

# TENNESSEE BUREAU OF INVESTIGATION

## Forensic Services Division

### Quality Assurance Manual

#### Process Requirements-Handling of Test and Calibration Items



## 7 Process Requirements

### 7.4 Handling of Test/Calibration Items

**7.4.1** The TBI Laboratory maintains practices for the transportation, receipt, handling, protection, storage, retention, and/or disposal of items of evidence or calibration instruments. These practices pertain to all items of evidence received into the TBI Laboratory and gives guidance for protecting the integrity of all evidence. Following these practices allows laboratory personnel to protect the interests of the TBI Laboratory and the interests of the submitting agency.

#### 7.4.1.1 Requirements for the handling of evidence received into a TBI Laboratory:

- a) All items received as evidence will be properly sealed and handled appropriately to maintain the integrity of the evidence. The laboratory recognizes large bulky items may not be packaged or properly sealed, but will be stored in a secure, limited access area.
- b) The TBI Laboratory will ensure the integrity of evidence and calibration items by protecting them, or portions concerned, from loss, cross-transfer, or deleterious change during storage, handling, and preparation. Special precautions should be taken when handling and testing an item of evidence with a limited sample size. The laboratory may not be able to perform the full complement of testing services. Communication with the submitting agency may be necessary prior to analysis. Refer to unit specific SOP's or the Evidence Receiving unit's SOP's for specific or special evidence handling procedures.
- c) Any evidence not in the process of examination must be packaged to protect it from loss, cross-transfer, or contamination and will be stored under proper seal. Where appropriate, temporary seals may be used. Large bulky items may not be packaged or properly sealed, but will be stored in a secure, limited access area. Unattended evidence, which is in the process of examination, must be secure.
- d) The TBI Laboratory uses an electronic chain-of-custody log to document all internal transfers of evidence. This documentation illustrates the evidence received, examined and reported. The electronic chain-of-custody log identifies each person taking possession of an item of evidence or the location of the item. This log includes, at a minimum:
  - an electronic identification of the person/location receiving evidence;
  - the date and time of receipt or transfer;
  - the unique identifier of the evidence. Items created within the lab for immediate or future testing will also be uniquely identified;
  - all evidence transfers between lab personnel are secured by a personal identification number;
  - when evidence is sub-divided in the TBI Laboratory, sub-items will be tracked in the electronic chain-of-custody log; and

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- items collected or created and preserved for future testing will be tracked in the electronic chain-of-custody log.
- e) It is the responsibility of the examiner to ensure the accuracy of all internal transfers of evidence. During the process of examination, evidence transfers into temporary secure, limited access locations from an examiner need not be noted in the chain-of-custody. For chain-of-custody purposes, the evidence will be considered in an examiner's possession at this time.
- f) Case working units using individual characteristic databases (ICD) shall have a procedure for the operation of the ICD in the unit SOPs. Case working unit SOP's will address whether individual characteristic database samples are treated as evidence, reference materials, or examination records.
- g) ICD samples treated as evidence shall meet applicable evidence handling requirements.
- h) ICD samples under the control of the laboratory but not treated as evidence shall be:
  - uniquely identified;
  - protected from loss, cross-transfer, contamination, and deleterious change;
  - handled to ensure their utility as comparison materials; and
  - restricted to authorized personnel.
- i) Communication must take place with the customer regarding:
  - the disposition of all items of evidence received; and
  - items collected or created and preserved for future testing.

This communication may be the Official TBI Report or other form of communication outlined in the applicable unit SOPs.

Instances may occur when items of evidence are submitted to the laboratory without proper seal (e.g. mailed evidence). A seal will be placed on the evidence as soon as practicable and the incident will be fully documented in the case file.

**7.4.2** The TBI Laboratory will uniquely identify items of evidence with an identification barcode. The identification barcode will remain in place while items of evidence are in the TBI Laboratory. Subdivided and secondary evidence will also be uniquely identified. Evidentiary items will be transferred to and from the TBI Laboratory and within the TBI Laboratory following these chain-of custody procedures. The chain of custody will be maintained for each item of evidence.

**7.4.2.1** Each item of evidence received into the lab will be marked to ensure that it is uniquely identified and traceable to the TBI Laboratory number. If the evidence does not lend itself to marking, its proximal container or identifying tag will be marked.

**7.4.3** Upon receipt of the evidence or calibration items, the condition will be evaluated. Any conditions adverse to quality will be recorded in the case file or instrument calibration file. When the suitability of an item for examination/calibration is questionable, when an item does not conform to the description provided, or the method

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of testing is unclear, the forensic technician or examiner will contact the submitting agency for clarification prior to proceeding with any testing/calibration. There may be times when communicating with the submitting agency prior to the start of casework may be impossible or questions may arise after casework has begun. Documentation of all attempts at communication shall be retained in the case file. The examiner may proceed with examination/calibration after reasonable attempts have been made to resolve the issue. All communication will be documented in the case file or instrument calibration file.

**7.4.4** Appropriate handling instructions provided with an item will be followed, when applicable. When evidentiary items have to be stored or handled under specified environmental conditions, these conditions will be maintained, monitored, and recorded.

**7.4.5** Evidence collected by TBI Laboratory personnel from a crime scene will be protected from loss, cross-transfer, contamination, and/or deleterious change whether in a sealed or unsealed container during transportation to the TBI Laboratory or other appropriate evidence facility. Where relevant, further processing to preserve, evaluate, document, or render evidence safe will be accomplished prior to final packaging. Additionally, crime scene evidence will be properly identified, packaged, and entered into the TBI LIMS as soon as practicable.

**7.4.6** Evidence, such as latent prints and impressions, that can only be recorded or collected by photography or digital capture and the print or impression itself is not recoverable, the photograph, negative, SD card or digital image of the print or impression will be treated as evidence.

**7.4.7** In order to provide the best customer services to the three regions we serve, the following policy will be followed when evidence is submitted to the Knoxville or Jackson Regional Labs and needs processing by a Nashville discipline:

#### **Cases Submitted for Nashville Disciplines**

Law Enforcement Officers (LEO) may submit cases to the TBI Regional Crime Laboratory in their region regardless of the testing services needed. When cases are submitted requiring testing not supported by the regional lab (i.e. Latent Prints, Firearms (KCL), Microanalysis), these cases and the original submission paperwork will be transferred to the NCL for processing. These cases will be given a Nashville Lab number and maintained in the Nashville Lab.

#### **Cases Submitted for Regional and Nashville Disciplines**

Cases submitted to a regional laboratory or collected by a regional Violent Crime Response Team (VCRT) containing evidence requiring analysis by a resident discipline (e.g. Forensic Biology, Forensic Chemistry, Firearms (JCL)) and a Nashville discipline (e.g. Latent Prints, Firearms (KCL), Microanalysis) will be assigned a regional lab number and forwarded to the appropriate resident discipline supervisor or their



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designee. The evidence will be evaluated to determine which items need to be transferred to the Nashville Crime Lab (NCL). Communication will take place between the regional unit supervisor and the appropriate NCL supervisor(s), and a representative from the regional Evidence Receiving Unit, as needed, to determine the best course of action, including a plan to expedite testing if necessary.

As necessary, a technician from the regional Evidence Receiving Unit will create multi-section folders for each appropriate unit with copies of the accompanying submission paperwork and communication log(s). These folders will accompany the agreed upon item(s) of evidence to the NCL and will be distributed to the appropriate unit(s). All original submission paperwork will remain in the originating regional lab. Once processing is completed in the NCL, all evidence and casework documentation will be transferred to the originating regional lab.

In order to minimize delays in the analytical process, all multi-discipline evidence will be monitored by applicable unit supervisors to ensure the evidence is processed and transferred between labs as soon as practicable based on turn-around times. NCL analysts should communicate with Evidence Receiving (ER) techs when evidence is ready for transfer back to the regional lab. All Commissioned TBI Laboratory personnel may transport evidence.

- If necessary, swabs collected by NCL-Forensic Biology (FB) may be transferred separately from the original evidence. When this occurs, the swabs will be packaged in a sealed container and a chain of custody will be initiated.

#### **Procedure for handling multi-section items:**

##### Latent Prints (LP)/Forensic Biology (FB)

Areas of interest not in common may be swabbed by the Regional Lab-FB Scientist prior to transfer to Nashville Crime Lab (e.g. mouth area of bottles and cans, firearm grips/handles, blood stains may be collected if ridge detail isn't present).

If uncertain what may be collected, FB scientist will communicate with NCL-LP prior to collection to ensure destruction of possible prints is averted.

NCL-FB Scientist in the presence of the LP scientist or LP scientists trained to collect biological evidence will collect swabs of the biology evidence. Swabs will be packaged with the evidence. The analyst will document the collection and issue a report. The evidence, report and all documentation will be forwarded to the regional lab.

##### Latent Prints (LP)/Forensic Chemistry (FC)

Seized drugs submitted for both LP and FC analysis should have the original packaging separated from the drug evidence prior to submission by the LEO. If



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safety concerns exist, the resident FC unit will separate the drug evidence from the packaging in a fume hood. Packaging will be forwarded to NCL-LP unit for analysis.

#### Microanalysis (MA)

Items shared between Microanalysis and Forensic Biology should be transferred to the Nashville Lab; however, in some cases, hair, fiber, and glass cases may be worked over catch paper prior to sending to the Nashville lab with permission from Microanalysis. Following processing by Microanalysis scientist, the evidence will be transferred back to the regional lab for Forensic Biology processing/analysis.

All evidence (except vehicles) submitted to a regional lab for GSR tabbing will be transferred to NCL. Following processing by Microanalysis scientist, the evidence will be transferred back to the regional lab for Forensic Biology processing/analysis. Bloody impression evidence will be transferred to NCL. MA will photograph and enhance the evidence. Any enhancement procedures with the potential to interfere with Forensic Biology analysis will require coordination with Forensic Biology.

Evidence will be transferred back to the regional lab for Forensic Biology processing/analysis. If necessary, NCL-FB Scientist will collect biology evidence in the presence of the MA scientist and document the process. Swabs will be packaged with the evidence and returned to the regional lab for analysis. NCL-FB Scientist will issue a report. The report and all documentation will be forwarded to and maintained by the regional lab.

#### Unsafe Firearms (FTIU) Submitted to KCL

Unsafe firearms submitted to KCL will be transferred to NCL and evaluated by FTIU scientist. Once deemed safe for handling, Nashville FB scientist will swab the appropriate areas and transfer the swabs to the KCL for analysis. NCL-FB Scientist will issue a report. The report and all documentation will be forwarded to and maintained by the regional lab.

#### Firearms and Latent Prints

Firearms submitted to the JCL in need of LP processing will be forwarded to the NCL-LP. Once LP processing is completed, the firearm will be transferred back to the JCL-FTIU. Refer to procedure above (LP/FB) if biological evidence is involved.

#### Officer Involved Use of Force

Evidence submitted from an officer involved shooting will be accompanied by an OIS Questionnaire.

Analysis will only be performed upon charging of a crime and/or DA's request related to specific case circumstances.

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- **Weapons taken from the non-law enforcement participant:**
  - Latent Prints:
    - Any weapon that is substantive to the incident from the non-law enforcement participant will receive Latent Print evaluation in Nashville.
  - DNA:
    - Any weapon that is substantive to the incident from the non-law enforcement participant will be swabbed for DNA.
      - DNA swabbing may occur first in the Regional Lab. Consultation with Latent Prints may be necessary on weapons that lack textured surfaces.
    - DNA swabs will be returned to the respective Regional Lab for storage or testing.
  - Firearms:
    - All firearms from the non-law enforcement participant will be function tested and test fired.
      - Nashville and Knoxville cases will be function tested and test fired by the Nashville lab following Latent Print evaluation and DNA swabbing.
      - Jackson cases will be function tested and test fired by the Jackson lab following Latent Print evaluation and DNA swabbing. Jackson cases may be worked by the Nashville lab if required for RUSH analysis.
    - Test fires as well as any retained firearms-related evidence will be stored and maintained by FTIU.
- **Firearms taken from law enforcement participants:**
  - Latent Print:
    - Latent Print evaluation in Nashville will only be performed if the case circumstances indicated the non-law enforcement participant handled or attempted to handle an officer's weapon.
  - DNA:
    - DNA swabs will only be collected if the case circumstances indicated the non-law enforcement participant handled or attempted to handle an officer's weapon.
  - Firearms:
    - All officers' firearms will be function tested and test fired.
      - Nashville and Knoxville cases will be function tested and test fired by the Nashville lab.
      - Jackson cases will be function tested and test fired by the Jackson lab. Jackson cases may be worked by the Nashville lab if required for RUSH analysis.

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- Test fires as well as any retained firearms-related evidence will be stored and maintained by FTIU.

Every effort will be made to return the officers' firearms as quickly as possible; however, lab work will in no way be compromised in the interest of time.