

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA**

ADMINISTRATIVE ORDER NO. 2-54.3

IN RE: BIOLOGICAL SPECIMENS FOR DNA ANALYSIS

WHEREAS, §943.325, Fla. Stat., requiring the collection of biological specimens for the Florida Department of Law Enforcement's DNA Database; and

WHEREAS, it is necessary for the Court to set out the procedures in Polk County which will ensure compliance with the statute; and

WHEREAS, the Court has taken into consideration the input and suggestions of the other agencies involved in this process; it is accordingly

ORDERED AND ADJUDGED as follows:

OFFENDERS WHO ARE SENTENCED BY THE COURT

1. Any person ("Defendant"), as defined in Section 943.325, Florida Statutes, who is convicted in this state, regardless of adjudication, for any offense or attempted offense specified in Section 943.325, Florida Statutes, and who is placed on probation or community control as a result of such conviction shall be required to submit DNA samples as further provided in this Order.
2. At the time of sentencing, each defendant from whom DNA samples are to be obtained pursuant to Section 943.325, Florida Statutes, shall submit samples prior to leaving the courtroom. The specimens shall be collected by the Polk County Sheriff's Office. The Polk County Sheriff's Office shall maintain the safe storage of the specimens and forward them to Florida's Department of Law Enforcement in a timely manner.
3. Should a defendant transfer into Polk County while under supervision for a qualifying offense who has not previously provided DNA specimens pursuant to F.S 943.325, the defendant shall be ordered by his supervising probation/community control officer or Polk County Sheriff's Office to provide a DNA sample.

**OFFENDERS SENTENCED TO INCARCERATION IN STATE PRISON,
COUNTY JAIL, OR THE DEPARTMENT OF JUVENILE JUSTICE**

Any person ("Defendant") who is convicted in this state, regardless of adjudication, for any offense or attempted offense specified in Section 943.325, Florida Statutes, and who is sentenced to a period of incarceration in the Polk County Jail, to the Florida State Prison system, or to the Department of Juvenile Justice as a result of such conviction, and who has not previously provided biological specimens at the time of sentencing, shall submit DNA samples

to jail personnel, to the Department of Corrections, or to the Department of Juvenile Justice, as applicable, while in custody.

COST OF COLLECTION OF DNA SAMPLES TO BE BORN BY CERTAIN
INDIVIDUALS DESIGNATED BY SECTION 943.325(12)(a)

Unless a convicted person has been declared indigent by the court, a convicted person shall pay \$15.00 as the cost of collecting the approved biological specimen required under Section 943.325.

Administrative Order No. 2-54.2, dated May 27, 2010, is hereby SUPERSEDED.

This Order shall have effect upon entry.

DONE and ORDERED on this 10th day of June, 2010.

J. DAVID LANGFORD, Chief Judge