Labs generate DNA mixture lists. Commission combines into master list.
Was there a conviction?
NO
Case Removed from Master List
YES
Letter goes to defendant with one-page form. Form goes to PO Box (defense triage team or locally-appointed attorney*)
COLOR KEY:
LAB ACTION
PROSECUTOR ACTION
DEFENDANT/DEFENSE COUNSEL ACTION
FORENSIC SCIENCE COMMISSION ACTION
COURT
PRIORITIES:
1. CAPITAL
2. CURRENTLY INCARCERATED
3. PAROLE/SUPERVISION
4. OUT OF SYSTEM
Paroled/Out of System
Currently Incarcerated
Did defendant return one-page form to defense triage team or locally-appointed attorney*?
NO
YES
No further action taken
Defense triage team asks prosecutor who contacts lab to determine whether a CPI was issued.
NO
YES
No further action taken, Letter to Defendant
Was it calculated using criteria sent to lab by Commission on 10/15/15?
*Expert Panel to Assist
YES
NO
No further action taken, Letter to Defendant
Lab issues revised report
*Expert Panel to Assist
Depending on results, triage team provides defendant with his/her options (e.g., request appointment of writ lawyer, etc.)
Case re-litigated if appropriate
Defense triage team asks prosecutor who contacts lab to determine whether a CPI was issued.
NO
YES
No further action taken, Letter to Defendnat
Was it calculated using criteria issued by Commission to labs on 10/15/15?
*Expert Panel to Assist
YES
NO
No further action taken, Letter to Defendant
Did defendant request recalculation OR (if no form received) did triage team determine identity was at issue in the case?
NO (to both)
YES (to either)
No further action taken, Letter to Defendant
Lab issues revised report
*Expert Panel to Assist
Depending on results, triage team provides defendant with his/her options. (e.g. request appointment of writ lawyer, etc.)
Case re-litigated if appropriate
*In some cases, counsel may be appointed to fulfill function of defense triage team