

DNA DISCOVERY REQUEST

Effective 01/01/2018

INSTRUCTIONS FOR THE ATTORNEYS

(both requesting and receiving)

Please read for a most efficient and effective discovery process

1. Please provide this **DNA Discovery Request** to ALL laboratories that have performed work in the instant case. This includes:
 - a. All laboratories that have performed any DNA analysis.
 - b. All laboratories that have performed any presumptive or preliminary testing, including serology.
 - c. All laboratories that have performed any database searches.
 - d. All entities that have performed any data interpretation or statistics.
2. Item #7 listed in the **DNA Discovery Request** refers to *electronic data*, also known as *raw data*.
 - a. Electronic data is considered standard discovery and is critical to an independent review.
 - b. Electronic data must be received prior to commencing an independent review.
 - c. The laboratory will typically provide you with a CD or other electronic media containing electronic data.
 - d. **You will not be able to read the electronic data on a standard office computer.** One of several specialized programs is required to open and read electronic DNA data.
 - e. Should you wish to retain a copy of the CD provided in discovery for your files, please keep the copy and **forward the original**. This will minimize delays in providing discovery. Attempts to copy the CD containing electronic data have been known to corrupt the data or result in a blank disk.
 - f. The laboratory retains both the original electronic data, as well as back-up copies.
3. If laboratory notes or laboratory protocols are provided in electronic format, please forward the electronic files rather than printing hard copy.
4. If you are provided with hard copy of laboratory notes or protocols, please scan to PDF using either a gray scale or color setting (as appropriate) and 150-300 PPI resolution. Please avoid the text setting as it will result in an illegible document.
5. Please convey the discovery request as soon as practicable. Although neither burdensome nor onerous, the laboratory will require some time, depending on their backlog, to compile the requested discovery.
6. Please do not hesitate to contact me if you have additional questions about any of the requested discovery items.

DNA DISCOVERY REQUEST

INSTRUCTIONS FOR THE LABORATORY

This discovery request should be provided to ALL laboratories or entities that performed any work in the instant case.

In general, all reports, notes, and data should be complete and any copies should be of high quality. Any stamps should not obscure original writing or other documentation.

All pages should be sequentially numbered in [page # / total pages] format. This is to ensure that all pages are present and have been transmitted in their intended order.

– Check to make sure that no pages are missing

– Check to make sure that all writing on each page is visible and legible, including any page numbers added by either the laboratory or other agencies.

1. All DNA laboratory REPORTS.
 2. All DNA laboratory NOTES, from evidence intake to disposition.
 3. All forensic biology laboratory REPORTS, including presumptive testing and serology.
 4. All forensic biology NOTES, including presumptive testing and serology, from evidence intake to disposition.
 - a) If any photographs were taken, please provide digital files or color scans or prints of film images.
 5. Copy of all communications and communication logs between all analysts and any other parties, including attorneys, investigators, and other analysts.
 6. Database cold hit documentation, including input and output files.
 7. Any and all other items contained in the case file.
 8. STR data (including Y-STR data), if relevant
 - a) CD or other electronic media containing the following electronic files, as relevant:
 - i) Sample files (“raw data”) for ALL runs relevant to the case.
These files typically have a suffix of .fsa or .hid
 - ii) GeneMapper[®] projects for ALL runs relevant to the case.
These files typically have a suffix of .ser
 - iii) All matrices (if relevant) used in the case, included in the folder with the relevant run(s)
 - iv) For software other than GMID or GMID-IDX (such as Osiris or GeneMarker) please provide the specific settings used.
- The CD or other electronic media should be clearly labeled with case information and *initialed by the analyst*. Please instruct the transmitting attorney to provide the original disk(s) to the expert and keep a copy for themselves; it can be useful to provide two disks, one for each side and clearly labeled as such.
- b) Print-out of all electropherograms.
Original color print-outs preferred; B&W copies are acceptable if they are good quality and legible.
Any handwritten notes on the electropherograms should be legible
 - c) Documentation of the injection volume(s) and injection time(s) for each sample, including reinjections.
 9. DNA quantitation data.
– printouts of electronic quantitation data.
 10. Probabilistic genotyping documentation, if relevant.
 - input files, in .csv or .txt format
 - output files
 - version # of software
 - any software specific settings

11. Current forensic biology and DNA protocols, including *interpretation guidelines* and *database references*. Please provide these documents in PDF format.
12. List of any abbreviations and/or acronyms used in laboratory notes.
13. Summary of proficiency test results from each analyst who worked on the case.
14. Copy of any logs that document unexpected results. This would include contamination events, sample switches, and any other detected errors. Such logs might be variously termed “unexpected results,” “corrective action,” “contamination,” “extraneous DNA” or other similar terms. If a central log is not maintained, please provide a statement to that effect.

Please feel free to contact me with any questions.