



GOODYEAR POLICE DEPARTMENT

Policy and Procedure Manual

POLICY 3.21 DNA SAMPLES

Effective:
01/30/2025

Replaces:
8/17/2021

Approved:


1. PURPOSE AND SCOPE

1. This policy provides guidelines for the collection of buccal cells or other bodily substances for deoxyribonucleic acid (DNA) testing and extraction samples from those individuals required to provide samples upon conviction, arrest or adjudication for certain offenses. This policy does not apply to samples of "evidence" collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to samples collected from those required to register, for example, as sex offenders.
2. The Goodyear Police Department will assist in the expeditious collection of required buccal cells or other bodily substances for deoxyribonucleic acid testing and extraction samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

2. PERSONS SUBJECT TO DNA COLLECTION

1. The following persons must submit buccal cells or other bodily substances for deoxyribonucleic acid testing and extraction samples:
 - A. Persons who are arrested for a violation of any offense listed in ARS § 13-610(O)(3) and transferred to jail (ARS § 13-610(K)). See list of offenses at end of this policy.
 - B. Persons who are charged with any offense listed in ARS § 13-610(O)(3) and summoned to appear in court for an initial appearance (ARS § 13-610(L)).
 - C. Juveniles who are ordered to submit by a judicial officer after being charged with any of the offenses listed in ARS § 8-238(A).

3. PROCEDURE

1. When an individual is required to provide buccal cells or other bodily substances for deoxyribonucleic acid testing and extraction samples, a trained employee shall attempt to obtain the sample in accordance with this policy.
 - A. COLLECTION
 1. The following steps should be taken to collect a sample:
 1. Verify that the individual is required to provide a sample pursuant to ARS§13-610(O).
 2. Verify that a sample has not been previously collected from the offender by querying the Arizona Department of Public Safety (DPS) DNA Database Unit at 602-223-2394 (this information is also listed in the instructions on the DNA Databank Form.) There is no need to obtain a biological sample if one has been previously obtained and DPS is maintaining a sample sufficient for DNA testing (ARS § 13-610(G)).
 3. Use the designated "Buccal DNA Collection Kit" to perform the collection and take steps to avoid cross contamination.
 4. All samples shall be collected in accordance with the collection of buccal swabs training guide tagged with this policy, and by employees who have successfully completed approved training in the collection and processing of samples.
 5. The trained employee collecting the sample will provide a "Goodyear DNA Sample Compliance Form" to the person providing the sample once the collection is completed.
 - B. USE OF FORCE TO OBTAIN SAMPLES

1. If a person refuses to cooperate with the sample collection process, officer should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor.
2. The supervisor shall review and approve any plan to use force and be present to document the process.

C. PROCESSING BIOLOGICAL SAMPLES

1. All buccal cells or other bodily substances for deoxyribonucleic acid testing and extraction samples shall be submitted for processing to the accredited AZDPS lab using the envelope, labels and instructions provided in the "Buccal DNA Collection Kit", for prompt analysis (ARS § 13-610(H)).

4. OFFENSES LISTED IN ARS § 13-610(O) (3)

1. The following offenses require the arresting officer to confirm DNA is already on file or if not to take DNA samples for any arrest/booking on these offenses.
 - A. Arrested for a violation of any offense in Chapter 11 of this title (HOMICIDE)
 - B. ARS § 13-1402 – Indecent exposure
 - C. ARS § 13-1403 – Public sexual indecency; public sexual indecency to a minor
 - D. ARS § 13-1404 – Sexual abuse
 - E. ARS § 13-1405 – Sexual conduct with a minor
 - F. ARS § 13-1406 – Sexual assault
 - G. ARS § 13-1410 – Molestation of a child
 - H. ARS § 13-1411 - Bestiality
 - I. ARS § 13-1417 – Continuous sexual abuse of a child
 - J. ARS § 13-1507 – Burglary in the second degree
 - K. ARS § 13-1508 – Burglary in the first degree
 - L. ARS § 13-3208 – Keeping or residing in house of prostitution
 - M. ARS § 13-3214 - Prostitution
 - N. ARS § 13-3555 – Portraying adult as minor
 - O. ARS § 13-3608 - Incest
 - P. A violation of any serious offense as defined in section ARS § 13-706 that is a dangerous offense (First degree murder, Second degree murder, Manslaughter, Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument, Sexual assault, Any dangerous crime against children, Arson of an occupied structure, Armed robbery, Burglary in the first degree, Kidnapping, Sexual conduct with a minor under fifteen years of age, Child sex trafficking). ARS § 13-105; definitions – "Dangerous Offense" means an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person.