



Part II: Laboratory Customer Handbook

9 Introduction

The Texas Department of Public Safety Crime Laboratory Service, hereafter referred to as the Laboratory, is committed to providing expert forensic laboratory services within our scope of accreditation to our customers within Texas. We continuously strive to exceed our customers' expectations of quality, accuracy, timeliness, professional standards, and customer service. For the purposes of this handbook, "customer" primarily refers to law enforcement agencies (e.g., submitting officer or submitting agency) and secondarily refers to other criminal justice entities (e.g., prosecuting attorneys and courts).

The Laboratory Customer Handbook is provided to law enforcement personnel and members of the legal community in order to communicate laboratory policies and requirements regarding the scientific examination and analysis of evidentiary material, scientific assistance in criminal investigations, expert testimony, the collection of DNA samples for submission to the CODIS Laboratory, and other related forensic services and activities.

This handbook also serves as a guide to assist law enforcement personnel in the safe and efficient methods of evidence collection, packaging, and submission for the most common types of physical evidence amenable to forensic testing. Our goal is to collaborate with our customers to prevent evidence loss, damage, and contamination while maintaining a proper chain of custody in order to protect the integrity of the evidence and investigation.

The Laboratory Customer Handbook is excerpted in full from the Texas Department of Public Safety Crime Laboratory Service Manual. The most current version of laboratory policies and procedures, including the Laboratory Customer Handbook, are available online at <http://www.dps.texas.gov/CrimeLaboratory/Pubs.htm>.

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10 General Laboratory Information

10.1 Statement of Services

- A. The Laboratory offers forensic testing, calibration, and related services in numerous locations throughout the state of Texas.
1. Available forensic services / types of analysis:
 - a) *AFIS (Automated Fingerprint Identification System);*
 - b) *Biology/DNA;*
 - c) *CODIS (COmbined DNA Index System);*
 - d) *Digital/Multimedia;*
 - e) *Firearms & Toolmarks;*
 - f) *Forensic Document Examination;*
 - g) *Friction Ridge;*
 - h) *Seized Drugs (including remote consultation only for the collection of evidence from clandestine laboratories);*
 - i) *Toxicology (Alcohol/Volatiles and/or Drugs); and*
 - j) *Trace Evidence.*
 2. A listing of Laboratory testing services and the regional laboratories that provide those services is located in [Appendix 1 – Laboratory Services](#).
 - a) *The Laboratory does not perform external calibration services.*
 - b) *The specific Laboratory service sections included in this handbook outline guidance, additional policies, and limitations on the scope of testing offered by the Laboratory.*
 3. The mailing and physical addresses, phone numbers, and email addresses for all regional laboratories may be found in [Appendix 2 – Laboratory Contact Information](#).
 4. Submission of evidence to the Laboratory for testing services regarding Biology/DNA, Firearms & Toolmarks, Friction Ridge, Seized Drugs, Toxicology (Alcohol/Volatiles), and Trace Evidence is based on the geographic area of the state and the county of offense (due to proximity to the relevant court).
 - a) *Refer to the service area maps located on the DPS website for a visual representation of the distribution of regional laboratories and testing services offered throughout the state.*
 - b) *Evidence submitted to the incorrect service area regional laboratory may cause delays in testing and completion of analysis.*
- B. The State CODIS Laboratory is located in Austin and is responsible for:
1. Receiving, analyzing, and verifying acceptability of subject samples, including AFIS verification of fingerprints on the DNA database cards;
 2. Entering and storing DNA types into a database;
 3. Monitoring and enabling access to the database; and
 4. Managing the Statewide CODIS Program.



- C. The Breath Alcohol Laboratory (BAL) and its Office of the Scientific Director (OSD) are located in Austin and are responsible for:
1. Administering a statewide judicially acceptable forensic breath alcohol test program;
 2. Calibration and certification of evidential breath alcohol test instruments performed at 21 (twenty-one) calibration sites strategically located across the State; and
 3. Production of certified reference materials used in calibration activities.

10.2 Laboratory Accreditation

- A. The Texas Code of Criminal Procedure Article 38.35 requires forensic analysis to be conducted by an accredited laboratory in order for the analysis and the related expert testimony to be admissible in a criminal proceeding in Texas.
1. The statute further requires a laboratory to be accredited specifically by the Texas Forensic Science Commission (effective 9/1/2015). Further information about the Commission's accreditation program, including a list of accredited laboratories, can be found on the Texas Forensic Science Commission website: <http://www.txcourts.gov/fsc/accreditation/>.
- B. The Laboratory is accredited by the Texas Forensic Science Commission and the ANSI-National Accreditation Board (ANAB) to the ISO/IEC 17025 Standard, supplemental requirements of the accrediting body (ANAB AR 3125), and the Quality Assurance Standards for DNA Databasing and Forensic DNA Testing Laboratories.
- C. In order for the Laboratory to maintain accreditation and provide the most efficient, impartial, and effective testing, the policies set forth herein regarding customer communication and case acceptance and analysis must be followed.

10.3 Hours of Operation

- A. Typical hours of operation are between 8 a.m. and 5 p.m. on weekdays. Regional laboratories may be contacted directly for specific hours during which they receive evidence and to inquire about making an appointment for evidence submission (refer to [Appendix 2 – Laboratory Contact Information](#)).
- B. For evidence submissions, laboratories may elect to close over the lunch hour, but are required to address any emergencies that may arise during this time.
- C. For assistance during non-business hours, contact DPS Communications (refer to [Appendix 2 – Laboratory Contact Information](#) for Regional Communication Office phone numbers).
- D. The Laboratory observes the State of Texas holiday schedule which is published by the Texas State Auditor's Office. On occasion, offices may be closed without public notice due to inclement weather conditions or the discretion of the Department Director.

10.4 General Evidence Submission

- A. Evidence may be submitted in person, via postal or commercial shipping service, via electronic submission such as email (e.g., evidentiary images or other digital media for analysis), or via Laboratory Drop Box.
1. Please ensure all aspects of chain of custody are considered when choosing the shipment parameters.



- B. In order to more conveniently and effectively serve our customers, the Laboratory offers and encourages the use of scheduled evidence submission and return appointments.
 - 1. Appointments ensure that evidence receiving staff have sufficient resources to receive and return evidence in a timely manner. While scheduling is not required, it is particularly important when submitting multiple cases or a significant number of evidence items that an appointment is scheduled.
 - 2. Scheduled appointments are prioritized, but walk-ins are accommodated as time allows.
 - 3. Please contact the regional laboratory in the applicable service area to inquire about evidence submission and return appointments (refer to [Appendix 2 – Laboratory Contact Information](#)).
- C. Evidence under the control of the Laboratory will not be released for defense examinations without a valid court order.
 - 1. Evidence that is sent for defense testing must be directly sent to an accredited laboratory.
 - 2. If specifically ordered by the court, evidence may be forwarded to an unaccredited laboratory. The Laboratory will attempt to communicate the need to send evidence to an accredited laboratory to attorneys involved and document the communication attempts in the case record.

10.5 Laboratory Reports, Letters, and Certificates

- A. The Laboratory issues written reports, letters, and calibration certificates to communicate the results of Laboratory activities. Laboratory reports and letters are primarily distributed electronically to governmental or customer business email address domains (including, but not limited to, .us, .gov, .mil, .org, and .edu). Calibration certificates are distributed electronically via the DPS website at <https://www.dps.texas.gov/BallLab>.
 - 1. If an acceptable customer email address is not available, Laboratory reports and letters are distributed via mail, fax, or in person.
- B. Results stated within a report only apply to the items sampled and/or tested by the Laboratory. If the customer samples evidence prior to submission for testing, the reported results only apply to the sample as received by the Laboratory.
- C. Reports, letters, and calibration certificates may not be reproduced by the customer except in full.
- D. All reports contain conclusions, opinions, and interpretations based on and supported by data obtained from using appropriate and validated scientific methods and procedures. The Laboratory's current methods and procedures are available online at <http://www.dps.texas.gov/CrimeLaboratory/Pubs.htm>.
- E. In addition to the report, the Laboratory maintains a complete case record which is discoverable under Texas Code of Criminal Procedure Article 39.14.

10.6 Confidentiality and Release of Laboratory Information and Records

- A. Laboratory information and records are kept confidential as a normal business practice.



- B. Upon being presented with a valid public information request, valid subpoena duces tecum, valid court order, or discovery request (Michael Morton Act) for records, the Laboratory makes every effort to comply while taking precautions to ensure that only authorized persons receive the information.
1. Because the Laboratory is typically unaware of the customer and/or legal status of the case, laboratory records and information may be provided upon receipt of a public information request for cases which are currently active, have ongoing investigations, or are pending criminal charges or litigation.
 - a) *The Laboratory will contact the customer to provide notification that a public information request has been received for Laboratory cases involving crimes against persons (e.g., homicide, assault, sexual assault, kidnapping). At that time, the customer may request that the Laboratory withhold the requested records due to the case's active status, ongoing investigations, or pending criminal charges or litigation.*
 - b) *If a customer requests that the case-related Laboratory records are withheld from public disclosure, the Department will take the appropriate steps to seek a decision from the Texas Attorney General. The Laboratory makes no guarantee of the Attorney General's ultimate decision regarding if the requested records may be withheld from public disclosure.*
 2. Laboratory records and information are routinely released to designated court officials for legal purposes. The records and information released are not considered confidential for the purposes of prosecution. Defendants are entitled to discovery in state prosecutions pursuant to Texas Code of Criminal Procedure Article 39.14 which contemplates discovery being handled through the prosecutors' office.
 3. Laboratory records and information may additionally be released to applicable accrediting bodies or other entities for the purposes of maintaining accreditation.
- C. Confidential information which may be in the Laboratory's possession is not routinely released pursuant to public information requests.
1. Confidential information includes, but is not limited to:
 - a) *Dates of birth;*
 - b) *Driver license numbers or identification card numbers;*
 - c) *License plate numbers and vehicle identification numbers;*
 - d) *FBI number and criminal history records (TLETS/TCIC/NCIC);*
 - e) *Social security numbers;*
 - f) *Financial account numbers (e.g., credit card, debit card, insurance policy, bank account, bank routing number, or any portion of the number);*
 - g) *DNA, CODIS, or fingerprint records;*
 - h) *Autopsy photographs; and*
 - i) *Department employee's personal information (e.g., home address, home/cellular telephone number, social security number, date of birth, emergency contact information, and family information) if the employee elected to restrict the information.*



- D. Laboratory quality incidents and action plans, breath alcohol-related quality and technical records, laboratory manuals, policies, procedures, and forms are available on the public domain at the DPS website. A DNA Contamination Log and Quality Incident Search list are additionally available.
 - 1. No customer-specific or confidential information is placed in the public domain at the DPS website.
- E. Information about the customer obtained from sources other than the customer (e.g., complainant, regulators) is confidential between the customer and the Laboratory. The source of this information is confidential to the Laboratory and is not shared with the customer, unless agreed upon by the source.
- F. Only individuals employed by the Department may observe laboratory activities in laboratory areas to ensure confidentiality of active investigations, except in the following instances:
 - 1. Customers who are escorted at all times when working directly with Digital/Multimedia personnel when a need to collaborate has been identified based on the nature of the evidence;
 - 2. Assessors who are escorted by Laboratory personnel at all times when performing direct observation of laboratory activities for accreditation purposes; or
 - 3. With documented approval of the Laboratory Director.

10.7 Laboratory Visitation and Tours

- A. When circumstances permit, open houses are scheduled at least annually, during which testing is halted in order to provide access to Laboratory areas. Interested parties should contact the nearest Laboratory facility for more information on open house events.
- B. Outside of the open house, the Laboratory may provide approved video tours or tours limited to non-working Laboratory areas (hallways or meeting rooms).
- C. In order to preserve the confidentiality of all cases and maintain a safe and secure working environment, customers are not permitted to be present during the examination of evidence for the following reasons:
 - 1. Safety Risk;
 - a) *Access to the bench area of the Laboratory means high risk exposure to biological, chemical, and fire hazards, and exposure to use of weapons.*
 - b) *Personnel who work within these secure areas of the Laboratory are required to have considerable training in safety awareness such as routes of exposure, chemical properties impacting spill and fire response, use of safety equipment, sharps protocol to prevent bloodborne pathogen exposure, prevention of lead exposure, weapon safety, and much more.*
 - c) *It is a Department liability to allow an untrained and unvaccinated visitor in such a high risk area.*
 - 2. Contamination Risk to Evidence;
 - a) *Evidence open for examination is at risk for contamination, which diminishes its integrity, quality, and usefulness as evidence.*
 - b) *In certain areas, contamination prevention requires a full face mask and protective clothing to be worn by anyone entering the room, and in all areas, the knowledge of how to prevent contamination is critical.*



- c) *Contamination can occur in a variety of ways depending on the type of evidence.*
 - i. *DNA contamination can occur from coughing, talking, sneezing, shedding a hair or dandruff, or touching a surface. A DNA contamination event may occur days before detection. The slightest amount of DNA can now be detected with the very sensitive technologies in use.*
 - ii. *Trace evidence contamination can occur from the shedding of hairs or fibers.*
 - iii. *Friction ridge contamination can occur from a touch.*
 - iv. *Forensic Document Examination evidence can be altered by touch, pressure, impressions, and liquid.*
 - v. *Digital/Multimedia contamination can occur from a magnet, a touch, pressure, and liquids.*
 - d) *In order to prevent contamination when a visitor is present, the Laboratory must remove all other evidence from the area.*
 - e) *The analyst must prevent access to the evidence by others while simultaneously accessing the evidence themselves for careful testing, all while overcoming the added distraction of an audience.*
 - f) *Once a visitor departs, the Laboratory must decontaminate the testing area.*
 - i. *Decontamination may involve wiping down an entire room with bleach or flooding an area with ultraviolet light.*
3. **Security Risk to Laboratory; and**
- a) *While unintentional contamination can easily occur, deliberate actions are also a threat. It is Department policy to perform a background check on employees and contractors before they are allowed into the secure areas of the Laboratory.*
 - b) *The Laboratory is entrusted to protect confidential information and handles valuable evidence including money, jewelry, and seized drugs.*
4. **Expense to Laboratory, Customers, and Other Stakeholders.**
- a) *The presence of visitors inside the secure area is a costly disruption of efficient workload processes in the Laboratory. With an observer, time and space must be dedicated to a single case, where, for example, instead of testing one blood tube for one Toxicology (Alcohol/Volatiles and/or Drugs) case, the usual Laboratory procedure is to run a batch of multiple cases.*
 - b) *During a visit, no other Laboratory equipment within the room can be used nor may another analyst perform work on other cases within the room to avoid unnecessary contamination or security risk to other evidence. One single observed case can limit access to most of the Laboratory equipment for all other cases of the same type, resulting in lost productivity for many analysts.*
 - c) *Reagents, particularly those associated with DNA analysis, are costly and all normal quality controls must be run regardless of how few samples are run.*
 - d) *Decontamination of a workspace is time consuming and labor intensive and may also require the workspace to be vacated for a time, such as for decontamination by ultraviolet light.*
 - e) *Visitor DNA may need to be analyzed and compared if contamination does occur, using reagents and analysts' time to search for the source of contamination.*



- f) *Additional costs are incurred by the Laboratory in purchasing personal protective gear for an observer and cleaning costs for non-disposable items.*
- g) *A Laboratory visitor must be observed at all times by a staff member for security reasons, further decreasing productivity for the Laboratory.*

10.8 Customer Feedback, Complaints, and Communications

- A. The Laboratory values and encourages feedback and communication from customers and other stakeholders to ensure the laboratory's continuing suitability, adequacy and effectiveness.
 - 1. Feedback may be provided via forms available at regional laboratories or electronically.
- B. Complaints should be communicated directly to the applicable Laboratory Manager for efficient resolution. Alternatively, complaints may be submitted via the same survey link above.
 - 1. For complaints regarding a Texas Department of Public Safety Crime Laboratory in regards to professional negligence or professional misconduct that would substantially affect the integrity of the results of a forensic analysis, please contact the Texas Forensic Science Commission via their website at <http://www.fsc.texas.gov/submitcomplaint>.
- C. As a result of compliance with accreditation standards and other best customer service practices, there are communication policies regarding case acceptance, service requests, and submitted cases that are upheld by the Laboratory.
 - 1. The Laboratory will contact the customer as necessary to discuss the following topics including, but not limited to:
 - a) *The customer's request for Laboratory services;*
 - b) *The Laboratory response to a request for expedited analysis or reanalysis;*
 - c) *Additional testing services/types of analysis offered by the Laboratory which may be beneficial to the customer or investigation;*
 - d) *The preliminary or reported results and conclusions of testing;*
 - e) *Significant delays in analysis or case turn-around time;*
 - f) *Approval for the Laboratory to deplete all submitted unfired ammunition in the generation of test fires during Firearms & Toolmarks analysis (with the exception of distance determination and ejection pattern testing);*
 - g) *The requirement to issue a subpoena duces tecum in order to obtain the contact information of former Laboratory personnel for testimony; and*
 - h) *The receipt of a public information request for case-related Laboratory records and information.*
 - 2. Upon attempted contact by the Laboratory, the customer has 5 (five) full business days in order to respond. If the customer does not respond within the allotted time, the Laboratory reserves the right to proceed with, amend, or withdraw any service request. The Laboratory additionally reserves the right to release any case-related information or records in response to a public information request.
 - a) *Business days do not include weekends and holidays as defined in the State of Texas Holiday Schedule published by the Texas State Auditor's Office (<http://www.hr.sao.texas.gov/Holidays>).*



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- b) *For instances in which there is the possibility of evidence degradation or when the condition of the evidence poses an immediate safety concern, the Laboratory may proceed at its discretion without waiting the 5 (five) full business days for customer response.*
3. The Laboratory retains all communications regarding service requests, submitted evidence, or Laboratory cases.
- D. For questions regarding Laboratory services and policies, please contact the regional laboratory in the applicable service area (refer to [Appendix 2 – Laboratory Contact Information](#)).



11 Expert Witness Testimony Guidance

- A. The Laboratory services agencies in all 254 counties in the State of Texas. Personnel testify hundreds of times and travel thousands of miles each year.
- B. In order to ensure that the Laboratory is able to provide the best expert witness experience possible while maintaining regular laboratory requirements and managing case workloads, it is requested that the following guidelines are followed:
 1. Notification for Court Appearances or Cancellations
 - a) *Every effort should be made to give at least 48 hours' notice when an analyst is needed for court. The expert plays a significant role in the judicial system and often there is a need to present results and interpretations in court. The Laboratory makes every effort to accommodate the requests received.*
 - i. *It is disruptive to laboratory workflow when last minute testimony requests are received. Laboratory analyses can be very involved, requiring coordination and precise timing for sample preparation, use of equipment, instrumental analysis, and review. Unscheduled court appearances can create significant delays in casework due to the inability to appropriately schedule laboratory time.*
 - ii. *Due to other court obligations or scheduled time off, personnel may not be able to accommodate requests received with short notice.*
 - iii. *Please consider the use of real-time video technology in place of in-person testimony to reduce the budgetary and time impact to the Laboratory and individual testifying. Statutory authority for video testimony by a forensic analyst can be found in Texas Code of Criminal Procedure Article 38.076.*
 - b) *It is requested that as much advance notice as possible be given for court cancellations. The court process can be unpredictable and witnesses may be en route to court before it is determined their testimony is not needed. Personnel may not have email or phone access while they are on the road.*
 - c) *Requestors should call the Laboratory during normal business hours or the relevant DPS Regional Communications Offices after hours to expedite notifications to the analyst (refer to [Appendix 2 – Laboratory Contact Information](#)).*
 2. Subpoenas for Current or Former Personnel
 - a) *If an analyst is needed for court as a witness for the prosecution, a subpoena should be issued in order to ensure proper notification and scheduling.*
 - i. *Subpoenas allow staff to update their calendars and immediately notify the issuer of the subpoena of any scheduling conflicts.*
 - b) *If an analyst is needed for court and is a witness for the defense, a subpoena is required by Agency policy and the prosecutor is notified*
 - c) *A Laboratory case number should be included on the subpoena, as there may be multiple defendants with the same name in the Laboratory's Information Management System.*
 - d) *Subpoenas are generally marked with the date they are received. Personnel may receive multiple subpoenas for the same date, in particular for the Seized Drugs and Toxicology (Alcohol/Volatiles and/or Drugs) disciplines.*
 - i. *Court requests are first prioritized based on the date received to mitigate scheduling conflicts between courts.*



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- b) *A WebEx session can be established by the Laboratory and generally only a computer with internet access, video capabilities, and a microphone or telephone is required on the receiving end. This option enables the laboratory personnel to utilize their time more efficiently.*
6. Transportation of Evidence to Court
- a) *Evidence not in the care, custody, or control of the Laboratory is not retrieved or transported for court purposes.*
 - b) *If evidence is needed in court, the requestor must notify the Laboratory as soon as possible.*
 - c) *Laboratory personnel are not commissioned officers and at times use their personal vehicles to travel to and from court. For these reasons, Laboratory personnel are not permitted to transport seized drug evidence to and from court.*
- C. In the event the original analyst is unavailable for testimony, reanalysis of evidence may occur only by receipt of a valid court order or with the documented approval of the Laboratory.
- 1. Reanalysis may be dependent on the circumstances of the case and condition of evidence.
 - 2. Certificates of Analysis and Peer Review Affidavits are available upon request and their use is encouraged to reduce the need for reanalysis in the event the original forensic scientist is not available for testimony.
- D. Testimony for non-DPS cases
- 1. DPS analysts are sometimes asked to provide testimony on non-DPS cases such as serum conversions, toxicology extrapolations, and hypothetical cases.
 - 2. While DPS analysts may be able to provide this type of testimony, due to the lack of personal knowledge of the circumstances of the case the analyst's testimony may be limited.



12 Laboratory Terms of Service

Under the contract for services, the customer acknowledges and permits the Laboratory to:

- A. Choose the appropriate testing methods to fulfill the customer's request based on the information provided;
 1. When the Laboratory has the capability to complete the requested services, appropriate methods of analyses and examinations that have been validated and recognized by the forensic community are used.
 2. The customer is not explicitly informed prior to testing of the specific methods used to conduct the analyses or examinations on the submitted evidence.
 3. Methods approved and available for use are available for review on the DPS website.
 4. If the testing methods utilized are not provided via laboratory report, they can be provided upon request.
- B. Choose the testing method determined to have the most probative or relative value to the submitted evidence;
- C. Prioritize analysis requests utilizing a testing sequence that will allow for optimal results (e.g., DNA collection prior to friction ridge processing or trace evidence collection) for requests that involve multiple types of analysis;
 1. In the event multiple types of analysis are requested but only one can be performed, the customer is consulted to determine the best course of action.
- D. Deviate from published and current methods of analysis or examination, when necessary;
- E. Use discretion when determining to not complete a requested service, to halt testing, or to not perform an otherwise routine test (refer to [Chapter 15 – Case Acceptance and Analysis Policies](#));
 1. Determinations made due to specified case acceptance and analysis policies are not considered a change in contract and do not require explicit communication to the customer prior to the performance of Laboratory activities.
 2. Determinations of this type may routinely be due to submitted evidence which is determined to be of insufficient quantity, insufficient quality, or of limited investigative or probative value.
 3. The customer is informed when a requested service has not been performed or when an evidentiary item was not analyzed or examined due to the above determinations via the [Discipline / Relevant Test] Laboratory Report.
- F. Issue simplified reports;
 1. Agreement to receive simplified reports means that the following information will be retained and can be provided upon request, but may not be provided on a standard Laboratory report:
 - a) *The identification of the methods used; and*
 - b) *The date(s) of performance of the Laboratory activities.*
- G. Deplete evidentiary items where there is a limited amount of sample in order to perform or complete the requested testing service/type of analysis;



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- H. Use a sampling plan during Seized Drugs analysis to analyze a portion of the submitted evidentiary items when a large number of homogenous items are submitted as one exhibit (e.g., pharmaceutical tablets and edibles);
1. A scientifically valid method of selection and analysis is used on the samples if the reported results are intended to be representative of the whole exhibit.
 2. The customer is informed when a sampling plan has been used via the Seized Drugs Laboratory Report.
- I. Subdivide an evidence item for analysis or collect a sample from the evidence item in order to properly preserve or analyze the evidence (e.g., cuttings, tape lifts, extractions, and segregation of samples); and
1. Subdivided items may be retained by the Laboratory for possible future examination or retrieval. The Laboratory maintains an internal chain of custody for the subdivided items while in the care of the Laboratory.
 2. The customer is notified of the disposition of all submitted evidence items in the [Discipline / Relevant Test] Laboratory Report.
- J. Forward submitted evidence to another regional laboratory (i.e., insource) or another accredited laboratory (i.e., outsource) for the completion of the requested service.
1. Evidence is routinely forwarded in instances where the evidence is submitted to a regional laboratory which does not support the requested service (refer to [Appendix 1 – Laboratory Services](#)).
 2. Evidence may be insourced or outsourced for purposes of efficiency and effectiveness at the Laboratory's discretion.
 3. When insourcing occurs, the physical testing location is communicated via the [Discipline / Relevant Test] Laboratory Report.
 4. The customer is informed, as appropriate, when evidence has been outsourced to another accredited laboratory.
 5. If, for any reason, the customer does not agree to automatic outsourcing to another accredited laboratory, the customer must communicate this to the Laboratory via the submitted Laboratory submission form.



13 Laboratory Service Requests

13.1 Requests for Service

- A. A completed Laboratory submission form is required and serves as a proposed contract for services between the customer and the Laboratory (refer to [Chapter 14 – Required Forms and Evidence Collection Kits](#)).
- B. The completed submission form and any other request-related documentation should accompany the evidence when it is submitted. Submission forms and other required documentation may vary based on the type of evidence to be submitted or the request for service.
- C. Upon the issuance of a Laboratory case number and the placement of the case label information on the submission form, the Laboratory accepts the request for analysis.
 1. The accepted request is considered to be a contract between the customer and the Laboratory and may be subject to additional review and/or deviation.
- D. If a case receives a legal disposition any time after submission and there is no statutory requirement to perform the testing, notify the Laboratory as soon as possible so Laboratory resources may be redirected to active cases.
- E. Internal DPS customers for whom the Laboratory is storing seized drug evidence are required to notify the Laboratory of the disposition of the case within 30 (thirty) days from date of legal disposition.
- F. The Laboratory has established general request acceptance and analysis policies (also referred to as case acceptance and analysis policies) to maximize efficiency for all stakeholders. Additionally, specific policies have been established for the following testing services/types of analysis:
 1. Biology/DNA;
 2. Digital/Multimedia;
 3. Friction Ridge;
 4. Seized Drugs;
 5. Toxicology (Alcohol/Volatiles and/or Drugs); and
 6. Trace Evidence.
 7. For cases where evidence is submitted for multiple services, multiple types of analysis, or in the event of special circumstances, the Laboratory will consider the acceptance of additional evidence beyond the limitations communicated in these policies.
 8. For additional information, please refer to [Chapter 15 – Case Acceptance and Analysis Policies](#).
- G. For DNA, Forensic Document Examination, Friction Ridge, and Trace Evidence service requests, the Laboratory requires the submission of known reference or exemplar samples from victim(s), suspect(s), and elimination subjects for comparison purposes.
 1. Elimination subjects are persons who had legitimate access to a crime scene or item of evidence and may be detected during forensic analysis but are not the victim or considered a suspect.



- a) *An example of a person listed for elimination purposes is a consensual partner of a victim of a sexual assault or individuals other than the victim residing in a residence that was burglarized.*
 2. It is the responsibility of the customer to collect reference or exemplar samples prior to submission of the evidence, if possible.
 - a) *Samples should be collected during the initial investigation, packaged separately from the evidence, and submitted at the same time as the evidence.*
 - b) *Lack of submitted reference or exemplar samples may limit or delay analysis.*
 3. The Laboratory may be consulted on a case-by-case basis prior to the submission of evidence for guidance on the recommended standards to submit.
 - a) *Recommendations to submit reference or exemplar samples may also be communicated in a [Discipline / Relevant Test] Laboratory Report, where applicable.*
- H. Customers should contact their local Texas Ranger for assistance with crime scene response.

13.2 Expedited Requests

- A. For special service requests or requests involving time constraints, it is the responsibility of the customer to effectively communicate those needs to the Laboratory.
1. The Laboratory discourages frequent non-routine or expedited service requests as they negatively impact quality and the timely and accurate completion of other requests.
 2. Requests are typically worked chronologically based on submission date (those that have been in the queue the longest).
 - a) *Delays in routine casework will usually not result in direct communication with the customer.*
 - b) *Approximate casework turn-around times are posted on the DPS website.*
- B. A case may be expedited if it involves any of the following circumstances:
1. A threat to public safety (e.g., an unidentified serial rapist);
 2. An impact to court trials;
 3. An impact to jails (e.g., subject is confined for an extended period pending Laboratory results);
 4. A high profile incident that draws national media attention; or
 5. Other circumstance(s) which dictate the need for expedited analysis.
- C. The customer is informed by Laboratory management as to whether the request has accepted or denied. Requests may typically be denied if the Laboratory is unable to fulfill the expedited request within the requested time constraints.
- D. Service-Level Notice Requirements
1. Evidence must be submitted prior to, or at the time the expedited request is received.



2. Expedited requests may additionally be prioritized based upon the evidence submission date, offense type, statute of limitations, court date, or any exigent circumstances.
3. While the Laboratory makes every effort to meet requested timelines, acceptance of an expedited request is not a guarantee that testing will be complete prior to the requested completion date. It is imperative that as much advanced notification is provided to the Laboratory as possible.
4. Seized Drugs
 - a) *Notice must be provided to the Laboratory at least **30 (thirty) business days** prior to the date results are needed for court purposes.*
5. Biology/DNA, Digital/Multimedia, and Trace Evidence (including GSR analysis)
 - a) *Notice must be provided to the Laboratory at least **60 (sixty) business days** prior to the date results are needed for court purposes.*

13.3 Requests for Storage and Destruction of Evidence

- A. The Laboratory examines evidence from over 2,000 law enforcement agencies across Texas. Due to the volume of evidence submitted to the Laboratory, only evidence submitted by internal DPS customers may be stored or submitted for storage.
- B. All evidence submitted by non-DPS entities is returned to the submitting agency with the exception of the following:
 1. All Laboratory-generated lifted friction ridge impressions and photographs are retained by the Laboratory for future reference.
 2. Submitted friction ridge exemplars are retained by the Laboratory if comparisons were performed by the Laboratory.
- C. The Laboratory does not take custody of evidence for destruction from non-DPS entities.
- D. Per Texas Code of Criminal Procedure Article 38.43, non-DPS law enforcement agencies and other criminal justice entities from counties with a population less than 100,000 may submit biological evidence for long-term storage.
 1. Agencies are encouraged to store this evidence locally until conclusion of trial.
 2. All submissions for long-term storage must be made to the DPS Bio-Warehouse located in Houston (refer to [Appendix 2 – Laboratory Contact Information](#)).

13.4 Requests for Reanalysis of Evidence

- A. Reanalysis of evidence which has previously been tested only occurs by receipt of a valid court order, or with the documented approval of the Laboratory under the following circumstances:
 1. Cases affected by a warrantless blood draw;
 2. For administrative or quality assurance purposes;
 3. The original forensic scientist is not available for testimony;
 - a) *Certificates of Analysis and Peer Review Affidavits are available upon request and their use is encouraged to reduce the need for reanalysis in the event the original forensic scientist is not available for testimony.*



4. New technology or procedures become available; or
5. A change in legal statutes or requirements.

B. Resubmission of evidence may be considered for the purposes of additional testing not previously performed and/or processing of additional evidence.

13.5 Evaluation of Service Requests

A. Following submission, the Laboratory evaluates the evidence and the requested testing services/types of analysis to ensure that the needs of the customer can be met by the Laboratory. A case synopsis or offense report can assist in evaluating the requested services.

1. If the submission form requires significant amendment, the Laboratory contacts the customer regarding the changes.
 - a) *Customers may be asked to submit a corrected Laboratory submission form and/or provide additional information pertaining to the request.*
 - b) *Administrative changes may be made by the Laboratory without explicit contact to the customer.*
2. The Laboratory contacts the customer when circumstances of the submission require clarification prior to the commencement of testing or analysis.
3. The Laboratory contacts the customer when the method requested by the customer is considered to be inappropriate or out of date.
4. The Laboratory contacts the customer to clarify any significant discrepancies with the submission form, description or condition of the item(s) of evidence, and whether to proceed with testing.
 - a) *Significant discrepancies include, but are not limited to:*
 - i. *Evidence indicated on the submission form but not located upon evidence intake or during analysis (e.g., missing evidence);*
 - ii. *A discrepancy in the provided count of seized drug evidence or items of monetary value for which the submission form indicates a greater count than observed upon evidence intake or during analysis AND the discrepancy cannot be reasonably accounted for;*
 - iii. *A ≥ 10 % discrepancy in the provided weight of seized drug evidence for which the submission form indicates a greater weight than observed upon evidence intake or during analysis AND the discrepancy cannot be reasonably accounted for; and*
Note: *Some examples may include fresh plant material or cocaine base that has been stored for an extended period of time or in extreme temperature conditions.*
 - iv. *Evidence received in a condition unsuitable to testing (e.g., moldy evidence, broken blood tube, improperly sealed container of liquid, etc.).*
5. Minor discrepancies which may be resolved prior to testing or a statement may be added to the test report include, but are not limited to:
 - a) *Evidence submitted but not indicated on the submission form; and*
 - b) *Number of items received is greater than the number listed on the submission form.*



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- B. If it is determined that the Laboratory cannot comply with the requested examination or is unable to meet the customer's needs prior to, or during analysis, the customer is contacted to either:
1. Discuss potential modifications to the request; or
 2. Arrange for the subsequent return of the evidence.
- C. Upon attempted contact by the Laboratory, the customer has 5 (five) full business days in order to respond. If the customer does not respond within the allotted time, the Laboratory reserves the right to proceed with, amend, or withdraw any service request. The Laboratory additionally reserves the right to release any case-related information or records in response to a public information request.
1. Business days do not include weekends and holidays as defined in the State of Texas Holiday Schedule published by the Texas State Auditor's Office (<http://www.hr.sao.texas.gov/Holidays>).
 2. For example, if the Laboratory leaves a message on the Monday of a regular business week and the customer is non-responsive, the Laboratory may proceed appropriately no earlier than the Tuesday of the following week.
 3. For instances in which there is the possibility of evidence degradation or when the condition of the evidence poses an immediate safety concern, the Laboratory may proceed at its discretion without waiting the 5 (five) full business days for customer response.



14 Required Forms and Evidence Collection Kits

14.1 Submission Forms

- A. Submission forms are considered a proposed contract for services and are designed to ensure the Laboratory has all of the necessary information about the case to reduce the need to follow up with each customer.
- B. Submission forms are available within specific evidence collection kits, at any Laboratory facility, or can be downloaded from the DPS website (<http://www.dps.texas.gov/CrimeLaboratory/Pubs.htm>).
- C. Submit all evidence with a thoroughly completed and legible submission form (typed submission form preferred). Please ensure driver's license numbers and/or ID card numbers and names are documented accurately.
- D. If aliases are used and names are identified later during the course of the investigation, the completion of a corrected submission form is required in order to request an amended report be issued.
- E. A Laboratory Submission Form (LAB-201) is required for all service requests and submissions with the exception of the submission of evidence for:
 1. Toxicology (Alcohol/Volatiles and/or Drugs) analysis; and
 2. Destruction of seized drug evidence submitted by internal DPS customers.
 3. For sexual assault evidence submission, the Sexual Assault Evidence Submission Certification Form (LAB-206) is required in addition to the LAB-201 in order for the customer to meet statutory requirements in Government Code §420.042.
- F. Rapid DNA Searching
 1. As a CODIS participating lab, the DPS Crime Laboratory is able to upload DNA profile information from crimes of special concern into the DISC (DNA Index of Special Concern) within CODIS so that once Rapid DNA Technology is in place, these profiles will be searched immediately.
 2. The goal of the FBI's Rapid DNA initiative is to search unsolved crimes of special concern while a qualifying arrestee is in police custody during the booking process.
 3. For consideration to search using Rapid DNA within the CODIS database, cases submitted involving sexual assault, homicide, kidnapping, or terrorism should include the Rapid DNA/Crimes of Special Concern Certification Form (LAB-214) in addition to the LAB-201 to assist the laboratory in collecting information needed to meet FBI requirements.
- G. The Seized Drugs Destruction Only Submission Form (LAB-202) is required for evidence submissions in which:
 1. Laboratory analysis is not requested and/or necessary; and
 2. The evidence is submitted for destruction by internal DPS customers.
- H. A Toxicology Request Submission Form (LAB-203) is required for the submission of specimens for the determination of alcohol/volatiles and/or drug content.
 1. This form is included in the required blood and urine specimen collection kits available from the DPS General Stores or WorkQuest (formerly TIBH).



2. If the specimen is collected and submitted as part of a sexual assault investigation, a LAB-201 is acceptable but the requested toxicology testing (alcohol/volatiles, drugs, or both) should be clearly communicated on the form.
- I. A Biological Evidence Storage Form (LAB-204) is required for the submission of biological evidence for long-term storage from non-DPS law enforcement agencies and other criminal justice entities from counties with a population less than 100,000.

14.2 Other Service Request Forms

- A. Expedited analysis requests and requests for reanalysis of evidence without a valid court order require the submission of the Expedited Analysis / Reanalysis Request Form (LAB-213) for Laboratory consideration.
- B. Requests for Digital/Multimedia analysis require the submission of detailed case-specific information and a completed Digital/Multimedia Information Form (LAB-210).
 1. The customer is notified if the information provided is insufficient for analysis to be performed.
 - a) *After this notification, the customer has **30 (thirty) business days** to respond and provide the needed information before a Closed Without Analysis Laboratory Report is issued and the evidence returned to the customer. Evidence may be resubmitted at a later date with the required documentation.*
- C. Requests for Trace Evidence – Gunshot Residue analysis require the submission of a case scenario or offense report and a completed Gunshot Residue Kit Information Form (LAB-211).
 1. The Gunshot Residue Kit Information Form must contain the subject’s name, date and time of incident, and date and time of sample collection.
 - a) *In order to avoid processing delays, the Laboratory requests that a copy of the Gunshot Residue Kit Information Form (LAB-211) be included with the Laboratory Submission Form (LAB-201) outside of the evidence packaging.*
 2. The customer is notified if the information provided is insufficient for analysis to be performed.
 - a) *After this notification, the customer has **30 (thirty) business days** to respond and provide the needed information before a Closed Without Analysis Laboratory Report is issued and the evidence returned to the customer. Evidence may be resubmitted at a later date with the required documentation.*

14.3 Required Evidence Collection Kits

- A. Effective February 1, 2019, Toxicology blood evidence collection kits must be purchased from DPS General Stores or WorkQuest (formerly TIBH). These kits have been prepared according to strict specifications under DPS authority and knowledge of component preservatives and anti-coagulants.

Call (512) 424-5424 for current cost and ordering information

Item	Stock Number
Blood/Alcohol Collection Kit	680-88-8050
Urine Specimen Collection Kit	680-88-8060
Syringe Transport Tube	475-34-7920



WorkQuest Online Catalog

Item	SKU
Toxicology and Blood Alcohol Collection Kit	19348350612

- B. Sexual assault evidence collection kits must be barcoded and the location updated in Track-Kit, the statewide sexual assault evidence tracking system, prior to submission to the Laboratory. For assistance with Track-Kit, please email kittracking@dps.texas.gov.

14.4 Required Seized Drugs Destruction Only Evidence Packaging

- A. Effective January 1, 2021, packaging for seized drugs submitted by internal customers for destruction only must be purchased from DPS General Stores. These bags are made of clear plastic and allow for an inventory to be conducted without directly accessing the contents of the bags.

Call (512) 424-5424 for current cost and ordering information

- B. These bags should NOT be used for the submission of evidence for testing.



15 Case Acceptance and Analysis Policies

15.1 Analysis of Explosives or Possible Incendiary Devices

- A. The Laboratory does not accept explosive materials or test for the presence of explosives.
- B. For explosives analysis, please contact the Bureau of Alcohol, Tobacco and Firearms.
- C. If other types of forensic testing are requested on possible incendiary devices, such as Biology/DNA or Friction Ridge examination, they must be sufficiently deactivated prior to submission. Documentation from the customer confirming deactivation is required.

15.2 Receipt of Threatening Communication

- A. Evidence that is accompanied by threatening communication and/or an unknown powder-like substance is treated as a possible biological threat and is not be accepted until there is documented assurance that the substance has been tested and does not pose a biological threat.
 1. If the evidence enters the Laboratory without a reliable negative report, the item is sealed in an airtight container and the following entities are notified immediately (in the order listed):
 - a) *Laboratory Manager;*
 - b) *Local Fire Department Special Operations Hazardous Materials;*
 - c) *FBI;*
 - d) *Texas Department of State Health Services – Biological Threats;*
 - e) *24/7 Emergency Phone: (512) 689-5537;*
 - f) *Direct Laboratory Phone: (512) 458-7185; and*
 - g) *Submitting agency (if unaware prior to submission).*
 2. The FBI directs the subsequent handling of the sample. If further testing is necessary, the FBI directs the transportation of the sample to a Laboratory Resource Network-certified laboratory.

15.3 Biology/DNA Analysis

- A. For all case submissions, the number of items or samples that are tested is limited to the minimum number necessary to answer the relevant questions in the case.
- B. The Laboratory does not accept and/or perform DNA testing on:
 1. Paternity cases, including criminal paternity;
 2. Seized drugs or drug paraphernalia; or
 3. Items submitted in possession offense cases involving firearms.
- C. Touch DNA is DNA from items which are suspected to not have biological fluids, but are collected in an effort to obtain DNA from skin cells.
 1. Requests for touch DNA analysis on items recovered from property crimes (e.g. burglary) will not generally be accepted by the laboratory.
 2. Requests for touch DNA analysis on items recovered from violent crimes (e.g. sexual assault, homicide, physical assault) may be accepted on a case-by-case basis. Consultation with the laboratory prior to submission is recommended.



3. In general, the Laboratory does not analyze items where there has been a minimal amount of contact involved (e.g. contact with steering wheels, shift knobs, door handles, switches, countertops, keys, locks, ammunition, cartridge cases, friction ridge impressions, etc.).
- D. Hair evidence submitted to the Laboratory for DNA analysis is examined by, or in consultation with, a Trace Evidence analyst prior to DNA processing.
- E. Any negative sexual assault kit (i.e., no DNA profiles obtained and no further DNA analysis to be performed) with preserved trace evidence (e.g., tapelift of panties, debris from swabs, etc.) may be forwarded to the Trace Evidence section for analysis.
- F. Known reference samples from suspects are not processed for entry into CODIS if:
 1. Reference samples were submitted without any associated evidence; or
 2. Reference samples were submitted after screening analysis is complete and screening results were negative.
- G. The type and number of items or samples that are accepted for analysis is based on the type of offense as provided below:
 1. Please note, known standards from suspects, victims/survivors, or elimination individuals (including consensual sex partners) do not count against the number of items that may be submitted.
 2. Burglary or Property Crime Related Offenses
 - a) *Submission is limited to 2 (two) items. Items must be:*
 - i. *Swabs of blood from the crime scene;*
 - ii. *Items left at the scene (e.g., cigarette butts, clothing, gloves, drink containers, etc.); or*
 - iii. *Swabs of items from the crime scene.*
 - b) *Requests for Touch DNA analysis are not accepted.*
 - c) *More than two items may be accepted if the circumstances (such as multiple perpetrators) dictate the need for additional analysis.*
 3. Sexual Assault Related Offenses
 - a) *Initial submission is limited to the sexual assault evidence collection kit, 1 (one) pair of underwear, and 1 (one) condom, if applicable.*
 - i. *If analysis of the sexual assault evidence collection kit produces informative results, no additional items may be submitted unless circumstances (such as multiple perpetrators) dictate the need for additional analysis.*
 - b) *If analysis of the sexual assault evidence collection kit is negative, a second submission of up to 5 (five) items, such as clothing or bedding, may be accepted.*
 - c) *Requests for Touch DNA analysis may be accepted on a case-by-case basis as a second submission. Consultation with the Laboratory prior to submission is recommended.*
 - d) *If no sexual assault evidence collection kit was collected, submission of items such as clothing, bedding, or requests for Touch DNA analysis may be accepted during the first submission. Consultation with the Laboratory prior to submission is recommended.*



4. Homicide Related Offenses

- a) *Initial submission is limited to 10 (ten) items for which the customer believes analysis will be the most informative.*
 - i. *It is recommended that the customer contact the Laboratory prior to evidence submission in order to determine which items will be most informative to the case.*
- b) *Biology screening and/or testing may be performed on the 10 (ten) items in the first submission. Of the screening results, in general the 5 (five) samples which indicate the highest chance for success are forwarded for subsequent DNA testing.*
 - i. *If informative results are obtained, additional items are not examined unless circumstances (such as multiple perpetrators) dictate the need for additional analysis.*
 - ii. *If informative results are not obtained from the initial DNA analysis, any remaining samples from the first submission are tested.*
- c) *If no informative results are obtained from the analysis of items in the first submission, a second submission of 10 (ten) additional items may be accepted and processed as above.*
- d) *Touch DNA to determine a user or handler may be accepted on a case-by-case basis. Consultation with the Laboratory prior to submission is recommended. The type of evidence, how the evidence may have been used/handled, and the duration of the use/handling is considered when determining if the evidence will be processed for DNA analysis.*
- e) *A written request from the Prosecutor, including sufficient justification, must be received by the Laboratory before any decisions on performing additional testing are considered once informative results have been obtained.*
- f) *Additional samples are not tested to merely disprove all possible scenarios.*

5. Crimes Against Persons Related Offenses

- a) *Submission is limited to 5 (five) items. Submission/analysis of additional items is determined on a case by case basis with the respective laboratory.*
- b) *Touch DNA to determine a user or handler may be accepted on a case-by-case basis. Consultation with the Laboratory prior to submission is recommended.*
- c) *The type of evidence, how the evidence may have been used/handled, and the duration of the use/handling is considered when determining if the evidence will be processed for DNA analysis.*

H. Genealogical Testing and Database Searches

1. Background

- a) *Phenotyping is the use of DNA to develop a “snapshot” of the physical characteristics of an individual in order to give an idea of what that person might look like.*
- b) *Genealogy analysis involves use of DNA to develop family trees/pedigrees to determine relatedness of individuals. Genealogical analysis often involves searching DNA profiles in several privately held databases. Some of these databases give participants the option to allow their profiles to be searched by law enforcement in order to develop possible leads that could potentially solve crimes.*



- c) *The technology used to perform phenotyping and to develop DNA profiles suitable for searching information contained in genealogical DNA databases is different from the technology used by the Laboratory.*
 - i. *Because a different process and different genetic markers are used, it is not possible to use DNA profile information developed by the Laboratory for phenotyping or searching a genealogical database.*
- d) *DNA data obtained by the Laboratory does not contain or reveal any information regarding the appearance of an individual other than gender.*

2. Requests for Laboratory Samples

- a) *The Laboratory may provide a portion of retained DNA extract(s) developed from evidentiary samples to a private laboratory in order for the private laboratory to develop a DNA profile using appropriate and validated technology for phenotyping and genealogical analysis.*
- b) *DNA profiles developed by the private laboratory may then be used for searching databases containing genealogical data.*
- c) *Customers wishing to pursue phenotyping or genealogical analysis and database searching, must provide the Laboratory with:*
 - i. *A written request specifying which private laboratory (i.e., genealogical service provider) will perform the testing;*
 - ii. *A prepaid, addressed mailing and tracking media for use by the Laboratory to facilitate the shipping of DNA extracts to the private laboratory;*
 - iii. *Written acknowledgement of Texas Code of Criminal Procedure Article 38.35 requirements;*
 - iv. *A list of Laboratory evidentiary DNA extracts needed for testing; and*
 - v. *A written statement giving the Laboratory permission to release a portion of the Laboratory evidentiary DNA extracts to the private laboratory.*
- d) *Upon receipt of the requested information, the Laboratory will release a portion of the requested evidentiary DNA extracts directly to the specified private laboratory. The Laboratory will also comply with any requests for technical information from the private laboratory concerning the provided DNA extract.*
 - i. *Technical information that may be provided by the Laboratory includes the type of DNA extraction technique used, the concentration of DNA in the extract, and whether the DNA profile developed by the Laboratory was a mixed sample or an incomplete profile. No other case-specific information is released.*
- e) *Requests from defense attorneys are not considered without a court order; such requests are directed to the prosecuting attorney who, in turn, should work with the customer.*

3. Fees for Testing and Database Searches

- a) *The customer is responsible for all costs associated with the testing and database searching by the private laboratory and should carefully consider all aspects of analysis including the legality of information obtained and potential for presentation of the information in court proceedings by the private laboratory.*



- I. Review of DNA Profiles Developed by Private Laboratories for CODIS Entry and Search
 1. Private laboratories do not meet the requirements set by the FBI for participation in CODIS and are unable to participate in the CODIS program.
 2. The Laboratory may review DNA data generated by a private laboratory and upload any eligible data to CODIS only under the following conditions and with the approval of a Laboratory DNA Technical Leader:
 - a) *Documentation of a fully executed memorandum of understanding between the Laboratory and the customer;*
 - b) *Documentation from the private laboratory showing they are in compliance with the Quality Assurance Standards for Forensic DNA Testing Laboratories and the accreditation requirements of state law;*
 - c) *Documentation of the technical specifications of the agreement between the private laboratory and the customer; and*
 - d) *The Laboratory or the FBI must perform an on-site visit of the private laboratory to evaluate conformance with Quality Assurance Standards.*
 3. It is required that the customer provide the documentation listed above to the Laboratory for review and approval before the private laboratory performs testing of any DNA samples in order to avoid potential issues with data eligibility.
 4. Any questions should be directed to a Laboratory DNA Technical Leader (refer to [Appendix 1 – Laboratory Services](#) to determine the nearest regional laboratory performing Biology/DNA services).

15.4 Digital/Multimedia Analysis

- A. A valid search warrant and/or consent to search form is required for all Digital/Multimedia (DM) requests, without exception.
 1. Because digital evidence examination is a more intrusive search than a “plain sight” search, it is not acceptable for a search warrant to simply give the authority for an officer to seize the devices in a specified location.
 - a) *The wording on the search warrant or consent form must specifically state that the data which resides on the seized digital media will be forensically examined (recovered and searched) by the Laboratory.*
 - b) *The search warrant or consent to search form should specifically contain the terminology requesting a “forensic examination” of the submitted evidence by the Laboratory.*
 - c) *Refer to [Appendix 12 – Computer Search, Seizure, and Analysis Warrant Template](#) for the proper terminology for search/seizure warrants.*
 2. Customers are notified if the search warrant or the consent to search form is inadequate to initiate examination of the evidence.
 - a) *After this notification, the customer has **30 (thirty) business days** to respond and provide the needed documentation before a Closed Without Analysis Laboratory Report is issued and the evidence returned to the customer.*
 - b) *Evidence may be resubmitted at a later date with the required documentation.*



B. Examinations for Possession of Child Pornography/Sexual Assault Offenses

1. For straight-forward cases involving the sexual assault of a child or possession of child pornography, all data that can be attributed to a username account is examined.
2. If notable data is recovered, an archived copy is saved and a report is issued. If notable data is not recovered in these areas, a further search of Unallocated Space (UA) is conducted. If more evidentiary data is needed at the time of trial, a search for this data can be conducted from the archived evidence files if proper notification is provided to the Laboratory.

C. Examinations for All Other Offenses

1. For cases which have the potential for the examination to extend to all areas of the digital media, specific information and search terms should be included with the request. Examples of ways to detail a request include:
 - a) *Providing a description of email correspondence between subject and victim (including known email addresses or nicknames of the subjects involved);*
 - b) *Specifying if pictures of a subject's family or other images are a suspected element of a case;*
 - c) *Providing a description of suspect documents containing information such as financial information, bank accounts, credit card numbers, etc.; and*
 - d) *Indicating a specific time frame.*
2. The more specific and unique the information provided, the more quickly the case can be examined and reported. Including agency offense reports and statements from subjects involved can be helpful in determining keywords for searches.

D. Based on the location at the crime scene and the evidence item's proximity to the suspects involved, customers are limited to initially submitting the 2 (two) most probative items of evidence (i.e. devices) in each DM case.

1. While it is extremely important to collect ALL of the digital media that could potentially contain evidence of a crime at the scene, customers should document the location of each piece of digital evidence and determine which 2 (two) items are most likely to contain the information. *(For example, the laptop a suspect is carrying with him/her and the cellular telephone in his/her pocket at the time of the arrest may possibly contain the data officers are looking for, whereas the older desktop computer located in the closet and not attached to a keyboard or monitor is possibly less likely to contain the data.)*
2. Once the first 2 (two) items have been examined and reported on, if the examination does not produce adequate investigative information, the next 2 (two) items may then be submitted for examination. This policy will prevent an analyst from spending potentially many months on one case while other priority cases stay in the backlog awaiting examination.
3. Regarding the types of crimes involving digital evidence that are accepted by the Laboratory, priority is given to those types of crimes in which a person is in immediate danger or in harm's way. Those types of crimes which are accepted and given priority are homicide, suicide, questioned death, sexual assault/violent crimes,



child pornography or crimes against children, persons in harm's way, improper photography/video, officer-involved, and internal investigations.

4. Cases involving offenses not listed above generally are not accepted or are returned without analysis. These cases, however, may be evaluated and accepted on a case by case basis.

15.5 Friction Ridge Examination

- A. Visual examination of evidence for latent, patent, or plastic prints will precede any development techniques applied.
- B. The forensic scientist has the discretion to choose and apply the appropriate processing techniques or combination of techniques and preservation methods or combination of methods that are available, approved for use, and included in the Friction Ridge Standard Operating Procedures.
- C. Fired projectiles will not be examined for prints.
- D. A print is analyzed to determine suitability. A suitable print possesses sufficient friction ridge detail and clarity for a conclusion to be reached.
- E. Suitable prints are compared to exemplars submitted and/or on file with DPS, FBI, and/or DHS.
- F. Conclusions that may be reached and reported for prints determined suitable include: Identification, Exclusion, or Inconclusive.
- G. Unidentified prints will be forwarded to the AFIS Section for an AFIS Search request.
- H. AFIS Searches
 1. At the completion of Friction Ridge examination, if suitable friction ridge impressions are not identified, the preserved friction ridge impressions are retained by the Laboratory, and the case is forwarded to the AFIS (Automated Fingerprint Identification System) section for a database search.
 2. If friction ridge impressions are determined to be not suitable by the reporting forensic scientist, they are considered not suitable to initiate a search in AFIS. The case will not be forwarded to the AFIS Section even when requested on the submission form.
- I. Analysis of Seized Drug-Related Evidence
 1. Evidence in misdemeanor seized drug offense cases are not examined for friction ridge impressions without a written request from the prosecuting attorney, including justification for the analysis.
 2. Evidence not requested for Friction Ridge examination prior to Seized Drug analysis is not examined for friction ridge impressions without a written request from the prosecuting attorney, including justification for the analysis.
 3. If more than 10 (ten) bundles of evidence, or the packaging from more than 10 (ten) bundles of evidence, are submitted, the customer is required to select up to 10 (ten) items for testing.
 - a) *This includes, but is not limited to, bundles of suspected seized drugs, seized drug-related currency, and applicable packaging.*



J. Analysis of Syringes

1. Syringes submitted under drug-related offenses are not examined for friction ridge impressions without a written request from the prosecuting attorney, including justification for the analysis.
2. Syringes submitted under any other offense are not examined for friction ridge impressions without a written request from the customer, including justification for the analysis.

15.6 Seized Drug Analysis

- A. The Laboratory does not provide services for destruction of hazardous materials.
- B. The Laboratory limits the number of items or samples in a case that can be accepted, based on their assignment in the Texas Health and Safety Code Chapter 481.
- C. The number of items that are tested in each case is limited to the minimum number necessary to reach the Texas Health and Safety Code weight requirement of either:
 1. The highest penalty group; or
 2. The highest felony.
 3. At times, the customer may request that testing be performed to meet a different penalty group or lower felony. This testing may be performed in lieu of testing to reach the highest penalty group or highest felony.
 4. Internal DPS customers may submit bulk and/or excess evidence. The evidence is processed in accordance with Texas Health and Safety Code Chapter 481 and Texas Administrative Code Title 37 Part 1 Chapter 13.
- D. Requests for the analysis of evidence in misdemeanor drug offense cases require a written request from the prosecuting attorney in addition to the Laboratory Submission Form. Standard form letters and/or blanket requests for analysis will not be accepted unless approved by the Laboratory Director.

Note: *this section does not apply to agencies with an interlocal agreement in place for testing services.*

1. Evidence submitted in person without the required documentation will not be accepted.
2. Evidence submitted via mail or Laboratory Drop Box without the required documentation is returned to the customer with a Closed Without Analysis Laboratory Report.
3. Internal DPS customers who are required to submit evidence for storage purposes may submit evidence regardless of offense or associated weight.
 - a) *If a submission contains both felony and misdemeanor items, they should be packaged in separate containers to expedite analysis.*
4. Misdemeanor offenses and associated weights that occur in a drug free zone or a correctional facility may be submitted for analysis as the offense elevates to a felony.



5. Examples of misdemeanor offenses and associated weights which will not be analyzed include:
- a) *Possession of Marihuana (less than 100 grams or 4 ounces);*
 - i. *DPS will no longer test misdemeanor plant cases, even if a prosecutor's letter is provided.*
 - b) *Possession of Penalty Group 2A (less than 100 grams or 10 packages);*
 - i. *Synthetic marihuana / cannabinoids other than ADB-FUBINACA, AMB-FUBINACA, and MDMB-CHMICA (e.g., Kush, K2, etc.)*
 - c) *Possession of Penalty Group 3 or 4 (less than 28 grams); and*
 - i. *Alprazolam (e.g., Xanax, G3720, G3722, GG258, XANAX/2, etc.)*
 - ii. *Clonazepam (e.g., Klonopin, M/C14, 93 832, TEVA/833, etc.)*
 - iii. *Diazepam (e.g., Valium, 10 DAN 5620, MYLAN 477, etc.)*
 - iv. *Hydrocodone (e.g., Dihydrocodeinone, Vicodin, M357, M358, M360, M367, WATSON 349, WATSON 503, WATSON 540, WATSON 853, etc.)*
 - v. *Lorazepam (e.g., Ativan)*
 - vi. *Steroids (e.g., Boldenone, Mestanolone, Nandrolone, Testosterone, Stanozolol, etc.)*
 - d) *Possession of Dangerous Drug or Miscellaneous Substances (any amount or weight)*
 - i. *Tadalafil (e.g., Cialis, C5, C10, and C20)*
 - ii. *Sildenafil (e.g., Viagra, VGR 25/Pfizer, etc.)*
 - iii. *Ibuprofen (e.g., Advil)*
 - iv. *Acetaminophen (e.g., Tylenol)*
 - v. *Naproxen (e.g., Aleve)*

E. Requests for Testing of Additional Items

- 1. Requests for the testing of additional items after the release of results require a written request from the prosecutor, including sufficient justification for the additional analysis. Once documentation has been received, the Laboratory reserves the right to decline testing on additional items.
- 2. Additional items will not be tested in order to report a heavier weight or to add additional charges that are less than or equal to the penalty for a substance previously identified.

F. Requests for the Testing of Syringes or Syringe Contents

- 1. Syringes, including any liquid from syringes which may have been packaged separately, will not be examined by the Laboratory for Seized Drug analysis without a written request from the prosecuting attorney, including justification for the analysis.

G. Quantitative Analysis Requests

- 1. Quantitative analysis is not performed for prosecution in state court.



2. DPS-sponsored cases with item(s) greater than 5 (five) grams may be quantitated upon written request by a federal prosecutor or DPS Criminal Investigation Division Captain when the request is made with the initial evidence submission.
 - a) *Quantitation requests should include contact information from the case agent, requestor and/or the United States Attorney's Office, as well as a due date or court date if available.*
3. Quantitative analysis is conducted in the Austin and Garland Regional Laboratories only.
 - a) *The evidence submission process follows routine submission procedures; identification that quantitative analysis is requested is made at the regional laboratory in the applicable service area and if quantitation is needed, the evidence is forwarded accordingly. The evidence is returned to the originating regional laboratory for storage purposes.*
 - b) *If quantitative analysis is requested after qualitative analysis has been completed and the evidence returned, the evidence should be re-submitted in the original packaging in which it was previously submitted to the laboratory.*
4. In Laboratory reports containing seized drug quantitation results (i.e., purity), the substance is reported in its salt form.
5. Quantitative analysis is not performed on liquids or tablets.
6. Contact the Austin or Garland Regional Laboratories to inquire about quantitation capabilities prior to submitting evidence for analysis (refer to [Appendix 2 – Laboratory Contact Information](#)).

15.7 Toxicology (Alcohol/Volatiles and/or Drugs) Analysis

- A. Effective February 1, 2019, blood and urine evidence collection kits must be purchased from DPS General Stores or WorkQuest (formerly TIBH). These kits have been prepared according to strict specifications under DPS authority and knowledge of component preservatives and anti-coagulants (refer to [Chapter 14 – Required Forms and Evidence Collection Kits](#)).
 1. The Laboratory will not proceed with analysis of contents of alternate kits except in rare, pre-approved circumstances.
 2. In the event that blood is collected using an alternate kit, transfer the blood tubes from that kit to a DPS kit prior to submission.
- B. Only 1 (one) alcohol analysis is performed per subject, per incident, for any traffic case.
 1. Toxicology (alcohol/volatiles) analysis will not be routinely performed on a specimen collected from a subject on whom a complete breath alcohol test was obtained.
 2. If multiple blood samples are submitted, the sample collected closest in time to the incident is analyzed for alcohol/volatiles, unless the customer specifically requests the analysis of a particular sample.
 3. If a gray-top tube is submitted with other types of blood tubes, only the gray-top tube is analyzed for alcohol/volatiles regardless of the collection time, unless the customer specifically requests the analysis of a particular sample.
 4. If both blood and urine samples are submitted, only the blood is analyzed for alcohol/volatiles.



- C. If the Laboratory receives a withdrawal of consent on a driving case, a notification to the customer is not necessary. The Laboratory will continue testing per routine procedures.
- D. If a defendant withdraws consent on a driving case, a notification to the laboratory is not necessary. The Laboratory will continue testing per routine procedures.

15.8 Trace Evidence Analysis

- A. The initial submission of Trace Evidence is limited to 10 (ten) items which the customer believes will be the most informative or probative.
 - 1. It is recommended that the customer contact the Laboratory prior to evidence submission to determine which items may be most probative to the case.
- B. If informative results are obtained during the analysis of the items in the initial submission, additional items are not examined unless circumstances (such as multiple perpetrators) indicate the need for additional analysis.
 - 1. A written request from the prosecuting attorney, including sufficient justification, is required before any decisions on performing additional testing are considered once informative results have been obtained.
 - 2. Additional samples are not tested to merely disprove all possible case scenarios.
- C. If no informative results are obtained during the analysis of the items in the initial submission, a second submission of up to 10 (ten) additional items may be considered.
- D. In order to provide our customers with the highest level of service, the Laboratory reserves the right to limit the amount of testing on Trace Evidence submissions based on case circumstances and analysis results.

15.9 Trace Evidence Analysis – Fire Debris

- A. Fire Debris analysis is only performed in cases associated with criminal offenses for law enforcement and fire services investigations in order to identify the presence of ignitable liquids.
 - 1. Since the Laboratory does not perform comparisons, items submitted as “comparison”, “exemplar”, or “control” will be analyzed similarly to other evidentiary samples.
- B. The submission of samples for fire debris analysis is limited to:
 - 1. Up to 3 (three) samples per vehicle fire;
 - 2. Up to 8 (eight) samples per homicide or fatality, unless there are multiple victims and/or multiple locations; and
 - a) *In these circumstances, an additional 2 (two) samples per victim or location are permissible to submit.*
 - 3. Up to 4 (four) samples in any other type of offense.

15.10 Trace Evidence Analysis – Gunshot Residue (GSR)

- A. Analysis for gunshot residue is performed on SEM stubs only. Gunshot primer residue analysis does not give an indication of the distance from which a firearm is fired (i.e., distance determination)
 - 1. Refer to [Chapter 21 – Firearms & Toolmarks Analysis](#) for information and evidence required to determine an approximate distance between clothing and a fired weapon.



2. Atomic Absorption (AA) Kits are returned without analysis. The Laboratory no longer has the proper instrumentation to analyze AA Kits.
 3. Instant Shooter Identification (ISId) Kits are returned without analysis. The Laboratory has not validated the ISId Kit or a method of analysis for it.
 4. The ISId-2 Instant Shooter Identification Kits contain SEM stubs and a presumptive test for nitrocellulose which utilizes a strong acid. The components of the test that have the acid on them should be handled according to the supplied instructions.
 - a) *Do not submit the acid components of the kit to the Laboratory. Such components are a chemical hazard and will cause deterioration of the packaging material if exposed to the acid.*
 - b) *The SEM stubs and information sheet may be submitted to the Laboratory using the kit-supplied envelope.*
 - c) *The cardboard box and field test items should be handled by the customer in accordance with the kit's instructions.*
- B. Gunshot residue (GSR) analysis is limited to cases involving crimes against persons including the following offenses:
1. Homicide;
 2. Attempted homicide;
 3. Aggravated assault;
 4. Aggravated robbery; and
 5. Questioned death or death investigation cases.
 6. Cases involving deadly conduct are assessed on a case-by-case basis.
- C. The following types of cases are generally returned without analysis unless there are documented extenuating circumstances:
1. Suicide cases (victim or suspect kits);
 2. Cases involving the discharge of a firearm in certain municipalities; and
 3. Cases involving a felon in possession of a firearm.
- D. The submitted case scenario, offense report, or police report will assist the Laboratory in accurately assessing each case when determining the availability of testing.
- E. The submission of 2 (two) stub kits is preferred for the efficiency of the analysis.
- F. In some instances, analysis of inanimate objects (e.g., clothing, vehicles, etc.) can yield investigative information. Upon customer request, items being processed by other sections of the laboratory may be processed in order to preserve samples for GSR analysis. The collected stubs will be assessed for analysis on a case-by-case basis.
- G. Policies Regarding Interpretation of Results
1. Analysis for gunshot residue is performed on GSR stubs collected from an individual's hands within 4 (four) hours of the incident in question.
 - a) *Any gunshot residue deposited on a living person is reduced by normal activity so that after four hours, no meaningful interpretation can be obtained from the analysis of the samples.*



- b) *Additionally, GSR samples should be taken before the subject's hands are bagged or before the subject is placed into a law enforcement vehicle. If hand bags are used prior to stubbing, the date and time of bagging and removal must be recorded on the Gunshot Residue Kit Information Form (LAB-211).*
- Note:** Hand bags are treated as a barrier to the outside environment and are not processed for the presence of GSR.
- c) *In some instances, analysis of inanimate objects (e.g., clothing, vehicles, etc.) can yield investigative information. Upon customer request, items being processed by other sections of the Laboratory may be processed in order to preserve samples for GSR analysis. The collected stubs will be assessed for analysis on a case-by-case basis. If there is a need for analysis of an inanimate object, please contact the Laboratory to discuss options prior to the submission of evidence.*
2. The Laboratory does not analyze items collected from a victim of a gunshot wound, regardless of their involvement in an incident.
- a) *The strength of a GSR test is to associate an individual with a firearm discharge who has not already otherwise been so associated. A shooting victim clearly has been associated with a firearm discharge, and the results of a GSR test usually cannot offer any more information than what is already known.*
- b) *Since more gunshot residue particles escape from the barrel of a firearm than from near the grip, the majority of both homicide and suicide victims have gunshot residue on their hands. Conversely, a small percentage of both homicide and suicide victims have no gunshot residue on their hands. Therefore, neither the presence nor the absence of gunshot residue on a victim's hands would provide definitive interpretation of either homicide or suicide.*
3. Since the strength of a GSR test is in associating an individual with a firearm discharge when they have not already otherwise been associated, GSR analysis is particularly useful as an investigative tool in the following scenarios:
- a) *To support or refute a statement or witness information;*
- i. *Suspect claims he/she did not shoot a gun and/or was not near a shooting; suspect does not have gun on person at the time of arrest.*
- ii. *Witness claims he/she saw suspect shoot a gun but suspect has not provided any additional information; suspect does not have gun on person at the time of arrest.*
- b) *To answer lingering questions after other laboratory analyses have been performed;*
- c) *When DNA, friction ridge examination, or firearms analyses have not indicated one suspect over another; and*
- d) *When firearms analysis has identified which gun was used to shoot the victim, but no friction ridge impressions were recovered from the gun.*
4. The Laboratory will evaluate all information provided by the customer. If the Laboratory determines that GSR analysis will not yield results with useful interpretations, the evidence is returned to the customer and a Closed Without Analysis Laboratory Report issued explaining the Laboratory's decision.
- a) *The customer may resubmit the evidence for testing if they provide further case information that justifies the need for analysis.*



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5. If a submission falls outside of the acceptance and analysis policies listed above, the Laboratory requires a valid court order or a written request from the prosecuting attorney in order for testing to be performed.
- a) *Once the written request is received, analysis of the case is left up to the discretion of the Laboratory.*
 - b) *If analysis is performed, the Laboratory report will specify Laboratory policy, where applicable, and state that the analysis was performed due to a court order or at the written request of the prosecuting attorney.*
 - c) *If the presence of GSR is confirmed, the report will state that no interpretation can be provided by the Laboratory.*

15.11 Trace Evidence Analysis - Unknown Substances

- A. The Laboratory does not analyze the following types of items:
- 1. Solid food products
 - 2. Biological or chemical toxins.



16 General Evidence Collection Guidelines and Packaging Requirements

16.1 Guidelines for Maintaining Evidence Integrity

A. Safety Considerations

1. Appropriate safety apparel or personal protective equipment (PPE) should be used during collection and handling of evidence. It is extremely important to follow your own department's safety procedures for collecting and handling evidence.
2. Biological fluids and materials on syringes, razors, and broken glass present a serious health safety risk due to potential bloodborne pathogens. Universal Bloodborne Pathogen Precautions should be observed.
3. Fentanyl, a powerful opioid, poses a significant threat to officer and Laboratory personnel safety. If an unknown substance is suspected to contain fentanyl, proceed with extreme caution and notify the Laboratory upon submission.
4. All lithium-ion batteries must be removed from items (e.g., e-cigarettes) prior to submission.
 - a) *If unable to be removed, lithium batteries are treated as a flammable hazard, labeled, and isolated when encountered due to safety, explosion, and fire concerns.*
5. Firearms should be unloaded at all times, if possible. Package and submit an unloaded firearm.
 - a) *Keep the action closed. Insertion of a plastic zip tie through the magazine well and the ejection port will allow the action to close while ensuring that the weapon is not loaded.*
 - b) *If loaded firearms must be submitted, the Laboratory personnel accepting the evidence must be notified of the loaded state of the weapon at the time of submission.*
 - c) ***Under no circumstances should a loaded firearm be submitted via mail or other shipping mechanism.***

B. Minimizing Evidence Contamination

1. Every action taken at the crime scene has some level of destructive effect on the scene. Any processing of the scene should be performed in a manner in which the damage to the scene and evidence is minimized.
2. Prior to entering any crime scene, ensure that its original condition has been documented, preferably by photography.
3. In order to prevent or limit contamination of the evidence or the crime scene:
 - a) *All individuals at a crime scene should wear personal protective equipment such as gloves, disposable shoe covers, and face masks;*
 - b) *Face masks should be in place prior to donning gloves in order to avoid any contact with the body prior to collecting evidence;*
 - c) *Personal protective equipment should be routinely checked for any damage (e.g., holes, tears, etc.) and changed frequently;*
 - d) *Each piece of evidence must be collected and preserved as a separate sample; and*



- e) *All items (e.g., bottles, test tubes, envelopes, and other containers) used to package evidentiary items must be clean and not previously used.*
 4. Physical evidence should be handled as little as possible. Too much handling may obliterate friction ridge impressions (e.g., fingerprints), dislodge minute trace evidence (e.g., hairs, fibers, and debris), break apart brittle evidence, or contaminate evidence.
- C. Preservation of Chain of Custody
1. To preserve the identity and chain of custody of each item of evidence containers must be properly labeled or tagged. Documentation should be maintained which shows who had contact with the evidence, at what time, under what circumstances, and what changes, if any, were made to the evidence.
 2. Labeling should not occur on the item itself; rather it should be on a tag attached to the item in an area not to be tested or on its individual container.
 3. It is recommended that at a minimum, evidence containers be labeled with:
 - a) *An agency case number;*
 - b) *An agency item number;*
 - c) *Location of collection;*
 - d) *Date and time of collection;*
 - e) *Initials or signature of the individual who collected the item; and*
 - f) *Brief description of the collected evidence.*
 - g) *Other pertinent information may also be included depending on local agency policy.*
 4. It is highly recommended that a numbering system be used when referring to item numbers on the submission form for evidence that is submitted to the Laboratory. The Laboratory utilizes a Laboratory Information Management System (LIMS) that will assign the evidence a laboratory item number. The Laboratory will correlate the agency's item number to the laboratory item number to ensure that the evidence is properly reported.
- D. Evidence Collection Considerations
1. Sample Sufficiency
 - a) *Insufficient amounts of collected evidence are routinely submitted for analysis. This is particularly true in cases involving trace evidence.*
 - b) *As a general rule, collect as much material as is reasonably possible. When collecting samples, it is far better to collect and submit more material than less.*
 2. Collection of Comparison Standards
 - a) *Known or control exemplars are needed for comparative laboratory analyses. Known and control exemplars should be packaged separately from any questioned materials for comparison.*
 - b) *Blank samples may be important in certain analyses. Blank samples are used to verify that the uncontaminated samples do not interfere with the analysis methods or results.*



16.2 Evidence Packaging Requirements

- A. All items must be packaged in an appropriate manner which limits deterioration, loss, contamination, or damage and does not impede analysis.
1. Small items should be placed in appropriately-sized containers.
 2. Fragile items should be packaged in containers using protective materials such as bubble wrap or packing peanuts.
 3. Firearms must be secured and should be submitted in a gun box, unloaded.
 - a) *If the firearm is loaded, this MUST be indicated on the packaging and the Laboratory notified upon submission.*
 - b) *Firearms and unfired cartridges should be packaged separately whenever possible.*
 4. Seized drug evidence should be packaged separately from other types of evidence.
 5. Liquids in unsealed evidence containers should be carefully removed prior to submission if there is no request or need for the liquid to be tested by the Laboratory.
 - a) *If liquid remains, the container must be sealed to prevent contamination of other surrounding items and to minimize or eliminate any accidental spillage that may occur.*
 6. Liquid evidence must be packaged in a leak-proof secondary container and packaged separately from non-liquid evidence in order to prevent damage in the event of a leak.
 - a) *All outer containers in which liquid samples have been placed should be labeled to clearly indicate which end is the top.*
 7. Volatile materials must be packaged in airtight containers in order to ensure appropriate analysis may be performed.
 8. Moist or wet evidence and evidence containing biological materials should be packaged in paper containers.
 - a) *For evidence which cannot be dried prior to submission, plastic containers may be used in limited circumstances and for short periods.*
 - b) *Upon submission of the evidence, notify the Laboratory regarding any potential evidence condition issues.*
 9. The Laboratory requires the submission of capped syringes in an appropriate safety container (refer to *Image 16-1*). Uncapped syringes will not be examined by the Laboratory.
 10. Caution: Packaging evidence in multiple layers which do not serve to protect the integrity of the evidence or the safety of the customer and Laboratory personnel may result in longer request processing times. Evidence which has been significantly over-packaged is subject to return without analysis.



Image 16-1: Syringe safety containers

- B. All evidence containers must be labeled and properly sealed.
1. Containers for items suspected of containing blood or other biological materials must be either labeled with a biohazard symbol or submitted in a red container, except as it pertains to an external shipping container (refer to *Image 16-2*).
 - a) *External shipping containers for items suspected of containing blood or other biological materials must be labeled with the proper shipping name “Biological Substance, Category B” and have the UN3373 symbol (refer to Image 16-3).*
 - b) *Additional biohazardous items may include syringes and evidence confiscated from a body cavity or orifice, toilet, or other infectious environment.*
 - i. *Leave all liquid contents in the syringe. Do not attempt to transfer the contents of the syringe to another container.*
 - ii. *If the contents of a syringe have been transferred to another container, consider the secondary container to contain a biohazard and treat it with the same precautions.*



Image 16-2: Examples of required biohazard label or container for biological materials

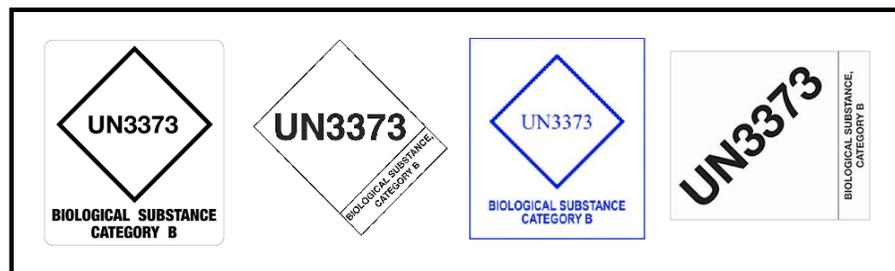


Image 16-3: Examples of required shipping label for biological materials



2. All containers of glass, syringes, sharp objects, and/or liquids must be identified as such on the container to maintain the safety of the customer and Laboratory personnel.
 - a) *Packaging for these items may additionally require a biohazard label or submission in a red container if a biological material is suspected to be present.*
3. External shipping containers for live ammunition must be labeled CARTRIDGES, SMALL ARMS ORM-D.
 - a) *To qualify as "Cartridges, small arms ORM-D" or limited quantity, ammunition must be:
 - i. *Ammunition that does not exceed 12.7 mm (50 caliber or 0.5 inch) for rifle or pistol cartridges or 8 gauge for shotgun shells; or*
 - ii. *Ammunition with inert projectiles or blank ammunition.**
 - b) *Note: only ground courier service may be used. US Postal Service methods are NOT allowed. It is against federal regulations to ship ammunition via the US Postal Service or via air freight.*
 - c) *It is recommended that the carrier be contacted to determine if they have additional regulations that must be followed.*
 - d) *Internal DPS customers should submit evidence in accordance with the DPS General Manual Chapter 24.*
4. It is recommended that packaged evidence which has potentially been exposed to the opioid fentanyl be placed within an additional plastic bag prior to submission. All packaging must be clearly marked "Suspected Fentanyl."
5. A proper seal is one which prevents loss, cross-transfer, or contamination while ensuring that attempted entry into the container is detectable. A proper seal may include the use of a heat seal, tamper-evident tape, or a lock (refer to *Image 16-4*).
 - a) *For a seal to be considered proper, the date and handwritten initials or other identification of the person who created the seal must be visible on, or across, the seal.*
 - b) *All container edges, corners, manufactured seals, and other openings should be reinforced with tape in order to prevent loss of contents. Application of a proper seal further supports the integrity of the container, but is not required.*
 - c) *Staples may not be used as they do not constitute a proper seal and may present a safety hazard.*
 - d) *Exceptions may be made on a case-by-case basis for large or bulky items that do not easily lend themselves to sealing. Consult the Laboratory for guidance on the submission of large or bulky items prior to submitting a request for services.*



Image 16-4: Examples of properly sealed evidence containers

- C. Packaged evidence from multiple cases may not be placed in the same external container unless that container is used only for the convenience of transport and does not have any case information on it.
- D. When submitting evidence via mail, complete and attach the appropriate Laboratory submission form to the outside of the container in a pouch or envelope. Do not label the container with the identity of the contents within.
- E. Conveyance (Convenience) Containers
 - 1. Conveyance containers are outer shipping containers and/or packaging material used to facilitate the secure transfer or transit of evidence. Evidence is separately packaged and properly sealed inside of a conveyance container.
 - a) If the inner container is not properly sealed by the customer, a proper seal may be applied by the laboratory.
 - b) Conveyance containers may **NOT** be used for the submission of Trace Evidence fire debris evidence due to possible contamination.



2. The conveyance container may be discarded by the Laboratory without prior customer notification.
 3. The mailing information, invoice, shipping or billing label, or package barcode is documented in sufficient detail when establishing evidence chain of custody while in the possession of the Laboratory.
 4. The containers and/or shipping documentation may be imaged or photographed and retained with the remainder of the case documentation.
- F. Special Requirements for Packaging and Submission of Evidence for Trace Evidence – Fire Debris Analysis
1. Use plain, previously unused cardboard boxes with:
 - a) *No labels which could imply positive results or contamination; and*
 - b) *No writing which is not specific to the request (e.g., case numbers).*
 - c) *If more than one box is needed for the submission of evidence in the same request (e.g., case), label boxes 1/2, 2/2, etc.*
 2. Evidence can be submitted either in person to the DPS Austin Crime Laboratory or by an approved courier with tracking capabilities. The accepted couriers are LoneStar Overnight (ground only), UPS Ground, and FEDEX Ground.
 - a) *Note: Only ground courier service may be used. US Postal Service methods are NOT allowed. It is against federal regulations to ship possible ignitable/flammable liquids via the US Postal Service or via air freight.*
 - b) *When shipping evidence to the DPS Austin Crime Laboratory, address the package to the attention of **Fire Debris**. The contact phone number required by the courier is 512-424-2105.*
 3. DO NOT package evidence for multiple requests into 1 (one) container. Evidence for each submitted request (e.g., case) must be submitted individually due to possible contamination issues.
 4. An evidence label should be attached to the evidence item immediately after collection by the submitting agent (or written directly on the evidence container with a permanent marker) and should include the following information:
 - a) *Agency case number*
 - b) *Item number*
 - c) *Submitter*
 - d) *Date collected*
 - e) *Description of evidence*



17 AFIS

17.1 Scope of Services

- A. The Automated Fingerprint Identification System (AFIS) is a computerized system capable of reading, classifying, matching, and storing friction ridge impressions. The database contains both criminal and applicant records.
- B. An AFIS request is typically made for the searching of a print in the available biometric databases. This process includes:
 1. Analysis of prints to determine their suitability for an AFIS search;
 2. Entry into AFIS of prints with sufficient clarity and sufficient number of friction ridge characteristics in the proper location on the print;
 3. Comparison of candidate prints returned by AFIS to the search print in an attempt to make an identification;
 4. Storage of prints, if they are not identified, in the available biometric databases to be searched against incoming exemplars generated by new arrests or applications; and
 5. Production of a report regarding the results of the examination.
- C. The biometric databases available for searches include:
 1. State of Texas (AFIS);
 2. Federal Bureau of Investigation (NGI, formerly IAFIS);
 3. Department of Homeland Security (IDENT); and
 4. Department of Defense (ABIS).
- D. Cases with unidentified prints that meet the criteria for AFIS entry are searched in the system.
 1. Prints searched in AFIS may also be stored in the Unsolved Latent Database (ULDB) for subsequent searching against incoming tenprint records. Prints may be deleted from the ULDB upon identification or expiration of the statute of limitations in a case.
- E. Depending on the offense in the case, searches of the FBI database, which consists of fingerprints and palm prints of criminals and applicants on file with the FBI, may be conducted.
 1. Prints searched in the FBI database may remain in the Unsolved Latent File (ULF) for subsequent searching against incoming tenprint records. Searches of other databases are done on a case-by-case basis.

17.2 Service Limitations

- A. Prints that do not meet the criteria for an AFIS search may be suitable for identification.
- B. A print searched through AFIS will have the possibility of being identified only if there is a matching print of good quality in the AFIS database.
- C. Prints that appear to have come from a young child will not be searched.
- D. Duplicate lifts and prints that appear to be the same print of equal or lesser quality may not be searched.



- E. The AFIS section, at the discretion of the AFIS Forensic Scientist, may not enter more than twenty latent prints except in homicide, sexual assault, kidnapping, human trafficking, and child pornography offenses.

17.3 Submission Instructions

- A. Submission of actual questioned prints is preferred, however, if this is not possible, digital images of the prints may be submitted provided they are captured at a sufficient resolution, are in focus, and contain a scale.
 - 1. Photographs may also be submitted to the Laboratory electronically. Refer to [Chapter 23 – Friction Ridge Examination](#) (Special Considerations for the Collection and Submission of Digital Images section) or contact the Laboratory for additional instructions.
- B. Evidence that has been chemically processed with Ninhydrin or checks that contain an inked impression should be submitted to the AFIS section of the DPS Austin Crime Laboratory, provided there is no suspect in the case.
 - 1. Notations about the type of processing or the presence of an inked impression should be indicated on the submission form.
 - 2. Any suitable prints are digitally preserved, and the submitted evidence is returned.
 - 3. Fingerprint and palm print exemplars of individuals listed on the submission form should be submitted whenever possible.
 - 4. Cases with lift cards and/or photographs/images submitted for an AFIS search are retained if there are suitable friction ridge impressions present.
 - 5. Cases with lift cards and/or photographs/images submitted for an AFIS search are returned if there are no suitable friction ridge impressions present.
- C. Requests which involve no suspects in a case and no evidence to be processed should be submitted to the AFIS section of the DPS Austin Crime Laboratory.
 - 1. Alternatively, requests which involve known suspects in a case or evidence for processing should be submitted for Friction Ridge examination to the regional laboratory in the applicable service area. Indicate “FR” in the “Request Code” column of the Laboratory Submission Form (LAB-201).
- D. Requests involving identity theft or passport fraud should be submitted directly to the AFIS section of the DPS Austin Crime Laboratory due to database search and specific reporting requirements.

17.4 Post Submission

- A. Reverse hits in AFIS will prompt a reexamination of preserved friction ridge evidence as well as the issuance of a new report.
- B. The AFIS Section must be notified when an agency closes a case so that stored prints may be removed from any unsolved databases in which they are stored.
- C. Prints will be deleted from any unsolved databases in which they are stored upon expiration of the statute of limitations for the offense listed on the submission form. If an agency wishes for the prints to remain stored indefinitely, the AFIS Section must be notified.



18 Biology/DNA Analysis

18.1 Scope of Services

- A. The Laboratory provides biological screening for the presence of blood and/or body fluids, screening for the presence of male DNA, and STR (short tandem repeat) nuclear-based DNA testing on evidence from criminal investigations.
 1. Examinations performed are based on the type of case submitted and the quality and quantity of biological material present.
- B. The following determinations may be requested when submitting evidence for biology/DNA examinations:
 1. Presence of biological material (e.g. blood, semen, or other DNA-yielding stains);
 2. Presence of human DNA;
 3. Comparison of DNA profiles obtained from questioned or crime scene samples to DNA profiles from known or reference samples; and
 4. Preservation of trace evidence.
- C. DNA profiles may be entered into the Combined DNA Index System (CODIS) database which contains DNA profiles from known individuals and forensic case samples. Profiles can be searched against other profiles for the purpose of helping to generate investigative leads.
 1. The submission of elimination samples, such as reference samples from a consensual partner in the case of a sexual assault, is requested prior to the entry of unknown samples into CODIS.
 - a) *These standards should be collected during the initial investigation and packaged separately from the evidence.*
 - b) *These standards should be submitted at the same time as the evidence if possible in order to facilitate timely laboratory response.*
 2. In order to have an unsolved sexual assault, homicide, kidnapping, or terrorism case searched using Rapid DNA within CODIS, DPS requires additional information about the case. This information should be provided at the time of submission in order to facilitate timely laboratory response and should include the following:
 - a) *Statute of limitations for the case;*
 - b) *Investigator contact information (email, phone number) that provides a means of 24 hour/7 days a week contact for the investigator responsible for the case.*
 - c) *Agreement that the agency will be responsible for extradition of any suspects that are developed for the purposes of prosecution.*

18.2 Service Limitations

- A. Successful DNA results are dependent on the amount and condition of the evidentiary material.
 1. Factors such as extreme or environmental conditions to which the material has been exposed, substrate on which the material is found, and the exposure of the sample area to multiple individuals may affect DNA results and should be considered prior to submitting evidence for processing.



2. For example, it is highly unlikely to obtain a DNA profile from the individual who originally loaded fired ammunition components (bullets or cartridge cases).

18.3 Specific Collection and Packaging Requirements

- A. The Department has adopted standards and rules, consistent with best practices that specify the manner of collection, storage, preservation, and retrieval of biological evidence in accordance with the Code of Criminal Procedure (refer to [Appendix 5 – Best Practices for Collection, Storage, Preservation, and Retrieval of Biological Evidence](#)).
 1. Because of the nature of biological evidence, it is important to consider best practices for collection, storage, preservation, and retrieval of this type of evidence.
- B. It is imperative that DNA evidence is submitted as soon as possible after it has been collected so that the Laboratory can provide timely service.
- C. Collection of Evidentiary Samples
 1. Use sterile swabs to absorb wet stains from non-absorptive surfaces.
 2. Do not scrape dried stains to collect them. Scraping can cause the stain to flake and turn to dust; stains may become statically charged and difficult to handle.
 3. If items are large or are not able to be removed from the scene, consider the following:
 - a) *For non-porous items: moisten a sterile swab using a source of water that does not contain human DNA such as sterile water, distilled water, saline solution or tap water. Collect the dried stain using the moistened swab or swabs.*
 - b) *For porous items: cut the stain out of the item.*
 4. The collection of control swabs from the scene is not required. If submitted, these samples will not be processed during DNA analysis.
- D. Collection of Known Reference Samples
 1. Standards should be collected during the initial investigation, packaged separately from any other evidence, and be submitted at the same time as the evidence, if possible.
 2. Collect blood standards in purple top blood tubes labeled with the individual's name. Purple top blood tubes contain the chemical preservative, EDTA. Verify that the collection is prior to the expiration date on the tube.
 3. Collect buccal samples (swabbings of the inner cheeks of the mouth) onto at least two sterile cotton swabs and air dry prior to packaging. Label the packaging with the individual's name.
 - a) *Buccal swabs from one individual do not need to be labeled as to the side from which they were collected and may be packaged together.*
 - b) *To avoid possible contamination, allow the individual to collect the sample him/herself in the presence of a witness.*
 - c) *Buccal samples are the preferred reference material for safety and storage considerations.*
 4. Information of suspected blood transfusions of the victim and/or suspect should be provided to the laboratory.



18.4 Submission of Biological Evidence to the Laboratory

A. General Biological Evidence Submission Considerations

1. Generally, for bulky items such as bedding, mattresses, car seats, etc., please contact the applicable regional laboratory based on service area prior to submission to determine relative importance, facilitate processing, and reduce storage space requirements.
2. If the submission contains perishable items that must be stored refrigerated or frozen such as tissue, liquid blood, or food, please notify the laboratory of the contents and their required storage conditions at the time of submission.
3. Submit applicable supporting documentation:
 - a) *Offense reports and witness statements with the evidence, specifically information detailing how the evidence submitted relates to the crime being investigated is requested.*
 - b) *Autopsy reports or medical records from the victim, when available and where applicable.*
 - c) *Photographs and sketches of the crime scene, as necessary.*
 - d) **NOTE: If the investigation and medical records and photographs are not submitted with the evidence, the examination of the case may be delayed while the analyst waits to receive these items from the submitting agency.**

B. Submission of Evidence from Sexual Assaults

1. In the state of Texas, licensed physicians and Sexual Assault Nurse Examiners (SANE personnel) are authorized to collect samples from sexual assault victims/survivors.
2. Typical sexual assault kits may include the following:
 - a) *Vaginal, oral, and/or anal swabs (i.e., orifice swabs) from victim, air dried at room temperature;*
 - i. *Each orifice swab collection should be performed with multiple swabs simultaneously, unless conditions warrant otherwise.*
 - ii. *If the swabs are not collected simultaneously, they should be marked as to the order of collection.*
 - b) *Vaginal, oral, and/or anal smears from victim;*
 - c) *Penile swabs from victim, if the victim is male;*
 - i. *This consists of rubbing the outside of the penis with the swabs and is not the same method as collection of swabs for testing for STDs.*
 - d) *Blood specimen from victim (one purple top [EDTA] tube or a one inch spot on FTA paper);*
 - e) *Buccal specimen from victim (two swabs), air dried at room temperature;*
 - f) *Swabbings of areas of the victim's body which were either licked or bitten by the suspect during the assault (note location and supply the reasoning for their collection);*
 - g) *Pubic hair combings from victim (note reason if not collected);*



- h) Head hair combings from victim (note reason if not collected);*
 - i) Pulled pubic hair standard from victim (note reason if not collected);*
 - j) Pulled head hair standard from victim (note reason if not collected);*
 - k) Fingernail clippings or swabs from victim;*
 - l) Undergarments from victim (especially underwear immediately worn after the assault); and*
 - m) Sanitary napkins or tampons from victim.*
3. Other evidence associated with sexual assault cases may include:
- a) Blood specimen from suspect (one purple top [EDTA] tube or a one inch spot on FTA paper);*
 - b) Buccal specimen from suspect (four swabs), air dried at room temperature;*
 - c) Penile swabs from suspect, if the suspect is male (only if apprehended a short time after the assault occurred);*
 - d) Pubic hair combings from suspect (only if apprehended a short time after assault has occurred);*
 - e) Pulled pubic hair from suspect;*
 - f) Pulled head hair from suspect, when applicable;*
 - g) Clothing from suspect, when applicable;*
 - h) Fingernail clippings or swabs of the suspect's fingers/hands, if victim was injured; and*
 - i) Swabs of the suspect's fingers (only if apprehended a short time after assault has occurred);*
 - j) If consensual sex occurred within 96 hours of the assault, blood specimen from any consensual partners (one purple top [EDTA] tube or a one inch spot on FTA paper); and*
 - k) If consensual sex occurred within 96 hours of the assault, buccal specimen from any consensual partners (four swabs), air dried at room temperature.*
4. Additional samples that may be collected from the victim if it is suspected that the victim may have been drugged: blood sample collected in a gray top tube and a urine specimen.
- a) These samples should be packaged separately from the sexual assault kit and preferably in the DPS-required blood and urine collection kits respectively.*
 - b) If Toxicology (Alcohol/Volatiles and/or Drugs) analysis is requested on the blood specimen within the kit, the request must be noted on the submission form. Refer to [Chapter 25 – Toxicology \(Alcohol/Volatiles and/or Drug\) Analysis](#) for handling and submission information.*
5. Include the information listed on the Sexual Assault Information Form (LAB-208) with the submission of the sexual assault evidence.
- a) Note: The Sexual Assault Information Form (LAB-208) is an aid for Laboratory personnel to interpret items of evidence submitted by police officers or medical*



personnel. This may be completed or a similar form may be provided in the sexual assault evidence collection kit.

- b) *Specific information on sexual assault forensic medical assessment documentation may be found in the Texas Evidence Collection protocol published by the Office of Attorney General's Sexual Assault Prevention and Crisis Services Program.*



19 CODIS DNA Procedural Guidelines

19.1 Training

- A. Initial training for the collection of DNA samples will consist of the viewing of a training video and reading these DNA Procedural Guidelines.
 1. The training video demonstrates the use of the DNA collection kits.
 2. The video is available online at the Texas Department of Public Safety CODIS Program website.
- B. All State of Texas DNA Database Cards contain a statement that the collector has taken the specimen in accordance with state regulations / current DPS guidelines.
 1. When the collector signs the card, they are certifying they have viewed the training video, read the instructions in the collection kit, and/or followed the instructions for the collection of the specimen set forth by the CODIS DNA Procedural Guidelines.
- C. Any agency may request training from the Texas Department of Public Safety CODIS program.
 1. If an agency continuously submits unsuitable specimens, the CODIS program may determine that one-on-one training is necessary for that agency.

19.2 Obtaining Kits

- A. The DNA sample collection kits can be obtained through the Texas Department of Public Safety CODIS Laboratory. The CODIS Buccal Swab Collection Kit Order Form can be found on our website at <http://www.dps.texas.gov/InternetForms/>. The order may be placed by:
 1. Faxing the completed order form to the CODIS Laboratory at (512) 424-2386;
 2. Emailing the completed order form to CODISLAB@dps.texas.gov; or
 3. Mailing the completed order form to:

Texas Department of Public Safety
Crime Laboratory Service – CODIS MSC 0461
PO Box 4143
Austin TX 78765-4143

- B. Kits may also be ordered by contacting the CODIS Interagency Liaison at (512) 424-2387.

19.3 Determination of Applicability

- A. Agencies with access to the Computerized Criminal History (CCH) and Rap Sheet can check to see if a DNA sample has already been successfully submitted to the Texas State CODIS Program and uploaded to CODIS. The DNA field will be populated with one of the following:
 1. “Y” – Yes, a DNA sample has been successfully submitted. No additional sample collection is necessary.
 2. “N” – No, a DNA sample has either not been collected or has not been successfully submitted to the Texas State CODIS Program.



3. "C" – Collect. A DNA sample has either not been collected or has not been successfully submitted to the Texas State CODIS Program. It can be treated the same as "N".
 4. (Field is blank) – A DNA sample has either not been collected or has not been successfully submitted.
- B. Additionally, the CODIS Interagency Liaison can be contacted to check to see if a DNA sample has been successfully submitted for any individual.
- C. The described determination of applicability applies to offenses occurring on or after September 1, 2019. For assistance with offenses prior to September 1, 2019, please contact the CODIS Interagency Liaison. It is advised that agencies reference Government Code Chapter 411, Subchapter G and other applicable law when making these determinations.
- D. DNA Blood Samples

An eligible individual is an individual who is:

1. Confined in a penal institution operated by or under contract with the Texas Department of Criminal Justice (TDCJ);
2. A juvenile who is, after adjudication for conduct constituting a felony, confined in a facility operated by or under contract with the Texas Juvenile Justice Department (TJJD);
3. Ordered as a condition of community supervision under Article 42.12, Code of Criminal Procedure.

E. DNA Buccal Swab Samples

An eligible individual is an individual who is:

1. Arrested or convicted of one of the following felonies if the offense occurred on or after September 1, 2019:
 - a) *Murder (Penal Code 19.02);*
 - b) *Capital Murder (Penal Code 19.03);*
 - c) *Kidnapping (Penal Code 20.03);*
 - d) *Aggravated kidnapping (Penal Code 20.04);*
 - e) *Smuggling of persons (Penal Code 20.05);*
 - f) *Continuous smuggling of persons (Penal Code 20.06);*
 - g) *Trafficking of persons (Penal Code 20A.02);*
 - h) *Continuous trafficking of persons (Penal Code 20A.03);*
 - i) *Continuous sexual abuse of young child or children (Penal Code 21.02);*
 - j) *Indecency with a child (Penal Code 21.11);*
 - k) *Assault (Penal Code 22.01);*
 - l) *Sexual assault (Penal Code 22.011);*
 - m) *Aggravated assault (Penal Code 22.02);*
 - n) *Aggravated sexual assault (Penal Code 22.021);*
 - o) *Prohibited sexual conduct (Penal Code 25.02);*



- p) *Robbery (Penal Code 29.02);*
 - q) *Aggravated Robbery (Penal Code 29.03);*
 - r) *Burglary (Penal Code 30.02);*
 - s) *Theft (Penal Code 31.03);*
 - t) *Aggravated promotion of prostitution (Penal Code 43.04);*
 - u) *Compelling prostitution (Penal Code 43.05);*
 - v) *Sexual performance by child (Penal Code 43.25);*
 - w) *Possession or promotion of child pornography (Penal Code 43.26);*
2. Convicted of any felony and placed on community supervision; not to include deferred adjudications.
- a) *If a subject is granted deferred adjudication but court ordered to provide a DNA sample, submit a copy of the court order or subject's supervision conditions with the collection kit.*
3. Convicted of one of the following offenses, whether granted community supervision or not:
- a) *Indecent Exposure (Penal Code 21.08);*
 - b) *Enticing a Child (Penal Code 25.04);*
 - c) *Solicitation of Prostitution (Penal Code 43.02(b));*
 - d) *Promotion of Prostitution (Penal Code 43.03);*
 - e) *Sale, Distribution, or Display of Harmful Material to a Child (Penal Code 43.24)*
4. Convicted of one of the following **offenses if the charge is a Class A Misdemeanor or higher** , whether granted community supervision or not:
- a) *Manslaughter (Penal Code 19.04);*
 - b) *Criminally Negligent Homicide (Penal Code 19.05);*
 - c) *Unlawful Restraint (Penal Code 20.02);*
 - d) *Operation of a Stash House (Penal Code 20.07);*
 - e) *Public lewdness (Penal Code 21.07);*
 - f) *Bestiality (Penal Code 21.09);*
 - g) *Improper Relationship between Educator and Student (Penal Code 21.12);*
 - h) *Invasive Video Recording (Penal Code 21.15);*
 - i) *Unlawful Disclosure or Promotion of Intimate Visual Material (Penal Code 21.16);*
 - j) *Voyeurism (Penal Code 21.17);*
 - k) *Sexual Coercion (Penal Code 21.18);*
 - l) *Assault (Penal Code 22.01);*
 - m) *Indecent Assault (Penal Code 22.012);*
 - n) *Injury to a Child, Elderly Individual, or Disabled Individual (Penal Code 22.04);*
 - o) *Abandoning or Endangering Child (Penal Code 22.041);*



- p) *Terroristic Threat (Penal Code 22.07);*
 - q) *Aiding Suicide (Penal Code 22.08);*
 - r) *Tampering with Consumer Product (Penal Code 22.09);*
 - s) *Harassment by Persons in Certain Facilities; Harassment of Public Servant (Penal Code 22.11).*
5. Juveniles placed on probation after being convicted of one of the following felonies:
- a) *1st Degree Felony Criminal Solicitation (Penal Code 15.03);*
 - b) *Murder (Penal Code 19.02);*
 - c) *Capital Murder (Penal Code 19.03);*
 - d) *Aggravated Kidnapping (Penal Code 20.04);*
 - e) *Trafficking of Persons (Penal Code 20A.02);*
 - f) *Continuous Trafficking of Persons (Penal Code 20.A.03);*
 - g) *Indecency with a Child (Penal Code 21.11);*
 - h) *Sexual Assault (Penal Code 22.011);*
 - i) *Aggravated Sexual Assault (Penal Code 22.021);*
 - j) *1st Degree Felony Injury to a Child (Penal Code 22.04(a)(1));*
 - k) *Aggravated Robbery (Penal Code 29.03);*
 - l) *Burglary of a Habitation w/ Intention to Commit Sexual Offense (Penal Code 30.02(d));*
 - m) *Compelling Prostitution (Penal Code 43.05);*
 - n) *Sexual Performance by a Child (Penal Code 43.25);*
 - o) *Controlled Substances Offenses Involving Use of Child in Commission of Offense, or Controlled Substances Offenses in Drug-free Zone w/ Previous Conviction (Health and Safety Code 481);*
 - p) *Any felony offense involving use or exhibition of deadly weapon.*
6. Additional situations:
- a) *As a condition of release on bail or bond. A copy of the court order must be submitted with the collection kit;*
 - b) *Required to register as a sex offender;*
 - c) *Voluntary sample.*

19.4 Sample Collection Procedure

A. Blood Sample Collection

1. Fill out the State of Texas DNA Database Card with the subject's identifying information on lines 1 through 5.
2. Offer the subject an opportunity to sign on line 6 (a signature is not required).
3. Leave line 8 blank.



4. Fill out the information requested on lines 9 and 10 (line 10 is the name of the clinical person conducting the blood draw).
 5. Fill out information requested on lines 11 and 12 (the agency name should NOT be the name of a health clinic, hospital, or contract company; good examples would be "County Name" CSCD, "County Name" Sheriff's Office, "City Name" Police Department, etc.).
 6. Using normal fingerprint procedures, roll subject's left and right thumb where indicated on card (line 7).
 7. Turn the card over and print all of the subject's fingers on the back of the card.
 8. Blood collection must be performed only by a physician, nurse, or qualified phlebotomist.
 9. Perform the following collection procedure on ONE subject at a time.
 - a) *Cleanse the blood collection site with the prep pad provided.*
 - b) *Following normal medical procedures and using the needle and blood tube provided (if necessary, a smaller gage needle may be substituted), withdraw the blood specimen from subject, allowing the tube to fill to maximum volume.*
 10. Print the subject's name and SID number on the blood tube label.
 11. Immediately after blood collection, assure proper mixing of anticoagulant by slowly and completely inverting the blood tube at least five times. **DO NOT SHAKE VIGOROUSLY.**
 - a) **DO NOT** return the used needle, holder, or used prep pad to the kit box. Discard using the recommended OSHA procedures.
 - b) **DO NOT** remove the liquid absorbing sheet from the ziplock bag.
 12. Check the identifying information on the blood tube label and compare it with the information on the State of Texas DNA Database Card to see that the information matches.
 13. Insert the filled blood collection tube into the bubble wrap (with white absorbency paper inside) and then seal it using the self-stick adhesive strip.
 14. Insert the bubble wrapped tube into the ziplock bag and close it.
 15. Place blood specimen and completed State of Texas DNA Database Card in kit box and close kit box lid.
 16. Date and sign the Kit Box Shipping Seal, then remove back and affix seal to kit box as indicated.
 17. Mail the sealed kit to the Laboratory for analysis as soon as possible.
- B. Buccal Swab Collection
1. Perform the following collection procedure on ONE subject at a time.
 2. The subject should have no food or drink for 20 minutes prior to having the sample taken.
 3. The person taking the sample must put on gloves.



4. Remove one swab from the sterile sleeve. **DO NOT** touch or eject the swab tip. Place the swab into the subject's mouth and vigorously rub it on the inside of one cheek at least six times. Remove the swab from the subject's mouth and place it on top of the opened sterile sleeve packaging. Allow to air dry.
5. Repeat the previous step on the opposite side of the subject's mouth with the remaining swab.
6. **DO NOT** touch the swab tip with any object including ungloved hands.
7. After collection, the swabs must air-dry.
8. Fill out the green State of Texas DNA Database Card with the subject's identifying information on lines 1 through 5.
9. Offer the subject an opportunity to sign on line 6 (a signature is not required).
10. Fill out line 8 with the offense for which this sample is being collected.
11. Fill out the information requested on lines 9 and 10 (line 10 is the name of the person collecting the buccal swab sample).
12. Fill out information requested on lines 11 and 12 (good examples for the agency name would be "*County Name*" CSCD, "*County Name*" Sheriff's Office, "*City Name*" Police Department, etc.).
13. Using normal fingerprint procedures, roll subject's left and right thumb where indicated on the card (line 7).
14. Turn the card over and print all of the subject's fingers on the back of the card.
15. Fill out the subject's name and SID number on the swab storage envelope; if the SID number is not available, use the subject's DOB. **DO NOT** leave the envelope blank.
16. Once dried, place both swabs inside the swab storage envelope, peel the protective paper from the flap, and seal the flap of the envelope.
17. Check the information on the front of the swab storage envelope and compare it with the information on the State of Texas DNA Database Card to see that the information matches.
18. Place the swab storage envelope and the State of Texas DNA Database Card inside the shipping envelope.
19. Peel the backing from the shipping seal, place it on the shipping envelope as indicated, and initial and date the seal (no kit can be accepted without an intact and initialed seal).
20. Mail the sealed kit to the Laboratory for analysis as soon as possible.
21. Direct questions to the CODIS program at (512) 424-2105 ext. 3888 or email to: codislab@dps.texas.gov.

19.5 Reasons for Rejection

A. Blood Samples

Reasons that a blood sample would be rejected and would require a recollection include, include but are not limited to:

1. Kit seal on exterior of box has been tampered with or is missing;



2. Blood in collection tube is less than $\frac{1}{4}$ full;
3. The blood tube is not labeled with the subject's FIRST and LAST name, and SID number or DOB;
4. The blood tube has expired or does not have a purple top;
5. The information on the blood tube is not consistent with the information on the database card; or
6. Fingerprints are missing, smeared, too light, or unreadable.

B. Buccal Swab Samples

Reasons that a buccal swab sample would be rejected and would require a recollection include, include but are not limited to:

1. Kit seal on exterior of shipping envelope has been tampered with or is missing;
2. Swab storage envelope is not labeled with the subject's FIRST name, LAST name, and SID number or DOB;
3. The information on the swab storage envelope is not consistent with the information on the database card;
4. Swab storage envelope does not contain two swabs;
5. The swabs are compromised due to mold; or
6. Fingerprints are missing, smeared, too light, or unreadable.

- C. NOTE:** If a sample is rejected by the Laboratory for any reason, submit another collection kit in its entirety; i.e. the buccal swab samples and the State of Texas Database Card. The Laboratory does not accept incomplete kits.

19.6 Record Keeping and Retention

An agency collecting a DNA specimen from an eligible individual shall maintain a record of the collection. Unless otherwise ordered by a court, the collection agency shall retain the record for a period of three years from the date of the collection.



20 Digital/Multimedia Analysis

20.1 Scope of Services

A. Computer and Mobile Device Forensics

1. Nearly every home has multiple computers or mobile electronic devices. When discovered at a crime scene, these devices should be considered as possible evidence; they can be used to store evidence of homicide, sexual assaults, questioned death, child pornography, records of drug transactions, financial and other crimes.
2. Examples of some of the commonly submitted types of digital evidence include: computer towers and laptops, iPads or other tablets, iPods, PDAs, cellular telephones and smart phones, peripheral devices such as USB drives (or thumb drives), camera cards and Global Positioning Systems (GPS devices), gaming systems and smart watches.
 - a) *Electronic devices can be used to store evidence of homicides, sexual assaults, burglaries, robberies, theft, use of force, and other crimes or incidents. Because technology advances rapidly, the seizure methods can also change.*

B. Image Enhancement

1. Image Enhancement involves the application of digital techniques to isolate, clarify, or enlarge areas of interest for further examination or presentation in court.

C. Audio Enhancement

1. Audio analysis and/or enhancement (“clarification”) is a process that is intended to improve the audible characteristics of a digital or analog signal from a videotape, CD disk, audiotape (regular or micro cassette), DVD, answering machine, or other media containing audio.
2. The Laboratory is able to enhance audio (any format) if the undesirable noise is in one particular frequency, such as an electronic hum or a frequency caused by wind noise.

D. Video Enhancement

1. Video enhancement (“clarification”), image restoration, and other image processing activities are intended to improve the visual appearance of features in images captured from video.
2. The laboratory provides the following services:
 - a) *Provides enhancement frame-by-frames of subjects or license plates from videos*
 - b) *Generate PowerPoint presentations for court*
 - c) *Repair damaged analog videotapes and transfer any media to various formats.*
 - d) *Retrieve data from Digital Video Recorders (DVRs or their hard drives)*
 - e) *Digital stills or video documentation of crime scenes and court testimony*
 - f) *Format photos for possible submission to the DPS Driver License (DL) Facial Recognition Database or determine whether or not they are suitable for submission.*



20.2 Service Limitations

- A. The Laboratory does not have the capability to discard ambient sounds in multiple frequencies (such as pots and pans) or other background sounds that are common in recordings made in noisy locations (such as a restaurant).
- B. The Laboratory does not perform audio authentications or voice comparisons.
- C. The Laboratory does not provide subject identifications or comparisons from video to DL or other photos.
- D. The Laboratory does not provide services for subject identifications.

20.3 Specific Collection and Packaging Requirements

- A. Collection of Computer Evidence
 - 1. When an electronic device is used to store illegal or incriminating information, some users may devise methods to destroy the data if an unauthorized person attempts to access the system. Therefore, it is essential that precautions are taken to preserve the evidence when seized.
 - 2. When electronic devices are seized as evidence, be sure to control access to them so as not to potentially delete or alter evidence; a single key stroke could execute a program that erases information.
 - a) *If a computer is off, never turn it on.*
 - b) *If a computer is on, photograph any information that may be displayed on the screen. Photograph the back to record which components and possible peripherals are attached to the computer. Once the state of the computer is determined and documented, unplug the power cord from the back of the computer, not the wall.*
 - c) *Please note that if a computer has full disk encryption enabled, data will likely be inaccessible and unrecoverable once the system is shut down unless the associated password or encryption key is obtained. If encryption cannot be disabled in a documented and controlled manner, check the physical surroundings for possible passwords or encryption keys and submit them with the evidence.*
 - d) **Do not attempt to shut down a computer by using the on/off button as it may be set to damage or delete data from the hard drive or other components when activated.**
 - e) *If a laptop is powered "on", photograph the screen and unplug the power source directly from the laptop. Push and hold the power button for several seconds to turn it off. Do not attempt a normal shutdown.*
 - f) *Collect the laptop's power adapter and supply cord and **remove the battery, if possible, at the time of the seizure** of the computer. Often the power adapter for a laptop is not interchangeable with other laptops.*
 - 3. If it appears that computers in a business location have been networked, contact the DPS Austin Crime Laboratory (refer to [Appendix 2 – Laboratory Contact Information](#)) and speak with an analyst in the Digital/Multimedia Evidence/Computer Forensics section. Do not attempt to disconnect networked computers without contacting a forensic computer examiner.



4. When conducting a search of the crime scene in which a computer is involved, be sure to look for all computer hardware, software, disks, manuals, and other pieces of paper near the computer.
 - a) *Confiscate any and all of these types of items as they may contain information valuable to the case. Upon submission of these items to the Laboratory, please identify where each item was found at the scene and more importantly, which items have the most probative value.*

B. Collection of Mobile Device Evidence

1. Apple iOS Devices

- a) *If an iOS mobile device is on and the device's display is in a viewable state, any changes should be photographed and documented until the device is powered-off or in an unresponsive state.*
 - i. *If possible, place the mobile device in Airplane Mode. For iPhones, if accessible, go to Settings – Airplane Mode and toggle the switch to “on”.*
 - ii. *Submit iPhones to the laboratory for examination as soon as possible as some data can be automatically deleted from the device after 30 days even if the device has been powered-off.*
 - iii. *If the passcode is known, please provide the information upon submission, or it can be entered to disable the passcode (Settings – Face ID & Passcode on most iOS devices).*
- b) *iPhones ONLY may be submitted to the laboratory in a powered-on state as long as an appointment has been made with the Evidence Coordination Section and a Digital Forensic Examiner. Please note that powered-on evidence submissions will only be accepted as space permits.*
 - i. *The iPhone must be isolated from cellular, Bluetooth, and Wi-Fi networks either by placing the device in Airplane Mode or into a Faraday container. If a device is not isolated from all networks then data could be remotely deleted from the device. If the device cannot be completely isolated then it should be powered-off.*
 - ii. *The iPhone must have enough battery power to remain powered-on during transportation to the laboratory and throughout the submission process. This may be done by charging the device in the vehicle while enroute or by using a battery pack.*
 - iii. *Upon submission, the device must be properly sealed to maintain the chain-of-custody but can immediately be transferred to the Digital Forensic Examiner who is present.*
 - iv. *If the iPhone cannot be submitted in an unlocked state, then whenever possible, submit the device in an After First Unlock (AFU) state, which means that the phone is in a powered-on state and has previously had the passcode entered. More user data may be extracted from devices in an AFU state.*
 - v. *Potentially far less data can be extracted from iPhones that are in a Before First Unlock (BFU) state, which means that the device has been off, then powered-on, and no passcode has been entered. iPhones in a BFU state may still be submitted for analysis.*

2. Android Devices

- a) *If an Android mobile device is on and the device's display is in a viewable state, any changes should be photographed and documented until the device is powered-off.*



- i. *If possible, place the mobile device into Airplane Mode. Swipe down from the top of the screen to pull up the Notification Pane and select Airplane Mode/Flight Mode. Or press and hold the power button to select Airplane Mode on some Android Devices.*
- ii. *If the System settings are accessible, enable USB Debugging mode, if possible, if not already set.*
- iii. *Power off the Android device and remove the battery whenever possible.*

3. Non-iOS Mobile Devices

- a) *When all other mobile devices (non-iOS) are submitted, **they should be powered-off and the battery should be removed** if easily accessible at the time of seizure.*
- b) *If a mobile device is left powered-on, it is possible that data can be remotely accessed and deleted if the device is not completely isolated from cellular, Bluetooth, and Wi-Fi networks.*
- c) *Additionally, if a battery dies while a powered-on mobile device is stored in the laboratory, it is possible that a passcode and/or encryption will be enabled once the device is powered-on again. Care should be taken so that the power button on mobile devices cannot be inadvertently bumped and turned on.*
- d) *Mobile devices almost always provide added security using a passcode, pattern/gesture lock, or Face ID setting. For this reason, it is extremely important upon collection of the device, to ask the user to unlock the device or provide the passcode or pattern lock immediately.*

4. It may be possible to bypass the passcode on some mobile devices, therefore even if the device is locked it may be submitted for analysis.

C. Collection of Image / Audio / Video Evidence

1. If it appears that DVRs in a business location need to be removed from the location, remove and submit the power cord, operations manual, technical support information, software, and any other peripherals that may be necessary for the analyst to view and perform analysis of the evidence.
 - a) *If a password is required to access the footage, submit the password.*
 - b) *Do not attempt to disconnect networked computers without contacting a computer forensic examiner.*
2. For analog and digital evidence, always collect and submit the original if possible, as copies will be degraded. Often copies can produce compression artifacts resulting in degradation of quality of the enhancement.
3. Ensure that if there is a time/date stamp on the footage, the correct information is submitted as to when the subject or vehicle shows up on the footage for forensic examination.

D. Packaging

1. Computers and other digital or mobile devices are sensitive to a variety of environmental conditions such as temperature, physical shock, static electricity, and magnetic fields. These devices should be protected from extreme environmental conditions when transported. A box containing antistatic packing material to cushion the device is the preferred method of packaging.



- a) *This could also include, if available, the original box and packaging material in which the device was brought home from the store. Once the container is properly sealed (either with tape or heat sealed), any attempts to access the computer will be evident.*
2. The preferred method of packaging digital media and other mobile devices is:
 - a) *Ensure device is OFF (unless an iOS device is scheduled to be submitted powered-on);*
 - b) *Remove the battery if easily accessible (no need to disassemble the device, such as unscrewing the back of the device);*
 - c) *Place into a protective, non-static wrapping such as the antistatic bubble wrap bags (refer to Image 20-1); and*
 - i. *Antistatic packaging can be provided by our laboratory upon submission.*



Image 20-1: Antistatic packaging

- d) *Place into a properly sealed envelope or box for submission.*
3. Consider the following when transporting digital evidence to the Laboratory:
 - a) *Always protect evidence against excessive heat or moisture. Do not store evidence in the trunk of a car;*
 - b) *The radio in the trunk of most patrol vehicles produces a strong magnetic field which has the potential to destroy evidence; and*
 - c) *Be sure to protect computers from any and all environmental threats.*



21 Firearms & Toolmarks Analysis

21.1 Scope of Services

A. Firearms Analysis

1. A request for firearms analysis is for the examination of any fired evidence and/or any firearm that exceeds the basic determination of its capability to discharge.
2. The items most commonly submitted for analyses include projectiles, cartridge cases, cartridges, firearms, pellets, shotgun shells, wads, and victim's clothing (refer to *Image 21-1*).
3. Unfired ammunition submitted to the Laboratory may be used to produce test fires when other means of obtaining like ammunition are not feasible.
 - a) *When this occurs annotation in the Firearms & Toolmarks or Firearms & Toolmarks (Distance Determination) Laboratory Report will denote how many of the cartridges were fired during analysis.*
 - b) *In general, these test fires are retained by the Laboratory and will not be returned to the customer.*
 - c) *If firing the ammunition in the generation of test fires will result in depletion of all the submitted unfired ammunition, the customer is contacted in order to approve the examination prior to depletion (with the exception of distance determination and ejection pattern testing).*
 - i. *Note: use of unfired ammunition submitted in reference to distance determination or ejection pattern testing is considered a necessary component of that analysis, and contacting the submitting agency is not required when depleting ammunition under these circumstances.*
 - ii. *However, the number of cartridges consumed during analysis will still be noted on the applicable Laboratory report.*

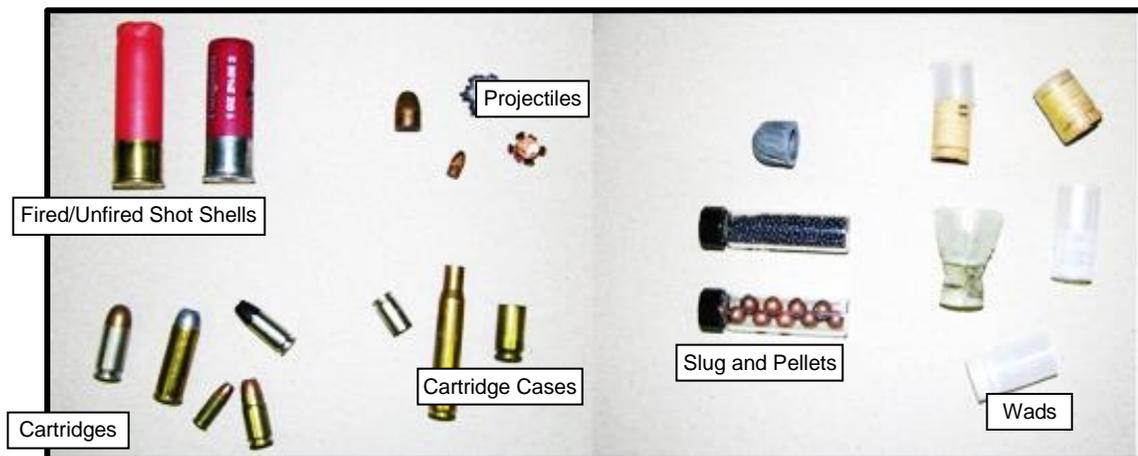


Image 21-1: Commonly submitted items for analysis

B. Toolmark Analysis

1. A request for toolmarks analysis is for the examination of a tool and a surface suspected of having been contacted by the tool to determine the presence of unique microscopic characteristics on the surface imparted to it by the tool.



C. Explanation of Results, Conclusions, and Interpretations

1. The interpretation of individualization/identification is subjective in nature, founded on scientific principles and based on the examiner's training and experience.
2. The statement that "**sufficient agreement**" exists between two toolmarks means that the agreement is of a quantity and quality that the likelihood another tool could have made the mark is as remote as to be considered a practical impossibility.
3. **Identification:** Agreement of a combination of individual characteristics and all discernible class characteristics where the extent of agreement exceeds that which can occur in the comparison of toolmarks made by different tools and is consistent with the agreement demonstrated by toolmarks known to have been produced by the same tool.
4. **Inconclusive:**
 - a) *Some agreement of individual characteristics and all discernible class characteristics, but insufficient for an identification; or*
 - b) *Agreement of all discernible class characteristics without agreement or disagreement of individual characteristics due to an absence, insufficiency, or lack of reproducibility; or*
 - c) *Agreement of all discernible class characteristics and disagreement of individual characteristics, but insufficient for an elimination.*
5. **Elimination:** Significant disagreement of discernible class characteristics and/or individual characteristics.
6. **Unsuitable:** Unsuitable for examination.

D. Refer to [Image 21-5](#) for a detailed explanation of available Firearms & Toolmarks Analysis services.

21.2 Service Limitations

- A. Effective August 1, 2018, the Laboratory no longer accepts evidence solely for the purpose of entry into the NIBIN database.
1. The National Integrated Ballistic Information Network (NIBIN) is a national database in which digital images of cartridge cases are compared to one another. When test fired or evidence cartridge cases are entered in the database, they will correlate with previous and future evidence that has been entered, which may result in a possible link to another crime.
 - a) *The purpose of NIBIN is to link unrelated firearm offenses and provide actionable investigative leads for law enforcement in a timely manner.*
 2. The Laboratory no longer participates in the NIBIN program which is sponsored by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
 3. Evidence that was entered into the NIBIN database by the Laboratory should be kept by the agencies for a minimum of 4 (four) years because confirmations of any hits must be made with actual evidence.
 - a) *Images of fired evidence from one crime may be in the system for years before the firearm is recovered from another crime and entered into the database.*



-
- b) *Notify the regional laboratory that made the NIBIN entry if the firearm is returned or otherwise reintroduced to the public.*
 - 4. Customers are encouraged to submit test fired cartridge cases from firearms directly to the ATF.
 - a) *Refer to the ATF submission guidelines which should be available at its website (<https://www.atf.gov/>).*
 - b) *Types of firearms most suitable for NIBIN entry include:*
 - i. *Pistols;*
 - ii. *Shotguns; and*
 - iii. *Rifles.*
 - c) *Derringers and revolvers do not usually make viable entries for the database.*
 - d) *Officers' firearms are not typically entered into NIBIN.*
 - B. Distance determination examination (i.e., range of fire determination) can only be performed when there is a suspected bullet hole in the submitted clothing.
 - 1. Evidence submission must include:
 - a) *The medical and/or autopsy report/photos (number of wounds, location of wounds, entry vs. exit, presence of stippling of gunpowder particles, etc.),*
 - b) *Scene photos (showing how the victim was wearing the garment, presence of outer clothing, etc.),*
 - c) *Offense report,*
 - d) *The suspected firearm,*
 - e) *The exact ammunition fired, and*
 - f) *All fired ammunition components from the shooting event.*
 - 2. If a suspected firearm has not been recovered, distance determination will not be performed.
 - a) *This is in order to preserve the evidentiary value of the clothing in the event that a suspect firearm is located at a later time.*
 - C. Due to the difficulty in obtaining suitable test media for reproduction of test patterns on human skin or tissue, distance determination on skin has been determined to be an inapplicable examination by the Laboratory.
 - 1. It is recommended that wound pattern analysis be performed by forensic pathologists, who may lend insight into distance determination.
 - D. The Laboratory does not analyze BB guns or air guns, unless rifled. Additionally, the Laboratory does not analyze sound suppressors or silencers.
 - E. The Laboratory does not analyze biological items, such as bone, cartilage, skin, etc., for the purpose of determining if a particular sharp object, such as a knife, may have been used.
 - 1. If assistance is needed in locating a laboratory that does this type of examination, contact the regional laboratory in the applicable service area for a list of possible options.
 - F. The Laboratory does not perform analysis on toolmark evidence without the submission of a comparison standard(s).



21.3 Specific Collection and Packaging Requirements

A. Collection

1. The collection process is relatively simple and not damaging to any firearms related item.
 - a) *Any damage that has occurred has normally been a result of firing, impact, or accidental.*
2. While marking of the actual item can be accomplished without affecting any analysis, it is strongly recommended that the evidence NOT BE marked.
 - a) *“Damage” can occur in the form of altering or affecting any microscopic marks or patterns that may be present and useful for analysis and comparison.*
3. If it is not possible to submit the evidence containing a suspected toolmark, a cast of the mark may be submitted.
 - a) *It is recommended, however, that the evidence mark be submitted whenever possible.*
 - b) *Photographs help to locate toolmarks but are of no value for identification purposes.*
4. Occasionally items are submitted that may exhibit multiple marks or cuts (doorframes, doors, cut wire, etc.). In this event, it is extremely important that the evidence marks in question are properly identified.
 - a) *This can be done in various ways. Marks on items can be clearly photographed with the appropriate marks designated. Wires can be taped with the appropriate markings on the tapes.*
 - b) *The important consideration is to make sure that the evidence mark in question is analyzed.*
5. Evidence must be clearly identified as to the location of the actual evidence markings (refer to *Image 21-2*).
 - a) *If the evidence is to be removed (e.g., cut wire to be collected for examination), clearly identify either the evidence toolmark or the non-evidence toolmark side prior to removing the physical evidence from its origin.*
 - b) *It is also helpful to indicate in the submission documents or on the evidence packaging how the evidence/non-evidence toolmarks are designated (e.g., “non-evidence ends of wire covered with evidence tape”).*



Image 21-2: Example of clearly identified areas for examination



B. Packaging

1. The purpose of correctly packaging firearms is to protect the breechface and bore from damage:
 - a) *Attach an evidence tag to the trigger guard.*
 - b) *Loaded magazines and unfired cartridges should be removed from the firearm, placed in a container, and the evidence secured with the associated firearm.*
 - c) *Firearms should be placed in a box and secured with plastic zip-ties to the bottom of the box.*
 - i. *Boxes can be obtained through gun dealerships, various box companies, or law enforcement evidence handling suppliers such as Kinderprint or Sirchie.*
 - d) **DO NOT** *place metal in the bore, breech, or magazine well.*
 - e) *Legibly mark the contents of each package.*
 - f) *Firearms recovered in water should be submitted in a container of the same water or should be immediately treated with a water displacing lubricant such as WD-40 or immersed in diesel fuel.*
2. Ammunition containers can vary from empty film canisters, to coin envelopes, to plastic bags, etc. (refer to *Image 21-3*).
 - a) *The important consideration is to protect the item to be examined from loss or contamination.*



Image 21-3: Suitable evidence packaging containers

3. If it is absolutely necessary to mark the evidence item, it **MUST** be marked in a safe area. **DO NOT** mark in the following locations (refer to *Image 21-4*):
 - a) *Bearing surface (sides and/or body) of projectiles;*
 - b) *Base of cartridge case; or*
 - c) *Body of cartridge case.*



Image 21-4: Prohibited marking locations

Possible Types of Evidence	Possible Examinations / Determinations
Projectile Multiple Projectiles*	Caliber Possible firearm manufacturer Possible manufacturer *Determination if projectiles were fired from the same firearm or multiple firearms
Cartridge Case Multiple Cartridge Cases*	Caliber Possible firearm manufacturer Possible manufacturer Possible reload *Determination if cartridge cases were fired in the same firearm or multiple firearms
Fired Projectile Fired Cartridge Case Firearm	Determination if fired from, or in, the submitted firearm
Shot Pellets Shot Wads	Size of shot pellets Gauge of wad Possible pellet size contained in wad
Clothing Firearm	Approximate distance firearm was from clothing when fired*

Continued on next page



Possible Types of Evidence	Possible Examinations / Determinations
Firearm	General condition and if mechanically functional Amount of pressure required to release hammer or firing pin (trigger pull) Restoration of obliterated serial numbers Determination of illegal modifications Test firing to obtain test specimens for comparison <i>For internal DPS customers only: test fire for acquisition into the ATF NIBIN database</i>
Toolmark Suspected Tool	Determination if submitted tool produced the mark/cut

Image 21-5: Available FTM services



22 Forensic Document Examination

22.1 Scope of Services

A. Handwriting Identification

1. Questioned signatures, written entries, or extended writing compared to genuine known writing of subject(s) to determine authorship, identify forgeries or demonstrate handwriting disguise or simulation.

B. Paper Batch and Edge Matching

1. Microscopic comparison of forensic documents (especially anonymous letters and paper(s) left at a crime scene) and paper found in possession of and/or known to be used by subject(s).
2. Microscopic comparison of torn edges of documents with paper found in possession of subject(s); perforated edges to stubs in check books, note pads, spirals, etc.
3. Assembly of torn and machine shredded documents to reveal information on the original document(s).

C. Envelope Batch Matching

1. Comparison of questioned envelope(s) to those found in possession of subject(s) for manufacturing batch identification.

D. Document Preparation and Sequence Determination

1. Any various techniques to determine the sequence of events.
 - a) *This can include, but is not limited to, which written line or typewritten entry was applied to a document first, sequence of photocopy preparation, sequence of folding and writing, or to address any other problem in which the sequence of events in the preparation of a document is in question.*

E. Examination and Preservation of Charred and Saturated Documents

1. Separation and preservation of charred or saturated documents to reveal information contained in original documents.

F. Latent Writing Impression Restoration

1. Detection and restoration of indented writing (i.e., indentations may be made by writing on an overlaying page, especially in notepads, checkbooks, etc.).
 - a) ***IMPORTANT:*** *Do not "shade" the impression with a pencil, or any other material or instrument, do not label an envelope after inserting the document, and do not process for latent prints.*

G. Image Enhancement

1. Image enhancement includes procedures for the non-destructive restoration, recording and visualization of images, and any other various techniques that are computer aided to help establish the origin and authenticity of a document.

H. Identification and Analysis of Conventional and Digital Print Processes

1. Determine the print process of a document and whether or not two or more documents were produced by the same printing unit.



I. Document Authentication

1. Any various techniques to compare genuine known documents with suspected counterfeit documents especially official government licenses, certificates, etc.

J. Ink Comparison

1. A non-destructive process for comparing parts of document entries for evidence of alteration or for comparison of questioned entries with writing instruments found in possession of subject(s). The procedure can differentiate inks which are identical to the unaided eye.
2. **IMPORTANT:** DPS Crime Laboratory Forensic Document Examination Section cannot date inks. Please contact the laboratory for assistance with this type of examination.

K. Alteration/Obliteration/Erasure Detection and Restoration

1. Any various techniques used to detect and demonstrate that a document was altered by addition, reprinting, insertion or retouching.
2. Any various techniques used to restore ink or other obliterating material used to hide underlying information or features on a document.
3. Any various techniques used to detect erasures and restore erased information or features on a document.

L. Typewriting/Examination of Carbon Ribbon Evidence

1. Examination of carbon ribbon for presence of questioned text and microscopic confirmation that the ribbon produced the document in question.

M. Miscellaneous Document Examinations

1. Any numerous other aspects of document examination, some of which may be apparent to an examiner only upon examination of the evidence in question.
 - a) *Examples include rubber stamps, seals, checkwriters, and other various document examinations.*

N. Explanation of Results, Conclusions, and Interpretations

1. **Identification:** This is the highest degree of confidence expressed in handwriting comparisons. The analyst has no reservations and is certain, based on evidence contained in handwriting, that the known writer actually wrote the writing in question.
2. **Strong probability:** The evidence is very persuasive, yet some critical feature or quality is missing so that an identification is not in order. The analyst is virtually certain that the questioned and known writings were written by the same person.
3. **Indications:** A body of writing has few features which are of significance for handwriting comparisons purposes, but those features are in agreement with another body of writing. Additional limiting wording may be added to clearly state that this opinion is far short of *identification*.
4. **Inconclusive:** This is the zero point on the confidence scale. It is used when there are significant limiting factors or the evidence does not provide a basis for identification or elimination.



5. **Indications did not:** This carries the same confidence as indications, a very weak opinion. Additional limiting wording may be added to clearly state that this opinion is far short of *elimination*.
6. **Strong probability did not:** This carries the same confidence as strong probability. The analyst is virtually certain that the questioned and known writings were not written by the same person.
7. **Elimination:** This, like *identification*, is the highest degree of confidence expressed in handwriting comparisons. The analyst denotes no doubt and is certain that the questioned and known writings were not written by the same individual.

22.2 Specific Collection and Packaging Requirements

A. General Evidence Collection

1. The inherent detail available in document evidence is not readily perceived by the layman. Therefore, it is necessary for the investigator to learn what documents to collect and how to preserve them to protect the integrity of the evidence.
2. DO NOT process for friction ridge impressions (latent prints).
 - a) *Preserve and protect the evidence for Friction Ridge examination and advise the Laboratory of the request for friction ridge examination.*
3. Always submit evidence in the condition in which it was found.
4. DO NOT staple the evidence.
5. DO NOT shade indented writing with pencil or any other material or instrument as this may damage the evidence.
6. DO NOT type or write on the evidence (e.g., when addressing the evidence mailing envelope with the evidence already inside).
7. If an identification mark must be placed on evidence, be sure that it is placed in an area that doesn't obscure the questioned portion.
8. For forensic documents, including handwriting evidence:
 - a) *Whenever possible submit originals of all evidence documents.*
 - i. *An original forensic document or known handwriting standard will have microscopic detail that is not represented in a reproduction.*
 - b) *Copies may be retained for reference purposes.*
9. For charred and saturated documents:
 - a) *Submit charred documents in the container in which they were found, if possible.*
 - b) *Place the evidence and/or container in which the document was found into a sturdy box with packing material to reduce movement of the charred document. **DO NOT CRUSH.***
 - c) *For saturated documents, attempt to dry in a vent hood or allow to air dry away from direct sunlight or heavy air current.*
10. For typewriter devices:
 - a) *Remove the carbon ribbon from the typewriting device. Only submit the carbon ribbon and the questioned document.*



- b) *If applicable, remove and submit any correction ribbon (typically white) or any other visible ribbon spool contained within the typewriter.*
11. For printing devices:
- a) *Please consult the Laboratory for the collection and submission of evidence. Information including the device make, model, and serial number is required.*
- B. Collection of Known Handwriting Standards
1. Standards (including known handwriting) should be collected during the initial investigation, packaged separately from the evidence, and should be submitted at the same time as the evidence if possible.
 2. Consideration for Handwriting and Hand Printing Standards:
 - a) Verification – *Have acknowledgment of writer or testimony of witness as to the authorship of the exemplars. These matters should be resolved before the standards are submitted to the laboratory for analysis.*
 - b) Admissibility – *Do not submit standards which might be ruled inadmissible in court.*
 - i. *For example, do not use standard writings that make references to extraneous offenses.*
 - ii. *The exceptions in this case would be if it could be determined that when a trial date arrives, the standards could be admitted for reference in document examination testimony, without allowing the jury to view those standards, or if the inadmissible portions could be redacted and the standards still used for comparison purposes.*
 - c) Writers – *Submit victim(s) and suspect(s) standards as appropriate.*
 - d) Same Style as Questioned – *The lab must compare cursive handwriting to cursive handwriting, hand printing to hand printing, and block lettering to block lettering.*
 - i. *A comparison of cursive writing to hand printing generally yields few results.*
 3. Same Content as Questioned – *Dictate or provide typed verbatim questioned text (or other combinations of same word and numerals that appear in questioned). Contact the laboratory for case specific exemplars prior to submission.*
 4. Known Signatures – *Obtain any suspect(s) or victim(s) signatures from normal course of business documents such as cancelled checks, employment records, fingerprint cards, etc.*
 5. All Questioned Handwriting – *Identification of which might be useful to the case and should be compared with the standards.*
 6. Handedness – *Obtain right and left hand standards, or from dominant and unaccustomed hand.*
 7. Recognize Disguise – *Note that if the exemplars are written more slowly and with less penmanship than other known writings, it could be an attempt at disguise.*
 - a) *Conversely, note that if the exemplars are written hastily and with less penmanship than other known writings, it could also be an attempt at disguise.*
 8. Compensate for Disguise – *Do not let the suspect view the document(s). Obtain extensive exemplars (at least 20 full pages repeating the questioned items verbatim). Supplement exemplars with normal course of business handwriting standards.*



9. Duplicate Writing Conditions – Note the type of paper and size, writing instrument, spacing, etc., that may exist in the document(s).
 - a) *Replicate these conditions as much as possible when obtaining exemplars/request writing.*
10. Contemporaneousness – Standards should be written around the same time frame as the document(s).
 - a) *This especially important in cases that involve children, adolescents, or the elderly.*
11. Provide Information – Be sure to include information regarding the writer's health, drug use, ambidexterity, etc., during exemplar execution and at time the document(s) was produced.

C. Packaging

1. Documents may be packaged into an appropriately sized envelope.
2. DO NOT fold document evidence to fit into a smaller envelope.
3. DO NOT try to overfill the envelope.
4. Please limit the number of internal packages. Place all the documents into one outer container for submission to the Laboratory.
5. Distinguish which documents are questioned and which are known by either binding the documents together (do not staple) or marking a post-it with “Questioned” or “Known” before placing them on the document.
6. Mark on the outer packaging BEFORE inserting evidence.
7. If necessary, use protective covers and padding when packaging.



23 Friction Ridge Examination

23.1 Scope of Services

- A. For friction ridge examination requests, the examiner will determine the proper scope and order of friction ridge processing and preservation techniques performed.
1. Visual examinations for latent, patent, or plastic prints will precede development techniques on all evidentiary items submitted.
 2. Techniques used during analysis may include visual, physical, and chemical processes on porous, non-porous, adhesive, and bloody evidentiary items.
 3. For other special requests, the customer should contact the Laboratory.
- B. All suitable friction ridge impressions observed, developed, or further developed by the Laboratory are preserved via lifting, digital scanning, or digital photography.
1. For clarification, the Laboratory defines a suitable friction ridge impression as having sufficient detail and clarity for a conclusion to be reached.
- C. Preserved suitable friction ridge impressions are compared to submitted exemplars and/or those obtained from the Texas DPS Crime Records Service or the FBI, as applicable, for individuals listed on the submission form or any candidates generated by an AFIS search.
1. Comparisons are limited to the requested analysis and may be affected by the quality of the available exemplars.
 2. Friction ridge exemplars of individuals listed on the Laboratory Submission Form (LAB-201) should be submitted whenever possible.
 3. Submitted exemplars are considered evidence and should be listed on the Laboratory Submission Form (LAB-201)
- D. Explanation of Results, Conclusions, and Interpretations
1. **Identification:** The conclusion that two friction ridge impressions originated from the same source due to sufficient features in agreement, and the forensic scientist would not expect to see the same arrangement of details repeated in an impression that came from a different source.
 2. **Exclusion:** The conclusion that there are sufficient features in disagreement between two areas of friction ridge impressions to conclude that the two impressions did not originate from the same source.
 3. **Inconclusive due to insufficient exemplars:** When a print cannot be identified or excluded due to an absence of complete and legible exemplars. In this situation, the exemplars available for comparison may exhibit poor quality prints or lack specific comparable areas required for a complete examination.
 4. **Inconclusive due to insufficient detail in the [latent, patent, plastic] print:**
 - a) *When corresponding features are observed but are not sufficient to identify **and** dissimilar features are observed but are not sufficient to exclude. In this situation, submission of additional exemplars will not assist in determining Identification or Exclusion.*
- OR**
- b) *When the print does not meet the established Exclusion Criteria **and** no corresponding features are observed. In this situation, all relevant exemplars are*



present in order to perform a thorough comparison and all comparison efforts have been exhausted. This Inconclusive conclusion means that a reliable and repeatable Exclusion conclusion is unable to be established with the quantity and clarity of friction ridge detail present.

5. **Inconclusive due to lack of examiner consensus:** When the reporting examiner and all verifying examiners cannot reach a unanimous consensus for the final interpretation/opinion.

23.2 Service Limitations

- A. At the completion of the examination, if suitable friction ridge impressions are not identified, the preserved friction ridge impressions are retained by the Laboratory, and the case is forwarded to the AFIS (Automated Fingerprint Identification System) section for a database search. The only exception is for inconclusive conclusions with level 2 features marked in common with a known print; these friction ridge impressions do not meet the criteria for an AFIS search.
- B. If friction ridge impressions are determined to be not suitable for identification purposes, they are considered not suitable to initiate a search in AFIS. The case will not be forwarded to the AFIS Section even when requested on the submission form.
- C. Special laboratory requests for additional exemplars may be made in the report. These requests must be addressed by the submitting agency for additional examinations to be performed.

23.3 Specific Collection and Packaging Requirements

- A. General Collection of Evidence
 1. Friction ridge evidence is sometimes considered the most fragile evidence which may be collected at a crime scene. Friction ridge evidence may be destroyed by excessive handling or by improper packaging of the evidence.
 - a) *Special precautions and care must be taken in order to minimize the degradation of friction ridge evidence.*
 - b) *Collect this evidence by handling it in a way that an individual would not normally handle.*
 - c) *Handling evidence with a gloved hand on textured or grooved surfaces is good practice. Avoid excessive handling.*
 2. Factors such as extreme or environmental conditions to which the evidence has been exposed, the substrate surface, and the handling of the evidence should be considered prior to submitting evidence for processing.
 3. If evidence is processed for prints by the customer prior to its submission to the Laboratory, notations regarding prior processes performed should be indicated on the Laboratory Submission Form (LAB-201) to assist the Laboratory on further processing and preservation.
 - a) *Oftentimes, items that are permanent such as residential doors, windows, and vehicles are processed at the scene with powder. Developed prints should be lifted with fingerprint tape and preserved on a lift card or digitally photographed with a scale included in the frame.*
 - b) *Lifts made at a crime scene should be submitted for friction ridge examination.*



B. Considerations for Lifting Friction Ridge Impressions Developed with Powders

1. Documenting the lift card is absolutely necessary; see below statements and representative figures for clarification.
2. Place an arrow on the front of the lift card to show upward direction of the item from which the lift was made (refer to *Image 23-1*).



Image 23-1: Lift side of lift card

3. On the back of each lift card, record the following information (refer to *Image 23-2*):
 - a) *Date;*
 - b) *Location from which the print was lifted;*
 - c) *Agency case number;*
 - d) *Initials, signature, or employee number of person lifting print;*
 - e) *Diagram or sketch with "X" showing the location of the lift and draw an arrow to show orientation; and*
 - f) *1st lift, 2nd lift, etc. if multiple lifts are made of the same prints.*

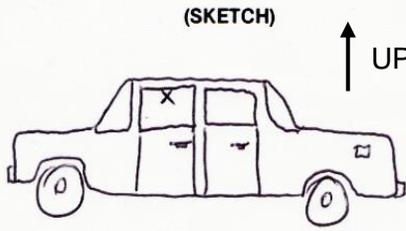
DATE: 8-7-02	CASE # 02-0012
PRINT LIFTED FROM: DRIVER SIDE FRONT DOOR WINDOW GLASS (INSIDE)	
LATENTS LIFTED BY: JOE SMITH	
(SKETCH)	
	

Image 23-2: Documentation side of lift card



4. If the collector's fingertips accidentally show on the sticky side of the tape, place an "X" with initials over the collector's prints (refer to *Image 23-3*).
5. If fingerprints and palm prints are not available, the customer should provide the name, race, sex, date of birth, and driver license or ID card number of the suspect(s), victim(s), and any elimination individual(s) so the examiner can check for exemplars on file with DPS.

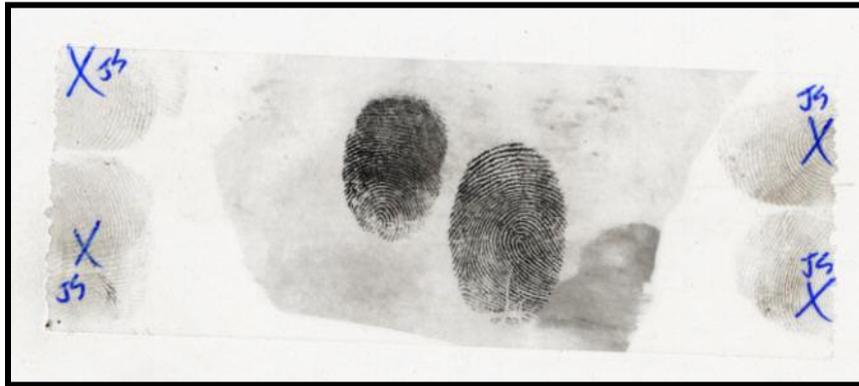


Image 23-3: Lift side of lift card

C. Considerations for Collecting/Obtaining Known Exemplars

1. A fingerprint card should have all ten fingers properly inked and fully rolled nail to nail with minimal smears, along with plain impressions at the bottom. If a finger is not printed due to an injury (temporary or permanent), document "INJURY" in the corresponding box. The highlighted areas should be filled out on this card for these prints to be used in friction ridge comparison (refer to *Image 23-4*).

TEN	DPS NO (DUI)	FBI NO	CONTRIBUTOR (DUI)	LEAF BLANK
NAME (LAST, FIRST, MIDDLE)			DATE OF BIRTH	PLACE OF BIRTH
SEX	RACE	ETH	HGT	WGT
HAIR	SCARS, MARKS, WARTS, APPROPRIATIONS	FFC		
SKIN TONE	SOCIAL SECURITY NO.	MISC NO	CITIZ	
DRIVER LICENSE NO.	STATE	TYPE	ID CARD NO.	STATE
ALIEN NAME(S)	ADDRESS		CITY	STATE ZIP
ORI	ARRESTING AGENCY	TRANS. HAZ. MATERIALS	OPER. COM. VEHICLE	LIC. PLATE NO.
NAME	AGENCY CASE NO.	FIREARM CODE	PRINTED BY	DATE
SCOPE OF PERSON IDENTIFIED	OFFENSE CODE	GOC	OFFENSE	STATUTE CHAPTER
A001	LEVEL		PEONY	MISDEMEANOR
DEGREE		CAPITAL, 1, 2, OR 3	A, OR B	
1 - THUMB	2 - INDEX	3 - MIDDLE	4 - RING	5 - PINKY
6 - L. THUMB	7 - L. INDEX	8 - L. MIDDLE	9 - L. RING	10 - L. PINKY
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY				
L. THUMB				
R. THUMB				
RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY				

Image 23-4: Fingerprint card



2. For Major Case Prints (Complete Friction Ridge Exemplars), each finger and thumb should have the center, both sides, and the extreme tips inked as shown (refer to *Image 23-5*).
3. Palms should be completely rolled from the tips of the fingers to the wrist crease and also the side of the hypothenar area (known as the check writer's palm) (refer to *Image 23-6*).

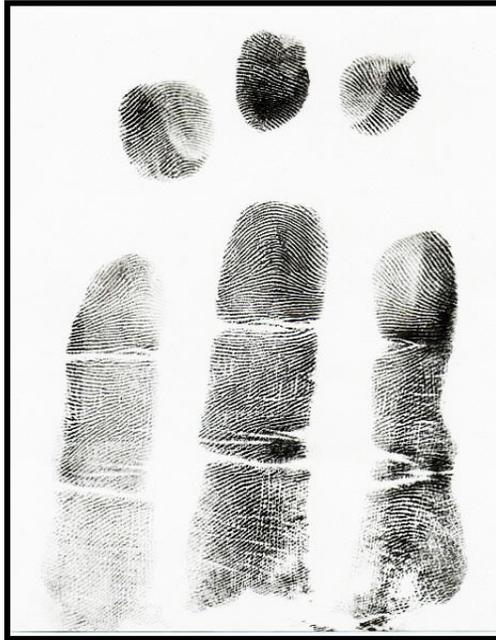


Image 23-5: Example of Major Case Prints



Image 23-6: Left palm exemplar

4. Documentation that should be present on the palm print exemplars includes:
 - a) *Name of person printed;*
 - b) *Signature of person printed;*
 - c) *Name of person obtaining prints; and*
 - d) *Date.*

D. Packaging

1. Avoid excessive handling of package containing evidence.
 - a) *Also, avoid packaging non-porous items in plastic bags.*
 - b) *Be aware that any contact the evidence has with other surfaces, including the evidence container, may interfere with the recovery of friction ridge impressions.*
2. Whenever possible, each item of evidence to be examined for friction ridge impressions should be stored in a separate container.
 - a) *Evidence should be placed in containers which will prevent the evidence from moving around freely.*
 - b) *Porous items of evidence such as paper and cardboard may be collected and packaged together in a single container.*



3. It is recommended that these items not be treated with any type of development processing technique prior to submission.
 - a) *These techniques may interfere with further laboratory processing, and any developed friction ridge impressions may fade prior to examination.*
 - b) *If these items have been chemically treated and are submitted for friction ridge examination, clearly indicate what chemicals were used on the submission form so any developed friction ridge impressions can be preserved prior to possible fading.*
 4. Evidence should not be marked or labeled with writing, tape, or any other method that may interfere with the development of friction ridge impressions or other Laboratory analyses.
 5. Initials and identifying marks should be placed on the packaging prior to placing the evidence inside.
 - a) *In some instances evidence tags may be carefully attached to items of evidence.*
 - b) *If marking the evidence is required by the customer, initials or identifying marks should be carefully placed to avoid damage to any area which might contain friction ridge impressions.*
 6. Properly documented exemplars (inked fingerprints, palm prints, etc.) may be packaged together and submitted in flat envelopes.
 - a) *Allow the printers ink to dry prior to placing inside envelope.*
- E. Special Considerations for the Collection and Submission of Digital Images
1. The use of computers to transfer files containing images is becoming more prevalent. If sending friction ridge impressions electronically is considered, call the Laboratory for further instructions so that we may receive the best quality image with a secure chain of custody.
 - a) *Regardless of the method of submission, a Laboratory Submission Form (LAB-201) must be included with the submission.*
 - b) *Department email regulations prevent large file transfers via email; therefore, original images should be submitted to the Laboratory on CD-R or DVD-R.*
 2. Generally, filling the frame with the friction ridge impression and including a scale when preserving through photography will render a quality image.
 - a) *It is important to consider the camera equipment and the ability to use the equipment properly to attain a well-focused and framed image.*
 3. For reference, highlights regarding Laboratory preserved digital evidence are listed below:
 - a) *Friction ridge impressions used for comparative analysis should be captured in the highest resolution lossless format available (i.e. RAW or TIFF) at a minimum of 1000 pixels per inch (ppi) or higher resolution when the image is sized 1:1, or by using existing film photographic techniques.*
 - b) *Grayscale digital imaging should be at minimum of 8 bits.*
 - c) *Color digital imaging should be at minimum of 24 bits.*
 - d) *A scale (ruler) must be included in each image and must be on the same plane of focus as the friction ridge impression being photographed.*



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- e) *The unit of measure (inch or centimeter) must be visible on the scale within the image and one entire unit must be visible within the image.*
 - f) *The entire image must be in focus. The plane of focus of the friction ridge impression must be parallel to the plane of the camera which was used to capture the image.*
4. Digital images of friction ridge impressions should be submitted for examination no matter what resolution or format was available for the customer.
- a) *If the digital image is of poor quality, it may be returned without analysis. If a quality digital image cannot be obtained, submission of the physical evidence is recommended.*



24 Seized Drugs Analysis

24.1 Scope of Services

- A. The Laboratory provides analysis of evidence for the presence of controlled substances, including pharmaceutical and illicit drugs, plant material, edibles, paraphernalia, and related liquid and powder chemicals.
- B. Routine seized drug analysis may include any of the following services, at the discretion of the Laboratory:
 - 1. Determination of net or gross weight, chemical screening examinations, instrumental confirmation tests, and pharmaceutical identification of tablets/capsules.
 - 2. Some exhibits may not be analyzed depending on circumstances of the case.
- C. Submissions of excess quantity cases from internal DPS customers will follow Laboratory policies for destruction.

24.2 Specific Collection and Packaging Requirements

A. Marihuana and Other Plant Substances

1. Collection

- a) *Fresh substances (marihuana, mushrooms, cacti, etc.) must be dried thoroughly before being submitted for analysis.*
 - i. *Do not include the roots and dirt with the substance.*
 - ii. *Leaves and stems must be stripped from large plant stalks prior to submission.*
 - iii. *Large stalks, dirt, or roots are not included in the reported weight of the substance.*
- b) *Bulk or excess quantity seized drugs which may have been soaked in flammable, volatile, or other hazardous substances should be handled in an appropriate manner to ensure safety. Contact the Laboratory prior to submitting evidence in order to discuss the venting of poisonous or noxious fumes.*

2. Packaging

- a) *Package freshly dried substances in paper bags or cardboard boxes to allow for continued drying before submission. Do not submit plant material in plastic packaging.*
- b) *Bulk or excess quantity seized drugs should be sub-divided in containers weighing no more than 30 (thirty) pounds.*
 - i. *Individual bundles weighing more than thirty pounds do not have to be subdivided.*
- c) *If evidence is being submitted for Seized Drug and Friction Ridge examination, gloves should be worn and the handling of packaging minimized to preserve evidence.*

B. Clandestine Laboratory Chemicals

1. Safety Considerations

- a) *The greatest safety hazard associated with clandestine laboratories is chemical exposure. The chemicals can cause severe chemical burns and/or may be toxic.*
- b) *Officers not trained in clandestine laboratory safety should contact the Laboratory for advice on handling chemicals.*



- c) *The use of personal protective equipment (PPE) such as eye protection, protective clothing, SCBA (Self-Contained Breathing Apparatus) or air purifying respirators, and nitrile gloves is recommended.*

2. Collection and Packaging

- a) *Please contact the Laboratory for guidance on collecting, sampling, and packaging evidence from a clandestine laboratory, as well as any restrictions which may be in place regarding submission and analysis.*
- b) *Package liquids in a sturdy plastic bottle with secure plastic lids or a glass jar with a plastic lid. Lids may be sealed with chemical tape or duct tape.*
 - i. *Do not use metal lids on jars or bottles.*
 - ii. *Acidic liquids should not be placed into a plastic bottle. Verify the pH of the liquid and if acidic, use a glass container.*
- c) *Place solids in sturdy plastic bottles or plastic zipper bags.*
- d) *It is not necessary to submit large samples of iodine, lithium, or red phosphorous.*
 - i. *Approximately 1 gram (e.g., the weight of an individual package of artificial sweetener) in a sturdy plastic bottle will suffice.*
- e) *The following items will not be accepted for submission:*
 - i. *Large samples of organic solvents not believed to contain seized drugs;*
 - ii. *Items still in factory-sealed containers; and*
 - iii. *Any compressed gas tanks (e.g., propane or ammonia).*
- f) *Some regional laboratories have specific requirements on the outer containers for clandestine laboratory samples. Please contact the regional laboratory in the applicable service area to discuss any needs for packaging (refer to [Appendix 2 – Laboratory Contact Information](#)).*

24.3 Best Practice for Handling and Field Testing Suspected Seized Drugs Packages

- A. Due to health risks associated with exposure to fentanyl, personnel should follow the following practices when dealing with unknown substances in the field.
 - 1. Treat all unknown substances with the assumption they contain fentanyl.
 - 2. Verify Naloxone kits are within reach and are not expired, if available.
 - 3. Always uses Personal Protective Equipment (PPE) when handling unknown substances. At a minimum powder free 5-millimeter nitrile gloves should be worn. It is recommended that gloves have a high cuff length, such as 11", to protect the wrist area and be 8-millimeter thickness to minimize accidental tearing. (Note some gloves purchased from DPS General Stores may not meet these specifications.)
 - 4. Once gloves are on the hands, make it a habit to not touch clothing, skin, or equipment that is not being used for testing the unknown substance.
 - 5. If unknown substance is in transparent (clear) packaging, a portable Raman device may be used to make a preliminary identification, if available.
 - 6. Do not open packages unless required. If required, open suspected packages in an unpopulated area with good air circulation but without airflow that is directed toward the tester. Open the package only enough to obtain a small sample for testing.



7. Additional PPE should be worn during tasks where there exists possibility of very fine particles or splashes to the face. This includes OSHA-approved eye protection, sleeve covers, and a P100 rated particulate respirator mask.
 8. Use an appropriate field test to presumptively identify the presence of fentanyl. Some examples of these kits include Sirchie's NARK20033 Fentanyl Reagent and NIK's (#NIK6060S) special fentanyl kit. Field tests can result in false negatives. Both negative and positive results should be treated as containing fentanyl.
 9. When field-testing is complete, seal the package.
 10. Decontaminate surfaces that were exposed to suspected fentanyl or other controlled substances with soap and water. Do not sweep or vacuum surfaces as this can make the unknown substance airborne.
 11. Gloves and other potentially contaminated single-use PPE should be placed in labeled, durable 6 mil polyethylene bags and disposed of in the regular trash. The field test kit should also be disposed of in this manner and not submitted or packaged with the evidence.
 12. Wash hands with soap and water as soon as possible after testing or potential exposure.
 13. **Do not use hand sanitizer** or bleach to clean contaminated skin. Hand sanitizers may contain alcohol, which can increase the absorption of fentanyl through the skin.
 14. Contaminated clothing should be removed, segregated from other laundry, and laundered separately.
 15. Do not eat, drink, smoke, or use the bathroom before decontaminating.
 16. If you experience symptoms of opioid overdose follow the directions in the Naloxone kit, notify Communications and seek further treatment at a hospital or emergency medical facility
- B. Police K-9s
1. Police K-9s performing detection activities are also at risk of exposure to fentanyl and its analogues. Working dogs should be removed from an area where suspected synthetic opioids are encountered.
 2. If exposed, residual drug powder may remain on the dog's body.
 3. In the case of a suspected canine overdose, contact the canine's treating veterinarian immediately.



25 Toxicology (Alcohol/Volatiles and/or Drugs) Analysis

25.1 Scope of Services

- A. Toxicology (Alcohol/Volatiles and/or Drugs) analysis in biological specimens is performed by the Laboratory to support investigations of traffic DWI enforcement, homicide, and drug-facilitated sexual assaults. Typical evidence samples include blood collection kits and/or urine collection kits.
- B. Alcohol/Volatiles Analysis
1. A Toxicology (Alcohol/Volatiles) Laboratory Report will list the alcohol concentration and/or the presence of volatile compounds. Volatiles analysis may include compounds that are abused as inhalants.
 2. If continued analysis is necessary for toxicology drug analysis, the regional laboratory in the applicable service area will forward the appropriate samples to the DPS Austin Crime Laboratory and indicate its disposition on the report.
 - a) *If Toxicology (Drugs) analysis was requested in addition to Toxicology (Alcohol/Volatiles) analysis and the alcohol concentration is determined to be less than 0.100 grams per 100 milliliters, it is forwarded to the DPS Austin Crime Laboratory for analysis.*
 - b) *If Toxicology (Drugs) analysis was requested in addition to Toxicology (Alcohol/Volatiles) analysis and the alcohol concentration is determined to be equal to or greater than 0.100 grams per 100 milliliters (or equivalent breath test), drug analysis will not be performed unless it is a non-traffic offense (e.g., death investigation or drug-facilitated sexual assault) or is a traffic incident that involves a deceased victim and living suspect. The request and offense must be documented on the Toxicology Request Submission Form (LAB-203).*
- C. Toxicology (Drugs) Analysis
1. The Laboratory measures the concentration (amount) of the common drugs in blood that can cause driving impairment. The concentration can be compared to literature values to support impairment cases.
 2. Some drugs undetected in blood may be detected in urine due to higher concentrations and the presence of metabolites (the products of drug metabolism in the body). For urine specimens, the concentration (amount) of drug is not reported; only the fact that the drug has been detected is reported.
 3. The Laboratory performs a screening for 10 (ten) classes of drugs to determine the presumptive presence of drugs in the sample.
 - a) *Immunoassay screening does not identify any specific drug and is followed with a confirmation test(s) to identify the specific drugs present.*
 - b) *Cases which fall below screen cut-off levels are reported as "negative" for each drug class.*
 4. All drugs reported undergo identification by gas chromatography-mass spectrometry (GCMS) and/or liquid chromatography-mass spectrometry (LCMS).
 5. A Toxicology (Drugs) Laboratory Report will list the identity of the drug(s) detected. The concentration of some drugs detected in blood samples may also be reported.



6. The report will not include the following non-prescription drugs which may be detected during analysis: vitamins, caffeine, nicotine, acetaminophen, and nonsteroidal anti-inflammatory drugs (NSAIDs) such as ibuprofen and naproxen.
7. A note is included on the report for drugs or class of drugs suspected by the initial investigation that could not be excluded by Laboratory methodology.
 - a) *The note is to inform the reader that a drug from this drug class may have been present but the Laboratory was unable to detect it, it was at a concentration below the reporting criteria, or it simply was not present.*
 - b) *Further explanation can be provided by the laboratory if desired by contacting the Austin Toxicology Section.*

25.2 Service Limitations

- A. New designer drugs, such as bath salts and synthetic cannabinoids, are continually being produced. However, the Laboratory may not have the capability to detect and/or confirm all drugs within these categories.
- B. The Laboratory cannot detect and/or confirm the following: lithium, psilocybin (mushrooms), mescaline (peyote), GHB, and LSD.
- C. The Laboratory does not detect, confirm or include on a report the following: antibiotics, diabetic medications, diuretics, and heart/blood pressure medications.
 1. If a specific drug is listed as suspected and falls under one of these categories, the report may list them as a drug that the laboratory does not test for.

25.3 Submission Instructions

- A. Inform the Laboratory on the Toxicology Request Submission Form (LAB-203) of any suspected substances that may have been used by the subject.
 1. For information concerning any suspected substances, refer to common reference materials (e.g., Physician's Desk Reference (PDR) or <https://www.drugs.com/>).
 2. The list of suspected drugs is evaluated to employ methodology within the Laboratory's capabilities for detection.
 3. Cases where specific drugs are listed as suspected but are not detected by immunoassay screening may undergo additional screening by GCMS or LCMS.
 - a) *The report will include a note if a suspected drug cannot be excluded by Laboratory methodologies. Refer to [Appendix 8 – Toxicology Drugs List](#) for list of drugs that can be detected.*
- B. Please note if Toxicology (Drugs) analysis is requested in addition to alcohol/volatiles analysis. This information assists the Laboratory in efficiently directing the analysis of the samples.
- C. Submission of Kits or Samples
 1. If multiple kits or samples from the same individual are collected, DO NOT separate the kits/samples.
 - a) *Maintaining the kits/samples together ensures that the evidence maintains a proper chain of custody and there is ample evidence for testing.*
 - b) *Submit the kits ONLY to the regional laboratory in the applicable service area to ensure the case remains under the same case number.*



- c) *The additional kits/samples should be noted on the Toxicology Request Submission Form.*
 2. Mail or personally submit the blood and/or urine kit **without additional packaging** to the Laboratory as soon as possible after specimen collection.
- D. Recommendations for Toxicology (Drugs) Analysis by Offense
 1. Traffic Offenses
 - a) *For a traffic-related offense, a blood sample is preferred over any other specimen type. If only urine is submitted, it should have the support of a DRE (Drug Recognition Expert) evaluation for prosecution.*
 - b) *Testimony from urine analysis is limited. Drugs detected in urine show prior usage of drugs and may not match drugs detected in the blood when the urine specimen was taken.*
 - c) *Drug detection in blood shows the influence of the drug(s) at the time the sample was taken.*
 - d) *If the presence of cocaine or flunitrazepam (rohypnol) is suspected in a blood sample, keep the sample refrigerated or submit as soon as possible. Refrigeration retards the degradation of these drugs in the sample.*
 2. Death Investigations
 - a) *In death investigations, the DPS Austin Crime Laboratory Toxicology section normally performs analysis of blood and/or urine specimens.*
 - b) **Blood and/or urine** is analyzed to evaluate any impact of drugs on the cause of death or to determine contributing factors for other death causes.
 - c) **Vitreous** is analyzed for alcohol/volatiles when blood is not available. Detection of drugs will not be performed on vitreous samples.
 - d) **Urine** may be analyzed if blood is not submitted.
 3. Sexual Assault Investigations
 - a) *All Toxicology (Alcohol/Volatiles) requests pertaining to sexual assault offenses should be sent to the DPS Austin Crime Laboratory for analysis. The DPS Austin Crime Laboratory Toxicology section will analyze the specimens for both alcohol/volatiles and drugs, as requested.*
 - i. *In sexual assault investigations, the DPS Austin Crime Laboratory Toxicology Section normally performs alcohol/volatiles analysis of blood and/or urine specimens and Toxicology (Drugs) analysis on urine specimens.*
 - ii. *Toxicology (Drugs) analysis of blood may be performed if it is the only specimen submitted for a sexual assault investigation. Urine provides the longest window of detection for drug facilitated sexual assaults.*
 - b) *Both alcohol/volatiles and drugs analyses are recommended in sexual assault investigations where victims report impairment or unconsciousness.*
 - c) *The sooner a specimen is collected the greater the chance of detecting drugs which may have been used. Most drugs are detectable in blood collected within 12 (twelve) hours and in urine collected within 72 (seventy-two) hours, however some may be quickly eliminated.*



- d) *The use of the Toxicology Request Submission Form (LAB-203) is preferred to request type of analysis and specify the time of incident and time of sample collection.*
 - i. *If the Laboratory Submission Form (LAB-201) is used, please indicate clearly the analysis requested.*
 - ii. *A request for "Toxicology" is interpreted as a request for both alcohol/volatiles and drug analysis.*
 - iii. *The date and time of offense and the date and time of sample collection must be added to the Laboratory Submission Form (LAB-201).*
 - e) **Important:** *Collect a gray-top blood tube and urine specimen separately from any DNA specimens.*
4. For information regarding detection capabilities, contact the DPS Austin Crime Laboratory Toxicology section at AustinToxicology@dps.texas.gov or (512) 424-5793.

25.4 Evidence Retention and Disposition

- A. Effective September 1, 2015, House Bill 1264 amended Article 38.50 of the Texas Code of Criminal Procedure, clarifying the retention period for Toxicology (Alcohol/Volatiles and/or Drugs) evidence collected under Chapter 49 of the Penal Code.
- B. The Laboratory returns all Toxicology (Alcohol/Volatiles and/or Drugs) evidence from non-internal DPS customers.
- C. The Laboratory retains Toxicology (Alcohol/Volatiles and/or Drugs) evidence submitted by internal DPS customers until the court-authorized disposition date.
 1. Judges' signatures are required to authorize destruction in accordance with the law and defined retention periods.
 2. For evidence submitted to regional laboratories other than the DPS Austin Crime Laboratory, after alcohol/volatiles testing is completed the evidence is forwarded to the Houston Regional Laboratory.
 - a) *Evidence is stored refrigerated in the evidence storage facility established under Government Code 411.053, commonly referred to as the Bio-Warehouse.*
 3. Evidence submitted to and/or completed by the DPS Austin Crime Laboratory will remain stored refrigerated in Austin.
 4. The Laboratory requires at least 2 (two) business days' notification if evidence is needed for court. Prosecuting attorneys or internal DPS customers should contact the regional laboratory in the applicable service area to initiate the evidence transfer process from its storage location.



26 Trace Evidence Analysis

26.1 Scope of Services

- A. Trace evidence consists, in most cases, of small minute material that is transferred from one source to another. This exchange of material can link a suspect, victim, crime scene, and/or object. This exchange can, therefore, become a critical piece of information during both the investigative and prosecutorial phases of a case. While it is extremely important to collect as much evidence as possible, the value of such evidence may be limited due to the facts of a particular case or the type of material collected.
- B. The Trace Evidence discipline is composed of several different types of analysis including fibers, fire debris, glass, gunshot residue (GSR), hair, impressions (footwear and tire), lamp filaments, paints/polymers, physical/fracture match, pressure sensitive tapes, and unknown substances.
 1. A brief description of most of the types of analysis is provided below. Please contact the regional laboratory in the applicable service area for more information regarding physical/fracture match and pressure sensitive tape analysis requests (refer to [Appendix 2 – Laboratory Contact Information](#)).
- C. Fiber Analysis and Comparison
 1. Fiber transfers most often occur from carpet, blankets, sweaters and damaged clothing. Fiber evidence can be recovered from such surfaces as clothing, fingernails, hair combings, weapons, bullets, bedding, seating and automobile parts. As fibers shed, they can adhere to clothing or other surfaces for a short period of time and can then be used to establish a link between a suspect, victim, and the crime scene.
 2. The following determinations may be made during a fiber examination:
 - a) *Fiber type;*
 - b) *Possible product uses (e.g., carpeting, clothing, etc.);*
 - c) *Similarity between questioned fibers and known standards; and*
 - d) *Physical/fracture match of samples back to source.*
- D. Fire Debris Analysis
 1. Fire debris analysis is the examination of materials from a fire to determine the presence or absence of an ignitable liquid.
 2. While most materials to be tested for ignitable liquids consist of debris from a fire, other items that can be tested include clothing from a victim or suspect, suspected liquids, soil or vegetation from around building exteriors, or empty containers that may have been used to carry an ignitable liquid to the scene.
 3. The following determinations may be made during a fire debris examination:
 - a) *The presence or absence of an ignitable liquid; and*
 - b) *If an ignitable liquid is present, the category of ignitable liquid.*
 - c) *Laboratory identification results of ignitable liquids are based on the classification scheme outlined in the American Society for Testing And Materials (ASTM) E1618 document (refer to Figure 26-1).*



4. Additionally, customers may send a clean, empty can from the stock of metal cans used for evidence collection for testing to ensure the cans are free of contaminants.
 - a) *The Laboratory provides a quality control check of metal cans to be used for collection of evidence.*
 - b) *The Laboratory Submission Form (LAB-201) is required for the submission of these containers. Please indicate "Fire Debris Can QC Quality Check" in the "Brief Description of Evidence" column and provide the applicable product LOT numbers.*

Class	Light (C ₄ – C ₉)	Medium (C ₈ – C ₁₃)	Heavy (C ₉ – C ₂₀₊)
Gasoline-all brands, including Gasohol and E85	Fresh gasoline is typically in the range of C ₄ – C ₁₂		
Petroleum Distillates (including De-Aromatized)	Petroleum Ether, Some Cigarette Lighter Fluids, Some Camping Fuels	Some Charcoal Starters , Some Paint Thinners, Some Dry Cleaning Solvents	Kerosene, Diesel Fuel, Some Jet Fuels, Some Charcoal Starters
Isoparaffinic Products	Aviation Gas, Some Specialty Solvents	Some Charcoal Starters, Some Paint Thinners, Some Copier Toners	Some Commercial Specialty Solvents
Aromatic Products	Some Paint and Varnish Removers, Some Automotive Parts Cleaners, Xylenes, Toluene-Based Products	Some Automotive Parts Cleaners, Some Specialty Cleaning Solvents, Some Insecticide Vehicles, Fuel Additives	Some Insecticide Vehicles, Industrial Cleaning Solvents
Naphthenic-Paraffinic Products	Cyclohexane-Based Solvents / Products	Some Charcoal Starters, Some Insecticide Vehicles, Some Lamp Oils	Some Insecticide Vehicles, Some Lamp Oils, Industrial Solvents
Normal-Alkanes Products	Some Specialty Solvents, Pentane, Hexane, Heptane	Some Candle Oils, Some Copier Toners	Some Candle Oils, Some Carbonless Forms, Some Copier Toners
Oxygenated Solvents	Alcohols, Ketones, Some Lacquer Thinners, Fuel Additives, Surface Preparation Solvents	Some Lacquer Thinners, Some Industrial Solvents, Metal Cleaners / Gloss Removers	
Others-Miscellaneous	Single Component Products, Some Blended Products, Some Enamel Reducers	Turpentine Products, Some Blended Products, Various Specialty Products	Some Blended Products, Various Specialty Products

Figure 26-1: Ignitable Liquid Classification Scheme

E. Glass Analysis and Comparison

1. Glass evidence is most often encountered in burglary and hit and run cases. Glass recovered from burglary tools or from a suspect's clothing, shoes, and hair may be compared to known glass from the scene. Glass recovered from the clothing of a hit and run victim may be compared to the known glass from the suspect vehicle.



2. The following determinations may be made during a glass examination:

- a) *Glass type (e.g., tempered glass, container glass, etc.);*
- b) *Direction of force used to break the glass;*
- c) *Order and direction of projectiles fired through the glass;*
- d) *Similarity between questioned glass and known standards; and*
- e) *Physical/fracture match of samples back to source.*

3. If direction of force for glass analysis is considered:

- a) *Photograph the glass before moving it; and*
- b) *Write "inside" and "outside" on the glass.*

F. Gunshot Residue (GSR) Analysis

1. Gunshot residue (GSR) is composed of antimony, barium, and lead and may be deposited on the shooter's hands, depending on the type, caliber, and condition of the weapon used and the environmental conditions at the time of the shooting.

2. The Laboratory conducts analysis for GSR by SEM-EDS (Scanning Electron Microscopy-Energy Dispersive Spectrometry) which allows for the identification of GSR particles based on morphology and composition.

3. Both characteristic and indicative GSR particles are produced when a firearm is discharged.

- a) *Characteristic (3-component) GSR particles are composed of lead, barium, and antimony. Lead/barium/antimony containing particles have also been reported from cartridge operated stud guns/nail staplers, "crackering ball" fireworks, airbags, flare guns, starter pistols, and brake linings.*
- b) *Indicative (2-component) GSR particles are composed of only two of the three metals: lead and barium, lead and antimony, or barium and antimony.*

4. Other sources that have been found to produce 2-component particles include:

- a) *Particles containing lead/barium have been reported from stud guns, "crackering ball" fireworks, tires, disk brake hubs, brown recycled butcher paper, and the hands of mechanics, including electricians, motor repair and brake mechanics, lead acid battery assemblers, fireworks technicians, and furniture finishers;*
- b) *Particles containing lead/antimony have been reported from stud guns, "cracker bomb" fireworks, lead smelting, and the hands of lead acid battery assemblers, blast furnace operator foremen, fireworks technicians, car battery salesmen, car tire replacement workers, scrap iron dealers, car radio installers, automobile electricians, brake repair automotive mechanics, and gas station attendants; and*
- c) *Particles containing antimony/barium containing particles have been reported from stud guns, disk brake hubs, and the hands of fireworks technicians, car radio installers, automobile electricians, automotive motor and brake repair mechanics, and gas station attendants.*
- d) *Please note that most particles from the above sources can be distinguished from actual characteristic and indicative GSR particles based upon morphology and/or other elemental properties.*



G. Hair Analysis and Comparison

1. Hair evidence can be encountered in a wide variety of crimes and can provide strong corroborative information for placing an individual at a scene.
2. The following determinations may be made during a hair examination:
 - a) *Human versus non-human;*
 - b) *Animal species;*
 - c) *Body origin (head, pubic, body, etc.);*
 - d) *Racial characteristics;*
 - e) *Alterations to human hair (bleached, dyed, burned, etc.);*
 - f) *Similarity between questioned hairs and known standards; and*
 - g) *Possible use of hair for DNA analysis.*
3. Hair evidence submitted to the Laboratory for DNA analysis is examined by, or undergoes a consultation with, a Trace Evidence analyst prior to DNA processing.

H. Impressions (Footwear and Tire) Analysis and Comparison

1. Footwear and tire impressions are routinely present at crime scenes and are frequently overlooked. Examinations of impression evidence can provide valuable investigative leads and if properly documented and collected, can allow for a comparison to a suspected source.
 - a) *Two-dimensional impressions are those with no significant depth. A thin deposit/removal of dust, mud, blood, or other material from a shoe/tire onto/from a hard surface may create these impressions. Some two-dimensional impression will be clearly visible while others may be partially or totally latent.*
 - b) *Three-dimensional impressions are those that have a significant depth to them, in addition to the length and width of the impression. Three-dimensional impressions are most commonly found in soil, sand, or snow and the detail within the impression may vary according to the substrate.*
2. The following determinations may be made during an impression evidence examination:
 - a) *Type, make, and model of shoe/tire;*
 - b) *Similarity between questioned impressions and known standards; and*
 - c) *Possible identification of shoe/tire with randomly acquired characteristics.*

I. Lamp Filaments Analysis

1. An examination of the filament(s) inside a lamp (i.e., bulb) may allow the determination of whether the lights of a vehicle were on or off at the time of an accident.
2. The following determinations may be made during a filament examination:
 - a) *Lamp/bulb on or off at time of damage; and*
 - b) *Lamp/bulb burned out.*



J. Paint/Polymer Analysis and Comparison

1. Paint/polymer evidence is most often encountered in burglary and hit and run cases. Paint/polymer evidence recovered from burglary tools may be compared to known paint from the scene. Paint/polymer evidence recovered from the clothing or vehicle of a hit and run victim may be used to identify the make and model of the suspect vehicle or can be compared directly to a vehicle suspected of involvement.
2. The following determinations may be made during a paint examination:
 - a) *Possible product uses (e.g., automotive paint, architectural paint, etc.);*
 - b) *Possible make and model of vehicle using an automotive paint database;*
 - c) *Similarity between questioned paint/polymer evidence and known standards; and*
 - d) *Physical/fracture match of samples back to source.*

K. Unknown Substances Analysis

1. In some instances, the identification or comparison of unknown substances and other materials may be beneficial to an investigation.
 - a) *The Laboratory offers limited analytical capabilities in these matters. Common substances analyzed may include white powders, liquids, pepper sprays, lubricants, and residues.*
 - b) *In order to provide the best analysis of the sample, possible known sources of the question material should be submitted to the Laboratory.*
 - c) *All unknown substance cases are evaluated on a case by case basis to determine if the Laboratory can provide analytical information.*
 - d) *Please contact the Garland Regional Laboratory (refer to [Appendix 2 – Laboratory Contact Information](#)) for questions about the nature of a sample and to determine if analysis can be provided.*

26.2 Service Limitations

A. Fire Debris Analysis

1. The term “arson analysis” is an archaic term no longer used by most fire debris analysts. It implies that the evidence has been submitted with the assumption that a crime has taken place, when in fact, the scientist does not make the determination as to the presence, or absence of an ignitable liquid until all data has been gathered. In addition, the field investigator determines whether a fire was arson.
2. The term “accelerant” is not used by the Laboratory. Whether or not a liquid has been used as an accelerant in a fire is a determination made by the investigator, not the scientist in the Laboratory.
3. The absence of detectable levels of ignitable liquid residues can be due to several factors, including, but not limited to, destruction by the inherent nature of fire, evaporation prior to collection and analysis, fire suppression activities, improper packaging of sample, or lack of use of ignitable liquids.

B. Hair Analysis and Comparison

1. Typically, only hairs from the head and/or pubic regions of the body are involved in microscopic comparisons made by the Laboratory.



- a) *There is considerably more variability in the characteristics of head and/or pubic hairs among different people than in the hairs from other body regions, resulting in stronger associations.*
 2. Any hairs with less than ½” of comparable characteristics may not be suitable for comparison.
 3. For time spans of 5 (five) years or more between the shedding of the questioned hairs and the collection of hair standards for comparison, the value of the hair comparison involving the questioned hairs is limited to screening for DNA analysis and/or investigative leads.
 4. Human hairs do not possess a sufficient number of unique individual microscopic characteristics to be positively identified as having originated from a particular person to the exclusion of all others.
- C. Examples of common Trace Evidence evidentiary items which may have limited analytical value include, but are not limited to:
1. Textiles from commonly shared environments;
 2. Tapelifts from locations, e.g. vehicle interiors, with which the individual is known to be associated;
 3. Impressions from common residences;
 4. Widely produced items with limited characteristics such as blue denim and white/colorless cotton; and
 5. Evidence that is superseded by other results.
- D. Gunshot residue (GSR) analysis **does not** give an indication of the distance from which a firearm is fired (i.e., distance determination).
1. Refer to [Chapter 21 – Firearms & Toolmarks Analysis](#) for information regarding the evidence required to determine an approximate distance between clothing and a fired weapon.
- E. For unknown substance analysis, the Laboratory does not analyze the following types of items: solid food products or biological or chemical toxins.

26.3 Specific Collection and Packaging Requirements

- A. General Evidence Collection Methods and Considerations
1. Collection Methods
 - a) *Picking* – *gloved fingers, clean forceps, or clean tweezers are used to remove evidence.*
 - b) *Adhesive lifting (tape lifting)* – *fingerprint tape, cellophane tape, or other clear adhesive tape is patted over the item to recover surface debris.*
 - i. *Use multiple strips of tape on larger items so tape does not become “overloaded.”*
 - ii. *Place tape strips onto clear, colorless plastic sheets and label.*
 - c) *Combing* – *a comb is used to thoroughly comb an individual’s hair to recover transferred evidence.*
 - i. *Cotton can be placed in the teeth of the comb to improve recovery of small evidence.*



7. Collect the sheen on a water puddle by pulling a sheet of gauze or paper towel (preferably from an unopened roll) across the surface of the puddle, and place in a suitable container.
8. Collect transferred samples onto paper or gauze from a known source only, not something found at the scene.
9. Pure liquid samples should be submitted as 2-4 drops on sterile gauze or sterile paper towels, tightly sealed in unused metal cans. Prior to transfer of the liquid on gauze for submission, take photos of the liquid sample as a whole for documentation purposes.
 - a) *DO NOT pour large (i.e., greater than ½ teaspoon) quantities of liquid into an evidence can. Such quantities can contaminate other evidence.*
10. Large pieces of clothing can be cut down or separated into individual cans. Before and after altering any items, take photos of the evidence for documentation.
11. Non-liquid sample quantities (e.g., soil and mud collection) should be no more than about ½ of the can. Space at the top of the can is needed for proper analysis.
12. Refrigerating or freezing soil samples immediately after sample collection may be effective to slow down bacterial degradation of petroleum-based products.
13. For unsealed concrete:
 - a) *Collect chunks next to cracks or spall in suspected area.*
 - b) *Spread clean, non-self-rising flour (40-60 mesh ASTM) or calcium carbonate (i.e., lime, 40-60 mesh ASTM) over the suspected area, let it stand for about 30 minutes, then collect and seal the flour or lime in an appropriate container.*
 - c) *Submit an additional unused flour (or lime) sample as a control in a similar container.*
 - d) *Sweeping compound is not recommended.*
14. Distilled water or isopropyl alcohol (if the suspected ignitable is not alcohol) may be used as a solvent. Dampen gauze with one of these liquids and swab the suspected area. Document which solvent is used.

D. Collection of GSR Evidence

1. GSR samples should be taken before the subject's hands are bagged or before the subject is placed into a police vehicle.
 - a) *If hand bags are used before stubbing, the date and time of bagging and removal must be recorded on the GSR Kit Information Form (LAB-211).*
 - b) *Please note, hand bags are treated as a barrier to the outside environment and will not be processed for GSR.*
2. Refer to [Appendix 7 – Instructions for Gunshot Residue \(GSR\) Kit Collection](#) for additional information.

E. Collection of Hair Standards for Comparison

1. Obtain known standards from all possible sources (suspect(s), victim(s), and other individuals common to an environment).



2. Obtain a representative hair standard by pulling and combing hairs from different areas of the head and/or pubic region.
 - a) *A representative hair standard consists of at least 25 (twenty-five) hairs, with roots, that represent the variation of all hairs in the region.*
 - b) *It is strongly recommended that greater than 25 (twenty-five) hairs be collected.*
 - c) *Please note that collecting more hairs, up to 100 (one hundred), will ensure all variation is represented.*
3. Consideration should also be made to obtain known reference standards for possible DNA analysis.

F. Collection of Impression (Footwear & Tire) Evidence

1. Photography Methods and Guidelines

- a) *Always photograph the impression evidence prior to any processing or removal from the scene.*
- b) *Take overall photographs to document location of impression.*
- c) *Camera should be placed on a tripod directly over and perpendicular to the impression (refer to Figure 26-2).*
- d) *A flat, rigid ruler should be placed alongside and at the same depth as the impression. If a scale is not included in the photograph, a size comparison cannot be performed by the Laboratory.*
- e) *Camera height should be adjusted so that the impression and scale fill the frame.*
- f) *Elongated impression such as tire treads should be photographed using overlapping exposures.*
- g) *Side lighting at various angles and directions can illuminate an impression more clearly. A shade may need to be used to block sunlight.*
- h) *Take several photographs to ensure quality images are obtained.*

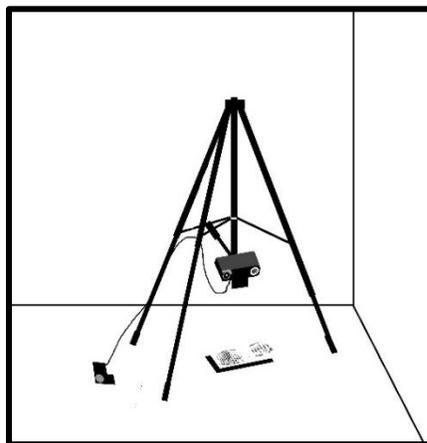


Figure 26-2: Example of camera setup for impression photography

- i) *Impressions captured with digital cameras should be taken and stored in the highest resolution lossless format that is available (i.e. RAW or TIFF). Failure to do so can result in poor quality images that are unsuitable for comparisons.*



- j) *Digital images of impression evidence should be submitted for examination regardless of the resolution or format available to the agency. If the digital image is of poor quality, it is returned without analysis.*
2. Two-Dimensional (2D) Impressions
- a) *Photograph the impression.*
- b) *If the item containing the impression can be removed and transported, submit the whole item for analysis. Care should be taken to not disturb the impression during the removal process.*
- c) *Locate latent impressions with oblique lighting. This can be accomplished by shining a flashlight across the surface at a low angle and viewing any dust impressions that appear.*
- d) *Attempt to enhance or lift the impression only if the item cannot be retrieved from the scene and submitted to the Laboratory.*
- e) *Dust and residue impressions may be lifted with an electrostatic lifting device or gelatin lifter. Contact the regional laboratory in the applicable service area for more information.*
- f) *Trained personnel can use chemical enhancement techniques to detect and improve prints made in blood or other substances. Contact the regional laboratory in the applicable service area for more information.*
3. Three-Dimensional (3D) Impressions
- a) *Photograph the impression.*
- b) *Use casting material (e.g., dental stone or die stone) to cast the impression. Plaster of Paris is no longer recommended as an acceptable casting material.*
- c) *2 (two) pounds of casting material can be placed into a large re-sealable plastic bag for mixing and use at a scene. This amount should be sufficient for an average-sized shoe impression.*
- d) *Specific mixing instructions will vary based on the casting material being used. The mixture should have the consistency of pancake batter. Add more water or casting material as needed.*
- e) *Carefully pour the mixture into (without disturbing/distorting any features) or next to the impression and allow the casting material to gently flow into it. Fill the impression completely so that the casting material overflows.*
- f) *When the cast is firm but still soft, identifying marks can be scratched into the back. A permanent marker can also be used when the cast is dry.*
- g) *Allow the cast to dry for a minimum of 20 minutes in warm weather and longer in cold weather.*
- h) *Carefully lift the cast. Do not clean the cast as this will be done in the laboratory.*
- i) *Package the cast in a paper bag or cardboard box (never plastic) and allow it to dry for an additional 48(forty-eight) hours before final packaging.*
- j) *Tire impressions should be cast to include a minimum of three feet of the impression. Mix the casting material in the same ratio as before with 2-3 times the amount of casting material. Use a bucket to accommodate the extra material for mixing and pouring.*



4. Footwear Standards for Comparison

- a) *Document the footwear of any medical or law enforcement personnel who have entered the scene for elimination purposes. Photographic documentation with a scale is usually sufficient.*
- b) *Footwear from the victim, suspect, and other individuals who may have entered the scene should be collected and submitted to the Laboratory.*

5. Tire Standards for Comparison

- a) *Tires should remain mounted on a vehicle so that position, wear and load can be duplicated. The vehicle may be towed to a regional laboratory based on applicable service area for processing or can be done on-site by trained Laboratory personnel.*
- b) *Use a smooth, clean, flat surface such as a board or concrete floor.*
- c) *Tape butcher paper to the board or floor that is a wider width than the tires. The paper should be long enough to document one revolution of the tire.*
- d) *Apply a thin film of silicone spray or petroleum jelly over the tread of the tire.*
- e) *Roll the tire, still mounted to the vehicle, along the paper. Mark where one revolution begins and ends, inside/outside of tire, position of tire, and direction of travel.*
- f) *Apply magnetic powder to the paper and shake the paper to remove the excess.*
- g) *Spray the powdered tread pattern with a light coat of hairspray (or other appropriate fixer) from a height of about 12 (twelve) inches to prevent smudging and loss of detail.*
- h) *Roll all four tires and consider the need to roll the spare tire.*
- i) *It may be helpful to photograph the tread pattern of each tire with a scale.*
- j) *Be sure to document the tire's manufacturer, size, Department of Transportation (DOT) number, and any other pertinent information located on the tire.*
- k) *Consideration should be given to retaining and/or submitting the actual tires for further examinations, if needed by the Laboratory.*

G. Collection of Lamp Filaments Evidence

1. Document the lamp switch position ("on" or "off"). Never turn the switch on to see if the lights work. Never attempt to start the vehicle prior to collecting the lamps.
2. Check for blown fuses or broken wiring in the light circuit. Notify the Laboratory of these occurrences.
3. Mark each lamp as to its location, function, and orientation.
4. Lamps located within and closest to the damage should be collected, when possible.
5. When possible, collect the entire lamp assembly. Cut the wiring and submit the entire assembly intact.
6. If the lamp is broken, search the assembly area to ensure that all filaments, filament posts and glass pieces are present.
7. If the assembly cannot be removed, either cut the wiring and submit the bulb and socket, or remove each bulb from its socket.



H. Packaging Requirements

1. Single items or small amounts of material for examination should be placed into paper folds or small metal tins and sealed.
2. Place adhesive lifts on clear plastic or acetate sheets.
3. Paper folds, tins, and adhesive lifts should be packaged into envelopes with sealed corners (refer to [Chapter 16 – General Evidence Collection Guidelines and Packaging Requirements](#)).
4. Large glass pieces should be packaged in containers such as boxes and padded envelopes to protect broken and fractured edges from additional breakage.
5. Known standards collected from different areas of an item (e.g., subject, car, shirt, window, etc.) must be packaged separately. Multiple packages of standards collected from the same item may collectively be placed into a single envelope for convenience.
6. Lamp filament evidence should be packaged carefully and separately from any additional evidence in order to protect the integrity of the evidence. If the lamp is broken and the filaments are exposed, use extreme caution in packaging and submission to the Laboratory. Disposable foam cups or small boxes are acceptable packaging with the use of sufficient packing material to prevent the evidence as necessary.
7. Ensure that impression evidence is protected from loss, contamination, and deterioration. Securing the item containing the impression inside the packaging can help protect the impression.
8. Ensure that impression casts have been fully dried for at least 48 (forty-eight) hours prior to packaging. Casts should be packaged in paper or plastic with sufficient packing material to prevent breakage.
9. **DO NOT** store or package Trace Evidence items in paper composed of recycled material.
 - a) *This type of paper can contain particles of paint, heavy metals, and other debris that can interfere with and prolong our analysis.*
 - b) *Prior studies have indicated that packaging materials such as boxes and paper bags are suitable packaging and do not contain such particles.*
10. Fire Debris Evidence
 - a) *Unused, airtight, clean, and inert (i.e., will not react to solvents) containers must be used to package fire debris evidence; metal cans with epoxy lining are preferred.*
 - b) *If utilizing a metal can for collection of fire debris evidence,*
 - i. *Remove any debris from the sealing groove of the can to ensure a good, airtight seal;*
 - ii. *Properly clean/wipe down outside of can if excess dirt/grime present to avoid cross-contamination issues*
 - iii. *Place the lid on the can and use a hammer to tap around the entire circumference;*
 - iv. *Properly seal the can by placing tape across the center of the lid, making sure that the tape covers at least two points on the can's seal;*



- v. *Leave adequate space on the can for Laboratory use when writing on the can; and*
- vi. *Submit an unused can to be used as a control when submitted an untested lined can.*

Note: *Unused cans can be submitted separately to be quality control checked prior to evidence submission.*

- c) *KAPAC® polyester bags are not recommended. Care must be taken to avoid puncture. Due to a reformulation by the manufacturer, KAPAC® bags manufactured prior to 2010 should not be used. If used, submit unused control KAPAC® bag with sample.*
 - i. *If used, seal with an electric heat sealer and initial and date the seal.*
- d) *Unsuitable containers include previously used containers, nylon bags such as SOPLARIL® or Grand River Products, paper bags, glass jars or vials, plastic containers including plastic cans, cans with plastic lids or gaskets, and plastic bags.*
- e) *Refer to [Chapter 16 – General Evidence Collection Guidelines and Packaging Requirements](#) for information pertaining to the packaging and submission of evidence for fire debris analysis.*

11. Unknown Substances Evidence

- a) *Liquid samples must be sealed in a leak proof container such as glass jar or screw top vial and packaged in order to avoid spills or container breakage.*
- b) *Dry powder samples should be packaged in a paper fold, ziplock bag, or other fully sealed container. Samples should not be placed loose in an envelope, as the sample can be lost or contaminate other items.*
- c) *Volatile samples must be packaged in a manner which prevents evaporation. Paper packaging and ziplock bags are not appropriate for such samples.*
- d) *Perishable items should be refrigerated or frozen and submitted to the Laboratory as soon as possible.*
- e) *If a sample must be transferred from its original container for submission to the Laboratory, please submit the original container in a separate sealed package in addition to its contents.*



27 Non-Reported Sexual Assault Evidence Program

27.1 Purpose

- A. Created in House Bill 2626 by the 81st Legislature in 2009, the Non-Reported Sexual Assault Evidence Program allows survivors of sexual assault to obtain a forensic medical exam and have evidence collected, without cost to the survivor, even if they have no wish to involve law enforcement. This allows for the securing of evidence while giving the survivor time to consider if they want to report the assault.
- B. Texas Code of Criminal Procedure Article 56.065 was created to enumerate the rules and responsibilities for providing forensic medical exams to sexual assault survivors that do not want to report the assault to law enforcement. The law:
 1. Defines the applicable health care facilities that are affected by the program;
 2. Directs a health care facility to perform the appropriate exam;
 3. Allows the health care facility to apply for reimbursement from the Texas Attorney General's Office
 - a) *Prior to September 1, 2019, the Department of Public Safety was directed to pay the appropriate health care facility fees for the forensic portion of the exam and the Texas Attorney General's Office was directed to reimburse the Department of Public Safety*
 4. Requires the Department of Public Safety to transfer and preserve the evidence for either five years after the date of collection or until the survivor releases the evidence, whichever comes first.
 - a) *Prior to September 1, 2019, the Department was required to transfer and preserve the evidence for either two years after the receipt of evidence or until the survivor released the evidence, whichever came first.*

27.2 Submission of Non-Reported Sexual Assault Evidence

- A. The Department of Public Safety only stores evidence in non-reported sexual assault instances. Evidence is not opened and will remain in storage for a period defined by the statute.
 1. Evidence is stored for a maximum of five years. Following the fifth-year anniversary of the date of collection, written notification to the survivor is provided and a response period of three months is granted before the evidence is destroyed.
 2. Prior to the five-year deadline, a survivor may choose to either:
 - a) *Release the evidence to the applicable law enforcement agency (based on where the offense occurred); or*
 - b) *Release the evidence for destruction if choosing not to pursue investigation of the offense.*
- B. Package all collected evidence in a box that is completely sealed with heavy tape. The box must be able to withstand standard shipping without undue damage.
 1. Initial and date the seal such that a portion of the initials and date are on both the box and the tape.
 2. Contents of the box may include:
 - a) *A sealed sexual assault evidence collection kit;*



- b) *A survivor reference DNA sample in the form of a dried buccal swab;*
 - i. *The sample may be in its own packaging or may be enclosed in the sexual assault evidence collection kit.*
 - c) *Sealed paper bags containing survivor's clothing.*
 - i. *Submitted clothing should be limited to the survivor's underwear unless there is a compelling reason to believe that any other item contains biological evidence from the suspect.*
3. The box may not include blood, urine, or any other liquid samples.
- C. For exams conducted prior to September 1, 2019, complete the Non-Reported Sexual Assault Evidence Laboratory Submission Form (LAB-205) and the Non-Reported Sexual Assault Evidence List of Services Provided Form (LAB-209). Place the forms in a sealed envelope and secure to the outside of the box.
 - D. For exams conducted on or after September 1, 2019, complete the Non-Reported Sexual Assault Evidence Laboratory Submission Form (LAB-205). Place the form in a sealed envelope and secure to the outside of the box.
 - E. Ensure the survivor's unique identifier is clearly marked on all evidence packages, forms, and submitted invoices and supporting documentation.
 - F. Ship the evidence box with the attached envelope of forms to the following address:

Texas DPS Bio-Warehouse
12230 West Rd., Building C
Houston, TX 77065
 - G. For exams conducted prior to September 1, 2019, mail all medical invoices and supporting documentation to the following address:

Texas Department of Public Safety
Accounts Payable
PO Box 4087 MSC 130
Austin, TX 78773-0001

 - 1. Invoices and supporting documentation may alternatively be emailed to apinvoices@dps.texas.gov.
 - 2. The Non-Reported Sexual Assault Evidence List of Services Provided Form (LAB-209) is not intended to substitute for an invoice(s) and is for internal DPS use only.
 - H. For exams conducted on or after September 1, 2019, please consult the Texas Attorney General's website for reimbursement information (<https://www.texasattorneygeneral.gov/crime-victims/services-crime-victims/sexual-assault-exam-reimbursement>).
 - I. Provide the survivor with information on how to contact the Department of Public Safety if they decide to take further action.
 - 1. Survivors should consult the DPS website for additional information (<http://www.dps.texas.gov/CrimeLaboratory/NRSA.htm>).



- J. For questions regarding the submission of non-reported sexual assault evidence, please contact the DPS Houston Regional Laboratory.

27.3 Survivor Instructions for the Release of Stored Sexual Assault Evidence

- A. While the evidence is in storage, a survivor or their authorized representative may choose to either:
1. Release the evidence to the applicable law enforcement agency (based on where the offense occurred); or
 2. Release the evidence for destruction if choosing not to pursue investigation of the offense.
- B. If consenting to the destruction of the evidence, the survivor or authorized representative should complete the Consent for Release of Sexual Assault Evidence Form (LAB-207).
- C. If requesting the release of the evidence to law enforcement in order to pursue an investigation, the survivor or authorized representative should:
1. Contact the applicable law enforcement agency, based on where the offense occurred;
 2. Inform the agency that they are a survivor a sexual assault, that evidence was previously collected, and is currently being stored at the Department of Public Safety; and
 3. Complete the Consent for Release of Sexual Assault Evidence Form (LAB-207) including the name of the applicable law enforcement agency, agency contact information, and criminal incident report number.
- D. Completed forms must be signed and submitted to the Department of Public Safety via email or mail:

Texas DPS Bio-Warehouse
12230 West Rd., Building C
Houston, TX 77065
Email: HoustonCrimeLab@dps.texas.gov

- E. Forms and additional information regarding the release of evidence stored by the Department of Public Safety under the Non-Reported Sexual Assault Evidence Program may be located at <http://www.dps.texas.gov/CrimeLaboratory/NRSA.htm>.



Appendix 1 – Laboratory Services

	Abilene	Amarillo	Austin	Capitol Area	Corpus Christi	El Paso	Garland	Houston	Laredo	Lubbock	Midland	Tyler	Waco	Weslaco
Seized Drugs														
Seized Drugs	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Seized Drugs - Quantitations			X			X								
Clandestine Laboratory Assistance ¹	X	X	X	X	X	X	X		X	X	X	X		
Toxicology														
Alcohol/Volatiles			X	X	X	X	X		X	X	X	X	X	X
Drug			X											
Biology/DNA			X	X	X	X	X	X	X			X	X	
Firearms & Toolmarks														
Firearms			X		X	X	X	X	X		X		X	
Toolmarks			X		X	X	X							
Distance (Range of Fire) Determination			X								X			
Serial Number Restoration			X		X	X	X	X	X		X		X	
Trace Evidence														
Fibers			X			X	X							
Paints/Polymers			X			X	X							
General/Other			X			X	X							
Hair			X			X	X							
Physical/Fracture Match			X			X	X							
Impressions			X			X	X							
Unknown Substances						X								
Lamp Filaments						X	X							
Glass			X											
Gunshot Residue			X											
Fire Debris			X											
Friction Ridge			X			X			X					X
AFIS			X											
Forensic Document Examination			X											
Digital/Multimedia ²			X											

¹ Consultation only; the Laboratory will not respond to the scene

² Digital/Multimedia includes computer forensic, video, and audio examinations



Appendix 2 – Laboratory Contact Information

Laboratory	Contact Address	Contact Numbers
Abilene	2720 Industrial Blvd. Abilene, TX 79605 AbileneCrimeLab@dps.texas.gov Regional Communications After Hours:	325-795-4040 Fax 325-795-4134 806-740-8770
Amarillo	4200 Canyon Dr. Amarillo, TX 79109 AmarilloCrimeLab@dps.texas.gov Regional Communications After Hours:	806-468-1430 Fax 806-468-1442 806-740-8770
Austin	5800 Guadalupe St., Bldg. U Austin, TX 78752 AustinCrimeLab@dps.texas.gov Regional Communications After Hours:	512-424-2105 Fax 512-424-2869 214-861-2040
Breath Alcohol	5805 North Lamar Blvd., MSC 0570 Austin, TX 78752 OSD@dps.texas.gov	512-424-5238 Fax 512-424-2869
Capitol Area	812 Springdale Rd. Austin, TX 78702 CapitolCrimeLab@dps.texas.gov Regional Communications After Hours:	512-424-7873 210-531-2280
CODIS	5800 Guadalupe St., Bldg. Q Austin, TX 78752 CodisLab@dps.texas.gov	512-424-2385 Fax 512-424-2386
Corpus Christi	1922 S Padre Island Dr., Bldg. C Corpus Christi, TX 78416 CorpusChristiCrimeLab@dps.texas.gov Regional Communications After Hours:	361-698-5641 Fax 361-698-5574 956-565-7600
El Paso	11612 Scott Simpson Dr. El Paso, TX 79936 ElPasoCrimeLab@dps.texas.gov Regional Communications After Hours:	915-849-4120 Fax 915-849-4113 915-849-4080
Garland	402 West IH 30 Garland, TX 75043 GarlandCrimeLab@dps.texas.gov Records Request: GarlandCrimeLabRecords@dps.texas.gov Regional Communications After Hours:	214-861-2190 Fax 214-861-2194 214-861-2040



Appendix 2 – Laboratory Contact Information (Continued)

Laboratory	Contact Address	Contact Numbers
Houston	12230 West Rd., Bldg. C Houston, TX 77065-4523 HoustonCrimeLab@dps.texas.gov	281-517-1380
	Regional Communications After Hours:	281-517-1300
Laredo	1901 Bob Bullock Loop, Bldg. B Laredo, TX 78043-9771 LaredoCrimeLab@dps.texas.gov	956-728-2245
	Regional Communications After Hours:	956-565-7600
Lubbock	1404 Lubbock Business Park Blvd., Ste. 200 Lubbock, TX 79403 LubbockCrimeLab@dps.texas.gov	806-740-8900 Fax 806-740-8918
	Regional Communications After Hours:	806-740-8770
Midland	2405 South Loop 250 West Midland, TX 79703 MidlandCrimeLab@dps.texas.gov	432-498-2193 Fax 432-498-2358
	Regional Communications After Hours:	915-849-4080
Tyler	4700 University Blvd., Bldg. C Tyler, TX 75707 TylerCrimeLab@dps.texas.gov	903-939-6021 Fax 903-939-6097
	Regional Communications After Hours:	214-861-2040
Waco	1617 East Crest Dr. Waco, TX 76705 WacoCrimeLab@dps.texas.gov	254-759-7180 Fax 254-759-7185
	Regional Communications After Hours:	210-531-2280
Weslaco	2525 N. International Blvd. Weslaco, TX 78599 WeslacoCrimeLab@dps.texas.gov	956-565-7250 Fax 956-565-7259
	Regional Communications After Hours:	956-565-7600



Appendix 3 – Laboratory Submission Form Instructions

- A. Laboratory Submission Forms (LAB-201 through LAB-205) serve as a contract between the customer (e.g., submitting agency) and the Laboratory. Forms must be filled out as thoroughly as possible to document the request for Laboratory services.
- B. General Instructions
1. Do not write or type inside the box marked “DPS Laboratory Use Only.”
 2. The form should be completed by typing if possible. Illegible handwriting may cause delays in the processing the request.
 3. Attach a brief synopsis or offense report for all requests except for Seized Drug or Toxicology (Alcohol/Volatiles and/or Drugs) requests.
 4. If Toxicology (Alcohol/Volatiles and/or Drugs) analysis is requested, collect evidence using the required collection kit (refer to [Chapter 14 – Required Forms and Evidence Collection Kits](#)) and submit a Toxicology Request Submission Form (LAB-203) in place of the LAB-201.
 5. Sexual assault evidence must be submitted with both a LAB-201 and LAB-206 (as required by Government Code §420.042).
 6. The victim/survivor name(s) must be provided for all DNA requests.
 7. A new submission form (LAB-201) is required for the resubmission of all evidence to the Laboratory. The resubmission should be clearly indicated on the submission form.
 8. For the resubmission of evidence for Toxicology (Alcohol/Volatiles and/or Drugs) analysis, submit a Toxicology Request Submission Form (LAB-203) in place of the LAB-201.
- C. Submission Type
1. Check only one of the three submission types:
 - a) **New Service Request:** *The first submission request for a case. There should not be a preexisting Laboratory case number associated with the request.*
 - b) **Additional Evidence:** *A subsequent submission request for a previously submitted case (i.e., other evidence had been previously submitted to the Laboratory).*
 - c) **Resubmission:** *Evidence had been previously submitted to the Laboratory for analysis, returned to the customer, and is being resubmitted for additional testing.*
 2. Please check **Corrected Copy** if the submission information has been corrected and the listed evidence has already been submitted to the Laboratory.
 3. For all submissions marked *Additional Evidence* or *Resubmission*, provide the Laboratory case number in the **DPS Lab Case #** field.
- D. Submission Information
1. **Agency:** The name of the submitting agency
 - a) *Please indicate if multiple agencies are associated with the case and which agency is the primary.*



2. **Agency Case #:** The complete agency case number
 - a) *Please do not include any punctuation, including dashes.*
 - b) *Please indicate if multiple agency case numbers are associated with this case.*
 3. **Offense:** The type of offense
 - a) *Please indicate if multiple offenses are associated with this case.*
 4. **Offense Date:** The date of offense
 5. **Offense County:** The county of offense
 - a) *Please indicate if multiple offense counties are associated with this case.*
- E. Agency Contact Information
1. **Title / Badge #:** The title and badge or ID number of the individual requesting the analysis
 2. **Full Name:** Full name of the individual requesting the analysis
 - a) *Please do not use abbreviations.*
 - b) *Please note, the agency contact individual may be different than the agency individual who submits the evidence.*
 3. **Agency Address, City, State, Zip:** The mailing address of the agency
 4. **Business Email:** The business email address of the individual requesting the analysis
 - a) *Only secure and valid governmental or customer business email address domains (e.g., .us, .gov, .mil, .org, and .edu) may be used for communications regarding the requested analysis and results.*
 - b) *If an acceptable customer email address is not available, Laboratory reports and letters are distributed via mail, fax, or in person.*
 5. **Phone:** The phone number of the individual requesting the analysis
 6. **Fax:** The fax number of the individual requesting the analysis
 7. **Contact Info for Additional Report Distribution:** Provide information, preferably email address(es), if copies of the report should be disseminated to other individuals.
- F. Individual (S = Suspect, V = Victim, E = Elimination)
1. **S/V/E:** Indicate whether the individual is a suspect, victim/survivor, or an elimination individual
 - a) *Elimination refers to persons who had legitimate access to a crime scene or item of evidence and may be detected during forensic analysis but is not the victim or considered a suspect (e.g., a consensual partner of a victim of a sexual assault or individuals other than the victim residing in a residence that was burglarized).*
 2. **Name (Last, First, Middle, Suffix):** The individual's name, if known.
 - a) *Indicate if the name provided is a pseudonym or alias.*
 - b) *For all submissions marked Additional Evidence or Resubmission, please indicate any new individuals (i.e., not included on the original submission form) with an asterisk (*).*



3. **Race:** The race of the individual (W – White/Caucasian; A – Asian/Pacific Islander; B – Black/African American; H – Hispanic; O – Other)
 4. **Sex:** The sex of the individual (M – Male; F – Female; U – Unknown)
 5. **DOB:** The individual's date of birth, if known
 6. **State:** The state that issued the individual's driver license and/or ID
 7. **Driver License #:** The driver license number issued by the state
 8. **ID Card #:** The ID number issued by the state
- G. Description of Evidence Submitted
1. **Agency Item #:** The agency item number associated with the evidence
 2. **Brief Description of Evidence:** Brief description of the evidence (e.g., white round tablets, swab of blood, latent print from window, etc.)
 - a) *Include any additional information which is relevant to the request or analysis.*
 - b) *Indicate if the item contains a potential biohazard, sharps, or lithium batteries.*
 3. **Quantity:** The total number of evidence items that comprise that single agency item (e.g., number of pills, bundles, cartridge cases, swabs, etc.)
 4. **Source:** The source from where the evidence was collected (e.g., suspect's pocket, broken window at point of entry, victim's living room, etc.)
 5. **Request Code:** The type of analysis or analyses requested.
 - a) *List all requested codes from the table of Laboratory Service Request Codes.*
 6. Additional Laboratory requests may be considered and should be clearly communicated and agreed to with the Laboratory prior to the submission of evidence.



Appendix 4 – Quick Reference for Evidence Collection & Packaging

TYPE OF EVIDENCE	EXAMINATION REQUEST	RECOMMENDED COLLECTION AMOUNT	RECOMMENDED OR REQUIRED PACKAGING
Audio / Video	Audio / Video Enhancement	All	Carefully packed in box or envelope
Ammunition (e.g., bullets, cartridge cases, and shot shells)	Identification / Characterization / Comparison	All	Clean, well-packed box, envelope, or bag; not airtight
Automobile / Automotive Parts (Does not include automotive bulbs or lamps)	General Examination (for collection of evidence)	Entire vehicle if possible	Vehicles should be kept protected until laboratory personnel can examine the vehicle. If vehicle is being transported to the laboratory, precaution should be taken to protect any evidence on the outside of the vehicle during transport. Clean, well-packed boxes.
Biological Tissue	DNA Analysis	All	Refer to Biological Screening/DNA Evidence Collection section
Blood	Alcohol / Drugs	10 mL	Use DPS approved blood collection kits. Blood must be taken by qualified medical personnel. Best practice is to use a non-alcoholic prep pad to sterilize the site. Refrigerate sample whenever practical.
Blood / Bloodstains	DNA Analysis	Variable and depending on pattern	Refer to Biological Screening/DNA Evidence Collection section.
Bones	DNA Analysis	All	Clean, well-packed box Bones with tissue or blood present should be kept frozen. Best practice is to freeze them until the laboratory determines they are dry and can be kept at room temperature.
Bullet Holes	Entrance/Exit Determination / Distance Determination	Entire garment or substance	Air-dry away from heat or sun. Handle as little as possible. Clean, well-packed box, so that bullet hole is protected from rubbing or shaking
Clothes	General Examination (for collection of evidence)	All	Carefully packed in box, envelope, bag
Computer / Digital / Mobile Devices	Data Recovery / Extraction	All	Carefully packed in a box or envelope using antistatic packaging materials

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TYPE OF EVIDENCE	EXAMINATION REQUEST	RECOMMENDED COLLECTION AMOUNT	RECOMMENDED OR REQUIRED PACKAGING
Drugs	Seized Drugs Analysis	All	Original containers, plastic bags, heat sealed plastic bags, envelopes, boxes, or bottles *See Chapter 15 for specific guidance about evidence suspected of containing fentanyl
Fibers	Characterization / Comparison	All, plus a large amount of known if comparison is to be made	Carefully package using folded paper. Place paper in well-sealed envelope or box.
Fingernail Specimens / Scrapings / Deposits	DNA Analysis / Trace Evidence Analysis	All	Use clean nail clippers. Separate left and right hands. Gently use a separate toothpick (or similar item) for each finger. Place each in a separate, well-sealed container.
Fire Debris	Identification of ignitable liquid residue	2-4 drops pure liquid, liquid residue collected on sterile material, non-liquid material	Sealed epoxy-lined metal cans
Firearms	Comparison with evidence bullets or cartridge cases, Serial number restoration, Trace Evidence, DNA, Friction ridge impressions	Evidence projectiles and fragments, cartridge cases, weapon	Be sure all weapons are unloaded. Label and package all items individually.
Glass	Characterization / Comparison / Physical Match Examination	All	Clean cardboard boxes, well-packed and sealed to prevent sifting and contamination. Samples to be compared to be packaged separately.
GSR Kits	Gunshot Residue	Palm and back both hands	Commercial SEM-EDS kits only
Hair	Characterization / Comparison / DNA Analysis	All of questioned. Known to be a minimum of 25 hairs from area in question.	Tape lifts placed on plastic or acetate sheets, sealed in an envelope. Keep known and unknown separate.



TYPE OF EVIDENCE	EXAMINATION REQUEST	RECOMMENDED COLLECTION AMOUNT	RECOMMENDED OR REQUIRED PACKAGING
Handwriting	Characterization / Comparison	All of questioned. Known to be a minimum of 25 pages including normal course of business	Documents may be packaged into an appropriately sized envelope. Do not address with document in envelope.
Ink	Characterization / Comparison	All including suspect writing instrument	Original container. If on paper, package carefully in box/envelope.
Knives	Trace Evidence, DNA, Friction ridge impressions, Toolmarks	All	Packaged so as to prevent injury to handlers and to preserve materials present
Paint	Characterization / Comparison / Physical Match Examination / Paint Data Query Database Search	Area collected should be one square inch. Need control samples from both suspect and victim cars at impact sites. Collect down to metal or wood surface. Collect flaked paint from scene. Hit and run - victim's clothing should be submitted.	Small, clean, non-metallic containers. Paint may be packaged in folded paper. It may then be placed in well-sealed envelope. Clothing should be placed in well-sealed paper bags and well-packaged box.
Paper	Characterization / Comparison	All	Cardboard carton and well-sealed envelopes
Rope	Characterization / Comparison	All	Clean cardboard box or bag
Semen stains	Biology / DNA Analysis	All	All articles to air-dry away from heat or sun. Pack carefully in paper bags or boxes.
Shoes / Shoeprints / Tires / Tire prints	Identification / Comparison	All	Clean, well-cushioned containers (shoes, photos, casts)
Stains (other)	Characterization / Comparison / Biology / DNA Analysis	All	Same as bloodstains
Tools	Toolmark Comparison / Serial Number Restoration / Trace Evidence	All	Cardboard carton, well-packed with protective covering on suspect area of tool

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TYPE OF EVIDENCE	EXAMINATION REQUEST	RECOMMENDED COLLECTION AMOUNT	RECOMMENDED OR REQUIRED PACKAGING
Urine	Alcohol / Drugs	10 mL	Use commercial urine collection test kits. Collection should be observed to maintain chain of custody. Refrigerate sample if submission is delayed.
Vehicle Bulbs / Lamps	On/Off Determination	All bulbs from damaged area(s)	Well-cushioned packaging in a box or other rigid container. Hand-deliver.
Vitreous Fluid	Alcohol	All	Use small container to minimize headspace. Refrigerate sample if submission is delayed.



Appendix 5 – Best Practices for Collection, Storage, Preservation, & Retrieval of Biological Evidence

The Department of Public Safety, in collaboration with other criminal justice stakeholders, has established “Best Practices for Collection, Storage, Preservation, and Retrieval of Biological Evidence.” These best practices relate to the statutory requirements provided under Article 38.43 Code of Criminal Procedure for the storage of biological evidence and illustrate types of biological evidence, manner of collection, and considerations for preservation, and disposition.

A. Types of Biological Evidence

1. Biological evidence is defined in Texas Code of Criminal Procedure Article 38.43 as follows:
 - a) *The contents of a sexual assault examination kit; or*
 - b) *Any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids, or any other identifiable biological material that was collected as part of an investigation of an alleged felony offense or conduct constituting a felony offense that might reasonably be used to:*
 - i. *Establish the identity of the person committing the offense or engaging in the conduct constituting the offense; or*
 - ii. *Exclude a person from the group of persons who could have committed the offense or engaged in the conduct constituting the offense.*
2. A sample of whole blood from a DWI suspect is not considered biological evidence for the purpose of this statute.

B. Considerations for Collection of Evidence

1. Biological evidence and materials should be collected in a manner that prevents contamination and degradation and ensures integrity during all phases of investigation and litigation.
 - a) *The use of proper collection and evidence handling procedures reduces the possibility of evidence contamination and DNA degradation.*
 - b) *Document stains prior to removal. This may be accomplished through photography or sketching.*
 - i. *Detailed notes that include the description of the item, location where it was collected, name of person who collected it, and the date of collection are another effective way of documentation.*
 - c) *If evidence must be field tested, collect a small portion of the stain on a swab and test this swab instead of directly testing the entire stain.*
 - i. *If the stain is small, it should be tested in the laboratory rather than in the field.*
2. Wear disposable gloves (nitrile or other non-porous polymer) to handle evidence rather than reusable uniform/tactical gloves.
 - a) *Do not touch the outside of gloves to face or hands or use personal items such as cell phones or radios while wearing the gloves.*
 - b) *Change gloves after contact with potential biological evidence.*
3. Avoid talking, coughing, sneezing, or perspiring over the unpackaged evidence. Consider wearing a surgical style disposable face mask during evidence collection.



4. Additional personal protective equipment such as eye protection, face masks, head/hair covering, and laboratory coats may be beneficial for personal safety and to avoid contamination of the evidence.
 - a) *Consider the use of disposable personal protective equipment such as shoe covers, coveralls, and hair covers for convenience.*
5. Do not eat, drink, chew gum, or use tobacco around biological evidence.
6. Do not participate in evidence collection if injured until any blood loss has been stopped, wounds have been covered, and clothing has been cleaned.
7. Because not all germicidal treatments destroy DNA, consider using sterile, disposable collection equipment (e.g., scalpels, scissors, forceps, etc.) to collect evidence.
8. If disposable collection equipment is not feasible, collection tools should be properly cleaned between collections.
 - a) *An effective way to clean collection equipment is to dip tools in or wipe tools with a fresh solution of 10% bleach and allow them to dry prior to reuse.*
 - b) *A 10% bleach solution may be prepared using 10 parts water to 1 part bleach; any commercially available bleach is adequate for this purpose.*
 - c) *UV sterilization is another effective way to clean collection tools.*
9. Fingerprint powder and brushes may carry biological material from one item to the next. Consider collecting DNA samples before friction ridge processing or use single use brushes and sterile powder.

C. Considerations for Preservation of Evidence

1. Questioned stains and known reference samples naturally degrade. However, the degradation process may be slowed through proper preservation and collection.
2. Thoroughly dry any wet or moist items, such as clothing or swabs, before packaging.
 - a) *Items should be kept separate from one another during drying.*
 - b) *Items should be stored in a temperature and humidity controlled environment out of direct sunlight during the drying process.*
 - c) *The area used for drying items should be made of materials that enable decontamination after every use of the area.*
 - d) *Consider using a drying cabinet for this purpose.*
 - i. *Clean the cabinet to decontaminate it and place clean white paper under the item prior to placing it in the cabinet.*
 - ii. *If used, the paper should be submitted with the item.*
 - e) *If a drying cabinet is not available, items can be dried in an isolated, secure area designated as a drying area.*
 - i. *Use clean white paper underneath and between items to minimize contamination while drying.*
 - ii. *If used, the paper should be submitted with the item.*
 - f) *Wet or moist items may require temporary storage prior to drying.*



9. Do not package items requiring different storage conditions together in the same outer packaging. For instance, do not package a liquid blood sample in the same box as clothing containing dried biological stains.
10. A container such as a box or bag containing multiple items or packages must only be used to store evidence from a single case and should be marked to reflect the contents of that container.
11. Packages from the same case should be stored in the fewest number of containers possible, such as boxes or large bags, with care taken to avoid contamination of evidence.
 - a) *For both storage and retention, boxes provide the most efficient use of space.*
12. Packages containing biological evidence must be marked with biological hazard stickers.
13. Agency case numbers and identifiers must never be removed by another agency unless documented.
14. Any agency retaining biological evidence must be able to produce an inventory of the evidence.
 - a) *It is best to maintain an evidence inventory in a computer management system that can be backed up.*
 - b) *The inventory must list the item and its current location as well as chain-of-custody information.*
 - c) *It is recommended that the original investigating agency maintain the inventory for each case.*
15. Per Texas Code of Criminal Procedure Article 38.43, non-DPS law enforcement agencies and other criminal justice entities from counties with a population less than 100,000 may submit biological evidence for long-term storage.
 - a) *Agencies are encouraged to store this evidence locally until conclusion of trial.*
 - b) *All submissions for long-term storage must be made to the DPS Bio-Warehouse located in Houston (refer to [Appendix 2 – Laboratory Contact Information](#)).*

D. Considerations for Disposition of Evidence

1. Disposition of biological evidence includes proper tracking and retention of the evidence until the evidence is eligible for destruction.
2. Tracking Retained Biological Evidence
 - a) *Any agency that retains evidence must have a system to catalog/track evidence in such a way that it is possible to locate any retained biological evidence.*
 - b) *The tracking system should use a unique case numbering system that includes unique case identifiers with unique property identifiers.*
 - c) *The tracking system should include a documented procedure for property room organization that is determined by the agency's ability to locate evidence through either a computerized barcode system or a hand written record.*
3. Destruction of Biological Evidence
 - a) *It is recommended that agencies that retain evidence routinely inventory their property rooms for evidence that could possibly be destroyed.*



- iii. *Until the defendant completes the defendant's term of community supervision, including deferred adjudication community supervision, if the defendant is placed on community supervision.*
 - iv. *Until the defendant dies, completes the defendant's sentence, or is released on parole, mandatory supervision, or juvenile probation, if the defendant is committed to the Texas Juvenile Justice Department; or*
 - v. *Until the defendant completes the defendant's term of juvenile probation, including a term of community supervision upon transfer of supervision to a criminal court, if the defendant is placed on juvenile probation.*
- c) *Contents of sexual assault examination kits: for not less than 40 years, or until any applicable statute of limitations has expired, whichever period is longer and regardless of whether a person has been apprehended for or charged with committing the offense.*



Appendix 6 – Notice of Intent to Destroy Biological Evidence Template

RE: NOTICE OF INTENT TO DESTROY BIOLOGICAL EVIDENCE

[Date]

To Whom It May Concern:

Pursuant to Article 38.43 of the Texas Code of Criminal Procedure, I am hereby providing notification that [name of governmental evidence retention agency] intends to destroy the biological evidence listed below.

This evidence will be destroyed on or about 91 (ninety-one) days from the date of receipt of this letter unless written objection is received. A written request for retention of the evidence listed below should be provided to [name of governmental evidence retention agency] at the address listed below.

Defendant's name: _____

Victim's name: _____

Evidence items: [List or include attachment] _____

Conviction offense(s): _____

Conviction date: _____

Court: _____

Case number: _____

Sincerely,

[Governmental Evidence Retention Agency]

[Address]

[City, State, Zip Code]

[Phone Number]



Appendix 7 – Instructions for Gunshot Residue (GSR) Kit Collection

PLEASE READ PRIOR TO USING KIT

- A. When the cap is removed from the clear plastic vials containing the SEM stubs, the adhesive collecting surface is exposed and care must be taken to not drop the stub or contaminate the collection surface by allowing the surface to come in contact with an object other than the area that is to be sampled (*refer to Figure 1*).
- B. Heavily soiled or bloody areas should be avoided if possible.
- C. When pressing the stubs on the questioned areas, use enough pressure to cause a mild indentation on the surface of the subject's hand.

STEP 1: Complete the Gunshot Residue Kit Information Form (LAB-211) and the information requested on the front of the kit.

STEP 2: Put on the barrier gloves provided in this kit. *Do not substitute with other gloves!*

NOTE: If there is blood on the subject's hands or clothing, the barrier gloves provided in this kit will protect the investigating officer from bloodborne pathogens.

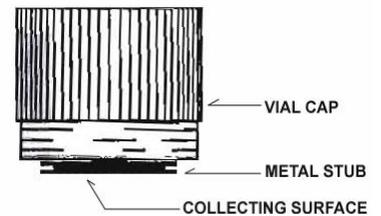


Figure 1

STEP 3: RIGHT HAND

- A. Carefully remove the cap from the vial labeled RIGHT HAND.
- B. While holding the vial cap, press the collecting surface of the stub on to the subject's right hand until the area shown below in *Figure 2* has been covered.
- C. After sampling the subject's right hand, return the cap, with metal stub, to the RIGHT HAND vial.

STEP 4: LEFT HAND

- A. For collection from the left hand, repeat Step 3 using the vials labeled LEFT HAND until the area shown below in *Figure 3* has been covered.

STEP 5: After sampling both hands, return capped vials to kit.



Figure 2: Right Hand



Figure 3: Left Hand

FINAL INSTRUCTIONS

- A. Place yellow copy of the Gunshot Residue Kit Information Form (LAB-211) in the kit (the white copy is submitted with LAB-201 and the pink copy is retained by the collecting officer).
- B. Close kit and affix Police Evidence Seal where indicated, then initial seal.
- C. Mail or submit the sealed kit in person to the DPS Austin Crime Laboratory for analysis. (If mailed, package kit in a cardboard box to prevent damage in transit.)



Appendix 8 – Toxicology Drugs List

Amphetamines	Barbiturates	THC		Benzodiazepines Mix		Cocaine-Opiate	Target Qualitative
		Blood/Urine	Blood	Urine	Blood		
3,4-Methylenedioxyamphetamine (MDA)	Butalbital	Δ9- THC	Δ9-Carboxy-THC	7-Aminoflunitrazepam	7-Aminoclonazepam	6-Acetylmorphine	Amitriptyline
3,4-Methylenedioxymethamphetamine (MDMA)	Phenobarbital	Δ9-Carboxy-THC		Alprazolam	7-Aminoflunitrazepam	Benzoyllecgonine	Chlorpheniramine
Amphetamine	Phenytoin	11-Hydroxy-THC		Carisoprodol	Alpha-OH Alprazolam	Cocaethylene	Citalopram
Ephedrine	Secobarbital	Δ8- THC		Chlordiazepoxide	Alpha-OH Midazolam	Cocaine	Cyclobenzaprine
Methamphetamine		Cannabinol		Clonazepam	Alpha-OH Triazolam	Hydrocodone	Dextromethrophan
Phentermine		Cannabidiol		Desalkylflurazepam	Alprazolam	Hydromorphone	Dihydrocodeine
Phenylpropanolamine				Diazepam	Carisoprodol	Morphine	Diphenhydramine
Pseudoephedrine				Flunitrazepam	Chlordiazepoxide	Oxycodone	Doxepin
			Hydrocodone	Clonazepam	Oxymorphone	Doxylamine	
			Lorazepam	Desalkylflurazepam		Fentanyl	
			Meprobamate	Diazepam		Hydroxyzine	
			Midazolam	Estazolam		Lamotrigine	
			Nordiazepam	Flunitrazepam		Methadone	
			Temazepam	Flurazepam		Mirtazapine	
				Hydrocodone		Nordoxepin	
				Lorazepam		Nortriptyline	
				Meprobamate		O-Desmethylvenlafaxine	
				Midazolam		Phencyclidine	
				Nordiazepam		Promethazine	
				Oxazepam		Quetiapine	
				Temazepam		Sertraline	
				Triazolam		Tramadol	
						Trazodone	
						Venlafaxine	
						Zolpidem	

LCMS Screen*	GCMS Screen*
Blood	Blood/Urine
Etizolam	Carbamazepine
Gabapentin	Ketamine
Phenazepam	Levetiracetam
Pregabalin	Lidocaine
Zaleplon	Propofol
Zopiclone	Topiramate
	Valproic Acid
	Zolpidem

*LCMS and GCMS Screen is not a complete list of drugs tested.

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Appendix 9 – Instructions for the Collection and Submission of Blood Specimens for Toxicology (Alcohol/Volatiles and/or Drugs) Analysis

A. General Information on Specimen Collection

1. Only qualified medical personnel should collect blood samples from a person.
 - a) *Refer to the Texas Transportation Code §724.017 for a listing of qualified personnel.*
2. It is recommended to cleanse the blood withdrawal site with a non-alcoholic prep pad.
3. Collect the blood in 10 mL gray top tubes containing a preservative and an anticoagulant.
 - a) *The DPS Blood Alcohol Specimen Kit contains two (2) gray top tubes and protective materials for safe shipping and handling.*
 - b) *The evidence should be refrigerated until transported to the laboratory.*
4. Provide a full gray top tube of blood, if possible.
 - a) *A full tube is about $\frac{3}{4}$ full.*
 - b) *The DPS Blood Alcohol Specimen Kit contains two (2) gray top blood tubes; both tubes should be filled during the collection.*
5. The two (2) gray top tubes provided in the DPS Blood Alcohol Specimen Kit have an expiration date for the vacuum of the tube noted on the outside of the kit.
 - a) *If a tube is expired, that tube may not be able to fill to the expected 10 mL. This will limit the amount of sample for toxicology (alcohol/volatiles and/or drugs) testing.*
 - b) *Qualified medical personnel may replace the two tubes with two other, non-expired gray top tubes.*
 - i. *Note the replacement tube expiration date in the “Case Synopsis” section of the LAB-203 and near the vacuum expiration date printed on the box seal.*
 - c) *If replacement tubes are unavailable, and blood is able to be collected in at least $\frac{1}{2}$ of the expired tube(s), the tube(s) may still be submitted for testing.*
 - d) *All other items provided in the kit may still be used for submission.*
6. In the absence of a DPS Blood Alcohol Specimen Kit:
 - a) *Have the medical personnel use unexpired gray top tubes; and*
 - b) *Submit evidence with a Toxicology Request Submission Form (LAB-203).*
 - i. *The package must comply with all postal regulations for shipping biological specimens including protective containers, absorbent material, and biohazard warning labels.*
 - ii. *To maintain the integrity of the sample, a tamper evident seal and proper labeling must also be used.*

B. Contents of the DPS Blood Alcohol Specimen Kit:

1. Pre-sealed Blood Kit;
2. Kit instructions



3. Toxicology Request Submission Form (LAB-203);
4. Two 10 mL gray top collection tubes each containing 100 mg of Sodium Fluoride and 20 mg of Potassium Oxalate;
5. Two absorbent pouches to cushion the blood collection tubes and to absorb the specimen if breakage should occur;
6. Two plastic screw-cap containers to hold blood collection tubes in the absorbent pouches;
7. Foam padding with enough space to hold plastic screw cap tubes;
8. Tube seals (tamper-evident) for each collection tube;
9. Integrity seal (tamper-evident) to reseal box;
10. Mailing label; and
11. Plastic sleeve on the outside of the specimen mailer box to hold Laboratory submission form.



Image A9-1: Contents of DPS Blood Alcohol Specimen Kit



C. Kit Preparation and Submission Instructions

- STEP 1:** Complete the Subject Consent Form ([Appendix 11](#)), if applicable, and ensure that both the subject and witness sign the form where indicated. This form should be retained for law enforcement records.
- STEP 2:** Complete the Toxicology Request Submission Form (LAB-203) and the tube seal(s).
- STEP 3:** After the specimen(s) has been collected by a qualified professional as described by the Texas Transportation Code, verify the information on the collection tube seal(s), especially the subject's name. Remove the backing from the seal(s), affix the circle on the seal to the rubber stopper, and press the ends of the seal down the sides of each collection tube.

Note: The second collection tube is a precautionary measure to provide an additional evidence sample for testing. The Laboratory typically processes the earliest collected sample. Tubes documented as collected within 30 minutes of one another may be used interchangeably based on volume or other factors at the discretion of the laboratory.

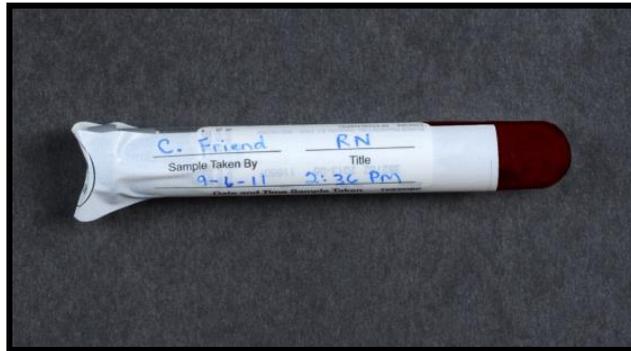


Image 9A-2: Step 3

- STEP 4:** Insert each collection tube into an absorbent pouch.
- STEP 5:** Place each absorbent pouch containing a collection tube into a plastic screw-cap container and close the lid.



Image 9A-3: Steps 4 – 5



STEP 6: Place both plastic screw-cap containers in the foam holder inside the box.



Image 9A-4: Step 6

STEP 7: Close the box lid and seal the box with the enclosed integrity seal. Initial and date the seal so that the writing goes across the seal and the box.

STEP 8: Completely fill out the self-adhesive mailing label (refer to [Appendix 2 – Laboratory Contact Information](#)). For the mailing of biological specimens, it is **very** important that the officer's name and phone number are included in the return address. Affix this label to the top of the sealed box. Postage is necessary if the box is mailed to the laboratory.

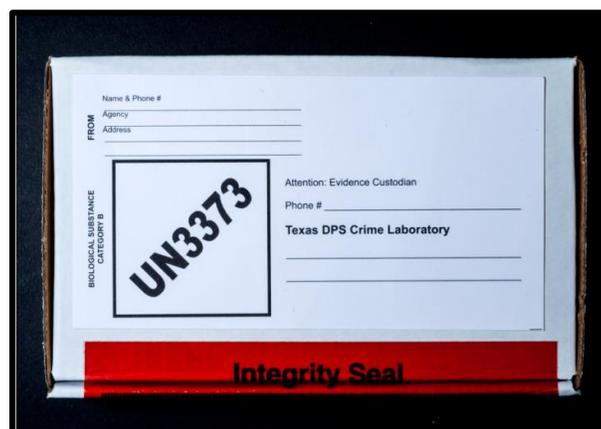


Image 9A-5: Steps 7 – 8



- STEP 9:** Check the submission form for completeness, refold, and insert the submission form into the plastic sleeve attached to the outside of the box and seal. No paperwork should be placed inside the box.



Image 9A-6: Step 9

- STEP 10:** Protect the specimen kit from extreme temperatures. If submission is delayed, it is recommended to refrigerate the sample. Submit the kit to the appropriate regional laboratory as soon as possible for analysis.



Appendix 10 – Instructions for the Collection and Submission of Urine Specimens for Toxicology (Drugs) Analysis

A. General Information on Specimen Collection

1. The urine collection **must be witnessed** by the arresting officer or their representative. The observation is documented on the paperwork that accompanies the specimen kit.
2. If the specimen is collected in a urine collection cup, transfer to a leak proof bottle.
 - a) *The DPS Urine Specimen Kit contains a secure bottle and protective materials for safe shipping and handling.*

B. Contents of a Urine Specimen Kit:

1. Pre-sealed Urine Kit;
2. Kit instructions;
3. Foam padding with space to hold specimen bottle;
4. 100 mL urine specimen bottle;
5. Plastic specimen bag containing a liquid adsorbent pad;
6. Investigating Officer’s Report (with Chain of Custody) Label for plastic bag;
7. Specimen Security Seal (tamper-evident) for specimen bottle; and
8. Kit Box Shipping Seal (tamper-evident) to reseal box.

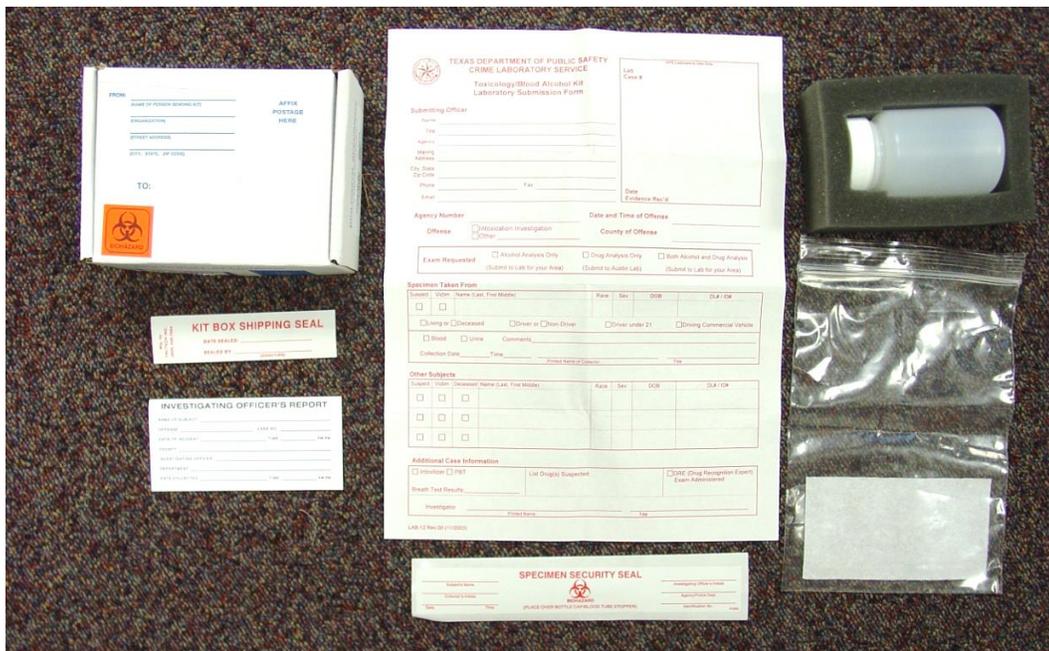


Image 10A-1: Contents of Urine Specimen Kit



C. Kit Preparation and Submission Instructions

- STEP 1:** Complete the Subject Consent Form and ensure that both the subject and witness sign the form where indicated. This form should be retained for law enforcement records.
- STEP 2:** Complete the Toxicology Request Submission Form (LAB-203), Investigating Officer's Report (with Chain of Custody) Label, and Specimen Security Seal.
- STEP 3:** The urine collection must be witnessed by the arresting officer or their representative.
- STEP 4:** Give the subject the specimen bottle and instruct subject to remove bottle cap and then partially peel back or remove the bottle integrity seal.
- STEP 5:** Instruct subject to fill the bottle at least half-full by voiding directly into the bottle and then return the specimen bottle directly to the arresting officer or representative.
- Note:** *Subject may urinate into a non-waxed paper or plastic cup, and the specimen can then be poured into the specimen bottle by the collection witness.*
- STEP 6:** Immediately after receiving the specimen bottle, replace bottle cap and tighten to prevent leakage.
- STEP 7:** Verify the information on the Specimen Security Seal, remove backing from the seal, affix center of seal on the bottle cap, and press ends of seal down both sides of the bottle. The collection witness should initial the specimen seal.
- STEP 8:** Affix the Investigating Officer's Report (with Chain of Custody) Label to the plastic bag.
- STEP 9:** In order to comply with US Postal regulations, place the specimen bottle into the foam holder, insert into the ziplock bag provided with the liquid absorbing sheet, and press the ziplock seal closed to prevent any leakage.
- Note:** *Do not remove the liquid absorbing sheet.*
- STEP 10:** Insert the ziplock bag containing the urine specimen into the mailing box and close the lid. Secure the lid of the box with the Kit Box Shipping Seal where indicated, initial and date so that the writing goes across the seal and the box.
- STEP 11:** Check the submission form for completeness, fold, insert the submission form into an envelope, attach to the outside of the box, and seal. No paperwork should be placed inside the box.
- Note:** *The kit instructions describe placing the completed submission form on top of the ziplock bag.*
- STEP 12:** Completely fill out the mailing information on top of the box (refer to [Appendix 2 – Laboratory Contact Information](#)). For the mailing of biological specimens, it is **very** important that the officer's name and phone number are included in the return address. Postage is necessary if the box is mailed to the laboratory.
- STEP 13:** Protect the specimen kit from extreme temperatures. If submission is delayed, it is recommended to refrigerate the sample. Submit the kit to the appropriate regional laboratory as soon as possible for analysis.



Appendix 11 – Toxicology Specimen Subject Consent Form

SUBJECT CONSENT FORM	
THE STATE OF TEXAS VS. _____	(Subject Name)
Be it remembered that on this ____ day of _____, 20____, I	
_____	(Subject Name)
having been placed under arrest on a charge of driving a motor vehicle on a public highway while intoxicated, do voluntarily give a specimen of my blood to _____.	
	(Arresting Officer)
Subject's Signature: _____	
Subject Address: _____	

Collection Witness: _____	(Print Name and Signature)

Retain for Customer Record. Do Not Send to Laboratory.



Appendix 12 – Computer Search, Seizure, and Analysis Warrant Template

The following language is used to describe computer system and related equipment to be seized and analyzed:

Digital media consists of computer hardware, computer software, computer data, and computer related documentation which can collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, optical, or similar digital impulses or data.

Computer hardware includes, but is not limited to, all data processing devices such as central processing units, memory typewriters, and self-contained “laptop” or “notebook” computers; internal and external storage devices and media such as hard disk drives, magnetic media disks and drives, magneto-optical disks and drives, tape cartridges and drives, optical disks and drives such as CD-ROM, CD-WORM, CD-R, CD-RW, and DVD, optical disks and drives such as Zip, Jazz, Sparq, Syjet, and Bernoulli, transistor-like binary devices, and any external input/output devices such as mice, keyboards, monitors, scanners, printers, modems, cables, connections, recording equipment, microphones, RAM or ROM units, acoustic couplers, automatic dialers, speed dialers, programmable telephone dialing or signaling devices, cellular telephones, iPads, iPods, and electronic tone-generating devices; as well as any devices, mechanisms, or parts that can be used to restrict access to computer hardware (such as physical keys and locks).

Computer software includes, but is not limited to, digital information which can be interpreted by a computer and any of its related components, which may be stored in electronic, magnetic, optical or other digital form. It commonly includes programs such as operating systems, applications, utilities, compilers, interpreters, and communications programs.

Computer data, which is digital information, is created with the use of computer software and stored electronically and/or magnetically in computer hardware. This computer system(s) may contain files with records; namely, correspondences, notes, papers, ledgers, personal telephone, address books, memoranda, telexes, facsimiles, and documents. It may also contain graphical images and photographs.

Computer related documentation that is written, recorded, printed, or electronically stored material which explains or illustrates how to configure or use computer hardware, software, or other related items.

Based upon affiant’s knowledge, training, and experience, and consultations with _____, who is trained and experienced in the search, seizure, and analysis of computer related evidence, affiant knows that it is necessary to seize most or all electronic and electro-magnetic storage devices (along with related peripherals) to be searched later by a person(s) trained to conduct computer evidence analysis. It may also be necessary to transport the actual computer hardware, software, and documentation, or duplicate copies of the data contained in each of these items, out of this county for complete and thorough examination by trained personnel in a laboratory or other controlled environment. This is true based on the following:



The volume of evidence. Computer storage devices (like hard disks, diskettes, tapes, and compact disks) can store the equivalent of thousands of pages of criminal evidence; he or she might store it in random order with deceptive file names. This may require searching which particular files are evidence or instrumentality of crime. This sorting process can take weeks or months, depending on the volume of data stored, and it would be impractical to attempt this kind of data search on site.

Technical requirements. Searching computer system(s) for criminal evidence is a highly technical process requiring expert skill and a properly controlled environment. The vast array of computer hardware and software available requires even computer experts to specialize in some computer system(s) and applications, so it is difficult to know before a search which expert is qualified to analyze the system(s) and its data. In any event, however, data search protocols are exacting scientific procedures designed to protect the integrity of the evidence and to recover even “hidden”, erased, compressed, password-protected, or encrypted files. Since computer evidence is extremely vulnerable to inadvertent or intentional modification or destruction (both from external sources and from destructive code imbedded in the system(s) as a “booby trap”), a controlled environment is essential to the complete and accurate analysis.

Based on the above mentioned facts, the affiant has probable cause to believe that the personal computer system(s) of [name of the suspect, witness, victim] may contain files and/or data with records – namely, correspondence, notes, papers, ledgers, personal telephone and address books, telephone toll records, telephone message slips, memoranda, telexes, facsimiles, documents, and photographs relevant to or which describe criminal conduct and suspected criminal activity, specifically, [describe offense(s) being investigated].

Wherefore, affiant asks for the issuance of a warrant that will authorize affiant to search for and seize said computer system(s), computer hardware and media, computer software, and computer documentation. Furthermore, said items are to be analyzed by a trained computer evidence recovery specialist in order to retrieve, restore, and/or reproduce any or all information believed to be evidence of said offense(s).

(OPTIONAL if return of computer system(s) is essential, e.g., business environments, etc.)

If after examining the computer hardware, software, and documentation, investigators determine that any or all of these items are no longer necessary to retrieve, analyze, and preserve the data evidence, they will be returned to [individual, e.g., suspect, witness, or victim] within a reasonable time.