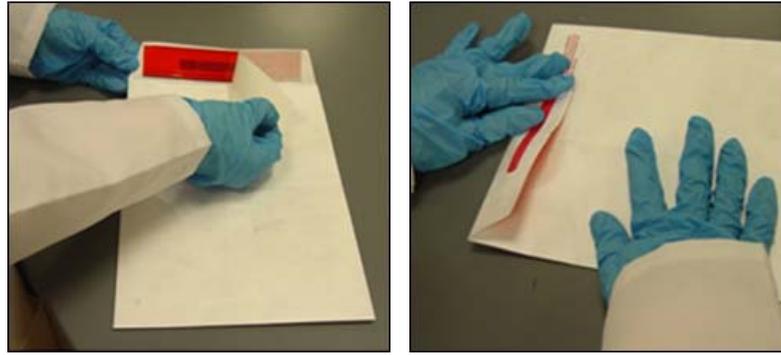


- Allow FTA card to dry for five minutes.
- Package in supplied buccal collector envelope.
- The envelope should be closed using tape, or if applicable, the self-adhesive strip. Do not moisten envelope with saliva to close.
- Repeat buccal collection with second buccal collection device.
- Collection kit will **NOT** be accepted if only one collection device is submitted.

#### Packaging



- FD-936 form and two pouches containing buccal collection devices should be placed into the white return envelope.



- Remove adhesive backing and seal envelope.

#### Mailing



- Kits should be mailed using the United States Postal Service within 24 hours to the FBI Laboratory.
- Postage is not necessary.

#### Kit Rejections

- Kits will be rejected for the following reasons:
  - 2 collection devices not included.
  - Name on FD-936 form does not match name on FTA card.
  - No name on FD-936 form or FTA card.
  - No fingerprints or illegible fingerprints on FD-936 form.
  - Damaged evidence seal.

#### Collection Kit Orders

<b>FBI Laboratory</b>	
<b>Buccal Collection Kit Re-Order Form</b>	
<i>Please allow 2 weeks for delivery of collection kits.</i>	
Date Requested:	_____
Agency Requesting Kits:	_____
Person Requesting Kits:	_____
Number Of Kits Needed:	50 ___ 100 ___ 150 ___ 200 ___ Other ___ (multiples of 50)
Number Of Additional Forms Needed:	_____
<b>Note: An additional supply of forms equivalent to 10% of your total kit order will be included automatically</b>	
Shipping Address:	
Facility:	_____
Address:	_____
Address:	_____
City:	_____
State, Zip Code:	_____
Phone Number:	_____
Fax:	_____
Point of Contact:	_____
<b>PLEASE FAX YOUR REQUEST DIRECTLY TO</b>	
<b>The FBI Laboratory</b>	
<b>AT (703) 632-7620</b>	
<b>IF YOU HAVE ANY QUESTIONS, PLEASE CALL (703) 632-7529</b>	

- Kit order forms are posted on the FBI Nuclear DNA website.  
**Buccal Collection Kit Re-Order Form**
- A kit order form is included in each shipment of collection kits.
- Kit orders should be faxed to the FCO Program at (703) 632-7620.
- Allow approximately two weeks for delivery after order has been received by the FCO Program.
- An additional supply of forms equivalent to 10 percent of order will be included automatically with each order.
- Physical addresses are needed (no P.O. Boxes).

#### Contact Information

For further information, please contact the Federal Convicted Offender Program at (703) 632-7529.

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