

GL 12 Evidence Receiving

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Approved by Director: Dr. Guy Vallaro

A. **PURPOSE:**

The Evidence Receiving unit is the organizing body for the receipt and distribution of all evidence in the DSS Laboratories. This unit is responsible for the in-take of cases, proper temporary storage of evidence and distribution of all evidence. This procedure outlines in general terms the flow of evidence to the laboratories, with-in the laboratories and back to the submitting agency.

Part of the responsibility of the Evidence Receiving unit is to take in drug evidence. Due to the nature of drug evidence special handling is required. Appendix A addresses the intake of drug evidence for the Controlled Substance laboratory and other sections (when no drug analysis is required).

B. **DEFINITIONS:**

1. ECO: Evidence Control Officer (this may be an employee with this title or an employee assigned to work in the capacity of an ECO)
2. PIN: Personal Identification Number
3. JT: Justice Trax Computer System
4. COC: Chain of Custody

C. **RESPONSIBILITIES:**

1. Director: responsible to support the Evidence Receiving section and to provide secure storage locations for the storage of evidence.
2. Deputy Directors: responsible to work with the ECO as needed to assure the appropriate flow of cases to and from the laboratory sections.
3. ECO: responsible to assure that evidence received by the laboratory meets the guidelines of the laboratory.

D. **PROCEDURE:**

1. Evidence brought into the DSS Laboratories will be designated for one, or multiple sections of the DSS.
2. The DSS Laboratories accept evidence from any state or local police department, Federal agencies, State's Attorney's Offices, Public Defender's Offices and other authorized State agencies e.g. Consumer Protection and Corrections (Refer to General Statute 29-7b). Out-of-state agencies and other in state entities may submitted evidence with *prior* authorization by the Director of the **Division of Scientific Services**. ~~Department of Emergency Services and Public Protection.~~

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- a. Evidence previously analyzed by a laboratory outside of the DSS will not be accepted without prior approval of the Director (or Deputy Director in the Directors absence).
3. Evidence brought to the DSS laboratories is expected to be properly sealed and labeled with the submitting agencies case number, whenever possible. All associated paperwork submitted with the case will also have the submitting agency case number identifier. In general, a **Request for Analysis a-DPS-997-C** form will be submitted with the evidence. (See Evidence Receiving sectional SOPs for exceptions to this).
 - a. Note in other General Laboratory SOPs and in section Specific SOPs the form originally referred to as the DPS-997-C is now called the Request for Analysis form.
 - b. When evidence is submitted to ER that is not properly sealed the ECO will require the submitting agent to properly seal the evidence. The ECO will make a notation that the evidence was sealed at the laboratory, in Justice Trax, in the synopsis section for the case.
4. All employees are expected to handle and store evidence in a manner that maintains the integrity of the evidence, specifically documenting each step of the COC and handling the evidence in a manner which prevents contamination or deleterious change. (See SOP GL-13, General Evidence Handling).
 - a. **Evidence previously analyzed by the DSS laboratory, that is resubmitted for the same analysis must be approved by the Director or their designee prior to reanalysis.**
5. **For evidence containing drugs: the evidence items containing drugs will be weighed by ER/CS as listed in appendix A. If the evidence is to be analyzed by a section other than Controlled Substances, and it is to be stored prior to analysis it will be stored in the CS laboratory until the respective laboratory section requires the evidence for testing.**
 - a. **The CS analyst with the analyst requesting the case will weigh the evidence as weighed in ER prior to transfer to the requesting analyst. The weight will be recorded on form GL-12:1.**
 - i. **If the evidence is returned to CS for storage the weight will be taken again at the time of transfer. Acceptability criteria for changes in weight are as listed in Appendix A.**
 - ii. **If the evidence is returned to ER then the weight will be taken in ER with the analyst as the witness.**
 - b. **If suspected drugs are found on evidence during analysis (such as in a pocket of a piece of clothing) the analyst will immediately alert the section Supervisor.**
 - i. **The item(s) will be documented with photographs and/or case notes and sub-itemized in Justice Trax. The items should be transferred to the Controlled Substance Laboratory following the guidance in Appendix A.**
 - ii. **The analyst/Supervisor or Case Management will contact the submitting agency to determine if they require the items to be tested. This information will be communicated to all needed sections.**

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6. The following is a generalized description of the evidence flow among the DSS Laboratories from the time it is accepted into the DSS Laboratories Evidence Receiving unit, to analysis and return to the submitting agency. There are exceptions to this which are documented with in the Evidence Receiving SOPs and section specific SOPs.
- a. Evidence is brought in by a submitting agency
 - b. Evidence is accepted by an ECO. The officer checks for proper case seal and identification; comparing the agency case number on the submitted paperwork (~~DPS 997-C~~ or other appropriate Request for Analysis Submission Form) to the agency case number on the evidence itself.
 - c. The evidence is logged into and assigned a laboratory case number using the Justice Trax computer system. (Refer to SOP GL-4 LIMS)
 - d. The ECO places JT generated bar code labels with the case number printed on them on the paperwork, and evidence as appropriate. The bar code label is the mechanism for evidence transfer within the DSS Laboratories from this point forward.
 - e. An evidence receipt is generated and signed by the submitting agent and the ECO.
 - f. An administrative case file is made containing all paperwork submitted and the evidence receipt.
 - g. The evidence is electronically and physically transferred to the proper storage location within evidence receiving, based on the type of evidence.
 - h. Evidence examiners retrieve the evidence and associated paperwork from the Evidence Receiving area. This is done on a daily basis for some laboratory sections and as needed by other laboratory sections. All transfers are documented electronically in the Justice Trax system. To assure that the transfer is secure, both the ECO and the analyst will use their unique PIN for the transfer.
 - i. Once the transfer is complete the analyst transports the evidence to their section.
 - j. Within the laboratory section the analyst transfers the evidence to the proper storage location. The evidence will remain there until analysis is required.
 - k. A case file will be made for active cases, this will contain copies of the administrative case paperwork.
 - l. When evidence is assigned to an analyst, it is transferred to their possession when needed for analysis.
 - m. The analyst will maintain the integrity of the sample by maintaining proper storage of the evidence as specific to their section SOPs.
 - n. The analyst will perform appropriate analysis.
 - o. When analysis is complete on a case, the case report is generated, reviewed and signed.

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- p. Once the case is complete and the final report is signed, the analyst retrieves the evidence from the storage location (tracking the transfer in JT), and physically brings the evidence and case reports to Evidence Receiving.
 - i. The Toxicology section in general does not return evidence to the submitting agency (See Toxicology section specific SOPs).
 - ii. Forensic Biology sample prep cases will be returned to ER without a report.
- q. The evidence is transferred from the analyst to the ECO via JT; both will use their PINS during the transfer.
- r. The ECO transfers the evidence to a storage location for pick up by the submitting agency.
- s. The submitting agency is contacted that evidence is ready for pick-up.
 - i. Customers with regularly scheduled drop offs and pick-ups need not be contacted.
 - ii. For OCME cases that are submitted and related to another agencies case, the OCME evidence will be transferred to the parent agency not to the OCME.
- t. When the submitting agency comes to pick up a case the ECO transfers the evidence and sub-itemized laboratory report from the storage location to themselves and finally to the submitting agency.
- u. An outgoing evidence receipt is generated and signed by both the ECO and the representative from the submitting agency.
- v. The submitting agent is given the appropriate copies of the case report and the evidence.

Appendix A:

Intake of Evidence Containing Drugs

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The following is for evidence submitted specifically for the Controlled Substance laboratory and for evidence submitted for other sections that are reported to contain drugs.

For newly received cases: lock boxes are provided that remain unlocked until evidence is placed in the box. The ECO will have the submitting agent act as witness to the evidence being placed in the lock box and sealed. The Controlled Substance section maintains control of the keys to those boxes. Once a box is locked the ECO and the CS representative will unlock the box as each other's witness.

For cases returned from CS or to the submitting agency: a two lock storage cabinet is maintained for drug evidence. No ECO will ever have control of both keys. When an analyst returns evidence, 2 ECO immediately lock the evidence into the 2 lock cabinet. To retrieve evidence from the 2 lock cabinet, 2 ECO open the locker, remove the needed items and immediately relock the cabinet.

1. The ECO reviews the paperwork and evidence packaging to assure the agency case number on the evidence matches the agency case number on the evidence submission form, per section SOPs.
2. The ECO will enter the case into LIMS, create labels and label the individual evidence bags as normal (see section SOPs for guidance).
3. The ECO will place the evidence in a lock box with the submitting agent as the witness to this act. The key to the lock box is controlled by the Controlled Substance Laboratory. Multiple cases from a single submitting agency can be placed in a single box (based on case size).
4. The paperwork will be completed as per section SOP with the submitting agent signing the evidence receipt. The submitting agent will be asked to initial the evidence receipt that they witnessed the evidence being placed in the lock box and the box sealed.
5. Drug cases should be pick-up from Evidence Receiving Daily.
6. When the evidence is to be transferred to the CS analyst the analyst will bring the lock box keys.
 - a. The lock box will be opened (with both the ECO and CS analyst present), the items will be transferred to the CS analyst in JT per normal procedure.
 - b. All submissions will then be placed in a convenience container and sealed. Bar code labels will be placed on the convenience container, the convenience container will then be weighed. The weight should be taken by the individual that has the evidence in their possession in Justice Trax.
 - c. The weight will be recorded on the weight verification form (GL-12:1), with both the ECO and CS analyst initialing. The balance used will also be recorded on this form.
 - d. The weight will be recorded to the same number of decimal points as displayed on the balance.

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- e. When there are multiple convenience containers the container will be marked as #1, #2, etc... the weight will be listed on the form accordingly.
Example: #1 = 43.5 grams #2 = 1007.0 grams #3 = 4.85 grams.
 - f. The form will move with the evidence to the CS section. A copy of the form will be filed in the ER case file.
7. For cases that cannot be stored in a lock box, the ECO will call the CS Supervisor, or Deputy Director to arrange for immediate transfer to the CS storage location. If a weight cannot be obtained, the ER Supervisor, CS supervisor or Deputy Director must be notified immediately.
- a. For these cases the DD or CS Supervisor will create a seal for the evidence with their initials and the date. This can be achieved by placing the item(s) in a large plastic bag and sealing or by adding a seal over the current seal.
 - b. In the rare cases the above cannot be performed the method to assure patency will be at the discretion of the Deputy Director or their designee.
8. The CS analyst will weigh the case, in the convenience container as weighed in Evidence Receiving, with a witness immediately prior to the case being opened and inventoried. This is meant to assure the weight has not changed during transport or storage in the section. The weight will be recorded on the same GL-12:1 form, the form will be maintained in the CS case file.
9. Weights that are within acceptable range of the initial weight will be accepted and the evidence stored per section SOPS.
- a. Acceptable range:
 - 1. 1-100grams +/-5-%
 - 2. 100.1 – 1000g +/-2%
 - 3. >1000.1grams +/-1%
 - ii. Calculation of % Difference:
$$(\text{Current Weight} - \text{Initial Weight}) / \text{Initial Weight} \times 100$$
 - b. Weights that vary more than the acceptable range (as listed above) from the ER weight will be immediately reported to the section supervisor or Deputy Director. The Supervisor and/or Deputy Director will make the determination that based on the type of evidence if the discrepancy is explainable/acceptable and therefore the evidence can be stored or if the discrepancy is not explainable and therefore follow-up is needed.

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- c. If the weight difference is not explainable the Director and Quality Manager will be immediately informed and an investigation initiated. The type of investigation will be determined by the Director.
 - d. If the issue must be investigated, the evidence will be transferred to the Director or Quality Section for storage until the issue is resolved. The Director will determine if and when the submitting agency will be contacted.
10. If the weight is acceptable (or any issue resolved), the CS analyst will proceed to analyze the case per section procedures. Once completed, the items will be repackaged and stored per section guidelines.
11. The evidence will be returned to Evidence Receiving, with the GL-12:1, at which time the final weight will be taken by the ECO and CS representative. A copy of the form will be placed in the ER file and the original will return to the CS case file.
- a. It is understood that the weight will vary at this point based on sample taken, labels added and other alterations that occur due to case analysis.
 - b. The % Difference will be calculated;
 - i. $(\text{Current Weight} - \text{Initial Weight}) / \text{Initial Weight} \times 100$
 - ii. Acceptable range:
 - 1. 1-100grams +/-5-%
 - 2. 100.1 – 1000g +/-2%
 - 3. >1000.1grams +/-1%
 - iii. Weights that vary more than the acceptable range (as listed above) will be immediately reported to the section supervisor or Deputy Director. The Supervisor and/or Deputy Director will make the determination that based on the type of evidence if the discrepancy is explainable/acceptable and therefore the evidence can be stored or if the discrepancy is not explainable and therefore follow-up is needed.
 - iv. If the weight difference is not explainable the Director and Quality Manager will be immediately informed and an investigation initiated. The type of investigation will be determined by the Director.
 - v. If the issue must be investigated, the evidence will be transferred to the Director or Quality Section for storage until the issue is resolved. The Director will determine if and when the submitting agency will be contacted.

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12. If the weight is within the acceptable range (or any issues are resolved) the evidence will be transferred to the ECO. A second ECO must be present to access the 2 person drug storage cabinet; the evidence will be locked into this cabinet until being pick-up by the submitting agency.
 - a. At no time will one ECO have control of both lock up keys.
13. The evidence will stay locked in the 2 lock drug cabinet until it is to be picked up by the submitting agency, at that time 2 ECO (or 1 ECO and one Management Designee) will unlock the cabinet, remove the needed items and transfer the evidence as normal.
 - a. At no time will the 2 lock drug cabinet be left with either lock unlocked.

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