

Section 3 Evidence Handling

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## Section 3 Evidence Handling

### 3.0 Evidence Handling

Evidence is defined as those items associated with an investigation and materials directly generated for preservation or analysis of such items.

#### 3.1 Evidence Analysis Requests

Requests for analysis of evidence are normally received telephonically or via email by a staff member of the Firearm Analysis Unit (FAU). The request information initially is recorded on a FAU Request Form F1000 and then entered into the Laboratory Information Management System (LIMS). The analysis requests are reviewed and filed for later assignment by the supervising criminalist of the FAU or his/her designee.

The original request is filed in one of various binders titled according to the type of analysis required or priority status. These binders, containing the evidence analysis requests, are kept in the FAU file room 321 or in one of the supervising criminalists' offices.

Additionally, the Crossfire Detail routinely receives handguns for imaging into the NIBIN system. These handguns are delivered to the Forensic Science Center (FSC) Property each work day from the area property rooms , therefore no request form is needed.

#### 3.2 Casework Assignment and Prioritization

The supervising criminalist or designee assigns casework according to the prioritization policy established by the Department. When a case is assigned, the assigner records the case assignment in the LIMS and on Form F1000, which is then given to the assigned analyst.

#### 3.3 Chain of Custody

Chain of custody is the responsibility of all analysts who handle evidence in the FAU. Analysts are accountable for evidence while it is in their custody. Documentation of the chain of custody is maintained in the analyst's case notes or in the LIMS. Chain of custody includes transfer of evidence between individuals, as well as between an

individual and a location. Refer to WI FAU-001 (FAU LIMS Procedures) for details on how to perform various LIMS functions, including evidence transfers.

### **FAU Chain of Custody and LIMS**

The method of documentation depends on several factors, including:

- If the evidence is booked when it is received by FAU
- if non-booked evidence will be booked at a later date
- If non-booked evidence will be analyzed prior to booking
- If a DR number is available at the time of analysis

The following FAU Evidence Chain of Custody Documentation Flowchart diagrams the appropriate method of documentation for each situation.

Documentation of the chain of custody in the LIMS ends when the evidence leaves the custody of the laboratory (eg., Property Division or non-laboratory personnel) or when the final disposition of the evidence is within the laboratory (eg FAU Admin Cabinets, FAU Room 330B – Cabinet or Consumed).

## Section 3 Evidence Handling

# FAU Evidence Chain of Custody Documentation Flowchart

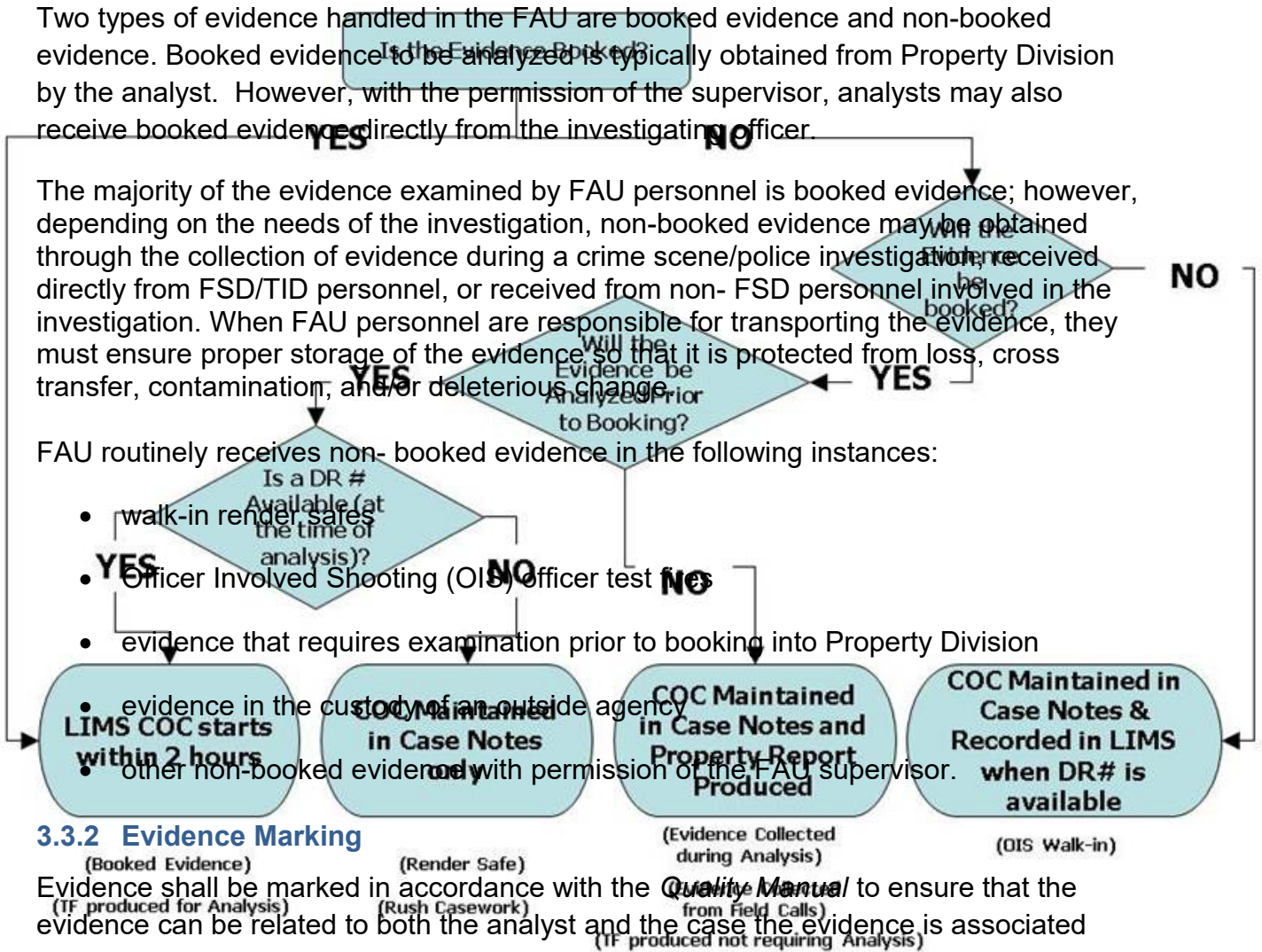
## 3.3.1 Receiving Evidence

Two types of evidence handled in the FAU are booked evidence and non-booked evidence. Booked evidence to be analyzed is typically obtained from Property Division by the analyst. However, with the permission of the supervisor, analysts may also receive booked evidence directly from the investigating officer.

The majority of the evidence examined by FAU personnel is booked evidence; however, depending on the needs of the investigation, non-booked evidence may be obtained through the collection of evidence during a crime scene/police investigation, received directly from FSD/TID personnel, or received from non-FSD personnel involved in the investigation. When FAU personnel are responsible for transporting the evidence, they must ensure proper storage of the evidence so that it is protected from loss, cross transfer, contamination, and/or deleterious change.

FAU routinely receives non-booked evidence in the following instances:

- walk-in render safe
- Officer Involved Shooting (OIS) officer test
- evidence that requires examination prior to booking into Property Division



## 3.3.2 Evidence Marking

Evidence shall be marked in accordance with the *Quality Manual* to ensure that the evidence can be related to both the analyst and the case the evidence is associated with.

## 3.3.3 Evidence Imaging

At the analyst's discretion, evidence can be photographed as a supplement to case notes.

## 3.3.4 Chain of Custody within the Unit

Evidence within FAU may be in the custody of an analyst or storage location listed in Section 3.3.5 Evidence Storage in the Unit.

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### 3.3.5 Evidence Storage in the Unit

The FAU examination room (room 330) is the main area for analysis and storage of evidence while in the custody of FAU analysts. Each analyst is assigned storage lockers in the FAU examination room for short term storage of evidence during the course of analysis. FAU evidence may also be examined in other secure areas of the laboratory that can also be accessed by non-FAU employees. These areas include the accessioning room (room 117), the CSI exam rooms (room 105), the third floor exam rooms (room 332) and the firearms exam room (room 527). During the analyst's work shift, marked evidence can remain out in these areas as long as it is protected from contamination or loss. If an examiner leaves the building or ends their shift, the evidence must be either secured in a storage locker or packaged and sealed.

Evidence is to be packaged, sealed and returned to Property Division as soon as possible upon completion of the analysis. No long-term storage of evidence is allowed in the FAU.

### 3.3.6 Returning Evidence

Depending on the needs of the investigation, evidence will be returned to Property Division, transferred to other FSD/TID personnel, or released to non- FSD personnel involved in the investigation.

### 3.3.7 Evidence Transfer to Outside Agencies

Evidence will be provided to outside agencies for independent analysis as per an appropriate court order or as needed for analyses that cannot be performed by the FAU. Proper chain of custody procedures and documentation must be followed.

### 3.3.8 Re-analysis of Evidence

Requests for re-analysis will be considered on a case-by-case basis.

### 3.3.9 Splits of Evidence

Not Applicable

### **3.4 Evidence Package Integrity**

All evidence containers received from Property Division shall be sealed with Evidence seals and conform to proper packaging guidelines as outlined in the *Quality Manual* and Department policy. If the evidence is improperly sealed, the condition will be documented in the case notes. If there appears to be a significant compromise of the package such that contamination or loss of evidence may have occurred, the condition will be documented in the case notes and the supervisor will be notified before further handling of the evidence occurs. In some instances, it may be necessary to return improperly sealed/compromised evidence to Property Division to remedy the situation. Large evidence may be received into the unit without packaging; however, these items shall be stored in a manner that protects them from contamination or loss. As much as practicable, evidence shall be returned in the original packaging sealed with a signed and dated Evidence seal upon completion of analysis.

### **3.5 Protection from Contamination and Loss**

Each FAU staff member is responsible for ensuring that evidence in his/her custody is protected from contamination, loss, and tampering.

The following general policies are implemented to ensure protection from cross-contamination and sample loss.

Wear appropriate protective clothing when handling evidence to prevent any contamination (e.g., gloves, sleeve coverings, facemasks, head coverings and a clean lab coat).

Analyze any gunshot residue evidence in a separate room away from the shooting rooms, ammunition, or ammunition components.

Keep bench top work surfaces and evidence storage lockers clean.

Place evidence items on clean paper; change the paper after use for each item examined, as appropriate.

Clean tools used for evidence examination (e.g., forceps and spatulas) before and after use, as necessary.



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Keep evidence items in appropriate storage areas as outlined in Section 3.3.5 Evidence Storage in the Unit.

Keep evidence storage envelopes closed except when being analyzed, as practicable.

Use appropriate care when preparing standards from concentrated solutions to avoid contaminating any surfaces or instruments.

### 3.6 Security in the Laboratory

The FAU is operated in a secure manner. Access to the laboratory areas of the FAU is controlled and limited to individuals designated by the laboratory director to have access. The access is controlled by an access card system. Refer to the *Laboratory Security Manual* for specific information regarding the access card system. Any visitors to the FAU (including custodial staff) will be monitored by an authorized staff member, at all times, while in all operational areas of the laboratory.