



BIOLOGICAL EVIDENCE FOR DNA ANALYSIS

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DNA CASE ACCEPTANCE POLICY:

The Houston Forensic Science Center (HFSC) strives to provide timely, high-quality results for all end users. HFSC can better optimize its systems, resulting in better service to clients, if the incoming evidence is more standardized. A more predictable number of items per case will allow HFSC to better plan testing batches and make better use of materials and labor. The intent of this policy is to prioritize evidence based on what is most likely to yield results, allowing HFSC to return results faster. The goal is to test the fewest items necessary to answer the relevant questions in a case.

SAMPLE SUBMISSION LIMITS:

The type and number of samples that may be initially submitted will be based on the offense type. Known standards from suspects, complainants or elimination standards will not be counted in the number of items submitted. If sufficient information is not obtained from the items tested in the first submission, additional items may be considered for analysis. Again, the goal is to test a minimum number of items to provide a sufficient answer. Except where there may be regulatory requirements, additional samples will not be tested merely to disprove all possible scenarios. HFSC will require a written request from a prosecutor along with sufficient justification before approving additional testing if informative results have already been obtained.

DNA ANALYSIS FOR COURT:

HFSC understands the evolving nature of criminal investigations and court schedules, however the laboratory is not able to fulfill requests for extremely short turnaround times without negatively impacting the timeliness of analysis on other cases. HFSC cannot provide accurate and complete information if it does not have sufficient time to perform analysis and review results.

CODIS ELIGIBILITY:

The FBI requires that for a DNA profile to be acceptable to the National DNA Index System (NDIS) the item of evidence must be associated with a crime scene and the source of which must be attributable to a putative perpetrator. Evidence that can be attributed to someone other than the perpetrator, such as a victim, husband, boyfriend, witness etc., may not be submitted to the database. The laboratory may require elimination samples or the name, gender, and date of birth of the victim, husband, boyfriend, witness, etc. to determine the CODIS eligibility of an item of evidence.

All submitted items will be evaluated for possible CODIS entry. In instances when an item or items attributed to a complainant and/or a suspect are not CODIS eligible, HFSC requires the name, gender, and date of birth of the known reference samples to be obtained and submitted prior to analysis.



BURGLARY OR OTHER PROPERTY CRIMES:

Submission is limited to two (2) items.

Typical samples: swabs of blood from the crime scene and/or items left at the scene (clothing, tools and drink containers.)

Additional items may be accepted if the circumstance (such as multiple perpetrators) dictate the need for more analysis.

SEXUAL ASSAULTS:

The initial submission will be limited to the sexual assault evidence collection kit.

If the kit is positive (see examples below), no additional submissions will be accepted unless circumstances (such as multiple perpetrators) dictate the need for more analysis.

Positive kit Scenario 1: If the medical report in the kit indicates a single-assailant and no consensual sex partner within 48 hours, the most probative/positive sample will be selected for DNA testing based off of quantification data. If the most probative/positive sample initially tested was a non-intimate sample or turned out to be non-probative, 1 additional intimate/probative sample can be requested for DNA analysis. Requests for DNA testing on subsequent additional intimate or non-intimate samples from the kit will be evaluated and may be approved in rare instances based on case scenario.

Positive kit Scenario 2: If the medical report in the kit indicates multiple assailants, a consensual sex partner within 48 hours, or a "cannot recall" scenario occurred, then all samples testing positive based off of quantification data will be selected for DNA testing.

If the kit is negative, a second submission of potentially probative items, such as clothing or bedding, will be accepted.

In circumstances where no kit has been collected, the initial submission is limited to five (5) items the investigator and/or prosecutor deem to be most informative.

CRIMES AGAINST PERSONS:

Homicide: The initial submission of biological evidence is limited to ten (10) items which the investigator and/or prosecutor deem to be most informative. An additional five (5) trace swabs collected by the Harris County Institute of Forensic Sciences are permitted in the initial submission in addition to the ten (10) items, if applicable.

Other Crimes Against Persons (non-Homicide): The initial submission of biological evidence is limited to five (5) items which the investigator and/or prosecutor deem to be most informative.

To increase the likelihood of obtaining useful results, the investigating agency, the prosecutor and HFSC should discuss prior to evidence submission which evidence items are most likely to be probative.



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Serology screening and/or testing will be performed on the first 10 items. The samples which indicate the highest chance for yielding useful information will continue on for DNA testing.

If informative results are obtained from the initial submission, no more items will be examined unless circumstances (such as multiple perpetrators) dictate the need for additional analysis.

If no informative results are obtained from the first round of testing, a second submission of five (5) to ten (10) items will be allowed. The second submission will be processed in the same manner as the first.