

Request for Affidavit

Please be advised that due to the operation of section 2 of the amended DNA Identification Regulations:

2 (1) In order to ensure the integrity of the convicted offenders index of the DNA Data Bank, only samples of bodily substances that were collected with a DNA Data Bank Sample Kit that meets the requirements of subsection (2) may be included in the DNA Data Bank.

(3) Each sample of DNA that is transmitted to the Commissioner for inclusion in the DNA Data Bank shall be securely packed, sealed and transmitted with all of the following:

- (a) a copy of the judicial authorization that authorized the collection of the sample from the convicted offender;
- (b) a sample from the convicted offender on the sample collection form and inserted in the sample collection media referred to in subsection (2);
- (c) on the sample collection form, **a plain impression of two fingerprints** of the convicted offender and the identification and signature of the person who took those fingerprints; and
- (d) on the separate fingerprint form, a rolled and a plain impression of all of the fingerprints of the convicted offender and the identification and signature of the person who took those fingerprints.

(4) If the fingerprints of a convicted offender are not taken, the following explanations in writing shall also be transmitted to the DNA Data Bank together with the items referred to in subsection (3):

(a) the reasons why no fingerprints were taken; and

(b) the means that were used to confirm the identity of the convicted offender together with the identification and signature of the person who made the confirmation.

If a peace officer omits/forgets to put the two index fingerprints on the back of the sample collection card, the officer shall provide the National DNA Data Bank with the following to meet the requirements of subsection 2(4) of the DNA Identification Regulations:"

AFFIDAVIT

- a) I _____ (state name, rank, badge no., police dept.) did take a biological sample from _____ (state offender's name and D.O.B.) on _____ (date and time) using the supplies provided in a single operational DNA Data Bank sampling kit.
- b) The biological sample was taken from _____ (state offender's name) as were his/her fingerprints on the Fingerprint Identification Form (3801), and both were taken from the same offender on the same occasion on _____ (date/time).
- c) I _____ (state name) did not place the offender's fingerprints on the back of the sample collection card (3800).
- d) I _____ (state name) affirm that there is no possibility of having someone else's biological sample on the sample collection card (3800) and no one else's fingerprints on the Fingerprint Identification Form (3801) and that both belong to _____ (state offender's name).
- e) I _____ (state name) affirm that no other offender was sampled by me on this same occasion _____ (date/time).

Officer's signature: _____ Date: _____

Officer's name, rank: _____
(please print):

Other signature(s): _____ Date: _____
(if applicable)

Other name, title and rank: _____
(please print)