

Kansas Administrative Regulations

Kansas Bureau of Investigation

Article 21.—Kansas Bureau of Investigation DNA Databank

10-21-3. Procedural compatibility with the FBI.

(a) The DNA database shall be compatible with the following documents, which are hereby adopted by reference:

(1) The FBI's "national DNA index system (NDIS) operational procedures manual," version 11, effective July 1, 2022, including the appendices, except for the following:

(A) Table of contents;

(B) introduction;

(C) all sections describing responsibilities of the NDIS Custodian, FBI's CODIS Unit, NDIS Audit Review Panel, NDIS Procedures Board, director of the FBI, and deputy assistant director of the FBI;

(D) section 4.3 "standards for acceptance of mitochondrial DNA records at NDIS," section 4.4 "standards for acceptance of next generation sequencing DNA records at NDIS," and section 4.6 "rapid DNA analysis systems;"

(E) appendix C; and

(F) glossary.

(2) the FBI's "quality assurance standards for DNA databasing laboratories," effective July 1, 2020 and the FBI's "quality assurance standards audit for DNA databasing laboratories" in effect July 1, 2020.

(b) DNA samples shall be received by the KBI for storage and analysis. The DNA analysis may be conducted under contract with the KBI by a qualified DNA laboratory that meets KBI procedural guidelines.

(1) Each DNA record submitted pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, shall be classified and filed by the KBI for the purposes specified in K.A.R. 10-21-2.

(2) The identity of individuals in the DNA database shall be made available to local, state, and federal law enforcement, approved CODIS crime laboratories that serve law

enforcement, and the county or district attorney's office in furtherance of a criminal investigation.

(c) A separate population statistic database that is comprised of DNA records from which all personal identifiers have been removed may be created by the KBI. This population statistic database may be made available to and searched by other approved CODIS crime laboratories or third parties that the KBI deems necessary to assist with analyses of the population statistic database.

(Authorized by and implementing K.S.A. 2022 Supp. 21-2511 and K.S.A. 2022 Supp. 22-4904; effective Dec. 22, 1995; amended April 19, 2002; amended Dec. 8, 2023.)

***** Authenticated Kansas Administrative Regulation *****