Evidence Procedures

NEW HAMPSHIRE STATE POLICE FORENSIC LABORATORY EVIDENCE CONTROL UNIT



Laboratory Services

- Drug Chemistry
- Arson/Fire Debris
- Firearms and Toolmarks
- Pattern Evidence
- Digital Evidence
- Biology
- Toxicology
- Breath Alcohol



The ECU counter is open from 0800-1445, Monday-Friday. The unit consists of a full-time unit supervisor and five evidence technicians.



Appointments are strongly encouraged and will be given priority.

All criminal evidence cases coming to the laboratory will be received, managed and entered in the LIMS database by ECU staff.

Evidence Control Unit



Laboratory Forms

Key Laboratory Forms

DSSP20: Evidence Examination Request form

DSSP325: Blood Sample Collection form **DSSP428:** Request for Additional Test form

DSSP430:

Controlled Drug

Analysis Authorization

form

CODIS Eligibility Form: Supplemental Questionnaire

Digital Evidence: Examination Request form

DSSP20 (Required) Unless your agency has opted into electronic submissions via Portal

| NH DEPARTMENT OF SAFETY DIVISION OF STATE POLICE 33 HAZEN DRIVE CONCORD, NH 03305 | | | FORENSIC LABORATORY <i>CRIMINALISTICS GROUP</i> (603) 223-3854 Fax: 271-1086 <i>TOXICOLOGY GROUP</i> (603) 223-3855 Fax: 271-5936 |
|--|-----|-----------------|--|
| | | LAE | 3 NO. |
| TOWN/CITY | | DEPARTMENT CASI | E NO |
| SUSPECT/SUBJECT #1 | | #2. | |
| SEX | DOB | | SEXDOB |
| ADDRESS | | | |
| NAME OF VICTIM(S) | | OFFENSE/INCIDEN | IT DATE |
| OWNER OF PROPERTY | | SUBMITTING AGEN | CY |
| AGENCY CONTACT | | TELEPHON | E |
| AGENCY CONTACT EMAIL | | TRIAL DATE | |

DSSP20 (continued)

• List of Evidence – Samples Submitted

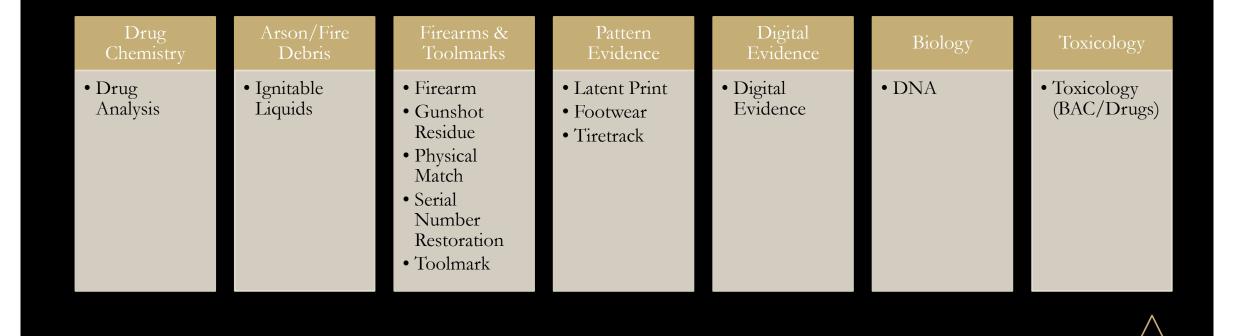
• Match exhibit number on evidence packaging

- Record of Evidence Custody
 - Captures chain of custody

| | | LIST | OF EVIDENCE — SAMPI | ES SUBMITTED | | |
|-------------|-------------|-------------|---------------------|--------------|--------------------|---------|
| EX. NO. | QTY. | | DESCRIPTION | | CHECK | FOR |
| | | | | | | |
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| FOR TOXICOL | OGY SAMPLES | DATE DRAWN: | TIME DRAWN | : SUS | PECT/SUBJECT: LIVI | |
| | | | | | | |
| | | | RECORD OF EVIDENCE | CUSTODY | | |
| DATE | TIME | RELINQ | UISHED BY | RECEIV | ED BY | PURPOSE |
| | | | | | | |
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"Check For" Laboratory Departments and Services





NH DEPARTMENT OF SAFETY - DIVISION OF STATE POLICE FORENSIC LABORATORY - CRIMINALISTICS GROUP 33 HAZEN DRIVE, CONCORD, NH 03305 (003) 223-3854 Fax: 271-1080 (003) PART AND A CONCORD, NH 03305



Controlled Drug Analysis Authorization

| SUBMITTING AGENCY | LAB NO. |
|-------------------------|---------------------------|
| TOWN/CITY | DEPARTMENT CASE NO. |
| SUSPECT/SUBJECT #1 | #2. |
| #3. | DATE OF INCIDENT/OFFENSE: |
| EVIDENCE OFFICER: | TELEPHONE |
| EVIDENCE OFFICER EMAIL: | |

LIST OF EVIDENCE & CHARGES FOR EACH EXHIBIT

(If more than one suspect, indicate which suspect(s) is/are associated with each exhibit, if known)

| | EX. NO. | SUSP# | DESCRIPTION | CHARGE |
|------------|---------|-------|-------------|---|
| | | | | POSS. SALE / INT TO SELL MANUF DEL of ART |
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| [| | | | POSS. SALE / INT TO SELL MANUF DEL of ART |

FOR CASES WITH CHARGES ALREADY FILED WITH THE COURT

| • | PROSECUTOR'S | NAME/OFFICE/ AGENCY | | | | |
|---|--------------|---------------------|-------------|-------------|---------|--|
| | PROSECUTOR'S | EMAIL | | FAX | # | |
| | PROSECUTOR'S | SIGNATURE | | | DATE: | |
| | TRIAL | GRAND JURY | VOP HEARING | MTI HEARING | DATE: * | |

*Notify the laboratory *immediately* at <u>NHSPLab@dos.nh.gov</u> to cancel the drug analysis should a negotiated resolution of the case make the requested analysis unnecessary.

Provided that the evidence and this authorization form is received at the laboratory at least 30 days prior to the trial or grand jury date set forth above, and barring exigent circumstances, the lab will provide analysis results no less than 2 weeks prior to a trial date or 1 week prior to grand jury.

FOR CASES AWAITING LAB RESULTS TO CHARGE

INVESTIGATOR'S NAME/ AGENCY

| INVESTIGATOR'S EMAIL | PHONE# | |
|--------------------------|--------|--|
| INVESTIGATOR'S SIGNATURE | DATE | |

The Forensic Laboratory retains the right to limit or expand the scope of analysis on all submissions

DSSP430 (Drug Analyses)

- Only required for drug submissions
 - Unless juvenile case (receives 2 week turn-around)
- Reference the submittal
 - Exhibit numbers, description, and charge should match submittal
- If there is a court date, prosecution will fill out this form and provide that prior to submittal
 - Due date* must not be less than two weeks from submittal
- Awaiting results to charge
- The investigating officer signs this section if an arrest cannot be made without lab results

DSSP 430 (Rev. 9/2018)

DSSP325 (Blood Sample Collection)

• All paperwork needed for blood sample collections will be included in the collection kit provided by the NHSPFL.

NO DOCUMENTS SHOULD BE INCLUDED IN THE EVIDENCE PACKAGING AT THE TIME OF SUBMISSION

- Form is required for ALS hearings.
 - Keep white copy for your records.
 - Give yellow copy to the technician at the hospital for their records.



STATE OF NEW HAMPSHIRE Department of Safety State Police Forensic Laboratory – Toxicology Group



33 Hazen Drive, Concord, NH 03305

BLOOD SAMPLE COLLECTION FORM

| | | т | tie |
|-------------------------------|-------------------------------|-----------------|----------------------|
| employed by | | | _ , have withdrawn a |
| blood sample from | | , on | // |
| | Subject's Name | | Date |
| at Time (24 hour clock) | , for the purpose of analysis | as authorized u | under RSA 265:85, I, |
| and in accordance with Admini | strative Rule Saf-C 6400. | | |
| The area from which the blood | was taken was cleansed wi | | pe of cleanser |
| | | | |
| | | | |
| | | | |
| | SIGNATURES: | | |
| | SIGNATURES: | Person with | drawing sample |
| | SIGNATURES: | | drawing sample |

YELLOW COPY TO BE RETAINED BY THE PERSON WITHDRAWING THE SAMPLE.

DSSP428 (Request for Additional Test)

- Provided in additional test kits
 - Includes thorough instructions for officer and phlebotomist
- Laboratory copy of DSSP428 is submitted with ightarrowblood sample, inside the cardboard mailer
 - Mail the kit to the NHSPFL, Attn: Additional Test
- Expired kits can be exchanged at the NHSPFL evidence counter
 - Please do not mail expired kits

| NH DEPARTMENT OF SAFETY DIVISION OF STATE POLICE 33 HAZEN DRIVE CONCORD, NH 03305 | REQUEST FOR FORENSIC LABORATORY ADDITIONAL TEST TELEPHONE This form is to be submitted with the Additional Test (603) 223-3854 (603) 221-1086 (603) 271-1086 |
|---|--|
| | ect (Print): |
| I have requested and granted | permission for a blood sample to be drawn pursuant to RSA 265-A:7. |
| Signature of Su | oject/Date Signature of Witness/Date & Time |
| | -OR- |
| I waive my | right for an additional test pursuant to RSA 265-A:7. |
| Signature of Su | bject/Date Signature of Witness/Date & Time |
| 2. If a blood sample | Arresting Officer: signature above and retain "Police" copy of form. s to be drawn: provide subject with additional test kit. |
| Print your name above and sig permission line to authorize th draw/waive right to additional 1 Provide additional test kit to th person you have chosen to dra blood. Mail a check or money order (in card payment accepted at Depart Safety) for a \$15.00 administra payable to State of NH Depa of Safety with your name, add and date of additional test bloot to: New Hampshire State Ph Forensic Laboratory Attention: Additional Test 33 Hazen Drive Concord, NH 03305 Arrange for sample analysis ai independent laboratory. See Saf-C 9000 N.H. Administrativ | e the line above. est. 2. Using a non-alcoholic cleanser, and with the blood tube provided, follow your normal blood draw protocol. w your Note: If the vacutainer tube provided is beyond the expiration date you may use an unexpired gray top tube from another source. redit 3. Complete form below. Retain the "Phlebotomy" copy of this form for your records and provide "Subject" copy to subject. tment of dive fee transmitter 4. Invert the tube several times and return to the cardboard blood tube protector. d draw 5. Seal the blood tube protector where indicated with a red evidence label, initial and date the seal. t 7. Place this completed "Laboratory" form along with sample into the cardboard mailer and seal with remaining red evidence label, initial and date the seal. an 8. Mail kit to the New Hampshire State Police Forensic Laboratory. |
| | |
| Date of collection: | Time of collection: |

DSSP 428 (Rev. 7/2021)

NEW HAMPSHIRE STATE POLICE FORENSIC LABORATORY

CODIS Eligibility Form (DNA)

- Two-page questionnaire regarding DNA evidence being submitted
 - Federal criteria for DNA submissions possibly being entered into CODIS
 - Potentially delay testing if not filled out at submittal

| Agency Case #: | | Lead Investigator Name: | | | |
|---|----------------------------|-------------------------|--|--|--|
| Submitting Agency: | | Investigator Phone: | | | |
| Laboratory #: | | Investigator Email: | | | |
| NOTE: This form can be used for multiple items as long as the answers to all questions are the same. Please use additional forms as necessary. | | | | | |
| Exhibit #(s): | | | | | |
| Is this case a new sub | mission or a submission of | additional evidence? | | | |

Additional exhibit submission

How are the victim and suspect known to each other?

Acquaintances

New

Friends

☐Other relative ☐Consensual sexual partners

Parent/Child

Unknown to each other

Suspect access

Married

Do the Victim/Suspect normally have access to the crime scene?

■Victim access ■Both have access

Siblings

Neither have access

Have all other possible sources of DNA been ruled out (e.g., victim, homeowners, employees, general public, etc.)?

No

| ■Yes |
|------|
|------|

Where was the evidence collected from at the alleged crime scene? How is it related to the punitive perpetrator?

Was a victim(s) known DNA sample submitted?

| Yes | Exhibit #(s): | No |
|-------|---------------|-----|
| _ res | Exhibit #(s): | INO |

Was suspect(s) known DNA sample submitted?

| Yes | Exhibit #(s): | No |
|-----|---------------|----|
|-----|---------------|----|

Digital Evidence Examination Request Form

- Single page questionnaire regarding digital evidence being submitted
 - Potentially delay testing if not filled out at submittal
- One form per digital evidence exhibit being submitted

DIGITAL EVIDENCE EXAMINATION REQUEST FORENSIC LABORATORY Date: _____ Agency: _____ Request Completed by: Lead Investigator: Lead Investigator Email: Has a warrant or written consent been issued for the device(s)? Please provide a copy. Does the device require any additional analysis not related to the data (fingerprints or DNA)? Is the device currently in a powered-on state? If yes, has an external power source been applied? Has the device been isolated from all networks (cellular, wifi, Bluetooth, etc...)? If so, by what method? Should this case be deemed a priority? Why? Describe the evidence you are seeking to obtain from the storage media, computer system(s), or mobile device(s) submitted for examination. Are you aware of any usernames, passwords, pin numbers, email address or disk/file encryption used? If so, list the exhibit number and related information: Has the evidence been previously examined by anyone? Additional Notes:

LAB CASE #

NEW HAMPSHIRE STATE POLICE

AGENCY CASE #

Evidence 101

- Packaging
- Sealing
- Labeling

Proper Packaging

- One exhibit per package
 - Like with Like
 - In general, if found together package together
- Wet/damp items must be completely dry prior to submittal
 - Exception: Arson evidence
- Powders/scrapings use a secondary container/double-bag

Package/ Containment Examples

- Plastic evidence bags
- Paper evidence bags
- Sharp/rigid containers
- Gun/weapon boxes
- Metal/paint cans
- Envelopes
- Anti-static/Faraday bags

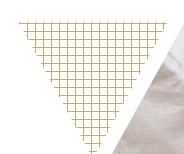


Type of Packaging by Exhibit/Testing

| D | Drug Chemistry | | | Fire Debris | Firearms | | | |
|--|---|---|---|-------------------------------|---|--------|--|--|
| evi • Pro | events los idence otects fro arp hazar | om | Maintains quality of sample Prevents release, deterioration or contamination | | • Keeps items secure, does not slide/bang around | | | |
| Pattern Evidence Digital | | Evidence | Bio | ology | Toxi | cology | | |
| Covers/protect the entire exhile Leaves enough space to not ru off any prints | bit 1 | • Protects from network access, dust and magnetic fields | | effort t mold o deterio | • Breathable in effort to prevent mold or deterioration of evidence | | • Protects glass vials from breakage | |
| | | | | | | | | |

Proper Sealing

- One where evidence cannot escape, be contaminated/altered without apparent damage to the packaging or seal
 - Tamper indicating tape
 - Heat seals
 - Manufacturer's adhesive seals
- Staples are not acceptable



Examples of Sealing

CORRECT



Tamper -evident seal placed over the evidence packing tape, creating a proper seal.

INCORRECT



Missing tamper-evident seal is an improper seal, leaving an opportunity for compromised evidence integrity.

Proper Labeling

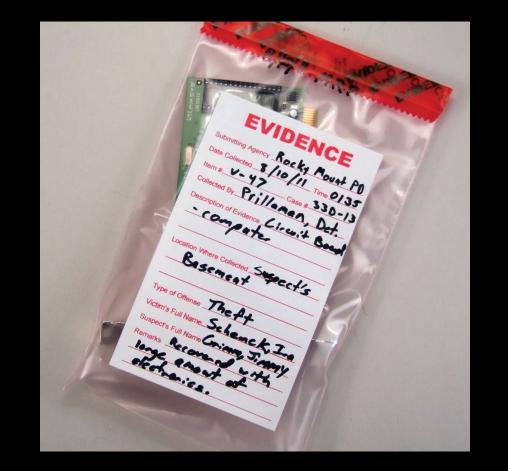
• Initials/signature over each seal made on packaging.

EULOENCE

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- Unique identifiers required:
 - Agency case number
 - Exhibit number
- Helpful but not required:
 - Agency, suspect, description, hazard stickers

Examples of Proper Labeling





Unit Specifications



Drug Chemistry

Common errors we see with drug evidence submissions:

- Ensure packaging does not allow evidence to escape.
 - <u>Double bag powders</u>, do not dump contents from baggie into an evidence bag.
- DSSP430 cannot have a court date that is less than two weeks away at submittal.
 - We will ask you to get a new date from prosecution or turn you away, check your paperwork before arrival.

Special Considerations



Plant submissions require the following:

- Strip leaves and flowering parts from the plants.
- Dry leaves and flowering parts thoroughly.
- Do not submit roots, stalks, branches or twigs.

The lab will not analyze drug evidence from violation-level offenses.

The lab will only accept cannabis-type samples if the suspect is being charged with a criminal offense.



If submitting evidence that was removed from a body cavity, it must first be:

- Rinsed/removed from outer packaging
- Labeled as biohazard





Syringes will only be accepted if it is the sole exhibit involved in the case. <u>They must be packaged in a rigid container.</u>

• After initial analysis of subsequent item(s) is complete and testing on a syringe is desired, coordinate with the Drug Chemistry supervisor.





Why we ask you to strip leaves/flower and remove roots, stalks, branches or twigs before submittal



³/₄ oz GVM in common packaging



Overdose/Death Resulting Cases

Correspondence needs to happen with the laboratory and the submitting agency's Prosecutor's office prior to case submission.

Step 1

Consult Prosecution

Agency contacts the Prosecutor's office. Prosecutor consults w/ investigator(s) to evaluate for potential prosecution.



Drug Chemistry supervisor and Prosecutor discuss case details to determine what evidence should be submitted and analyzed.

Step 4 Lab Analysis

ECU accepts agreed upon evidence and a drug analysis will be performed within 30 days of submission.

If the case is going forward, the Prosecutor will contact the lab to discuss the evidence being submitted and what type of analyses will be performed. **Step 2**

Contact Lab

Once lab has been contacted, the Prosecutor's office will notify the submitting agency to submit the evidence.

Step 3

Evidence Submission

Drug analysis is complete, reports will be issued to the submitting agency and forwarded to prosecution.

Analysis Complete

Arson/Fire Debris

Common errors we see with arson evidence submissions:

- Control samples must be packaged in arson appropriate packaging.
 - These samples should never be packaged in regular plastic evidence bags.

Special Considerations



The lab will not accept full gasoline cans

• Pour a sample into a glass jar with a liquid-tight lid for submission



Paper and regular plastic bags are not suitable for fire debris evidence. Acceptable evidence containers and preferred storage would be:

- Metal can (paint cans)
- Nylon fire debris bag
- Glass jar with lid (for liquids)

Fire Debris evidence should not be air-dried

- Store immediately
- Only fill can 2/3 full, do not pack



If possible, samples should be stored refrigerated and submitted ASAP.



Firearms & Toolmarks

Common errors we see with firearms and toolmark evidence submissions:

- Secure firearm in a proper gun box
 - List all exhibits within packaging on submittal

Special Considerations



Do not attempt to dry wet firearms.

- If firearm is found in <u>fresh water</u>, keep submerged.
- If firearm is found in <u>salt water</u>, rinse with fresh water, treat heavily with oil.

Firearms must always be **disarmed and unloaded** prior to submission. If not possible, they must be labeled as such and communicated in advance prior to submission.

- No tie wraps or cable locks should be used through the barrel or trigger guard.
- Secure firearms individually in a gun box with zip-ties. If magazine/ammunition is included in same box, list on DSSP20.



Do not use sharp instruments or metal forceps to retrieve bullets.

Toolmark cases needing comparison analysis will not be accepted without a tool for comparison. Additionally, ensure that the tool is associated with a suspect.





Pattern Evidence

Common errors we see with pattern evidence submissions:

- Print cards need to be submitted with evidence packaging.
- Items for fingerprint processing should not be handled without gloves.
 - If it has been handled without gloves, we will also need elimination prints.

300000

Special Considerations

Always handle with gloves

- If you touch evidence ungloved, let us know and submit your prints
- Never mark items for latent print processing
- Do not package items tightly in paper/plastic or with added packaging materials (e.g., Styrofoam), as it can rub prints off



Footwear cases are now accepted without known footwear for comparison

Will be entered into Solemate database,connects with other states in providing leads



Get creative with larger exhibits that you may not have standard packaging for.

- Garbage bags
- Shipping boxes



Digital Evidence

Common errors we see with digital evidence submissions:

• Exhibits should be submitted in proper packaging; the use of regular plastic evidence bags is not advised

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• Best practice is to use anti-static/Faraday bags to preserve evidence

Special Considerations



Helpful documentation to include with submittal:

- Digital Evidence Examination Request form
- Warrant and/or written consent form

Be sure to protect devices from shock, dirt and magnetic fields

- Place evidence tape over drives
- Cover and label all cables (location/ports and devices)





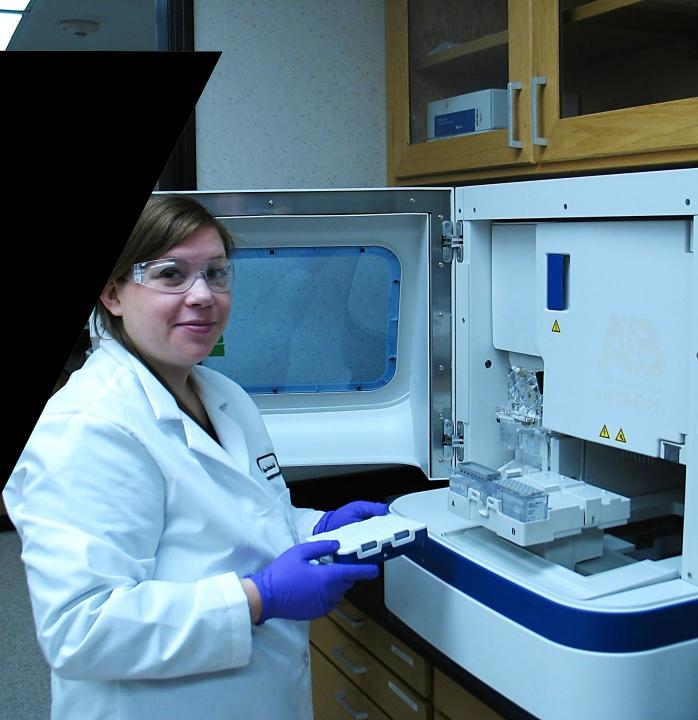
Device Handling: PCs

- Leave powered "on" and in the condition they are found, simply unplug device
 CELLULAR DEVICES
- If possible, activate airplane mode
- Plug in device to keep powered "on" and, if available, package using an anti-static/Faraday evidence bag

Biology

Common errors we see with biology evidence submissions:

- Ensure plastic is not used for packaging
 - Best practice is to use paper to preserve evidence and reduce risk of mold/deterioration
- Buccal swab submittals must include identifiers of who the swabs are from
 - Additionally, crime scene swabs should not be identified as "buccal swabs"



Special Considerations

Prevent cross-contamination

- Package two or more swabs of the same source together
- Hairs should be packaged in druggist fold and then in paper

Regardless of the source, evidence is to be **thoroughly air-dried** prior to submission

- All evidence is assumed to be biohazard
- Paper packaging is preferred method





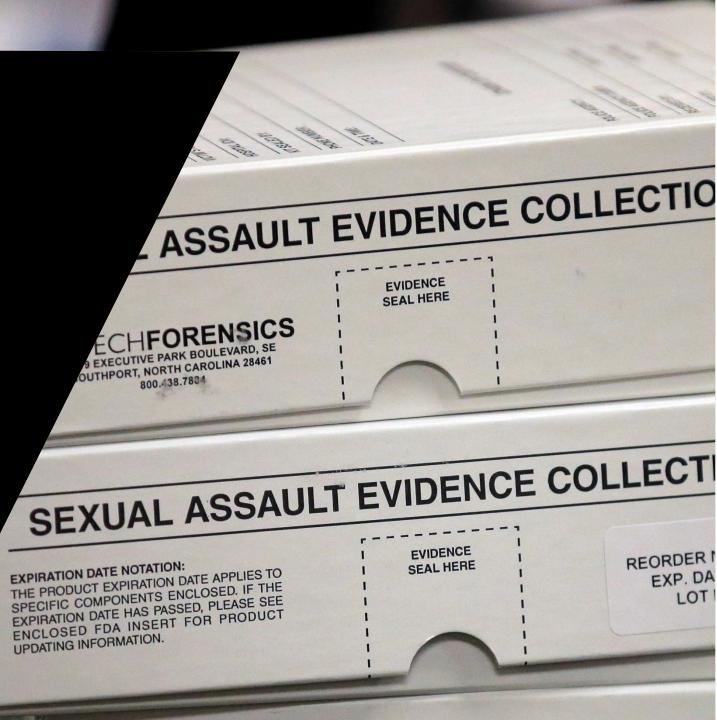
Collecting stains, spills, etc: "WET"

- Blood/fluids should be collected by using a dry, sterile swab
 "DRY"
- Blood/fluids stains should be collected using a sterile swab moistened with sterile or distilled water
 - Do not use saline or tap water

Sexual Assault Kits

All sexual assault kits, whether a victim is listed or anonymous, are submitted to the lab. No new kit will be turned away.

- Only the kit and victim's underwear/diaper collected during the exam, as well as any biological samples (including consensual partners, if applicable) are preferred for initial examination
 - Subsequent items will be accepted if needed pending SA kit findings
- List the SA kit serial number on submittal
- Be sure to scan the QR code on box for tracking



Toxicology

Common errors we see with toxicology evidence submissions:

- No paperwork should be inside blood kit canisters
- Blood kit canisters should always be submitted inside a plastic evidence bag
 - Additionally, please do not put evidence tape on the canisters

Special Considerations

DUI/MV related blood evidence:

- Follow instructions inside kit
- **No paperwork** should be left inside evidence bag or kit after sealing
- Refrigerate all toxicology specimens

Blood collection tubes and kits are provided by the NHSPFL

• When your kits are submitted used or you see they have expired, the ECU will swap them out 1:1





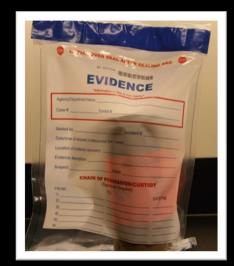
Packaging Toxicology Blood Evidence

What's included in the kit?

- DSSP20 (2) 10ml collection tubes
- DSSP325 Bubble bag
- Instructions
 Evidence bag







Breath Alcohol

The Evidence Control Unit accepts all the Breath Alcohol Unit's PBT's and we provide the Additional Test kits at the evidence counter.



Special Considerations



Additional test blood samples drawn following a breath test are received into the laboratory via USPS in prepaid mailer kits

• These kits can be picked up/swapped out (if expired 1:1) at the ECU counter

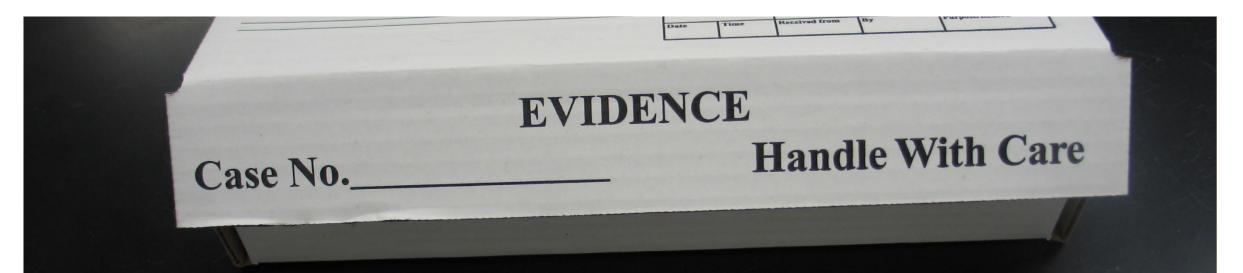


The lab **does not perform testing** on additional test blood samples

- Samples are sent to the lab for storage only
- It is the responsibility of the subject to have their samples independently tested

PBT's needing recalibration or additional maintenance/repair can be brought to ECU for submission to the Breath Alcohol unit





During & After Analysis

- Notify the lab ASAP if a case has pled, is dismissed, etc.
- Notify the lab if you have a pending analysis that has now received a court date to request a rush.
 - If you have an updated DSSP430 form with a GJ/Trial date, forward that to the lab.
- If you have any questions about your report after analysis is complete, please call the lab and ask to speak to an analyst who worked on the case.
- DO NOT advise suspects/victims to reach out to the laboratory regarding the status of their case.

What Comes In Must Go Back

Once analysis is complete; reports are issued, and exhibits are placed into our Return Vault.

- Be prepared to receive evidence at every lab visit.
 - It doesn't matter if you were the one who originally submitted the evidence; if it belongs to your agency, it's going home!
- All agency reps will be provided a laboratory barcode for electronic chain of custody.



Evidence Submissions via Portal



What is Portal?

A web-based, secure pre-submission software program.

- Allows agencies to complete all documentation requirements for submissions prior to delivering the evidence to the laboratory
- Available to all submitting agencies
 - Once VPN connection to DOS is established
 - 1-2 week connection turnaround

What are the benefits to using Portal?

- Expedited submissions, decreasing time spent at the evidence counter
- Case status updated in real-time
- Laboratory reports made available as soon as they are published
- No more DSSP20 forms
- All documentation being submitted with evidence (warrants, DSSP430's etc.) can be uploaded via Portal

Interested?

Contact

- Assistant Laboratory Director, Carolyn Royer: Carolyn.M.Royer@dos.nh.gov
- Evidence Control Unit Supervisor, Caitlin Horr: Caitlin.M.Horr@dos.nh.gov

Upcoming Portal Training Sessions

- Tuesday, February 6th at 0900
- Thursday, February 22nd at 1400
- Wednesday March 6th at 0900
- Thursday March 21st at 1500

Acuity Scheduling Link

• https://nhspforensiclab.as.me/portaltraining





Thank You



Website www.nhsp.dos.nh.gov/ourservices/forensic-laboratory



Location NHSP Headquarters 33 Hazen Drive, Concord, NH Third Floor



Email nhsplab-evidence@dos.nh.gov

CI III



Phone (603) 223-3854