

DNA DISCOVERY REQUEST

Effective 01/01/2020

INSTRUCTIONS FOR 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. Raw data files are typically identified as files with a suffix of .fsa or .hid. A PDF file, by definition, cannot contain raw data
 - e. ***You will not be able to read the electronic data on a standard office computer.*** One of several specialized programs, all requiring particular expertise, is required to open and read electronic DNA data.
 - 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. Receipt of hard-copy documents will result in additional charges incurred in scanning to PDF.
5. Please retain copies of all discovery for your files.
6. 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.
7. 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, entities and analysts 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. **Please provide original high-quality PDF documents.**

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 physiological fluid testing.
- 4) All forensic biology NOTES, physiological fluid testing, from evidence intake to disposition.
 - a) If any photographs were taken, please provide original quality digital files.
- 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 (both autosomal and Y-STR data)
 - 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 Gene Marker) 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) PDF Print-outs 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
These documents are supplementary to, not a replacement for, raw data (as described above)
 - c) Documentation of the injection volume(s) and injection time(s) for each sample, including reinjections.
- 9) DNA quantitation data.
 - PDF printouts of electronic quantitation data.
- 10) Probabilistic genotyping documentation, if relevant.
 - all input files, in .csv or .txt format
 - all output files, in .csv, .txt, or PDF format

version # of software used
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.
 - a) Statements to the effect that no errors were detected in the instant case do not meet this request.

Please feel free to contact me with any questions.