

SAN DIEGO POLICE DEPARTMENT

DATE/TIME: DECEMBER 17, 2013
NUMBER: OR 13-30
SUBJECT: DNA MOUTH SWAB CONSENT FORM
COST CENTER: 1914141301
SCOPE: ALL MEMBERS OF THE DEPARTMENT

DEPARTMENT PROCEDURE(S) AFFECTED: 3.02, 3.08, 3.09, and OR 09-14

Effective January 1, 2014, a consent form will be required when collecting DNA from a subject who is not being arrested for a felony, is not a 4th waiver subject, or who is not a victim of a sexual assault. The form will be used to inform the subject of his or her right to refuse to have a sample collected, and will inform the subject that the sample, if collected, may be entered into a database for comparison with other profiles.

The form separates, by paragraph, consent to give a sample and the consent to allow the sample to be entered into the local database. In the event a subject is willing to give a sample for purposes of the current investigation only, and is not willing to have the sample entered into the database, the second paragraph shall be crossed out and initialed by the officer. The paragraph referencing the local database should be crossed out for all victim reference samples and consensual partner samples, as those samples are not entered into the database.

The forms shall be submitted to the Laboratory, along with any DNA work request. Any DNA sample that has not been collected from a felony arrestee, 4th waiver subject, or sexual assault victim, must have a form submitted in order to have the sample analyzed. If no form was collected, permission from the Assistant Chief in the requestor's chain of command will be required to proceed. The DNA lab work request forms will be revised to aid in this process.

The form(s) will be located on the F: drive in the following locations:
F:\Templates\Administrative
F:\Templates\Patrol Based Forms
F:\Lab\DNA

For questions regarding this Order, please contact Jennifer Shen at (619) 531-2655.

Please read at squad conferences and give a copy to all personnel.