

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 10/06/2015	Supersedes Policy Dated: 10/15/2014	Rescinds:	SOG Number: 407.6
Accreditation Index:			
Part Title: Operations	Chapter Title: Arrests		
Chief of Police:			

Offender DNA Collection

I Policy

It is the policy of the Springfield Police Department to participate in the DNA collection of qualified offenders to assist in the identification, investigation, and prosecution of individuals as well as the identification of missing or unidentified persons, per RSMo 650.055.

II Definitions

DNA – Acronym standing for Deoxyribonucleic acid. DNA is a nucleic acid that contains the genetic instructions used in the development and functioning of all known living organisms.

DNA Profiling – Technique used by forensic scientists to assist in the identification of individuals on the basis of their respective DNA profiles.

III Procedure

1 Every qualified offender who is lawfully arrested shall have a fingerprint and blood or scientifically accepted biological sample (DNA Sample Collection) collected upon booking for purposes of DNA profiling analysis.

1.1 Offenders meeting the following requirements shall possess the qualifications necessary to mandate DNA collection:

1.1.1 Offender must be seventeen years of age or older;

1.1.2 Offender must have been arrested for one or more of the following offenses;

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- 1.1.2(a) burglary in the first degree under section 569.160, RSMo;
 - 1.1.2(b) burglary in the second degree under section 569.170 RSMo;
 - 1.1.2(c) all felony offenses under the following chapters:
 - 1.1.2(c.1) 565 RSMo. - Offenses Against Person;
 - 1.1.2(c.2) 566 RSMo. – Sexual Offenses;
 - 1.1.2(c.3) 567 RSMo. – Prostitution;
 - 1.1.2(c.4) 568 RSMo. – Offenses Against the Family;
 - 1.1.2(c.5) 573 RSMo. – Pornography and Related Offenses.
- 2 It shall be the responsibility of the arresting officer to ensure that the following DNA collection procedure is completed when a qualified offender is booked into the Greene County Jail:
- 2.1 Ensure that a DNA sample has not been previously collected for the offender.
 - 2.1.1 Officers may accomplish this by checking for DNA information in MULES or by contacting the Profiling Section of the Missouri State Highway Patrol Crime Laboratory Division.
 - 2.1.1(a) To obtain the MULES information, officers will need to contact COMCEN or the MULES desk to have the Criminal History or QDNA Query run.
 - 2.1.2 If it is found that the offender’s DNA is already on file, then a DNA collection is not required.
 - 2.2 Obtain a Convicted Offender DNA Collection Kit, located in the jail booking area, and follow the enclosed instructions.
 - 2.2.1 Each collection kit is designed for one time use.
 - 2.2.2 Collection kits must be kept in a temperature controlled environment.
 - 2.2.3 Collection kits are not to be used to collect samples for evidence submission from suspects or suspected samples from crime scenes.
 - 2.3 Put on the provided gloves. Gloves must be worn throughout the collection process and must be changed each time a sample is taken.
 - 2.4 Complete the back of the collection card first. This includes completing the certification and taking a fingerprint from the offender’s left index finger.
 - 2.5 Complete the inside of the collection card with the offender’s information.
 - 2.5.1 Write an “A” next to the jail box to indicate the sample was collected following an arrest.

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- 2.6 Obtain a buccal sample from the offender's mouth and transfer it to the pink circle on the collection card. When the area inside the circle turns white, a sufficient sample has been transferred.
 - 2.6.1 If there is not a sufficient color change, obtain a separate swab from another Convicted Offender DNA Collection Kit and collect a second sample.
 - 2.6.2 Throw away the swab when a sufficient sample has been obtained.
- 2.7 Upon completion of the collection process, place the collection card into the self-addressed mailing envelope, remove the peel and seal strip from the flap and press down firmly.
 - 2.7.1 Write the offender's name and the case number on the outside, back, of the envelope.
 - 2.7.2 Due to the temperature sensitivity of the DNA sample, respond directly to the Springfield Police Department Headquarters building and place the envelope into a collection box located near the Records Section, where they will be mailed to the MSHP Crime Laboratory Division.
- 2.8 According to Section 650.055, RSMo., "Any person required to provide a DNA sample pursuant to this section shall be required to provide such sample, without the right of refusal. Such force may be used as necessary to the effectual carrying out and application of such processes and operations. The enforcement of these provisions by the authorities in charge of state correctional institutions and others having custody or jurisdiction over those who have been **arrested for**, convicted of, pleaded guilty to, or pleaded nolo contendere to felony offenses which shall not be set aside or reversed is hereby made mandatory."
 - 2.8.1 If the subject refuses to allow the officer to obtain a DNA sample through use of a buccal swab, the officer will offer to obtain the sample by means of a capillary finger stick.
 - 2.8.1(a) If the subject agrees, the officer will contact the Greene County Jail Supervisor and request that Greene County Jail medical staff obtain a blood sample by means of a capillary finger stick.
 - 2.8.1(a.1) The blood drop will be transferred directly from the subject's finger to the pink circle on the collection card.
 - 2.8.1(b) If the subject refuses to allow the officer to obtain a DNA sample through any means, the officer will contact his immediate supervisor.
 - 2.8.1(b.1) The supervisor will notify the Watch Commander and respond to the jail to assess the situation.

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2.8.1(b.2) As an alternative to using force to obtain a DNA sample, assistance from judicial authorities may be appropriate to obtain a DNA sample prior to an arrested person's release from custody.

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3 Expungement requirements of the arresting agency.

3.1 If the prosecutor declines to file charges on the offender, the DNA sample taken upon arrest shall be expunged.

3.2 The prosecutor will notify the Criminal Investigations Division of the warrant refusal. The Criminal Investigations Division will make notification of the refusal to the MSHP crime lab by completing and sending the MSHP DNA Expungement Notification Form (SHP-420) within 90 days.

IV Attachments

1 Section 2.8.1(b.3) marked for redaction, per Policy Change Order 15-070.