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# ARKANSAS STATE CRIME LABORATORY

## CASE MANAGEMENT GUIDELINES

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The goal of the Arkansas State Crime Laboratory is to provide forensic services to all law enforcement agencies in all of Arkansas' seventy-five counties. In order to provide quality, timely services for the criminal justice system, the following case management guidelines have been established.

All cases may be prioritized based upon a system that allows for a timely response. Cases should be analyzed in chronological order unless priority has been made for the following reasons:

- A threat to public safety, such as homicide and sexual assault cases with no suspect
- An approved request from an Investigating Officer
- A request from a Court Official (including court dates and court orders)

The Executive Director, Assistant Director, and the appropriate Section Chief have the authority to prioritize a case. The laboratory shall be notified as soon as possible of a priority request.

The ASCL Submission Sheet is a useful tool for investigators to prioritize evidence items, based on their knowledge of the circumstances of a case. This allows ASCL analysts to produce laboratory results in a timelier manner. The extent of analysis will depend on investigative needs, as determined by the forensic analyst and the submitting agency. The fewest possible number of items and/or stains will be examined to answer the investigative question(s) presented. The most probative item(s) in the case will be examined first. When the most probative evidence does not yield any information of value, then other items will be considered. The scientist must then obtain a valid investigative reason for working that item and document this information.

Exceptions may be made on a case-by-case basis, if needed. Please contact the laboratory to discuss any such requests.

The Arkansas State Crime Laboratory does not accept any evidence that is suspected to be composed of (or to contain) any nuclear, biological, or chemical weapon. Examples include, but are not limited to: ricin, anthrax, Sarin, or any radioactive material. A local hazardous materials first responder (e.g., local fire department) should be dispatched by the agency to determine the threat level before any further handling of the items takes place.

### DRUG ANALYSIS

The Drug Section will efficiently process each case by analyzing a sufficient number of items to substantiate the highest possible charge(s).

#### MARIHUANA

- Core samples may be taken in large bulk cases, but please contact the prosecutor and the drug section supervisor to discuss the implication of this decision.
- Plants should be submitted without soil. If possible, strip leaves from large stalks before submitting the evidence.
- Suspected marihuana seeds should not be submitted unless they are the only evidence in the cases. Seeds are not tested for viability.

#### TAMPERING ANALYSIS

- When requesting “tampering” analysis, it is very helpful to know what the tampering agent might be. It is typically not possible to “look for any poison or drug”.
- When practicable, please submit a standard if the poison is known (e.g., rat poison, flea and tick spray).
- Tampering analysis should not be requested for common drug items related to food (e.g., pot brownies, “budder”, codeine cough syrup in Sprite). These items should instead be submitted for common drug analysis.
- Food items must be made known to Evidence Receiving in order to prevent spoiling or mold.

#### PARAPHERNALIA

Paraphernalia will not be analyzed unless:

- It is the only evidence in a case, or
- The item of paraphernalia substantiates the highest charge, or
- It is probable cause

#### TABLETS/CAPSULES

- Pharmaceutical tablets/capsules that have the potential to be the highest charged item in the case will have an identification performed on the entire lot, with at least one confirmation test on a single tablet/capsule. All other tablets/capsules will only be identified.
- When analyzing illicitly-manufactured tablets/capsules, a sufficient number of tablets/capsules will be tested to reach the highest charge.

#### MANUFACTURING (METH LABS AND OTHER CONTROLLED DRUG SYNTHESIS)

- All liquids must be placed in a glass vial with a Teflon seal, contained in a high density polyethylene (HDPE) bottle.
- Please do not submit the contents of an HCl generator or any known concentrated acid in liquid form.

#### QUANTITATIVE ANALYSIS

It is the ASCL’s policy to not provide quantitative testing.

#### MISCELLANEOUS

- When two or more different scheduled drugs are present in the same case, the drugs whose schedule and amount achieves the highest charge will be tested to the maximum threshold. The remaining types of scheduled drugs will be tested minimally, to show presence only.
- DO NOT SUBMIT FIELD TEST KITS.
- Do not submit, unless necessary:
  - Currency. (Money will not be stored by the Arkansas State Crime Laboratory. If a money shake is necessary, it will be done in the presence of the officer and the money will be immediately returned.)
  - Syringes, razor blades or any object that could potentially break the skin of an analyst.
  - Factory cigarettes with no apparent tampering.
  - Non-controlled tablets with clear markings (e.g., Tylenol).

#### FOUND PROPERTY

- The Drug Section will not routinely analyze found evidence without a known suspect.

## LATENT PRINTS

### DRUG POSSESSION AND DELIVERY CASES

The Latent Print section will not routinely process drug possession or delivery of controlled substance case items. However, latent print lifts and/or latent print images collected by the agency will be accepted.

### BREAKING AND ENTERING/BURGLARY

The Arkansas State Crime Laboratory limits the number of submitted items/lifts to ten per case. An additional ten items/lifts may be submitted if, after testing, it is determined that more items need to be examined

### BREAKING AND ENTERING OF VEHICLES

Lifts made from the exterior surfaces of a vehicle will not be routinely examined for latent prints. Only those lifts obtained from the interior of the vehicle at the time of occurrence will be analyzed. In order to analyze interior lifts, known fingerprints must be submitted from individuals having access to the vehicle.

### FIRE CARTRIDGE CASINGS

Fired cartridge casings will not routinely be processed.

### FOOTWEAR

The Arkansas State Crime Laboratory will not conduct footwear analysis on burglary and property crimes, except in special circumstances.

### FOUND PROPERTY

Found property will not routinely be processed.

## PHYSICAL EVIDENCE—TRACE

### GUNSHOT RESIDUE EVIDENCE

- When a gunshot residue hand kit and clothing are submitted from the same subject, the gunshot residue kit shall be examined first. If the kit reveals particles characteristic of gunshot residue, then the clothing will not be examined.
- Clothing and Gunshot Residue Collection Kits collected from the victim of a gunshot wound will not be examined for gunshot residue.
- Kits collected from a suspect who admits to firing a weapon, or who is in possession of a firearm, will not be tested.
- Kits collected six (or more) hours after a shooting incident will not be tested.
- Swabs are not suitable for gunshot residue testing. Adhesive stubs must be used.

### ACCELERANT EVIDENCE

When liquid is removed from a container and both the liquid and container are submitted for analysis, only one of the items will be examined if the presence of an accelerant is detected in the first item.

### MISCELLANEOUS

Explosives should not be submitted. Contact the ATF for testing of explosives and improvised explosive devices.

## PHYSICAL EVIDENCE—SEROLOGY

### HOMICIDE CASES

Analysis will be performed on items that are deemed most likely to have probative value, based upon discussion between the analyst and the submitting officer. If positive findings for blood and/or semen are obtained from the top five most probative samples, then analysis may be discontinued and samples will

be submitted for DNA analysis. If informative results are not obtained, the next five most probative samples will be examined.

#### SEXUAL ASSAULT CASES

Sexual assault cases will be analyzed in the following order:

- 1 Sexual assault kit
- 2 Underwear
- 3 Clothing
- 4 Bedding

If the sexual assault evidence collection kit is positive, then no additional testing will be conducted unless specific case circumstances dictate additional testing.

#### CRIMES AGAINST PERSONS

Up to five items identified by the submitting agency as priority items will be tested. If the items tested have positive findings (e.g., blood), a report will be generated, samples will be submitted to DNA and all testing will be concluded.

##### BREAKING AND ENTERING/BURGLARY

- Up to five items identified by the submitting agency as priority will be tested. If the items tested have positive findings (e.g. blood), a report will be generated, samples will be submitted to DNA, and all testing will be concluded.
- Only items that may have a biological fluid present will be tested.

#### MISCELLANEOUS

No analysis will be performed on items that have been retrieved from a person or a person's property when the intent is to link that person to the item (e.g., a firearm recovered from suspect's person).

#### **TOUCH DNA POLICY**

The Arkansas State Crime Laboratory will not conduct "touch" or "contact" DNA analysis (e.g., DNA from fingerprints, pieces of paper, drug paraphernalia, or commonly-handled objects) on burglary and property crimes except in special circumstances, and only when victim elimination samples are submitted.

The ASCL will not routinely examine shell casings, spent bullets, or live ammunition for the presence of DNA unless it is the only evidence obtained in a homicide case.

In order to comply with the Federal Guidelines, the ASCL must ensure that any DNA profile obtained in property crimes (e.g., "touch" or "contact" DNA cases) is not that of the victim. The ASCL is prohibited from entering or searching the "victim's" DNA profile in the state or national database.

Items that are acceptable for DNA analysis include evidence that the officer believes was brought into the crime scene (e.g., beer can, cigarette butt, chewing gum).

#### **FIREARMS/TOOLMARKS**

##### FIREARMS COMPARISON CASES

- Bullets will not be compared to cartridge cases.
- Manufacturing mark comparison (e.g., bunter marks) to determine if ammunition components come from the same lot will not be routinely conducted.
- Cartridge cases recovered from the cylinder or chamber of a firearm will not be routinely examined.
- Cases in which the submitted evidence consists primarily of cartridge cases without an appropriate firearm for comparison will be examined for entry into the National Integrated

Ballistics Information Network (NIBIN) only. Comparison examination will be conducted for the purposes of confirming a NIBIN Lead, testimony in court, or if a firearm is recovered at a later date.

#### TOOL MARK CASES

Because of the considerable length of time required to analyze tool mark cases, only cases where the tool can be connected to a suspect (e.g., recovered from a suspect, or associated through other forensic testing, such as latent prints or DNA) will be processed.

#### DISTANCE DETERMINATION

- Distance determination testing will only be conducted if the firearm is submitted. Submitting the appropriate ammunition is preferred.
- Distance determination testing will not routinely be conducted if there is a video of the shooting incident.
- Distance determination testing will typically only be performed on clothing, with the exception of shot patterns.

#### OPERATION SHUTDOWN

All crime guns will be accepted (Ark. Code Ann. § 12-12-324). Only firearms being entered into NIBIN will be test fired. The test fires will be retained in the Test Fire Reference Library. The firearm will be returned to the submitting agency after testing.

#### NIBIN DATABASE ENTRY GUIDELINES

- The following will be routinely entered into the NIBIN database:
  - Cartridge cases from all semiautomatic pistols
  - Cartridge cases from the following rifles:
    - .223 Rem
    - 5.56mm
    - 7.62×39mm
    - Rifles that use semiautomatic pistol caliber ammunition (e.g. .22 Long Rifle, 9mm Luger)
  - Shotshells from 12 gauge shotguns
- The following is a partial list of items that will not be routinely entered into the NIBIN database nor test fired:
  - Cartridge cases from all other caliber rifles and gauges of shotguns
  - Cartridge cases from revolvers, single shot or bolt action rifles, and derringers
  - Cartridge cases from firearms used to commit suicide
  - Cartridge cases from a Law Enforcement Officer's firearm

Note: NIBIN instrumentation at the ASCL currently does not support bullet entry.

## TOXICOLOGY

The Forensic Toxicology Section accepts samples for three types of cases:

- Death cases, where toxicology results may affect the cause or manner of death, or where drug involvement needs to be excluded.
- Impairment cases, where toxicology results may help explain observed impairment, or where drug involvement needs to be excluded.
- Drug- and alcohol-related crimes, such as drug-facilitated sexual assault and "minor in possession" cases.

Certain types of cases are not accepted for toxicology analysis and will not be tested:

- Administrative testing cases (e.g., probation revocation testing, court-ordered testing, etc.) are not accepted for testing.
- Testing (or further testing) for civil matters will not be performed.
- Submissions from multiple agencies for one subject and incident will be addressed on a case-by-case basis. When more than one agency submits evidence related to the same subject and incident, the laboratory will cancel all but one agency's toxicology request.
- Drug testing in cases where the alcohol concentration has reached the per se limit will not undergo further testing to determine impairment by drugs (except in MVA death cases).

Certain types of toxicology testing are not generally performed:

- Quantitation of drug amounts in urine. There is no reliable correlation to blood drug concentrations.
- Quantitation of drug amounts to determine impairment. A reliable determination of impairment is difficult or impossible to generate from a drug concentration alone.
- Testing of urine for alcohol, unless the specimen has been collected according to the guidelines promulgated by the Arkansas Department of Health, which should be noted on the submission sheet.
- Testing in cases where charges will not or cannot be filed, including but not limited to:
  - Testing passengers in a motor vehicle
  - Drug testing to associate a subject with a clandestine laboratory or the possession of a drug
  - "Information" cases, such as testing to see if someone is a drug user, without the commission of a crime
  - Civil matters, such as custody hearings

The following minimum amounts, specimen types, and container types are required to perform complete analysis:

- Impairment cases and drug- and alcohol-related crimes:
  - 20 mL whole blood in grey top tubes, or
  - 20 mL urine in an appropriate container
- Death cases involving a potential drug overdose:
  - 50–100 mL whole blood in grey top tubes.