
	STATE OF ALASKA DEPARTMENT OF CORRECTIONS INTERIM POLICY AND PROCEDURES MEMORANDUM		
	APPROVED BY:  Nancy Dahlstrom, Commissioner	DATE: 11/05/2021	PAGE: Page 1 of 2
MEMO TYPE: Public	MEMO TITLE: <p style="text-align: center;">DNA Collection</p>		
MEMO ATTACHMENTS / FORMS: A. Quick Reference Guide B. Adult DNA Buccal Collection Procedure Sheet		AUTHORITY / REFERENCES: AS 44.41.035 AS 33.16.150 AS 44.28.030 AS 12.55.100 AS 33.30.021 AS 12.55.015 AS 33.30.011	

PURPOSE:

The purpose of this Interim Policy and Procedures Memorandum (IPPM) is to clarify the procedures for the collection of deoxyribonucleic acid (DNA) for the Division of Institutions (DOI) and Division of Pretrial, Probation and Parole (DP3).

APPLICATION:

This IPPM applies to all DOI and DP3 staff involved in the collection of DNA. DNA collection shall occur at booking or anytime a collection requirement has been identified during incarceration or while on supervision.

NEW POLICY:

The following IPPM introduces a new policy with a proposed DOC P&P 108.02.

NEW PROCEDURES:

- I. Case Identification and Collection:
 As part of every new booking or supervision intake, and prior to release or discharge from custody or supervision, staff shall compare the current charge/conviction with the offenses listed on Attachment A, Quick Reference Guide. If the current charge/conviction is a qualifying offense, and DNA was not already collected for that specific qualifying offense during the current incarceration or supervision period, staff shall collect DNA according to the procedures listed below:
 - A. For every new DNA collection, an entry shall be made in the offender management system linking the collection event to the applicable Arrest Tracking Number (ATN).
 - B. DNA shall be collected utilizing the crime laboratory kits and contents of AKDNA100ENV-1.1. The instructions of the kit contained on the Adult DNA Buccal Collection Procedure Sheet (Attachment B) shall be followed.

Note: As an alternative to filling out the DNA Database Collection Card by hand, an Offender

DNA Card Report may be printed from the offender management system. If used, the Offender DNA Card Report shall be completed, signed, and sealed in the envelope in the same manner as the card. The staff member collecting DNA must ensure a valid facility or office phone number is entered on the DNA Database Collection Card or Offender DNA Card Report.

- C. Once DNA has been collected, the completed kit will be sent to the crime laboratory via certified mail. This may be done individually or in batch mailing and must occur no less frequently than once per week. When sending batches, a packing list must be included in the parcel.
- D. The date of collection, date of mailing, and certified mail tracking number must be entered and verified in the offender management system.
- E. DOC will comply with U.S. Marshals Service requests regarding the collection of DNA samples from federal inmates.

II. Refusals:

When a prisoner refuses to voluntarily submit to DNA collection, multiple attempts will be made to gain compliance. Attempts to gain voluntary compliance should be made by verbal request or directive and in the following order:

- A. Staff member assigned to collect DNA – usually a Criminal Justice Technician (DNA CJT), Correctional Officer, or Probation Officer.
- B. The staff member's supervisor – usually a Sergeant (COIII or COIV) or Probation Officer III.
- C. Correctional Supervisor, Probation Officer IV, or higher.

If all attempts to gain voluntary compliance fail, the Correctional Supervisor, Probation Officer IV, or designee will notify the Department of Law and request a court order to compel compliance.

III. Missed Collections:

Each day, the DNA CJT will run a DNA report and compare it to the previous day's count sheet. If an offender with a qualifying offense was released without DNA collection, the following shall occur:

- A. Contact DP3 if the offender was released to supervision.
 - 1. DP3 will collect DNA from the offender and bring the completed kit to the nearest DOC facility for processing and service to the crime laboratory.
- B. Contact AST and local law enforcement if the offender was not released to formal supervision.
 - 1. AST or local law enforcement will collect DNA from the offender and bring the completed kit to the nearest DOC facility for processing and service to the crime laboratory.

IV. Owed Collections:

When a facility or field office receives notification of "owed" DNA collection, a single sample will cover all past due collections for the applicable charge or conviction. This paragraph does not supersede the

Case Identification and Collection requirements in Section I above.

V. Training:

Staff collecting DNA samples must receive approved training on proper evidence collecting procedures. Approved trainings on DNA collection and the CODIS database are provided by the Alaska Police Standards Council (APSC) and the DOC Training Academy.

Attachment A

Crimes listed require collection of DNA upon arrest or conviction

(Per AS 44.41.035)

TITLE AS 11

Statute	Subsection	Name of Crime
AS 11.41.100	all subsections	Murder in the First Degree
AS 11.41.110	all subsections	Murder in the Second Degree
AS 11.41.120	all subsections	Manslaughter
AS 11.41.130	all subsections	Criminally Negligent Homicide
AS 11.41.150	all subsections	Murder of an Unborn Child
AS 11.41.160	all subsections	Manslaughter of an Unborn Child
AS 11.41.170	all subsections	Criminally Negligent Homicide of an Unborn Child
AS 11.41.200	all subsections	Assault in the First Degree
AS 11.41.210	all subsections	Assault in the Second Degree
AS 11.41.220	all subsections	Assault in the Third Degree
AS 11.41.230	all subsections	Assault in the Fourth Degree
AS 11.41.260	all subsections	Stalking in the First Degree
AS 11.41.250	all subsections	Reckless Endangerment
AS 11.41.260	all subsections	Stalking in the First Degree
AS 11.41.270	all subsections	Stalking in the Second Degree
AS 11.41.280	all subsections	Assault of an Unborn Child in the First Degree
AS 11.41.282	all subsections	Assault of an Unborn Child in the Second Degree
AS 11.41.300	all subsections	Kidnapping
AS 11.41.320	all subsections	Custodial Interference in the First Degree
AS 11.41.330	all subsections	Custodial Interference in the Second Degree
AS 11.41.360	all subsections	Human Trafficking in the First Degree
AS 11.41.365	all subsections	Human Trafficking in the Second Degree
AS 11.41.410	all subsections	Sexual Assault in the First Degree
AS 11.41.420	all subsections	Sexual Assault in the Second Degree
AS 11.41.425	all subsections	Sexual Assault in the Third Degree
AS 11.41.427	all subsections	Sexual Assault in the Fourth Degree
AS 11.41.434	all subsections	Sexual Abuse of a Minor in the First Degree
AS 11.41.436	all subsections	Sexual Abuse of a Minor in the Second Degree
AS 11.41.438	all subsections	Sexual Abuse of a Minor in the Third Degree
AS 11.41.440	all subsections	Sexual Abuse of a Minor in the Fourth Degree
AS 11.41.450	all subsections	Incest
AS 11.41.452	all subsections	Online Enticement of a Minor
AS 11.41.455	all subsections	Unlawful Exploitation of a Minor
AS 11.41.458	all subsections	Indecent Exposure in the First Degree
AS 11.41.460	all subsections	Indecent Exposure in the Second Degree
AS 11.41.500	all subsections	Robbery in the First Degree
AS 11.41.510	all subsections	Robbery in the Second Degree
AS 11.41.520	all subsections	Extortion
AS 11.41.530	all subsections	Coercion
AS 11.46.120	all subsections	Theft in the First Degree
AS 11.46.130	all subsections	Theft in the Second Degree
AS 11.46.220	(c)(1)	(FELONY) Concealment of merchandise

Attachment A

TITLE AS 11 (cont.'d)		
Statute	Subsection	Name of Crime
AS 11.46.260	(b)(1)	(FELONY) Removal of identification marks
AS 11.46.270	(b)(1)	(FELONY) Unlawful Possession
AS 11.46.280	(d)(1-2)	(FELONY) Issuing a Bad Check
AS 11.46.285	(b)(1-2)	(FELONY) Fraudulent Use of an Access Device or Identification Document
AS 11.46.290	all subsections	Obtaining an Access Device or identification Document by Fraudulent Means
AS 11.46.300	all subsections	Burglary in the First Degree
AS 11.46.310	all subsections	Burglary in the Second Degree
AS 11.46.360	all subsections	Vehicle Theft in the First Degree
AS 11.46.400	all subsections	Arson in the First Degree
AS 11.46.410	all subsections	Arson in the Second Degree
AS 11.46.420	all subsections	Arson in the Third Degree
AS 11.46.427	all subsections	Criminally Negligent Burning in the First Degree
AS 11.46.475	all subsections	Criminal Mischief in the First Degree
AS 11.46.480	all subsections	Criminal Mischief in the Second Degree
AS 11.46.482	all subsections	Criminal Mischief in the Third Degree
AS 11.46.500	all subsections	Forgery in the First Degree
AS 11.46.505	all subsections	Forgery in the Second Degree
AS 11.46.520	all subsections	Criminal Possession of a Forgery Device
AS 11.46.530	(b)(1)	(FELONY) Criminal simulation
AS 11.46.550	all subsections	Offering a False Instrument for Recording in the First Degree
AS 11.46.565	all subsections	Criminal Impersonation in the First Degree
AS 11.46.600	all subsections	Scheme to Defraud
AS 11.46.620	(d)(1)	(FELONY) Misapplication of Property
AS 11.46.630	all subsections	Falsifying Business Records
AS 11.46.660	all subsections	Commercial Bribe Receiving
AS 11.46.670	all subsections	Commercial Bribery
AS 11.46.710	(d)	(FELONY) Deceptive Business Practices
AS 11.46.730	(c)(1-2)	(FELONY) Defrauding Creditors
AS 11.46.740	all subsections	Criminal Use of Computer
AS 11.51.100	(a)(1, 2 & 4) (d)(1-2)	(FELONY) Endangering the Welfare of a Child in the First Degree
AS 11.51.120	(d)	(FELONY) Criminal Nonsupport
AS 11.51.121	all subsections	Aiding the Nonpayment of Child Support in the First Degree
AS 11.51.200	all subsections	Endangering the Welfare of a Vulnerable Adult in the First Degree
AS 11.56.100	all subsections	Bribery
AS 11.56.110	all subsections	Receiving a Bribe
AS 11.56.200	all subsections	Perjury
AS 11.56.205	all subsections	Unsworn Falsification in the First Degree
AS 11.56.230	all subsections	Perjury by Inconsistent Statements
AS 11.56.300	all subsections	Escape in the First Degree
AS 11.56.310	all subsections	Escape in the Second Degree
AS 11.56.320	all subsections	Escape in the Third Degree
AS 11.56.335	all subsections	Unlawful Evasion in the First Degree
AS 11.56.370	all subsections	Permitting an Escape
AS 11.56.375	all subsections	Promoting Contraband in the First Degree
AS 11.56.510	all subsections	Interference with Official proceedings

Attachment A

TITLE AS 11 (cont.'d)		
Statute	Subsection	Name of Crime
AS 11.56.520	all subsections	Receiving a Bribe by a Witness or Juror
AS 11.56.540	all subsections	Tampering with a Witness in the First Degree
AS 11.56.590	all subsections	Jury Tampering
AS 11.56.600	all subsections	Misconduct by a Juror
AS 11.56.610	all subsections	Tampering with Physical Evidence
AS 11.56.705	all subsections	Harming a Police Dog in the First Degree
AS 11.56.730	(d)(1)	(FELONY) Failure to Appear
AS 11.56.760	all subsections	Violating an Order to Submit to DNA testing
AS 11.56.762	all subsections	Unlawful Use of DNA samples
AS 11.56.770	all subsections	Hindering Prosecution in the First Degree
AS 11.56.807	all subsections	Terroristic Threatening in the First Degree
AS 11.56.810	all subsections	Terroristic Threatening in the Second Degree
AS 11.56.815	all subsections	Tampering with Public Records in the First Degree
AS 11.56.827	all subsections	Impersonating a Public Servant in the First Degree
AS 11.56.835	all subsections	Failure to Register as a Sex Offender or Child Kidnapper in the First Degree
AS 11.61.100	all subsections	Riot
AS 11.61.123	(g)(1-2)	(FELONY) Indecent Viewing or Production of a Picture
AS 11.61.124	(f)(1)	(FELONY) Solicitation or Production of an Indecent Picture of a Minor
AS 11.61.125	all subsections	Distribution of Child Pornography
AS 11.61.127	all subsections	Possession of Child Pornography
AS 11.61.128	all subsections	Distribution of Indecent Material to Minors
AS 11.61.140	(h)	(FELONY) Cruelty to Animals
AS 11.61.145	(d)(1)	(FELONY) Promoting an Exhibition of Fighting Animals
AS 11.61.160	all subsections	Recruiting a Gang Member in the First Degree
AS 11.61.190	all subsections	Misconduct Involving Weapons in the First Degree
AS 11.61.195	all subsections	Misconduct Involving Weapons in the Second Degree
AS 11.61.200	all subsections	Misconduct Involving Weapons in the Third Degree
AS 11.61.240	(b)(1-3)	(FELONY) Criminal Possession of Explosives
AS 11.61.250	all subsections	Unlawful furnishing of Explosives
AS 11.66.100	(e)	(FELONY) Prostitution
AS 11.66.110	all subsections	Sex Trafficking in the First Degree
AS 11.66.120	all subsections	Sex Trafficking in the Second Degree
AS 11.66.130	all subsections	Sex Trafficking in the Third Degree
AS 11.66.210	all subsections	Promoting Gambling in the First Degree
AS 11.66.230	all subsections	Possession of Gambling Records in the First Degree
AS 11.71.010	all subsections	Misconduct Involving a Controlled Substance in the First Degree
AS 11.71.021	all subsections	Misconduct Involving a Controlled Substance in the Second Degree
AS 11.71.030	all subsections	Misconduct Involving a Controlled Substance in the Third Degree
AS 11.71.040	all subsections	Misconduct Involving a Controlled Substance in the Fourth Degree
AS 11.71.210	all subsections	Purchase or Receipt of Restricted Amounts of Certain Listed Chemicals
AS 11.73.010	all subsections	Manufacture or Delivery of an Imitation Controlled Substance
AS 11.73.020	all subsections	Possession of Substance with Intent to Manufacture
AS 11.73.030	all subsections	Delivery of an Imitation Controlled Substance to a Minor
AS 11.73.040	all subsections	Advertisement to Promote the Delivery of an Imitation Controlled Substance

Attachment A

TITLE AS 26.05		
AS 26.05.730	(c)(1)	(FELONY) Desertion
AS 26.05.755	all subsections	Assaulting or wilfully disobeying superior commissioned officer
AS 26.05.760	all subsections	Insubordination
AS 26.05.767	(a-b)	(FELONY) Impersonation of officer
AS 26.05.775	all subsections	Mutiny or sedition
AS 26.05.800	all subsections	Misbehavior before the enemy
AS 26.05.805	all subsections	Subordinate compelling surrender
AS 26.05.810	all subsections	Improper Use of countersign
AS 26.05.815	all subsections	Forcing a safeguard
AS 26.05.820	(b)(2)	(FELONY) Captured or abandoned property
AS 26.05.825	all subsections	Aiding the enemy
AS 26.05.830	all subsections	Misconduct as prisoner
AS 26.05.850	(a)	(FELONY) Improper hazarding of vehicle, aircraft, or vessel
AS 26.05.855	(b), (c), & (e)	(FELONY) DUI
AS 26.05.870	(a)	(FELONY) Wrongful Use or Possession of Controlled Substances
AS 26.05.890	all subsections	Sexual Assault
AS 26.05.893	all subsections	Prohibited Sexual activities with military recruit by person in position of special trust
AS 26.05.895	all subsections	Stalking
AS 26.05.897	all subsections	Assault
AS 26.05.900	(a-b)	(FELONY) Other Sexual misconduct; indecent viewing, visual Recording, or broadcasting
AS 26.05.913	all subsections	Public Records offenses
AS 26.05.940	all subsections	Offenses concerning government computers
TITLE AS 28.35		
AS 28.35.030	(n)	(FELONY) DUI
AS 28.35.032	(p)	(FELONY) Refusal to Submit to Chemical Test
AS 28.35.060	(c)	(FELONY) Duty of Operator to Give Information and Render Assistance
AS 28.35.161	(f)(2-4)	(FELONY) Use of Electronic Devices While Driving
AS 28.35.182	all subsections	Failure to Stop at Direction of Peace Officer
AS 28.35.320	(e)	(FELONY) Failure to Return Rental Vehicle

Attachment A

Anchorage Municipal Code		
AMC8.10.010	(A), (B), & (D)	Assault
AMC8.10.020	all subsections	Stalking-conduct place fear of death/inj
AMC8.10.080	(A) (1-2)	Indecent expose
AMC8.10.100	all subsections	Reckless Endangerment
AMC8.50.040	all subsections	Sex Exploit/Minor
AMC8.55.020	(A)(2) & (4)	Animal fighting
AMC8.65.100	(A)	Coerce/induce another to be a prostitute

City and Bourough of Juneau Code		
CBJ42.10.010	all subsections	Assault
CBJ42.10.020	all subsections	Reckless Endangerment

Kodiak City Code		
KCC8.20.020	all subsections	Assault
KCC8.56.020	all subsections	Indecent Exposure and Exhibition

Seward City Code		
SCC10.15.020	(a)	No Person Shall Commit Assault and Battery

Sitka General Code		
SGC10.52.030(A)	(A), (B), & (D)	Misdemeanor-Assault by Threat to Batter

Sitka General Code		
UCO13.14.010	(A)(2)	Public Indecency