

STATE OF NEW YORK

\_\_\_\_\_ COURT: \_\_\_\_\_ OF \_\_\_\_\_

-----  
THE PEOPLE OF THE STATE OF NEW YORK

v.

**WAIVER AND CONSENT FOR  
DNA SAMPLE IN CONNECTION  
WITH PLEA AGREEMENT**

Defendant.

Indictment #

Index #

Docket #

CJTN #

Dr. #

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I, \_\_\_\_\_, DOB    /    /    , NYSID # \_\_\_\_\_ residing at \_\_\_\_\_, after having read this document and discussed it with my attorney, hereby consent to providing an oral swab for DNA testing as part of the negotiated disposition for violation of \_\_\_\_\_ Law section(s) \_\_\_\_\_. I agree that my DNA sample may be submitted for a forensic DNA profile analysis and I consent to its use for law enforcement purposes.

I further consent to the resulting DNA profile being entered into, and stored in, the State and national DNA Databanks for comparison with other DNA profiles obtained in connection with criminal investigations.

I waive any right that I may have to expunction of my DNA profile from the DNA Databank as part of any negotiated disposition of the charges pending against me. I understand, however, that I may apply to the Division of Criminal Justice Services for expunction of my forensic DNA profile from the DNA Databank if all judgments of conviction based on guilty pleas entered as part of this negotiated disposition are reversed on appeal or included in a Governor's Pardon, or such guilty pleas are otherwise vacated.

Dated this \_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Defendant

Witnessed this \_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Counsel for Defendant