



KANSAS CITY, MO. POLICE DEPARTMENT

DATE OF ISSUE

EFFECTIVE DATE

NO.

**DEPARTMENT MEMORANDUM**

03-17-10

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10-2

SUBJECT

DNA Sample Collection from Arrestees

AMENDS

REFERENCE

RSMo 650.055

RESCINDS

Missouri law requires DNA samples to be collected during the booking process from arrestees age 17 and older suspected of committing certain felony offenses (does not apply to certified juveniles). The specimens are forwarded to the Missouri State Highway Patrol Crime Laboratory to be processed and uploaded into the Missouri DNA profiling database, CODIS (COMbined DNA Index System). The Missouri State Highway Patrol (MSHP) is the central repository for the CODIS database in Missouri.

The DNA sample that is collected for the CODIS database may not be used for police department investigative purposes. Department members requiring a DNA sample for investigative purposes will have to obtain the sample through consent or a warrant.

A. Collecting DNA samples from arrestees:

1. Upon booking, a DNA sample will be collected from persons age 17 and older who are arrested for first or second degree burglary and/or any felony offense listed under the following state statute chapters:
  - a. RSMo Chapter 565 (Crimes against persons)
  - b. RSMo Chapter 566 (Sex Offenses)
  - c. RSMo Chapter 567 (Prostitution)
  - d. RSMo Chapter 568 (Crimes against the family)
  - e. RSMo Chapter 573 (Pornography)

The booking officer will notate that a DNA sample was collected on the Investigation Arrest Approval, Form 176 P.D. Questions regarding DNA sample collection requirements should be directed to a Detention Unit Supervisor.

2. Any arrestee who is required to provide a DNA sample shall provide the sample without the right of refusal. In the event that a person's DNA sample is not adequate for any reason, the person shall provide another sample for analysis.
3. DNA samples will be collected using only the state provided DNA sample collection kits by department members who have been trained to collect DNA samples. The Detention Unit will be responsible for obtaining additional DNA sample collection kits from the MSHP when needed.

4. Prior to obtaining a DNA sample, the department member will verify that the person was arrested for a qualified offense. To avoid duplicate collections from an arrestee, the member will also verify that a DNA sample has not been previously collected for the person by conducting a MULES computer check for DNA information.
  5. After the DNA sample is collected and sealed in the self addressed, stamped return envelope, the member will place the envelope in the outgoing mail.
- B. The MSHP must be notified within 90 days when the Fugitive Apprehension and Arraignment Section (FAAS) receives notification from a prosecutor that a case has been declined for prosecution and a DNA sample was collected.
- C. The FAAS Supervisor will:
1. Ensure that the MSHP Expungement Notification Form (SHP-420) is submitted to the MSHP Crime Laboratory.
  2. Forward a copy of the MSHP Expungement Notification Form (SHP-420) to the case detective who will ensure that the form is added to the case file.
  3. Affirm that the expunction process has been initiated on the Case Status Report, Form 327 P.D.



James D. Corwin  
Chief of Police

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