



POLICE DEPARTMENT

CODIS HIT PROTOCOL

The purpose of the CODIS Hit Protocol is to establish the basic responsibilities, duties, and guidelines for follow up and documentation regarding a Combined DNA Index System (CODIS) "hit" on sexual assault cases. Once a CODIS Hit is received by the department, it will be reviewed by the Special Victims Unit Lieutenant or his Designee and assigned as appropriate. The assigned case detective should adhere to the following CODIS protocol.

CODIS Hit Investigative Follow up:

- The assigned detective should pull the case file and all corresponding documentation (RMS, RMS-Archives, CCOP, Invize, Laserfiche, Evidence Section File, etc.). Original documentation for older case files may be stored with the Archives Unit.
- Review the case file to determine if the CODIS Hit could be from a consensual partner.
- If the CODIS Hit is from a consensual partner, notification of the Hit will be made to the victim. No further investigative follow-up will be completed.
- If the CODIS Hit is not from a consensual partner the detective should determine whether the Hit is relevant or not relevant.
 - Note: If the Hit is deemed **not** relevant and/or does not move the case forward, the case detective will list the reasons in the report as to why.
- If the hit is deemed relevant, the case detective will research the current location of the victim, suspect, and any witnesses using such resources as are available, which may include:
 - RMS
 - P2P
 - CJLEADS
 - NCAWARE
 - NCIC

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- ACCURINT
 - TLO
 - Utilities/Water Billing
 - Computerized Criminal History
 - NC Administrative Office of the Courts
 - County Tax Office
 - Sex Offender Registration Unit
 - District Attorney's Office
 - Department of Corrections
 - Federal authorities such as FBI, Secret Service, Postal Inspector, ICE, BATF, Social Security Administration, etc.
 - Internet Search Engines
 - Social Networking Web sites
 - The Crime Information Center
 - Any other available resource
- The detective should make contact with the victim to schedule an in-person interview. When appropriate, contact the victim by phone and advise them you need to speak with them in person about the case. Offer to meet at a time and place that is convenient for them. (If out of town travel is required for this meeting, notify Unit Lieutenant immediately so approval for funding can be requested).
 - Obtain a photograph of the person who is identified by the CODIS Hit from as close to the time of the sexual assault as you can (mugshots will suffice).
 - Obtain a photograph of the victim from as close to the time of the sexual assault as you can. If you cannot locate one, ask the victim to locate such a photo and ask her to bring it with her to the meeting.
 - When you meet with the victim, show her the photo you have found of her, or ask for the one she has brought, and verify that it accurately reflects how she looked at the time of the assault.
 - If the victim denied knowing her assailant during her initial report and if she continues to deny knowing the assailant during your interview, then show the victim a photograph of the person identified by the CODIS Hit – but do not identify him as a suspect. Ask if she knows the person.

Once you receive a response, retrieve the photo from the victim and notify her of the CODIS Hit. Document the victim's response to the question and the photo. (It is important to **not** tell the victim you are showing her a picture of the suspect prior to showing the picture. If they insist on knowing who it is before looking at the picture, just advise them you are not saying this is the suspect, you just want to know if they recognize the person from anywhere).

- If the victim indicated during the initial report/interview or during your interview that she knew the suspect who assaulted her, then standard lineup procedure should be followed to determine if she can identify the CODIS suspect as the perpetrator. If she cannot identify the CODIS suspect as the perpetrator, ask her whether she has ever seen him before and document her answer.
- If the victim advises that the subject from the CODIS Hit was a consensual partner and not the suspect then no DNA collection is required. Notify the State Crime Lab CODIS Administrator so the Hit can be closed out.
- Explain the process of confirming the CODIS Hit to the victim and be sure to keep her up to date on the status of the case.
- Offer to have a Rape Crisis Advocate contact the victim to schedule counseling/support services (this can be done regardless of where the victim lives now).

Suspect Contact:

- Review all intelligence gathered on the CODIS Hit suspect.
- Determine the current status and location of the suspect.
- Obtain and print a photo of the victim from as close to the time of the incident as possible that does not take up the entire sheet of paper.
- Obtain and print a photo of the crime scene location from as close to the time of the incident as possible that does not take up the entire sheet of paper.
- In preparation for the suspect interview, identify an interview strategy you will use.
- Plan how you are going to video or audio record the interview and suspect DNA collection.
- Obtain a Search Warrant: Before meeting the suspect, have a search warrant for suspect DNA prepared and ready to serve on the suspect using the CODIS Hit and information you have obtained from the victim as probable cause. Remember a NC Search Warrant has no authority outside of NC so plan accordingly with local authorities if the suspect is out of state. The purpose of the Search Warrant is to obtain buccal swabs (2) for laboratory examination and comparison to confirm or to eliminate the CODIS hit.
- The Detective may want to afford the suspect an opportunity to cooperate with the investigation by allowing him to consent to collecting the buccal swabs before serving the suspect with the search warrant.
- If a suspect is in custody, detectives should be mindful of the defendant's 5th and 6th amendment rights and advise them as appropriate.

Interview Considerations:

- Attempt to audio and/or video record all contacts with the suspect.
- Victim's Photo: Obtain and print a photo of the victim from as close to the time of the incident as possible that does not take up the entire sheet of paper. Have this photo of the victim available during the suspect interview. At some point during the interview, show the suspect the photo of the victim. If the suspect denies knowing or having contact with the victim, ask him if he knows the victim from anywhere and whether she looks familiar to him. If the suspect does not know the victim, have the suspect note on the victim's photo that he does not know her and that he has never had sex with her and then sign his name on the victim's photo with the date and time indicated.
- Crime Scene Location Photo: Obtain and print a photo of the crime scene location from as close to the time of the incident as possible that does not take up the entire sheet of paper. Have this photo of the crime scene available during your suspect interview. At some point during the interview, show the suspect the photo of the incident location. Ask the suspect if he has ever visited this area or location and ask the suspect to write his answer on the photo, sign and then note the date and time of his signature. If the suspect admits having consensual sexual contact with the victim, ask for more details about the encounter, the victim's name, and any personal information the suspect should know.
- Once the interview is over, complete a Request for Forensic Services to send the suspect swabs to the State Crime Lab in order to verify the CODIS Hit. Follow-up with Evidence Custodian to verify the swabs are sent.
- Follow-up with the victim and notify her that you have interviewed the suspect and obtained the suspect's DNA. Keep the victim apprised of any changes in the case status and verification process.
- As soon as you receive the CODIS Hit confirmation report from the State Crime Lab, obtain the warrant(s) on the suspect if appropriate and supported by the evidence.