

JOPLIN POLICE DEPARTMENT	9-13 STANDARD OPERATING GUIDELINE
SUBJECT: Forensic Laboratory Submissions	REVIEW DATE: Annually - September
EFFECTIVE DATE: November 15, 2010	ACTION DATE:
AMENDS/SUPERSEDES: 9-13 September 1, 2006	AMEND DATE: November 15, 2010
ACCREDITATION INDEX: 83.3.2 a, b, c, d, e,	APPROVED:  Chief of Police

I. POLICY

It is the policy of the Joplin Police Department that the transfer of custody of all physical evidence to a forensic laboratory is properly documented.

II. PURPOSE

To establish guidelines for submitting evidence to a forensic laboratory.

III. DEFINITIONS

Chain of Custody

The continuity of custody of material and items collected as physical evidence. The connotation, under the law, is that the item or material introduced subsequently into the court must be proven to be the same as that obtained initially and delivered to the laboratory for examination.

IV. PROCEDURE

A. Submission of Evidence to The Laboratory (83.3.2 B)

1. Real evidence requiring forensic examination will be submitted to the Missouri State Highway Patrol Crime Laboratory in a timely manner, by the Evidence Technician. (83.3.2 A)
2. All evidence shall be kept as near as possible in the condition in which it was recovered. (83.3.2 B)
3. When possible, samples of known substances or items shall be submitted with the evidence for comparison purposes. The known substance and/or items shall also act as a mean of control for comparison purposes. When the laboratory will not accept evidence due to lack of evidence for comparison purposes, the evidence collected from the scene may be held in Department property storage area pending collection of comparison items, as long as the items are not perishable.
4. All bloodstained objects, including fabrics, will be transported in a manner that will minimize transfer or other changes in the stain pattern. (83.3.2 B)

B. Documentation of Physical Evidence Transferring Custody (83.3.2 C)

1. When transferring evidence to outside agencies for examination, a Missouri State Highway Patrol Crime Lab Form 411 will be completed for each piece of evidence that is requested for examination. The Form 411 will contain the following information:
 - a. The name of the officer last having custody of the item(s).
 - b. The date and time of the receipt of the item(s) by the laboratory.
 - c. The name and signature of the laboratory personnel receiving the item(s).
2. This information may be inclusive on available forms used by the Department and/or the outside agency.

C. Missouri State Highway Patrol Crime Laboratory Form 411 (83.3.2 D)

1. The Missouri State Highway Patrol Crime Laboratory Form 411 is to be completed whenever evidence is transported and left at the Missouri State Highway Patrol Crime Lab. Whenever physical evidence is transferred from one person to another, a record will be made of the transfer. The transfer will be recorded on the Missouri State Highway Patrol Crime Lab evidence receipt indicating the following information:
 - a. The date and time of transfer.
 - b. The receiving person's name and functional responsibility.
 - c. The reason for the transfer.
 - d. The name and location of the laboratory.
 - e. Synopsis of the event - If evidence is being transferred to Missouri State Highway Patrol Crime Lab, give a synopsis of the event (i.e., assault with a knife, rape whereby a great deal of hair was pulled from the victim or suspect, etc.).
 - f. The type of analyses requested - hair comparison, blood typing, etc.
 - g. Date of transfer to the laboratory.
 - h. Officer's name that is transferring the property or evidence. The "Chain of Custody" section will be completed as: (83.3.2 E)
 - 1). From: Name of the officer releasing the evidence.
 - 2). To: Signature of the person from the Lab receiving the property.

D. Responsibility for Requests of Laboratory Examinations

1. It is the assigned officer or detective's responsibility to make written requests for laboratory analysis in cases assigned to them, by indicating it on the Property Record (evidence voucher) when submitting evidence.
2. In any case where an investigator will not be assigned to the case, the officer who initially handled the scene is required to make, in writing, any request for laboratory analysis, by indicating it on the Property Record (evidence voucher) when submitting evidence.

3. Whenever evidence is sent to the laboratory for processing, the officer making the request must state on the laboratory form the type of examination being requested for each piece of evidence.
4. The evidence will be transferred to the Crime Lab in the proper packaging/labeling condition it originated from. The original packaging will remain in place until which time the lab personnel removes the packaging for examination purposes. (83.3.2 B)
5. Under normal circumstances, the evidence technician will be responsible for submitting evidence to the forensic laboratory. (83.3.2 A)

E. Perishable Evidence (83.3.2 B)

1. All evidence requiring refrigeration (perishable evidence such as blood-stained objects when dried, other physical stains and tissues, biological materials, etc.) will be transported to the Missouri State Highway Patrol Crime Lab as soon as possible.
2. In cases where immediate transport to the forensic lab is not possible, observe the following procedures:
 - i. Refrigerate the evidence and then transport to the lab as soon as possible.
 - ii. Air dry body fluids and transport to lab when possible.

F. Written Results from Laboratory (83.3.2 E)

1. The Missouri State Highway Patrol Crime Laboratory shall submit a written report regarding the results of their laboratory analysis.
2. When the crime lab personnel have completed their analysis the evidence shall be transported back to the property room. The crime lab report will be mailed to the evidence technician whereas the evidence technician will ensure the original copy is forwarded to the Records Division and the appropriate Prosecutors Office. A photocopy is created and forwarded to the assigned officer/investigator.
3. When physical evidence is submitted to other outside agencies for analysis, the written request will stipulate that a written report of the findings is requested.
4. In City cases, evidence will only be submitted to the MSSU Crime Lab when the suspect pleads “Not Guilty” and the case is going to trial.

V. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin’s Personnel Rules, or the Joplin Police Department’s Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies shall comply with this policy.

VI. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee’s civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in any evidentiary sense, with respect to third party claims insofar as the employee’s legal duty as imposed by law. Violations of this policy, if proven, can only inform the basis of a complaint by this department, and then only in a non-judicial administrative setting.