# Procedure for Evidence Management

Version: 7.0 Effective: 1/8/2024

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### **PURPOSE**

To establish procedures for the protection, marking, submission, receipt, transfer, inventory, and return of evidence for the Alaska Scientific Crime Detection Laboratory (ASCDL). This manual is intended to serve as labwide policy on Evidence Management. The Evidence Room Manual contains evidence staff specific procedures.

### EVIDENCE LIFE CYCLE IN LABORATORY

- Evidence is received at ASCDL via in person, carrier, or electronic submission
- Evidence is accepted into ASCDL in the evidence section
- Evidence is protected during storage and/or analysis
- Evidence is logged into the Laboratory Information Management System (LIMS)
- Evidence is marked with a unique identifier
- Electronic chain of custody (COC), for each evidence item received by ASCDL, is maintained in the LIMS
- Evidence is returned to the submitting agency or placed in long term storage at the laboratory
- Evidence is inventoried

### LABORATORY CASE NUMBERS

Laboratory case numbers are assigned as per the current Quality Assurance Manual in 7.4.2.

If the Request for Laboratory Services Form (RLS) says that evidence has previously been submitted to the laboratory or is cross referenced to another case, the agency case number will be searched using the last 4 digits and selecting "contains". Sometimes agencies update the method with which they record their agency case numbers and the LIMS system does not recognize agency case numbers as the same unless they are identical. This method of searching will ensure that the laboratory will prevent having multiple laboratory case numbers for one agency case number. The laboratory case number shall be formatted as follows in the LIMS:

#### YY-#####

YY is the last two digits of the calendar year

##### is the five-digit number assigned consecutively by the LIMS, beginning with the number one (00001) assigned to the first case submitted in the calendar year.

A Laboratory Case Number (LCN) label shall be generated in the LIMS and be applied to the square in the upper left-hand corner of the first page of the RLS. This case label will cover text stating:

"Please refer to the crime lab webpage (<a href="https://dps.alaska.gov/comm/crimelab/home">https://dps.alaska.gov/comm/crimelab/home</a>) for guidance, policies, and procedures regarding evidence submission and item selection practices."

This is an informational statement for submitting agencies and is not used for internal laboratory analysis. Care should be taken when affixing the case number barcode to ensure the previously tested information is still visible when the form is uploaded into JT.

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A LCN label shall be generated in the LIMS and placed on the first page, at minimum, of all documents submitted to the laboratory with evidence. There is an exception to this requirement for NIBIN Request Forms since they usually relate to numerous LCNs. Subsequent LCN labels should be generated to identify document pages that could not be identified on their own.

#### ASSIGNING AGENCIES TO A CASE

#### PRIMARY AGENCY

When a new case is created, the agency whose case number is searched in LIMS will automatically be marked as the primary agency. The primary agency designation will be used to indicate which case related law enforcement agency has ownership of the investigation. On occasion, a case will initially be submitted by one agency and then a second agency (e.g., Alaska Bureau of Investigation or a military agency) will subsequently take ownership of the investigation. The laboratory staff who first becomes aware of an investigation transferring to another agency is responsible for changing the primary agency designation on the agency tab in the LIMS.

#### **DESIGNATING POSTS**

The Department of Public Safety (DPS) submitting agency is divided into individual posts. When a DPS case is being entered into LIMS, the associated agency case number will be searched using the Alaska Department of Public Safety agency. After the case has been created in LIMS, the associated DPS post agency (e.g., DPS – Fairbanks) will also be added to the case and marked as the primary agency. The DPS agency case number will be entered for all DPS post agencies added to the case.

#### DISTRICT ATTORNEY/PROSECUTOR OFFICE

The LIMS is configured to automatically assign the associated District Attorney and/or Prosecutor Office based on the law enforcement agency being added. This provides access to the case via LIMS-Plus Portal.

#### **RELATED CASES**

An investigating officer may request that evidence from one case be compared to evidence submitted in another case and the request may involve a different jurisdiction. This request shall be documented in the case activities and to establish uniformity, the cases shall be cross-referenced/related in the LIMS.

### RECEIVING EVIDENCE

Evidence shall be received by **evidence section staff** except in instances as approved by the **Evidence Supervisor** or a member of **Top Management**.

Apart from NIBIN submissions and proficiency test samples, all physical evidence accepted by ASCDL for scientific analysis (technical testing report) shall be accompanied by the current version of the <u>Request for Laboratory Services Form</u> (RLS).

The <u>NIBIN Request Form</u> will be used in lieu of individual RLS forms to document what items were included in a specific NIBIN submission and the <u>Proficiency Test Assignment and Completion Form</u> will be used to document proficiency testing items.

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When a new RLS or NIBIN Request Form is made available, the laboratory will issue to the customer an implementation date that allows customers time to distribute the new document to the necessary users prior to mandatory compliance.

At a minimum, the agency case number and agency item number must be present on an evidence item for the laboratory to accept the evidence into the laboratory. In addition, a description of the contents of the evidence packaging is preferred. Specifically, for NIBIN submissions, if a submitting agency item identifier does not exist (e.g., off-site test fires), the laboratory will designate the item number as NIBIN-01 and increment this number as needed.

All evidence item packaging must be properly sealed with initials on the seal(s) at a minimum. An acceptable seal is one that prevents the ready escape of the evidence and will be clearly damaged or altered if broken or attempted to open. Evidence packaging received without a proper seal shall be remedied by placing the evidence in laboratory provided packaging and/or applying new initialed and dated tape to securely seal the packaging to protect the evidence inside.

Laboratory provided packaging is the preferred method for correcting an improper evidence seal or packaging issue and shall be used whenever possible; however, there are exceptions. The first exception is Sexual Assault Kit boxes and Toxicology Kit (Blood Kit or Beverage Kit) boxes. Tape may be used to correct an improper seal on a Sexual Assault Kit box or Toxicology Kit box. The other two exceptions are 1) a tape seal is needed to protect evidence inside a package or 2) the evidence package is too large to fit inside any laboratory provided packaging.

If any conditions adverse to evidence quality exist, if there is a discrepancy between an RLS and the evidence received, if the request for services is unclear, or if the suitability of an item of evidence for examination is questionable, the instance shall be reconciled. To view records of reconciled discrepancies in a case, use the Case Info Report on the Case Info tab.

#### EVIDENCE RECEIVED VIA ELECTRONIC SUBMISSION

The Laboratory accepts digital images for <u>footwear intelligence</u> and <u>friction ridge</u> via email. The appropriate discipline manual addresses the procedure that is followed and how the evidence receipts are documented.

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### LOGGING EVIDENCE INTO THE LIMS

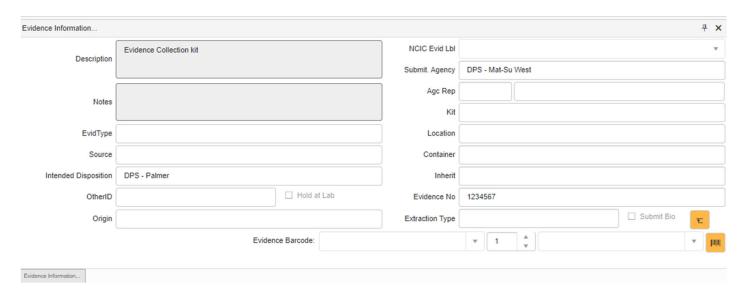
Evidence is logged in to the LIMS system as per the current JusticeTrax LIMS-Plus 3.8 Manual and Evidence Room Manual.

The laboratory will expedite LIMS entry of any item related to a NIBIN request. Laboratory employees shall maintain the item number designation assigned by the submitting agency. See the section on Agency information for case numbers and Item numbers for more information on number format. No duplicate item numbers shall exist within a laboratory case. The agency shall be contacted in the event of duplicate numbers and the correction documented. Evidence shall be described in the LIMS utilizing the RLS or NIBIN Request Form as a guide. Administrative errors and information deemed more appropriate to the tracking of evidence may be changed in the LIMS by the **Forensic Scientist/Technician** assigned to the task.

Barcode labels for each item of evidence accepted by the laboratory shall be generated with the LIMS. Each item shall have only one active barcode associated with it.

### DESIGNATING SUBMITTING AGENCY AND INTENDED DISPOSITION

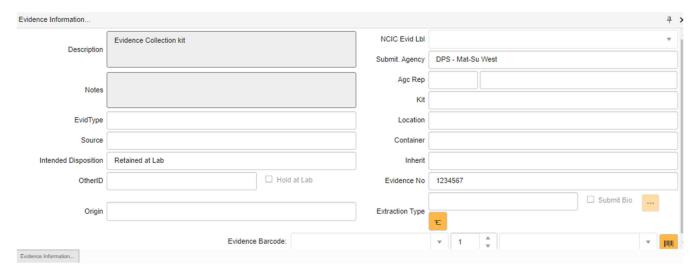
All agencies assigned to a case (see Assigning Agencies to a Case) will be available in the dropdowns associated with "Submit. Agency" and "Intended Disposition" for evidence entered in that case. The appropriate case agency will be selected when the item is created in LIMS. For Alaska Department of Public Safety, the associated post agencies will be used in these fields instead of the general agency (see <u>Designating Posts</u>). Refer to the <u>JusticeTrax LIMS-Plus 3.8 Manual</u> for more information about designating intended disposition and when it should change. When entering "Submit. Agency", the "Agc Rep" field should be left blank. Below is an example where evidence was received from one DPS-Post but needs to be returned to another:



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If upon review by a case manager or designee, it was determined that this item of evidence needed to be retained at the lab, the Intended Disposition will be changed as follows:



### INITIAL CHAIN OF CUSTODY TRANSFERS

The chain of custody will start from an agency representative in most instances (exceptions include Sending evidence items for Outsourcing and items electronically converted from the vault freezer) and will go To EVIDINTAKE. The date and time the items were received, noted on the package or RLS, will be entered into the date and time slot in the evidence transfer window. The laboratory staff member logging the case shall be listed in the Then To field. Once all items for a case are logged, a new Transfer window will be opened, and the item(s) will be transferred to a storage location or laboratory staff member.

The tracking number for any items received via carrier will be entered into the notes field of the initial COC transaction. The tracking number can be scanned or manually entered. The tracking number will be entered with no spaces so that it can be found easily when searched.



The name of the evidence staff member that signed the RLS for any items received in-person will be entered into the notes field of the initial COC transaction.



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Note that while an item of evidence's "Submit. Agency" listed in the evidence tab is at the post level for DPS cases, the general Alaska Department of Public Safety case agency will be used when creating its initial chain of custody.

If any conditions adverse to evidence quality exist, if there is a discrepancy between an RLS and the evidence received, if the request for services is unclear, or if the suitability of an item of evidence for examination is questionable, the item(s) will be logged into the LIMS as they appear on the RLS following initial chain of custody procedure, and then be transferred to the location EVIDINTAKEPEND while the technician awaits the information needed to complete logging the case. Once the discrepancies are reconciled, the item(s) will be transferred to a storage location or laboratory staff member. In the rare circumstance the discrepancies are not able to be reconciled by laboratory staff, the item(s) will be returned to the submitting agency for correction.

From	Agency	PIN	То	Agency	PIN	Container	Date/Time	Via	Note
Agency Rep,	SEW		EVIDINTAKE				02-01-2022 12:05:00 PM	USPS	70192970000019408225
EVIDINTAKE			Gilchrist, Madeline		✓		02-02-2022 12:43:19 PM		
Gilchrist, Madeline		~	EVIDINTAKEPEND				02-02-2022 12:45:53 PM		

On occasion, items may remain in the EVIDINTAKE or EVIDINTAKEPEND locations for an extended time period. During the evidence intake portion, the evidence is either under seal when received in person or sealed in a mailing package until processed and accepted into the lab. The intake table is also in view of the evidence room cameras.

The RLS and any supporting documentation, shall be uploaded into the appropriate case in the LIMS. This documentation should be stored as one PDF per case submission in the imaging module and will have the date in the file title. For NIBIN submissions, the associated NIBIN Request Form shall be uploaded to each case created from that form.

### **DOCUMENTATION OF CASE TRANSACTIONS**

All evidence transfers shall be documented in the chain of custody in the LIMS each time an evidence transaction takes place.

The electronic chain of custody in LIMS can be edited by the **LIMS Administrator or designee** when warranted. A request to do so will be initiated using the <u>Chain of Custody Edit Request Form</u>.

The staff member requesting the Chain of Custody edit should fill out the form and title it using the format COC YYYY.MM.DD INT where the date is the date of the request and the initials are the initials of the requestor.

The form is uploaded to the appropriate <u>SharePoint document set</u> and a case activity is created in all cases requiring updates containing the title of the Chain of Custody Edit Form. See <u>JusticeTrax LIMS-Plus 3.8 Manual</u> for more information on creating case activities.

Note: The best mechanism of notifying the **LIMS Administrator** that the edit is needed is by posting the title of the Chain of Custody Edit Form in the Quality Assurance channel in Teams.

#### ELECTRONICALLY TRANSFERRING EVIDENCE TO A DIFFERENT CASE

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In most instances, evidence from one case can be related to another case for analysis purposes and is described in the <u>JusticeTrax LIMS-Plus 3.8 Manual</u> under evidence association across cases. Electronically transferring evidence from one case to another is allowed in limited instances and requires written approval by a member of **Key Management** to be documented in the case activities. When performing a case transfer of evidence items, the items will be scanned electronically from the current storage location to a laboratory employee and from the laboratory employee to the electronic storage location "Case Transfer" and the note field will identify the case number that the item is being transferred to. The disposition type for the item will be updated to Case Transfer in the case that the item is being transferred out of. The case that the item is being transferred into will be added as a related case in the Case Info tab in JT with a note of "case transfer" and the item number(s) being transferred. In the new case, the items will be created as new items with the same information logged in the previous case. The chain of custody for these items will start at "Case Transfer" and the note field listing the case number the item was transferred from to a laboratory employee. After these steps, the item(s) has been transferred to the new case number and the chain of custody will be documented in the new case.

#### PROTECTION OF EVIDENCE FROM LOSS, CROSS-CONTAMINATION, AND DELETERIOUS CHANGES

It is the responsibility of all laboratory staff to ensure, insofar as possible and reasonable, that evidence does not experience loss, cross-contamination, or deleterious change while in the possession of ASCDL.

All seals applied to evidence by laboratory personnel shall be marked with the initials of the person sealing the evidence and the date sealed. Whenever possible these markings should cross the barrier between the seal and the container.

All sealed evidence containers opened by laboratory personnel will be identifiably marked by the person that opened the item and the date. The item(s) tested will be identifiable for association to observations and results in the report. All outer evidence containers sealed by laboratory personnel must have the laboratory case number and item number visible, and the agency identifiers/barcode should be visible through any laboratory provided packaging that is used.

Evidence items received in paper bags will be repackaged by the Forensic Scientist into laboratory provided packaging prior to being returned to the evidence vault after analysis. If laboratory personnel must vary from this practice, it must be documented in the LIMS.

If an item of evidence is in a location different from that listed in the chain of custody, the **Evidence Supervisor** shall be notified.

Evidence which may experience deleterious change without refrigeration shall be placed in an evidence refrigerator as quickly as possible and remain refrigerated until examined or transferred. Evidence which may experience deleterious change due to breathability of the packaging in which it was submitted should be addressed and repackaged into laboratory provided breathable packaging.

Any questions regarding the proper storage and/or packaging of evidence shall be directed to the discipline to which the evidence is being assigned.

When an employee recognizes that evidence has been contaminated so as to alter or affect the results, the **employee** shall notify their **supervisor** and initiate the appropriate corrective action.

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If seals are not intact on evidence packages containing controlled substances or currency, the **Forensic Scientist or Technician** will document the condition of the package in the LIMS. A witness shall attest to the condition of the package in the case activities of the LIMS.

If tampering is suspected, the discipline supervisor shall be immediately notified. The **discipline supervisor** shall notify **top management** and they shall determine the appropriate course of action.

In all the scenarios listed above, If the repackaging occurs during evidence intake, it will be recorded in the LIMS Evidence Submission Correction custom form (see <u>Receiving Evidence</u>).

#### CONVENIENCE PACKAGES

Clear plastic folders are available to consolidate and organize cases with small items. The folders should be used whenever practical for smaller items in a case. The case number should be visible through the convenience package for easy case reference. The folders should be easy to file, not bulging or rounded. More than one folder may be used for a case. If a case has one large item and numerous small items in a folder, the large item should be stored as near as possible to the clear plastic folder storage area.

#### **EVIDENCE STORAGE**

Access to the laboratory evidence vault is limited to **evidence staff members** and **Key Management**. Access to discipline evidence rooms/areas is limited to designated personnel. Each discipline evidence room has incoming and outgoing evidence storage locations that accommodate evidence transfers from the evidence vault to the analysts at the time the discipline has designated prior to analysis and at the conclusion of analyst's need for access to the evidence. A work instruction is available for more information on this process. If the Forensic Chief or designee enters a Forensic Scientist's/Technician's personal evidence storage area, the transaction shall be documented in the case activity of the LIMS for all cases that were subject to the access.

Evidence items in the custody of Forensic Scientists/Technicians shall be sealed properly and stored in evidence storage rooms or personal evidence storage areas when not actively being examined. Evidence in the process of being examined shall be maintained in a manner to avoid loss, contamination and/or deleterious change but still allow easy access by the examiner during the examination process. Containers/items shall be re-sealed, as soon as practicable, upon completion of analysis and retained securely until transferred.

Evidence should be replaced in the original container whenever possible after analysis unless a discipline manual specifies an alternate method. Evidence shall be returned with the original container in a laboratory provided package if the evidence is not replaced in the original container.

The agency identifiers/barcode should be visible through any laboratory provided packaging that is used. Whenever possible, the laboratory barcode should be placed on the same side of the item as the agency identifiers. If it is impractical to seal an evidence item in a package, the item shall be tagged securely, and the tag shall contain all required identifying information.

Evidence stored in long term storage will be sorted in numerical order within the location. For Bio Evidence 1 and 2, care will be taken to ensure that items removed from a location for more testing are returned to the same location if possible.

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#### RETURNING EVIDENCE

Evidence can be returned to the submitting agency or designee when all requests related to an item have been completed, when notification is given that evidence is ready to be returned, or when a communication is received from the submitting agency that testing of case evidence is no longer required. Evidence personnel will utilize Crystal Reports or documentation provided by a supervisor to determine which items are ready to be returned.

Evidence may be returned to an agency representative in person at the lab or via traceable delivery such as USPS Certified Mail, FedEx, UPS, or Goldstreak. For evidence returned via traceable delivery, a document showing proof of delivery will be uploaded to the case attachments once delivery is confirmed.

#### SENDING EVIDENCE ITEMS FOR OUTSOURCING

It is sometimes necessary for an external lab to perform testing on an item that is currently in the lab's custody. In these cases, a technician or other individual authorized by **Top Management** and/or the **Evidence Supervisor** will transfer and ship the item to that lab.

### **EVIDENCE INVENTORY**

A full inventory of the Evidence Vault and Bio Evidence 2 should be performed annually at a minimum. An inventory of open locations in Bio Evidence 1 should be performed annually.

### APPROVED DEVIATIONS

#### MEDICAL EXAMINER

The SMEO drops off Mikrosils for latent print processing and examination (and sometime blood kits or samples for DNA testing). The barcodes that are printed for SMEO items list the agency case number, the name of the deceased, and a barcode number. The SMEO does not use the barcode number on the label as their item number, instead they use a number between 9 and 13 (most often it is 9 or 10). This number is indicated on the paper chain of custody form the agency brings to transfer evidence. The evidence staff member accepting the item will verify that the item number on the SMEO chain of custody matches what is on the RLS. A copy of this chain of custody must be retained for SCDL records and scanned in with the RLS.

### AGENCY INFORMATION FOR CASE NUMBERS AND ITEM NUMBERS

The below information describes how the laboratory expects to receive the formatting of agency case and item numbers. For some agencies, the agents do not have clear instructions as to what constitutes a case or item number. In order to ensure that the laboratory can identify cases coming in under the same agency case number, the laboratory has dictated, for some agencies, the sections of their electronic tracking system that will be used to identify the agency case number and item number regardless of what the RLS says. In these instances, the laboratory will change the RLS and notify the customer of the change. In some instances, the laboratory will still need to contact the agency to verify if a case or item number is correct. Evidence staff can use their own judgement when to do so and document in the case activities which method they used.

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# ALASKA DEPARTMENT OF PUBLIC SAFETY (AND ANY AGENCY THAT USES ARMS: DILLINGHAM, CORDOVA, HOMER, PALMER)

ARMS case numbers are formatted with a two-letter prefix followed by the last two digits of the year and then sequential numbering after that - AKYY###### (i.e., AK21012345). The prefix will be different depending on the agency (AST is AK, Palmer PD is PA, Homer PD is HM, etc.)

ARMS item numbers are formatted as PYY##### (i.e., P21003456)

It is understood that this is the way these numbers are formatted in ARMS and how they should appear on the RLS. If there is a minor discrepancy on the RLS that can be verified by looking at the ARMS label, the SCDL technician can correct the RLS.

### ANCHORAGE POLICE DEPARTMENT (APD)

The agency uses pre-printed labels, the "tag" number is the item number and is pre-printed. The rest is filled out by hand. Case numbers are formatted as YY-#### where the length of numbers after the dash varies (i.e., 21-966 or 21-12345). Item numbers are usually formatted as ####### (i.e., 1273494). Some homicide/major crimes case items are formatted with an "HT" preceding the numerals. APD does not use leading zeros. As such, if the RLS or the item have leading zeros in the case number that were missed being crossed out, they can be ignored.

### SITKA, BETHEL, AND NORTH SLOPE BOROUGH POLICE DEPARTMENT

On the barcodes used by these agencies, the case numbers are listed at the top of the label as "Event" and are formatted as YY####-# where the number is a hybrid of the case number and a single- or double-digit item number.

For the case number, we ignore the -# and enter it as YY#####

There is also a barcode number which we have asked that the agency use as their item number, that is formatted as YY###### and is at the bottom of the agency item label.

The SCDL technician may correct the RLS if the agency does not fill out the RLS this way.

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### HARD COPY LABORATORY CASE RECORDS

Hard copy case files and Latent Case File Archives (prior to electronic LIMS) are stored in secure locations of the Crime Lab. Laboratory employees needing to review a case file will send a request to the evidence section. Evidence staff will create an electronic case in the LIMS and an electronic chain of custody for the case file. An evidence barcode will be affixed to the case file (see Evidence Room Manual). Laboratory staff will ensure all transfers between staff for the case file are recorded in the electronic chain of custody. Discipline supervisors also have access to the case file storage areas for instances where evidence staff are not available; however, whenever possible evidence staff should be responsible for retrieving and logging case files. Case files in possession of laboratory staff will be monitored using the evidence in possession over 60-day report that is reviewed monthly.

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### REVISION HISTORY

Section	Changes
<u>Throughout</u>	Updated formatting, grammar, and spelling as needed.
Receiving Evidence	Added Proficiency Test Assignment and Completion Form as exception to needing RLS.
Agency information for case numbers and Item numbers	Removed Juneau Police Department. Case and item number format changed and no longer needs an approved deviation.