

DOM 10 – Procedures for Handling Evidence and Clinical Specimens

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1. Background

- 1.1. An accredited laboratory must have established procedures to ensure the integrity of all items of evidence and clinical specimens at its facility. These procedures conform to the requirements of the Agency, government regulations, accreditation standards and the applicable supplemental standards.
- 1.2. Ensuring the integrity of evidence and clinical specimens in the custody of the Department of Forensic Sciences (DFS) serves to protect the interests of the laboratory and its customers.
- 1.3. It is necessary to fully document the chain of custody of all items of evidence to generate legally admissible chain of custody records.

2. Definitions

- 2.1. For the purposes of this document, the following terms shall have the designated meanings:

CCN: Central Complaint Number

CEU: Central Evidence Unit

CFL: Consolidated Forensic Laboratory

Chain of Custody: The movement and location of physical evidence from the time it is obtained until the time it is presented in court. The DFS chain of custody will serve as a record of the custody of an item of evidence from its receipt through its return to the submitting agency.

Container: The box, bag, envelope, can or other wrapping that houses evidence or clinical specimen(s).

CSS: Crime Scene Sciences

DFS: Department of Forensic Sciences

DOM: Departmental Operations Manual

Evidence Seal: A seal that prevents loss, cross-transfer or contamination while ensuring that attempted entry into the container is detectable. A compliant seal may include a heat seal, tape seal, or a lock with, at minimum, the date and the initials of the person creating the seal being placed across the seal onto the container when possible.

FEU: Firearms Examination Unit

FSL: Forensic Science Laboratory

LOM: Laboratory Operations Manual

MCL: Mobile Crime Laboratory

Personal Custody: Individual custody by a unit member

PHL: Public Health Laboratory

PPE: Personal Protective Equipment

SOP: Standard Operating Procedure

3. Scope

- 3.1. These procedures apply to all DFS personnel who recover, receive, store, protect, transfer, inventory, examine, retain, return, and/or otherwise handle items of evidence and clinical specimens.

4. Responsibilities

- 4.1. The **Employee** receiving and handling evidence or clinical specimens will:
 - 4.1.1. Follow good laboratory procedures including wearing all necessary PPE.
 - 4.1.2. Ensure the outer container is properly sealed and labeled with proper identification.
 - 4.1.3. Inspect the items and submitted documentation for any discrepancies or deficiencies. When possible, have any issues immediately and properly addressed by the person submitting the evidence.
 - 4.1.4. When unable to have issues immediately corrected by the submitter, document the identified issue(s) in the LIMS case activities.
 - 4.1.5. Ensure the chain of custody is properly documented throughout the entire time the evidence is in their custody.

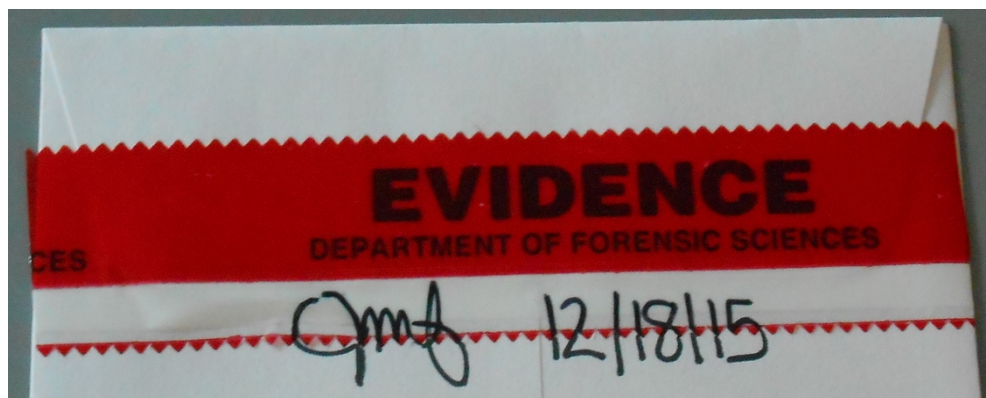
- 4.1.6. Ensure the submitted item(s) correspond with the submission paperwork received.
- 4.1.7. When performing analysis:
 - 4.1.7.1. Inventory containers/evidence received and ensure the condition of the container (under proper seal/not under proper seal) is correctly recorded in the casework documentation, as well as a description of the packaging and the evidence.
 - 4.1.7.2. When evidence packaging of any kind (box, envelope, etc.) is entered into LIMS, the "Evidence Type" shall be recorded as "Evidence Packaging" to ensure all personnel can clearly discern items of evidence from evidence packaging.
 - 4.1.7.2.1. If there is any question regarding whether an item housed within a sealed container is evidence or evidence packaging, it is the responsibility of the person with custody of the evidence item to consult previous personnel on the chain of custody to verify prior to handling.
 - 4.1.7.3. Mark packaging and evidence, where feasible, with Division specific requirements.
- 4.1.8. Evidence will be stored in a secure, designated location.

5. Procedures

5.1. Evidence Receipt

- 5.1.1. The designated person receiving the evidence or specimen(s) will:
 - 5.1.1.1. Follow universal precautions protocols (wear appropriate PPE, change gloves) as needed.
 - 5.1.1.2. Ensure outer containers are properly sealed, initialed, and dated. Additionally, all proximal containers to an evidence item shall be sealed, initialed, and dated.
 - 5.1.1.2.1. DFS personnel sealing evidence must place their initials, signature, or unique personal identifier and the date across the seal so it spans both the seal and the container when possible. See Figure 1.

Figure 1



- 5.1.1.2.2. An evidence seal must be suited to the condition necessary to ensure the integrity of the contents of the container (e.g., when evidence is to be stored in the freezer, the seal must stay in place/intact while the evidence is in the freezer).
- 5.1.1.2.3. The DFS will accept evidence that is properly closed and sealed by the submitting agency as long as the seal has, at a minimum, the initials (or signature or unique personal identifier) of the individual who affixed the seal.
- 5.1.1.2.4. An existing manufacturer's glue seal in most cases does not need to be taped over to ensure the integrity of the evidence in the envelope/container.
- 5.1.1.2.5. If more than one piece of tape was used by the submitting agency to seal the container, each piece of tape must, at a minimum, be initialed.
- 5.1.1.3. If upon receipt at the CEU the evidence container is not properly closed and/or sealed the CEU employee will add an insurance seal by placing a piece of evidence tape across the area(s) requiring a seal once the container is properly closed and/or perpendicularly across the non-compliant or unacceptable seal followed by placing their initials, signature or unique personal identifier and the date across the seal.
 - 5.1.1.3.1. The CEU employee will document addition of the insurance seal on the chain of custody. When appropriate, the employee will record any discrepancy or deficiency.
 - 5.1.1.3.1.1. If the evidence packaging was received damaged to such an extent that it is not possible to ensure the integrity of

the evidence while at the DFS, the person receiving the evidence will contact the CEU Supervisor and/or appropriate Unit Manager to decide if the integrity of the evidence has been compromised and what, if any, forensic examinations can or will be conducted.

- 5.1.1.3.1.2. The CEU Supervisor or designee will inform the submitting customer that the packaging and/or evidence was received damaged and advise what, if any, examinations will be conducted.
- 5.1.1.3.1.3. This communication will be documented.
- 5.1.1.4. Evidence not suitable for sealing will be handled as appropriate with an effort to protect the area(s) for the examination(s) requested.
- 5.1.1.5. Submitted firearms are required to have a zip tie or similar device through the action or breech of the weapon to indicate it is unloaded and in safe condition. If a firearm is noted by the submitter or suspected by the CEU staff of potentially being loaded, the CEU must contact the FEU staff immediately for the weapon to be checked and made/determined to be safe. If FEU is not available, reference *CES07 – SOP for Firearms Examination Unit Evidence Exchange* for further guidance. It is noted that some firearms will not be sealed upon receipt. In all cases, firearms will be handled as appropriate for the examination(s) requested.
- 5.1.1.6. Ensure the chain of custody is properly documented.
- 5.1.1.7. Preserve, when possible, the original evidence container when it is necessary to create a new container.
 - 5.1.1.7.1. If it is not possible to preserve the original container, the designated person receiving the evidence should remove or cut out the appropriate labels or barcodes and attach them to the new container or incorporate the original container in its entirety within the newly created container.
- 5.1.1.8. Place the evidence in a secure, designated location or begin the evidence examination.
- 5.1.1.9. Ensure case information (chain of custody and case submission information) is present, complete, and available for submission to

the appropriate Unit Manager or designee either directly or via the CEU Manager or designee, when applicable.

5.2. Storage of Evidence

- 5.2.1. Store all evidence properly as defined in Division/Unit SOPs, in a designated, appropriate, controlled access evidence storage location as soon as possible upon receipt/pending examination.
- 5.2.2. When evidentiary items require storage or handling under specified environmental conditions, the conditions will be maintained, monitored, and recorded.
- 5.2.3. If an analyst is not immediately assigned to analyze the evidence, then the individual receiving the submitted items for the unit must make sure the submitted items are properly sealed, documented in the chain of custody, and properly stored.
- 5.2.4. Designated DFS evidence storage areas in the CFL facility are kept locked at all times. Access to the storage areas is limited to DFS laboratory personnel.
 - 5.2.4.1. Analysts may use their locked personal storage lockers/units when their examinations are in progress. When evidence is in personal storage it will be closed to ensure the evidence remains secure but does not have to be sealed.
- 5.2.5. If a request for examination is received, but is cancelled by the submitting customer or determined to be unnecessary (i.e., based on the background information regarding the case) prior to the evidence being transferred to a unit, the CEU Supervisor will ensure the evidence is returned to the submitting agency.
- 5.2.6. If a request for examination is received, but is cancelled by the submitting customer or determined to be unnecessary (e.g., based on the background information regarding the case), after the evidence has been received by a unit, the Unit Manager or designee will ensure the evidence is returned to the CEU so it can be returned to the submitting agency.

5.3. Evidence/Clinical Specimens Container Contents Inventory

- 5.3.1. When conducting an inventory, the DFS employee will:
 - 5.3.1.1. Refer to Division-specific LOMs/Unit-specific SOPs.

5.4. Evidence handling during forensic examinations

- 5.4.1. Once an analyst is assigned to examine the evidence/specimen, the analyst will recover the evidence from its storage location (when applicable) and record the proper information in the chain of custody.
- 5.4.2. The analyst will follow the appropriate Division/Unit SOPs with respect to all requirements and restrictions for examination of items of evidence, including appropriate decontamination of examination area, utensils and writing implements, preparation of examination area, and wearing of appropriate PPE.
- 5.4.3. Evidence should be left out on the laboratory bench or examination table only long enough to be examined. During normal working hours, unattended evidence will be covered and marked as "Evidence - In Progress" or "Evidence – Do Not Disturb". All evidence, regardless of work completed, must be returned to the appropriate storage location.

5.5. Evidence Return

- 5.5.1. All evidence, once processed and analyzed, will be properly sealed, typically with tamper-evident tape, and securely stored until returned to the CEU for return to the submitting agency.
- 5.5.2. All transfers and storage locations will be properly recorded on the chain of custody.
- 5.5.3. CEU staff will ensure, as needed, evidence is returned to the submitting agency.

5.6. Drug Evidence/Suspected Controlled Substances

- 5.6.1. If the evidence container is not properly sealed, properly seal the container in the presence of a witness and document the addition of the seal.
- 5.6.2. If it is necessary to place the evidence in a new container, retain the original packaging for return to the submitting customer.
- 5.6.3. The person who opens the primary container for the purpose of examination will recount or weigh the evidence, whichever is appropriate, in the presence of a witness.

- 5.6.3.1. The person opening and accounting for the contents and the person witnessing will document the activity.

- 5.6.3.2. The person opening and accounting for the contents and the person witnessing will compare the count/weight against what is stated in the submitted paperwork.
 - 5.6.3.2.1. If there is an unexplainable discrepancy between what was received and what was listed on the submitted paperwork, notify the Unit Manager and/or Division Director or designee so the customer can be contacted for further instructions. Document this activity on a Communication Log.
- 5.6.3.3. The person storing controlled substances/ drug evidence will, at the end of each working day, ensure the evidence is in a secured area restricted to storing drug evidence. Personal custody will never be designated as a restricted area where drug evidence can be stored.
- 5.6.4. When returning drug evidence, package it in the original packaging/container whenever possible.
 - 5.6.4.1. If the original packaging cannot be reused, place the evidence, the original packaging/container (and any items removed from it) in appropriate packaging material.
 - 5.6.4.2. Packaging of the materials will be witnessed, dated and initialed by the person creating the seal.
 - 5.6.4.3. If an item is too large to be heat-sealed, tamper-evident tape will be used.

6. Documentation

- 6.1. The following records may be generated and retained as a result of these procedures:
 - 6.1.1. Communication Log
 - 6.1.2. Chain of custody
 - 6.1.3. Evidence Deficiency/Discrepancy Form

7. References

- 7.1. ISO/IEC 17025– General Requirements for the Competence of Testing and Calibration Laboratories, International Organization for Standardization, Geneva, Switzerland, (current revision).

- 7.2. ANAB Supplemental Requirements for Forensic Testing, ANSI-ASQ National Accreditation Board, Milwaukee, WI, (current revision).
- 7.3. Division-specific Quality Assurance Manuals, (current revisions).
- 7.4. Division Evidence Handling SOPs, (current revisions).
- 7.5. CES05 – External Evidence Transfer Practices, (current revision).
- 7.6. DFS Policy on Evidence Submission.
- 7.7. CES07 – SOP for Firearms Examination Unit Evidence Exchange, (current revision).