

Notification Regarding Non-Casework Use of Evidence

The OSBI Criminalistics Services Division (CSD) sometimes encounters a need to use evidence for purposes beyond the analysis requested in the furtherance of criminal investigations. This notification serves to explain those circumstances and what the OSBI CSD Policy is regarding non-casework use of evidence.

Non-Casework Use of Evidence

Re-analysis of Casework:

Annually, the OSBI CSD may randomly select cases to re-analyze as part of our quality assurance program. Re-analysis of casework is conducted and documented in the same fashion as the original examination. Results of re-analysis are not reported to stakeholders unless the results are not concordant with the original examination. The OSBI CSD distributes reports via a secure website. Re-examination reports will be available on the website, but they will be marked to indicate that the results were obtained during routine re-examination.

Research, Validation, and Training:

The other areas where evidence may be needed for non-casework use include research, validation, and training. Research and validation projects are periodically conducted to evaluate, identify, or incorporate new methods or instrumentation which allow the OSBI CSD to improve efficiency, increase services, or make other quality improvements. Training is conducted for new CSD analysts so that they will be well qualified to analyze casework. When gathering samples for research, validation, and training, the OSBI CSD prepares “mock” evidence samples or uses samples from evidence submitted for destruction whenever practical. However, some circumstances require use of evidence from adjudicated or non-adjudicated cases.

For most cases, the amount taken for research, validation, or training will be comparable to the amount taken for the casework analysis. However, there may be occasions where a more sizable amount needs to be collected. For example, when a large amount of a controlled substance not frequently seen in casework is received, it is beneficial to the OSBI CSD to collect a larger amount to set aside for future training needs.

Notification

As described in OSBI CSD Procedure QP 6.2, the OSBI CSD has notified stakeholders through the posting of this policy. The OSBI CSD will strive to utilize evidence from active cases as little as possible and the removal of evidence for non-casework purposes will be documented in the case record. **The OSBI CSD will not consume more than half of any sample for non-casework purposes, unless the evidence has been re-submitted or otherwise authorized for destruction.**

Submittal of evidence to the OSBI CSD for analysis or destruction indicates that the stakeholder is aware of and accepts this policy.