Discovery Request

1. Biological and Presumptive Testing Case file

    A. A copy of the case file which should include all records and bench notes made by each laboratory in connection with biological testing in the instant case, including serological testing, presumptive testing, microscopy and DNA testing.

    B. Photographic quality copies of all photographs in the original case file (including photographs of the evidence).

2. Data files:

    A. Copies of all computer data files created in the course of performing the DNA testing and analysis of the data in the case (both raw data and processed data) including all collection files.

    B. For analyses performed with GeneScan and Genotyper, please provide all GeneScan files (including all project files, samples files, matrix files and size standards) and all Genotyper files.

    C. For analyses performed with GeneMapper, please provide all samples files (".fsa"), project files (".ser"), matrix files (".mtx"), size standard files (".xml"), and analysis method files (".xml").

    D. For mtDNA testing please provide all electronic data files.

In the event that a particular data file cannot be produced, please provide name of said file with explanation of why it cannot be produced.

3. Chain of custody and current disposition of evidence

    A. Copies of all records that document the treatment and handling of biological evidence in the instant case from the initial point of collection up to its current disposition. This information should include documentation of where and how the materials were stored (temperature and type of container), the amount of evidence material that was consumed in testing, the amount of material that remains, and where and how the remaining evidence is stored. If evidence has been repackage, provide documentation of the circumstances of that repackaging, including a description of the original packaging, who conducted the repackaging and under what circumstance. In the event that the chain of custody spans several different agencies or laboratories, please address this request to each agency and/or laboratory that handled the items.

4. Laboratory Protocols, frequency tables and interpretation guidelines

A copy of all standard operating protocols (SOPs), frequency tables and interpretation guidelines relied upon in connection with the testing in the instant case, including guidelines that address; (i) peak detection threshold(s), (ii) stochastic threshold(s), (iii) mixture interpretation involving major and minor contributors, (iv) inclusions and exclusions, and (v) policies for the reporting of results and statistics. Additionally, please provide a copy of the lab's Quality Control and Quality Assurance Guidelines.

5. Unexpected Results and Corrective Actions (may be called CARs but are distinct from CARs issued by ASCLD-LAB

For each laboratory that performed DNA testing in the instant case, the laboratory's log of unexpected results and corrective actions. These are documents maintained by the QA section of the lab.

6. Accreditation

A. A copy of all licenses or other certificates of accreditation held by the laboratory.

B. A copy of the most recent audit report performed by the accrediting agency and copies of the most recent internal and external audit reports as required by the DNA Advisory Board.

C. For each areas of "non-conformance" to accreditation standards, please provide documentation of the determine root cause analysis and all reports and correspondec between the accrediting body and the lab.

7. Resumes for all analysts and technicians who performed any work on this case. Personnel files/ evaluations..

8. Proficiency test results for all analysts who performed any work on this case.

9. Communications

A copy of all communications between laboratory personnel and any other party with regard to the instant case, including letters, memos, emails and records of telephone conversations (including communications with regard to any DNA profile uploaded to a local, state or national DNA database (LDIS, SDIS or NDIS)).

10. Cold Hit Discovery (additional)

A. In the event that this case involves a 'cold hit' please provide all records pertaining to any sample taken from the defendant for inclusion in a convicted offender genetic database, from the initial collection of said sample to its current disposition. These materials should include, but not be limited to, records of sample collection, chain of

custody records, bench-notes for DNA testing (including printed electropherograms), electronic data, computer entry forms, Match Details Reports, corrective actions and any communications pertaining to these samples or searches involving these samples, including letters, emails, memos and records of telephone conversations.

B. For testing done on all samples in this case (even if the case does not arise from a cold hit) that have been submitted to any of the database associated with the national CODIS DNA database system including the local database (LDIS), state database (SDIS) and national database (NDIS)

C. All interpretations made by any lab member including the analysts and CODIS administrators of any sample in this case that was subsequently uploaded to any of the listed databases;

D. All notes of any interpretation conducted by the lab kept either in the case file or with documents associated with the CODIS system including any CODIS search requests, spreadsheets or hand written documents associated with the CODIS system;

E. Match estimator results for all interpretations uploaded to any of the listed databases;

F. Any documents relating to candidate matches to any of the interpreted profiles from the Match Manager software, including any handwritten notes regarding interpretation or disposition of a candidate;

G. Long form candidate match reports for all candidates indicating the number of hits in any of the databases listed above;

H. All partially matching candidates returned via a search including those that are dispositioned by the lab to be non-matching or no hit, even if the lab has dispositioned one of the candidates as a "hit." This is an ongoing request because as the database grows the probability of obtaining more matches also grows.

I. Please provide FBI decision tree diagram for CODIS hits, CHOP Procedures for Crime Laboratories, Law Enforcement Agencies, and District Attorneys (if the CHOP software is in use), any state manuals regarding the use of the SDIS and NDIS databases, training material, whether formal or informal, on the use of the SDIS and NDIS databases including but not limited to those regarding data interpretation and criteria for upload.

11. Validation Studies

The defendant requests access to the laboratories validation studies that pertain to issues in the specific case, including but not limited to stochastic effects, analytical and stochastic thresholds, and mixture interpretation.