

CHAIN OF CUSTODY

Each case follows a standard procedure for acceptance through return to the submitting agency. Evidence is handled in the following manner to ensure proper chain of custody and confidentiality. Proper documentation is completed to inform the court of the physical location and personnel in custody of forensic samples prior, during, and post forensic analysis.

Each transfer of samples requires an original signature (or initials), date, and time of sample handling on the appropriate *Chain of Custody* form.

Evidence Reception

Mail will be retrieved by trained personnel. The submission will be placed in secure storage. If the evidence is not properly sealed, the condition of the seal will be documented and repair the seal according to Laboratory requirements.

When evidence is delivered via personal delivery, the submitting party must sign the appropriate *Chain of Custody* form. The submitter will also be given a copy of the chain of custody form.

Upon receipt, evidence is examined to verify compliance with the guidelines listed:

- Required information on forms is legible and complete
- There is no evidence of tampering with sealed packages
- Samples have been collected and labeled correctly
- The integrity of samples has not been compromised

The evidence is given a unique case number. A case folder with original forms is initiated. It includes the chain of custody information, documentation of agency communication, and the *Request for Analysis* form when applicable.

The outer packaging of the evidence is labeled with the unique case number, date/time stamped, and initials of the MUFSC technical staff that accepted it.

The MUFSC technical staff places the evidence in the Evidence Locker Room (ELR).

Case Assignment and Documentation

The assigned analyst maintains all documentation pertaining to the case.

The outer packaging is photographed and/or described in the case notes. Once opened, the analyst writes his/her initials and case number on each item of evidence.

Each sample analyzed is sketched or photographed, measured, and described in the case notes. Stains on the sample are described and measured in detail. The amount of stain removed for analysis and the amount of stain remaining on the sample is documented in the case notes. When photographs are taken, a ruler is placed within the field of view for proper scaling/comparison and the case number must be readable.

Evidence Preservation

Sample integrity and preservation are maintained while forensic samples are temporarily stored under secure conditions at the MUFSC laboratory. The following policy is followed to insure proper storage and return of forensic case samples/evidence.

1. Dried reference standards and question samples are stored in a dry condition at room temperature while maintained at the MUFSC laboratory. Return of these items is documented on the *Chain of*

Custody form. Proper packaging is used that complies with Federal Safety Regulations and prohibits cross contamination of liquid samples. Labels are provided that inform the agency of contents. Cuttings, microscope slides, extracted DNA and PCR product from stains are discarded, unless the submitting agency requests otherwise.

2. If necessary, a portion of the liquid blood sample from a forensic reference standard is pipetted to a FTA card. The card is labeled with the case number, sample number, name of individual if known, Analyst initials and date. The blood stained FTA card is air dried prior to DNA analysis. The dry FTA card is placed in a sealed container and becomes part of the forensic evidence. The MUFSC Analyst documents the production of the FTA card sample in the case notes and the return on the *Chain of Custody* form.
3. In instances where frozen or refrigerated conditions are required during secure storage, the MUFSC laboratory provides appropriate storage at specified temperatures. The special requirements are documented in the case notes and on the *Chain of Custody* form.

Sample Control – Sampling / Sample Selection

Sampling is a defined procedure whereby a part of a substance, material or product is taken to provide for testing of a representative sample of a whole. Only the original item received is considered evidence. Cuttings, extracts, amplified products, etc. are considered work product.

Selection is the practice of choosing a sample (or samples) of the whole. Testing is carried out on the selected sample(s) and the reported results are based only on the portion(s) tested. It should be clear that the reported results are not made on the whole.

The process of selecting items to test from submitted evidence is unique to each case and, where appropriate, should be documented.

Probative samples are processed for DNA analysis. Basis of sample selection includes consultation of case narrative/synopsis, time, resources, experience, training and competence. Cases involving multiples samples representing the same item or involving more than one suspect may necessitate consultation with the submitting agency.

A fixed amount of sample/stain is used for blood standards (more may be used if a deteriorated blood standard is involved). Amount of questioned sample will vary from case to case and is decided upon at examiner's discretion, or in part from technical manager. If there is a possibility that a sample may be consumed, a notice of consumption will be filed through the prosecutor's office where appropriate.

For example: A bed sheet with seven reddish/brown stains is submitted to the lab. After evaluating the item of evidence and the facts of the case the examiner [based upon his/her training, experience, competence, case synopsis, discussions with the investigator, etc.] takes a cutting from four of the stains. Based on testing this "selection," the examiner reports the presence of human blood "based on the samples tested." There are no (and should not be) conclusions reported about anything other than the samples tested.

Evidence Samples:

Only the original item received is considered evidence. The evidence package will be marked with a unique identifier (case ID). Cuttings, extracts, amplified products, etc. are considered work product.

The amount of each item that may be consumed by the MUFSC is a variable that will be dictated by the submitting agency. The sample will not be completely consumed unless permission has been granted in writing from the submitting agency.

Upon completion of analysis, all forensic and criminal paternity samples/evidence are returned with the appropriate report(s). Civil paternity samples are maintained for a minimum of six months after the release of the parentage testing report. Database samples are maintained by the MUFSC as a secondary storage site.

Label all work products with complete identifying information.

- Tubes must be labeled with unique sample ID and initials.
- 96-well trays must be labeled with case ID (main reference if more than one case included on the tray), extract number or amplification number and initials.
- Strip tubes orientation (such as "C3" for row C column 3) must be clearly marked. The case ID (main reference), extract number or amplification number and initials must be on one tube in the strip.

Evidence Return

After the evidence is packaged, the container will be sealed with tape and initialed.

All the documents to be sent with the evidence can either be enclosed in an envelope (reports, etc.) and the envelope will be attached to the front of the package or placed inside the package. The method of shipment as well as tracking number, if applicable, will be noted on the appropriate *Chain of Custody* form. The mailing slip will be copied and placed in the case file. The evidence shipment will be tracked on-line. A print out of shipment tracking will be placed in the case file upon return of evidence.

When evidence is returned via personal delivery, the receiving party must sign the appropriate *Chain of Custody* form. The receiver will also be given a copy of the chain of custody form. A copy of the appropriate report(s) should accompany the evidence when it is returned.

Data Release Instructions

All information related to the samples analyzed is considered private and is released only to the submitter. Exceptions to this are when written permission for release has been received from the submitter or by court order.

To ensure data confidentiality when e-mailing MUFSC generated data attach the following confidentiality statement:

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

To ensure data confidentiality when mailing MUFSC generated data mail directly to submitting officer, client, and/or testing participants. The outer envelope or package should be marked as CONFIDENTIAL.