

INSTRUCTION REGARDING DNA EVIDENCE AND CODIS¹

You have heard testimony that the DNA profile of (defendant) was contained in a scientific data base. You may not speculate as to how (defendant's) DNA profile was entered into the data base. A profile of a person's DNA may be entered into a scientific data base from a variety of sources. These sources may include, but are not limited to: grade-school child identification programs; military service; medical treatment programs; samples collected in connection with missing persons' investigations; samples collected in connection with the identification of the remains of victims of natural or other disasters, as well as other sources. You are not to consider the fact that the defendant's DNA was in a scientific database as prejudicing him/her in any way. The existence of DNA in a scientific database is not evidence that the defendant has ever been arrested or convicted of any crime.

¹ CODIS stands for the Combined DNA Index System, which is maintained by the Federal Bureau of Investigation as a catalogue of DNA profiles submitted by forensic laboratories across the United States. See 42 U.S.C.A. §14192

The Committee recommends that, under most circumstances, no reference should be made to CODIS at trial. Instead, the parties should refer to it as a scientific DNA data base unless the facts of the case warrant discussion of CODIS.