

*Approved by Director: Dr. Guy Vallaro***Background Information**

A consumption is defined by the Superior Court – Procedure in Criminal Matters Practice Book Section 40-9 “Presence during Tests and Experiments” as the following: *If a scientific test or experiment to be performed upon any object which...may preclude or impair any further tests or experiments, the opposing party and any other person known to have or believed to have an interest in the matter shall be given reasonable notice and opportunity to be present and to have an expert observe or participate in the test or experiment, unless the judicial authority for good cause shall order otherwise.” (P.B 1978-1997, Sec. 738)*

Case Evaluation and Letter

1. Verify that a consumption issue exists:
 - a. An arrest was made
 - b. The entire sample will need to be analyzed and may be consumed in the analysis
2. Locate Case Management Folder on the ‘S’ drive
 - a. Open the consumption letter folder
 - b. Select the appropriate GA handling the case
 - c. Input the lab case #, submitting agency, agency case # and sample number with a brief description. Input a date for start of examination that is one month from the date of the letter.
 - d. Print the letter on a color copier and have the Supervisor sign the letter
 - e. Scan the signed letter and save it in a Case Management “My Documents” location as “consumption letter lab case #” (ie: consumption letter 12-1111)
3. Send an email to the Attorney/Inspector handling the case, and attach the signed consumption letter. Explain the purpose of the letter in the email and include your contact information for questions.
4. Place the case file with the letter attached in the “Consumption” file in Case Management.
 - Exception: If a consumption exists for a portion of the evidence in the case, a second temporary case jacket can be made to keep in Case Management with the consumption paperwork (original signed letter, email, a copy of the evidence receipt and a copy of the request for examination). The case jacket with the worksheets or other documentation may then be forwarded to continue analysis on other evidence not affected by the consumption issue.
5. Add the case info to the tracking spreadsheet in the Case Management folder on the ‘S’ drive to monitor the days elapsed since initial contact.

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6. If no response or communication is received from the State's Attorney's Office regarding the testing of the items identified as consumption, the following steps will be taken:

The consumption request will be changed to the appropriate DNA testing request and the case will proceed to DNA analysis.

7. If communication is received that observation by an expert is requested, forward the case file to the DNA TL or appropriate designee to schedule the defense observation of the exhaustive testing.

The response/letter is printed or copied and placed in the case jacket. The original mailed response or a second printed copy will be forwarded to Evidence Receiving and placed in the Main Case file. A PDF of the response letter is located on the S: drive in the Consumption Response folder.

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