MONTANA DNA IDENTIFICATION INDEX

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MONTANA DNA IDENTIFICATION INDEX (MDII)

- MDII is the DNA database authorized by MCA 44-6-102
  - First authorized in 1995
- MCA allows for the collection and maintenance of a DNA database for offender DNA samples, forensic case samples, and missing persons samples.
- Montana currently collects DNA from all felons, interstate compact offenders who were convicted of an offense equivalent to a MT felony, and sexual and violent offender registrants.
- The collection of offender samples from those convicted of a felony but that do not fall under the SVOR registration requirements is NOT RETROACTIVE
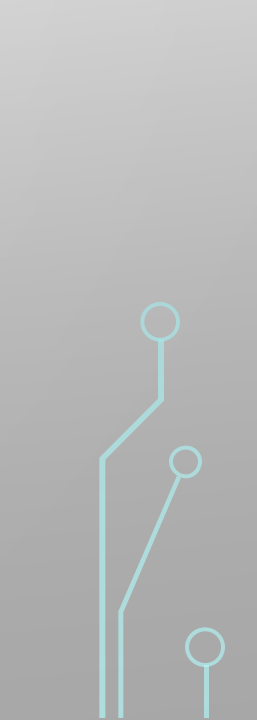
MONTANA DNA IDENTIFICATION INDEX (MDII)

- The MDII is maintained at the MTDOJ Forensic Science Division using two separate software programs
  - 1) JusticeTrax Laboratory Information Management System (LIMS) – CODIS version for offender samples ONLY
    - Maintains offender personally identifiable information (PII) and assigns offender sample a database sample number
      - Required under Federal law to maintain privacy
      - Only the database sample number is used during the entire processing of the offender sample

MONTANA DNA IDENTIFICATION INDEX (MDII)

- 2) FBI's CODIS software
  - **C**ombined **D**NA **I**ndex **S**ystem
  - Houses and searches applicable DNA profiles
  - Integrates state DNA databases and federal databases to allow for searching across state databases
  - Maintained on the FBI network, not the state network

- We typically use the term "CODIS" to refer to the entire DNA database program

MONTANA DNA IDENTIFICATION INDEX (MDII)

- Only DNA analysts at the MTDOJ FSD have access to Montana's CODIS DNA database information

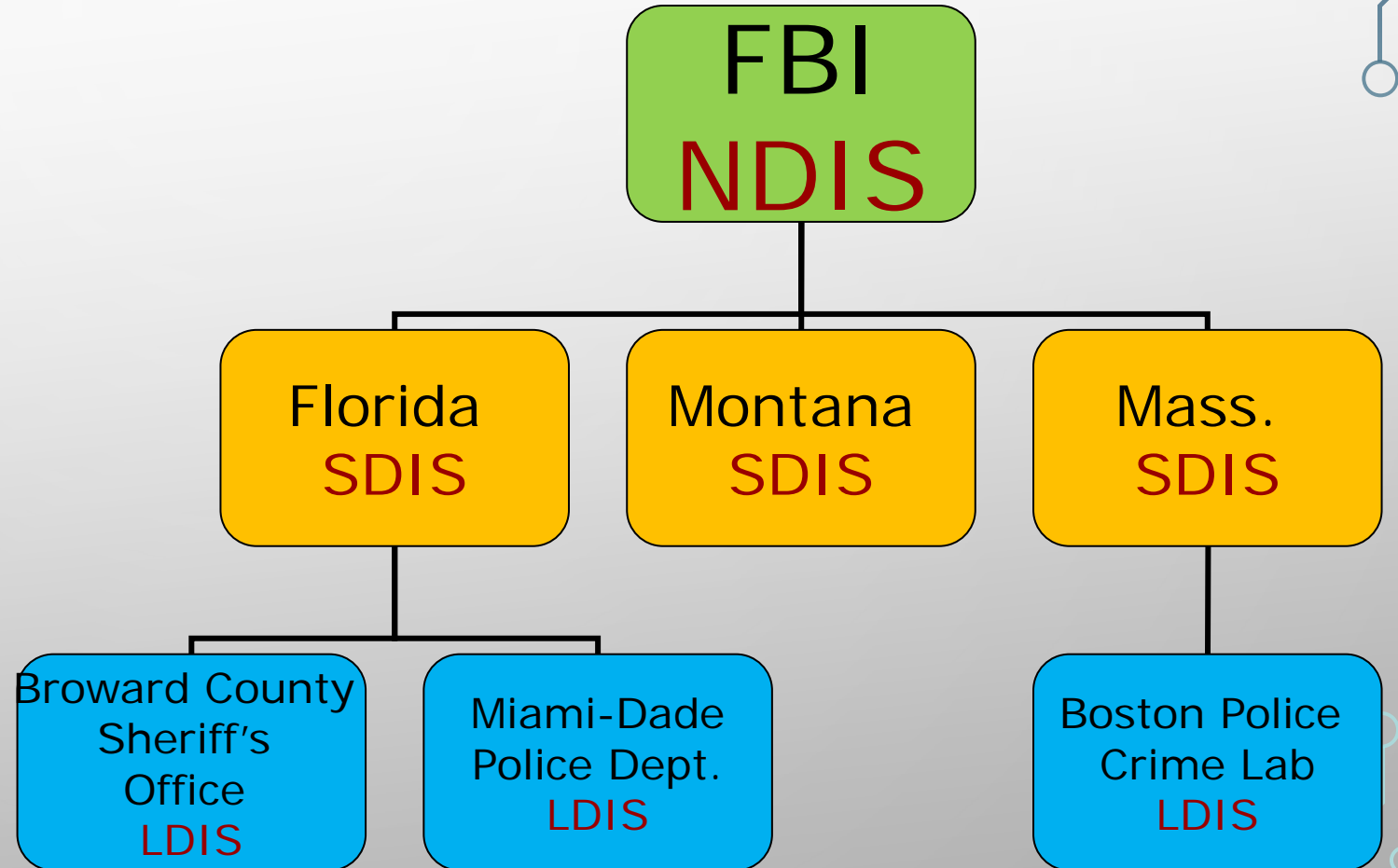- FBI clearance is required for access
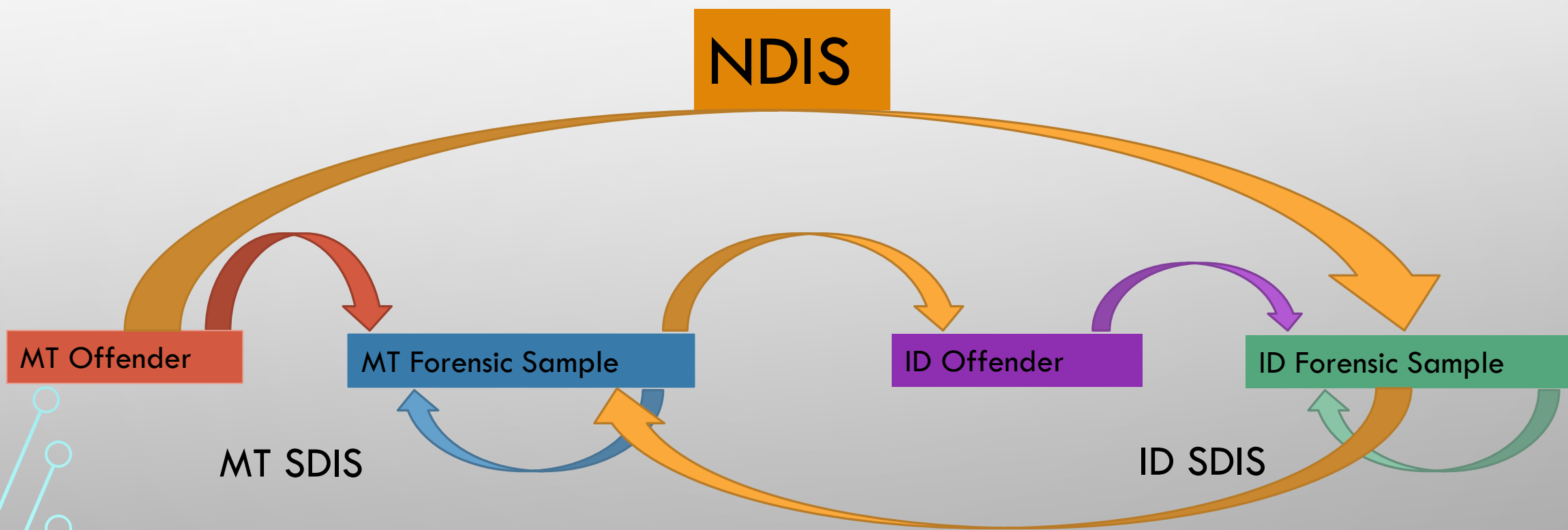
WHAT IS CODIS (COMBINED DNA INDEX SYSTEM)?

- DNA database system (software) provided by the FBI
  - Convicted Offenders, Forensic Samples, Unidentified Human Remains, Relatives of Missing Persons
- Allows searching of DNA profiles within and between states and the federal government to solve crimes and identify missing persons.
- Matches provide investigative leads to law enforcement

CODIS HIERARCHY

- National DNA Index System (NDIS)
  - FBI

- State DNA Index System (SDIS)
  - Each state has one SDIS (this is what Montana law calls the "Montana DNA Identification Index")

- Local DNA Index System (LDIS)
  - Regional labs
  - Some states have multiple LDIS labs, some states (like Montana) have none

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                    FBI
                    NDIS
        ┌─────────────┼─────────────┐
     Florida       Montana        Mass.
      SDIS          SDIS          SDIS
    ┌───┴───┐                       │
Broward County  Miami-Dade    Boston Police
Sheriff's       Police Dept.  Crime Lab
Office          LDIS          LDIS
LDIS
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CODIS SEARCHING

Locus	Forensic Unknown (Target) 1100111 001.01	Candidate DNA012345	Match Stringency
D8S1179	13,14	13,14	High
D21S11	29,31.2	29,31.2	High
D7S820	13	13	High
CSF1PO	11,12	11,12	High
D3S1358	16,18	16,18	High
TH01	8	8	High
D13S317	10,13	10,13	High
D16S539	11,12	11,12	High
vWA	16	16	High
TPOX	8,11	8,11	High
D18S51	22,23	22,23	High
D5S818	8,12	8,12	High
FGA	23,25	23,25	High

MATCH CONFIRMATION

- When the CODIS software detects a match, strict procedures must be followed prior to releasing the offender's information to law enforcement
  - DNA sample is reanalyzed to confirm
  - Fingerprints are confirmed (if available)
  - Qualifying offense is confirmed
- If all of the above are correct, the name can be released (either to law enforcement or the other state's laboratory, if a match at NDIS)
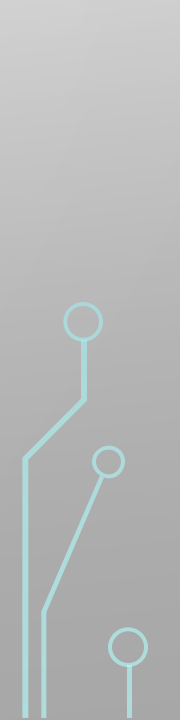
MT CODIS/MDII HISTORY

- MDII authorized in 1995

- As of April 7, 2005, Montana collects from all felons

- As of October, 2011, Montana collects from interstate compact offenders

- As of October, 2013, Montana collects from all Sexual and Violent Offender registrants in the state

- First forensic sample entered into MT CODIS database in 2000
  - Currently have ~878 forensic samples in MT database

- First offender sample entered into MT CODIS database in 2002
  - Currently have ~32,284 offender samples in MT database

- Montana has over 285 CODIS hits so far!!!

MONTANA DATABASE LOGISTICS – FORENSIC SAMPLES

- DNA profiles obtained from evidence in criminal investigations may be eligible for entry into the database

  - Strict rules on eligibility – not all profiles are eligible

- Montana databases profiles from suspects in criminal cases

  - These profiles are NOT eligible to go to the national database

  - Only searched against Montana's casework samples, except by special request from another state
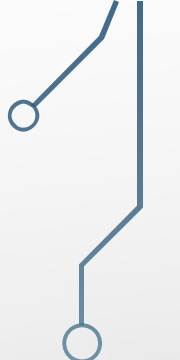
MONTANA DATABASE LOGISTICS – OFFENDER SAMPLES

- Samples are collected by prisons, sheriffs, some police departments and probation and parole officers

  - P&P just recently started collecting themselves, which cuts down on the middle man (sheriff) doing the collections.

- Samples are submitted to the MTDOJ FSD for analysis

- Samples are accessioned using Jtrax, which stores all the PII and assigns the sample a barcode and a number (DNA#######)

  - This number is what is associated with the sample for the remainder of the processing

  - Sample number and offender name are only reunited upon hit confirmation

MONTANA DATABASE LOGISTICS – OFFENDER SAMPLES – COLLECTION CARD

MONTANA DATABASE LOGISTICS – OFFENDER SAMPLES

- Offender cards/samples are stored indefinitely at MTDOJ FSD

  - Limited amount of storage space

- Forensic samples stored indefinitely at MTDOJ FSD

  - Limited amount of storage space

MISCELLANEOUS

- Expungement of offender samples
  - If a conviction is overturned, offender may request expungement of their profile from the database
    - Request MUST come to us from the County Attorney from the applicable county
  - Expungement is extremely rare – perhaps have had only 2-3 in history of MT DNA database
- **MCA 44-6-106. Release of DNA records. (1) (d) if information allowing a person to be identified is removed, for a population statistics database and for identification, research, and protocol development for forensic DNA analysis and quality control.**
  - This primarily relates to using samples for developing new protocols in the laboratory (new kit validation, new instrument validation, etc.)
    - Offender samples (with no names) are typically used
    - We do not use samples from forensic casework for this

QUESTIONS?????

- Please feel free to call or email with any additional or follow-up questions:
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  - 406-329-1172
  - mashton@mt.gov