

Kansas Administrative Regulations

Kansas Bureau of Investigation

Article 21.—Kansas Bureau of Investigation DNA Databank

10-21-1. Definitions.

As used in this article of the KBI's regulations, each of the following terms shall have the meaning specified in this regulation:

(a) "Buccal sample" means a biological sample obtained from a person's inner cheek and oral fluid.

(b) "CODIS" means combined DNA index system. CODIS is the FBI's national DNA identification index system that allows the storage and exchange of DNA records submitted by state and local forensic DNA laboratories.

(c) "DNA" means deoxyribonucleic acid.

(d) "Director" means director of the KBI.

(e) "DNA analysis" means the process through which DNA in a human biological specimen is analyzed and compared with DNA from another human biological specimen for identification purposes.

(f) "DNA databank" means the repository of DNA samples collected pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.

(g) "DNA database" means the KBI's DNA identification record system. It is administered by the KBI and provides DNA records to the FBI for storage and maintenance in CODIS. The KBI's DNA database system is computer software and procedures administered by the KBI, to store and maintain DNA records submitted pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, and DNA records used for identifying individuals or quality control.

(h) "DNA record" means DNA identification information stored in the DNA database or CODIS. The DNA record is the result obtained from the DNA analysis tests. The DNA record is comprised of the characteristics of a DNA sample that are of value in establishing the identity of individuals. The DNA record shall not contain any of the personal information submitted to the KBI on any form prescribed by the director. The

results of all DNA identification tests on an individual's DNA sample are also collectively referred to as the DNA profile of an individual.

(i) "DNA sample" means any blood sample or buccal sample submitted pursuant to K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto, or submitted to the KBI laboratory for analysis pursuant to a criminal investigation.

(j) "FBI" means federal bureau of investigation.

(k) "KBI" means Kansas bureau of investigation.

(l) "Law enforcement" means those law enforcement officers and agencies authorized to receive information under K.S.A. 21-2511 or 22-4901 et seq., and amendments thereto.

(m) "NDIS" means national DNA index system. NDIS is the FBI's centralized system of DNA identification records contributed by state and local forensic DNA laboratories.

(n) "Population statistic database" means a set of data from representative groups of individuals that is used to estimate the frequency of a particular DNA profile in a population.

(o) "Registered offender" means any person required to register as an offender pursuant to the Kansas offender registration act, K.S.A. 22-4901 et seq. and amendments thereto.

(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 *****