

BUCCAL SAMPLE CHECKLIST
DUTY OF PEACE OFFICER TO INFORM OFFENDER

READ TO OFFENDER: (includes adults and young offenders)

- “I am detaining you for the purpose of obtaining a DNA sample for the purposes of the National DNA Data Bank pursuant to an order/authorization issued under the *Criminal Code of Canada*. It is my duty to inform you that you have the right to retain and instruct counsel without delay. You have the right to telephone any lawyer you wish. You also have the right to free advice from a legal aid lawyer.”

“DO YOU UNDERSTAND?” “DO YOU WISH TO CALL A LAWYER NOW?”

READ TO OFFENDER: (includes adults and young offenders)

“Pursuant to Section 487.07(1) of the *Criminal Code*:”

- a) “It is my duty to inform you that I have an order/authorization issued by a Judge to take bodily substances for forensic DNA analysis.” (Show or read order/authorization to offender)
- b) “A buccal sample will be taken from you by inserting a foam applicator into your mouth and scraping the inside of your mouth to obtain cells. This sample will be deposited onto a collection card which will be forwarded to the National DNA Data Bank for analysis.”
- c) “ The National DNA Data Bank will analyse your buccal sample and generate a DNA profile which will be maintained by the National DNA Data Bank and compared against evidence received from crime scenes.”
- d) “ I must advise you that during this procedure, if required, as much force as necessary will be used to obtain this buccal sample.”
- e) Pursuant to the authority of subsection 487.07(3) of the *Criminal Code* and the requirements of section 2 of the *DNA Identification Regulations* as amended, fingerprints will be taken from you for the purposes of the *DNA Identification Act*.

PROCEDURE TO OBTAIN A BUCCAL SAMPLE

- Prepare the sample collection area by placing a clean barrier (i.e. paper towel) on the collection surface.
- Put on disposable gloves and mask.
- Take a full set of fingerprints on Form 3801 and complete **ALL** fields on the form.
- Take the left and right index fingerprints on the sample collection card (Form 3800) and complete **ALL** fields on the form.
- Have offender wash hands to remove ink.

- Insert all desiccant pouches inside the Mylar envelope.
- Fold back the protective cover on the sample collection card (Form 3800). Handle the collection card by the edges only.
- Remove the foam applicator from the sealed sterile package. Insert the foam tipped applicator into the offender's mouth and allow it to become thoroughly wet. Rub the inside of the cheeks, tongue, and gums with the foam tipped applicator using an up and down motion.
- Firmly press both sides of the applicator onto one of the circles on the sample collection card (Form 3800) using a rocking motion. Repeat this procedure on a second circle on the sample collection card.
- Mark a small X in the circles which **DO NOT** contain samples.
- Fold the protective cover on the collection card (Form 3800) over the sample area.
- Insert the collection card into the Mylar envelope.
- Seal the Mylar envelope and place initials across the seal.
- Place the sealed Mylar envelope in the 8 X 10 plastic bag along with:
 - 1) Copy of the order/authorization**
 - 2) Fingerprint form (Form 3801)**
 - 3) NDDDB submission receipt (Form 5751)**
- Dispose of applicator, gloves and mask in a biohazard container.
- Make appropriate notes and report to a Judge (Form 5.07)
- Using couriered or registered mail ONLY**, forward the sample and all documentation to:

**National DNA Data Bank
P.O. Box 8885
1200 Vanier Parkway
NPS/Lab, Loading Dock #1
Ottawa, Ontario, K1G 3M8**

ADDITIONAL NOTES: (include who sampled, where sample collection took place, and other pertinent notes)

Date: _____ Time: _____ Signature: _____

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Keep this checklist in your operational files.