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# ARKANSAS STATE CRIME LABORATORY

## CASE MANAGEMENT GUIDELINES

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The goal of the Arkansas State Crime Laboratory is to provide forensic services to all law enforcement agencies in all of Arkansas' seventy-five counties. In order to provide quality, timely services for the criminal justice system, the following case management guidelines have been established.

All cases may be prioritized based upon a system that allows for a timely response. Cases should be analyzed in chronological order unless priority has been made for the following reasons:

- All no suspect homicide and sexual assault cases
- An approved request from an Investigating Officer
- A request from a Court Official (including court dates and court orders)

The Director, Assistant Director, and the appropriate Section Chief have the authority to prioritize a case. The laboratory shall be notified as soon as possible of a priority request.

Investigators should prioritize evidence items on the ASCL Submission Sheet (except Drug and Toxicology submissions), listing the first five pieces of evidence in order of priority. The most probative item(s) in the case will be examined first. The extent of analysis will depend on investigative needs, as determined by the analyst and the submitting agency.

Once identification has been made between an item of evidence and a developed suspect(s), the analysis of evidence may be discontinued pending discussions with the prosecuting attorney having jurisdiction over the case.

The Arkansas State Crime Laboratory does not accept any evidence that is suspected to be composed of (or to contain) any nuclear, biological, or chemical weapon. Examples include, but are not limited to: ricin, anthrax, Sarin, or any radioactive material. A local hazardous materials first responder (e.g., local fire department) should be dispatched by the agency to determine the threat level before any further handling of the items takes place.

### DRUG ANALYSIS

The Drug Section will efficiently process each case by analyzing a sufficient number of items to substantiate the highest possible charge(s).

#### PLANT MATERIAL

- Core samples may be taken in large bulk cases, but please contact the prosecutor and the drug section supervisor to discuss the implication of this decision.
- Plants should be submitted without soil and in paper bags or cardboard boxes. If possible, strip leaves from large stalks before submitting the evidence.
- Suspected marijuana seeds should not be submitted unless they are the only evidence in the case. Seeds are not tested for viability.

#### TAMPERING ANALYSIS

- Submitted items will be analyzed for drugs only.

- Tampering analysis should not be requested for common drug items related to food (e.g., pot brownies, “budder”, codeine cough syrup in Sprite). These items should instead be submitted for common drug analysis.
- Food items must be made known to Evidence Receiving in order to prevent spoiling or mold.

#### PARAPHERNALIA

Paraphernalia will not be analyzed unless:

- It is the only evidence in a case, or
- The item of paraphernalia substantiates the highest charge, or
- It is probable cause

#### TABLETS/CAPSULES

- Pharmaceutical tablets/capsules that are not analyzed will not be identified (using a pharmaceutical reference) and will be reported as ‘not tested’.
- When analyzing illicitly-manufactured tablets/capsules, a sufficient number of tablets/capsules will be tested to reach the highest charge.

#### MANUFACTURING (METH LABS AND OTHER CONTROLLED DRUG SYNTHESIS)

- All liquids must be placed in a glass vial with a Teflon seal, contained in a high density polyethylene (HDPE) bottle.
- Do not submit the contents of an HCl generator or any known concentrated acid in liquid form.

#### THC SEMI-QUANTITATION

Semi-quantitative testing will be performed to provide general guidance on whether a sample has a response of less than or greater than 1%  $\Delta^9$ -THC. This testing will typically be performed on cases:

- Containing 14 grams or more of plant material that substantiates the highest charge
- Containing 0.5 grams or more of a plant material that is probable cause or is the potential third scheduled drug in a case

#### THC QUANTITATIVE ANALYSIS

Quantitative analysis is not routinely performed but will be considered if requested by the prosecuting attorney.

#### MISCELLANEOUS

- When three or more different scheduled drugs are present in the same case, the drug whose schedule and amount achieves the highest charge will be tested to the maximum threshold. Two of the remaining types of scheduled drugs will be tested minimally, to show presence only.
- DO NOT SUBMIT FIELD TEST KITS.
- Do not submit, unless necessary:
  - Currency. (Money will not be stored by the Arkansas State Crime Laboratory. If a money shake is necessary, it will be done in the presence of the officer and the money will be immediately returned.)
  - Syringes, razor blades or any object that could potentially break the skin of an analyst.
  - Factory cigarettes with no apparent tampering.
  - Non-controlled tablets with clear markings (e.g., Tylenol).

#### FOUND PROPERTY

- The Drug Section will not routinely analyze found evidence without a known suspect.

## LATENT PRINTS

### DRUG POSSESSION AND DELIVERY CASES

The Latent Print section will not routinely process drug possession or delivery of controlled substance case items. However, latent print lifts and/or latent print images collected by the agency will be accepted.

### BREAKING AND ENTERING/BURGLARY

The Arkansas State Crime Laboratory limits the number of submitted items/lifts to ten per case. An additional ten items/lifts may be submitted if, after testing, it is determined that more items need to be examined

### BREAKING AND ENTERING OF VEHICLES

Lifts made from the exterior surfaces of a vehicle will not be routinely examined for latent prints. Only those lifts obtained from the interior of the vehicle at the time of occurrence will be analyzed. In order to analyze interior lifts, known fingerprints must be submitted from individuals having access to the vehicle.

### FIRED CARTRIDGE CASINGS

Fired cartridge casings will not routinely be processed.

### FOOTWEAR/TIRE ANALYSIS

The Arkansas State Crime Laboratory does not conduct footwear or tire analysis.

### FOUND PROPERTY

Found property will not routinely be processed.

## PHYSICAL EVIDENCE—TRACE

### GUNSHOT RESIDUE EVIDENCE

- When a gunshot residue hand kit and clothing are submitted from the same subject, the gunshot residue kit shall be examined first. If the kit reveals particles characteristic of gunshot residue, then the clothing will not be examined.
- Clothing and Gunshot Residue Collection Kits collected from the recipient of a gunshot wound will not be examined for gunshot residue.
- Kits collected from a suspect who admits to firing a weapon, or who is in possession of a firearm, will not be tested.
- Kits collected six (or more) hours after a shooting incident will not be tested.
- Swabs are not suitable for gunshot residue testing. Adhesive stubs must be used.

### ACCELERANT EVIDENCE

- Items must be packaged in an airtight container (paint can or canning jar) at the time of collection in order to be tested for accelerants.
- When liquid is removed from a container and both the liquid and container are submitted for analysis, only one of the items will be examined if the presence of an accelerant is detected in the first item.

### MISCELLANEOUS

Explosives should not be submitted. Contact the ATF for testing of explosives and improvised explosive devices.

## PHYSICAL EVIDENCE—SEROLOGY

### HOMICIDE CASES

Analysis will be performed on items that are prioritized on the submission sheet and items that are deemed most likely to have probative value, based upon discussion between the analyst and the

submitting officer. If positive findings for blood and/or semen are obtained from the top five most probative samples, then analysis may be discontinued and samples will be submitted for DNA analysis. If informative results are not obtained, the next five most probative samples will be examined.

#### SEXUAL ASSAULT CASES

Sexual assault cases will be analyzed in the following order:

- 1 Sexual assault kit
- 2 Underwear
- 3 Clothing
- 4 Bedding

If the sexual assault evidence collection kit is positive, then no additional testing will be conducted unless specific case circumstances dictate additional testing.

#### CRIMES AGAINST PERSONS

No more than two items identified by the analyst and/or submitting agency as the most probative item(s) in the case will be tested. If the items tested have positive findings (e.g., blood), a report will be generated, samples will be submitted to DNA and all testing will be concluded.

### FORENSIC DNA

If a probative DNA profile is obtained that identifies a developed suspect, all testing may be discontinued unless case circumstances warrant additional testing.

#### PROPERTY CRIMES

No more than two items identified by the analyst and/or submitting agency as the most probative item(s) in the case will be tested.

#### Y-STR TESTING

Y-STR testing will be used for violent crime cases involving homicides and sexual assaults. Y-STR testing may not be performed on cases in which:

- Male DNA profile(s) were obtained with autosomal testing
- Number of suspected male perpetrators exceed two
- Crime involves paternally-related male individuals

The Arkansas State Crime Laboratory will not conduct “touch” or “contact” DNA analysis (e.g., DNA from fingerprints, pieces of paper, drug paraphernalia, or commonly-handled objects) on property crimes except in special circumstances, and only when victim elimination samples are submitted. The following table lists “touch” items known to be successful in providing DNA profiles:

Successful Items	Unsuccessful Items
Cigarette Butts	Hammers
Drink Cans	Screw Drivers
Straws	Fecal Matter/Urine
Bottles	Swabs from Counter Tops
Gloves	Swabs from Door Knobs
Clothing Items - Hats/Bandanas	Swabs from Steering Wheels/Gear Shifts

No analysis will be performed on items that have been retrieved from a person or a person's property when the intent is to link that person to the item (e.g., a firearm recovered from suspect's person or plastic bags believed to contain drug items).

The ASCL will not routinely examine shell casings, spent bullets, or live ammunition for the presence of DNA unless it is the only evidence obtained in a homicide case.

In order to comply with the Federal Guidelines, the ASCL must ensure that any DNA profile obtained in property crimes (e.g., "touch" or "contact" DNA cases) is not that of the victim. The ASCL is prohibited from entering or searching the "victim's" DNA profile in the state or national database.

## **FIREARMS/TOOLMARKS**

### **FIREARMS COMPARISON CASES**

- Bullets will not be compared to cartridge cases.
- Manufacturing mark comparison (e.g., bunter marks) to determine if ammunition components come from the same lot will not be routinely conducted.
- Cartridge cases recovered from the cylinder or chamber of a firearm will not be routinely examined.
- Cases in which the submitted evidence consists primarily of cartridge cases without an appropriate firearm for comparison will be examined for entry into the National Integrated Ballistics Information Network (NIBIN) only. Comparison examination will be conducted for the purposes of confirming a NIBIN Lead, testimony in court, or if a firearm is recovered at a later date.

### **TOOL MARK CASES**

Because of the considerable length of time required to analyze tool mark cases, only cases where the tool can be connected to a suspect (e.g., recovered from a suspect, or associated through other forensic testing, such as latent prints or DNA) will be processed.

### **DISTANCE DETERMINATION**

- Distance determination testing will only be conducted if the firearm is submitted. Submitting the appropriate ammunition is preferred.
- Distance determination testing will not routinely be conducted if there is a video of the shooting incident.
- Distance determination testing will typically only be performed on clothing, with the exception of shot patterns.

### **OPERATION SHUTDOWN**

All crime guns will be accepted (Ark. Code Ann. § 12-12-324). Only firearms being entered into NIBIN will be test fired. The test fires will be retained in the Test Fire Reference Library. The firearm will be returned to the submitting agency after testing. Swabs will not be collected for 'Touch DNA'.

### **NIBIN DATABASE ENTRY GUIDELINES**

- The following will be routinely entered into the NIBIN database:
  - Cartridge cases from all semiautomatic pistols
  - Cartridge cases from the following rifles:
    - .223 Rem
    - 5.56mm
    - 7.62×39mm
    - .300 Blackout
    - Rifles that use semiautomatic pistol caliber ammunition (e.g. .22 Long Rifle, 9mm Luger)

- Shotshells from 12 gauge shotguns
- The following is a partial list of items that will not be routinely entered into the NIBIN database nor test fired:
  - Cartridge cases from all other caliber rifles and gauges of shotguns
  - Cartridge cases from revolvers, single shot or bolt action rifles, and derringers
  - Cartridge cases from firearms used to commit suicide
  - Cartridge cases from a Law Enforcement Officer's firearm

Note: NIBIN instrumentation at the ASCL currently does not support bullet entry.

## TOXICOLOGY

The Forensic Toxicology Section accepts samples for three types of cases:

- Death cases, where toxicology results may affect the cause or manner of death, or where drug involvement needs to be excluded.
- Impairment cases, where toxicology results may help explain observed impairment, or where drug involvement needs to be excluded.
- Drug- and alcohol-related crimes, such as drug-facilitated sexual assault and "minor in possession" cases.

Certain types of cases are not accepted for toxicology analysis and will not be tested:

- Administrative testing cases (e.g., probation revocation testing, court-ordered testing, etc.) are not accepted for testing.
- Testing (or further testing) for civil matters will not be performed.
- Submissions from multiple agencies for one subject and incident will be addressed on a case-by-case basis. When more than one agency submits evidence related to the same subject and incident, the laboratory will cancel all but one agency's toxicology request.
- Drug testing in cases where the alcohol concentration has reached the per se limit will not undergo further testing to determine impairment by drugs (except in MVA death cases).

Certain types of toxicology testing are not generally performed:

- Quantitation of drug amounts in urine
  - There is no reliable correlation to blood drug concentrations.
- Quantitation of drug amounts to determine impairment
  - A reliable determination of impairment is difficult or impossible to generate from a drug concentration alone. This applies to DWI/DUI cases and fatality accident cases. Only drug overdose death cases or Medical Examiner cases will undergo quantitation of drugs.
- Testing of urine for alcohol
  - Will only be conducted if the specimen has been collected according to the guidelines promulgated by the Arkansas Department of Health, which should be noted on the submission sheet.
- Testing in cases where charges will not or cannot be filed, including but not limited to:
  - Testing passengers in a motor vehicle
  - Drug testing to associate a subject with a clandestine laboratory or the possession of a drug
  - "Information" cases, such as testing to see if someone is a drug user, without the commission of a crime
  - Civil matters, such as custody hearings

The following minimum amounts, specimen types, and container types are required to perform complete analysis:

- Impairment cases and drug- and alcohol-related crimes:
  - 20 mL whole blood in grey top tubes, or
  - 20 mL urine in an appropriate container
- Death cases involving a potential drug overdose:
  - 50–100 mL whole blood in grey top tubes.