

TENNESSEE BUREAU OF INVESTIGATION

Forensic Services Division

Toxicology Quality Assurance and Procedures Manual

7.0 Evidence Handling



7.0 EVIDENCE HANDLING

The following applies to the receiving, processing, storage, and final disposition of evidence for the Toxicology Unit.

7.1 Evidence Types

The Toxicology Unit analyzes samples submitted by law enforcement or medicolegal officials to aid in determining the absence or presence of alcohol, drugs, and/or other chemicals in samples. Typical samples submitted are biological fluids, such as blood, urine, and vitreous humor, but may also include other liquids, solids, and/or tissues. The majority of submitted samples are associated with motor vehicle offenses, but may also include death investigation cases, drug facilitated sexual assault cases (DFSA), and other crimes that require toxicological examination.

7.2 Evidence Submission

7.2.1 A minimum of 10 mL of blood, serum, or plasma should be submitted for cases requiring comprehensive toxicological analysis. If less than 10 mL of sample is submitted, the Toxicology Unit shall identify and prioritize testing in order to maximize the value of the toxicological analyses, but may not be able to complete all of the requested examinations.

7.2.2 The TBI provides user agencies with kits for sample collection. The standard kit contains the following:

- Two (2) 10 mL gray-top glass tubes for blood collection (containing 20 mg potassium oxalate and 100 mg sodium fluoride)
- Packaging/safety material
- Alcohol/Toxicology Request form
- Cardboard box pre-addressed to the TBI Crime Lab

7.2.3 While most evidence is submitted in the provided TBI Blood Alcohol/Toxicology Evidence Collection Kit, other evidence packaging will also be accepted.

7.2.4 It may be necessary to repackage evidence in a more appropriate container if leaking, damaged, etc. Any repackaging or damage will be documented in the case file.

7.3 Evidence Receipt

Evidence may be received and processed by the Evidence Receiving Unit or received unprocessed into the Toxicology Unit.

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7.3.1 Receipt of Processed Evidence

7.3.1.1 Processed toxicological evidence may be retrieved from the Evidence Receiving Unit or another unit of the laboratory.

7.3.1.2 All evidence transfers must be recorded in the chain of custody.

7.3.1.3 All evidence transferred into or out of each regional laboratory must be safely packaged with a proper seal. Evidence transferred directly from unit to unit within each facility must be safely packaged with a convenience seal. See chapter 3.0 (Terms and Definitions) of the TBI QAM.

7.3.1.4 All evidence and/or packaging must be labeled with a bar coded laboratory case number.

7.3.2 Receipt of Unprocessed Evidence

Unprocessed toxicological evidence may be received into the unit directly from submitting agencies via hand delivery (i.e., directly from submitting individuals or via the drop box), the Evidence Receiving Unit, or mail (e.g. United States Postal Service, UPS, FedEx, etc.). This evidence shall be processed using the following procedures:

7.3.2.1 Inspecting for proper seal and handling one piece of evidence at a time, the evidence packaging will be opened to retrieve the evidence and request for examination form. The evidence packaging may then be discarded.

7.3.2.2 The request for examination form will be reviewed, ensuring that the information on the form matches any information on the submitted evidence. Minor discrepancies may be resolved by contacting the submitting agency, verifying driver's license information, etc. In the event that a discrepancy brings into question the identity of the subject/victim or the integrity of the evidence, then the submitting agency shall be contacted for resolution. Any discrepancy and/or resolution will be documented in the case file.

7.3.2.3 The name of the subject/victim will serve as the unique evidence identifier until the laboratory case number is generated and written or affixed. If the submitted evidence is not labeled with a subject and/or victim name, then the name will be added on a label as a unique identifier. Any label addition will be documented in the case file.

7.3.2.4 The evidence receipt will be documented in the case file including: the initials of laboratory employee receiving the evidence, packaging and seal (see the Evidence Description Appendix), method of receipt, date and time of receipt, and/or submitting individual and/or agency.

7.3.2.5 A description of the physical evidence will be documented in the case file. See the Evidence Description Appendix.



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7.3.2.6 If the specimens differ in collection times and the difference may affect the results, the times shall be included as part of the evidence description in the case file and should be itemized as separate exhibits. In general, the earliest collection time should be analyzed whenever possible.

7.3.2.7 Using the request form as a reference, the case information and chain of custody will be entered into LIMS and a unique laboratory/exhibit number will be created. Bar coded case folder labels and evidence labels will be printed and affixed on/in the master case folder and each piece of evidence and/or outer packaging, respectively.

7.4 Evidence Storage

7.4.1 All evidence transfers between individuals must be accompanied with proper chain of custody recorded in the case file.

7.4.2 Evidence stored in a locked personal storage location may be un-sealed and does not require entry into chain of custody.

7.4.3 Evidence stored in a shared location must be properly sealed and requires entry into chain of custody.

7.4.4 All biological and/or perishable specimens should be stored refrigerated at 2°C to 8°C. Tissue should be stored frozen at -23°C to -13°C (see section 6.11 (Refrigerators and Freezers) for additional information).

7.4.5 The evidence will be stored in a long term storage location (i.e., toxicology evidence refrigerators or the Evidence Receiving Unit's vault) until processed/analyzed.

7.4.6 Any nonbiological evidence will be limited to 60 days in a personal storage location. After that time, it must be returned to the laboratory's Evidence Receiving Unit. Biological samples may be stored for longer than 60 days pending analysis.

7.5 Control of Evidence During Examination

7.5.1 Evidence may be stored in a secured, limited-access storage area or locked personal storage location during the process of examination.

7.5.2 Upon receipt of the evidence, the forensic scientist/technician will verify the documented evidence. The description shall be initialed in the case by all scientist issuing reports.

7.6 Evidence Disposition

7.6.1 Nonbiological evidence will be returned to the Evidence Receiving Unit following testing.

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7.6.2 Biological evidence routinely will be destroyed after testing. This evidence will be held for a minimum of 60 days from the date of the final report. Actual destruction dates may be longer than 60 days, depending upon the storage capacity of the laboratory. The date of transfer into the biohazard waste receptacle will be considered the destruction date and will be recorded in the chain of custody.

7.6.3 Biological evidence may be held/released at customer request (i.e., submitting agency or district attorney) or analyst discretion or held/released at third party request by a court order (see TBI Policy 10-2-010). Either circumstance will be documented in the case file and recorded in the chain of custody.