



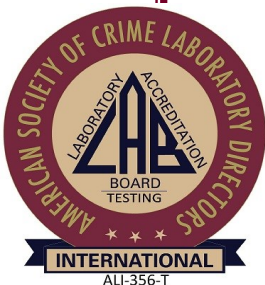
## NSP Crime Laboratory Special Report: CODIS Upload Request Letters

As you may be aware, DNA profiles generated by private laboratories are not eligible for entry into CODIS unless prior arrangements have been made with the Nebraska State Patrol Crime Laboratory. Testing done by private laboratories is considered “Outsourcing” of testing and is regulated by the FBI Quality Assurance Standards for Forensic DNA Testing Laboratories. When work is done by a private laboratory, the NSP Crime Laboratory must accept ownership of the case and perform a full technical review prior to being allowed to enter such DNA profiles into CODIS. In other words, the NSP Crime Laboratory must treat the case as if it were worked by our own laboratory.

Currently, law enforcement agencies utilizing the University of Nebraska Medical Center Human DNA Identification Laboratory (UNMC HDI) can request that DNA profiles generated by the UNMC HDI laboratory be entered into the CODIS database by the NSP Crime Laboratory. This is possible because of an existing Memorandum of Understanding between the two laboratories that ensures compliance with the quality standards. Other private laboratories can be utilized as well, however, the NSP Crime Laboratory must have a technical specifications agreement with the private laboratory prior to the start of the analysis.

When you request the NSP Crime Laboratory enter a DNA profile generated by a private laboratory into CODIS, you need to complete the NSP 751 CODIS Search Upload Request Form (<http://statepatrol.nebraska.gov/vnews/display.v/ART/56a799f237860>). This will initiate the communications between the NSP Crime Laboratory and private laboratory to allow the NSP

Crime Laboratory to accept ownership of the case. As is required by our accrediting bodies, you will be notified of the disposition of your request through a letter from the State CODIS Administrator.





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This letter may include one or more of the following dispositions as appropriate for your request:

- 1) **“The DNA profile from the item will be submitted to the Combined DNA Index System (CODIS). You will be notified if any matches are identified.”**

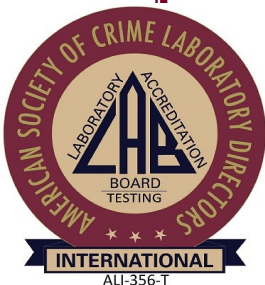
- ◆ *This statement alerts you that the profile has been entered into CODIS and is being actively searched at either the state or national level as appropriate.*

- 2) **“The information provided on the CODIS upload/search request form has been reviewed to determine its eligibility for submission into the Combined DNA Index System (CODIS). This case does not meet the minimum eligibility requirements for entry into CODIS.”**

- ◆ *This statement alerts you that the evidence from which the DNA profile was obtained does not meet the requirements for CODIS entry based on the information provided in the request or during follow up conversations. This may include, but is not limited to: evidence not being tied to the crime, evidence known to belong to the suspect, etc.*

- 3) **“The DNA profile from the item will not be submitted to the Combined DNA Index System (CODIS) because it does not meet the eligibility requirements.”**

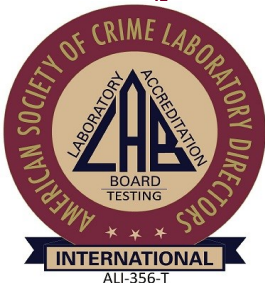
- ◆ *This statement is used when the evidence from which the profile was obtained meets the CODIS eligibility requirements, but the profile itself does not. This is typically due to the profile being a complex mixture or a partial profile, which does not meet the quality requirements associated with CODIS.*





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- 4) **“The DNA profile from the item will not be submitted to the Combined DNA Index System (CODIS) due to differences in opinion regarding the interpretation.”**
  - ◆ *The requirement that the NSP Crime Laboratory take ownership of a case means that the NSP Crime Laboratory must agree with all aspects of the analysis and conclusions done by the private laboratory. Due to the nature of complex mixture and low-level DNA sample analysis, it is possible for two laboratories to arrive at differing interpretations of the DNA profile. This is not stating that the private laboratory is in error, but rather that the two laboratories may have taken a different approach to the interpretation.*
  
- 5) **“The DNA profile from the item will not be submitted to the Combined DNA Index System (CODIS) due to noncompliance with the Technical Specification Agreement between the Nebraska State Patrol Crime Laboratory and the private laboratory.”**
  - ◆ *This statement indicates that the private laboratory has deviated from the technical specifications agreement. This could be for a number of reasons. For example, the private laboratory may be using a new technology not preapproved in accordance with the technical specifications or the private laboratory is not in compliance with some other portion of the technical specifications agreement.*
  
- 6) **“The DNA profile from the item has been deleted from the Combined DNA Index System (CODIS) due to this profile being consistent with an elimination standard submitted in this case.”**
  - ◆ *If a forensic profile entered into CODIS is later identified to be from a victim, rightful owner/user of an item, or consensual partner in the case, the profile must be removed from CODIS.*





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- 7) **“The DNA profile from the item has been deleted from the Combined DNA Index System (CODIS) due to the quality of the profile.”**
- ◆ *As science improves, changes to the profile quality requirements can change as dictated by the NDIS Custodian. There are times, that a profile no longer meets the eligibility requirements for entry into CODIS. Typically, these profiles are associated with low level samples or complex mixtures.*
- 8) **“The DNA profile from the item has been deleted from the Combined DNA Index System (CODIS) due to the profile not meeting the eligibility requirements.”**
- ◆ *Due diligence is performed to ensure that profiles entered into CODIS meet all the appropriate eligibility requirements. As additional investigative information is received, a profile may no longer meet the requirements and must be removed from the database.*

**Other disposition statements may also be included in the notification letter as appropriate for your specific case.**

**If you have questions regarding the meaning of a disposition statement or the procedure for having your case submitted for possible CODIS entry, please do not hesitate to contact Katherine Rector, CODIS State Administrator:**

**[Katherine.Rector@nebraska.gov](mailto:Katherine.Rector@nebraska.gov) or 402-471-8950**

