

Lawfully Owed DNA

Iowa

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?	No.
What crimes require collection of a DNA sample at arrest?	N/A
Does the law mandate when the DNA sample must be collected after arrest?	N/A
What agency collects the arrest DNA sample?	N/A
What agency manages the analysis and preservation in the DNA database?	N/A
Can the arrest DNA sample be expunged?	N/A
Statutes	N/A

Conviction

Question	Answer
Does the law require a DNA sample to be collected from the defendant when they are convicted of a crime?	Yes.
What convictions require collection of a DNA sample?	Felonies, and “aggravated misdemeanors”; a person determined to be a sexually violent predator; a person found not guilty by reason of insanity of an offense requiring a DNA sample; a juvenile adjudicated delinquent of an offense to which an adult offender would be required to submit a DNA sample; a person required to register as a sex offender
Does the law require DNA collection when a defendant is found not guilty by reason of insanity/mental defect/illness?	Yes

Does the law mandate when the DNA sample must be collected after conviction?	As soon as practicable if incarcerated, or “the supervising agency shall determine the date and time to collect the DNA sample”
What agency collects the DNA sample after conviction?	A supervising agency having control, custody, or jurisdiction over the person, according to rules adopted by the Division of Criminal Investigation
What agency manages the analysis and preservation in the DNA database?	Department of Public Safety, Division of Criminal Investigation
Can the conviction DNA sample be expunged?	Upon written request to the Division of Criminal Investigation, with certified copy of final court order reversing the conviction, adjudication, or civil commitment and certified copy of the dismissal
Statutes	<p>Iowa Code 81.2. Persons Required to Submit a DNA Sample</p> <p>Iowa Code 81.4 Collecting, Submitting, Analyzing, Identifying and Storing DNA Samples and DNA records</p> <p>Iowa Code 81.9. Expungement of DNA Record</p>