
	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 collect of DNA upon arrest or conviction

(rows highlighted in yellow require careful attention to subsection -
only the subsection listed requires collection. If subsection not listed do **NOT** collect.)

TITLE AS 11

AS 11.41.100	Murder in the first degree
AS 11.41.110	Murder in the second degree
AS 11.41.120	Manslaughter
AS 11.41.130	Criminally negligent homicide
AS 11.41.150	Murder of an unborn child
AS 11.41.160	Manslaughter of an unborn child
AS 11.41.170	Criminally negligent homicide of an unborn child
AS 11.41.200	Assault in the first degree
AS 11.41.210	Assault in the second degree
AS 11.41.220	Assault in the third degree
AS 11.41.260	Stalking in the first degree
AS 11.41.280	Assault of an unborn child in the first degree
AS 11.41.282	Assault of an unborn child in the second degree
AS 11.41.300	Kidnapping
AS 11.41.320	Custodial interference in the first degree
AS 11.41.360	Human trafficking in the first degree
AS 11.41.365	Human trafficking in the second degree
AS 11.41.410	Sexual assault in the first degree
AS 11.41.420	Sexual assault in the second degree
AS 11.41.425	Sexual assault in the third degree
AS 11.41.434	Sexual abuse of a minor in the first degree
AS 11.41.436	Sexual abuse of a minor in the second degree
AS 11.41.438	Sexual abuse of a minor in the third degree
AS 11.41.450	Incest
AS 11.41.452	Online enticement of a minor
AS 11.41.455	Unlawful exploitation of a minor
AS 11.41.458	Indecent exposure in the first degree
AS 11.41.500	Robbery in the first degree
AS 11.41.510	Robbery in the second degree
AS 11.41.520	Extortion
AS 11.41.530	Coercion
AS 11.46.120	Theft in the first degree

Attachment A

AS 11.46.130	Theft in the second degree
AS 11.46.220(c)(1)	Concealment of merchandise
AS 11.46.260(b)(1)	Removal of identification marks
AS 11.46.270(b)(1)	Unlawful possession
AS 11.46.280(d)(1-2)	Issuing a bad check
AS 11.46.285(b)(1-2)	Fraudulent use of an access device or identification document
AS 11.46.290	Obtaining an access device or identification document by fraudulent means
AS 11.46.300	Burglary in the first degree
AS 11.46.310	11.46.310. Burglary in the second degree
AS 11.46.360	Vehicle theft in the first degree
AS 11.46.400	Arson in the first degree
AS 11.46.410	Arson in the second degree
AS 11.46.420	Arson in the third degree
AS 11.46.427	Criminally negligent burning in the first degree
AS 11.46.475	Criminal mischief in the first degree
AS 11.46.480	Criminal mischief in the second degree
AS 11.46.482	Criminal mischief in the third degree
AS 11.46.500	Forgery in the first degree
AS 11.46.505	Forgery in the second degree
AS 11.46.520	Criminal possession of a forgery device
AS 11.46.530(b)(1)	Criminal simulation
AS 11.46.550	Offering a false instrument for recording in the first degree
AS 11.46.565	Criminal impersonation in the first degree
AS 11.46.600	Scheme to defraud
AS 11.46.620(d)(1)	Misapplication of property
AS 11.46.630	Falsifying business records
AS 11.46.660	Commercial bribe receiving
AS 11.46.670	Commercial bribery
AS 11.46.710(d)	Deceptive business practices
AS 11.46.730(c)(1-2)	Defrauding creditors
AS 11.46.740	Criminal use of computer
AS 11.51.100(d)(1-2), (f)	Endangering the welfare of a child in the first degree
AS 11.51.120(d)	Criminal nonsupport
AS 11.51.121	Aiding the nonpayment of child support in the first degree
AS 11.51.200	Endangering the welfare of a vulnerable adult in the first degree
AS 11.56.100	Bribery

Attachment A

AS 11.56.110	Receiving a bribe
AS 11.56.200	Perjury
AS 11.56.205	Unsworn falsification in the first degree
AS 11.56.230	Perjury by inconsistent statements
AS 11.56.300	Escape in the first degree
AS 11.56.310	Escape in the second degree
AS 11.56.320	Escape in the third degree
AS 11.56.335	Unlawful evasion in the first degree
AS 11.56.370	Permitting an escape
AS 11.56.375	Promoting contraband in the first degree
AS 11.56.510	Interference with official proceedings
AS 11.56.520	Receiving a bribe by a witness or juror
AS 11.56.540	Tampering with a witness in the first degree
AS 11.56.590	Jury tampering
AS 11.56.600	Misconduct by a juror
AS 11.56.610	Tampering with physical evidence
AS 11.56.705	Harming a police dog in the first degree
AS 11.56.730(d)(1)	Failure to appear
AS 11.56.760	Violating an order to submit to DNA testing
AS 11.56.762	Unlawful use of DNA samples
AS 11.56.770	Hindering prosecution in the first degree
AS 11.56.807	Terroristic threatening in the first degree
AS 11.56.810	Terroristic threatening in the second degree
AS 11.56.815	Tampering with public records in the first degree
AS 11.56.827	Impersonating a public servant in the first degree
AS 11.56.835	Failure to register as a sex offender or child kidnapper in the first degree
AS 11.61.100	Riot
AS 11.61.123(g)(1-2)	Indecent viewing or production of a picture
AS 11.61.124(f)(1)	Solicitation or production of an indecent picture of a minor
AS 11.61.125	Distribution of child pornography
AS 11.61.127	Possession of child pornography
AS 11.61.128	Distribution of indecent material to minors
AS 11.61.140(h)	Cruelty to animals
AS 11.61.145(d)(1)	Promoting an exhibition of fighting animals
AS 11.61.160	Recruiting a gang member in the first degree
AS 11.61.190	Misconduct involving weapons in the first degree

Attachment A

AS 11.61.195	Misconduct involving weapons in the second degree
AS 11.61.200	Misconduct involving weapons in the third degree
AS 11.61.240(b)(1-3)	Criminal possession of explosives
AS 11.61.250	Unlawful furnishing of explosives
AS 11.66.100(e)	Prostitution
AS 11.66.110	Sex trafficking in the first degree
AS 11.66.120	Sex trafficking in the second degree
AS 11.66.130	Sex trafficking in the third degree
AS 11.66.210	Promoting gambling in the first degree
AS 11.66.230	Possession of gambling records in the first degree
AS 11.71.010	Misconduct involving a controlled substance in the first degree
AS 11.71.021	Misconduct involving a controlled substance in the second degree
AS 11.71.030	Misconduct involving a controlled substance in the third degree
AS 11.71.040	Misconduct involving a controlled substance in the fourth degree
AS 11.71.210	Purchase or receipt of restricted amounts of certain listed chemicals
AS 11.73.010	Manufacture or delivery of an imitation controlled substance
AS 11.73.020	Possession of substance with intent to manufacture
AS 11.73.030	Delivery of an imitation controlled substance to a minor
AS 11.73.040	Advertisement to promote the delivery of an imitation controlled substance
TITLE AS 26.05	
AS 26.05.730(c)(1)	Desertion
AS 26.05.755	Assaulting or wilfully disobeying superior commissioned officer
AS 26.05.760	Insubordination
AS 26.05.767(a-b)	Impersonation of officer
AS 26.05.775	Mutiny or sedition
AS 26.05.800	Misbehavior before the enemy
AS 26.05.805	Subordinate compelling surrender
AS 26.05.810	Improper use of countersign
AS 26.05.815	Forcing a safeguard
AS 26.05.820(b)(2)	Captured or abandoned property
AS 26.05.825	Aiding the enemy
AS 26.05.830	Misconduct as prisoner
AS 26.05.850(a)	Improper hazarding of vehicle, aircraft, or vessel
AS 26.05.855(b), (c), & (e)	DUI
AS 26.05.870(a)	Wrongful use or possession of controlled substances
AS 26.05.890	Sexual assault

Attachment A

AS 26.05.893	Prohibited sexual activities with military recruit by person in position of special trust
AS 26.05.895	Stalking
AS 26.05.897(b)	Assault
AS 26.05.900(a-b)	Other sexual misconduct; indecent viewing, visual recording, or broadcasting
AS 26.05.913	Public records offenses
AS 26.05.940	Offenses concerning government computers
TITLE AS 28.35	
AS 28.35.030(n)	DUI
AS 28.35.032(p)	Refusal to submit to chemical test
AS 28.35.060(c)	Duty of operator to give information and render assistance
AS 28.35.161(f)(2-4)	Use of electronic devices while driving
AS 28.35.182	Failure to stop at direction of peace officer
AS 28.35.320(e)	Failure to return rental vehicle