



Evidence Receiving

Evidence Receiving and Return

1. **Scope**

This policy outlines the laboratory's policies on evidence receiving and return.

2. **Evidence Receiving**

- 2.1 The customer is defined as a member of any recognized criminal justice entity that is authorized to submit evidence for analysis. The Director of the Maine State Police Crime Laboratory defines what entities are authorized to submit evidence for analysis. The term customer does not imply that a fee is charged for any service provided by the laboratory. The cost of all analyses performed within the Maine State Police Crime Laboratory is incorporated in the general budget of the Maine State Police.
- 2.2 The laboratory processes evidence only in criminal investigations and identification cases for the Office of the Chief Medical Examiner. Occasionally special circumstances will dictate that the laboratory process evidence in non-criminal cases. In those instances, the Director must give approval for acceptance of the case.
- 2.3 The laboratory will only receive evidence that is expected to be examined by a laboratory staff member; the laboratory will not act as a holding facility. In rare circumstances exceptions may be made but must be approved by the Laboratory Director.
- 2.4 The laboratory will only receive evidence that it is capable of processing; the laboratory does not sub-contract work. If a law enforcement agency is requesting analyses outside of the scope of the laboratory's capabilities, the laboratory staff may make suggestions of other testing facilities.
- 2.5 One Forensic Chemist Technician will be assigned the primary responsibility as the Evidence Control Technician (ECT).
 - 2.5.1 Additionally, another Forensic Chemist Technician(s) is assigned as back-up ECT.
 - 2.5.2 If none of the Forensic Chemist Technicians are available, each section is responsible for receiving their own evidence.
- 2.6 For the purposes of this document ECT refers to any person receiving evidence.
- 2.7 Evidence Receiving is open to the submitting agencies from 8:00 AM to 3:30 PM on Monday, Wednesday and Friday.
- 2.8 After hours evidence submission is strictly limited, and open on emergency basis only. The Laboratory Director, Laboratory Sergeant or Section Supervisor may approve the call-out of laboratory personnel to receive evidence after hours.



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2.9 All incoming evidence is received by the ECT.

3. Evidence Submitted From Outside Agency

3.1 Evidence may be submitted in person or via common carrier.

3.1.1 Evidence arriving via common carrier is generally received at the reception area.

3.1.2 The individual at the front desk will stamp, initial and date any mail coming from a law enforcement agency.

3.1.3 If the envelope / package is addressed to an individual, it will be given directly to that individual. **Otherwise, any mail coming from law enforcement will be assumed to be evidence and will be turned over to the ECT and not left in a mailbox.**

3.1.4 Occasionally a scientist may open mail to discover it contains evidence. Should this happen, the scientist can either accept and log in the evidence themselves, or properly reseal the evidence, initial and date the outside of the container, and deliver to Evidence Receiving to be logged into LIMS by the ECT.

3.2 Evidence must be air dried prior to packaging.

3.2.1 Exceptions include fire debris evidence and firearms that were in the water, which must not be dried prior to submission.

3.2.2 Evidence arriving via common carrier that is not properly dried may be returned to the submitting agency with an explanation as to why the evidence was not accepted.

3.3 Evidence must be packaged in an appropriate container.

3.3.1 Most evidence is to be packaged in paper such as an envelope or paper bag.

3.3.2 Fire debris evidence must be packaged in a paint can, mason jar or fire debris bag.

3.3.2.1 Only clothing or items too large to fit in a paint can or mason jar may be packaged in a fire debris bag.



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- 3.3.3 Duct tape to be processed for latent prints, physical matching or chemical comparison may be packaged in an acetate document protector or in a box with the adhesive side facing up.
- 3.3.4 Other evidence may be packaged in plastic if it is to be frozen or if it is liquid in nature.
- 3.3.5 Evidence received via common carrier that is not properly packaged will be documented in a case note. The ECT may repackage the item or return the item to the submitting agency with an explanation as to why the item was not accepted.
- 3.4 All evidence must be properly sealed and marked prior to submission.
 - 3.4.1 A container is properly sealed if its contents cannot readily escape and if entering the container results in obvious damage/alteration to the container or its seal. A proper seal consists of tape sealing the opening of each evidence container with initials and date across the seal.
 - 3.4.2 Staples are not a proper seal and must be removed prior to submission.
 - 3.4.3 The laboratory may assist a submitter in the proper packaging and sealing of evidence as well as the completion of accompanying forms.
 - 3.4.4 If the submitting officer is not the person who collected the evidence and refuses to initial and date the tape seal, the ECT will place the item in another container and have the officer initial and date the tape seal on this container or the ECT will put a piece of clear tape over the original seal and initial and date that seal.
 - 3.4.5 The ECT will also write next to her/his initials that the submitting officer refused to sign.
 - 3.4.6 Boxes and bags suitable for evidence storage and tape for sealing may be provided.
 - 3.4.7 Items too large to be sealed in a container, i.e., wooden door, automobile fender, couch, etc., will be packaged in a manner to protect and seal the specific area that will be examined.
 - 3.4.8 The evidence must be marked with the agency case number and a description of contents, to include where the item was collected from when applicable.



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- 3.4.9 If the evidence is submitted via common carrier and is not properly sealed or marked, the ECT may return the evidence to the agency with an explanation as to why the evidence was not accepted.
- 3.5 The Evidence Submission form must be completed and given to the ECT at the time of submission. The Evidence Submission form provides the following information:
- Name of investigating officer and investigating agency
 - Case number of investigating agency
 - Date of incident
 - Descriptions of items being submitted
 - Specific requests for analysis
 - Name(s) of individual(s) involved
 - Town of incident
 - Offense
 - Case history
- 3.6 If an officer attempts to submit evidence without the required Evidence Submission form, the ECT will refuse the evidence until the form is fully completed.
- 3.6.1 If the evidence was submitted via common carrier, the ECT will make an attempt to get the completed Evidence Submission form from the law enforcement agency. Otherwise, the evidence will be returned to the agency with an explanation as to why the evidence was not accepted.
- 3.7 The ECT will enter the required information into LIMS and retain the Evidence Submission form.
- 3.7.1 The Brief Case History should include basic information to allow the examiner to process the evidence.



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- 3.7.2 In the event LIMS is unavailable, a paper evidence receipt will be generated.
- 3.7.3 When evidence arrives via common carrier, the submitting agent is listed as the “from” individual and the “via” drop down list should be used to indicate the name of the carrier. The note field can be used to record tracking numbers.
- 3.8 The ECT and the submitting agency will make an initial determination of the proper analyses to be requested based on the case history and evidence being submitted. When necessary, the ECT will contact a member of the scientific staff for clarification.
- 3.9 The analyses requested will be documented on the evidence receipt.
- 3.10 The evidence receipt generated will act as the contract between the laboratory and the submitting agency.
 - 3.10.1 The laboratory reserves the right to analyze the evidence as necessary without prior notification to the submitting agency.
 - 3.10.2 The laboratory reserves the right to subcontract to another laboratory if necessary.
 - 3.10.3 Any deviations from the contract will be noted in the laboratory report.
- 3.11 Both the ECT and the submitting officer will sign the evidence receipt and the ECT will take possession of the evidence.
- 3.12 For new case submissions, the ECT will initiate a case folder with the appropriate paperwork and barcodes. All paperwork must be labeled with the case number, date and ECT initials or signature (electronic or otherwise).
- 3.13 The ECT will turn the case folder and any incoming evidence receipts over to the appropriate Section Supervisor, or designee, within one day of submission.
- 4. **Evidence Packaging**
 - 4.1 The ECT will mark the evidence items with the lab number, initials and date. Each evidence item will receive a LIMS generated barcode.
 - 4.2 The ECT will package evidence items in convenience containers when necessary.
 - 4.2 Convenience containers must be marked with the lab number, item numbers contained within, investigating agency, initials and date.



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- 4.3 The ECT will place the barcodes on the convenience container that correspond with the items contained within the container.
- 4.4 Evidence items must be packaged in convenience containers in such a way as to separate items from different sources. For example, victim, suspect and scene should all be different containers.
- 4.5 If possible, items going to different sections will be separated into different convenience containers.
- 4.6 Convenience containers should be sealed with red evidence tape.
- 4.7 Evidence will be placed in the proper storage location.
- 5. **Staff use of Evidence Receiving**
 - 5.1 Evidence Receiving is open to staff from 8:00 AM to 4:30 PM.
 - 5.2 When evidence is returned to evidence receiving, the ECT (or designee) will inventory each convenience container to ensure the items in the container match the barcodes on the container. The inventory will be documented with the initials and date of the ECT (or designee).
- 6. **Returning or Sending Evidence via Certified Mail or UPS/Fed Ex**
 - 6.1 Evidence may be mailed back to the submitting agency or to another agency, such as an external laboratory, by return-receipt certified mail or UPS/Fed Ex.
 - 6.2 All evidence not already in a container that is being returned by mail will be placed in a clean, unmarked container such as a manila envelope or new box. Evidence stored in a box that is labeled with the case number etc. on the outside should be wrapped in brown paper. Do not take the items out of the box to place them in a new box.
 - 6.3 When mailing back evidence, the following should be documented in LIMS:
 - 6.3.1 When completing the transfer, the mailing mechanism (UPS/Fed Ex or Certified Mail) should be noted in the "via" section and the tracking number in the "notes" section.
 - 6.3.2 A return receipt should be printed.
 - 6.3.3 The mailing mechanism and tracking number should be noted on the line for the investigator's signature.



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- 6.4 All seams should be sealed over with clear packing tape.
- 6.5 A "Receipt for Certified Mail" should be completed with the primary investigator's name and address, the lab case number, and lab section.
- 6.6 A "Return Receipt" should be addressed to the primary investigator; the article number should be filled out with the certified mail tracking # from step 1, and the "certified" and "return receipt for merchandise" boxes checked off. The return address should be filled out on the back of this form, including the analyst's name and lab case number.
- 6.7 The package should be addressed to the primary investigator.
- 6.8 A packing list enclosure pouch should be attached to the container. This will contain a copy of the evidence receipt. The original will be retained in the case file.
- 6.9 An exposure warning must be included on the container if mailing back items that may be contaminated with blood or body fluids.
- 6.10 When the "Return Receipt" is returned to the laboratory, the scientist responsible for that evidence will place the "Return Receipt" in the case folder.