



*The Idaho State Police
Forensic Services*

PROCEDURE MANUAL

Revised June 1, 2000 → 12-17-2003 PMS

**Idaho State Police
Forensic Services**
March, 2002

Major
Ralph Powell

Lab Improvement /
Quality Assurance Manager

Management Assistant

Forensic Evidence
Specialist (3)

Office Specialist
(.5)

Forensic Lab Manager
Coeur d' Alene

Forensic Lab Manager
Meridian

Forensic Lab Manager
Pocatello

Technical Leader
(Forensic Scientist III)
-Firearms-

Senior Criminalist
(Forensic Scientist II)
(3)

Forensic Evidence
Specialist
(2)

Technical Leader
(Forensic Scientist III)
-Drugs-
-Trace-

Senior Criminalist
(Forensic Scientist II)
(2)

Biology Program
Supervisor
(Forensic Scientist IV)

Technical Leader
(Forensic Scientist III)
-Biology-

Senior Criminalist
(Forensic Scientist II)
(2)

Laboratory
Technician
(1)

Latent Program
Supervisor
(Forensic Scientist IV)

Senior Criminalist
(Forensic II)
(3)

Technical Leader
(Forensic Scientist III)
-Toxicology-

Senior Criminalist
(Forensic Scientist II)
(3)

Forensic Evidence
Specialist
(2)

Laboratory
Technician
(.5)

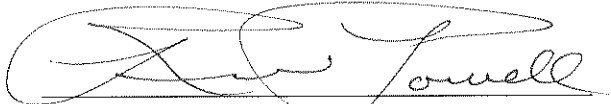
Colonel E.D. Strickfaden, Director

Date

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History Page

Chapter 3, revised 3.1.1 by adding "Submission forms are not required from coroners/morticians when submitting fatality "accident victim samples" required by Department of Transportation." effective December 17, 2002.


Ralph Powell, Major

12-18-02
Dated

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Procedure Manual
ISP Forensic Services

History Page

Chapter 2 revised effective November 1, 2002

Chapter 3 revised effective November 1, 2002

Chapter 5 revised effective November 1, 2002.


Ralph Powell, Major

11-1-02
Dated

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History Page

Chapter 4 revised effective September 20, 2002.

Chapter 5 revised effective September 20, 2002.



Ralph Powell, Major

10-3-02

Dated

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History Page

Chapter 1, revised organizational chart effective February 1, 2002.



Ralph Powell, Major

2-25-02
Dated

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Procedure Manual
ISP Forensic Services

History Page

The original version of the Procedure/Policy Manual was issued prior to June, 1991.

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The Procedure/Policy Manual was revised June, 1998.

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Chapter 3, revised effective February 1, 2002.

Chapter 5, revised effective February 1, 2002.



Ralph Powell, Major

2-7-02

Dated

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INTRODUCTION

PURPOSE STATEMENT:

The purpose of Idaho State Police Forensic Services (ISPFSS) is to provide quality and impartial scientific analysis, testimony, crime scene investigation, education and research to the criminal justice system. Forensic Services will provide analyses in the specialties of: 1) controlled substance, 2) serology and DNA, 3) trace and microscopy, 4) toxicology, 5) firearms/toolmarks, 6) latent prints, and 7) question documents to the judicial system of Idaho.

Forensic Services will maintain an open and honest relationship with all parties of the judicial system. As such, services will be provided to the public defender as well as the prosecutor. Criminalists/Examiners will make every effort to provide timely, accurate, and complete reports.

Personnel within the Forensic Services will foster support and trust among fellow employees, management, and other agencies. It is important that all employees emphasize a dedication to excellence and integrity when working for the citizens of Idaho.

I. GOALS

- A. Provide crime laboratory services to the community through the law enforcement community.
- B. Provide only those services for which there is:
 - i. Properly trained and competent personnel.
 - ii. Appropriate equipment and reliable, accepted scientific methods.
 - iii. Sufficient needs to justify resources, training, proficiency testing and equipment.
- C. Provide accurate and timely analysis as defined in discipline manuals.
- D. Provide accurate, comprehensive and impartial court testimony, and reports.
- E. Forensic Services will maintain a library of literature, regularly consulted for analysis and training.
- F. Maintain staff proficiency through training, scientific meetings, and literature review.

1

General Provisions

2

Personnel Procedures

3

Evidence Handling

4

Laboratory Security

5

Handling Casework

6

Casework Acceptance

7

Subpoena and Testimony Procedure

8

Quality Control

9

General Laboratory Operation

10

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CHAPTER 1. GENERAL PROVISIONS

1.1 PROCEDURES

1.1.1. PROCEDURE MANUAL

1.1.1.1 Official Publications – Forensic Services recognizes both the Idaho State Police Policies and Procedures and the, American Society of Crime Laboratory Directors (ASCLD) Laboratory Accreditation Board Manual.

1.1.1.2 Authority – This manual is published by the authority of the Major/manager of Forensic Services. All employees of Forensic Services are bound by the procedures prescribed herein. However, realizing all situations which may be encountered cannot be addressed in detail, it is possible to have some deviation from these procedures. In such an instance, the employee must document and justify any deviation from procedure.

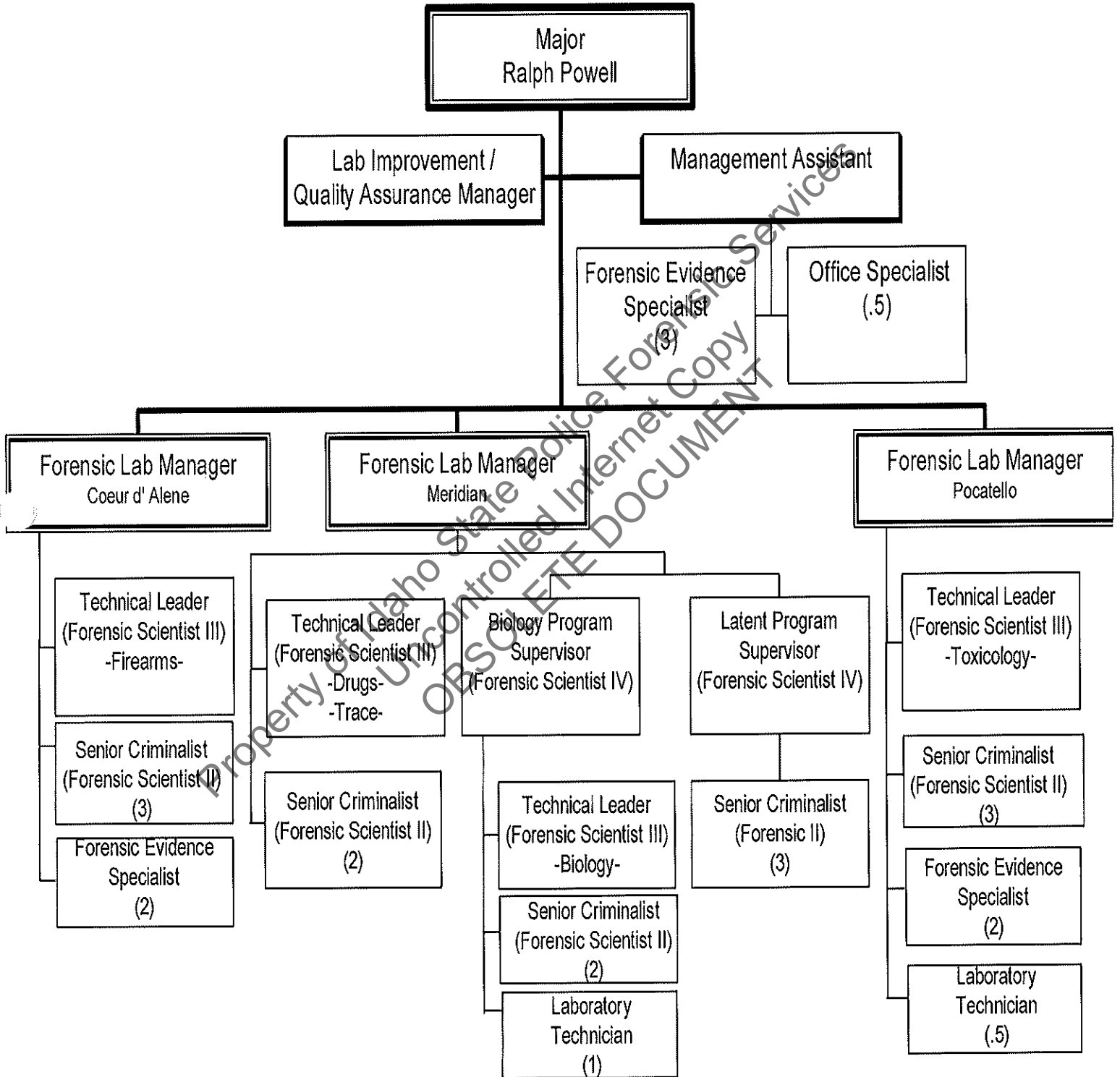
1.1.1.3 Maintenance of Manual – Each Forensic Services (FS) Manager shall maintain the manual in its most current form. Managers will ensure that each of their employees reviews and understands the changes annually.

1.1.1.4 Confidentiality of Contents – This procedure manual is the property of the Idaho State Police Forensic Services. Employees shall not divulge the contents of this manual to any person who is not an employee; except with the expressed consent of the Major/manager, or his designee. The contents of this manual are subject to disclosure pursuant to the Public Records Act.

1.2 ORGANIZATION OF IDAHO STATE POLICE FORENSIC SERVICE

1.2.1 ORGANIZATIONAL CHART – Idaho State Police Forensics is staffed and organized according to the following chart:

**Idaho State Police
Forensic Services**
April, 2002



1.2.2 CHAIN OF COMMAND – The “Chain of Command” requires that official communications be forwarded through succeeding lines of authority as described in the organizational chart. The chain of command will be observed except as allowed by problem solving procedures, or as dictated by emergency circumstances.

This procedure does not apply when reporting improper conduct or action by any supervisor.

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CHAPTER 2. PERSONNEL PROCEDURES

2.1 GENERAL PERSONNEL PROCEDURES

2.1.1 Offices shall observe Official State of Idaho business hours, which are Monday through Friday from 8:00 a.m. until 5:00 p.m.

Altering the standard work schedule may be authorized by the major/manager.

2.1.2 TRAINING

2.1.2.1 The employee and technical leader must request training through the employee's immediate supervisor. The supervisor will send requests to the FS major/manager.

2.1.2.2 All training received must be documented on the appropriate forms and placed in the employees ISPPS and ISP training record.

2.1.3 IDENTIFICATION – Identification must be worn at the ISP facility in Meridian.

2.2 GUIDELINES FOR INTERNS AND NON-PERSONNEL

2.2.1 These guidelines will be used to determine who will be selected for an internship and what duties interns will be allowed to perform.

2.2.2 Internships with ISP FS are non-funded positions.

2.2.3 Candidates will be evaluated on a first-come, first-serve basis.

2.2.4 Interns will only be accepted if a Forensic Scientist or Lab Manager volunteers to supervise and mentor the individual. Upon approval from the Lab Manager, specific duties of interns will be left to the discretion of their supervising Forensic Scientist.

2.2.5 RESTRICTIONS - The following **restrictions** will apply for the internship candidates:

2.2.5.1 Must be college juniors and above interning for college credit toward a degree in Chemistry, Biology, Molecular Biology, or a closely related science OR must already possess a degree in one of the above areas.

2.2.5.2 Must have a recommendation from a professor, faculty advisor or other professional.

2.2.5.3 Must pass background check and polygraph.

2.2.6 GENERAL GUIDELINES:

- 2.2.5.4 Interns shall remain under the close supervision of a Forensic Scientist at all times.
- 2.2.5.5 Interns may handle evidence under direct supervision only.
- 2.2.5.6 Interns shall become familiar with ISP Procedures governing Conduct and Confidentiality.
- 2.2.5.7 Interns shall not attend clandestine drug laboratory scenes or crime scenes unless accompanied by a Forensic Scientist. Access to very sensitive or hazardous areas will not be permitted.
- 2.2.5.8 Interns may attend autopsies when accompanied by a Forensic Scientist.
- 2.2.5.9 Interns shall not make final decisions on any casework analysis or prepare/sign reports.
- 2.2.5.10 Interns shall not be allowed in any area of the laboratory after business hours unless accompanied by a Forensic Scientist.
- 2.2.5.11 Interns shall not be allowed in designated areas of the laboratory (Forensic Biology/DNA product room) without permission.

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CHAPTER 3. EVIDENCE HANDLING

3.1 RECEIVING EVIDENCE – It is important to receive, handle and process evidence in a manner, which preserves its integrity. It is essential to document the chain of custody on all evidence received.

3.1.1 Whenever possible, all evidence should be received by a Forensic Evidence Specialist. Controlled substances should never be transported or carried by personnel, either from scenes or to court. Evidence will not be accepted, unless, it is accompanied by a properly completed ISP Forensic Services evidence submission form. Submission forms are not required from coroners/morticians when submitting fatality ‘accident victim samples’ required by Department of Transportation.

3.1.2 Initial examination of evidence seals: Proper seals will include heat seal, tape seal or lock seal. A container is ‘properly sealed’ only if its contents cannot readily escape and only if entering the container results in obvious damage/alteration to the container or its seal.

Standard evidence tape will be used to seal containers and must be initialed (or otherwise identified) to document the person sealing the evidence (scotch tape is not acceptable). Heat sealed packages must have initials or other identification across the heat seal to be properly sealed. Lock seals must be initialed or otherwise marked to document the person sealing the evidence. Staples may only be used if they are covered with evidence tape and the tape is initialed.

Packaged evidence received by a laboratory, which does not bear the initials or identification of the person sealing the evidence container, is not to be considered properly sealed. Manufactured seams do not need to be taped and initialed.

All evidence should be properly sealed by the submitting agency, however exceptions authorized by a supervisor may be made as required. ISP Forensics may provide a proper seal by: (1) placing a piece of evidence tape perpendicularly across the seal with the initials of the person receiving the evidence or (2) resealing the complete package in a heat sealed envelope or other container with proper initials. Forensic Services must ensure that evidence stored in ISP vaults is properly sealed. The Forensic Evidence Specialist has authority to reject evidence if it is not properly sealed.

3.1.3. ISP Forensic Services Procedure in regards to accepting syringes:

3.1.3.1 **All** of the following conditions must be adhered to for ISP Forensic Service to accept a syringe:

3.1.3.1.1 The agency must contact the appropriate Evidence

Custodian from Forensics Services **before** the syringe and contents are submitted. That Evidence Custodian will ascertain that all the guidelines below are being followed, and notify the Lab Manager. The entire case will be returned without analysis, accompanied by a copy of this policy, if the Evidence Custodian is not contacted prior to the submission of the syringe.

3.1.3.1.2 The prosecutor associated with the case must submit a letter requesting the examination. The letter must state why it is necessary to the case for the contents of the syringe to be analyzed. This letter must arrive at the laboratory attached to the evidence or the evidence will be returned.

3.1.3.1.3 The syringe must be packaged in an approved biohazard safety tube. (An example of an approved biohazard safety tubes would be the "EVA-SAFE" safety tube displayed in the "Lab Safety Supply" catalog, catalog #0A-37946.)

3.1.3.1.4 Generally, an analysis of a syringe for drugs will only be performed if the case is a homicide or other exceptional/unusual case. Syringes will not be accepted if other drug evidence or any other evidence is available which provides the same proof as the examination of the syringe would provide.

3.1.3.1.5 Syringes must be packaged separately if the syringe is part of a multi-exhibit case. The entire case will be returned, if the syringe is not packaged separately.

(As in the past, if the submitting agency chooses to submit an alcohol or water rinse from a syringe, then this sample may be submitted to Forensic Services as a routine drug sample and this procedure does not apply).

3.1.4 Sharp or pointed objects or items with sharp edges (e.g., knives, razors, glass) should be confined within a material or package that renders them safe to handle.

3.1.5 A receipt must be prepared for all evidence. A receipt will be returned to the submitting party and a copy kept in the case file. Information about the evidence, including the chain of custody, must be documented and maintained in the file.

3.1.6 The chain of custody must be documented. Agencies submitting evidence to Forensic Services are encouraged to put their chain of custody on the outer evidence packaging.

- 3.1.7 All evidence envelopes/packages shall be marked with a laboratory case number and when applicable, an item number. The item numbers will be consecutive.
- 3.1.8 Unless the submitted evidence requires special handling or storage, it will be placed in the evidence vault until checked out for analysis. ISP Forensics Services Procedure regarding Trace Evidence.
- 3.1.9 ISP Forensic Services Procedure regarding Trace Evidence.
- 3.1.9.1 Any evidence identified at the time of submission, as trace should be forwarded to Meridian. Prior to forwarding the exhibit, please consult with the submitting agency to ensure that processing of the evidence is needed, and that they have some concept of the information that may be gained from the evidence. As an alternative, the submitting agency can be asked to send the exhibit directly to the Meridian laboratory.
- 3.1.9.2 If evidence of any nature is being processed in Coeur d'Alene or Pocatello and relevant trace is encountered; the Criminalist should document and collect the trace evidence. If this is not feasible, the Criminalist should document the nature and location of the trace to the extent encountered and then forward the evidence to Meridian. A copy of the documentation (photographs, sketches, written notes) should be included.
- 3.1.9.3 Combings in sexual assault kits should not be opened. If the Criminalist knows or has reason to believe that the combings will be of significance in a case, he/she should package the combings and standards as a separate exhibit identified with the appropriate sub-item number. The repackaged items should not be forwarded to Meridian unless or until an examination has been requested. If the evidence has been returned to the submitting agency, the agency should submit the combings/standards exhibit directly to the Meridian laboratory.
- 3.1.9.4 If the combings become significant subsequent to the processing of the sexual assault kit, the combings and standards should be removed from the kit, packaged as a separate exhibit with the appropriate sub-item number, and forwarded to Meridian. If the sexual assault kit has been returned to the submitting agency, the agency should submit the kit directly to the Meridian laboratory.
- 3.1.9.5 Contact the Meridian laboratory with any questions that may arise.

3.2 HANDLING EVIDENCE IN THE LABORATORY – There should be a record, which verifies who has custody of evidence at all times and evidence should be stored so that only the criminalist/examiner has access to it.

- 3.2.1 To document transfer of evidence and location within the laboratory, the internal chain of custody must be filled out.
- 3.2.2 The criminalist/examiner must cover all the openings that he/she created with evidence tape. The criminalist/examiner will date and initial the evidence tape.
- 3.2.3 Evidence will be maintained under the control of the responsible criminalist/examiner during the analysis process.
- 3.2.4 The criminalist/examiner and supervisor will review requests for external analysis. All requests will be documented.

3.3 RETURNING EVIDENCE

- 3.3.1 Evidence will be returned only to a party having legal responsibility. Generally, this is a representative of the submitting agency.
- 3.3.2 All returned evidence handled by a common carrier, (the U.S. Postal Service or United Parcel Service, etc.) must have an adequate receipt acknowledging delivery. All such receipts are to be placed in the case files.

3.4 PROTECTING EVIDENCE FROM LOSS, CONTAMINATION, AND DELETERIOUS CHANGE – Diligence should be exercised to ensure that loss, contamination, deleterious change and/or cross-transfer does not occur and thereby diminish the value of the evidence or its analysis.

- 3.4.1 Any items requiring special storage conditions to maximize its evidentiary value shall be maintained in those preferred conditions when possible.

3.5 TREATING PHOTOGRAPHIC IMAGES AS EVIDENCE -“When evidence such as latent prints and impressions can only be recorded or collected by photography and the image itself is not recoverable, the photograph or negative of the image must be treated as evidence.” ASCLD/LAB manual, page 32, April 2001 version.

3.6 MARKING INDIVIDUAL ITEMS OF EVIDENCE -“Each individual item of evidence must be marked for identification when practical. If the item does not lend itself to marking, its proximal container or identifying tag must be marked.” ASCLD/LAB manual, page 29, April 2001 version.

CHAPTER 4. LABORATORY SECURITY

4.1 ACCESS TO THE FORENSIC LABORATORY

- 4.1.1 Ingress/egress points to the laboratory will have operable locks. The entries must be locked at all times when not under the direct supervision of staff. The laboratory will be secured during vacant hours by an intrusion alarm.
- 4.1.2 Only personnel staffed to the laboratory as part of their routine function (e.g., forensic scientist series, forensic evidence specialists, laboratory technicians and assistants, the quality manager, the major/manager and administrative support) or those individuals designated by the laboratory manager will have unrestricted access to any forensic laboratory during normal duty hours, after-duty hours, and the opening and closing of the laboratory. Only the laboratory manager may add to or remove from the list of personnel having this access to the laboratory.
- 4.1.3 The laboratory manager or his/her designee is the custodian of the record for all keys, pass cards, security codes, etc. allowing access to the laboratory. A record of the individuals having possession of all such devices allowing access to the laboratory will be maintained either in writing or electronically.
- 4.1.4 Upon hire, personnel will be issued the required codes, keys, pass cards, etc. allowing access to those portions of the laboratory for which there is need and personnel will sign for such on the ISP personal inventory form. All such devices must be surrendered upon termination of employment and such must also be acknowledged on this inventory form at that time. Security codes will be removed in a timely fashion from any electronic access device whenever an individual leaves employment, loses or in any way compromises any such device.

4.2 LABORATORY VISITORS

- 4.2.1 Anyone entering the restricted/operational areas of the laboratory who is not employed by ISP or does not work within the laboratory system will be required to sign a log book prior to entering any such portion of the laboratory. Restricted/operational areas of the laboratory are defined as anywhere that evidence is open or may be analyzed or any evidence storage area.
- 4.2.2 This logbook must contain pertinent information to identify the individual, the time period of the visit, the staff member accompanying the visitor, and the reason for the visit.

4.2.3 Laboratory personnel will accompany any visitor accessing restricted/operational portions of the laboratory at all times.

4.2.4 Visitors must don appropriate safety attire, if such is a requirement of laboratory personnel within a given laboratory location.

4.3 ACCESS TO THE PRIMARY DRUG STANDARDS CABINET

4.3.1 Access to the primary drug standards cabinet (located only in Meridian) will be limited to personnel designated by the laboratory manager. The laboratory manager will maintain a list of the personnel having access to this drug cabinet.

4.3.2 This cabinet must remain locked at all times except when being accessed by designated personnel.

4.3.3 This primary drug cabinet must be structured in such a way that two designated personnel will be required to open this cabinet at any given time.

4.3.4 A logbook will be maintained for the primary drug standards cabinet that will list the date, name and signatures of personnel, and the reason for accessing this cabinet.

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CHAPTER 5. HANDLING CASEWORK

- 5.1 CASEWORK DOCUMENTATION** – The records kept on each case should be extensive enough to enable an independent examiner in the field to determine how testing and observations were conducted. An independent examiner should be able to reconstruct the reasoning that formulated any opinions stated in the report.
- 5.1.1 The notes should contain an adequate description of the evidence container, the evidence, the condition of seals, and date the evidence was opened.
- 5.1.2 The laboratory will maintain examination and administrative documentation regarding a particular case in a case file. Examination documentation includes such things as references to procedures followed, tests conducted, standards and controls used, diagrams, instrumental printouts, photographs, observations, and results of examinations. The laboratory case file must include all examination documentation generated in that laboratory. Instrumental charts or graphs that are run in batches may be centrally stored. Instrumental parameters should also be documented either in the case file or in a central location. Examples of administrative documentation include records of case-related conversations, receipts, description of evidence packaging and seals, and other pertinent documentation. Administrative documentation that is generated by the laboratory regarding a case should also be stored in the case file.
- 5.1.3 All notes and supporting documents must have the laboratory case number, and have criminalist/examiner initials. If examination documentation is prepared by someone, other than the person who will interpret the finding, reports, and/or testifies concerning the finding, then both individuals must initial each page of the documentation. Page numbers must be present on all documentation and the total number of pages must be reflected on the first page, with the date being documented throughout. When both sides of the paper are used, each side is considered as a page and will be initialed and numbered accordingly. Handwritten notes and observation must be in ink. Diagrams or tracings may be in colored or standard pencils. Any corrections to notes must be made by an initialed single strikeout. Nothing in the handwritten information should be obliterated or erased.
- 5.1.4 A report's conclusion is based on the results of the analysis. This conclusion should be fair, accurate, and complete. A complete conclusion should express strengths and/or weaknesses of the analysis.
- 5.1.5 Each case that is received will be assigned a unique case designation. This unique identifier may be determined by a computerized information system. The unique case designator can be in either alphanumeric form and/or bar code form.

5.1.6 The unique case designator will be assigned to all evidence associated with the case and to all documentation generated as part of this case including the laboratory case file.

5.2 CASEWORK REVIEW – Casework review has three roles. The first is to ensure the conclusion(s) expressed in the report is justified by the analysis performed. The second is to ensure the reports issued by Forensic Services are editorially correct. The third is to ensure the criminalist/examiner is following established casework documentation guidelines and procedures.

5.2.1 A reviewer must ensure that the details of all tests and observations are described in the notes.

5.2.2 Technical review is the "...review of bench notes, data and other documents which form the basis for a scientific conclusions" (ASCLD/LAB manual, April 2001). Evidence of technical review must be attached to, or present in the case file if performed. The signature or initials of the technical reviewer and the date of review in the case file will document technical review. All forensic biology cases and at least 20% of all other cases (including positive results, negative results, and non-conclusions) must be technically reviewed. "The reviewer must have sufficient knowledge of the discipline to verify compliance with the laboratory's technical procedures and that the conclusions reached are supported by the examination documentation" (ASCLD/LAB manual, April 2001, pg. 43).

5.2.3. Administrative Review: Though different employees may be involved in the final compilation of a case report, the individual who signs it as the author (i.e. affidavit/attestation), is ultimately responsible for contents of the report, and the accuracy of the information presented in the report.

5.2.3.1 Every case report (i.e. analysis report or crime scene report) prepared by staff within ISP Forensic Services, shall be administratively reviewed by the case analyst (the employee authoring the report). A second administrative review may be conducted by another party at the request of the analyst, technical leader, or the laboratory manager.

5.2.3.2 The conclusions must be reviewed to insure they are as intended. The factual information in the report from the computerized evidence tracking system must be reviewed to insure that the report accurately reflects information provided by the agency on the submission form. The report must be reviewed for consistency with laboratory policies/procedures. Finally, the report must be reviewed for consistency with accepted convention for spelling, grammar and word usage.

5.2.3.3 Discrepancies found as part of the administrative review, will be corrected before the report goes out. Only a Forensic Evidence

Specialist or the Management Assistant can correct errors in the information that is entered by a Forensic Evidence Specialist. The Forensic Scientist will correct errors in the analytic portion of the report that they prepared.

5.2.3.4 If corrections are made to the IETS "Evidence Receipt" after it has been issued to the submitting agency, those changes must be documented in the case file.

5.2.3.5 After Forensic Evidence Specialists log evidence into IETS, they will print an Evidence Receipt and Property Report and check the information contained in the evidence receipt against the information contained in the submission form to insure accuracy (spelling of names, accuracy of dates, and information transferred from the submission form to the IETS evidence receipt). The Forensic Evidence Specialist will then place their initials under the last entry on the evidence receipt (END OF EVIDENCE ITEMS) before placing the evidence receipt into the case file. These initials will indicate they have completed a "comparison for accuracy" of the information in the submission form received against the ISP IETS Evidence Receipt and Property Report.

5.2.3.6 The signature/initials documenting administrative review serves as an acknowledgment that this procedure was followed when administratively reviewing a report.

5.2.4 When errors or omissions in casework are noted, the criminalist/examiner has the obligation to ensure that an incorrect report does not leave the laboratory. However, if an incorrect report is released, an amended report will be issued.

5.3 RELEASING CASE RESULTS TO AUTHORIZED INDIVIDUALS ONLY

5.3.1 When giving laboratory results to telephone callers, extreme caution must be exercised. If the caller is authorized to receive the results, then the following procedures must be followed:

5.3.1.1 If the voice of the caller is recognized, then the results may be given out.

5.3.1.2 If a caller's voice is unfamiliar, politely break the conversation and return the call using a phone number known to belong to the agency employing the individual.

5.3.2 Reports regarding evidence submitted by the public defender in a criminal proceeding should be given the same privilege as evidence submitted by a police

agency and a prosecutor. The results should only be released to the public defender on his investigation. The prosecutor can obtain the results only with the permission of the public defender through a valid discovery, or a court order (I.C. 19-861).

- 5.3.3 Upon request, the criminalist/examiner has the obligation to discuss his/her findings, interpret the conclusions, and state the strengths and weaknesses of his/her examination on evidence with the prosecutor and the defense attorney. The criminalist/examiner should not discuss examination with an attorney until such has demonstrated that he/she is entitled to the results or that the attorney has obtained the results through legitimate means and the concerned prosecutor/public defender has been advised, in advance, of the discussion.

5.4 CASE RECORD STORAGE & SECURITY

- 5.4.1 All current case files will be stored in a secure area maintained by Forensic Services. As case files get older and become inactive, they may be transferred to a secondary storage location with limited access. The potential for damage to the files by fire, water, heat, and humidity should be minimized as much as feasible. All homicide files will be stored separately and not transferred to a secondary location for storage

- 5.5 **DESTROYING DOCUMENTS** – Occasionally a document must be destroyed that has confidential or sensitive information present. These documents should be destroyed in such a manner that information cannot be acquired. Documents, records, or files containing sensitive information can be burned or shredded.

CHAPTER 6. CASEWORK ACCEPTANCE

6.1 **AGENCIES SERVED BY FORENSIC SERVICES AND CRITERIA FOR ACCEPTING EVIDENCE** - It is the responsibility of Forensic Services to provide support to law enforcement agencies, prosecutors, and public defenders. In order to provide the most timely service, it is important to limit the services to situations that will resolve criminal cases. Deviation from these criteria must have the Major's/manager's approval.

6.1.1 The only evidence that will be accepted by Forensic Services will be from law enforcement agencies (city, county, state, or federal), prosecuting attorneys, and public defenders. No work will be done for private defense attorneys or the private sector in general.

6.1.2 Evidence will be accepted for analysis only if it will assist in the identification of suspects, resolution of criminal charges against an individual, or establish whether a crime took place. Cases will not be accepted for the purpose of satisfying the curiosity of law enforcement officers or other individuals.

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CHAPTER 7. SUBPOENA AND TESTIMONY PROCEDURE

7.1 SUBPOENAS

7.1.1 Subpoenas will be prioritized in the chronological order that they are received at the laboratory. In cases where multiple subpoenas are accepted for a given day, it will be the duty of the criminalist/examiner to notify the attorneys of the conflict so that they are aware of the situation and can work out the scheduling conflict.

EXCEPTION

7.1.2 The Idaho State Police Forensic Services will accept subpoenas and testify for the prosecution in Driving Under the Influence cases when an Intoxilyzer or Alco-Sensor was used only in the circumstances where:

7.1.2.1 The defense has acquired its own expert.

7.1.2.2 An unusual circumstance has occurred surrounding the administration of a DUI breath test which would show cause for expert testimony on the part of Forensic Services.

7.2 **EVALUATION OF TESTIMONY** - Courtroom testimony provides a means for the criminalist/examiner to communicate results and conclusions stated in a laboratory report. The goal of the criminalist/examiner is to accurately present findings, explain analytical techniques, offer expert opinions, and make clear to the court any questions regarding a laboratory report in a particular case.

7.2.1 Each criminalist/examiner will be evaluated by his/her peer, supervisor, or judicial system representative at least once annually. An evaluation by the supervisor is encouraged biennially.

7.2.2 A reviewer will fill out a form following each evaluation.

7.2.3 Reviewers, who are Forensic Services personnel, should critique the criminalist/examiner as soon as possible after the peer review process.

7.3 WITNESS FEES

7.3.1 When summoned to a State or Federal Court in criminal cases, or job related civil cases, employees will ordinarily report to the court during normal working hours. No witness fee may be claimed. If witness fees are paid by the court, the fees shall be remitted to ISP Financial Services.

CHAPTER 8. QUALITY CONTROL

8.1 **PROFICIENCY TESTING GUIDELINES** - Proficiency testing provides significant information about the quality of analyses performed. Like typical casework, it reveals the strengths and weaknesses of screening techniques and analytical procedures, and demonstrates the training level and competency of individuals. Proficiency testing has tremendous educational value. For further guidance see Quality Control Manual.

8.1.1 ~~Proficiency~~ test files will be kept for the current and previous five years.

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CHAPTER 9. GENERAL LABORATORY OPERATION

- 9.1 **RETENTION AND CIRCULATION OF JOURNALS AND BOOKS** - Each laboratory must maintain an adequate forensic library to include literature published in the areas of expertise and services offered by that laboratory. A system or procedure must exist to encourage a review of new literature by the appropriate personnel.
- 9.1.1 Forensic Services will purchase and retain major journals pertaining to the examinations performed in the laboratory. When new, each journal will be circulated to respective branches of ISPFs. Literature should be circulated. ISPFs will provide Internet services to compliment library materials.
- 9.2 **CRIME SCENE AND CLANDESTINE LABORATORY ASSISTANCE AND CALL-OUT** - The Idaho State Police Forensic Services will provide support at crime/clan-lab scenes subject to the following guidelines.
- 9.2.1 When laboratory personnel are called to assist agencies at crime scenes the following procedure should be followed:
- 9.2.1.1 When assistance is requested, determine the nature of the crime, the agency and officer requesting laboratory assistance, and any other information that may help identify the needs of the personnel at the scene. Notify the major/manager or his designee, relaying the above information. The criminalist/examiner, lab manager, or major/manager will then contact the regional captain of ISP Investigations and communicate pertinent information and request for assistance.
- 9.2.1.2 If ISPFs elects to respond, they will notify additional criminalists/examiners that may be of assistance at the scene; proceed to the laboratory and collect any supplies required.
- 9.2.1.3 Laboratory personnel should identify themselves to law enforcement personnel who are present at a crime scene. Ensure that all requests for extra personnel and equipment follow the chain of command through the primary officer or agency, once ISPFs personnel have arrived on scene.
- 9.2.2 When crime scenes represent a security threat, law enforcement personnel must secure the scene prior to laboratory personnel becoming involved on-site. ISPFs personnel will not remain at a crime scene or clandestine lab if no law enforcement officers are present. When a crime scene's or clandestine lab's security or safety conditions become compromised, the ISPFs personnel may immediately leave the premises. The criminalist/examiner will notify the appropriate authorities as to the reason the departure was necessary.

- 9.2.3 Trained clandestine laboratory personnel will be allowed to enter a suspected clandestine laboratory site. Criminalists/Examiners so trained will have completed the requisite course-work as outlined by ISPFS and the Department. Prior to entry into such, ISPFS personnel must put on clothing and safety equipment commensurate to the circumstances. Prior to entering an potential laboratory, personnel should ensure that fire and safety personnel have been notified or are present.
- 9.2.4 ONLY the minimum quantities of clandestine laboratory products, precursors, or equipment will be collected by ISPFS personnel assisting at these scenes. Samples collected at clandestine laboratories should consist of only a few milliliters of liquids or a very few grams of solids. If larger quantities of products or equipment are to be collected, ISPFS personnel will not take custody of it.
- 9.2.5 AT NO TIME WILL ISPFS PERSONNEL ACCEPT OR ASSUME RESPONSIBILITY FOR ANOTHER AGENCY'S chemicals, equipment, etc. collected at clandestine laboratory scenes. ISPFS will not accept for destruction or storage any chemicals other than those collected by its personnel at such scenes.

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Powell, Ralph

From: Powell, Ralph
Sent: Friday, May 26, 2000 1:36 PM
To: Martin, Bob; Wyckoff, Don; Farnsworth, Rachel; Finis, Carla; York, Ray
Cc: Groff, Rick; Morton, Rhonda
Subject: OVERTIME CAP

The overtime caps are as follows:

- Commissioned officers ~ 40 hrs
- Civilian personnel ~ 50 hrs

For the purpose of this directive, overtime as it relates to "overtime cap" includes EAL, COMP and PREV 6MO. The total of any or all of these categories can not exceed 50 hrs.

This increases our cap by 10 hrs. However, the cap will now be strictly enforced. Any employee who reaches the cap will be placed on comp time so they will not exceed the cap.

A second change is in the authorization of overtime. Lab Managers and Section Supervisors will still be able to authorize overtime, but only up to the cap of **50 hrs**. Any overtime accrued in excess of **50 hrs** will have to be approved in advance by the Major. Overtime over the **50 hrs** cap will be granted only in exceptional situations.

Please post this on the required reading board **and** discuss it personally with each of your employees.

Thank you for your help, you are doing a great job for ISPI. I appreciate it.

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1.1.8 ISP Syringe Procedure

Used syringes with needles or cutoff needles presents a significant health hazard to anyone who handles the syringe. Forensic Services has had a "no syringe policy" for many years. This procedure modifies that policy to allow syringe analysis under special circumstances.

Each Individual in the chain of custody is to some extent at risk when handling syringes with needles. That level of risk increases appreciably if syringes are not properly secured in an approved biohazard safety tube.

ISP Forensic Services Procedure in regards to accepting syringes:

1. All of the following conditions must be adhered to for ISP Forensic Services to accept a syringe:

A. The agency must contact the appropriate Evidence Custodian from Forensic Services **before** the syringe and contents are submitted. That Evidence Custodian will ascertain that all the guidelines below are being followed. The entire case will be returned without analysis, accompanied by a copy of this policy, if the Evidence Custodian is not contacted prior to the submission of the syringe.

B. The prosecutor associated with the case must submit a letter requesting the examination. The letter must state why it is necessary to the case for the contents of the syringe to be analyzed. This letter must arrive at the laboratory attached to the evidence or the evidence will be returned.

C. The syringe must be packaged in an approved biohazard safety tube. (An example of an approved biohazard safety tube would be the "EVA-SAFE" safety tube displayed in the "Lab Safety Supply" catalog, catalog #0A-37946.)

D. Generally, an analysis of a syringe for drugs will only be performed if the case is a homicide or other exceptional/unusual case. Syringes will not be accepted if other drug evidence or any other evidence is available which provides the same proof as the examination of the syringe would provide.

E. Syringes must be packaged separately if the syringe is part of a multi-exhibit case. The entire case will be returned if the syringe is not packaged separately.

As in the past, if the submitting agency chooses to submit an alcohol or water rinse from a syringe, then this sample may be submitted to Forensic Services as a routine drug sample and this policy does not apply.

NOTE *The implementation date for this procedure (1.1.8) will be September 1, 2000. Additional training on handling syringes and compliance with DLE Policy #107 "Bloodborne Pathogens," and 29 CFR 1910.1030 have to be addressed. If the date changes, appropriate ISP Divisions will be notified.*

York, Ray

From: Powell, Ralph
Sent: Monday, January 10, 2000 5:41 PM
To: Martin, Bob; Wyckoff, Don; Farnsworth, Rachel; York, Ray; Finis, Carla
Cc: Groff, Rick
Subject: ANNUAL REMINDER ON DLE POLICE #204 "TIME REPORTING."

I would like you to review the following with each of your employees:

DLE #204 states that employees working an eight hour, five day work week will be provided one hour uncompensated meal period each work day. We encourage our employees to take their lunch break. A reminder that the one hour lunch break is 60 minutes. Lunch breaks longer than 60 minutes need to be approved by you each time and should not be frequently asked for (and when they are asked for, the employee should provide the suggested plan on how to make up the time.) They should come in the middle of the work period, not at the beginning of a work day or at the end of a work day. Again, exceptions are granted on an infrequent case by case basis by you. Be careful not to set any precedents you wont be comfortable with giving to all of your employees.

DLE #204 also states that two fifteen minute rest periods are **allowed subject to division requirements and available personnel**. This means that there is **no right** to these breaks, but we want to afford them to our employees when ever we can. It is hoped that the employees themselves are able to look around and know if they should be taking a break or not. If they need help figuring out when is appropriate and when is not, that becomes your responsibility. Please use enlightened leadership as your guide in all cases. If you would like my input on any case, please call or e-mail. I would be glad to go over the options together, we can both learn from your opportunities. Like the lunch break, 15 min breaks are to be taken in the middle of the work period, not at the beginning so one can come late, and not at the end so one can leave early. Once again, you are the one responsible for managing these breaks.

These two issues become important as co-workers watch each other and decide if there is abuse. Sometimes they conclude that we (the managers) condone it for some and not for others. You know exactly where this ends up, sooo... please make sure your employees are keeping these guidelines and stay within policy.

One other issue, unrelated. If we give a report to an agency (police, prosecutor, defense attorney, etc) please prepare a typed report. Do not ask the requesting party if hand written notes are OK. If it is worth reporting, it is worth reporting professionally. That would be on an appropriate form and typed.

Thanks for you help, you are a great team!