



EVIDENCE SUBMISSION GUIDELINES

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1 General Submission Guidelines for Evidence Control Centers, LIMS, and Pre-Log System

The KBI Forensic Science Laboratory accepts and examines evidence at no cost pertaining to all types of criminal cases from misdemeanors to felonies from qualified customers. All submissions should be connected to criminal investigations. Submissions will not be accepted from private individuals or corporations. The following describes the general requirements for submitting evidence to the laboratory. Refer to discipline specific evidence submission guidelines for additional instructions and limitations regarding evidence submission for specific testing.

1.1 Case and Item Information Submission Guidelines

Critical case information is entered into the Laboratory Information Management System (LIMS) when a case is submitted for analysis. This information can be entered by a KBI Evidence Control Center (ECC) Evidence Technician or can be entered by the contributing agency utilizing the LIMS Pre-Log System. An Evidence Custody Receipt (ECR) should accompany submitted evidence and contain the following information.

- Contributing agency case number, agency name, and originating agency identifier (ORI)
- County of offense, date of offense, and date items were collected
- Investigator name and contact information to include phone number and email address
- Victim name(s), suspect name(s), elimination name(s) and all available identifying information for the individuals such as DOB, SSN, DL, etc.
- Address and attention name destination for the Laboratory Report
- A list of each individual item submitted, with a description of the item, including relationships to victims/suspects/elimination, and the requested examinations.
- (Refer to Packaging and Sealing Guidelines and General Evidence Submission Guidelines below for more information regarding item submission.)

1.2 Packaging and Sealing Guidelines

Each case must be submitted and packaged separately. A single shipping container may be utilized to hold multiple cases.

- Items should be individually packaged, with the package marked for identification purposes, sealed, and grouped prior to submission by the type of exam to be conducted.
- (Exceptions: Latent print lifts or cartridge cases collected from a single item or in the same general area or swabs from the same area)
- Evidence should be packaged and stored in a manner which reduces the risk of loss, cross transfer, contamination and/or deleterious change.

- Evidence should not be packaged in containers which have remnants of evidence tape, markings or unique identifiers from submissions in other unrelated cases.
- Use packaging materials that are sufficiently larger than the evidence they contain to allow examiners room to easily reseal the evidence after they have completed their analysis of the evidence.
- Items for biology **SHOULD NOT** be packaged in plastic.
- Items of evidence submitted to the KBI must be properly sealed.
 - A container is properly sealed only if its contents cannot readily escape and only if entering the container results in obvious damage/alteration to the container or its seal.
 - Seals may be made using tamper indicating evidence tape, heat sealing of plastic bags, or tamper resistant adhesive seals. (e.g. manufacturer sealed flaps and joints of envelopes, bags, and boxes and field sealed evidence bags)
 - All evidence tape seals, heat seals, and field seals must have at a minimum the initials or identifying mark of the individual making the seal. (It is recommended but not required that the markings on the seal traverse the boundary between the seal and the packaging)

1.3 General Evidence Submission Guidelines

All evidence must be packaged to maintain the integrity of the evidence, chain of custody, and safety of future handlers.

1.3.1 Weapons, Firearms, and Explosive Devices

- All firearms must be unloaded and rendered safe. If ammunition is packaged with the firearm it should not be loose but be secured in such a way that it will not pose a future hazard through handling.
(If a firearm cannot be unloaded prior to submission a Firearms Examiner should be contacted to assist in the safe submission of the item)
- The container holding the weapon must state that the firearm is unloaded or a statement will be required by the customer to the Evidence Technician declaring the safety of the firearm before submission of the evidence can occur.
- No live explosives or explosive devices will be accepted for examination. Any potentially harmful device must be rendered safe before it will be accepted by the Evidence Technician.

1.3.2 Hazardous Chemicals

Many very potent designer drugs have a similar appearance or are mixed with commonly encountered controlled substances in powder form.

- Powder material should be double-bagged (evidence sealed in a plastic bag that is sealed within another plastic bag).
- All items containing suspected fentanyl or other potent designer drugs should be marked as such and the Evidence Control Center should be notified prior to these items being submitted.

Additionally it is strongly recommended that:

- Field testing not be conducted on suspicious samples.

- Agencies should have in place and follow policies and safety procedures to protect their personnel from exposure to these dangerous materials.
- Agencies should provide their personnel with appropriate Personal Protective Equipment.(PPE)

1.3.3 Biohazard Containing Submissions

- All containers with evidence which may pose a biohazard threat should be clearly labeled as such.
 - Clothing, bedding, and other items containing body fluids should be dried prior to submission.
- “Sharps” (e.g. knives, syringes, etc.) should be properly packaged in protective containers prior to submission. Syringes will not be routinely examined. Any liquid contained in a syringe should be transferred to a sample vial and submitted for analysis.
(Exceptions must be approved by the Section Supervisor or their designee)

1.3.4 Vape Pens/E-Cigarettes

- When possible, only submit the cartridge or portion of the vape pen/e-cigarette containing the material to be vaporized.
- Batteries should be removed to prevent fire/explosion hazards.
- If battery removal is not possible, place item in a metal can for submission.

2 Kansas Bureau of Investigation Laboratory Contacts

Forensic Science Center 2001 SW Washburn Ave. Topeka, Kansas 66604 (785) 296-1137	Great Bend Regional Laboratory 625 Washington Great Bend, Kansas 67530 (620) 603-7112
Pittsburg Regional Laboratory 821 N. Broadway Pittsburg, Kansas 66762 (620) 308-7576	Kansas City Regional Laboratory 7250 State Avenue Kansas City, Kansas 66112 (913) 942-3000

3 Submission Guidelines for Chemistry Evidence

3.1 Scope of Analysis Performed

The KBI Chemistry Section conducts examination of evidence for the presence of controlled substances, clandestine manufacture of controlled substances, general chemical unknowns and alcoholic beverages.

The Chemistry Section receives a high volume of submissions. The section must balance customer needs with available resources to provide customers with the highest quality service and shortest turnaround times. Scientists use their experience and training in selecting which items are tested based on a variety of factors including, but not limited to: information provided by the customer as to the relevance of items, amounts of material relative to sentencing thresholds, speed of testing, etc.

Customers are encouraged to contact the laboratory and ask for a forensic scientist in the chemistry section for assistance in determining which items of evidence to submit.

3.2 General Guidelines

- Requested biology examinations must be performed prior to chemistry analysis and will delay examination completion. Drug evidence is not routinely accepted for biology examinations. If there are circumstances that a biology exam is needed, approval from the Biology supervisor(s) or laboratory director is required prior to submission of the evidence.
- Items requiring latent print examination should be packaged separately from drug evidence and listed separately on the ECR, if possible (example – separate drug containers from the substance and package them as separate items).
- If multiple suspects are associated with the case, clearly mark on the ECR and/or evidence packaging which items are associated with each suspect.
- Clearly indicate any probable cause items on the ECR.
- Generally, evidence should be submitted as soon as possible, at least 60 days prior to the first court date.
- Notify the laboratory of known court dates either upon submission of the evidence or as soon as possible.
 - **Rush case(s): provide two weeks' notice and limit to 1 item of evidence for each charge.**
- If analysis is no longer required for a case, please notify the laboratory as soon as possible.

3.3 Submission Limits, Weights, and Sampling

- The KBI laboratories have limited space for holding large amounts of drug evidence. The laboratory must be contacted at least one day prior to submitting

a large amount of evidence for special arrangements to be made. The following amounts are considered large:

- A single item weighing more than 25 pounds
- A total weight of all submitted evidence of more than 50 pounds
- A single item larger than an airline carry-on bag, i.e. a bag with the following dimensions or larger: 24" x 16" x 10" or a total length + width + height of 50".
- Generally the laboratory will work to the highest statutory weight limit for each type of drug submitted.
- If the drug does not have a statutory weight limit, or the weight of the drug does not reach the lowest statutory weight, only one unit will be tested.
- In some cases the Chemistry Section may utilize a scientific sampling plan known as hypergeometric sampling. This plan is based on a mathematical formula which ensures uniformity in the sampling process and meets the KBI Laboratory accreditation standards.

State of Kansas severity level (SL) thresholds for distribution and manufacture pursuant to KSA 21-57 are as follows:

* Please follow the link to access the most current sentencing guidelines:

<http://www.sentencing.ks.gov/>

<p>Methamphetamine or Heroin SL 4: Less than 1 gram SL 3: At least 1 gram but less than 3.5 grams SL 2: At least 3.5 grams but less than 100 grams SL 1: 100 grams or more</p>	<p>Marijuana Violations SL 4: Less than 25 grams SL 3: At least 25 grams but less than 450 grams SL 2: At least 450 grams but less than 30 kilograms SL 1: 30 kilograms or more</p>
<p>Other Controlled Substances SL 4: Less than 3.5 grams SL 3: At least 3.5 grams but less than 100 grams SL 2: At least 100 grams but less than 1 kilogram SL 1: 1 kilogram or more</p>	<p>Marijuana Cultivation (plant count) SL 3: More than 4 but fewer than 50 SL 2: More than 50 but less than 100 SL 1: More than 100</p>

3.4 Plant Material

- **DO NOT** submit wet plant material to the laboratory, as it is a health hazard.
- Seal recently dried plant material in paper bags.
- Submit a sample (approximately 1 gram) from a large plant instead of the entire plant.

- Package and seal each plant, or plant sample, separately. Do not submit only the roots of a plant; the roots do not contain any statutory controlled substance. If only the stem and root portion of a plant are present, it will be considered a residue. Remove any soil from the plant prior to packaging so as not to degrade the plant.
- Please contact the laboratory in your service area for guidance to determine the number of plant samples needed for submission.

For vegetation material submitted for quantitation of THC:

- Items of vegetation should have a net weight of at least 5 grams to be considered for quantitation analysis. Items less than 5 grams with extenuating circumstances may be accepted at the approval of the Chemistry supervisor or designee.
- Appropriate paperwork for the legal possession of hemp must be submitted to the lab before items will be analyzed. Paperwork may accompany the item(s) at the time of submission or may be emailed to the Chemistry supervisor.

3.5 Fungal Material (Mushrooms)

- DO NOT submit wet fungal material to the laboratory, as it is a health hazard.
- Seal recently dried fungal material in paper bags.

3.6 Syringes/Liquids

- NOTE: Syringes with needles **WILL NOT** be accepted without prior approval by the Section Supervisor. There are two options available:
 - If the syringe contains liquid, that liquid can be placed in a sealed glass vial and the liquid may be submitted to the laboratory.
 - The needle is removed and the remaining parts of the syringe are submitted. The needle must be pulled completely from the syringe so no exposed metal from the needle remains and the ECR must state that the needle has been removed.

DO NOT package liquids in metal cans, pill bottles, or plastic bags. Use a container appropriate for liquids (e.g., screw-top vials or specimen jars). Please contact the laboratory in your service area for guidance.

3.7 Pharmaceuticals and Clandestinely Manufactured Tablets

- Non-controlled pharmaceuticals should not be submitted to the laboratory.
- If an item contains tablets or capsules that do not have a pharmaceutical logo identifier and are visually consistent (same color, shape, and size), a representative sample of the tablets or capsules may be examined and reported on.

3.8 Residues/Drug Paraphernalia

- Only one paraphernalia item per suspect will be considered for analysis.
- If there is no weighable material, only one residue item per substance type will be analyzed (e.g., one plant residue and one powder residue).
- **DO NOT FIELD TEST RESIDUES OR PARAPHERNALIA** before submitting to the laboratory for analysis.
- Clearly describe the paraphernalia items on the ECR.
- Remove any water from “bongs” or smoking devices prior to submitting. Do not submit the water removed from an item.
- When possible submit only the removable bowl portion of large smoking devices.
- **DO NOT** submit ashtrays.
- **DO NOT** submit currency for analysis unless there is visible residue or weighable substance.
- Only submit the evidence to be analyzed and hold other miscellaneous items such as lighters or boxes of rolling papers. Example: If you find vegetation on a plate, submit the vegetation and hold the plate, etc.

3.9 Clandestine Methamphetamine Manufacturing Chemicals

- Place ample samples of liquids in leak proof containers. Fill vials 2/3 full.
- **DO NOT** seal bottles. Place closed bottles in bags and seal the bags.
- **DO NOT** submit lithium strips. Lithium is a fire hazard and will not be accepted by the KBI Laboratory.
- Clearly state on the ECR where the sample originated, do not submit an ECR that reads “Item 1A sample from Item 1,” without describing Item 1.

3.10 Hazardous Materials

Potentially hazardous materials, such as LSD, fentanyl compounds, and other potent designer drugs are dangerous or even fatal in small quantities. These types of chemicals will require special handling procedures as well as additional personal protective equipment, packaging, and labeling to prevent exposure.

Many of the hazardous materials have a similar appearance to other commonly encountered substances like cocaine, methamphetamine, and other controlled substances that are found in powder form and cannot be identified by appearance alone. These hazardous materials may also be incorporated in with other commonly encountered substances.

- **DO NOT FIELD TEST.** If field testing must be done, follow your agency’s safety procedures.
- **ITEMS MUST BE DOUBLE-BAGGED.** Plastic bag or other plastic-type material for packaging is recommended. Ensure both layers of packaging are sealed.

- Items containing suspected fentanyl should be clearly marked to ensure safe handling. The KBI Evidence Control Center may apply additional warning labels upon receipt at the laboratory.

3.11 Federal Cases/Quantitation

- The name and contact information of the federal prosecutor needs to accompany the request for analysis. Federal prosecution/sentencing guidelines are dependent on the amount of controlled substances present. The examiner will work with the prosecutor to determine what will be analyzed.
- Methamphetamine quantitations (quants) will only be performed on federal cases.

3.12 Alcoholic Beverage

- Must submit at least 4mL for quantitative analysis to be performed. Less than the minimum amount will be tested for ethanol identification only.
- **DO NOT** submit open containers of liquids if those containers cannot be sealed in a leak-proof manner. (Evidence tape is not leak-proof). Place samples of liquids from open containers in leak proof containers. The preferred container is a 1 ounce glass bottle with Teflon lined screw cap, secured against breakage/leakage during transport.
- If original containers are not submitted, include a description of the container from which the sample originated (for example: "Sample from 3.2 Bud Light can").
- Containers with intact factory seals may be submitted.
- Original containers with screw on lids that do not leak may be submitted.

4 Submission Guidelines for Firearm and Toolmark Evidence

4.1 Scope of Analysis Performed

The KBI Firearm and Toolmark Section examines firearms and ammunition components, tools and toolmarked items, firearms with obliterated serial numbers, fractured items and articles of clothing exhibiting gunshot patterns for a muzzle-to-garment distance determination analysis.

4.2 Examinations Not Performed

- Examinations of photographs of suspected firearms or ammunition components

4.3 Packaging Guidelines

4.3.1 Firearms and Ammunition Components:

- Firearms must be submitted unloaded
- No loose ammunition should be packaged with a firearm
- Firearms should be packaged with the actions open (zip-ties through the action typically suffice).
- Magazines submitted should not be inserted into the firearm.
- Firearms recovered in water should be brought to the KBI Forensic Science Laboratory while still submerged in the water, to prevent excessive rust. A firearms examiner will properly drain, dry and treat the firearm with rust preventative during submission.
- Projectiles removed during autopsy or surgery should be rinsed with water and dried prior to packaging, to prevent corrosion.

4.3.2 Clothing Items for Muzzle-to-Garment Distance Determination:

- Clothing items exhibiting gunshot residues should be laid flat to dry. Once dry, package flat and seal between pieces of cardboard to provide rigidity and protection.

4.3.3 Items Requesting Physical Fit/ Fracture Match Analysis:

- Items should be packaged such that they are protected from damage and are not contacting each other. (See also Submission Guidelines for Materials/Trace Evidence)

5 Submission Guidelines for Latent Print Evidence

5.1 Scope of Analysis Performed

The KBI Latent Print Section examines evidence for the presence of latent prints for all types of criminal cases from misdemeanors to felonies. Items of evidence that have surfaces suitable for the deposition, recovery and development of impression evidence is accepted. Scientists analyze and compare latent prints of sufficient quality to known prints on file in the KBI Repository, to known cards submitted as evidence, and/or to individuals obtained through an Automated Fingerprint Identification System (AFIS), the FBI Next Generation Identification (NGI), and/or the Missouri State Highway Patrol Automated Fingerprint Identification System (MSHPAFIS).

5.2 General Submission Guidelines

- Items should be packaged in a manner to protect the latent print evidence from obliteration or damage but allow the examiner to successfully repackage the evidence.
- A note providing the processing technique utilized on an item of evidence must be present on the ECR or the packaging of the specific item when latent print processing has been performed prior to submission.
- To request a comparison to a certain individual, the name and the date of birth of the individual(s), at a minimum, must be provided.
- Multiple latent lift cards may be packaged in the same container since obliteration of the latent prints is not a concern.
 - Prints left inadvertently on a lift by a collector should be marked out with an “X”.
- Digital images (Photographs) of latent prints taken by the customer will be accepted for examination. (Images must have a scale).
- Digital images should be placed on a CD or DVD and submitted as evidence.
 - Only submit on the disc the images that are to be examined for a latent prints examination or clearly indicate the image names/numbers that are to be examined.
 - When submitting both the image and the associated item, or lift card, a link between the image and the item must be provided. For example, the image contains a marker that links the image and the area on the item, or a specific note in the comments of the ECR.

6 Submission Guidelines for Footwear and Tire Track Evidence

This service is currently not provided by the Kansas Bureau of Investigation Forensic Science Center at this time. Several options exist for obtaining footwear or tire track comparison examinations. These options include:

- Federal Bureau of Investigation (FBI) Forensic Laboratory (Questioned Documents Section)
- A Fee for service forensic science laboratory
- An independent footwear and / or tire track examiner

We will be happy to assist you by providing additional contact information for laboratories that offer this type of service. Please contact the Footwear and Tire Track Supervisor at 785-296-2301 for more information.

7 Submission Guidelines for Toxicology Evidence

7.1 Scope of Analysis Performed

The KBI Toxicology Section provides Kansas law enforcement agencies and medical examiners with testing of human biological samples for the presence of a wide variety of volatile and drug compounds. Full toxicology scope of testing is available upon request.

7.2 General Submission Guidelines

KBI Blood Alcohol Kits are available upon request. Please call 785-296-1040/1042 to order kits or fill out the form online through the KBI website. Follow the instructions provided in the kit. The KBI Forensic Science Laboratory does not provide urine collection kits.

- For human performance toxicology, collect a blood sample using a 10 mL potassium oxalate/sodium fluoride (gray top) blood collection tube. Collecting <10 mL of blood may impact the ability of the laboratory to perform all analyses.
- For drug facilitated crimes, collect a urine sample (minimum 100mL) and a blood sample (minimum 10 mL) using a potassium oxalate/sodium fluoride (gray top) blood collection tube. If both cannot be collected, urine is the recommended sample. Ethyl alcohol testing can only be performed on blood. These samples should NOT be included in the sexual assault kit.
- Be sure all tubes containing additives are well mixed before packaging.
- Write the subject's name on the blood tube/ specimen container and put all other pertinent information on the ECR.
- Postmortem samples should be labeled with type (e.g. blood, vitreous, urine) and location of sample collection (e.g. heart, femoral).
- Package all specimen containers in a manner that will prevent leakage or spills. Use zip lock type plastic bags; heat seal pouches or other sealable, leak resistant packaging.
- Pack specimens securely in a protective container such as a cardboard box.
- Place the ECR outside or separate from the sealed inner package that contains evidence (e.g. a blood tube).
- Use the seals provided with the KBI Blood Alcohol Kit per kit instructions. If not using a KBI provided kit, seal all specimen containers and each layer of packaging with tamper indicating tape. Write your initials and date on each seal.
- All containers with evidence which may pose a biohazard threat should be clearly labeled as such.
- It is understood that refrigeration is not possible while specimens are in transit or in the mail. Whenever possible, refrigeration is preferred prior to submission.

8 Submission Guidelines for Digital Evidence

8.1 Scope of Analysis Performed

The KBI Digital Evidence Section provides examination and analysis of electronic information stored on a wide variety of computer, mobile, and digital-storage devices, including:

- Computer Systems, such as desktops, laptops, digital video/audio recorders, and gaming systems
- Mobile Devices, such as cellular telephones, tablets, GPS, drones and portable gaming devices
- Removable Media, such as USB drives (flash drive), SD cards, external hard drives etc. Items are sometimes referred to as “peripherals.”

8.2 General Submission Guidelines

Digital evidence is fragile and can be altered, damaged, or destroyed by improper handling, packaging, and transportation. For these reasons, special precautions should be taken to preserve this type of evidence.

- Examine digital device(s) for evidence such as latent prints, blood, hair, tissue, etc. that may be relevant to the investigation. If other examinations are needed, please note on the ECR.
- When articles must be handled, which may contain latent prints, biological, or trace evidence, handle sparingly to limit altering the possible evidence and wear proper protective equipment to prevent contamination, if necessary.
- **Legal authority** or applicable justification (e.g. Search Warrant, Consent, Abandoned Property, Exigent Circumstances) are required and must include appropriate language that specifically allows for forensic examination of the digital evidence submitted and not just for the seizure of that item.
 - Search Warrants must be signed by a District Court Judge.
 - Search Warrants should contain language that states a digital examination can take months to complete because of the amount of data to be analyzed and the possibility of encryption.
 - Search Warrants must be executed and open for the duration of the examination.
 - Legal Authority or applicable justification **MUST BE** submitted with the item to be examined.
- Requested Examination – The Digital Evidence Submission form **MUST BE** included, providing detailed, case specific information and examination information. Forms can be found online through the KBI website.
 - Due to the potential mass of information involved in digital evidence, providing specific information is critical for timely examination.
 - Specific requests may include, for example, a specific time frame/date range, email addresses, call logs from identified phone numbers, photographs, communication using specific applications, internet history, etc.
 - If there is a known victim, please provide images of victim for comparison. This is very important in child exploitation cases.

- Documentation of digital evidence:
 - The location and condition of the digital evidence and related evidence should be documented before recovering and securing.
 - Documentation should describe how items were connected. Take photographs if possible.

8.3 Computer Systems

Secure digital evidence in accordance with departmental policy.

- In general:
 - Seize the items in a manner that protects and preserves the evidence.
 - If the computer is OFF, leave it OFF. **DO NOT** power it on to begin searching through the computer.
 - Place device in original packaging, if available. Similar packaging, such as boxes with foam padding or paper, to prevent shifting is recommended.
 - Collect and document how cords and cables are attached, if necessary.
 - Gather any external hard drives or other relevant items.
 - Obtain passwords, if possible. Passwords may be written down and stored near computers, in original device packaging, or in accompanying manuals or software information.

8.4 Mobile Devices

Secure digital evidence in accordance with departmental policy.

- In general:
 - Collect phone chargers.
 - Do not scroll or browse through an evidentiary device, this may alter the integrity of the data.
 - If any manipulations are made, document any actions that were done on the device.
 - Place device in appropriate packaging.
 - Obtain passwords, pin numbers, or screen pattern lock code, if possible. Passwords may be written down and stored in original device packaging or in accompanying manuals or software information.
 - If requesting JTAG or Chip-Off on the phone, there is a high probability that the phone will be destroyed. Standard methods will be exhausted/attempted prior to initiating destructive methods.
- For devices that are **ON**:
 - **DO NOT TURN IT OFF**
 - Establish network isolation. Methods for isolation include enabling “Airplane Mode” or placing device in radio frequency (RF) shielded packaging (“Faraday” bags, aluminum foil, arson cans).
 - Verify Wi-Fi and Bluetooth are disabled.
 - Removing SIM and/or microSD cards is not recommended.
 - Keep the device powered, connect to a portable battery charger or USB power bank.

- Transport to the Topeka KBI Evidence Control Center as soon as possible.
- Notify the Evidence Control Specialists at the time of submission that the item is on and whether it is an iOS device.
- For devices that are **OFF**:
 - Transport to the Topeka KBI Evidence Control Center as soon as possible.
 - **DO NOT** power the device on.
 - Look for any SIM card slots, if found, remove the SIM card. If possible, remove the battery.
 - Notify the Evidence Control Specialists at the time of submission if the item is an iOS device.

8.5 Removable Media

When seizing computer systems and/or mobile devices, look for “peripherals” such as, cables, chargers, flash or thumb drives, external hard drives, and SD/microSD cards.

- Place items in protective sleeves or envelopes to prevent damage.

8.6 Kiosk Usage

The Cellebrite kiosk, located at the KBI Forensic Science Center in Topeka, Kansas is available by appointment only. Access and usage of the kiosk is available Monday through Friday, starting at 8:00am and all processes must be completed by 5:00pm that same day. Items of evidence cannot be left unattended and the kiosk user must be present during the whole process. To schedule an appointment, please contact the Digital Evidence Supervisor at 785-296-3701 or the Evidence Control Center Supervisor at 785-296-1040.

9 Submission Guidelines for Materials/Trace Evidence

9.1 Scope of Analysis Performed

The KBI Trace Section conducts examination of evidence in the areas of primer gunshot residue (P-GSR), fire debris, physical fit and elemental analysis, and will be providing additional trace disciplines in the future.

9.2 P-GSR

Primer gunshot residue (P-GSR), also known as primer residue, is the term applied to the microscopic particles of metal and metal compounds that are emitted by a firearm at the time of discharge. These particles are derived from the primer composition and are NOT the residue of partially burned gunpowder grains. P-GSR particles may be deposited on any surface near the firearm at the time of discharge, including the hands, face, and clothing of the shooter and any bystanders in proximity to the gun. The KBI Trace Section provides P-GSR collection kits and training on proper collection techniques. Please order kits by filling out the online form through the KBI website. For additional information or training, please call 785-296-1137 and ask for the Trace Section.

NOTE: In control test firings, it has been shown that the concentration of primer gunshot residue (P-GSR) significantly declines on living subjects due to normal activities. In view of these findings, if a significant amount of time (approximately 8 hours) has passed since the shooting, it is recommended that you check with the KBI Trace Section before submitting samples for analysis. This does not apply to deceased subjects. For all other items not listed in the kit, you must contact the laboratory prior to submitting the P-GSR kit (see instructions provided with the kit).

9.2.1 General P-GSR Guidelines:

- If the subject is deceased, collect P-GSR samples prior to processing the body. If the body has been processed, check with the KBI Trace Section before proceeding.
- Heavily soiled or bloody areas should be avoided during collection, if possible.
- **DO NOT** collect P-GSR samples if the subject has already been fingerprinted. The inking process removes the primer gunshot residue particles from the skin.
- **DO NOT** collect P-GSR samples if it is known the subject has washed his/her hands and face since the time of the shooting.
- **DO NOT** use this kit to submit fired cartridge cases to the laboratory.
- Fill out all the information on the Primer Gunshot Residue Analysis Information Form included in the kit.

9.2.2 General Collection Guidelines:

- Allow the kit to reach room temperature before using.
- Put on the disposable gloves that are provided in the kit. **DO NOT** substitute with other gloves. Gloves provided in the kits are approved barrier gloves to

protect you from blood borne pathogens if there is blood on the subject's hands or clothing.

- When the cap is removed from the clear plastic vial containing the sample platforms (or “stubs”), the adhesive collecting surface is exposed and care must be used to not drop the stub or contaminate the collection surface by allowing the surface to come into contact with an object other than the area that is to be sampled.
- **DO NOT** touch or contaminate the inside of the plastic vial.
- When pressing (in an up-and-down motion) the collecting surface of the stubs on the subject's skin, use enough pressure to cause a mild indentation on the surface of the subject's skin. Continue sampling the area of interest until the adhesive loses its potency.
- Right Hand:
 - Carefully remove the cap from the vial labeled RIGHT HAND.
 - While holding the vial cap, press the collecting surface of the stub onto the back of the subject's right hand until the area has been covered.
 - Next, press the collecting surface of the stub onto the palm of the subject's right hand until the area has been covered.
 - After sampling the subject's right hand (both back and palm), return cap to the RIGHT HAND vial.
 - Fill out all information requested on the vial label.
- Left Hand:
 - For collection from the left hand, repeat the procedures for RIGHT HAND using the vial labeled LEFT HAND.
 - After sampling the subject's left hand (both back and palm), return cap to the LEFT HAND vial.
 - Fill out all information requested on the vial label.
- Face:
 - Remove the cap from the vial labeled FACE and press the collecting surface of the stub onto the subject's face until the areas have been covered.
 - Collect from the areas outlined in the instructions printed on the P-GSR kit envelope.
 - NOTE: **DO NOT** collect from cheeks or chin if the subject has facial hair.
 - After sampling the subject's face, return cap to the FACE vial.
 - Fill out all information requested on the vial label.

9.2.3 General Submission Guidelines for P-GSR Kits

- Fill out all information requested on the front of the kit envelope.
- Return the completed Primer Gunshot Residue Analysis Information to the kit envelope.
- Return all used vials to the kit envelope. If the kit contains a Control Stub, **DO NOT** open this vial. However, fill out all information requested on the vial and return the Control Stub to the kit envelope.
- Close the envelope flap and properly seal with evidence tape.

- Properly dispose of the gloves and **DO NOT** submit them with or in the kit.
- The sealed kit along with a completed ECR may be hand delivered or sent by mail as directed below:

9.2.4 General Submission Guidelines for Clothing and Other Objects

- Package each item of clothing in separate paper containers. No more than one piece of clothing should be in any individual package. For example, do not package the top and pants from a subject in the same package.
- During storage and transportation, clothing from P-GSR analysis and any firearms should be kept separated. Contamination potential from the firearm to the clothing in non-airtight packaging must be eliminated.
- **DO NOT** package evidence collected from one individual with evidence collected from a second individual. Preventing potential cross-contamination is essential.
- Only clothing that has already been associated with the suspect and/or victim and the incident will be analyzed.
- For further questions, contact the KBI Trace Section.
- NOTE: If sent by mail, package the sealed kit in an appropriate container to prevent damage in transit. **DO NOT** forget to send the ECR along with the kit. **DO NOT** enclose the ECR inside the kit.

9.3 Fire Debris

The collection, preservation, and timely transmittal of fire debris evidence are important steps in the investigation of possible arson fires.

- Place fire debris evidence in sealed containers that provide a physical barrier that is impermeable to vapors (e.g. metal cans, plastic fire debris bags, glass canning jars). Metal cans should be unused, lined metal paint cans with tight friction lids. Lined cans are preferred because unlined cans may rust through in a matter of weeks. Nylon bags manufactured for arson evidence may also be used. When using nylon bags a heat-sealed control bag should be submitted.

*Note: The typical plastic (polyethylene) bags used for other types of evidence collection do not adequately retain vapors.

- **DO NOT** package liquids in metal cans or plastic bags. Use a container appropriate for liquids.
- Liquid samples should be placed in glass bottles (one ounce maximum) with Teflon-lined screw caps and secured against breakage/leakage during transport. **DO NOT** overfill the evidence container (no more than 2/3 full is best).
- **DO NOT** submit leaking or wet containers. If you can smell a petroleum product the evidence is not properly packaged.
- **DO NOT** submit large quantities of ignitable liquids (maximum one ounce).
- **DO NOT** submit more than one case per package.
- Consider submitting an empty container exemplar.
- Refrigerate/freeze soil samples to prevent bacterial degradation of sample.
- **DO NOT** include gloves.
- Submit comparison (control) samples when possible.
- Containers requiring latent print examination should have the liquids removed before submission.
- Please contact the laboratory in your service area for guidance or questions.

9.4 Elemental Analysis

Evidence can be analyzed to determine its elemental composition. Many of the objects used in the commission of a crime (knives, ice picks, prying instruments, etc.) are composed of metal.

9.4.1 General Submission Guidelines:

- Collect filings and un-embedded fragments caused by sawing, drilling, or filing by carefully lifting or scraping into a plastic bag (make sure filings are dry before packaging).
- Use a nonmetallic device to transfer the filings or fragments to the collection bag.
- Tape seal the plastic bags before packaging into an appropriate sized container prior to submission.
- Package large items or items containing embedded fragments in a manner that provides a physical barrier, prevents the loss of evidence, and maintains the integrity of the evidence.
- When available, collect a comparison standard.
- **DO NOT** package known reference samples in the same packaging as questioned samples.

9.5 Items Requiring Physical Fit/Fracture Match Analysis

9.5.1 General Submission Guidelines:

- Items should be packaged such that they are protected from damage and are not contacting each other.

10 Submission Guidelines for Bloodstain Pattern Analysis

10.1 Scope of Analysis Performed

Bloodstain pattern analysis is the analysis of the size, shape, distribution, appearance, and location of bloodstains and bloodstain patterns as a means of determining the event(s) or mechanism(s) that created them. Violent crimes can result in bloodshed. When liquid blood is acted upon by physical forces, bloodstains and bloodstain patterns may be deposited on various surfaces, including the clothing of the individuals present at the crime scene. The bloodstain patterns can yield valuable information concerning the events which lead to their creation when examined by a qualified analyst. The information gained can then be used for the reconstruction of the incident and the evaluation of the statements of the witnesses and the crime participants.

A bloodstain pattern analyst can examine the crime scene, the crime scene photographs, evidence collected from the crime scene, the clothing of the suspect/victim, the autopsy and/or medical reports, and the statements made by victims, suspects, or witnesses to possibly provide answers to the following potential questions:

- What events took place and in what order did these events occur?
- What was the position and location of an individual when struck/shot?
- What is the manner of death?
- Can statements by parties of interest be evaluated by bloodstain pattern analysis?
- Is there evidence of self-defense?
- Which bloodstains may be from a bleeding suspect?
- What is the significance of bloodstains on the suspect's clothing or person?

10.2 General Submission Guidelines

- Documentation of the crime scene through digital photographs, diagrams, sketches, and/or notes will be accepted for examination and analysis.
 - Photographs should include overall, midrange, and close-up photos with and without scales.
- Items of evidence such as objects or clothing may be submitted for analysis.
 - Items should be dried and packaged individually to prevent cross contamination.
 - When submitting clothing, identify the wearer/owner of the clothing.
- Please submit/provide all pertinent associated reports for review. (i.e. officer's reports, EMT reports, autopsy reports, injury reports, and witness statements).
- Autopsy photos should be submitted.
- Please note any relevant information in your investigation or why bloodstain pattern analysis is requested.
- Please note that the Bloodstain Pattern Analysis report is generally the final report written in the investigation due to the requirement of other reports (i.e. DNA) being done prior to the final report.

11 Submission Guidelines for Biology

11.1 Scope of Analysis Performed

The KBI Biology section examines items of evidence for the presence of biological fluids, develops DNA profiles from evidence and known standards to identify the source of DNA on evidence, enters eligible and suitable DNA profiles into the Combined DNA Index System (CODIS), and develops DNA profiles from unidentified remains and family members of missing persons for entry into CODIS.

11.2 General Submission Guidelines

This information is a brief summary of the submission guidelines. Additional information is located in the sections following.

- A DNA submission form must be filled out and submitted with the ECR. Both forms can be found on the KBI website.
- A conference with the laboratory before evidence submission is strongly encouraged to ensure acceptance of your evidence submission.
- A case synopsis must be provided with the submitted evidence. Case officer contact information is also required. See “Case Synopsis” below.
- The number of evidence items accepted by the laboratory will be limited depending on the nature and/or type of the case submitted. See the sections on Item Selection, including Initial Submissions and Subsequent Submissions, below.
- Additional items may be accepted at the time of the initial submission after consultation between the investigator, the DNA scientist, and the Biology Casework Supervisor, the Lab Director, the Assistant Lab Directors, or the DNA Technical Leader. Consultation can be in person or virtual. The prosecutor may also be involved at this time depending upon the case.
- Appropriate known reference standards must be available and submitted. See Reference Standards below.
- Typically, DNA testing will be considered complete when associations have been made in the case. This means that some items submitted to the Biology Section may not undergo DNA testing.
- Simple misdemeanor cases need approval for Biology examinations.
- The submitting agency or prosecuting attorney’s office should notify the KBI Forensic Science Laboratory if and when they become aware that a case has been disposed and no longer needs to be worked by our laboratory.
- Assistance can be provided on identifying the most probative items for submission. (See the section on Item Selection below.)

11.3 Case Synopsis

Each biology case is required to have a case synopsis at the time of submission to the laboratory. The case synopsis should provide the necessary background information about the case and the connection of any DNA profile(s) obtained from the analysis to the crime. This information is required before any DNA profile obtained from crime scene evidence may be submitted to CODIS (Combined DNA Index System).

CODIS is a database used to provide investigative leads based on DNA profiles developed from crime scenes across the country. There are strict state and federal guidelines regarding CODIS eligibility. The case synopsis will provide necessary documentation regarding CODIS eligibility.

- DNA profiles obtained from evidence not directly related to the crime scene *may not* be eligible.
- DNA profiles that are ambiguous regarding possible contributors (i.e. highly partial profiles, complex mixtures) are not eligible.
- Submission of known reference standards (suspect, victim, elimination) may be required to determine CODIS eligibility.
- Contact the KBI Forensic Science Laboratory for questions regarding CODIS eligibility.

11.4 Item Selection

Evidence submitted to the laboratory should be selected based on the probative (relevant) value of the item to the case. It is of great benefit to contact the laboratory to discuss submission of evidence from homicide cases or complex cases with multiple pieces of evidence prior to the initial submission. Because of the complexities of homicide cases, the KBI Forensic Science Laboratory must fully understand the details associated with the case in order to provide the best possible service to our customers. This will ensure that everyone is properly briefed with the details, timelines and an agreement is reached regarding the most probative evidence.

- *Probative evidence*- Relevant and significant evidence items collected in a criminal case which can directly establish a connection between the victim and any suspect(s), place a suspect(s) at a crime scene, and support or refute statements.
- The most common probative evidence items are recovered weapons, clothing of the victim, samples collected during a sexual assault exam, clothing of the suspect, items in the suspect's possession which may have the victim's biological material present, and items left behind at a crime scene which could reasonably be expected to have the suspect's biological material present.

11.5 Initial Submissions (consultation not required)

The following number of items will be accepted without consultation.

A. Homicide/Attempted homicide/Aggravated Battery (typically one suspect and one victim)

- a. Up to ten (10) probative items
- b. Appropriate known reference standards

B. Sexual Crimes (typically one suspect and one victim)

- a. Sexual Assault Evidence Collection Kit and victim's clothing
- b. One (1) additional probative item
- c. Appropriate known reference standards

OR

- d. If there is not a Sexual Assault Evidence Collection Kit
 - i. Victim's clothing and two (2) probative items
 - ii. Appropriate known reference standards
- e. Bedding on Sexual Assaults – Typically bedding does not yield probative DNA results. If bedding is needed, a complete “sexual” history of the bedding and approximate location of the incident are required, as is a consultation with the scientist.

C. All Other Crimes Against Persons (typically one suspect and one victim)

- a. Up to three (3) probative items
- b. Appropriate known reference standards

D. Property Crimes (typically one residence/business)

- a. Up to two (2) probative items
- b. Appropriate known reference standards

E. There will be instances when every item submitted will not be tested. If probative information is obtained, remaining items not yet tested will be returned to the submitting agency untested. Should the items need to be tested, the investigator should call the scientist directly to discuss the case situation.

F. Appropriate known reference standards should be submitted with the evidence. A delay in the submission of reference standards may lead to a significant delay in testing. Some cases will not proceed to DNA testing without submission or reference standards. Known reference standards may be two (2) oral swabs, a purple top blood tube, or a blood card.

G. If probative information is obtained from the initial submissions, no further submission will be accepted without approval of the Biology Casework Supervisor and/or the DNA Technical Leader. After completing initial testing, if additional analysis is requested, the case scientist will consult with the Biology Casework Supervisor and/or the DNA Technical Leader to evaluate the request. The investigator will be contacted thereafter to discuss a possible second submission.

11.6 Second Submissions (Consultation is required)

A. Homicide, etc.

Generally, an additional ten (10) probative items

B. Sexual crimes

Generally, an additional three (3) probative items

C. All Other Crimes Against Persons

Generally, an additional three (3) probative items

D. Property Crimes

Generally, an additional two (2) probative items

If no probative information is obtained from the first or second submissions, a conference including the scientist, investigator, prosecutor, and Biology Casework Supervisor and /or DNA Technical Leader will be necessary before any further submissions of evidence.

11.7 Reference Standards (Known samples)

- A reference standard is a “known sample” collected from a specific individual, typically the victim or suspect. Names and other information provided need to be accurate and precise (i.e. spelling, date of birth).
- A reference standard (known sample) can be a liquid blood sample collected in a purple top tube or oral (buccal) swabs.
- Reference standards from known suspects must be submitted if available. The name of the individual must be on the outer packaging and on the submission form.
- An elimination standard is a reference standard from an individual who is not related to the crime but has access to the crime scene (e.g. consensual sexual partners, car/home owners). Elimination standards are typically used to determine the CODIS eligibility of a DNA profile.
- Convicted offender/arrestee standards submitted for CODIS entry have no chain of custody; these standards **CANNOT BE USED** in casework comparison. Separate reference standards from suspects and/or victims must be submitted for direct comparison to evidence profiles.

11.8 Touch Evidence

- Touch evidence is defined as evidence which has no visible staining and could contain DNA that only results from touching an item with the skin.
- Touch evidence may be accepted for possible STR DNA analysis when there is a high degree of likelihood that the evidence submitted will provide probative results or investigative leads. A high degree of likelihood may be established by means of witness corroboration, visual monitoring systems or sound deductive reasoning.
 - Touch evidence **DOES NOT** include cigarette butts, swabs from cans, bottles, straws or other items in which the substance being tested is most likely saliva.
 - Touch evidence **DOES NOT** include items submitted for wearer testing such as shirts, coats, hats, etc. where there is a probability of prolonged contact.
- DNA analysis of touch DNA evidence will be limited to items that are foreign to the crime scene, i.e. presumably left behind by the perpetrator.
 - Items originally present at the scene that may have been handled by the suspect, but not left by the suspect, will typically not be examined (e.g. an item owned by the victim possibly moved by the suspect)
- Swabs of surfaces or items of evidence which are routinely touched/handled by multiple individuals will not be processed for DNA.
- Steering wheel and gearshift swabs may be processed from stolen vehicles when foreign items are not present/available.

- Touch evidence collected from public places **WILL NOT** be accepted (e.g. swabs from door handles, counter tops, etc.).
- Touch evidence from drug baggies **WILL NOT** be accepted.
- Elimination DNA standards should be submitted with touch evidence where appropriate
- Permission to submit touch DNA evidence not typically accepted requires permission from the Biology Casework Supervisor prior to acceptance.

11.9 Weapon Offenses

- Touch evidence from guns recovered in “felon in possession” cases require a known reference standard from the suspect(s) to be included at the initial evidence submission. DNA profiles obtained from felon in possession cases cannot be entered into CODIS so the laboratory must have the reference standards before laboratory analysis can be conducted.

12 Notice to KBI Forensic Science Laboratory Customers

ISO/IEC 17025:2017 International accreditation standards and ANAB Accreditation Requirements require the laboratory to notify customers (law enforcement, attorneys, court personnel, etc.) of certain laboratory policies and procedures. This notice will serve as a general notification to customers for the following areas:

12.1 Review of Requests for Analysis

Each request for forensic science analysis is reviewed by laboratory personnel. The laboratory will review each request to ensure that the customer's needs are understood and that the laboratory can meet those needs. Once the laboratory accepts a request for analysis, the accepted request is considered a contract between the customer and the laboratory.

12.2 Changes to Contracts

The laboratory may select the item(s) most appropriate for analysis and/or elect to not analyze all items submitted based on the needs and circumstances of the case. The laboratory does not consider this a change to the contract, and this may be done without additional notice to the customer.

The laboratory strives to provide the highest quality and most valuable forensic analysis possible. For those reasons, if analysts conducting testing identify alternate and/or additional testing that may prove beneficial to our customers, the laboratory may notify the customer. This notification will always be done if the proposed analysis will require consumption of the evidence and/or limit future examinations.

12.3 Subcontracting Analysis

In limited circumstances, if the laboratory cannot provide the requested or necessary testing, a subcontracted facility may be used. The customer will receive notification by the laboratory prior to releasing any items to a subcontractor.

12.4 Selection of Methods

The laboratory utilizes analytical methods that are generally accepted in the forensic science community and that have been validated by laboratory personnel and documented in written procedures. The laboratory will determine the most appropriate method(s) for analysis based on information and input provided by the customer.

12.5 Deviations from Analytical Procedures

The laboratory maintains a policy to allow for suggesting, evaluating, approving, and documenting deviation to policy and procedure, when necessary. These deviations are not routinely communicated on a case by case basis, but are documented according to laboratory policy and will be discussed with customers upon request.

12.6 Dissemination of Analytical Results

Confidentiality of customer information is extremely important to the laboratory. Unless otherwise directed by our customers, on a case specific basis, the policy of the laboratory will be that members of the customer's agency, members of other agencies

that are part of a multi-agency investigation and the staff of the local prosecutor's office(s) will be considered to be the authorized recipients of information provided to, or generated by, the laboratory for the case.

The analytical methods used, date of receipt, date(s) of testing, and the condition of items tested may or may not be listed in the examination report. In any case in which a report does not include this information the laboratory will provide the information upon request.

12.7 Disposition of Evidence

Evidence accepted by the laboratory shall be returned to the customer upon the completion of examinations or when it is determined there are no applicable examinations. If the circumstance or nature of evidence precludes any evidence item(s) from being returned, the customer shall be notified of the disposition of the evidence item(s).

12.8 Customer Acceptance of Terms

By submitting evidence to the KBI Forensic Science Laboratory the customer agrees to accept these terms.



Kansas Bureau of Investigation

Kirk D. Thompson

Derek Schmidt

Director

Attorney General

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