

**Department of Forensic Science**

**CODIS  
OPERATING POLICIES  
AND  
PROCEDURES MANUAL**

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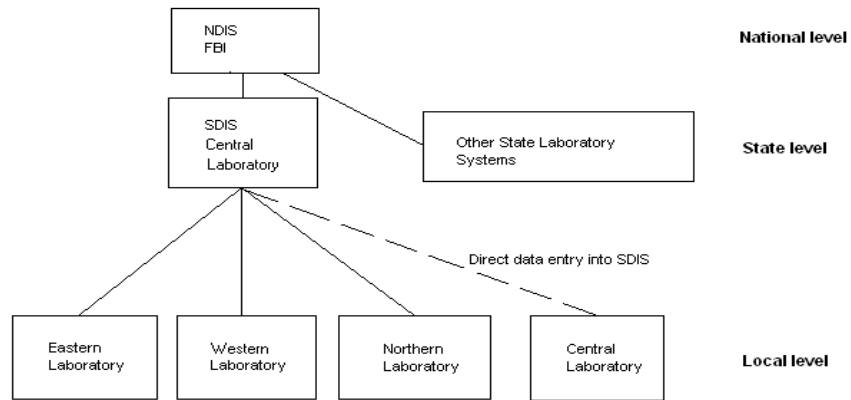
**1 OVERVIEW OF THE VIRGINIA COMBINED DNA INDEX SYSTEM**

**1.1** The Combined DNA Index System (CODIS) is a computerized program designed to house DNA profiles from convicted offenders, arrestees, decedents, and forensic cases in various searchable indexes or databases.

1.1.1 DNA profiles obtained from the evidence in forensic non-subject cases can be searched against the various indexes within CODIS to provide possible leads to the investigators of such cases.

1.1.2 CODIS is made up of indexes at three distinct levels: Local, State, and National.

1.1.2.1 The CODIS software is located in the Central Laboratory and in each of the three regional laboratories (Northern, Eastern, and Western Laboratories).



**The Levels and Composition of the CODIS System in Virginia**

1.1.2.2 The current version of CODIS allows for data to be entered directly into an index, where the profile becomes immediately available at that laboratory for search purposes. This allows for data from the Central to be searchable at the State DNA Index System (SDIS) immediately upon entry. Data from a regional laboratory is searchable immediately at that laboratory upon entry.

1.1.2.3 The State DNA Index System (SDIS) is located in the Central Laboratory. DNA profiles from the Central Laboratory are entered directly into SDIS, while the profiles from the three regional laboratories are uploaded electronically via the CJIS-WAN network into SDIS.

1.1.2.3.1 The Offender and Arrestee Indexes contain profiles from individuals as defined by the Code of Virginia.

1.1.2.3.2 The Forensic Index contains profiles from crime scene evidence deemed appropriate for entry into CODIS, as further defined in this manual.

1.1.2.3.3 The Decedent Index contains profiles from deceased victims.

1.1.2.3.4 The Unidentified Human Remains Index contains profiles from living persons of unknown identity (e.g., children and others who can't or refuse to identify themselves) and profiles from recovered dead persons (including body part and tissues) whose identities are not known.

- 1.1.2.3.5 The Missing Persons Index contains profiles from known samples of missing persons and profiles obtained by examining intimate items purported to belong to a reported missing person, such as a toothbrush.
- 1.1.2.4 The National DNA Index System (NDIS) is a centralized index of DNA profiles administered by the FBI. DNA profiles that are allowed by NDIS are contributed to NDIS by participating State CODIS laboratories. The profiles from all forensic cases nationally are searched at this level against the Arrestee Index, Offender Index and against other profiles in the Forensic Index. NDIS requires an arrestee or convicted offender profile to contain results from all 13 CODIS core loci (CSF1PO, TPOX, TH01, vWA, D16S539, D7S820, D13S317, D5S818, D3S1358, D8S1179, D18S51, D21S11, and FGA), and a forensic case profile to contain results from at least 10 of the 13 core loci.
- 1.1.3 Forensic DNA analysis results are generated by examiners in the Forensic Biology Section at each laboratory using the STaRCall computer program. Forensic DNA analysis results may also be generated by contract laboratories. The specimens entered into CODIS are verified to confirm that the data is accurate and appropriate for entry into CODIS. DNA profiles that meet NDIS criteria as well as criteria specified in this document are subsequently uploaded to NDIS. Refer to Appendix A for a diagrammatic representation of the flow of CODIS data.
- 1.1.4 Convicted offender and arrestee profiles, generated by DNA Data Bank analysts in the Central Laboratory or by a designated contractor, using the STaRCall computer program, are entered directly into SDIS after the data has been peer reviewed. DNA profiles that meet NDIS criteria are subsequently uploaded to NDIS.
- 1.1.5 A profile from a forensic case that is analyzed in a regional laboratory is searched against the Offender, Arrestee, Decedent, the Forensic, the Unidentified Human Remains, and the Missing Persons Indexes in SDIS in the Central Laboratory. A profile from a forensic case that is analyzed in the Central Laboratory is also searched against the above Indexes in SDIS.
- 1.1.6 All specimens are currently analyzed by the Department at the PowerPlex<sup>®</sup> 16 BIO System, which includes not only the CODIS 13 core loci, but also the genetic loci Penta E, Penta D, and Amelogenin. Pre-existing DNA Short Tandem Repeat (STR) results at the PowerPlex<sup>™</sup> 1.1 and PowerPlex<sup>™</sup> 2.1 System loci from Convicted Offender specimens and Forensic specimens are also present in CODIS. Results from the two systems together fulfill the CODIS 13 core loci requirement.
- 1.2** The CODIS software is designed by and provided to the Virginia Department of Forensic Science by the Federal Bureau of Investigation (FBI).
  - 1.2.1 Upgrades and modifications to the software are periodically provided to the Department by the FBI through the FBI's contractor.
- 1.3** The use of the CODIS system in Virginia is in accordance with the current version of the CODIS User Guide, and/or instructions provided to the Department by the FBI and the FBI's contractor.
- 1.4** In accordance with the CODIS License Agreement between the Department and the FBI, the Department is strictly prohibited from copying or distributing the CODIS software and associated written material to individuals or organizations outside of the Department.
- 1.5** CODIS is a dynamic system, and therefore undergoes frequent major and minor software upgrades, which may cause the actual operation of the software to not exactly reflect the policies and procedures in this document. Modifications to this manual will be made to accommodate the changes as necessary.

## 2 CODIS SYSTEM ADMINISTRATION

- 2.1** The Virginia CODIS system is managed by a designated system administrator in each of the four laboratories. These individuals shall have the appropriate training on the operation and management of the CODIS system, including at a minimum the completion of the CODIS User Training Class provided by the FBI and completion of the FBI DNA Standard Auditor Training.
- 2.1.1** The Local CODIS System Administrator of each regional laboratory ensures the normal day-to-day operation of the CODIS system in that laboratory.
- 2.1.1.1** This individual is responsible for installing periodic software upgrades, conducting prompt and accurate uploads of data to SDIS, conducting training of CODIS users in that laboratory, maintaining the security and integrity of data in the CODIS system, managing data backup in the CODIS system, and communicating with the State CODIS System Administrator and the FBI's contractor personnel to resolve routine problems.
- 2.1.1.2** This individual is responsible for informing the State CODIS System Administrator promptly of any serious issues that impact the normal operation of the CODIS system in that laboratory. If the situation warrants, the Local System Administrator ~~can, in consultation with the State CODIS System Administrator, temporarily suspend the data entry and/or data upload from that laboratory~~ has the authority to temporarily suspend an analyst's or the laboratory's participation in CODIS pending resolution of the problem.
- 2.1.1.3** In addition to specific duties described elsewhere in this document, the Local CODIS System Administrator is also responsible for the maintenance of the CODIS system in that laboratory. This includes duties such as activating and deactivating CODIS users, granting user privileges, deleting and changing specimen information, adding or changing loci and allele designations, and implementing configuration changes to Popstats and Searcher.
- 2.1.1.4** The Local CODIS System Administrator of each laboratory has one designated individual to serve as a backup and to assist in the administration of the CODIS system in that laboratory. This individual, after receiving training by the Administrator, shall assist the primary Administrator in performing aspects of the above duties such as, but not limited to, data backup, data upload, and communication with the State CODIS System Administrator and the FBI's contractor personnel. At the earliest opportunity this backup individual shall complete the CODIS User Training Class provided by the FBI and complete the FBI DNA Standard Auditor Training.
- 2.1.2** The State CODIS System Administrator shall be located in the Central Laboratory and is responsible for the overall operation of the entire Virginia CODIS system. This individual shall have the appropriate training on the operation and management of the CODIS system statewide, including at a minimum the completion of the CODIS User Training Class provided by the FBI and completion of the FBI DNA Standard Auditor Training. This individual shall attend periodic retraining with the FBI or the FBI's contractor as the CODIS software is upgraded.
- 2.1.2.1** The State CODIS System Administrator acts as the official liaison with FBI/FBI's contractor personnel on major CODIS issues, communicates with FBI/FBI's contractor personnel to resolve SDIS problems, advises Division management on current and future issues that affect the Virginia CODIS system, recommends section policy changes related to the operation and use of CODIS, plans and implements periodic software and hardware upgrades to the Virginia CODIS system, transfers data to NDIS and communicates with NDIS personnel, communicates with personnel from other states on CODIS issues, provides training to Local CODIS System Administrators when necessary, and coordinates periodic beta-testing of new versions of the CODIS software when requested by the FBI. If a situation arises that affects the reliability of the data and function of CODIS, the State System Administrator has the authority to temporarily suspend ~~the operation of the CODIS system statewide~~ an analyst's or laboratory's participation in CODIS pending ~~the~~ resolution of the problem.

- 2.1.2.2 The State CODIS System Administrator has a designated individual to serve as a backup and to assist with the administration of CODIS in the Central Laboratory as well as the entire Virginia CODIS system. This individual, after receiving training by the Administrator, shall function as the Local CODIS System Administrator, and shall routinely assist in performing aspects of the above duties such as, but not limited to, data backup, data upload, and communication with the Local CODIS System Administrators and the FBI's contractor personnel. At the earliest opportunity possible, this individual shall complete the CODIS User Training Class provided by the FBI, and complete the FBI DNA Standard Auditor Training.

### 3 DATA INPUT INTO CODIS

#### 3.1 General Information

- 3.1.1 DNA analysis results, generated by the STaRCall program, will be entered into CODIS either by the IMPORT program or via manual entry. For the Central Laboratory, the data entered into CODIS will be immediately available for searching at SDIS upon entry. For the regional laboratories, the data entered will be immediately available for searching at the local level; however, the data must be uploaded before it is available for searching at SDIS.
- 3.1.2 For STR data entered into CODIS via the IMPORT program, the output file created from the STaRCall program must be in the Common Message Format (CMF). Each file to be imported into CODIS should have a unique file name to ensure that the correct file is imported into CODIS.
- 3.1.3 To ensure the accuracy of manually entered data, the CODIS software requires that the allele values for all specimens be entered twice for each locus.

#### 3.2 Profiles of Convicted Offender Specimens and Arrestee Specimens

- 3.2.1 Profiles of **Convicted Offender specimens** and **Arrestee specimens** will be configured for entry into CODIS using a unique DNA sample number. In addition, the appropriate specimen category for that specimen must be selected.
  - 3.2.1.1 Profiles of Convicted Offender specimens from juveniles shall have the specimen category of “Juvenile”. Profiles of Convicted Offender specimens from adults shall have the specimen category of “Convicted Offender”.
  - 3.2.1.2 Profiles of Arrestee specimens from adults shall have the specimen category of “Arrestee”.
  - 3.2.1.3 Upon written notification to the State System Administrator from the DNA Data Bank Supervisor (or designee) of a conviction for an individual, an Arrestee specimen will be converted to a Convicted Offender specimen by changing the specimen category. This conversion will be performed by the State System Administrator or designee.
  - 3.2.1.4 An Arrestee specimen will be deleted from CODIS upon written notification to the State System Administrator from the DNA Data Bank Supervisor (or designee) of a status change for the individual, such as a conviction reduced to a misdemeanor or charges dropped. Such deletions are done pursuant to the Code of Virginia.
  - 3.2.1.5 The “Source ID” field is not required to be marked for Convicted Offender and Arrestee specimens.
- 3.2.2 Profiles of Convicted Offender and Arrestee specimens are typically entered into CODIS via the IMPORT program. A specimen will not typically be entered into CODIS until results from all CODIS core loci are obtained.

#### 3.3 Forensic Casework Non-Subject Profiles

The primary purpose of entering a forensic casework non-subject profile into CODIS is to identify the possible perpetrator of that particular crime for which the DNA analysis was conducted. The primary purpose of entering a forensic casework non-subject profile into CODIS is not for identifying possible victims of crimes. This should be kept in mind when considering whether a profile is probative and should be entered into CODIS.

For forensic cases without a suspect or where the suspect has been eliminated, probative DNA profiles obtained from evidence that do not match submitted known samples (such as victim, suspect, or elimination samples) may be treated as non-subject case profiles and entered into CODIS.

For forensic subject cases where the primary DNA results include the suspect, other possibly probative DNA profiles obtained from items of evidence in the case that do not match any submitted known samples (such as victim, suspect, or elimination samples) may be treated as non-subject case profiles and entered into CODIS. The examiner will determine whether a profile is probative in such situations by taking into consideration such factors as the nature of the specific item of evidence and the alleged case scenario, and make an informed decision.

Forensic casework non-subject profiles may be entered into CODIS by manual entry or the IMPORT program. Casework non-subject profiles shall be reviewed before they are entered or uploaded into SDIS. Refer to Section 5.9 for the aspects of this review. The process of data entry will be documented by placing the Specimen Detail Report in the case file. .

### 3.3.1 Single Source Non-Subject Profiles

3.3.1.1 For entry into CODIS, **Single Source Non-Subject Profiles** will begin with the FS Lab Number followed by an abbreviated description of the evidence. The specimen category of the forensic profile will be “Forensic, Unknown” and the Source ID field will be marked “No”.

3.3.1.2 The **abbreviated description** of the evidence will be as recommended below. The description should be limited to 3 letters or less. The item number is not required in the description, but may be incorporated to aid in the specimen description. A maximum of 24 characters can be used for the specimen number in CODIS, but every effort should be made to not use all 24 characters. Recommended abbreviations are as follows:

- Vaginal/cervical swabs = vc
- Thighs/ext. genitalia swabs = teg
- Perianal/buttocks swabs = pb
- Anorectal swabs = ano
- Lips/lip area swabs = lla
- Blood stains = bld
- Oral Rinses = or
- Pubic area swabs = pa
- Underpants = ups
- Sperm fraction = sp
- Non-sperm fraction = nsp

**EXAMPLES:** The specimen from a Central Laboratory forensic non-subject homicide case C99-10000 with a blood stain on the victim’s shirt not matching the victim may be identified as C99-10000bld.

Specimens from a Western Laboratory forensic non-subject case W99-50001 involving two perpetrators are obtained from the sperm fraction of two semen stains on a sheet (stains A and B). Each stain is potentially associated with a different perpetrator. These specimens may be identified as W99-50001shA-sp (for stain A) and W99-50001shB-sp (for stain B).

### 3.3.2 Forensic Mixture Non-Subject Profiles

3.3.2.1 For some Forensic Mixture Non-Subject Profiles, the profile of the major contributor may be clearly discernable in the mixture. If that profile of the major contributor is deemed probative, the complete major profile portion of the mixture will be entered into CODIS as described in Section 3.3.1. Otherwise, a **Forensic Mixture Non-Subject Profile** will begin with the FS Lab Number followed by an abbreviated description of the evidence. Refer to Section 3.3.1.2 for recommended evidence descriptions. The specimen category will be “Forensic, Mixture” and the Source ID field will be marked “No”.



- 3.3.2.2 The examiner should evaluate the profile using his/her experience in interpreting STR results (taking into account such factors as the overall number of alleles at each locus, the relative allele intensities, and the relative OD values) to determine whether that profile is appropriate for entry into CODIS.
- 3.3.2.2.1 A forensic mixture non-subject profile is not appropriate for entry into CODIS if it is concluded that a search of this profile will result in a large number of ambiguous hits, or that such a profile will frequently become an ambiguous candidate when searches are made of non-subject case profiles.
- 3.3.2.2.2 The examiner will evaluate the mixture profile and determine whether it is appropriate to enter the whole mixture profile, enter only those alleles clearly foreign to the victim, or not enter the profile into CODIS at all. The goal is to capture the profile attributable to the putative perpetrator. As necessary, the examiner should consult with the Local CODIS System Administrator to make this determination.
- 3.3.2.2.3 It is recognized that some mixture profiles are simply not meaningful and therefore should not be entered into CODIS. A mixture non-subject profile with results at 7 or less loci shall not be entered into CODIS, unless the section supervisor has evaluated the mixture profile and concurs with the examiner's reasons for entering that profile in CODIS. The supervisor shall document approval by initialing the primary landscape sheet or LDIS Specimen detail report.
- 3.3.2.2.4 Preexisting mixture non-subject profile with results at 7 or less loci will be removed from the Forensic Index. Henceforth, these profiles will be subsequently searched on the same schedule as Forensic Non-subject X Profiles.
- 3.3.2.2.5 A mixture non-subject profile entered into CODIS shall contain 3 (or 4) alleles at a maximum of 4 loci only. The remaining loci shall have only one or two alleles. Additionally, a locus containing more than 4 alleles shall not be entered into CODIS. A mixture profile that complies with this mixture 4X4 rule will always comply with the NDIS "4X4" rule, which is addressed in Chapter 9.
- 3.3.2.3 An option to designate a required allele is available for mixture profiles entered into CODIS. Only one required allele may be designated for each locus. This designation is made by a plus (+) after the allele.

The required allele designation is helpful in reducing ambiguous matches when the entire mixture profile is entered into CODIS. It will cause the search of this profile to only show match candidates that contain the designated allele at a particular locus. Candidates without that allele for that locus will not be considered a match. Additionally, the required allele designation is used in conjunction with the search stringency – it does NOT replace the search stringency.

Example: TPOX 8, 9, 11+ indicates that the 11 allele is a required allele and only candidates containing the 11 allele will be considered a match when this profile is searched. In this example, using a moderate search stringency, the only matching candidates are 11; 8, 11; 9, 11; 8, 9, 11; 8, 9, 11, X (X can be any allele).

Caution is necessary when a required allele designation is used. An important consideration is to not erroneously designate an allele as a required allele, causing the profile of the perpetrator to be missed during the search. If necessary, consult with the Local or State System Administrator regarding the use of the required allele designation and its effect on the search results.

### 3.3.3 Forensic Partial Non-Subject Profiles

- 3.3.3.1 In the context of profile entry into CODIS, a partial profile is a profile which appears to have missing alleles (possible allele dropout) at one or more of the loci where data is entered into CODIS. Partial profiles may be from a single source or a mixture of more than one contributor.
- 3.3.3.2 A partial, non-subject profile with results at 7 or less loci shall not be entered into CODIS unless the section supervisor has evaluated the partial profile and concurs with the examiner's reason for entering the profile in CODIS. The supervisor shall document approval by initial of the profile on the primary landscape sheet or LDIS Specimen detail report.
- 3.3.3.2.1 For entry into CODIS of **Forensic Partial Non-Subject Profiles**, the Partial Profile field will be marked "Yes".
- 3.3.3.2.2 In general, a forensic partial profile with fewer than four loci that contain fewer than eight total alleles is not likely to be appropriate for entry into CODIS.

### 3.3.4 Forensic Non-Subject X Profiles

#### 3.3.4.1 X Profiles

When searched with Moderate stringency at all loci, some forensic non-subject case profiles (such as mixture profiles, partial profiles, and profiles with homozygous results at many loci) will result in a large number of ambiguous candidate matches. The search stringency for such profiles may be customized for some loci to allow for a more efficient and discriminating search. Such customization of the search stringency at one or more loci will be at the discretion of the examiner in consultation with the Local System Administrator.

An "X" will be placed in front of the specimen number for those profiles deemed suitable for entry into CODIS. The specimen category will be "Forensic, XZProfiles" and the Source ID field will be "No". If appropriate, the Partial Profile field will be marked "Yes".

**EXAMPLE:** XC99-1000vc-sp

- 3.3.4.2 X profiles will only be maintained at the State level (i.e., will not be uploaded to NDIS).

## 3.4 Forensic Casework Subject Profiles

A forensic casework profile that matches a suspect may be entered into CODIS. If the DNA results in a case indicate that only one perpetrator is involved, only the most complete forensic profile for that case matching the **perpetrator** will be entered into CODIS. Other profiles that appear to be from the same perpetrator, but are less complete, will not be entered into CODIS.

In forensic cases involving more than one perpetrator, more than one STR profile may be entered into CODIS if the probative profiles from different items of evidence are found to be consistent with different individuals.

Forensic casework subject profiles may be entered into CODIS by manual entry or the IMPORT program.

Casework subject profiles shall be reviewed before they are entered or uploaded into SDIS. Refer to Section 5.9 for the aspects of this review. The process of data entry will be documented by placing the Specimen Detail Report in the case file.

- 3.4.1 For entry into CODIS, **Forensic Casework Single Source Subject Profiles** will begin with the **FS Lab Number** followed by an abbreviated description of the evidence. Refer to Section 3.3.1.2 for recommended evidence descriptions. The specimen category of the forensic profile will be “Forensic, Unknown” and the Source ID field will be marked “Yes”. If appropriate, the Partial Profile field will be marked “Yes”.
- 3.4.2 For entry into CODIS, **Forensic Casework Mixture Subject Profiles** will begin with the FS Lab Number followed by an abbreviated description of the evidence. Refer to Section 3.3.1.2 for recommended evidence descriptions. The specimen category will be “Forensic, Mixture” and the Source ID field will be marked “Yes”. If appropriate, the Partial Profile field will be marked “Yes”. A forensic mixture subject profile is not appropriate for entry into CODIS if it is concluded that such a profile will frequently become an ambiguous candidate when searches are made of non-subject case profiles.
- 3.4.2.1 A mixture subject profile with results at 7 or less loci shall **not** be entered into CODIS.
- 3.4.2.2 A mixture subject profile entered into CODIS shall contain 3 (or 4) alleles at a maximum of 4 loci only. The remaining loci shall have only one or two alleles. Additionally, a locus containing more than 4 alleles shall not be entered into CODIS.
- 3.4.3 No forensic subject profiles will be entered into CODIS using the X configuration previously described.

### 3.5 Forensic Decedent Victim Profiles

The known profile from a decedent victim submitted as a reference sample (which has been analyzed and sized) will be entered into the Decedent Index in CODIS as described below. A profile from an alternate known sample from a decedent victim may be treated in a similar manner. Decedent profiles shall be reviewed before they are entered or uploaded into SDIS. Refer to Section 5.9 for the aspects of this review.

- 3.5.1 For entry into CODIS, the specimen number of the decedent victim profile will be the FS Lab number followed by “decv”. If there is more than one decedent victim in the case, the FS Lab number will be followed by “decv” and the initials of the decedent victim. The specimen category will be “Decedent”. No Source ID field is required for a decedent victim profile.
- 3.5.2 For some cases, the decedent victim profile may be inappropriate for entry into CODIS, for example, when the decedent victim is an infant. The examiner should consult with the Local System Administrator if such questions arise.
- 3.5.3 Decedent victim profiles will not be uploaded to NDIS.

### 3.6 Profiles of Unidentified Human Remains, Unidentified Persons, and Missing Persons

The profiles from cases involving unidentified human remains, unidentified persons, or missing persons can be entered into CODIS. The profiles of possible biological relatives of a missing person can also be entered into CODIS. Amelogenin results (if obtained) for the above profiles must be entered into CODIS. Unidentified human remains, unidentified persons, or missing persons profiles shall be reviewed before they are entered or uploaded into SDIS. Refer to Section 5.9 for the aspects of this review.

- 3.6.1 In the CODIS context, DNA profiles of unidentified human body parts/tissue and profiles of individuals (dead or alive) of unknown identity (e.g., individuals who are unwilling or unable to identify themselves) are treated similarly. For entry into CODIS, the profiles from unidentified remains and unidentified persons will begin with the FS Lab Number followed by an abbreviated description of the evidence. Refer to section 3.3.1 for recommended evidence descriptions. The specimen category of the profile will be “Unidentified Person” and the Source ID field will be marked “No”. If appropriate, the Partial Profile field will be marked “Yes”.

- 3.6.2 The DNA profile from Missing Persons may be the known profile of the missing individual, such as that developed from a sample in a child's previously prepared buccal/hair kit. Alternatively, the profile may be a deduced profile developed from an intimate item purported to belong to the individual, such as a toothbrush. For entry into CODIS, a missing person's profile will begin with the FS Lab Number followed by the initials of the person. The specimen category of the profile will be "Missing Person". For entry into CODIS, a deduced profile will begin with the FS Lab Number followed by the initials of the person or a description of the item. The specimen category of the deduced profile will be "Deduced Victim Known". The Source ID field is not required to be marked. If appropriate, the Partial Profile field will be marked "Yes".
- 3.6.3 For entry into CODIS, the profiles of biological relatives of a missing person will begin with the FS Lab Number followed by the initials of the person. The appropriate specimen category of the profile will be chosen from CODIS, i.e., "Biological (Mother, Father, etc.)". The Source ID field is not required to be marked.

### 3.7 Staff Profiles

The Staff Index is used for quality assurance purposes, and is authorized and defined by ¶ 22.3 of the Department Quality Manual.

- 3.7.1 The Staff profiles will be maintained in a **Staff Index** in the Central Laboratory, with the specimen category of "staff". The specimen ID will be "DFS" followed by a unique number assigned by the State System Administrator (or designee). The identifying information shall be maintained in accordance with the AOP. The profiles **will not** be uploaded to NDIS.

### 3.8 Deletions/Expungements of Profiles

It is recognized that occasionally a profile that was previously entered into CODIS will need to be **deleted** or **expunged**.

- 3.8.1 Deletion of the profile from a forensic specimen that is **not** in a searchable Index will be at the discretion of the examiner who created the specimen initially. A Specimen Deletion Report is not required for such deletions.
- 3.8.2 Deletion of the profile from a forensic specimen that has been entered or uploaded into a searchable Index will be at the discretion of the examiner who created the specimen profile. A Specimen Deletion Report is required in the case file for documentation of such deletions.

When a forensic non-subject case profile is deleted from CODIS after a Certificate of Analysis has been issued indicating that the profile will be periodically searched, another Certificate of Analysis will be issued to notify the investigator that the profile is no longer being searched.

- 3.8.3 Convicted Offender or Arrestee specimens that have been entered or uploaded into a searchable Index may be deleted at the discretion of the DNA Data Bank Supervisor. The current CODIS software records the deletion date of a specimen.
- 3.8.4 A Court Order for **Expungement** of a profile from a Convicted Offender specimen, and written notification from the Data Bank Supervisor of the need to remove the profile of an Arrestee specimen are considered special types of specimen deletions. The System Administrator, or designee, will promptly perform the deletion, and the corresponding Specimen Deletion Report or Audit Trial Report will be provided to the Data Bank Supervisor for documentation purposes. If the profile of the specimen requiring deletion has been transferred to a higher level in CODIS, the deletion will cascade to all higher CODIS levels at the next upload session.
- 3.8.5 The Department's Quality Manual (Section 15.11) addresses the **Expungement** of other records.

#### 4 DATA UPLOAD INTO SDIS

- 4.1** All forensic profiles in the regional laboratories suitable for upload to SDIS shall be uploaded promptly into SDIS. To ensure that the data in SDIS is as current as practically possible, data upload to SDIS will normally take place once every week for each laboratory.
- 4.1.1 The upload of data will be performed by the Local System Administrator or the backup in the regional laboratory or automatically executed by the CODIS software as configured by the Local Administrator.
- 4.1.2 The upload schedule for the regional laboratory may be extended at the discretion of the Local System Administrator if no new forensic specimens were entered during that one week interval.
- 4.2** Under normal circumstances, the upload of data from the regional laboratories will be executed automatically by the software when the data is received at SDIS. Upon completion of the upload, an Upload Reconciliation Report will be generated automatically and returned to the originating laboratory.
- 4.2.1 The System Administrator, or designee, from each regional laboratory will review the Upload Reconciliation Report to ensure that new specimens and any specimen changes contained in that particular upload were successfully incorporated into SDIS.
- 4.2.2 If necessary, the System Administrator at the regional laboratory will resolve any discrepancy noted in the Upload Reconciliation Report in consultation with the State System Administrator.

## 5 SEARCHING THE CODIS INDEXES

- 5.1** The Searcher program is the part of the CODIS software that permits the searching of forensic DNA profiles against various indexes. Searcher is also used for quality control purposes such as the Random Sample (Data Bank samples only) and Staff Index searches.
- 5.2** **Random Samples** will be searched at all loci against the SDIS Offender Index. The primary and second sizings must be determined to be in agreement by the DNA Data Bank analyst before the Random Sample search is conducted.
- 5.2.1** **Random Samples analyzed in the Central Laboratory will be searched against the State Offender Index by the DNA Data Bank analyst.**
- 5.2.2** The Random Sample search result will be verified and initialed and dated by the CODIS State Administrator or designee.
- 5.2.2.1** If the Random Sample cannot be verified, the DNA Data Bank analyst will be notified immediately. No further action will be taken on the offender or arrestee samples being analyzed until this is resolved.
- 5.2.2.2** If the Random Sample appears to match two or more offender samples, the result cannot be verified until the problem is resolved. The State CODIS System Administrator or designee will be notified immediately if this occurs. Each Random Sample should match one and only one convicted offender sample.
- 5.2.3** The verified Searcher Match Result Report will be maintained in the appropriate gel file for Convicted Offender and Arrestee sample analysis.
- 5.3** A search of the **Staff Index** will be conducted by the case examiner for all forensic evidence profiles that do not match any reference sample profiles in the case, unless the evidence profile is considered inconclusive or uninterpretable. In the case of a mixture profile where part of the mixture is unknown (and suitable for search or comparison), it may be desirable to search the entire mixture profile rather than only searching the unknown portion of the profile. When making this decision, consideration should be given to the complexity of the mixture (such as considering the possibility of allelic dropout and alleles overlapping between the known and unknown portions of the profile). The primary and second sizings must be determined to be in agreement by the examiner before the Staff Index search is conducted. The search for the regional laboratories will be conducted by the Remote Searcher function unless otherwise instructed by the State System Administrator. Casework non-subject profiles shall be reviewed before they are searched against the Staff Index. Refer to Section 5.9 for the aspects of this review.
- 5.3.1** The Staff Index search will be conducted at moderate stringency. The Match Result Report will be maintained in the appropriate case file for documentation.
- 5.3.2** If a match is made to the Staff Index, the examiner will immediately consult with his/her supervisor and the Biology Program Manager to resolve the match.
- 5.3.2.1** Any search resulting in a match of a forensic profile to a profile in the Staff Index will be resolved before further action on the forensic profile is taken.
- 5.3.2.2** If a match of the forensic profile to a profile in the Staff Index cannot be resolved, that profile will be considered inconclusive.
- 5.4** **Forensic case profiles** will be searched using the procedures set forth below.
- 5.4.1** A **forensic subject case** profile is not required to be searched against any Indexes.

Depending on the specific case scenario, DNA profiles in certain **subject cases** obtained from items of evidence that do not match any submitted known samples (such as victim, suspect, or elimination samples) may be treated as non-subject case profiles and searched accordingly. This determination may require further communication between the examiner and the investigator. For example, if the information provided indicates that there is only one perpetrator, a known sample is submitted from that individual, and an evidence profile matches the listed suspect, different profiles obtained from other items of evidence may be of questionable value. However, if the information provided is vague regarding the number of perpetrators, additionally acquired information may indicate that these profiles could be of potential value to the case.

5.4.2 **Forensic non-subject case** profiles will routinely be searched at Moderate stringency.

- 5.4.2.1 When searched with Moderate stringency at all loci, some forensic non-subject case profiles (such as mixture profiles, partial profiles, and profiles with homozygous results at many loci) will result in a large number of ambiguous candidate matches. The search stringency may be customized to High for some loci to allow for a more efficient search, but the stringency customization must be documented in the case file. Such profiles are entered into CODIS with an “X” designation. Refer to Section 3 for information on “X” profile entry.
- 5.4.2.1.1 Customization of the search stringency must be made with careful consideration. The main goal is not to erroneously eliminate the actual perpetrator from the pool of candidates by improper stringency customization when the search is conducted.
- 5.4.2.1.2 After such an “X” profile has been entered into CODIS, the examiner will provide the loci customization information of that profile to the State System Administrator in writing. A copy of the Specimen Detail Report, with the appropriate loci stringency indicated, may be used for this purpose.
- 5.4.2.2 A **forensic non-subject case** profile from the **regional laboratories** will be searched against the SDIS Offender, Arrestee, Decedent, Forensic, Unidentified Human Remains, and Missing Persons Indexes in the Central Laboratory. Refer to Appendix B for the non-subject case flow chart.
- 5.4.2.2.1 The specimen profile must be entered into CODIS at LIDS before the remote search can be conducted. Casework non-subject profiles shall be reviewed before they are remotely searched against SDIS. Refer to Section 5.9 for the aspects of this review.
- The SDIS search will be conducted with the Remote Searcher function of CODIS unless otherwise instructed by the State CODIS System Administrator. The result of the search will be automatically returned by the CODIS software to the originating laboratory.
- 5.4.2.2.2 The search result will be retrieved and printed by the examiner from the Match Manager of each regional laboratory.
- 5.4.2.3 A **Central Laboratory forensic non-subject case** profile will be searched by the examiner against the SDIS Offender, Arrestee, Decedent, Forensic, Unidentified Human Remains, and Missing Persons Indexes. Casework non-subject profiles shall be reviewed before they are remotely searched against SDIS. Refer to Section 5.9 for the aspects of this review.
- 5.4.2.3.1 The profile will routinely be searched within 24 hours of data verification (excluding weekends and holidays).

- 5.4.2.4 The complete Searcher Match Result Report generated as a result of a search will be maintained in the case file as documentation of the search process.
- 5.4.2.5 Subsequent searches of all forensic non-subject case profiles against the SDIS Offender, Arrestee, Decedent, Forensic, Unidentified Human Remains, and Missing Persons Indexes will be conducted by the State System Administrator, or designee, following the periodic entry of additional convicted offender and/or arrestee profiles.
  - 5.4.2.5.1 The subsequent searches of forensic profiles with the Source ID field “No” (with the exception of the “X” profiles) will be batch searched at moderate stringency for all loci. These profiles will be subsequently searched once a week, typically on Tuesday.
  - 5.4.2.5.2 The subsequent searches of forensic profiles configured with “X” will be conducted manually with customized stringency. These profiles will be searched at least three times each year.
  - 5.4.2.5.3 Subsequent Searcher results are automatically forwarded electronically to the individual examiner for review, and the match will be appropriately “dispositioned” by the examiner in the Match Manager part of CODIS.

**5.5** Profiles from **Unidentified Human Remains** and **Missing Persons** will be searched by the examiner against the SDIS Offender, Arrestee, Decedent, Forensic, Unidentified Human Remains, and Missing Persons Indexes. The search will be conducted at Moderate stringency. Unidentified Human Remains and Missing Persons profiles shall be reviewed before they are searched against SDIS. Refer to Section 5.9 for the aspects of this review.

- 5.5.1 The complete Searcher Match Result Report from the search will be maintained in the case file as documentation of the search process.
- 5.5.2 The profiles from the biological relatives of the Unidentified Human Remains will not be searched.
- 5.5.3 Subsequent searches of profiles from Unidentified Human Remains and Missing Persons will be performed at least three times each year by the State System Administrator or designee. The results are automatically forwarded electronically to the individual examiner for review, and the match will be appropriately “dispositioned” by the examiner in the Match Manager part of CODIS.

**5.6** Requests from **law enforcement agencies outside the Commonwealth of Virginia** for searches of the Virginia CODIS Indexes must be made in writing. The request must, at a minimum, include the DNA profile to be searched, the identity and agency of the requesting individual, and the name and phone number of a contact person. The request will be directed to the State System Administrator, who will process the search request.

- 5.6.1 Routinely, only profiles with 7 or more loci in common with the STR loci utilized by the Virginia Department of Forensic Science will be searched. However, at the discretion of the State System Administrator or Biology Program Manager, profiles with fewer than 7 loci in common with the Virginia Department of Forensic Science may be searched.
- 5.6.2 Unless specifically requested, such search requests will be conducted against the Indexes routinely used for forensic searches by the Department except the Staff Index.
- 5.6.3 Unless otherwise specified by the requesting agency, the contact person will only be notified if a question arises about the request and/or when a possible significant match is made.
- 5.6.4 CODIS matches generated as a result of such requests will be verified in a manner similar to that outlined in Section 7, with due consideration given to specific needs of the requesting agency.
- 5.6.5 CODIS matches generated as a result of such requests will generally be reported to the outside agency in the format found in Appendix D, with due consideration given to specific needs of the requesting agency.



- 5.7** Requests can be made by **law enforcement agencies within the Commonwealth of Virginia** for searches of the CODIS Indexes of other states. For example, a Virginia non-subject case profile may contain less than 10 CODIS core loci and is therefore ineligible for uploading and searching at NDIS. In addition, other state databases may contain samples not acceptable at NDIS.
- 5.7.1 The request, made in writing or verbally by an investigator to an examiner, will be documented in the case file and brought to the attention of the State System Administrator, who will make the official written request for the search.
- 5.7.2 At a minimum, the examiner will provide the Specimen ID and the DNA profile to be searched to the State System Administrator in writing (e-mail may be used). A copy of the Specimen Detail report, containing the necessary information, may be used for this purpose.
- 5.7.3 The State System Administrator, or designee, will make the official request in writing (using the NDIS FAX Network Search request format) for such searches of the CODIS Indexes of other states. The examiner will be identified as the point of contact in the official search request. The request will be sent to the specific state(s) requested or to NDIS, where the request will be transmitted to all participating CODIS laboratories. Refer to Document 210-F100 for the sample format used for the request. A copy will be forwarded to the examiner for documentation in the case file.
- 5.7.4 CODIS matches generated as a result of such requests will be verified and reported in a manner similar to that outlined in Section 7 using information provided in writing by the other state. The search results and other information regarding the match received from the other state will be maintained in the case file.
- 5.8** Requests can be made by **law enforcement agencies within the Commonwealth of Virginia** for a search of the DNA databases of foreign countries via **Interpol**. The request, made in writing or verbally by an investigator to an examiner, will be documented in the case file and brought to the attention of the State System Administrator, who will make the official request via Interpol. Refer to Appendix C.
- 5.9** A CODIS Review (as mentioned in Chapter 3 and Chapter 5) shall be conducted as follows:
- 5.9.1 This review is conducted in compliance with the FBI DNA Standards and NDIS requirements that prohibit the entry or search of unreviewed casework DNA data at SDIS.
- 5.9.2 The purpose of the review is to ensure that profiles that will be searched and all profiles entered into CODIS are verified for “eligibility for CODIS, correct DNA types and appropriate specimen category” prior to upload to SDIS.
- 5.9.3 This **CODIS review** shall be conducted by another qualified examiner of the relevant documentation in the case file, prior to a profile being searched or entered into SDIS:
- 5.9.3.1 Review of “correct DNA types”: Evaluation of the 1<sup>st</sup> and 2<sup>nd</sup> sizing results, to ensure the sizings for the relevant profile are concordant. The positive and negative controls on the sizing sheet will also be evaluated to ensure no unexpected results are obtained for the controls. (Documents to review = landscape sheets from the 1<sup>st</sup> and 2<sup>nd</sup> sizing).
- 5.9.3.2 Review of “correct DNA types”: Evaluation of the alleles in a mixture profile selected for entry into SDIS or searching are correct, given any reference profiles submitted in the case. (Documents to review = Copy of landscape sheet with an indication of selected alleles for search or entry into CODIS. Alternatively, review of the LDIS specimen details report can serve this purpose).
- 5.9.3.3 Review of “appropriate specimen category”: Ensure an evidence profile is given the correct specimen category when it is entered into SDIS or searched. (Documents to review = landscape sheet with an indication of proposed specimen category, and the RFLE. Alternatively, review of the LDIS specimen details report and RFLE can serve this purpose).

- 5.9.3.4 Review of “eligibility for CODIS”: Ensure that an evidence profile that is attributed to the victim or elimination sample is not inadvertently entered into SDIS or searched. (Documents to review = RFLE and landscape sheet).
  - 5.9.3.5 This CODIS review by another qualified examiner will be documented on the primary landscape sheet or LDIS Spec detail report by “CODIS review, *reviewer initial* and *date of review*”.
- 5.9.4 This **CODIS review** can also be accomplished by a documented technical review (as defined by DFS) of the entire case file up to that point of analysis, prior to any profile being searched or entered into SDIS. Once this technical review is completed, the relevant profile can then be entered and searched at SDIS. This option will necessitate another technical review after the entry and search of the relevant profile at SDIS.

**6 ACCESS AND RELEASE OF CONVICTED OFFENDER AND ARRESTEE SAMPLE INFORMATION**

- 6.1** Requests for information on a convicted offender's or arrestee's profile shall be in accordance with the Code of Virginia § 19.2-310.5.
- 6.1.1 Requests must be in writing and forwarded to the DNA Data Bank Supervisor or CODIS Administrator. **NO TELEPHONE REQUESTS WILL BE ACCEPTED.**
- 6.1.1.1 A request received via mail or facsimile must be on the requestor's agency letterhead.
- 6.1.1.2 A request made by personal contact must be put in writing by the requestor on a piece of plain paper and must include the requestor's agency address. The requestor's identity must be verified before a request submitted in this manner can be accepted. This is generally accomplished by viewing the requestor's agency identification card and confirming that the photograph and name on the card match the requestor. Documentation of the verification will be made on the bottom of the request in the following format: "Identification verified by viewing requestor's identification card - code # \_\_\_\_\_ or badge # \_\_\_\_\_." This verification of identity statement will be dated and signed by the DFS employee who verified the requestor's identity.
- 6.1.1.3 The request must be signed by the requesting official.
- 6.1.1.4 Requests must state that the information is being requested in furtherance of an official investigation of a criminal offense.
- 6.1.1.5 Requests must specify ALL AVAILABLE identifying information for the Convicted Offender or Arrestee, such as full name, social security number, date of birth, race, sex, and SID number.
- 6.1.1.6 The exemplar letter in Appendix E can be provided to the requestor to use to draft the request to ensure that all requirements are met.
- 6.1.2 Responses to requests will be made in writing and routinely mailed via U. S. Mail to the requestor at the official mailing address for the requesting agency. However, the request response may be provided via facsimile..
- 6.1.2.1 The DNA Data Bank Supervisor or CODIS Administrator will provide the written response using the form letter in Appendix E or a modification thereof.
- 6.1.2.2 If the request specifies a facsimile response, the confirmation of successful transmittal will be retained with the request and response. If it is deemed necessary to verify a facsimile number, the verification of the facsimile number will be documented. Documentation will include how the facsimile number was verified, the date verified, and the initials of the person verifying the number.
- 6.1.2.3 If a request is denied, that denial shall be in writing, signed by the DNA Data Bank Supervisor or CODIS Administrator. The denial letter will be in narrative form and will specify the reason for the denial. Any denial letter must be approved by the Biology Program Manager prior to being sent to the requestor.
- 6.2** The DNA Data Bank Supervisor will maintain all requests, associated responses, and as appropriate, confirmation of successful facsimile transmittal of responses. These will be filed by agency and the date of the request.
- 6.2.1 If the requestor indicated a relationship to a specific case or cases by including the FS Lab #(s) in the request for information, a copy of the request, associated response, and as appropriate, confirmation of successful facsimile transmittal of the response, will be forwarded to the case examiner(s) to place in the case file(s).

- 6.3** When a CODIS match is made between a non-subject case and a Convicted Offender or Arrestee sample, the information on the individual will be provided to the investigator in a Certificate of Analysis after the match has been verified. Refer to Section 7 for information on verifying a CODIS match.
- 6.3.1 The identifying information reported for the individual will be confined to the information that is available in the DFS Data Bank Tracking Computer.
- 6.4** Access to the Convicted Offender or Arrestee samples and identifying information associated with these samples stored in the Data Bank Tracking Computer will be limited to those personnel whose job function requires access to the samples and such information.
- 6.4.1 Access to the Convicted Offender and Arrestee samples and associated individual information is limited to the CODIS Administrator, DNA Data Bank Supervisor and designees, such as DNA Data Bank analysts and support staff.
- 6.4.2 The addition or removal of personnel and the degree of access for each level of personnel will be determined by the DNA Data Bank Supervisor in consultation with the CODIS Administrator.
- 6.5** Access to the Convicted Offender or Arrestee profiles in CODIS will be limited to personnel whose job function requires such access.
- 6.5.1 In the Central Laboratory Forensic Biology Section this may include the CODIS System Administrator, the Biology Program Manager, molecular biologist, casework supervisors and, examiners, examiner support staff, DNA Data Bank Supervisor, DNA Data Bank analysts, and Data Bank support staff.
- 6.5.2 In the Forensic Biology Section of each regional laboratory this may include the designated CODIS System Administrator, casework supervisor, casework examiners, and examiner support staff.
- 6.5.3 The addition or removal of personnel and the degree of access for each level of personnel will be determined by the Local System Administrator in consultation with the State CODIS System Administrator.

## 7 VERIFYING AND REPORTING A CODIS MATCH AT SDIS

- 7.1** The case examiner will verify or eliminate the possible CODIS match between a **non-subject case profile and a Convicted Offender or Arrestee profile** as soon as possible by comparing the STR allele values of the non-subject case profile and the STR allele values of the possible matching DNA profile of the Convicted Offender or Arrestee. If the examiner determines that the convicted offender or arrestee is not eliminated, the DNA Data Bank staff will be contacted for verification of the profile.
- 7.1.1 Generally, the presence of alleles in one profile and not in the other profile will constitute an elimination. However, the examiner shall use all factors concerning the profiles in question (such as relative allele intensities, difference in amplification kits, possible allelic dropout, nature of the evidence, experience in mixture interpretation) to make the determination.
- 7.1.2 For matches involving a non-subject case forensic profile and a Convicted Offender sample, the examiner will immediately contact the Central Laboratory DNA Data Bank Supervisor and the Data Bank staff in writing (via e-mail or fax) and provide the case number, DNA sample number, and case-related information such as the date of the offense (if available). When a hit is obtained to duplicate profiles for two different samples, the notification to the Data Bank Supervisor should include both DNA sample numbers.
- 7.1.2.1 The DNA Data Bank Supervisor or designee will obtain the identifying information for the Convicted Offender (such as name, social security number, date of birth, race, sex, SID number) from the DNA Data Bank Tracking Computer. As appropriate, the individual will also be verified for qualifying offense(s) as a convicted felon through inquiries of other agencies or computer databases. This information will be provided to the examiner on the appropriate form found in Document 210-F101. The form will be placed in the case file as a permanent record.
- 7.1.2.2 If the hit is to samples from identical twins, two forms (one for each individual) will be provided to the examiner.
- 7.1.2.3 If the hit is to duplicate samples belonging to the same offender, that information will be provided to the examiner in writing (via e-mail or fax) by the DNA Data Bank Supervisor or designee. This documentation will be placed in the case file and the Searcher Match Result Report reflecting both DNA sample numbers will be maintained in the case file and documented to reflect that the samples are from the same individual.
- 7.1.3 For matches involving a non-subject case forensic profile and an Arrestee sample, the examiner will contact the Central Laboratory DNA Data Bank Supervisor and the Data Bank staff in writing (via e-mail or fax) **AS SOON AS POSSIBLE** and provide the case number, DNA sample number and case-related information such as date of offense. The DNA Data Bank Supervisor or designee will obtain the identifying information for the arrestee (such as name, social security number, date of birth, race, sex, SID number) from the DNA Data Bank Tracking Computer. This information will be provided to the examiner on the appropriate form found in Document 210-F101. The form will be placed in the case file as a permanent record.
- 7.1.3.1 For Arrestee hits generated by the scheduled weekly subsequent search, the State Administrator or designee will immediately review the results of the subsequent search, and notify the relevant examiner, the examiner's supervisor, and DNA Data Bank staff in writing (for example, via e-mail) of a potential Arrestee hit so the process can begin promptly.
- 7.1.4 For Convicted Offender samples, the DNA Data Bank Supervisor or designee will verify the Data Bank sample in accordance with the DNA Data Bank Operating Policies and Procedures Manual. Under some circumstances, the sample may have to be pulled and re-analyzed. When required, this is typically completed within 72 hours. Arrestee samples are generally not re-analyzed.

- 7.1.4.1 If the Convicted Offender sample requires re-analysis, the examiner will be notified in writing (for example, via e-mail).
- 7.1.4.2 When the Convicted Offender sample is verified, the examiner will be officially notified of the verification or re-analysis in writing (via e-mail or fax). This notification will be maintained in the case file.
- 7.1.4.3 If there is a problem with the verification, the examiner will be notified immediately by telephone or in writing (via e-mail or fax). Notification will also be provided immediately to the State System Administrator, Biology Program Manager. Resolution of the problem must be completed prior to the release of the offender information to the investigator by the examiner.
- 7.1.4.4 Analytical documentation associated with the re-analysis will be maintained in the DNA Data Bank.
- 7.1.5 Verbal hit information (such as the name and other individual information of the offender/arrestee) can be provided to an investigator prior to the Certificate of Analysis being issued. However, prior to the contact with the investigator, that hit information must be reviewed by another examiner and appropriate permission obtained from the laboratory management. **It must be emphasized to the investigator that the match constitutes an investigative lead only, and any possible connection to the non-subject case must be determined through further investigation.** Additionally, the investigator will be informed that, in order to confirm the match, a new sample from the individual must be submitted to the laboratory for STR analysis and direct comparison to the DNA profile from the evidence.
  - 7.1.5.1 Another examiner shall review that the correct databank sample number was provided to the databank, and that individual information for the correct offender/arrestee is returned to the examiner. This information review will be documented as “Verbal hit review, *initial of reviewer* and *date of review*” on the Searcher Match Result report.
- 7.1.6 At the same time that information is being obtained from the DNA Data Bank Supervisor, the examiner will also notify the State System Administrator in writing (e-mail or fax) of the possible match, so that the appropriate data can be added to the CODIS Hit Counting Charts.
  - 7.1.6.1 This written notification should contain the offender/arrestee sample number and information about the case, such as the FS Lab Number, jurisdiction, type of evidence, date and type of offense, whether a suspect sample was compared and if so, if the suspect was eliminated, and whether the match occurred as a result of an original or subsequent search.
  - 7.1.6.2 In addition, copies of the RFLE(s), and Inmate Felony Conviction Form (or information on the arrestee) will be provided to the State System Administrator as they are available.
- 7.1.7 The results will be reported in a Certificate of Analysis in accordance with procedures set forth in the current version of the Department Quality Manual and the Commonwealth of Virginia Department of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol. Additional identifying information such as alias, alternate Social Security numbers and/or alternate birth dates may be reported, but will be confined to the information available in the DFS Data Bank Tracking Computer.
  - 7.1.7.1 The Convicted Offender information will be provided to the investigator in a Certificate of Analysis **after** the confirmation of the felony status of the offender and, if necessary, the re-analysis of the offender’s sample.
  - 7.1.7.2 The Arrestee information will be provided to the investigator in a Certificate of Analysis **AS SOON AS POSSIBLE** after the arrestee information has been provided to the examiner by the DNA Data Bank staff.

- 7.1.8 If the forensic profile associated with the match has not been entered into CODIS, it will be entered in accordance with Section 3.
- 7.1.8.1 For a match resulting from a subsequent search, the specimen would have been previously entered into CODIS. As a result of the match, the Source ID field for that specimen will be changed from “no” to “yes”.
- 7.1.8.2 The change will be performed by the case examiner and documented by placing a copy of the new Specimen Detail Report in the case file.
- 7.2** When a potential match is made between a forensic profile and a Convicted Offender profile, the laboratory will make every effort to ensure that the Offender sample is qualified to be in the Virginia DNA Data Bank.
- 7.2.1 If during the verification process it is determined that the sample does not qualify for entry, the procedure set forth below will be followed. When necessary, consultation will be made with the Department legal counsel regarding the qualification of a sample and compliance with current Code of Virginia. If it is determined that the sample does not qualify for reporting, the procedure set forth below will be followed. This applies to potential hits within the Commonwealth of Virginia and potential hits with other states, to include NDIS hits.
- 7.2.1.1 When it is determined that a Convicted Offender sample is unqualified for reporting, the DNA profile for that sample will be immediately removed from CODIS by the State System Administrator or designee. The deletion report will be provided to the DNA Data Bank Supervisor.
- 7.2.1.2 The Convicted Offender identifying information will be removed from the DNA Data Bank Tracking Computer system, in accordance with the DNA Data Bank Operating Policies and Procedures Manual.
- 7.2.1.3 The Convicted Offender information will **NOT** be provided to the investigating agency. In addition, the agency will **NOT** be informed of the existence of the potential match.
- 7.2.1.4 The case examiner will maintain documentation in the case file concerning the search, the potential match and why the match was not reported, but **WILL NOT** maintain any identifying information of the Convicted Offender in the case file.
- 7.3** The case examiner will confirm or eliminate a **possible CODIS match between a forensic non-subject case profile and another forensic profile or decedent profile** as soon as possible by comparing the STR allele values for the profiles from each case. Generally, the presence of additional alleles in one profile and not in the other profile will constitute an elimination. However, the examiner shall use all factors concerning the profiles in question (such as relative allele intensities, difference in amplification kits, possible allelic dropout, nature of the evidence, experience in mixture interpretation) to determine whether a possible match is an elimination or an inclusion. The match is considered verified when the manual comparison reveals no unexplained differences between the DNA profiles involved.
- 7.3.1 The examiner of the non-subject case will notify his/her supervisor and the State System Administrator of the match.
- 7.3.1.1 The written notification should contain information about the cases such as the FS Lab Numbers, jurisdictions, types of evidence, dates and types of offenses, and whether the match occurred as a result of an original or subsequent search. In addition, copies of the RFLEs for all cases will be provided to the State System Administrator as soon as they are available.

If one or more of the cases has been the subject of a previous Data Bank match, it is only necessary to provide the RFLEs for those cases NOT previously linked.

- 7.3.1.2 If multiple examiners are involved, the examiners will promptly exchange pertinent information (such as agency case number, jurisdiction, investigator, case type) on the matching cases.
- 7.3.1.3 The information will be provided to the investigator(s) in a Certificate of Analysis.
- 7.3.1.3.1 The results will be reported in accordance with the procedures set forth in the current version of the Department Quality Manual and Chapter 11.5 of the Commonwealth of Virginia Department of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol.
- 7.3.1.3.2 In general, if multiple examiners are involved in a match between non-subject cases and all of the cases have been previously reported, the examiner of the non-subject case listed as the target profile will be responsible for generating the Certificate of Analysis providing notification of the match. This Certificate of Analysis will be copied to the investigator(s) of all the matching case(s).
- A Memorandum of Record will be generated by the examiner who made the hit (target profile) and forwarded to the examiner whose case the hit was made against (candidate profile) for placement in the case file. This documentation shall be in accordance with Chapter 11.5 of the Commonwealth of Virginia Department of Forensic Science Forensic Biology Section Procedure Manual, Section III – Fluorescent Detection PCR-Based STR DNA Protocol .
- 7.3.1.3.3 In general, if reports have not been generated for one or more of the non-subject cases involved in a match, the examiner of the non-subject case(s) that has not been reported will be responsible for generating the Certificate of Analysis providing notification of the match. This Certificate of Analysis will be copied to the investigator(s) of all the matching case(s).
- A Memorandum of Record will be generated by the examiner who made the hit (target profile) and forwarded to the examiner whose case the hit was made against (candidate profile) for placement in the case file. This documentation shall be in accordance with Chapter 11.5 of the Commonwealth of Virginia Department of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol.
- 7.3.1.3.4 If a non-subject case profile matched profiles in more than one index (most commonly matching a Convicted Offender profile as well as one or more forensic profiles), the examiner will only the matches to the Convicted Offender profile in a Certificate of Analysis.
- To document the match to the forensic profile(s), a Memorandum of Record will be generated by the examiner who made the hit and forwarded to the examiner whose case the hit was made against for placement in the case file. This documentation shall be in accordance with Chapter 11.5 of the Commonwealth of Virginia Department of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol.
- 7.3.1.4 If the forensic profile associated with the match has not been entered into CODIS, the specimen will be entered in accordance with Section 3.



- 7.3.1.5 If a forensic non-subject case profile involved in the match has previously been entered into CODIS, the Source ID field for that specimen will be changed from “no” to “yes”. This change will be performed by the case examiner and documented by placing a copy of the new Specimen Details Report in the case file.

## 8 POPSTAT CALCULATIONS

- 8.1** The Popstats program is the part of the CODIS software that permits the calculation of statistical probabilities based on allele frequency information for specific loci. The allele frequency data for all PowerPlex® 1.1, 2.1, and/or 16 BIO System loci entered into CODIS are based on the official Virginia population database and is identical for all four laboratories.
- 8.2** Use of Popstats for statistical calculations will be in accordance with the policies set forth below, and in accordance with the Commonwealth of Virginia Department of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol.
- 8.2.1 For forensic DNA profiles that are determined to be from only one individual, statistics will be calculated using the "Forensic Single Sample" option within Popstats.
- 8.2.2 For forensic DNA profiles that are determined to be mixtures, but the profile of the major contributor can be clearly distinguished, statistics will be calculated on the major profile using the "Forensic Single Sample" option within Popstats.
- 8.2.3 For forensic DNA profiles that are determined to be mixtures from which the profile of the major and minor contributors cannot be clearly distinguished, statistics will be calculated using the "Forensic Mixture" option and the Likelihood Ratio (LR) or Combined Probability of Exclusion (CPE) formulas within Popstats.
- 8.2.4 Paternity and relationship calculations utilizing Popstats will be reported only by individual(s) designated by the Biology Program Manager.
- 8.2.5 In unusual cases, statistical calculations may be conducted using modifications of the "Forensic Single Sample" or "Forensic Mixture" configuration, but only with the explicit permission of the Biology Program Manager.
- 8.2.6 The official Virginia population database contains frequencies for the Caucasian ("Cau"), Black ("Blk"), and Hispanic ("His") populations. No other population frequencies will be used for statistical calculation without the explicit permission of the Biology Program Manager.
- 8.3** No changes to the Popstats configuration parameters or additions/changes to the STR database allele values within Popstats will be made without the explicit permission of the State System Administrator in consultation with the Biology Program Manager.
- 8.4** The Popstats Report will be maintained in the case file as documentation.

## 9 NDIS-RELATED PROCEDURES

- 9.1 In accordance with NDIS requirements, the following information from all DFS CODIS users (as defined by NDIS) will be provided to the FBI for security clearance. Refer to Document 210-F102 for a copy of each of the forms except form FD-258.

FD-484: Privacy Act Explanation  
 FD-258: Fingerprint (10 Print) Card, two copies  
 FD-816: Background Data Information Form  
 CODIS User Information Form

- 9.2 Only data within SDIS that complies with the Memorandum of Understanding signed between the FBI and the Department will be uploaded to NDIS. The data will comply, as soon as possible, with the current versions of the NDIS Procedures Manual, the FBI's "Quality Assurance Standards for Forensic DNA Testing Laboratories" and "Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories", and the Federal Justice for All Act 2004.

- 9.2.1 The State System Administrator, or designee, will be responsible for uploading eligible arrestee, convicted offender and forensic case profiles from SDIS to NDIS. The upload to NDIS is currently scheduled by NDIS to occur once each week, but may be changed at the discretion of NDIS.
- 9.2.2 Forensic profiles are required to have data for at least 10 of the CODIS STR core loci (CSF1PO, D3S1358, D5S818, D7S820, D8S1179, D13S317, D16S539, D18S51, D21S11, FGA, TH01, TPOX, and vWA) to qualify for upload into NDIS. Profiles from Unidentified Human Remains and Missing Persons are required to have results for at least 8 of the CODIS STR core loci. However, CODIS requires data at all 13 STR core loci for Convicted Offender and Arrestee profiles to be uploaded into NDIS.
- 9.2.2.1 Currently, new offender and arrestee STR profiles generated by the Department will be uploaded to NDIS only if the specimens contain results at all 13 core loci.
- 9.2.2.2 Single source STR profiles in SDIS from **forensic non-subject cases** that can be "attributed to the putative perpetrator" and contain results at 10 or more of the CODIS core loci will be uploaded to NDIS.
- 9.2.2.3 A mixture STR profile from a forensic non-subject case that can be "attributed to the putative perpetrator" and contains results at 10 or more of the CODIS core loci will be uploaded to NDIS if it complies with the NDIS "4X4 rule". The "4X4 rule" states that a mixture profile with 3 or 4 alleles at up to 4 core loci, and no more than 2 alleles at the remaining core loci is acceptable at NDIS. A mixture profile exceeding this "4X4 rule" is not acceptable at NDIS.
- 9.2.2.4 Single source STR profiles in SDIS from **subject cases** that can be "attributed to the putative perpetrator" and contain results at 10 or more of the CODIS core loci will be uploaded to NDIS.
- 9.2.2.5 STR mixture profiles in SDIS from **subject cases** that can be "attributed in part to the putative perpetrator" and contain results at 10 or more of the CODIS core loci will **NOT** be uploaded to NDIS.
- 9.2.2.6 When a forensic non-subject profile is determined to be unsuitable for NDIS after a Certificate of Analysis has been issued indicating that the profile has been submitted to NDIS, another supplemental Certificate of Analysis will be issued to notify the investigator that the profile has been removed from NDIS.
- 9.2.3 NDIS requires that each CODIS user receive training annually and acknowledge the specimen categories and additional rules for DNA profiles uploaded to NDIS, as described in the NDIS Procedures Manual and the NDIS Standards for Acceptance of DNA Data. This NDIS training is also required for each new

CODIS User prior to their access to the CODIS software. This NDIS training is conducted via the CJIS-WAN. .

- 9.3** All complete DNA profiles uploaded to NDIS will be automatically searched by NDIS against the DNA profiles from other states. Currently, this search is conducted by NDIS once a week.
- 9.3.1 Matches obtained as a result of such searches will be sent automatically via the CJIS-WAN to SDIS. These potential matches will be reviewed by the State System Administrator, or designee, who will coordinate the communication between the System Administrator or personnel of the other state(s) and the Department personnel involved in the evaluation and verification of the potential hit.
- 9.3.2 The evaluation and verification of NDIS hits will be in accordance with the procedures outlined in the section “SEARCHES Confirm an Interstate Candidate Match” in the NDIS Procedures Manual (most current version, published by the FBI, US-DOJ), and Section 7 of this document, with due consideration given to the requirements of the other state(s) involved in the NDIS Match. Forms used for communication with other states for this purpose shall be in the general format described in “SEARCHES Confirm an Interstate Candidate Match” in the NDIS Procedures Manual.
- 9.3.2.1 A NDIS match may occur between a Virginia convicted offender or arrestee profile and a forensic subject case profile from another state. When requested, the individual’s name will be provided to confirm the individual’s identity. These NDIS matches will not be counted as NDIS hits.
- 9.3.2.2 An NDIS match may occur between a Virginia forensic subject case profile and a Convicted Offender or Arrestee profile from another state. Sufficient case information shall be provided to the other state for verification purposes. These NDIS matches will not be counted as NDIS hits.
- 9.3.2.3 An NDIS match may occur between a Virginia forensic subject case profile and a forensic subject case profile from another state. Sufficient case information shall be provided to the other state for verification purposes. These NDIS matches will not be counted as NDIS hits.
- 9.3.3 The reporting to a Virginia agency of a NDIS hit involving a Virginia non-subject forensic profile uploaded from SDIS to NDIS will be in accordance with procedures set forth in the Commonwealth of Virginia Department of Forensic Science Forensic Biology Section Procedure Manual, Section III - Fluorescent Detection PCR-Based STR DNA Protocol. This applies to a NDIS hit involving a Virginia non-subject profile to an offender/arrestee profile or a forensic case profile from another state. The hit shall not be reported until the appropriate information is provided in writing by the other state involved.
- 9.3.4 A NDIS hit involving a Virginia convicted offender or arrestee to a forensic non-subject case profile outside the Commonwealth of Virginia will be reported to the outside agency in accordance with the procedures outlined in section “SEARCHES Confirm an Interstate Candidate Match” in the NDIS Procedures Manual (most current version, published by the FBI, US-DOJ). A written report of the NDIS match will be provided to the outside agency. Refer to Appendix D for the format used to report the CODIS match to the outside agency.
- 9.4** The expungement of a convicted offender DNA profile that has been previously uploaded to NDIS will be performed in accordance with Section 3.8 of this document and Chapter 10 of the DNA Data Bank Operating Policies and Procedures Manual.

The expungement of an arrestee DNA profile that has been previously uploaded to NDIS will be performed in accordance with Chapter 9 (Section 9.1.1.3) of the DNA Data Bank Operating Policies and Procedures Manual.

In compliance with 42 USC § 14132 (d) (2) (a) (ii) (DNA Fingerprinting Act 2005), a request for expungement of an arrestee DNA profile accompanied by a certified copy of a final court order establishing that the person was not convicted of a qualifying offense (i.e. charge dismissed, resulted in

acquittal, nolle prossed, or reduced to misdemeanor) will be processed in the same manner described above. There is currently no statute of limitation time periods applicable to any qualifying arrestee offenses in Virginia.

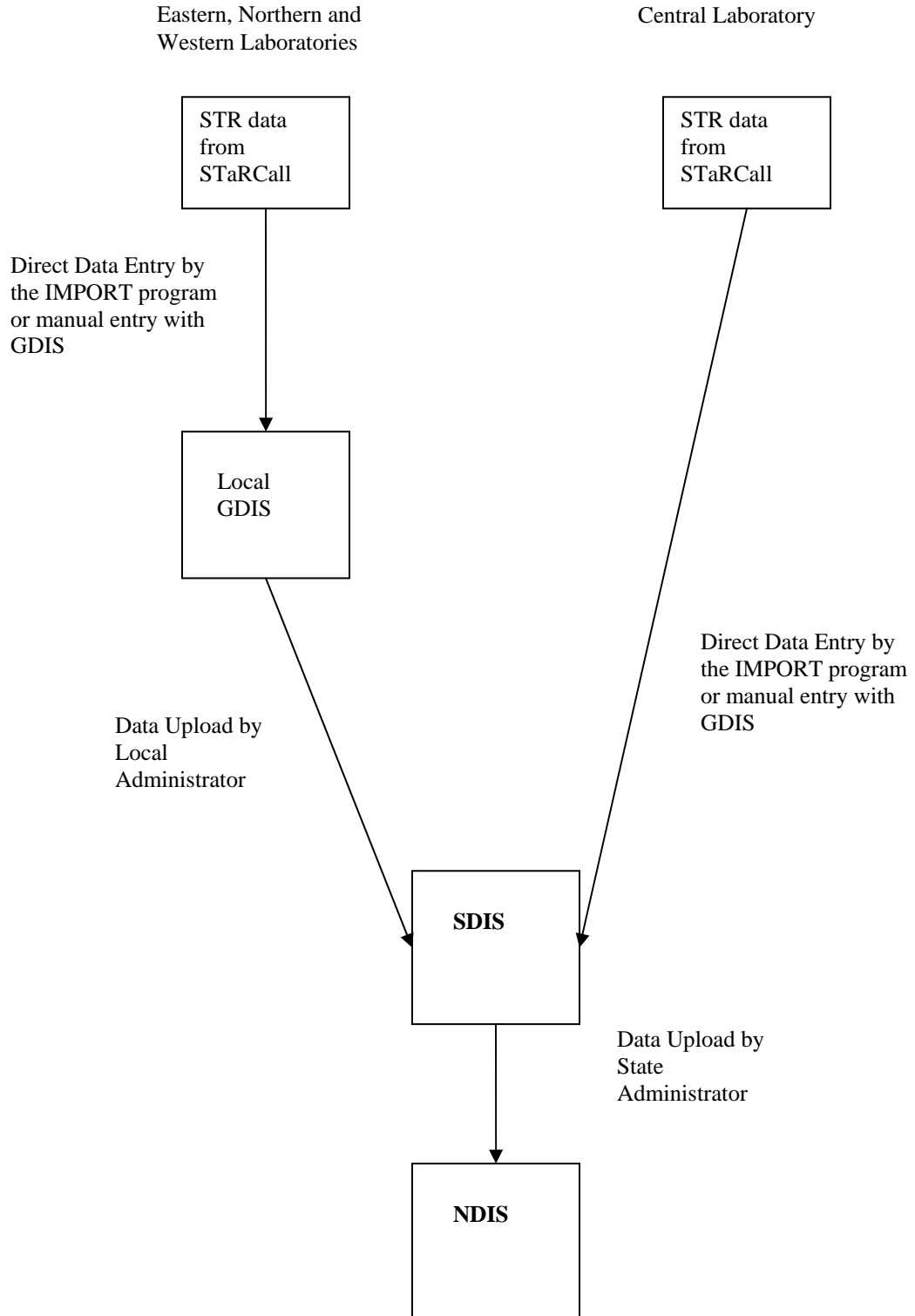
- 9.5** The CODIS Fax Network Search Request was established by the FBI to facilitate the search of DNA profiles between states that are not routinely uploading profiles to NDIS and those states participating in NDIS. This also allows NDIS participating laboratories to search profiles in state databases that do not qualify for upload to NDIS.
- 9.5.1 An examiner who has a forensic profile requiring a CODIS Fax Network Search will make the request in accordance with Section 5 of this manual.
- 9.5.2 The request will be faxed to the FBI NDIS Custodian, who will coordinate the dissemination of the search request to all CODIS laboratories via the CJIS-WAN or by fax. Refer to Document 210-F100 for the CODIS Fax Network Search Request form, which contains the requirements for such searches.
- 9.5.3 The State CODIS Administrator, or designee, will process the CODIS Fax Network Search requests received by the laboratory in accordance with Section 5 of this manual. CODIS matches generated as a result of such requests will be verified in the manner outlined in Section 7, with due consideration given to the requirement of the other state(s) involved. Refer to Appendix D for the general format used to report the CODIS match to the outside agency.
- 9.6** NDIS required documents concerning external audit information will be provided to NDIS at the specified time and in the format prescribed in the NDIS Procedures Manual or by direct communication and/or instructions from NDIS.

## 10 CODIS DATA MAINTENANCE

- 10.1** Maintenance tasks will be periodically performed on the data in SDIS to reduce the unnecessary duplication of data in the CODIS Indexes.
- 10.1.1 At the periodic request of the DNA Data Bank Supervisor, DNA profiles within the Offender Index will be searched against all other profiles in the same index to detect the presence of duplicate offender profiles of the same individual or identical twins. DNA profiles in the Offender Index will also be searched against profiles in the Arrestee Index.
- 10.1.1.1 Duplicate offender profiles will be provided to the DNA Data Bank Supervisor, who will obtain information to resolve the identities of the matched convicted offender profiles. If it is determined that the matching profiles are duplicates of the same individual, the DNA Data Bank Supervisor will notify the System Administrator, or designee, who will delete one of the duplicate profiles from CODIS. If it is determined that the matching profiles are from twins, both profiles will remain in CODIS.
- 10.1.1.2 The list of matching profiles between the Offender Index and the Arrestee Index will be provided to the DNA Data Bank Supervisor, who will obtain information to resolve the identities of the matched profiles. If it is determined that the matching profiles are duplicates of the same individual, the DNA Data Bank Supervisor will notify the System Administrator and the duplicate profile in the Arrestee Index will be deleted. If it is determined that the matching profiles are from twins, both profiles will remain in CODIS.
- 10.2** At least three times each year, a subsequent search of all forensic non-subject case profiles will be conducted at the special search configuration of High stringency at all loci, allowing for one locus mismatch. The results of this search will be evaluated by the State System Administrator, or designee, and forwarded to the examiner for further confirmation/verification if it is determined that there is a potential match.
- 10.3** If a convicted offender or arrestee profile that has been entered into SDIS is subsequently determined to be unqualified to remain in CODIS, the State System Administrator will be notified AS SOON AS POSSIBLE and the profile will be promptly removed from CODIS. For example, the DNA Data Bank receives notification of an Arrestee sample status change to a non-conviction.

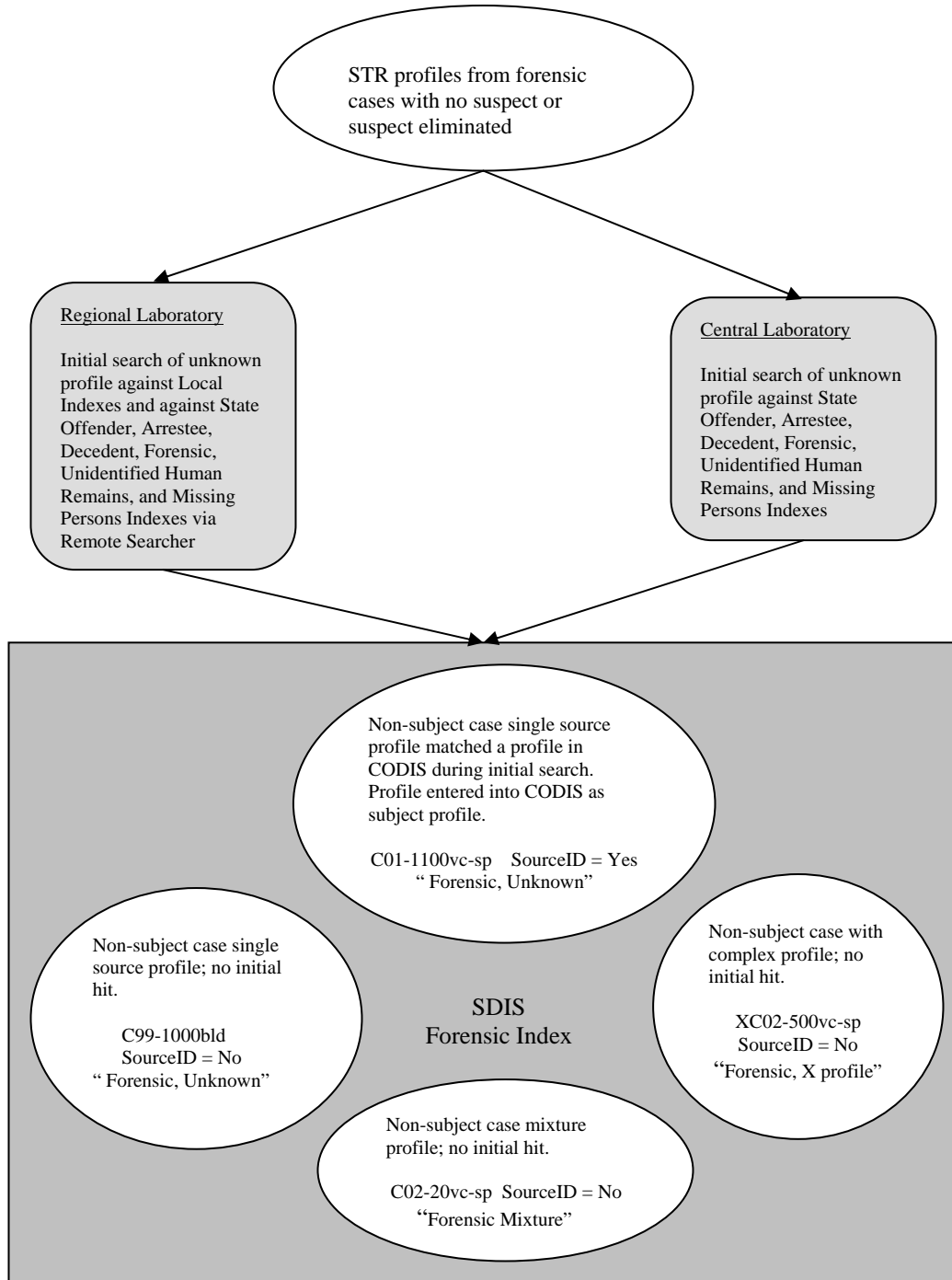
## 11 CODIS ACCESS, DATA SECURITY AND COMMUNICATION

- 11.1** The user ID of each individual with access into the CODIS system must be different. **NO SHARING OF USER ID OR PASSWORD IS PERMITTED.**
- 11.2** Password access to the CODIS system in each laboratory will be limited to individuals whose job function requires access to information contained in the CODIS system.
- 11.2.1 The granting of access rights and the level of access granted to each individual will be determined by the Local System Administrator in consultation with the section supervisor of the laboratory and the State System Administrator.
- 11.3** The data within all CODIS levels in Virginia will be backed up onto storage devices.
- 11.3.1 Backup of CODIS data will be conducted via methods that is in compliance with DFS data security policies..
- 11.3.2 One set of backup data for each laboratory, to be updated weekly, will be kept in a physically separate location. This off-site back up will be in compliance with DFS data security policies..
- 11.4** The CODIS software in the regional laboratories will only communicate and exchange data with CODIS in the Central Laboratory via the Criminal Justice Information Services Wide Area Network (CJIS-WAN). SDIS in the Central Laboratory will communicate and exchange data with NDIS via the CJIS-WAN.
- 11.4.1 Remote access of any laboratory's server and workstations using software such as "pcAnywhere" via the CJIS-WAN will only be granted, on a case-to-case basis, by the System Administrator, or designee, of that laboratory or the State System Administrator or designee. Such access will be granted for purposes such as CODIS training, software troubleshooting and repairs, and software upgrades.
- 11.4.2 The configuration for communication via the CJIS-WAN will not be changed without the explicit instructions of the State System Administrator, upon instructions from the FBI or FBI Contractor.
- 11.5** The configuration of the CODIS network may be changed by the State System Administrator in consultation with the FBI, FBI Contractor and/or DFS IT staff.



**CODIS Data Flow Chart**





Non-subject case profiles are re-searched against Offender, Arrestee, Decedent, Forensic, Unidentified Human Remains and Missing Persons Indexes on a regular basis.

**CODIS Non-Subject Case Search Flow Chart**

**Appendix C – Interpol DNA Search Procedure**

1. Consult with the investigator to determine that there is a potential for the perpetrator in an unsolved case to possibly have international connections.
2. Determine that the evidence profile has sufficient loci for a meaningful search. The Interpol Standard Set of Loci (ISSOL), a standard of 7 STR loci (vWA, TH01, D21S11, FGA, D8S1179, D3S1358, D18S51), has been established. A profile must have results at 6 of these 7 loci before the request will be processed. Refer to the “Interpol Handbook on DNA Data Exchange and Practice” (Interpol, 2001) for further information.
3. Provide the evidence profile to the State CODIS System Administrator in writing (e-mail may be used), together with relevant information about the case and nature of the evidence.
4. The State System Administrator, or designee, will submit the profile for a search using the appropriate Interpol DNA search request form. The search will be sent to the United States Interpol liaison officer, who will transmit the search request to Interpol. The Virginia State Police Interpol liaison officer will also be notified of this search by a copy of the Interpol DNA search request.
5. Potential positive search results will be transmitted by Interpol back to the State System Administrator, who will coordinate the verification of the potential hit.
6. A copy of the Interpol DNA search request and, as appropriate, the positive search results will be maintained in the case file as documentation.

**Appendix D – Sample Match Report – Non-Virginia Law Enforcement Agency Request**

**MUST BE ON LETTERHEAD STATIONARY**

(Date)

(Agency)  
Attn: (Investigator)  
(Address)

Re: NDIS Match Result

Your Specimen ID: \_\_\_\_\_ Laboratory ORI: \_\_\_\_\_  
Specimen Type: \_\_\_\_\_

This is to inform you that an investigative lead was generated by a search at the National DNA Index System (NDIS).

The above specimen was found to match the following convicted offender/arrestee:

Specimen ID: \_\_\_\_\_ Laboratory ORI: VA122015Y

Name: \_\_\_\_\_ SSN#: \_\_\_\_\_ DOB: \_\_\_\_\_

(Race/Gender) SID#/DCH#/DOC# \_\_\_\_\_

*Based on information available to the Virginia Division of Forensic Science the current whereabouts of this individual is unknown.*

**OR**

*This individual is currently incarcerated at the (Correctional Facility/Jail) in \_\_\_\_\_, Virginia.*

This information is provided only as an investigative lead, and any possible connection or involvement of the individual to the case must be determined through further investigation.

It is recommended that your submitting agency obtain a reference sample from this individual for a DNA comparison by your laboratory.

Please call me at 804-786-9824 if you have any questions regarding this match.

Sincerely,

\_\_\_\_\_  
George C. Li, CODIS State System Administrator

**Appendix E – Form Letter for Request for Release of Conviction Offender Sample Information and Response Letter**

**MUST BE ON AGENCY LETTERHEAD STATIONARY**

(Date)

DNA Data Bank Supervisor  
Virginia Division of Forensic Science  
700 North Fifth Street  
Richmond, VA 23219

Dear Data Bank Supervisor:

It is believed that the Virginia Division of Forensic Science has a DNA Data Bank sample on file for a previously convicted felony offender:

**Offender's Full Name:** \_\_\_\_\_

(First Name)

(Middle Name)

(Last Name)

**a.k.a.:**

\_\_\_\_\_  
(First Name)

\_\_\_\_\_  
(Middle Name)

\_\_\_\_\_  
(Last Name)

**Social Security #:**

\_\_\_\_\_

**Date of Birth:**

\_\_\_\_\_  
(Month, Day, Year)

**Race:**

\_\_\_\_\_  
(No abbreviations, please.)

**Sex:**

\_\_\_\_\_  
(M or F)

**DOC #:**

\_\_\_\_\_

Please advise if you are in possession of the sample specified and if it has been analyzed. This information is requested in furtherance of an official criminal investigation.

Sincerely,

(Name)

(Title)

**MUST BE ON LETTERHEAD STATIONARY**

(Date)

(Requestor's Name)  
(Requestor's Address)

Dear (Requestor's Name):

The following information is provided in response to your request dated (Date). The Virginia Division of Forensic Science DNA Data Bank (has/has not) received a sample of blood from the following individual: (convicted offender identifying information provided by requestor). [The sample (has/has not) been analyzed as of this date. – **when the DNA Data Bank has received a sample**]

Sincerely,

(Name)  
(Title)