



INDIANAPOLIS-MARION COUNTY FORENSIC SERVICES AGENCY

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EVIDENCE SUBMISSION GUIDELINE #3

DRUGS / CONTROLLED SUBSTANCES

INTRODUCTION

The Drug Analysis Section of the I-MCFSA analyzes substances collected by law enforcement agencies suspected of containing an illegal or controlled substance as defined by the Controlled Substances Law listed in the Indiana Revised Statutes. Submissions for analysis should be **limited to those items that are part of a criminal investigation and are necessary for prosecution.**

A. REQUESTS FOR ANALYSIS:

1. All requests for **drug analysis (items not routinely tested, i.e. paraphernalia), latent print processing, or DNA processing** should be completed through either the intranet Online Request Card Submission function, or by a physical I-MCFSA request card available at the IMPD property room. **The request MUST be submitted at the time of evidence submission.**
2. **PRINTS:** If an item is to be submitted for both drug and fingerprint analysis, handle the evidence as little as possible. The outer plastic bag or box must be marked in order to identify the need for print processing.
3. **DNA:** If an item is to be submitted for both drug and DNA analysis, handle the evidence as little as possible and use protective equipment to minimize contact with the item. Package and protect the evidence from contact with surfaces that other individuals contact. It is recommended that the suspect and evidence do not travel in the same vehicle. The outer plastic bag or box must be marked in order to identify the need for DNA processing.

Items qualify for Touch DNA only if necessary for prosecution and if the following offense and item types are both met. Exceptions must be approved by the Director.

Offense:

- a. Violent crimes against persons
- b. Residential burglaries
- c. Felony firearms offenses

Item(s):

Evidence items having rough/textured surfaces are mostly likely to retain DNA. Examples of drug items that may qualify: plastic ziploc bags (textured interior surfaces of opening), metal pipes (textured threaded areas), containers with textured exterior surfaces.

Touch DNA samples will not be collected from items with only smooth surfaces, such as plastic bags, smooth metal, paper, or cardboard. Also, any evidence that has not been properly preserved for touch DNA sampling will not be processed. Improperly preserved evidence includes those received unpackaged, in unsealed containers, or which show signs of prior latent print processing in the field. Exceptions must be approved by the Director.

Forensic Service Built On A Foundation Of Quality, Integrity, Accountability, And Ethics.

B. PACKAGING:

1. Evidence should be packaged in suitable containers such as plastic bags and/or cardboard boxes, and bear the following information at a minimum:
 - a. Submitting agency
 - b. Case number
 - c. Item number
2. **All evidence must be submitted in a properly sealed, tamper evident, condition.** A proper seal for a plastic evidence bag is a heat seal and/or tape seal across the entire opening of the bag. A proper seal for a box, paper bag, tub, or other large container includes tamper evident tape across the opening(s) (in addition to other tape if necessary for strength). Both the top and bottom of boxes should be sealed in this manner. **All seals must bear the signature, initials, or other identifier of the submitting individual, as well as the date of sealing, over the seal itself.**
3. Marijuana must be dried before placing in suitable containers for storage and submission to the laboratory. The I-MCFSA Laboratory does not have a facility to dry large amounts of marijuana, thus samples will be returned in the same condition that they were submitted. Plastic bags encourage the formation of mold, or in many cases, cause decomposition in articles such as marijuana, peyote plants, or wet materials. Water should be removed from water pipes.
4. **All syringes and other sharps (knives, glass, etc.) must be separated from other evidence to be tested, properly packaged in a rigid sharps container (capped plastic tube or equivalent), and labeled as hazardous sharps.** Larger items should be packaged in puncture resistant containers.
5. **Powdered Drug Evidence should be placed into an inner sealed bag prior to being placed into a larger tamper proof evidence bag. Improperly packaged loose powders present a health risk to laboratory personnel and may be returned untested.**
6. **All evidence should be packaged separately to prevent cross contamination.** When the substance to be tested is in contact with, or may have been in contact with the surface of a separate suspected drug item/substance, the evidence is generally considered cross contaminated. **Items from different locations and different defendants should be separated into different packaging.**
7. Evidence containing liquids shall be packaged to minimize the risk of breakage and leakage.

C. EVIDENCE SCREENING

Forensic scientists in the I-MCFSA Drug Chemistry Unit, when possible, will conduct preliminary testing and report the findings to the Marion County Prosecutor's Screening Office.

In order to better serve the agencies that submit drug evidence to this laboratory, the I-MCFSA has created the following policy for submitting drug evidence.

1. **Items that are deemed to be cross contaminated, or potentially cross contaminated, may not be analyzed by the laboratory.**
2. **Paraphernalia items (syringes, spoons, pipes, roaches, etc.) should not be submitted for testing by the I-MCFSA, and will be analyzed only upon request from the Prosecutor's Office.**

Requests for paraphernalia should be made only when:

 - a. the ONLY item(s) in the case is/are paraphernalia
 - b. special circumstances with "dealing" cases – limit of one paraphernalia item per defendant will be tested

3. Marked tablets and capsules consistent with containing only non-controlled drugs (e.g. over-the-counter or prescription preparations) will not be analyzed. Exceptions would include when charges will be filed for legend drugs, precursors, dealing in look-a-like substances, dealing in counterfeit substances or dealing in a substance represented to be a controlled substance. Resources are available to search for preliminary pharmaceutical information based on tablet and capsule markings, color, and shape.
4. Items consisting of marked tablets or capsules in a prescription bottle labeled with the correct drug and defendant's name will not be tested. Exceptions would include: prescription fraud cases, prescription tampering cases, tampering cases, death investigations and OWI offenses.
5. Where an item consists of a large quantity of material, (e.g. over fifty pounds of marijuana) it is recommended that random samples are withdrawn and submitted to the laboratory. Sample size submitted should exceed the maximum charging weight.
6. Where the evidence consists of large quantities of marijuana plants, the plants should be processed according to the I-MCFSA procedure published by IMPD and available at the IMPD property room counter for reading.
7. The chemist assigned to a case will generally test the smallest number of units needed to satisfy the highest possible level of statutory charges. Requests for analysis from the detective or the prosecutor assigned to a case that require more units to be analyzed when it has been determined that the weight of these additional units would not exceed statutory weight values must be made in writing to the Director of the Indianapolis-Marion County Forensic Services Agency for approval.
8. **Cases with a large number of items shall be limited to 5 items submitted for testing.** Exceptions for additional items for testing may be made if they are needed for sentencing guidelines for weight or multiple defendants.
9. **Found items or other cases without a known suspect should not be submitted for analysis.**
10. **Quantitative analysis (% purity) is a specialized testing provided for selected drugs only. All quantitation requests must be justified in writing to the I-MCFSA Director before the quantitation request will be approved.**

D. RE-EXAMINATION

The I-MCFSA Laboratory does not routinely examine materials which have been previously examined. Re- examination requests must be made in writing by the prosecuting attorney having jurisdiction in the case to the I-MCFSA Director. The request is evaluated by the I-MCFSA Director.

E. EVIDENCE DESTRUCTION

The policy of the Indianapolis-Marion County Forensic Services Agency is that all drug evidence will be returned to the submitting agency for disposition. Controlled substances submitted for analysis will be retained by the laboratory during analysis only. When the analysis is complete, the evidence will be returned to the submitting agency as soon as possible. For further information on handling of controlled substances contact the I-MCFSA Chemistry Unit at (317) 327-3670.

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