Procedure for Evidence Management

Version: 8.0 Effective: 7/1/2024

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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.

RECEIVING EVIDENCE AND CALIBRATION ITEMS

PHYSICAL EVIDENCE RECEIPT

Physical evidence is received at the laboratory by the ASCDL evidence section via in-person or carrier delivery. All physical 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 Request for Laboratory Services Form (RLS). (See Evidence Received via Electronic Submission for more information on submission of digital images) Note: At the discretion of the Evidence Supervisor prior versions of the RLS may be accepted.

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.

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.

All physical evidence received by the laboratory is checked for the following:

- All items present are listed on the RLS and no discrepancies exist between the evidence and RLS
- Agency Case Number and Agency Item Number present on all evidence items
- Exterior evidence packaging is sealed with a proper seal (see Proper Seals for Submitted Evidence)

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 and documented in the LIMS. See Chain of Custody_for more information on how evidence with discrepancies is received and logged.

PROPER SEALS FOR SUBMITTED EVIDENCE

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. Acceptable seals for submitted evidence include the following (see Proper laboratory Seals for internally applied seal requirements):

- Evidence items shall be sealed by using evidence tape, packing tape, self-sealing evidence bags, or by heat sealing
- Submitting agency seals must be marked with the sealer's initials, at a minimum, across the seal
- Intact manufacturer seals do not need to be re-sealed with additional tape

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 If there are multiple layers of packaging or evidence tape, the outermost seal must be properly applied and marked

The following are examples of unacceptable seals on submitted evidence:

- Unsigned seals
- Seals that allow, or have the potential to allow, the escape of the item contents. Such as drugs spilling from the corners of an envelope
- Multiple layers of packaging or evidence tape where the outermost seal is not signed
- Seals marked with a badge number or lines instead of initials
- If it is unclear where the seal is, such as when bags are folded over
- If the seal is intact but is already showing signs of failure or potential failure
- Seals that are signed underneath the tape
- Items submitted in boxes where only one side of the box has a proper seal
- Self-sealing bags where the markings are not on the seal. Such as a "Sealed By" section that is not on the seal itself

Evidence 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. Remediation of any evidence seals shall be documented in the technical record.

EVIDENCE RECEIVED VIA ELECTRONIC SUBMISSION

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

Digital evidence (photographs) collected during crime scene response are uploaded to the digital imaging server and requests for testing on these items can be documented in case activities by the crime scene analyst in place of an RLS. Documentation shall include the requesting agent and what services were requested.

CALIBRATION ITEM RECEIPT

Calibration items are identified by their unique instrument serial number. The <u>Breath Alcohol Procedure Manual</u> outlines procedures for receipt of calibration items.

INDIVIDUAL CHARACTERISTIC DATABASE ITEMS

The appropriate <u>Discipline Procedure Manuals</u> will outline procedures for the operation of individual characteristic databases. The CODIS individual characteristic database items are treated as reference materials.

Each CODIS database sample under the control of the Laboratory is uniquely identified. Individual characteristic database samples under the control of the Laboratory will be uniquely identified.

LABORATORY INFORMATION MANAGEMENT SYSTEM (LIMS)

LABORATORY CASE NUMBERS

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Evidence received at the ASCDL will be assigned a unique identifier comprised of the Laboratory case number and item number. This identifier is retained and documented in the LIMS. The laboratory case number shall be formatted as follows in the LIMS:

YY-##### where YY is the last two digits of the calendar year and ##### 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.

Only one laboratory number should be assigned per submitting agency case number. A LIMS generated laboratory case number shall be assigned upon receipt of the first RLS for a case. Any supplemental submissions should be assigned the same laboratory case number as the original submission. If multiple agencies are involved in one event or two laboratory case numbers are otherwise assigned to the same event the laboratory case numbers will be cross referenced in the LIMS.

When new cases are created the LIMS searches for other cases created with the same agency case number. Additionally, the use of the Agency File Number Mask feature displays the proper known format of agency case numbers to prevent duplicate entries based on differences in case mask.

The Alaska 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 entered and searched using the Alaska Department of Public Safety agency not the individual posts. After the case has been created the DPS post agency may be added. The DPS agency case number will be entered for all DPS post agencies added to the case. This method of entry helps prevent duplicate case entry.

LOGGING EVIDENCE INTO LIMS

Evidence is logged into LIMS by the evidence staff following the procedures in the Evidence Room Manual. The ASCDL maintains the item number designations assigned by the submitting agency when logging evidence. For this reason, no duplicate item numbers can exist within a case. If, upon receipt, duplicate item numbers exist, the discrepancy will be remediated and documented in the LIMS prior to proceeding with case entry.

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.

The RLS and any associated 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.

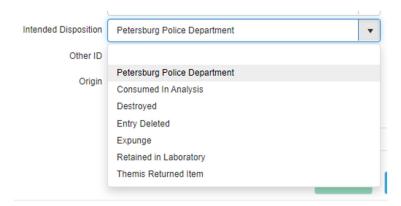
DESIGNATING SUBMITTING AGENCY AND INTENDED DISPOSITION OF EVIDENCE

All agencies assigned 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. When entering "Submit. Agency", the "Agc Rep" field should be left blank. For Alaska Department of Public Safety, any associated post agency should be used in these fields instead of Alaska Department of Public Safety.

An evidence item's disposition indicates the "final resting place" for that item. Below is an example of options for an item's intended disposition (accessed through Edit Evidence):

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This list will include any agency and all storage locations designated as disposition locations in LIMS.

Apart from some forensic biology evidence types such as sexual assault kits, known buccal swabs, and extracts, the intended disposition for all evidence received should be marked as the submitting agency or their designee. If upon review, it is determined that an item of evidence needs to be retained at the laboratory, the reviewer will change the intended disposition from the submitting agency to "Retained in Laboratory".

If an item has already been returned to the submitting agency and the Intended Disposition isn't marked a such, the disposition must be changed before issuing future reports listing that item.

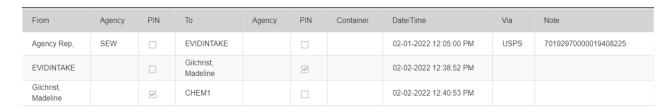
EVIDENCE AND CALIBRATION ITEM HANDLING

CHAIN OF CUSTODY

The LIMS is used to track chain of custody of all evidence items at the ASCDL. The laboratory initial chain of custody for an item of evidence begins at item creation in the LIMS.

The initial chain of custody in LIMS for most physical items will begin with the agency representative and will go to EVIDINTAKE. The date and time associated with this transaction will be the date and time the items were received by the laboratory as noted on the package or RLS.

The tracking number for any items received via carrier will be entered into the notes field of the initial COC transaction and the carrier listed in the via field.



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

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| From | Agency | PIN | То | Agency | PIN | Container | Date/Time | Via | Note |
|------------------------|--------|-----|------------------------|--------|-----|-----------|------------------------|-----------|------------------|
| Adams, Brandon | ANC | | EVIDINTAKE | | | | 02-03-2022 10:55:00 AM | In Person | Cameron Jefts |
| EVIDINTAKE | | | Gilchrist, Madeline | | ✓ | | 02-03-2022 03:45:10 PM | | |
| Gilchrist, Madeline | | ~ | E07 | | | | 02-03-2022 03:47:31 PM | | |

The **evidence staff member** who logs the case into the LIMS and generates the initial chain of custody is the staff member who removed the item from EVIDINTAKE. This is not always the same person who physically received the items. The **evidence staff member** logging the evidence items creates the initial chain of custody when the item is created in LIMS based on the information that was recorded on the package or RLS when it was received.

PENDING ITEMS (EVIDINTAKEPEND)

If, during intake, 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, and then be transferred to the location EVIDINTAKEPEND while the evidence staff member 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. 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.

CHAIN OF CUSTODY EDITS

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

In instances where the electronic chain of custody in LIMS is determined to be incorrect the electronic chain of custody can be edited by the **LIMS Administrator or designee**. Laboratory personnel shall document any requested changes to the electronic chain of custody in the <u>Chain of Custody Edit Request Form</u>. This form is utilized to document any changes that are made, what information was used to determine the accurate chain of custody, and who made the edits.

The laboratory personnel 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.

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The form is uploaded to the appropriate <u>SharePoint document set</u> and a case activity (LIMS-Chain of Custody Edit category) is created containing the title of the Chain of Custody Edit Form in all cases requiring updates.

Chain of Custody Edit Request Forms are not needed for corrections to the initial chain of custody when identified during the evidence intake process and review. These errors are the result of data entry errors when hand-typing the initial chain of custody and are identified prior to the evidence leaving the evidence room. Errors in the initial chain of custody discovered after the item has left the evidence room require a Chain of Custody Edit Form.

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 (CASE TRANSFER)

In most instances, evidence from one case can be related to another case for analysis purposes; however, electronically transferring evidence from one case to another is allowed in limited instances but requires written approval by a member of **Key Management** to be documented in the case activities.

When performing a case transfer of evidence items:

- Scan the items from the current storage location to a **laboratory employee** and from the **laboratory employee** to the electronic storage location "Case Transfer."
- Enter the case number that the item is being transferred to in the notes field of the transfer window.
- Update the disposition type for the item to "Case Transfer" in the case that the item is being transferred out of.
- Add the case the item is being transferred into as a related case in the Case Info tab in JT with a note of "Case Transfer" and the item number being transferred.
- In the new case, create the transferred items as new items with the same information logged in the original case.
- The chain of custody for the transferred items in the new case will start at "Case Transfer" and the note field will include the case number of the case the item was transferred from.

PHYSICAL EVIDENCE STORAGE AND HANDLING

STORAGE AREA ACCESS

Evidence storage areas are secured and have limited and controlled access. The storage conditions and procedures are designed to prevent loss, deterioration and contamination as well as maintain the integrity and identity of the evidence.

Access to the laboratory evidence vault is limited to **evidence staff members** and **Key Management**. Access to discipline evidence rooms/areas and long-term storage areas are limited to designated personnel.

Evidence stored in long term storage will be sorted in laboratory case number 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.

Each discipline evidence room has incoming and outgoing evidence storage locations that accommodate evidence transfers from the evidence vault to the analysts prior to analysis and at the conclusion of analyst's need for access to the evidence.

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Laboratory personnel are provided personal evidence storage areas for evidence during the course of examination. 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.

CONVENIENCE PACKAGES

Clear plastic folders are available to consolidate and organize cases with small items during evidence storage. The folders should be used whenever practical for smaller items in a case. The case number should be visible through or adhered to the outside of 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 HANDLING

Evidence items in the custody of laboratory personnel 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.

Examination of evidence procured from the laboratory evidence unit, or by any other means, should be performed as soon as possible and completed within 60 days of an analyst receiving the evidence. Every month, evidence in possession of staff over 60 days is reviewed, and documentation is maintained explaining any deviations from the 60 day requirement. If an examination cannot be completed within 60 days, the **case analyst** should notify the **Discipline Supervisor**.

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.

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.

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.

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

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OPENING EVIDENCE ITEMS

All sealed evidence containers opened by laboratory personnel will be identifiably marked by the person that opened the item and include their initials date the item was opened.

RESEALING/REPACKAGING EVIDENCE

With the exception of evidence received in paper bags, evidence should be replaced in the original container whenever possible after analysis unless a <u>Discipline Procedure Manual</u> 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.

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.

All outer evidence containers must have the laboratory case number and item number visible. When laboratory packaging is used agency identifiers/barcode shall be visible through the packaging.

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.

All outer evidence containers sealed by laboratory personnel must be sealed with a proper laboratory seal. 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.

PROPER LABORATORY SEALS

A proper laboratory seal is one that prevents the ready escape of the evidence and will be clearly damaged or altered if broken or attempted to open. All sides of a package that are not intact manufacturer seals must be sealed to be considered properly sealed. Examples of proper laboratory seals include:

- Self-sealing evidence bags
- Evidence tape
- Heat seals

The following are not considered acceptable laboratory seals:

- Clear packaging tape
- Paper bags sealed with tape (envelopes are not considered paper bags)

Below are examples of various laboratory provided packaging with appropriate seals applied.

HEAT-SEALABLE POUCH WITH HEAT SEAL

Markings can be placed on either side of the pouch if they cross the seal but are easier to see on the plastic side.

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HEAT-SEALABLE POUCH WITH EVIDENCE TAPE SEAL

If heat-sealing is not practicable, evidence tape may be used to seal these pouches. Markings should cross the barrier between the seal and the pouch.



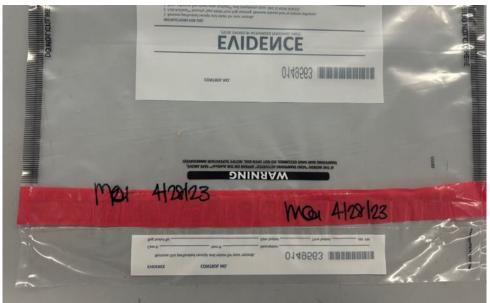
SELF-SEALING TAMPER EVIDENT BAGS

These bags are tamper evident and a VOID marking will appear if the seal is removed. Markings may cross the barrier between the seal and the bag, but it is not necessary.

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SELF-SEALING TAMPER EVIDENT BREATHABLE BAGS

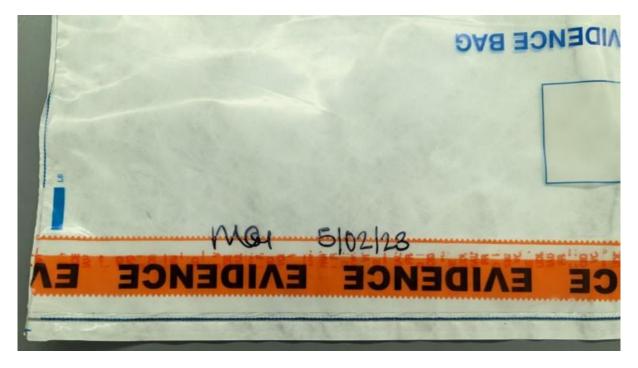
These bags are tamper evident and a VOID marking will appear if the seal is removed. Markings may cross the barrier between the seal and the bag, but it is not necessary.

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These bags may have defective seals. If a defective seal is identified, it should be completely removed. The bag shall then be sealed with evidence tape and the markings should cross the barrier between the seal and the bag.



SEALING BOXES WITH EVIDENCE TAPE

When a box is sealed with evidence tape only and no packaging tape the markings should cross the barrier between the seal and the packaging.

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When sealing a box with clear packing tape prior to adding an evidence tape seal: ensure that the evidence tape is not directly over the packing tape. This will prevent the ability to remove the seal by removing the packing tape. Both the top and bottom openings of the box must be properly sealed, unless the bottom opening is an intact manufacturer's seal.



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DIGITAL EVIDENCE STORAGE AND HANDLING

Digital evidence is stored in the digital asset management system, Foray ADAMs. Access to the digital asset management system is limited and once assets are uploaded, they are unable to be deleted. All access and modifications to assets are tracked within Foray ADAMs.

CALIBRATION ITEM STORAGE AND HANDLING

Calibration item condition is recorded upon return to the laboratory. Deviations from normal conditions will be documented in the instrument records. For breath test instruments where the laboratory is not the owner the customer will be notified if an item is not suitable for calibration and cannot be repaired. The record of this communication is kept in the instrument record.

The Breath Alcohol Procedure Manual outlines how calibration items are stored, handled, and transported.

EVIDENCE INVENTORY

A full inventory of the Evidence Vault, Discipline Storage Locations, and Bio Evidence 2 should be performed annually at a minimum. An inventory of open locations in Bio Evidence 1 should be performed annually. Records associated with Evidence Inventories are located in SharePoint.

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** utilize Crystal Reports or documentation provided by **Discipline Supervisors** 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.

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

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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.

REVISION HISTORY

| Section | Changes |
|------------|--|
| Throughout | Updated formatting, grammar, and spelling as needed. |
| | Complete Rewrite |