



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
ARMY CORRECTIONS COMMAND  
200 STOVALL STREET  
ALEXANDRIA, VA 22332-6100

DAPM-ACC

POLICY LETTER #14

MAR 12 2010

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Deoxyribonucleic Acid (DNA) Samples from Military Prisoners

1. References:

a. USD (P&R) Memorandum, dated 18 April 2005, Subject: DoD Policy on Collecting DNA Samples from Military Prisoners.

b. Manual for Courts-Martial (2008).

2. Purpose. To implement the interim measures necessary to ensure Army Corrections Command compliance with provisions of reference until permanent procedures are established and approved.

3. Background. See reference a (attached).

4. All Army Corrections System facility commanders will be responsible to:

a. Identify prisoners who have been convicted of a "Qualifying Military Offense" (QMO) and require submission of a DNA sample. A QMO is any offense under the UCMJ punishable by a sentence of confinement for more than one year (regardless of the sentence imposed), or any other offense as identified in reference a. Prisoners convicted of a QMO will be annotated for required DNA processing on the post-trial Confinement Orders (DD Form 2707) and/or Department of Army Report Results of Trial (DA Form 4430), or similar sister service forms. The requirement to collect DNA samples does not apply to the findings of a summary court-martial.

b. Collect DNA samples from prisoners after a QMO sentence is adjudged when based on a court-martial's finding of guilt of one or more QMOs, even if the convening authority has not taken action on the sentence.

c. Collect DNA samples as part of the facility prisoner in-processing. DNA samples will be taken on prisoners confined at a facility within the Army Corrections System (ACS) prior to transferring to another correctional facility. Ensure that qualified medical personnel use the kits and procedures prescribed by USACIL to collect the DNA samples. Ensure the prisoner's automated (Army Corrections Information System) and hard copy correctional treatment file reflects that a DNA sample is required and when it was collected.

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d. The policy reference above also provides Commanders the authority to use such means as are reasonably necessary to detain, restrain, and collect a DNA sample from an individual who refuses to cooperate in the collection of a sample.

e. Package the DNA sample kit and promptly mail it to USACIL, and notify USACIL by electronic mail (codislab@conus.army.mil) that the sample has been mailed. The notification shall include only the name of the individual from whom the sample was taken, kit number, and the location from which the sample is being mailed. USACIL shall confirm receipt of the sample electronically and notify the sender if problems are encountered that require the sample be redrawn. If confirmation has not been received within 45 days, the facility will contact USACIL and notify ACC Headquarters.

f. Provide a card to the prisoner informing him/her that if conviction of all QMOs is disapproved under Article 60 or reversed during appellate review, the member may request that his or her DNA sample be expunged from the FBI's Combined DNA Index System (CODIS). USACIL shall provide preprinted cards as part of the collection kit, and such request will be directed to ACC.

g. Restocking of the DNA sample kits can be completed by placing an order using email (codislab@conus.army.mil) or telephonically at commercial (404) 469-7258/DNS 747-7258. Generally, delivery of kits will take approximately 5 days from the date of the order. However, restocking OCONUS DNA kit orders will take approximately 3 weeks from order date to be filled.

5. Implementation. This policy shall be implemented immediately.

6. Point of Contact for this policy is  Operations Division Chief, ACC Headquarters, (703) 428-7692/DSN 328-7692.



Encl  
USD (P&R) Memo, 18 Apr 05

COL, MP  
Commanding

DISTRIBUTION:

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COMMANDER, Regional Correctional Facility, Joint Base Lewis-McChord  
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USACIL (CODIS Manager)