



Division of Criminal  
Justice Services

# Familial DNA Searching in New York State

## What is it and how to apply?

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1

2

# Familial Search Background Information



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2

## What is Familial DNA Searching?

A method to search an unknown forensic or unidentified human remains (UHR) sample against a database of offenders with the intent to identify the ***best candidate(s) to be a potential relative(s)*** of the unknown.

- What it may do for you:**
- Revive a cold case or keep a case from going cold
  - Provide new avenues of investigation through potential relatives to your unknown

**For any technical questions regarding the familial searching process, contact the NY State CODIS Administrator, (518) 457-8831.**



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3

## Sample Requirements

**The unknown DNA profile must meet these requirements:**

1. Be a single source or a deduced single source profile originating from a mixture
2. Appear to have a direct connection with the putative perpetrator of the crime **or** have been developed from a deceased unknown individual whose death is suspected to involve a crime enumerated on Slide 14.
3. Reside in the NYS DNA Databank and, therefore, meet the specific requirements for inclusion
4. Have been searched against DNA profiles of offenders contained in the State DNA Databank
5. Have an associated 16 locus Y-STR (male specific) profile
6. Have at least the original 13 CODIS core loci



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4

## Understanding Sample Requirements

The easiest and quickest way to identify appropriate forensic/UHR samples and determine if they are suitable for familial searching is through consultation with your local CODIS Administrator.

So, Before you apply –  
**Consult with your local laboratory**  
**about your case**

Consulting with your local laboratory prior to submitting a familial search application will minimize issues during the application process.



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5

## We've Identified a Sample. What Now?

### Ensure you have the correct CODIS Specimen ID Number

- Unique identifier
- Not necessarily the same as the item number in the laboratory DNA report
- Only available from your local CODIS Administrator

**Important!!** The CODIS Specimen ID Number is an EXACT SET of characters from CODIS and must be used as such in the application process. The State CODIS Administrator only has the ability to query the database by this number. If this number does not match exactly with CODIS, the application process may be held up unnecessarily trying to locate the forensic/UHR sample. Abbreviated item numbers, item numbers from reports, or missing characters will not be recognized.



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6

## Current Limitations of Familial Searching in NY

- Cannot be done with less than original 13 CODIS core loci
- Cannot be done without a full, associated 16 locus Y-STR profile
- Cannot search female forensic/UHR unknowns
- Cannot utilize female offenders



## What Familial Searching is Not

### What it will not do for you:

- Does not give you an identification of a forensic/UHR unknown
- Does not tell you that anyone IS or IS NOT related
- Does not give you a relationship type (i.e.; father, brother, uncle)
- Is not a genealogical search
- Is not an automatic/reoccurring search



# Familial Search Application Process



## Application Process

A familial search application must be made jointly by the appropriate investigating law enforcement agency (LEA) and prosecutor (DA/AG) with jurisdiction in the case.

Agency Chief Executives are responsible for approving each familial search application.

Chief Executives may designate appropriate staff to coordinate with DCJS through the approval process on page one of the application.



## Application Process – Defendant Request

A familial search application may also be made jointly by the appropriate LEA and DA/AG to identify an unknown forensic sample associated with a case in which a defendant has been previously convicted.

Such a request would be evaluated in the same manner described here and must still meet the same policy and process requirements.



## Sample Application

A sample application is available for reference on the DCJS Website.

<https://www.criminaljustice.ny.gov/forensic/forms/sample-fs-application.pdf>



## CODIS Specimen ID Number

The number entered into the **CODIS Specimen ID field** on page two of the application should be provided by your local laboratory.

Correct entry of the appropriate CODIS Specimen ID is necessary to avoid delays in the application process.



## Case Information- Offense Eligibility

**The case/offense must be associated with either a –**

- Penal Law 125 felony offense, other than one defined in sections 125.40 or 125.45
- Penal Law 130 offense that is defined as a violent felony offense pursuant to Penal Law section 70.02
- Class A felony offense defined in article 130, 135, 150, or 490 of the Penal Law
- Crime presenting a significant public safety threat



## Case Information- Narrative Information

Applications must provide the required narrative information about the case for an informed evaluation of an application to be performed.

Applications should **be as thorough as possible** in describing the case and investigative efforts or exigent circumstances.

The Chief Executives must certify that reasonable investigative efforts have been taken in the case or that exigent circumstances exist warranting a familial search.



## Narrative Information- Case Description

### Important points to include:

- Date and location of the crime or UHR recovery
- How was the scene discovered and reported
- How did the victim/decedent come to be in that location and/or situation
- DNA evidence that was collected and analyzed  
     Specify which sample is being used in the familial search request
- Any other forensic evidence that was collected and analyzed  
     Such as latent fingerprints





## Narrative Information- Investigative Efforts

### Important points to include:

- Approximately how many interviews were conducted and with what types of people  
(e.g. victim's/decedent's family, coworkers, individuals at scene)
- Public outreach efforts  
(e.g. neighborhood canvases, wanted posters, news stories)
- Suspects identified and investigated
- Any new evidence or additional testing



## Narrative Information- Exigent Circumstances

In lieu of describing the investigative efforts in an emergent case, requestors can alternatively describe the exigent circumstances which necessitate the submission of a familial search application prior to exhausting all other investigative avenues.



## Application Review Process

Familial search applications are reviewed by the Director of the Office of Forensic Services (OFS), the State CODIS Administrator, the State Police Lab Director, and the Commissioner of DCJS.

OFS staff may contact requestors throughout the familial search process for additional information.

**Supplemental Information Form** – Requestors may need to capture additional information or application corrections in order to continue moving a request forward.

**Note** – This will delay application processing and ultimately a request's entry into the search queue



## Post-Application Review Process

**Application Outcome** – Requestors will be notified in a letter from the Director of OFS when an application is approved or rejected.

**Processing queue** – An approved request enters the queue for search processing once OFS has distributed the application outcome letter. Searches are processed in the order that they are approved.

**Roles, Responsibilities, and Terms** – Previously enumerated in a separate Memorandum of Understanding, this information is now included in Section E of the application.



## Additional Process Requirements

**Results Training** – Requestors must satisfactorily complete a mandatory training prior to the release of any familial search result. OFS will contact you to coordinate this once the search has been completed.

**Withdrawal of Request** – At any point between the initial request and the release of a name, if a perpetrator or UHR is identified through other means, the requestors are required to notify DCJS and withdraw their request for a familial search.

“**Identify**” means that you have new evidence, leads, or information providing probable cause to make an arrest.



## Familial DNA Searching in New York State

If you have any questions regarding a familial search application or the process, please contact:

**Office of Forensic Services**, DCJS

[familialsearch@dcjs.ny.gov](mailto:familialsearch@dcjs.ny.gov)

(518) 457-1901

**DNA Databank Section**, NYSP

[NYSPCODIS-Databank@troopers.ny.gov](mailto:NYSPCODIS-Databank@troopers.ny.gov)

(518) 457-8831

