



Forensic Biology Section

Handling Convicted Offender and Known Reference Samples

1. **Scope**

- 1.1. Proper procedures for the handling and processing of DNA reference samples from convicted felons and adjudicated juveniles that are required by law to submit a sample.

2. **Safety**

- 2.1. To reduce the risk of biological or chemical exposure, wear necessary PPE (e.g., lab coat and gloves).
- 2.2. Universal precautions must be observed during the handling of convicted offender samples.

3. **Background Information**

- 3.1. The Maine DNA Database and Databank Act Title 25, Chapter 194 mandates that a person convicted or adjudicated of the following offenses shall have a biological sample collected and sent to the Maine State Police Crime Laboratory for DNA analysis:
 - 3.1.1. An adult convicted on or after January 1, 1996 and before October 1, 2001, of a crime (or lesser included offense) listed in §1574, subsection 4.
 - 3.1.2. An adult convicted on or after October 1, 2001, of a crime (or lesser included offense) listed in §1574, subsection 5.
 - 3.1.3. An adult convicted and incarcerated prior to January 1, 1996, as a result of a conviction for a crime listed in §1574, subsection 4, must have a DNA sample taken before release from the corrections system
 - 3.1.4. A juvenile adjudicated on or after October 1, 2003, of a crime listed in §1574, subsection 6.

4. **Specimen**

- 4.1. Blood or Oral swabs spotted onto FTA cards (e.g., Convicted Offender DNA Collection Kits).

5. **Reagents and Special Supplies**

- Convicted Offender DNA Collection Kit, consisting of foam-tipped swabs (to collect buccal cells), Donor DNA Information Card (to store biological material and capture donor's personal information), and pre-addressed postage-paid barrier pouches (to deliver samples to Crime Laboratory).
- Manila coin Envelope

6. **Quality Assurance**

- 6.1. Convicted Offender (CO) DNA samples are considered reference material, not evidence items, but should still be handled with all the care and precautions to prevent loss, cross contamination, or deleterious change.
- 6.2. Only one specimen will be handled at a time during receipt and accessioning. The samples may be analyzed in batches during DNA analysis.
- 6.3. Unprocessed collection kits are stored at room temperature or in a refrigerator.



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- 6.4. All relevant information on the Donor DNA Information Card is entered into the Convicted Offender Databank (CODIS Sample Manager application).
- 6.5. Once entered in the Convicted Offender Databank, each CO sample is assigned and barcoded with a unique identifier. This unique identifier is placed on the information card, the two pieces of FTA paper, and the coin envelope.
- 6.6. After receipt and accessioning, the matching pair of FTA cards should be placed in the correspondingly labeled coin envelope. These CO samples are stored indefinitely at room temperature in the CODIS lab which is a secure location with limited access within the Crime Laboratory.
- 6.7. The Donor DNA Information Cards are scanned. The original cards are stored in the Incoming Locker in Evidence Receiving, and the scans are stored on the DPS network (H:\Crimelab\DNA\Convicted Offender Cards).
- 6.8. Either the original or the scans of the Donor DNA Information Cards may be referenced to confirm the name and conviction of the offender in the event of a CODIS hit.
- 6.9. A good-faith effort is made to confirm the accuracy of the information submitted on the Donor DNA Information Card through other databases and resources within the Department of Public Safety and the Department of Corrections when a hit is obtained.

7. Receipt and Data Entry

- 7.1. When the Convicted Offender DNA Collection Kits are received at the Crime Laboratory, the date and initials of the person receiving the kits should be recorded on the packaging or bundle of packages.
- 7.2. Sealed kits are stored in the CODIS Lab at room temperature or in a refrigerator until processed.
- 7.3. If the seal on an envelope appears broken or tampered with at time of receipt, the sample and corresponding Donor DNA Information Card must be discarded appropriately and confidentially. A representative from the collecting agency must be notified that another sample must be collected from that individual.
- 7.4. All Convicted Offender DNA Collection Kits submitted to the laboratory should contain a completed Donor DNA Information Card and two biological specimens (FTA cards).
- 7.5. The Donor DNA Information Card must be examined to ensure that all pertinent information was provided by the collecting agency.
 - 7.5.1. If the information card contains insufficient data or the offense does not appear to meet the specific criteria established by the DNA Database and Databank Act, the conviction and original charge should be researched either by contacting the collecting agency, in CORIS, or by the SBI.
 - 7.5.2. In many cases, the “plead to” or conviction charge is recorded on the information card and may not meet the law’s criteria, but the original charge may. If the original charge is determined to meet the criteria and the conviction is a “lesser



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included offense”, then the information can be added to the card and the sample can be accepted and processed.

- 7.5.3. If the conviction charge does not qualify under Maine Law, the sample must be discarded and the collecting agency notified that the sample has been discarded and the corresponding Donor DNA Information Card must be discarded in a confidential manner (shredded or placed in biohazard disposal box).
- 7.6. The data contained on the Donor DNA Information Card must be entered into the Convicted Offender Databank to officially receive the sample.
- 7.7. Once a record is saved, the databank assigns a unique “ME” number (e.g. “ME123456”) and prints bar code labels. The “ME” number is unique to that sample and anonymizes the sample during DNA analysis and in the CODIS database.
- 7.8. The printed barcode labels are attached to the Donor DNA Information Card, the two FTA cards, and a coin envelope.
- 7.9. The back of the coin envelope should be initialed and dated by the individual receiving and accessioning the sample.
- 7.10. The biological specimens should be placed in the coin envelope for storage. The coin envelopes are stored in cardboard sleeves in the CODIS lab.

8. DNA Analysis

- 8.1. CO samples are analyzed using a direct-amp DNA analysis method. See “Fusion Direct-Amp and Detect on 3500” and “Fusion Direct-Amp Interpretation with GeneMapper ID-X” protocols.
 - 8.1.1. There is no chain of custody for the CO samples.
 - 8.1.2. CO samples may be processed singly or in batches, either by hand or with validated instrumentation.
 - 8.1.3. A reagent blank is not required with direct-amp DNA analysis, only one positive and negative control is required per batch, and both controls must produce appropriate results.
 - 8.1.4. Greater analyst discretion is allowed with interpretation of DNA profiles since these are single-source reference samples.
 - 8.1.5. Indications of very low-level DNA from extraneous sources (e.g., carryover from another sample) will not automatically invalidate the analysis, but incidents still need to be documented and reviewed by the technical reviewer.