

SUBJECT: LABORATORY RECORDS/CASE FILES

MAINTENANCE OF RECORDS BY LABORATORY

- A. When evidence is submitted to a Bureau laboratory, the Evidence Control and Administrative Services Section will initiate a Laboratory Case File which will contain the Request for Examination form (SBI-5) and any other submitted documents.
1. When the submitted evidence is the first evidence submitted to the laboratory in that case, the Laboratory Case File will be the Master Case File.
 2. If only one laboratory Agent receives evidence in the case, the Master Case File will go with the evidence to the Agent.
 3. When evidence is submitted to more than one Agent, a color-coded case file will be prepared for each additional Agent receiving evidence. The color-coded file will contain a copy of the Request for Examination form (SBI-5). This color-coded file will go, with the evidence received, to the Agent. When all laboratory work is completed, the color-coded jackets will be inserted in the Master File jacket by the Administrative Services Unit.
 4. Temporary jackets will be issued when evidence has been submitted previously to an Agent. These will be discarded and all of the new case file documents added to the Agent=s original folder by the Administrative Services Unit.
- B. When the laboratory examination has been completed and the report has been finalized, the case file and all copies of the report will be turned over to the Evidence Control Unit along with the evidence for disposition of the evidence.
- When cases require no return of evidence, the case file will be routed directly to the Administrative Services Unit.
- C. When the evidence is returned to an SBI Field Agent. The District Attorney=s copy of the laboratory report and a copy of the SBI-5, the LIMS chain of custody record, along with the Agent=s copy of the laboratory report will be returned with the evidence.

SUBJECT: LABORATORY RECORDS/CASE FILES

When the evidence is returned to the agency and an SBI File number is assigned, the District Attorney=s copy of the laboratory report and a copy of the SBI-5 and the LIMS chain of custody record will be sent to the Field Agent along with the Agent=s copy of the laboratory report by the Administrative Services Unit.

- 4. A Copy of all laboratory reports with SBI file numbers will be forwarded to the SBI Records Section along with a copy of the SBI-5 and the chain of custody record.
- E. After the evidence is returned, the Evidence Control Unit will send the case file to the Laboratory Administrative Services Unit.

The completed case file will consist of the following elements stapled together: a copy of the Laboratory report, the original SBI-5, and the analyst=s notes and charts.

Any administrative document attached to a file folder should be stapled to the inside front of the folder and must have the laboratory file number on the document. If the document is a multiple-page document and the pages are securely stapled together, the laboratory file number need only appear on the first page.

Administrative documents defined: Any document placed in a laboratory case file **other than** the laboratory reports bearing the file number on the folder, the SBI-5(s) (Part A) bearing the file number on the folder, the case note cover sheet bearing the file number on the folder, the case note page(s) bearing the file number on the folder, or any illustrative documentation placed in an envelope and attached to the back of the folder.

The Laboratory Administrative Services Unit will maintain the Master File in a controlled access environment, in numerical order.

Access to laboratory Master Files will be limited to the Administrative Services Unit. After hours access will be available through the Supervisor of the Laboratory Evidence Control and Administrative Services Section or designee.

SUBJECT: LABORATORY RECORDS/CASE FILES

No original document will be removed from the laboratory case file, unless ordered to relinquish a document in court. In the event an original is retained by the court, a request will be made by the testifying Agent or employee to obtain a copy for the file.

Database changes in LIMS records may only be made by the Evidence Control and Administrative Services Section or designated System Administrators. Laboratory personnel should forward all data corrections highlighted on a copy of the SBI-5 to the Evidence Control and Administrative Services Section. Copies of the SBI-5 used for this purpose will be destroyed after the data change has been completed.

For tracking purposes, all mail submissions will be entered in LIMS even if they do not meet acceptance criteria.

Any case entered in LIMS but then found to not meet acceptance criteria will be ASTOPPED@ (in LIMS) by Evidence Control personnel or the section supervisor. Once entered into LIMS, no record may be deleted without authorization from the Assistant Director of Crime Laboratory Services .

CRIME LABORATORY SERVICES CASE FILES

Laboratory case files shall be retrieved only by personnel in the Laboratory Administrative Services Unit who are assigned responsibilities for maintaining the case files. In the Western Regional Laboratory the Special Agent in Charge will designate who may retrieve case files.

The Supervisor of the Evidence Control and Administrative Services Section will establish and enforce a current policy for checking out and returning case files to and from approved file storage areas.

Files will be returned during regular working hours to the person(s) responsible for case files. Case file folders will be re-filed only by designated personnel.

CHARGE OUT PERIOD FOR LABORATORY CASE FILES IS LIMITED

No laboratory case file shall be held out of file for more than ninety (90) consecutive calendar days from the date it was first charged out.

SUBJECT: LABORATORY RECORDS/CASE FILES

If a continuing need for a file exists, the individual to whom the file is currently charged must physically produce the file for the Laboratory Administrative Services Personnel (or Secretary in the Western Regional Laboratory) on or before the ninetieth day. Once the file has been inspected, an additional charge out period - not to exceed ninety days - may be granted.

Periodic checks will be conducted by the Laboratory Evidence Control and Administrative Services Section Supervisor (or Secretary in the Western Regional Laboratory) to assure continued compliance with the ninety day charge-out period. Any file determined to be held out of file more than ninety consecutive calendar days will be reported to the appropriate Special Agent in Charge or Supervisor. The Special Agent in Charge or Supervisor shall take immediate action to locate and return the file to the Administrative Services Unit (or Secretary in the Western Regional Laboratory).

All laboratory personnel are encouraged to return case files to the Laboratory Administrative Services Unit (or Secretary in the Western Regional Laboratory) as soon as the need for the file has been satisfied.

RESPONDING TO INQUIRIES FOR CASE INFORMATION

Laboratory case information is not public record. Absolutely no specific case information shall be given out to anyone other than the appropriate law enforcement or court official.

This restriction includes acknowledging the receipt (or non-receipt) of a particular case. For example, personnel will not acknowledge the receipt (or non-receipt) of a case to victims, suspects, family members, defense attorneys, the media, etc.

There is a clear distinction between general laboratory procedures and specific case information. Each individual should use their own discretion in discussing general procedures. There is no specific restrictions on discussing general procedures as long as the discussion does not drift to include a specific case.

When inquiries are made concerning specific cases:

- (A) Never give information over the phone to someone if you do not know with whom you are speaking. If

SUBJECT: LABORATORY RECORDS/CASE FILES

someone calls you and identifies himself/herself as an officer or court official and there is some doubt about the identity, advise the person that you will call them right back. Verify the phone number and the name and return the call.

- (B) Only the laboratory Agent or his/her Special Agent In-Charge should discuss report content and interpretation. The laboratory case Agent should be the individual to discuss such matters when available. Supervisory personnel should be cautious when discussing a report to qualify their answers in such a way that they will not be in disagreement with the case Agent.
- (C) Case results should only be discussed with the requesting officer, investigating officer, the officer's supervisor, or the appropriate District Attorney's office. An Agent must obtain the clearance of the District Attorney prior to releasing information to a defense attorney.
- (D) Case results 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 on the telephone log for that case by the individual releasing the case results .
- (E) When the District Attorney has authorized laboratory personnel to discuss case results with the Defense, laboratory personnel should openly discuss the results and its significance; however, they should not allow themselves to be subjected to a cross examination or interrogation. At any time a case Agent feels this is occurring, he/she may discontinue the conversation and request that any further discussions be in the presence of the District Attorney or his designated assistant.
- (F) When case information is disseminated, a note shall be placed in the case file on the telephone log 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.

SUBJECT: LABORATORY RECORDS/CASE FILES

- (G) The Special Agent in Charge or Supervisor should be consulted when—any employee doubts the appropriateness of any request for information from or about a case.
- (H) All motions for discovery (or other court orders) must be coordinated through the SBI Legal Counsel or designee.

| AMENDED LABORATORY REPORT

Amendments to a previously issued laboratory report will be made pursuant to a request from the agency making the initial request for analysis, or to make changes as the result of an error. Reports which reflect such changes should be labeled "AMENDED REPORT."

Whenever AMENDED reports are issued, copies shall be sent to all individuals who received the original report. Both the original and amended report will be maintained in the case file.

LABORATORY CASE NOTES ON EVIDENCE ANALYSIS

A record will be made and maintained in the laboratory case file for all work performed by an Agent on evidence within the SBI Crime Laboratory Services Division. This record shall include all notes, charts, graphs, spectra, sketches, photographs, submission forms, and custody records which are produced and utilized in reaching any conclusions associated with the analysis of the evidence.

Notes should be made as evidence is analyzed to document all tests and examinations which are performed and to document the observed results of these tests and examinations. These notes shall be kept to such an extent that the Agent, the reviewer, the Agent=s Special Agent in Charge, or another expert in that discipline can review the notes at any time after the analysis is completed and determine exactly what tests and examinations were performed and the basis on which a conclusion was derived.

Notes should be adequately detailed so another expert could recreate the testing performed.

Page 1 of all case file notes must be on a Case Note Cover Sheet approved by the respective Special Agent In Charge. The

SUBJECT: LABORATORY RECORDS/CASE FILES

cover sheet shall contain all information related to the technical and administrative reviews, the beginning date of analysis, and the concluding date of analysis. Each note page, including the cover sheet and all charts and graphs, must have the laboratory file number, the date the notes are made, the Agent=s handwritten initials (or complete signature), and a sequential page number.

Multi-page perforated charts and graphs may be treated as a single page of case notes providing the pages are not separated at the perforations. In the event the pages become separated at the perforations, all pages must be labeled in accordance with laboratory procedures. This in no way implies that single pages or charts from a multi-page computer print-out may be stapled together or treated as a single page of case notes.

The notes of each case shall include a description of the evidence submitted and shall note the types of evidence containers including the status of seals.

All dates in case notes must include the year. For example, it is not acceptable to use **6-15**. The correct recording of this example would be **6-15-00**, or **6-15-2000**, or **June 15, 2000**.

Laboratory file numbers on all documents and evidence are *Aunique identifiers* and must be written as complete numbers. For example, **R20001234** may not be written as **R-00-1234**.

ILLUSTRATIVE DOCUMENTATION (ENVELOPES) IN CASE FILES

It is acceptable to place non-evidence, illustrative-type documentation in an envelope and securely attach the envelope to the inside back of the laboratory case file. The envelope and all documents within the envelope must contain, at a minimum, the laboratory file number and the initials of the person creating the envelope/documentation. The envelope should be sealed, but do not seal the envelope to the extent it takes on the appearance of sealed evidence. For example, do not initial the seals.

No evidence may be stored in case files.

CORRECTIONS ON CASE NOTES AND CASE FILE DOCUMENTS

SUBJECT: LABORATORY RECORDS/CASE FILES

Any corrections or changes on case notes or any other document in the case file will be made by a **SINGLE** strikeout and initialed by the individual making the change or corrections.

Obliterations or the use of white out (or other correction fluid) is strictly prohibited.

| **PRE-PRINTED LABORATORY CASE NOTE FORMS**

The use of pre-formatted case note sheets is an efficient laboratory practice and their use is encouraged. However, when an area of a form is not utilized, the Agent or employee must strike through the unused portion to indicate that the blank area was not simply overlooked. Unlike single strike-throughs to correct mistakes, strikes used to indicate the non-use of an area on a form do not have to be initialed. If an Agent or employee chooses to initial them, that is O.K.

Each person expected to make copies of pre-formatted forms should be supplied with a clean *master* to use when refreshing their supply of forms. All forms must be completely legible.

COMMUNICATION LOGS

Any communication which could reasonably be expected to have an impact on the analysis of the evidence must be recorded either electronically in the LIMS APhone Log@ area or by using a section-approved, pre-formatted, case-specific log sheet. Non-electronic pages must be maintained as an administrative document in the case file.

REVIEW OF LABORATORY REPORTS

Technical Review:

All laboratory reports and case notes will be peer reviewed by an Agent with expertise in the discipline used during the analysis. The technical review must be documented on the case note cover sheet or other pages approved by the respective Special Agent in Charge. The review shall be to such an extent as to determine that the conclusions of the Agent are reasonable and within the constraints of scientific knowledge, and the results and conclusions drawn in the laboratory report are substantiated by the case notes.

Administrative Review:

All laboratory reports and case files shall undergo an

SUBJECT: LABORATORY RECORDS/CASE FILES

administrative review conducted by the appropriate Special Agent in Charge or designee to ensure all elements of the case file conform to all applicable laboratory policies and procedures. Administrative reviews include all aspects of the case file.

REPORTING CUSTODY OF EVIDENCE ON LABORATORY REPORTS

Evidence is considered to be submitted to the SBI Crime Laboratory Services Division on the date which it first comes into the custody of an analyst, evidence technician, or any other Bureau employee inadvertently receiving evidence intended for the laboratory.

Evidence is considered to be submitted to the SBI Crime Laboratory Services Division by whoever transfers custody of it to an analyst, evidence technician, or any other Bureau employee inadvertently receiving evidence intended for the laboratory.

When any Bureau employee inadvertently receives evidence intended for the laboratory_and opens the evidence, that employee will be regarded as acting as an evidence technician.

When any evidence technician (including Bureau employees who receive and open evidence inadvertently) receives evidence and turns it over to an Agent in the laboratory, the report shall show that the evidence was submitted by whoever turned it over to the evidence technician and the date submitted will be the date on which the evidence technician received the evidence.

When evidence is transferred within the laboratory from one Agent to another, the report will reflect from whom and when the evidence is received in the body of the report above the items submitted.

When evidence is submitted to the laboratory on more than one date in the same laboratory case, the heading of the report should read "SEE BELOW" in the "Submitted By:" space. The body of the report should show when and by whom evidence was submitted above the listing of those items submitted for each occasion on which evidence was submitted in that case.

When evidence is transferred to an evidence technician to be returned by first class mail/UPS, or to be held for pickup, the disposition on the laboratory report should show that the evidence is being returned by first class mail/UPS or is being

SUBJECT: LABORATORY RECORDS/CASE FILES

held for pickup. The report should not show the evidence was turned over to an evidence technician.

When evidence is transferred to another Agent for further analysis after an Agent has completed work on the evidence, it is appropriate to show in the disposition of the report that the evidence has been turned over to the other Agent on the date of transfer for further analysis.

LABORATORY REPORTS

- A. In all cases, if the requesting officer=s evidence item numbers are different than item numbers assigned by LIMS, the Requesting Officer=s evidence item number will be reflected on the report, in parentheses, in addition to the number assigned by the laboratory.

Example: Item 1(Your Item #6): Handwriting sample.

2. Generally, the laboratory report will contain the following headings:
1. Items Submitted/Received
 2. Type Analysis Requested or Type Examination Requested
 3. Results of Analysis or Results of Examination
 4. Disposition of Evidence

Other report formats may be used for specialized applications, such as Toxicology and Technical Field Assistance.

All items received by the Agent will be fully covered under all headings except Analysis/Examination Requested.

If an item is not examined/analyzed that fact will be documented under the Results of Analysis/Examination heading.

SUBJECT: LABORATORY RECORDS/CASE FILES
