

Community Supervision Standards	<b>CHAPTER:</b> <b>DOCUMENTATION, REPORTING AND RECORDS</b>	<b>STANDARD NO.</b> <b>CSS-03-109</b>
	<b>SUBJECT:</b> <b>COLLECTION OF DNA SPECIMENS</b>	<b>PAGE: 1 of 1</b>
Kansas Department of Corrections- Division of Juvenile Services State of Kansas	<b>REFERENCES: K.S.A. 21-2511, K.A.R. 10-21- 6(n), KBI – DNA Specimen Information Card</b>	<b>DATE ADOPTED: 1-1-2013</b> <b>DATE REVIEWED: 1-4-2017</b>

**STANDARD:** Written policy, procedure and practice shall require the Community Supervision Agency to determine if the collection of a Deoxyribonucleic Acid (DNA) specimen is required for any juvenile offender under supervision as required by Kansas Statutes Annotated (K.S.A.) 21-2511.

If the juvenile offender is required to have a DNA specimen collected, the Community Supervision Agency shall determine if the specimen has been collected previously and is on file with the KBI. The Community Supervision Agency shall contact the local law enforcement booking agency to determine, through the review of Kansas Criminal Justice Information System (KCJIS), if the juvenile offender in question has a DNA specimen on file with the Kansas Bureau of Investigation (KBI). If the juvenile offender’s DNA specimen is on file, no further action is required.

If DNA has not been collected from the juvenile offender as set forth in K.S.A. 21-2511, written policy, procedure and practice shall require:

- Collection of the juvenile offender’s DNA specimen within 10 days of disposition
- Completion of the KBI – DNA Specimen Card for all juvenile offenders required to have DNA collected
- The collection of DNA not be delegated or assigned to residential or other service providers, although assistance may be requested
- The review of case records to ensure the requirements of this standard have been met, and if not, are corrected prior to the juvenile offender leaving Kansas via the interstate compact and/or termination of supervision
- All records concerning the collection of DNA specimens be maintained in the case file
- Court notification of any juvenile offender who fails to cooperate with the collection of a DNA specimen and any deliberate act intended to impede, delay or stop the specimen’s collection
- All fees or costs associated with the collection of the DNA specimen shall be the responsibility of the juvenile offender as set forth in Kansas Administrative Regulation (K.A.R.) 10-21-6(n)

**DISCUSSION:** None.

**NOTE:** The standards and procedures set forth herein are intended to establish operational guidelines for community supervision agencies operating through the board of county commissioners and their employees/contractors and the juvenile offenders under supervision. They are not intended to establish state created liberty interests for community supervision agencies, or the board of county commissioners, or their employees/contractors, or juvenile offenders, or an independent duty owed by the Kansas Department of Corrections- Division of Juvenile Services to community supervision agencies operating through the board of county commissioners or their employees/contractors, supervised juvenile offenders or third parties. This standard and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.