# EP1 EVIDENCE ENTRY AND RECEIVING

**A. Purpose –** In order to ensure the integrity of the evidence submitted for examination, the CBI-FS has established and defined the processes associated with the receipt of evidence.

**B. Scope –** This policy/procedure applies to all CBI-FS personnel who receive evidence for the CBI-FS.

**C. Quality Requirements**

1. Care must be taken to enter the information into the CBI-FS LIMS from the Request for Laboratory Examination (RFLE) exactly as it was submitted.
2. The LIMS entry and evidence transfer must be completed at the time of submission to correctly reflect the chain of custody. See Additional Factors for exemptions.

**D. Procedure**

1. General
    a. Evidence may be received via a hand to hand transfer or by a common courier from any local, state or federal law enforcement or criminal justice agency that requires forensic analysis for criminal investigations.
    b. Extenuating circumstances may exist that require a CBI-FS employee to transport evidence from a criminal justice agency or crime scene to a laboratory and will require approval of CBI-FS Management.
    c. Shipping containers received via a common courier will be opened, inventoried, evidence secured and if possible, received on the same day it is delivered.
        i. The temporary evidence lockers may be utilized if an Evidence Technician is not present or if there is a discrepancy with the evidence or submission documentation.
        ii. Any employee of the CBI, intern or volunteer may receive or sign for evidence from a common courier pending its identification as evidence and subsequent receipt in the evidence section.
    d. Temporary Evidence Lockers
        i. The lockers should have a visible indicator to alert the staff when they are in use.
        ii. Evidence will be received from the temporary evidence lockers as soon as practical but no longer than 10 business days after arrival.

iii. If it is not possible to receive the case(s) within 10 business days, a Deviation Workflow must be completed in Qualtrax with the specific amount of additional time requested.

iv. If the Deviation expires and the evidence must remain in the locker, another Deviation Workflow will be completed.

e. The Evidence Technician will verify that the agency's item number(s) and case number(s) on the physical evidence match the RFLE.

f. All evidence will be received pending inventory.

i. A Forensic Scientist will conduct an inventory of the items submitted when the examination or analysis begins.

ii. If the evidence isn't examined by a Forensic Scientist, the initial inventory conducted by the Evidence Technician using the packaging and submission documentation will suffice if the initial seal is still intact.

g. The CBI-FS will not receive evidence from other agencies for storage purposes unless approved by a member of CBI-FS Management.

h. All evidence shall be received sealed or immediately sealed upon receipt.

i. If the CBI-FS can provide the services requested, the evidence is safe and meets the submission guidelines, the Evidence Technician may accept the evidence and proceed with the required entry into LIMS.

j. The CBI-FS personnel receiving the evidence must adhere to QP6, Review of Requests, Tenders and Contracts.

k. CBI-FS personnel are not required to sign external chain of custody forms for other agencies.

2. Request for Laboratory Examination (RFLE)

a. An RFLE must accompany all evidence submissions. This form is available online or in person at the evidence counters of each CBI-FS Laboratory.

b. Any changes or corrections to the hardcopy RFLE by CBI-FS personnel must conform to the single line strike out with that person's initials.

c. If necessary, a continuation sheet may be used.

d. If the submitting agency has presented the RFLE in person and the document is incomplete, the submitting agency or a CBI-FS Evidence Technician may fill in or correct the required information.

e. If the submitting agency has sent the evidence via mail or courier and the RFLE is incomplete, CBI-FS personnel must contact the agency to clarify any concerns prior to proceeding. Until clarification occurs, this evidence will be held in a submission locker. If the issue cannot be resolved, see Evidence Rejection in Section 4 of EP1.

 i. If the items are too large to store in the submission locker or need to be refrigerated or frozen, another appropriate storage location in a restricted access area may be used. This location will be documented in either the LIMS or in the QIR if the evidence is rejected.

f. Information from the RFLE will be used to populate the LIMS entry.

 i. Additional or resubmitted evidence in a legacy case should be entered as completely as possible.

 ii. The legacy case file may be requested to verify information and make corrections if needed.

3. Additional Documentation

 a. Cover letters

 i. Required for all cases except prelog cases where statement of facts box is used.

 ii. Provides a brief synopsis of the crime, including any information that will assist in determining which forensic analysis will produce the best results.

 iii. The type of analysis requested must be listed.

 iv. Any extenuating circumstances affecting the case should be noted.

 v. All aliases and alternate names should be stated in the cover letter.

 b. If available, an incident report from the agency may be submitted and will be scanned into the LIMS.

 c. Submissions without such documentation may be accepted at the discretion of CBI-FS Management pending receipt of a cover letter or suitable communication at a later time.

 d. If evidence is submitted for donation, a donation form will replace the cover letter.

4. Evidence Rejection

   a. Evidence received in person or by common courier may be rejected for reasons including but not limited to:

      i. The CBI-FS does not provide the services requested

      ii. Items of evidence are unsafe

      iii. It is believed contamination may have occurred

      iv. Accompanying documentation does not match the submitted evidence

      v. Evidence does not comply with the CBI-FS submission guidelines

   b. Evidence rejected at the time of submission with the agency present shall require no further documentation.

   c. For evidence received in the mail or via a common courier, the necessary information will be entered as a QIR in Qualtrax following QP11 and the evidence will be returned to the agency.

      i. QIR Requirements

         (1) If available, scan the RFLE, cover letter, courier tracking information to/from CBI and the rejection memo

         (2) Include a comment with the submission locker location in the Description box

         (3) Assign to a supervisor

      ii. Rejection Communication with the Agency

         (1) A letter from a CBI-FS employee stating why the evidence has been rejected and what needs to be corrected prior to submission may accompany the evidence when it is returned to the agency.

         (2) Any additional information that may assist the submitting agency will be included with the returned evidence, such as discipline-specific submission requirements and guidelines.

         (3) If possible, contact should be made with the agency to notify them of the evidence return.

5. Cases Designated as a Rush

   a. A case may be designated as a rush for the following reasons:

      i. Public safety concerns

      ii. Court date

      iii. Any additional reason deemed appropriate by CBI-FS Management

   b. All cases designated as a rush must be approved prior to analysis by a member of CBI-FS Management and documented in the Communication log or the Case Comments section of the Case Record.

   c. It is the responsibility of the Evidence Technician to enter the court date in LIMS if it is communicated at the time of submission.

      i. Only the jury trial date will be entered, not preliminary hearings or other court dates

6. General Packaging

   a. All evidence must be packaged to avoid loss, cross-transfer, contamination and deleterious change.

   b. The CBI-FS may provide evidence boxes/bags and tape to the submitting agency if the evidence has not been packaged properly.

   c. If items are too bulky or large, areas of interest may be preserved by protective covers.

   d. All items submitted to the CBI-FS must have, at a minimum, the agency case number(s) affixed to or written on the outside of the packaging by the agency.

      i. If items submitted through a common courier do not meet the minimum requirements, the CBI-FS Evidence Technician will contact the agency and document the communication in the Communication Log.

      ii. If clarification can occur over the phone, the items may still be submitted to the CBI-FS.

      iii. If clarification cannot occur over the phone, see EP2, Evidence Security, Storage and Maintenance and Section 4 of EP1.

   e. Agency item number(s) will also be affixed to or written on the outside of the packaging for all evidence except toxicology kits.

f. If possible, each item received from the agency should be packaged separately to ensure the integrity of the item.

g. If items are not packaged separately, it should be clear to the CBI-FS personnel what items are included in the package by correctly documenting it on the RFLE. This will ensure the chain of custody is accurate.

7. Agency Seals

a. Every package submitted to the CBI-FS must have a seal that is intact with, at a minimum, initials.

b. If the submitting agency has failed to affix a seal to the evidence or the seal is not intact, CBI-FS personnel must do one of the following:

i. If the agency is available to seal and/or initial

(1) Request the submitter seal, initial and date the evidence.

(2) "For CBI" may be noted on the packaging/seal with initials and the date.

ii. If the agency is not available to seal and/or initial

(1) The CBI-FS will place an insurance seal on the evidence using yellow CBI evidence tape or a new heat seal.

(2) The original seal must remain visible.

(3) The Evidence Technician will initial, date and indicate it is an insurance seal on the new seal.

iii. The CBI-FS may seal the evidence in a new container complete with an appropriate seal, including initials, date and "insurance" or "INS" on the new seal.

8. CBI-FS Seals

a. An intact seal may include evidence tape or a heat seal and will include initials and the date. The initials should be placed across the seal so that a portion extends beyond the edges of the seal onto the packaging.

b. Evidence tape is specifically color coordinated to reflect different functions:

i. Red – used at the point of submission by the agency or in the field by lab and investigative personnel

ii. Blue - used by the forensic scientist or a technician to secure evidence after analysis or inventory

iii. Yellow – used by evidence personnel to secure or provide an insurance seal

9. General Safety

a. Evidence must be packaged in such a manner that ensures the safety of all CBI-FS personnel at all times.

b. All firearms must be unloaded and made safe prior to submission at the CBI-FS.

i. Any exceptions require the approval of CBI-FS Management.

ii. All firearms submitted to the CBI-FS will be checked by either an Evidence Technician or a qualified CBI employee at the time of submission to determine if the firearm is safe.

(1) If the firearm is deemed safe, the word "safe" and the initials of the person deeming it safe, will be written on the outside of the box.

(2) Any firearm not determined to be safe by an Evidence Technician will be made safe by the submitting agency, an authorized CBI-FS employee or not accepted for submission.

(3) If a firearm is received via common courier and cannot be made safe it will be stored in a submission locker until the agency can pick up the firearm.

c. The individual submitting the evidence should initial on the RFLE that items are safe if necessary.

d. If sharp objects have been received via mail or common courier, and it has been determined at the time of submission that the submitted packages or materials are unsafe, CBI-FS personnel will make the evidence safe. The submitting agency will be notified and the communication will be documented in LIMS.

e. All evidence accepted by the CBI-FS must conform to the Hazardous Materials policy in the Safety Operations Manual.

10. Creating a New Submission

a. A New Submission can be created in the Evidence Module under the New Submissions node.

i. The Details tab will be used to reflect:

(1) Lab the evidence was submitted to

(2) Delivery method

(a) If the evidence is submitted via a common courier or USPS, the delivery method must be changed to reflect the courier used

(b) Hand to hand – used for evidence submitted at the evidence counter in person

(c) Locker – select this if evidence was removed from a storage locker for submission

(3) Return Method is left as the default

(4) Delivery number

(a) The tracking number (if available) is entered here for cases that are submitted via a common courier

(5) Primary Agency (submitting and investigating)

(a) Additional agencies may be added by using the +

(b) After entering the agency information, a Primary Agency can be chosen by selecting the + next to the Primary Agency field

(c) The primary agency will be the agency that is generated on the CBI-FS barcode label and the agency who receives the report

(6) Agency case number

(a) The agency case number(s) should never be modified on subsequent submissions in LIMS after a report has been generated.

(b) Any additional agency case numbers may be added by using the + sign to the right of the Primary Agency field. The Manage Submission Agencies box has an Add button that allows for additional case numbers to be entered.

(7) Jurisdiction – should auto populate but can be changed if needed

(8) Offense –will correspond with the offense code

(9) Offense date

(a) If the offense date is a date range, the earliest date will be used

(10) Court and court date if known

ii. The Officers tab will be used to document the submitting and investigating officer(s).

iii. The Exams tab will be used to add a new exam and assign a primary section/examiner if known.

(1) If an exam is entered in error at the time the case is generated in LIMS, the Evidence Technician may terminate the lab record.

(2) Other than entry errors, a lab record may only be terminated by an Evidence Technician with the approval of a supervisor.

(3) All lab records must be terminated using either the Case Processing Module under the general node or in the Case Record Details under the lab record tab using the Tool bar or menu making sure that the date/time of termination is logged. The lab record should not be terminated within each individual lab record.

(4) If one lab record is terminated, a comment must be entered into that Lab Record Comments box. If more than one lab record is terminated, a comment must be placed into the Case Record Comments box.

(5) No lab records may be deleted.

iv. The Parties of Interest tab will be used to add a business, suspect, victim or unknown person which may include name, race, sex, date of birth and State Identification number (SID).

v. The Evidence tab will be used to add all items of evidence submitted to the CBI-FS included in this submission. This will reflect the following:

(1) Type of evidence (item, container or packet)

(2) CBI-FS item number

(a) Submitted items will be received in a sequential manner utilizing whole numbers beginning with the number one.

(b) Resubmitted items will receive the original CBI-FS item number.

(3) Agency item number

(4) The For Analysis check box will automatically be selected at the time the evidence is entered into the LIMS. The Verification check box will automatically be selected at the time the evidence is received.

(5) Description of the evidence exactly as it is described on the RFLE

(a) The Forensic Scientist will be allowed an opportunity during analysis to create a custom evidence description.

(b) Custom evidence descriptions may be completed from within the worksheet or in the Lab Record Details.

(c) If the description is completely wrong, add the correct description in brackets after the incorrect description. [found upon inventory to contain…]

(6) Weight and Value are currently not being used

(7) Comments box will describe the evidence packaging if it is known at the time of the LIMS entry.

(a) Items packaged together will be documented using brackets

(b) Type of packaging will be documented (i.e. plastic bag, box, etc)

vi. The Description/Comments tab has three comment boxes.

(1) The Case Comments box will be used to document anything that relates to the case.

(2) Statement of Facts is in the Case Record Details screen and should only be utilized by customers submitting evidence using prelog.

(3) The Sub Comments box is not to be used.

vii. The Additional Data tab will not be used at this time.

viii. The RFLE Scan tab will be used to scan the RFLE, the cover letter and any other pertinent submission documentation.

(1) Prelog electronic RFLE will be automatically uploaded to this tab.

(2) Prelog cover letter will be in the case object repository.

b. After all of the information has been entered from the RFLE into the New Submission in LIMS, a CBI-FS case number will be generated by clicking the Submit button.

i. The CBI-FS case number is automatically assigned to each case by the LIMS.

(1) It consists of the lab designation (i.e. D for Denver), the two digit year (i.e. 00 for 2000), and a dash followed by up to a six-digit sequential number.

c. This will generate a Confirmation screen where the case information can be verified and the labels may be printed.

d. A second Confirmation screen will generate after clicking OK. Here the evidence can be received by clicking Receive, the submission can be finished by clicking Finish, or a new case can be entered by clicking Next.

e. If the CBI-FS employee receives the evidence, they will enter their credentials and place the evidence in their personal custody

i. The following information will be recorded:

(1) The CBI-FS employee who is receiving the evidence to include the lab and section

(2) Leaving the Placed in Storage box unchecked will place the evidence into the CBI-FS employee's personal custody

(3) Transfer reason – use the default – Requested By Officer

(4) Date and time

i. Can be back dated if necessary

ii. Back date to reflect the date evidence was delivered to the lab when receiving evidence from a submission locker on any day other than the delivery date.

ii. The submitting officer will sign the electronic signature pad.

f. The LIMS system will automatically generate an FA Submission Receipt which may be printed for the submitting agency.

g. All evidence transfers will be documented electronically unless the LIMS system is not accessible. LIMS will be updated when it becomes accessible.

11. Creating a Subsequent Submission

a. If the CBI-FS case number is known, this is entered in the Evidence Module under the New Submissions node.

i. In the Details tab enter the CBI-FS case number under Case # and hit the tab button. The Search function will automatically open the Search box with potential CBI Cases. This will also happen if you enter the agency name and agency case number and hit tab. Highlight the correct CBI-FS case and most recent submission and hit the select button.

(1) Leading zeros may be dropped for any legacy case.

ii. All previously entered information will automatically populate.

iii. The top of the screen will show the CBI case number and Subsequent Submission instead of New Submission.

iv. Enter any new information from the RFLE that was not previously known.

(1) Verify that the information on the RFLE matches the information in LIMS.

(2) If the information doesn't match, the information will be verified with the agency and corrected at the Evidence Technician's discretion.

v. All requested exams will be added under the Exams Tab. This may include adding a new lab record to an existing lab record if necessary.

vi. All evidence from this submission will be entered under the Evidence tab.

(1) Evidence may be resubmitted by clicking the Resubmit button. All items eligible for resubmission will be available for selection. If the item has been submitted several times, the newest submission will be selected.

(i) The description from the first submission will be used if possible.
(ii) If the original description is incorrect, the agency will be contacted and the description may be updated to accurately reflect the contents.

(2) If the evidence is a packet or container, the Include Children check box may be checked to include the sub-items.

(3) The packet will be numbered as it was in the original submission. Enter the agency item number if available.

(4) Resubmitted packets can be electronically empty upon resubmission to the lab. If sub-items are virtually available for resubmission, it is the responsibility of the Evidence Technician to place the sub-items in the packet before the case is checked out by the Forensic Scientist.

(5) If the sub-items are not virtually available for resubmission (i.e. Pre-LIMS packets that were returned to the agency prior to January 5, 2008) it is the responsibility of the Forensic Scientist to create the sub-items during analysis.

vii. Complete the submission as described under Creating a New Submission in Section 10 of EP1.

b. If the CBI-FS case number is not known, the FA Search function may be utilized by entering suspect/victim names, agency case number, submission date, etc.

12. Receiving the Evidence

a. Evidence should be received into the Evidence Technician's personal custody at the time the LIMS entry is completed.

b. If the evidence is not received immediately after the case is generated in LIMS, it will appear in the Evidence Module, Contents Pane under New Submissions.

i. The evidence may be received from the Actions Menu, Task Bar, Task Pane, or Open Selection's evidence if the case is highlighted.

ii. The CBI-FS employee will enter their credentials to document the chain of custody.

iii. The following information will be recorded:

(1) CBI-FS employee who is receiving the evidence to include the lab and section

(2) Leaving the Placed in Storage box unchecked will place the evidence into the CBI-FS employee's personal custody

(3) Transfer reason – Requested By Officer

(4) Date and time which can be back dated if necessary

c. The submitting officer will sign the electronic signature pad.

d. The LIMS system will automatically generate an FA Submission Receipt which may be printed for the submitting agency.

e. Receiving evidence from a submission locker

i. The date the evidence was placed in the locker is the submission date.

ii. The case is received into the locker in which it was stored.

iii. The item(s) is/are transferred from the locker to the correct storage location.

(1) Items can be selected for transfer based upon the storage location. If all items will be placed in the same location, all items may be selected. Each storage location will require the transferring employee's credentials.

(2) After the storage location has been selected, the confirm transfer box will appear and the credentials of the person placing the evidence into storage will be required.

f. CBI-FS Barcode Labels

i. Each item received in LIMS by the CBI-FS must have a CBI-FS barcode label either affixed to the item or to the exterior packaging. This does not include collector containers utilized by the CBI-FS.

ii. The initials of the CBI-FS personnel who received the evidence shall be written upon the CBI-FS barcode label at the time the label is affixed to the packaging.

iii. Evidence labels can be printed at the completion of the LIMS entry by unchecking the Do Not Print Label box on the confirmation screen and selecting the number of Evidence Labels.

iv. If the evidence labels are not printed at the time of entry they can be printed using any of the following options.

(1) Open Selection's Evidence can be used in either the Evidence Module, Contents Pane under New Submission or when the evidence is in the personal custody of a Forensic Scientist or an Evidence Technician

(2) In the Case Records Details under the Evidence Tab

v. The Evidence label box will allow the printer, format and number of copies to be selected.

vi. Assigning the Evidence

(1) Once the evidence is entered into LIMS, the Evidence Technician who received the evidence must assign the items to the appropriate discipline(s). The evidence may be assigned in any of the following locations:

i. In Case Record Details using Assign Evidence on the task bar

ii. In Evidence Vault in the Evidence node using Assign Evidence on the task bar

iii. In the Case Processing Module in the Case Records Detail using the Actions menu or the task bar

iv. Within each individual Lab Record

vii. Related Case

(1) A related case can be entered from the Case Record Details under the Related Case Records using the Action menu.

(2) If there are multiple related cases, each case must be entered in the Related Case Records for each applicable case.

viii. Assigning an Examiner

(1) An Examiner may be assigned to a lab record in the Case Processing node under the unassigned folder.

(2) An Examiner may be assigned to a lab record in the Lab Record using the Transfer/Assign Lab Records button.

## E. References Used

1. Forensic Advantage Software

## F. Additional Factors

1. All entry and receiving steps may be documented using paper documentation and handwritten signatures if the LIMS is not accessible or by approval by CBI-FS Management.

2. At the earliest possible time, the information will be entered into the LIMS and all evidence transfers will be correctly reflected in the electronic chain of custody.