PREFACE

CREATION

This manual shall be referred to as the Technical Procedures and Training Program Manual for the Lead Worker and Word Processors assigned to the Crime Laboratory Administrative Services Unit (Evidence Control and Administrative Services Section).

INTENT

The purpose of the manual is to further explain section procedures and does not conflict with any other laboratory manual. The procedures set forth in this manual are in addition to policy matters set forth in the SBI Policy Manual, the NC General Statutes, the SBI Crime Laboratory Procedures Manual and the Evidence Field Guide.

MANUAL CHANGES

Any recommendations for additions, deletions or revisions to this manual should be directed to the section supervisor. Approved revisions will be dated and issued as soon as possible. It is the responsibility of each employee issued this manual to keep changes current.

EMPLOYEE RESPONSIBILITY

It is the responsibility of the Lead Worker and each Word Processor issued this manual to know, understand and abide by the contents. A lack of knowledge of the contents of this manual will be no excuse for the failure to comply with the procedures contained herein.

1. PROCEDURE FOR PROCESSING FILE FOLDERS

1. The Word Processors are responsible for processing all file folders for mail out to the various agencies.

2. Case notes will consist of the following: Lab report, SBI-5 (submission form), the analyst's notes (in page order) and any remaining copies of the lab report. The case notes will be stapled together in the left corner in the aforementioned order. All other documents including the synopsis page of the SBI-5, fax sheets, DCI messages, district attorney requests, etc. are considered "administrative" and shall be stapled to the inside left cover of the file folder. Administrative documents should reflect the lab # and initials of the individual stapling the document to the file folder in the upper right corner.

3. The Word Processor who processes the case folder shall place the section, their initials and the date on the back of the outside of the file folder in the lower, right-hand corner.

4. Disseminate the copies of the lab reports to the SAC, Special Agent, District Attorney, Clerk of Court and the requesting officer if the evidence was not mailed with the report. File the SAC and District Attorneys copies in the designated bins. Mail out these copies twice a week (usually Tuesday and Thursday). Mail out the Special Agents and officers copies of reports daily.

5. SBI File Numbers on Reports: Copy of report, chain of custody and a copy of the SBI-5 is to be sent to SBI Records Section and should be mailed inter-office on Tuesday and Thursday of each week.

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Prepared By: Deborah Burwell Date: 6/15/03

Approved By: Date:
Originating Unit: Evidence Control & Administrative Services Section

6. Technical Field Assistance Report: The Requesting officer receives a copy of the lab report when the lab report has a heading "Technical Field Assistance" and if the Disposition of evidence indicates the evidence has been destroyed, transferred, retained in the lab or the evidence was returned prior to the lab report being typed. (If the evidence has been mailed or picked up a copy does not have to be sent to the requestor).

7. Any attachment letter with the lab report goes to the requestor.

8. Corrected/Amended Reports: On corrected lab reports, the requestor will receive a copy as well as any others that received the original copy. A copy of the corrected report and the original report will be maintained in the case folder.

2. PROCESSING DRUG REPORTS

1. Drug reports without an SBI file #: The District Attorney's copy is to have a copy of the LIMS chain of custody with signatures and a copy of the SBI-5 attached.

2. Drug Reports with an SBI file #: The District Attorney's copy with the LIMS chain of custody with signatures and a copy of the SBI-5 attached is to be mailed to the Special Agent along with that Agent's copy of the report. The SBI Agent is to receive a copy of the report only without the chain of custody documents. The District SAC also will get only a copy of the lab report. The SBI Records Section will be sent a copy of the lab report, the SBI-5 and LIMS chain of custody.

3. PROCESSING OTHER REPORTS

1. All lab reports that are not drug cases are considered as "Others".

   a. Cases without an SBI file #: The District Attorney will only receive a copy of the lab report.
   b. Others with an SBI file #: The District Attorney's copy with the LIMS chain of custody <u>without</u> signatures and a copy of the SBI-5 attached is to be mailed to the Special Agent along with that Agent's copy of the report. The District SAC will get only a copy of the lab report. The SBI Records Section will be sent a copy of the lab report, the SBI-5 and LIMS chain of custody.
   c. The Clerk of Court for each county receives a copy of the laboratory report in all DWI offenses.

II. PRINTING REPORTS FROM PRINT QUEUE

1. Twice daily reports to be printed are to be picked up from the Drug Chemistry Section from our designated box.

2. **Logging onto LIMS**: You have four options to choose from. To print reports go to print queue option. Currently the only sections we print reports for are Drug Chemistry and Toxicology. Select the section desired and find the chemist name that

is on the report, then look for the lab # needed and highlight it, by clicking once on the chemist name and click on the print button. This will allow four copies of the report to print. Destroy the copy of the draft report that is attached to file and place the four copies to the case folder. It is essential to ensure that the copies are not mixed up at this point and that they are attached to the case folder reflecting the same case number as on the report. Once finished, take the printed reports upstairs to Drug Chemistry and place each chemists' files in their designated box.

III. TYPING LAB REPORTS

1. To generate a report, select report selection from LIMS. Type in the case # and click on go. The report status should be "report not started". Click on select, generate report, then choose the report format needed.

DWI cases will be BAC report format, Drug Screens will be Drug Screen report page 1 or page 2, and drug reports (marijuana, cocaine, etc.) will be standard report format. Once chosen format, click OK and the report will appear. Proof the heading and compare it with the submission form (SBI-5)for accuracy and make any corrections necessary. If any corrections are made, copy the submission form, highlight what was corrected, initial the copy and send it to Evidence Control. Once the report has been completed, type the chemist's initials, colon, and your initials (WCS:sdb) at the bottom of the report.

IV. MAINTENANCE OF FILES

1. CHECKING OUT FILES
   Fill out the check out card with the date, the lab number, the person pulling the case, and who it is pulled for. Place the card where the file was originally. Fill out the log book with the lab #, date, person signing, and for whom.

2. Only if the folder is going to be taken by someone that has transferred to another section outside of the lab or if the Agent has retired, should the report be copied and the copy given to them. Place a note inside of the folder as an administrative

document, stating that the Special Agent has received a copy of the file and that the copy will be destroyed when no longer needed. Active Agents/technicians are allowed to check out the original case folder as needed.

3. If a file has been checked out for more than 90 days, contact that agent and he/she must sign the file in and check it back out (if they plan to keep the file).

B.ARCHIVE FILES

1. Requests are made for file(s) to be pulled from State Record Center either by telephone or e-mail. A Records Retrieval Form must be completed listing the lab file # to be pulled, the box # where the file can be found, the year of the file and the Item # for the Crime Lab. Fax this information to the State Record Center. Call to confirm that they have received the faxed request. Archives will call and advise once the files are ready to be picked up. While at Archives, a quick inventory of each file is logged on the Archive check-out sheet.

2. Place a card inside of the folder indicating which part is signed out to whom in the lab and the date. Place the remaining part(s) of the folder in the Archive drawer inside the file room. When the requestor returns the file(s), they must sign the check-out sheet indicating that the file is being returned and is ready to go back to Archives.

3. When returning file(s) to the State Record Center, use the form that reads "The Following Files Were Returned To The State Record Center On The Date Below". Take this form along with the files to be returned and check them in at State Record Center. Have the employee to whom you give these file(s) sign and date this form.

4. Once a month both the request and return forms are entered into the Excel database. They are then filed in the appropriate book in date order.

C. FILE FOLDERS

1. The Master file folder (manila) reflecting the lab # (which is stamped by a numbering machine) is the permanent folder for the lab.

2. Temp file folders are used for resubmissions of evidence in a case when the analyst has already been assigned to that case and another report has been generated. The lab report in the temp file folder and anything that may be stapled to the inside, should be removed and put inside the permanent file folder that has already been assigned to that analyst. If there is no file folder, remove everything out of temp folder and place in a colored folder that

matches the section the analyst is assigned and place the temp folder in ECU's box for them to reuse. Temp folders are not to be filed in the laboratory case folders.

3. Colored folders are used when evidence is submitted that requires analysis in more than one section and the permanent folder has already been issued. Each section has a color coded file folder, as follows:

   Blue - Latent Evidence
   Green - Trace Evidence
   Orange - Firearms and Tool Marks
   Yellow - Drug Chemistry and Toxicology
   Red - Molecular Genetics
   Purple - ECU, Photo Lab, Documents and Digital Evidence.

V. COURT CALENDAR

A. Always keep the current month plus three months on the court calendar. Subpoenas received are for Federal, Superior, and District Court. They take precedent in this order over each other.

B. Before a subpoena is listed on the court calendar highlight the county, analyst's name, and date to appear. If the subpoena is for more than a one week term, make necessary copies needed for each additional week.

C. Federal subpoenas are always listed first (crossways under analyst name with city where they are to appear and lab report number). Superior court subpoenas are listed by county in the order they are received either by telephone (call from DA's office or Defense Attorney who will send subpoena at later date but want to get on the court calendar), mail or by fax. However, we can not receive a faxed subpoena from the Defense Attorney, they can either serve or mail the subpoena.

D. When listing subpoenas put a number (IN ORDER RECEIVED) before each county (example: 1. Wake 2. Lee 3. Moore). District Court subpoenas are listed at the end of the week (under Friday crossway). After you list the subpoenas on the court calendar, date and initial the subpoenas in the bottom right hand corner and file them by date in the analysts' folders.

E. Any leave or training/conferences which the analyst has scheduled should be listed on the top line in red under the date they are going to be out. If the analyst has received a subpoena for the one week term they have something scheduled, notify the county and let them know. Underline the county that has been notified and write "aware" and the person's name you gave information to.

F. Once a week make a list of analysts that have leave, training, etc. scheduled for the upcoming week and call each DA's office to make them aware of this information. Note who you spoke with on the paper. If the analyst is released, write "released" over the county and indicate the name of the person who released the analyst. There could be numerous victim/witness coordinators for one county, therefore, you must ensure by the review of subpoenas, defendants names, and dates of court appearance before marking an agent released.

G. Each Monday pull the subpoenas from each analyst's folder for the current week and place in the box. Use these empty folders to place another weeks subpoenas for each analyst.

H. When sending an analyst to court immediately circle the county, put the day of the week and time they are needed, sign the file and pager out to them.

I. Notify laboratory personnel when they are needed for court as quickly as their need for appearance has been established.

VI. COURT APPEARANCE

A. Upon notifying the analyst/technician of their court schedule, the laboratory person should be provided with their respective portion of the laboratory case file, a copy of LIMS chain of custody, an up-to-date printout of the LIMS telephone log and a pager.

VII. PAGERS

A. A limited number of state-wide pagers will be maintained in good working order (batteries replaced, etc.) for temporary issue to laboratory personnel traveling to court.

The court coordinator will be responsible for:

- Maintaining the pagers in good operating condition

- Testing the operating condition of each pager on a daily basis to verify operating condition
- Routinely replacing the battery in each pager (at least once a month)
- Coordinating repairs/replacements with the Support Services Section
- Establishing a system for pager accountability

A. Unless the agent/technician has a section assigned pager, or all available pagers have been issued, all agents and technicians dispatched to court will be assigned a pager by the court coordinator.

C. In the event that more than one agent or technician are traveling together in the same vehicle to the same location, only one pager may be assigned. The responsibility for informing the court coordinator of this situation rests with the agents or technicians dispatched to court.

D. In the event the agent or technician has a section assigned pager on a temporary basis, the agent or technician is responsible for informing the court coordinator of the telephone number of the section assigned pager prior to each departure for court. Each supervisor is to provide the coordinator with a list of all permanently assigned pagers within their respective section.

E. For all traffic <u>related to court activities</u>, the responsibility for communicating with an agent or technician dispatched to court rests with the court coordinator regardless of what pager the agent or technician is wearing. For routine traffic related to non-court activities, the responsibility for communicating with same rests with the respective section.

VIII. RESPONDING TO INQUIRIES FOR CASE INFORMATION

A. Never give information over the phone to someone if you do not know with whom you are speaking. Only the laboratory Agent or his/her Special Agent In-Charge should discuss report content and interpretation. Case results should only be discussed with the requesting officer, investigating officer, the officer's supervisor, or the appropriate District Attorney's office. Case information may be discussed with SBI Field Agents seeking information from a laboratory case file related to an investigation to which they are not assigned providing the communication is detailed for that case by the individual releasing the case information. When case information is disseminated, a note shall be placed in the case file which includes: The date that the information was disseminated; to whom it was given; by whom it was given; and a summary of the information discussed.

B. ***NEVER*** release the entire copy of a file to any agency without legal documentation from the DA's office, then it must be approved by SBI

Legal Counsel before releasing information requested. This documentation (court order) is to be made a part of the file as an administrative document. Any time a case file is released to the district attorney, the analyst(s) working the case is to be notified via e-mail to whom and when the file was copied and released. A copy of this notification is to be made an administrative document in the file.

C. All motions from Defense Attorney for discovery or Cunningham material (or other court orders) must be coordinated through the SBI Legal Counsel or designee. Motions and Cunningham material from the District Attorney or Assistant District Attorney on letter head or court order request maybe faxed directly without approval through SBI Legal Counsel effective April 17, 2002.

IX SAFETY

A. Each Evidence Control and Administrative Services employee shares in the obligation to maintain an awareness of their own safety as well as their co-workers, to incorporate good safe work practices into their daily activities, to report all work-related accidents and unsafe work conditions to his/her supervisor, and to participate in the department/section safety program.

B. In addition to any procedures appearing in this section, refer and adhere to the procedures in the Crime Laboratory Procedures Manual, the Department of Justice Safety Manual, Laboratory Safety Manual, Chemical Hygiene Plan and the Blood borne Pathogen Standard.

X. TRANSFERRING OLD CASE NUMBER TO A NEW CASE NUMBER

I. Transferring cases occurs when a resubmission of evidence comes in on an old case. To determine whether this is an old case, the new cases are now on the LIMS system and an older case will not be.

II. Once a new case number has been issued everything in that old file will be transferred over to the new file, when the evidence has been analyzed and the file comes down to be processed.

III. Place the new case number on all of the old lab reports and your initials, in the upper right hand corner. Then place all reports, notes, etc. into the new case file. If the old file folder has any administrative documents inside, staple those together and place the new lab number along with your initials on the first sheet and staple as an administrative document into the new file folder.

IV. Place a transfer sheet in the old folder. Fill form out completely. Once this information has been completed staple this sheet to the inside of the folder (on the left side). Place this old file folder back in it's place, if old file may have been an archive file take back to archives as usual.