

**CM WI-06 Discovery and Freedom of Information Act
(FOIA) Requests**

Approved by Director: Dr. Guy Vallaro

Document ID: 2059
Revision: 9
Effective Date: 11/23/2020
Status: Published
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Discoveries:

1. Requests for copies of case files (notes, data, photos, etc.) are received via email, fax, US mail or subpoena from State's Attorney's Offices and other sources.
2. An Examiner Notification memo is filled out by Case Management personnel or designee. Each Examiner associated to the request is given a copy of the notification. If possible, a time frame of completion is indicated on the notification.
3. Add a service request in JusticeTrax for "Discovery" and assign to the CM Lead or designee.
4. If paper copies of case files are prepared, the suggested guidelines include reducing to 93%, single sided, and no staples. Color copies of photographs or worksheets should be made when appropriate in an effort to produce an accurate representation of each Unit's case file. The file can also be scanned directly in a Case Management folder and saved for each case. When applicable, the associated case synopsis within JusticeTrax should also be copied or scanned into the folder.
5. For DNA files, copies of appropriate worksheets will need to be redacted to remove any information not related to the case. The redacted copies need to be verified by the case examiner for accuracy. The copies of case file(s) are returned to the Case Management Unit or can be scanned directly into the folder on the "S" drive.
6. A folder is made for each case request on the 'S' drive. Copies of the case files are scanned and saved into the folder with the case number and the Unit name after the case number (ie: DSS-18-1234 FB). In an effort to conserve paper, the file can be scanned directly into the folder if no redactions are necessary.
7. Upon completion of the discovery for all Units involved, a CD is burned for the requestor.
8. The requestor is notified that CD is ready for pick up/delivery and a date and time is arranged with Case Management personnel. Upon retrieval, a signature is obtained from the agency representative receiving the CD.
9. Signed completed Examiner Notification memos are scanned and saved into the appropriate 'S' drive folder. The original signed memos are placed into a designated binder maintained by Administration.

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10. Copies may be emailed to the requestor if the discovery is of limited nature. A delivery receipt is attached to the email as proof of receipt.

11. "Edit findings" and "Draft Complete" for the Discovery request in JusticeTrax. Once entered, the request is released in JusticeTrax.

Freedom of Information Act (FOIA's):

1. Requests for copies of case files (notes, data, photos, etc.) are received from the CT Department of Emergency Services and Public Protection Legal Affairs Unit via email, fax, US mail or subpoena. Any FOIA request received at the CT Division of Scientific Services (from an attorney, correctional facility inmate, or citizen) will be forwarded via email or hand delivered to the CT Department of Emergency Services and Public Protection Legal Affairs Unit (DESPP.legal@ct.gov). A folder is made for each case request on the lab shared drive (S drive) in the Case Management folder for discoveries and FOIA's. Breathalyzer FOIA/Discovery requests will be handled separately by the Toxicology Unit.

2. An Examiner Notification memo is filled out by Case Management personnel or designee. Each Examiner associated to the request is given a copy of the notification. If possible, a time frame of completion is indicated on the notification. If the examiner is no longer employed by the Division, the technical reviewer, supervisor or designee is provided the memo.

3. Add a service request in JusticeTrax for "FOIA" and assign to the CM Lead or designee.

4. If paper copies of case files are prepared, the guidelines include reducing to 93%, single sided, and no staples. Color copies should be made when appropriate in an effort to produce an accurate representation of each Unit's case file. The file can also be scanned directly into a Case Management folder and saved for each case. When applicable, the associated case synopsis and chain of custody (COC) within JusticeTrax should also be copied or can be scanned directly into the folder.

5. For DNA files, copies of appropriate worksheets will need to be redacted to remove any information not related to the case. The redacted copies need to be verified by the case examiner for accuracy. The copies of case file(s) are returned to the Case Management Unit or can be scanned directly into the folder on the "S" drive. Other Unit files may also need redactions and shall be redacted and verified as noted above.

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6. Copies of the case files are scanned and saved into the folder with the case number and the Unit name after the case number (ie: DSS-18-1234 FB). In an effort to conserve paper, the file can be scanned directly into the folder if no redactions are necessary.
7. Upon completion of the FOIA for all Units involved, a CD is to be burned for the requestor.
8. The requestor is notified that the CD(s) are ready for pick up/delivery and a date and time is arranged with Case Management and/or Administration personnel. Upon retrieval, a signature is obtained from the agency representative receiving the CD.
9. Signed completed Examiner Notification memos are scanned and saved into the appropriate 'S' drive folder. The original signed memos are placed into a designated binder maintained by Administration.
10. Copies may be emailed to the requestor if the FOIA is of limited nature. A delivery receipt is attached to the email as proof of receipt.
11. "Edit findings" and "Draft Complete" for the Discovery/FOIA request in JusticeTrax. Once entered, the request is released in JusticeTrax.

NOTE: If a "LITIGATION HOLD" notice is received ordering that documents and electronically stored information may not be destroyed or altered, all files are prepared as above and a CD is stored in Administration.