

MEMORANDUM

TO: All Criminal Justice agencies and Correctional Facility Administrators
COPY: All State's Attorneys
FROM: Attorney General Wayne Stenehjem
DATE: July 16, 2009
RE: **All Felony Arrestee DNA Testing**

URGENT—ATTENTION REQUIRED

In 2007, the Legislative Assembly amended N.D.C.C. § 31-13-03, **effective August 1, 2009**, to require **every individual arrested for the commission of any felony to provide a sample of blood or other body fluids for DNA law enforcement purposes and inclusion in the law enforcement identification data base**. If an individual's DNA sample is already included in the law enforcement identification database, then an additional sample is not required.

The Crime Laboratory will provide the DNA buccal swab collection kits to criminal justice agencies and correctional facilities for DNA collection from felony arrestees. Arresting law enforcement officers and correctional officers will use the buccal swab kits provided by the Crime Lab to collect DNA samples from all felony arrestees.

The Crime Lab will also provide approved training for law enforcement and correctional facility personnel to collect the DNA samples. The training will be done by way of DVDs prepared by the Crime Laboratory in cooperation with the North Dakota Peace Officers Association Evidence Technician Committee, and distributed to the criminal justice agencies and correctional facilities. This enables them to receive the training and become approved by the Crime Lab to collect DNA samples without the officers having to travel to the Crime Lab to attend the training.

The training DVDs and DNA Buccal Swab kits will be distributed beginning next week, so that everybody is ready to begin DNA collection for felony arrestees by August 1, 2009.

If you have any questions about the training or collection process, please call the Crime Laboratory at (701) 328-6159. Thank you.