



NEWARK POLICE DIVISION GENERAL ORDER



SUBJECT:
DNA Evidence

GENERAL ORDER NO.
04-07

SUPERSEDES:
G.O. 04-07 (08-20-2004)

DATED:
October 30, 2025

RELATED POLICIES:
G.O. 65-9 (Sexual Assault Medical Exam)
G.O. 99-05 (Crime Scene Procedures)

- I. POLICY**

- II. PURPOSE**

- III. DEFINITIONS**

- IV. RESPONSIBILITIES OF FIRST RESPONDERS**

- V. RESPONSIBILITIES OF INVESTIGATORY PERSONNEL**

- VI. STORING, PRESERVING AND TRANSPORTING DNA EVIDENCE**

- VII. RESPONSIBILITY FOR COMPLAINT**

- VIII. EFFECT OF THIS ORDER**



NEWARK POLICE DIVISION GENERAL ORDER



I. POLICY

Forensic DNA technology is revolutionizing the way law enforcement officers investigate violent crimes, including crime scene investigation, counseling of rape victims, accurate conviction of offenders, and connecting offenders to other crimes. It shall be the policy of the Newark Police Department to utilize the services of the New Jersey State Police Forensic Laboratory to analyze DNA samples obtained from victims of sexual assaults.

II. PURPOSE

This Order will delineate the procedures for the identification, collection, transportation and preservation of DNA evidence.

III. DEFINITIONS

- A. **Sexual Assault:** Any conduct proscribed by *Title 2C, Chapter 14* of the New Jersey Criminal Code, which includes both assaults committed by offenders who are strangers to the victim, and assaults committed by offenders who are known or related by blood or marriage to the victim.
- B. **Forensic Medical Examination:** Any examination provided to a sexual assault victim by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in a court of law.
 - 1. The examination should include at a minimum:
 - a. Examination of physical trauma,
 - b. Determination of penetration and/or force,
 - c. Patient interview, *and*
 - d. Collection and evaluation of evidence.
- C. **Forensic Nurse Examiner:** A forensic nurse examiner (*FNE*) is a registered nurse with specialized training to perform forensic medical examinations, obtain and collect samples, specimens, and photographs, while assessing and caring for a victim's medical condition.
- D. **SAFE / DFSA Kits:** Sexual Assault Forensic Evidence / Drug Facilitated Sexual Assault kits aid in the collection and preservation of specimens and other physical evidence yielded from a sexual assault medical forensic exam.
- E. **Hold Kits:** A SAFE / DFSA kit which is related to an unreported sexual assault investigation, however the victim does *not* consent to its release to law enforcement.
- F. **Biological Evidence:** Evidence commonly recovered from crime scenes in the form of hair, tissue, bones, teeth, blood, or other bodily fluids.
- G. **Chain of Command:** A record of individuals who have had physical possession of the evidence and the process used to maintain and document the chronological history of the evidence.



NEWARK POLICE DIVISION

GENERAL ORDER



- H. **CODIS** (*Combined DNA Index System*): CODIS is an electronic database of DNA profiles obtained from evidence samples from unsolved crimes and from known individuals convicted of particular crimes. Contributions to this database are made through state crime laboratories and the data are maintained by the FBI.
- I. **Contamination**: The undesirable transfer of material to physical evidence (*DNA*) from another source.
- J. **DNA** (*Deoxyribonucleic Acid*): An organic substance found in all cells and often referred to as the “blueprint of life.” DNA in the cell nucleus is the genetic material inherited from our biological parents and is unique in every individual except in identical twins.
- K. **DNA Profile**: A set of genetic characteristics that results from forensic DNA analysis of several DNA markers.

IV. RESPONSIBILITIES OF FIRST RESPONDERS

A. Officers Responding to a Sexual Assault:

1. Shall ensure the safety of the victim and summon medical personnel.
 - a. Assess the condition of the victim and ensure a prompt EMS response.
 - b. Escort the victim to the hospital and remain with victim until the investigatory personnel arrive.
 - i. Although all hospitals within Essex County are capable of a Forensic Medical Examination, Beth Israel Hospital shall be the preferred hospital.
2. Identify and safeguard the crime scene following procedures for maintaining the integrity of a crime scene as set forth in *G.O. 99-05 Crime Scene Procedures*.
 - a. Because forensic evidence may be found on the victim’s clothing and body cavities, it is crucial for the responding officer to advise the victim of a sexual assault that they should not change clothes, shower, or wash any part of their body after the assault.
3. Conduct a preliminary interview of the victim to evaluate the criminal act(s) committed, and elicit pertinent information to determine the identity of the suspect(s).
4. Ensure investigatory personnel are notified. Special Victims Division shall be responsible for the investigation of sexual assault and may be notified using the following procedures;
 - a. During weekdays between 0800 and 0600 hours, the Special Victims personnel can be notified via telephone at 973-733-7273, or through the Communications Division.
 - b. During overnight hours and on weekends, all notifications are to be made through the Communications Division.
 - i. The Communications Division tour supervisor shall ensure that the appropriate on-call investigatory personnel are notified *immediately*.



NEWARK POLICE DIVISION GENERAL ORDER



5. The crime scene shall be safeguarded until processed by Crime Scene Unit personnel in accordance with *General Order 99-05 (Crime Scene Procedures)*.
6. Division Personnel shall complete the preliminary incident report, and victim notification form.
7. At the conclusion of the examination, Division Personnel or Special Victims investigator shall take custody of a sealed kit (*which must include a SKIF barcode*), and any other evidence collected by the forensic nurse examiner.
 - a. During Special Victims Division operational hours (*Monday - Friday 0900 to 0600 hours*), the SAFE/DFSA kit shall be taken to the Special Victims Division.
 - b. During non-operational hours, the SAFE/DFSA kit, shall be retained at the corresponding Precinct, until collected by a Special Victims investigator.
 - i. Division Personnel shall enter the SAFE/DFSA kit into the BEAST evidence database to ensure the chain of custody is maintained.
8. If an officer is not present at the conclusion of the forensic medical examination, the Forensic Nurse Examiner may take possession of the kit and other evidence obtained, such as clothing.

V. RESPONSIBILITIES OF INVESTIGATORY PERSONNEL

- A. The Commanding Officer of the Special Victims Division shall:
 1. Ensure a detective is assigned to all sexual assault complaints.
 2. Maintain a database of Sexual Assault Forensic Evidence, Drug Facilitated Sexual Assault or Hold Kits which is capable of bi-annual reporting (*January 31 and July 31*).
 - a. The SKIF/Track Kit database shall be used to accomplish this requirement.
 - i. The *SKIF* is the numerical barcode placed on every sexual assault kit to facilitate tracking from the hospital to the lab.
 - b. Bi-annual reporting shall be electronically submitted to the Division of Criminal Justice - Office of Justice Data.
 - i. <https://njoag.app.box.com/f/ce392dcbafcb414a970ce2de5f187347>
 3. Ensure Special Victims personnel transport the SART/DFSA kit(s) to the New Jersey State Police Laboratory for testing *as soon as practicable*, but no later than ten (10) calendar days *unless*:
 - a. The County Prosecutor or designee determines there is sufficient cause for the delay, *and*
 - b. Prosecutor or designee provides *written* approval.



NEWARK POLICE DIVISION GENERAL ORDER



VI. STORING, PRESERVING AND TRANSPORTING DNA EVIDENCE

- A. Evidence contains forensically valuable material. Environmental factors such as heat, sunlight, moisture, bacteria and mold can adversely affect DNA evidence, and render it useless.
1. The Commander of the Special Victims Division shall ensure the storage and preservation of DNA evidence to include:
 - a. A refrigerator or refrigerated unit is available and operational at all times for the storage of certain DNA evidence.
 - i. This unit shall remain locked at all times and accessible *only* by personnel assigned to the Special Victims Division.
 - b. Sexual Assault Forensic Evidence kits shall be secured *immediately* within the evidence room (*not to be secured in refrigerator*).
 - c. Drug Facilitated Sexual Assault kits obtained from medical facilities shall be secured in the locked refrigerated unit immediately to ensure preservation of DNA evidence.
 - d. Hold Kits shall be retained by the Essex County Prosecutors Office.
 - e. To ensure the chain of custody is preserved, all DNA evidence shall be logged into the *SKIF/Trak Kit* database once secured into the refrigerator, and/or removed for transport to the State Police Forensic Laboratory.
 - f. Using the *BEAST* evidence database, all DNA evidence scheduled to be transported to the State Police Forensic Laboratory shall be entered into the State Police Laboratory Information Management System (*LIMS*).
 - g. Once analyzed by the State Police Forensic Laboratory, and there is no immediate need of preservation is required, DNA evidence shall be forwarded to the Property & Evidence Division.
 - i. A Property Report (*DPI:152*) shall be submitted, and noted in the Sexual Assault Kit Ledger to ensure proper chain of custody.
- B. The Commander of the Special Victims Division shall ensure all DNA evidence is transported to the State Police Forensic Laboratory in accordance with the following:
1. DNA evidence remains dry and at room temperature.
 2. DNA evidence should be secured in paper bags or envelopes, sealed and labeled properly.
 3. DNA evidence should never be placed in plastic containers, in direct sunlight, or in the trunk of a car.
 4. Ensure the DNA evidence is not contaminated.



NEWARK POLICE DIVISION GENERAL ORDER



- a. Contamination occurs when the evidence comes in contact with another individuals body fluids through actions such as sneezing, coughing, or touching.
5. Refrain from exposing the DNA evidence to environmental effects which could result in decomposition and deterioration.

VII. RESPONSIBILITY OF COMPLIANCE

All Police Division personnel shall be responsible for understanding and complying with this order. Commanding and Supervisory officers are to ensure that subordinate personnel thoroughly understand the tenets of this order.

VIII. EFFECT OF THIS ORDER

This order shall become effective immediately upon issuance, and all previously issued memoranda, and orders and sections which are inconsistent with the tenets of this order are hereby rescinded.

By Order of:

**EMANUEL MIRANDA, SR.
PUBLIC SAFETY DIRECTOR**

EM/JAG/JG:tr