

DNA Samples

374.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction, arrest or adjudication for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

374.2 POLICY

The Peoria Police Department will assist in the expeditious collection of required biological samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

374.3 PERSONS SUBJECT TO DNA COLLECTION

The following persons must submit a biological sample:

- (a) Persons who are arrested for a violation of any offense listed in ARS § 13-610(O)(3) and transferred to jail (ARS § 13-610(K)).
- (b) Persons who are charged with any offense listed in ARS § 13-610(O)(3) and summoned to appear in court for an initial appearance (ARS § 13-610(L)).
- (c) Juveniles who are ordered to submit by a judicial officer after being charged with any of the offenses listed in ARS § 8-238(A).

374.4 PROCEDURE

When an individual is required to provide a biological sample, a trained employee shall attempt to obtain the sample in accordance with this policy.

374.4.1 COLLECTION

The following steps should be taken to collect a sample:

- Verify that the individual is required to provide a sample pursuant to ARS § 13-610(O) and ARS § 8-238.
- Verify that a biological sample has not been previously collected from the offender by querying the Arizona Department of Public Safety (DPS). There is no need to obtain a biological sample if one has been previously obtained and DPS is maintaining a sample sufficient for DNA testing (ARS § 13-610(G)).
- Use the designated collection kit to perform the collection and take steps to avoid cross contamination.
- All biological samples shall be collected by employees who have successfully completed approved training in the collection and processing of samples.

374.5 USE OF FORCE TO OBTAIN SAMPLES

If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor.

Peoria Police Department

Policy Manual

DNA Samples

The supervisor shall review and approve any plan to use force and be present to document the process.

If the authorized use of reasonable force includes a cell extraction, such extraction shall be recorded on video.

374.6 PROCESSING BIOLOGICAL SAMPLES

All biological evidence shall be submitted for processing to the accredited AZDPS lab using DPS mailing tubes, labels and instructions for prompt analysis (ARS § 13-610(H)).