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## **1 TRAINING**

Initial training for the collection of DNA samples will consist of the viewing of a training video and reading the DNA Procedural Guidelines. The training video demonstrates the use of the DNA collection kits. The video is available, free of charge, through the Texas Department of Public Safety CODIS Program.

All State of Texas DNA Database Cards contain a statement that the collector has taken the specimen in accordance with state regulations / current DPS guidelines. When the collector signs the card, they are certifying they have viewed the training video, read the instructions in the collection kit, and/or followed the instructions for the collection of the specimen set forth by the CODIS DNA Procedural Guidelines.

Any agency may request training from the Texas Department of Public Safety CODIS program. If an agency continuously submits unsuitable specimens, the CODIS program may determine that one-on-one training is necessary for that agency.

## **2 OBTAINING KITS**

The DNA sample collection kits can be obtained through the Texas Department of Public Safety CODIS laboratory. The CODIS Buccal Swab Collection Kit Order Form can be found on our website at <http://www.dps.texas.gov/InternetForms/Forms/LAB-CO-09.pdf>. You may fax the completed order form to the CODIS lab at 512-424-2386, or mail to:

Texas Department of Public Safety  
Crime Lab - CODIS MSC 0461  
PO Box 4143  
Austin TX 78765-4143

You may also order kits by contacting the CODIS Interagency Liaison via telephone at (512) 424-2387.

## **3 DETERMINATION OF APPLICABILITY**

### **DNA Blood Samples:**

An eligible individual is an individual who is:

- A. Confined in a penal institution operated by or under contract with the Texas Department of Criminal Justice;
- B. A juvenile who is, after adjudication for conduct constituting a felony, confined in a facility operated by or under contract with the Texas Juvenile Justice Department (TJJD);
- C. Ordered as a condition of community supervision under Article 42.12, Code of Criminal Procedure.



### **DNA Buccal Swab Samples:**

An eligible individual is an individual who is:

- A. Arrested for one or more of the following (after having been previously convicted of or placed on deferred adjudication for one or more of the offenses described below):
  1. Aggravated kidnapping with intent to cause bodily injury or violate or abuse sexually;
  2. Indecency with child;
  3. Sexual assault;
  4. Aggravated sexual assault;
  5. Prohibited sexual conduct or 'incest';
  6. Burglary of a habitation committing or with intent to commit a non-theft felony (1<sup>st</sup> degree);
  7. Compelling prostitution;
  8. Sexual performance by child;
  9. Possession or promotion of child pornography;
  10. Continuous sexual abuse of a child;
  11. Continuous trafficking of persons.
  
- B. Indicted for one or more of the following (or charged by information after waving indictment) *\*\*A copy of the court order must be submitted with the collection kit.\*\**
  1. Aggravated kidnapping with intent to cause bodily injury or violate or abuse sexually;
  2. Indecency with child;
  3. Sexual assault;
  4. Aggravated sexual assault;
  5. Prohibited sexual conduct or 'incest';
  6. Burglary of a habitation committing or with intent to commit a non-theft felony (1<sup>st</sup> degree);
  7. Compelling prostitution;
  8. Sexual performance by child;
  9. Possession or promotion of child pornography;
  10. Continuous sexual abuse of a child;
  11. Continuous trafficking of persons.
  
- C. Convicted of any felony on or after September 1, 2009, as a condition of supervision; not to include deferred adjudications. *\*\*If a subject is granted deferred adjudication but court ordered to provide a DNA sample, you must submit a copy of the court order or subject's supervision conditions with the collection kit.\*\**



**DNA Buccal Swab Samples (con't):**

D. Convicted of one of the following, whether granted community supervision or not:

1. Public lewdness;
2. Indecent exposure;

*\*\*For the following offenses listed below, collection is only required if the offense was committed after September 1, 2015:\*\**

3. Terroristic threat;
4. Enticing a child;
5. Promotion of prostitution;
6. Sale, distribution, or display of harmful material to a minor.

E. Additional situations:

1. As a condition of release on bail or bond **\*\*A copy of the court order must be submitted with the collection kit.\*\***
2. Required to register as a sex offender;
3. Voluntary sample.

**4 SAMPLE COLLECTION PROCEDURE**

**Blood Sample Collection Procedure:**

1. Fill out the State of Texas DNA Database Card with the subject's identifying information on lines 1 through 5.
2. Offer the subject an opportunity to sign on line 6 (a signature is not required).
3. Leave line 8 blank.
4. Fill out the information requested on lines 9 and 10 (line 10 is the name of the clinical person conducting the blood draw).
5. Fill out information requested on lines 11 and 12 (the agency name should NOT be the name of a health clinic, hospital, or contract company; good examples would be "County Name" CSCD, "County Name" Sheriff's Office, "City Name" Police Department, etc).
6. Using normal fingerprint procedures, roll subject's left and right thumb where indicated on card (line 7).
7. Turn the card over and print all of the subject's fingers on the back of the card.

**Blood collection must be performed only by a physician, nurse, or licensed clinical lab technologist.**

**Perform the following collection procedure on ONE subject at a time.**

1. Cleanse the blood collection site with the prep pad provided. Following normal medical procedures and using the needle and blood tube provided (if necessary, a smaller gage needle may be substituted), withdraw the blood specimen from subject, allowing the tube to fill to maximum volume.
2. Print the subject's name and SID number on the blood tube label.



**Blood Sample Collection Procedure (con't):**

**Immediately after blood collection, assure proper mixing of anticoagulant by slowly and completely inverting the blood tube at least five times. DO NOT SHAKE VIGOROUSLY.**

**DO NOT return the used needle, holder, or used prep pad to the kit box. Discard using the recommended OSHA procedures.**

**DO NOT remove the liquid absorbing sheet from the ziploc bag.**

3. Check the identifying information on the blood tube label and compare it with the information on the State of Texas DNA Database Card to see that the information matches.
4. Insert the filled blood collection tube into the bubble wrap (with white absorbency paper inside) and then seal it using the self-stick adhesive strip.
5. Insert the bubble wrapped tube into the ziploc bag and close it.
6. Place blood specimen and completed State of Texas DNA Database Card in kit box and close kit box lid.
7. Date and sign the Kit Box Shipping Seal, then remove back and affix seal to kit box as indicated.
8. Mail the sealed kit to the laboratory for analysis as soon as possible.



**Buccal Swab Collection Procedure:**

**Perform the following collection procedure on ONE subject at a time.**

**The subject should have no food or drink for 20 minutes prior to having the sample taken.**

1. The person taking the sample shall put on gloves.
2. Remove one swab from the sterile sleeve. DO NOT touch or eject the swab tip. Place the swab into the subject's mouth and vigorously rub it on the inside of one cheek at least six times. Remove the swab from the subject's mouth and place it on top of the opened sterile sleeve packaging. Allow to air dry.
3. Repeat Step 2 on the opposite side of the subject's mouth with the remaining swab.

**DO NOT touch the swab tip with your hands or any other object.**

**After collection, the swabs must air-dry.**

4. Fill out the green State of Texas DNA Database Card with the subject's identifying information on lines 1 through 5.
5. Offer the subject an opportunity to sign on line 6 (a signature is not required).
6. Fill out line 8 with the offense for which this sample is being collected.
7. Fill out the information requested on lines 9 and 10 (line 10 is the name of the person collecting the buccal swab sample).
8. Fill out information requested on lines 11 and 12 (good examples for the agency name would be "County Name" CSCD, "County Name" Sheriff's Office, "City Name" Police Department, etc).
9. Using normal fingerprint procedures, roll subject's left and right thumb where indicated on the card (line 7).
10. Turn the card over and print all of the subject's fingers on the back of the card.
11. Fill out the subject's name and SID number on the swab storage envelope.
12. Once dried, place both swabs inside the swab storage envelope, peel the protective paper from the flap, and seal the flap of the envelope.
13. Check the information on the front of the swab storage envelope and compare it with the information on the State of Texas DNA Database Card to see that the information matches.
14. Place the swab storage envelope and the State of Texas DNA Database Card inside the shipping envelope.
15. Peel the backing from the shipping seal, place it on the shipping envelope as indicated, and initial and date the seal (no kit can be accepted without an intact and initialed seal).
16. Mail the sealed kit to the laboratory for analysis as soon as possible.

**Direct questions to the CODIS program at (512) 424-2105 ext. 3888 or <mailto:codislab@dps.texas.gov>.**



## **5 REASONS FOR REJECTION**

### **Blood Samples:**

Some reasons that a blood sample would be rejected and would require a recollection:

1. Kit seal on exterior of box has been tampered with or is missing.
2. Blood in collection tube is less than  $\frac{1}{4}$  full.
3. The blood tube is not labeled with the subject's FIRST and LAST name, and SID number.
4. The blood tube has expired or does not have a lavender top.
5. The information on the blood tube is not consistent with the information on the database card.
6. Fingerprints are missing, smeared, too light, or unreadable.

### **Buccal Swab Samples:**

Some reasons that a buccal swab sample would be rejected and would require a recollection:

1. Kit seal on exterior of shipping envelope has been tampered with or is missing.
2. Swab storage envelope is not labeled with the subject's FIRST name, LAST name, and SID number.
3. The information on the swab storage envelope is not consistent with the information on the database card.
4. Swab storage envelope does not contain two swabs.
5. The swabs are compromised due to mold.
6. Fingerprints are missing, smeared, too light, or unreadable.

**\*\*If a sample is rejected by the laboratory for any reason, submit another collection kit in its entirety; i.e. the buccal swab samples and the State of Texas Database Card. The laboratory will not accept incomplete kits.\*\***

## **6 RECORD KEEPING AND RETENTION**

An agency collecting a DNA specimen from an eligible individual shall maintain a record of the collection. Unless otherwise ordered by a court, the collection agency shall retain the record for a period of three years from the date of the collection.



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**Concurrence**

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00	09/11/2009	Original Issue; Revision of 01/10/2006 LAB-11
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02	11/09/2015	Minor Revision – Section 3
02a	05/05/2016	Administrative Revision

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