

Lawfully Owed DNA Alaska

Last Updated: March 2020

Arrest

Question	Answer
Does the law require a DNA sample to be collected from an individual when they are arrested for a crime?	Yes, from adults only
What crimes require collection of a DNA sample at arrest?	All felonies, or “crime against a person”
Does the law mandate when the DNA sample must be collected after arrest?	At booking.
What agency collects the arrest DNA sample?	Department of Public Safety, including: “juvenile or adult correctional, probation, or parole officers or a peace officer”
What agency manages the analysis and preservation in the DNA database?	Department of Public Safety
Can the arrest DNA sample be expunged?	Yes. Upon written request to Dept. of Public Safety, accompanied with a court order establishing the person arrested was released without being charged; indictment was dismissed; or person was found not guilty.
Statutes	A.S. § 44.41.035. DNA identification system

Conviction

Question	Answer
Can the conviction DNA sample be expunged?	Yes- upon written request to Dept. of Public Safety, with a certified copy of a court order which establishes that the conviction was reversed and the person was not reconvicted or convicted for another crime requiring submission of a DNA sample.

Statutes	AS §44.41.035 DNA Identification System ALASKA ADMIN. CODE TIT. 22, § 20.200
What convictions require collection of a DNA sample?	Felony, or “crime against a person,” or a person required to register as a sex offender or a kidnapper; Applies to adjudicated juveniles age 16 or older
Does the law mandate when the DNA sample must be collected after conviction?	Not indicated in the statute. Alaska regulations regarding standard conditions of parole include providing a DNA sample if parolee is being released after conviction of an offense requiring the state to collect a DNA sample.
What agency collects the DNA sample after conviction?	Department of Public Safety; juvenile or adult correctional, probation, or parole officer or a peace officer
What agency manages the analysis and preservation in the DNA database?	The Department of Public Safety
Does the law require a DNA sample to be collected from the defendant when they are convicted of a crime?	Yes.
Does the law require DNA collection when a defendant is found not guilty by reason of insanity/mental defect/illness?	Yes.