

# FORENSIC BIOLOGY EVIDENCE AND CASE MANAGEMENT MANUAL

<b>Case Acceptance and Evidence Sign-in</b>		
Status: Published		Document ID: 997
<b>DATE EFFECTIVE</b> 01/03/2017	<b>APPROVED BY</b> Quality Assurance Manager	<b>PAGE</b> 1 OF 6

## Case Acceptance and Evidence Sign-in

### GUIDING PRINCIPLES AND SCOPE

The Department of Forensic Biology receives evidence primarily from New York City law enforcement agencies for DNA testing. On occasion the Department will accept cases from other agencies; however, these agencies must have prior authorization to submit evidence. Evidence submitted for DNA analysis, regardless from which agency it is submitted, must be vetted by the Sign-In Team or a supervisor.

The primary responsibility of the Sign-In Team is to triage any evidence submitted for DNA analysis before it can be examined. The two main purposes are to determine the probative value of the evidence and, once that has been established, to assign the evidence to a Forensic Biology case. The procedures below describe the evidence sign-in process.

### PROCEDURE

**Email Accounts.** The DNA Sign-In email account (DNASignIn@ocme.nyc.gov) is used by the Sign-In Team for case-related communications such as requests for exemplars, clarification of discrepancies in submitted paperwork and customer requests for expedited testing, and any other case-related inquiries. The Sign-In Team monitors this account throughout the day and updates the cases and the communication log as necessary.

#### A. Evidence Sign-in Process

Evidence is evaluated for acceptance using the following general guidelines. Not all steps are completed for all cases. For example, Step 3 (checking DEMP) is not applicable for cases from jurisdictions outside of New York City. At any point, if additional information is required before accepting the evidence, the appropriate agency is contacted to obtain the information needed.

#### Types of cases accepted by the Department of Forensic Biology

Case Type	Associated Samples	Case Designation
Homicide	- Evidence - Elimination exemplars*	FBYY- #####
Sexual Assault	- Evidence - Elimination exemplars*	FBYY- #####

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DATE EFFECTIVE 01/03/2017	APPROVED BY Quality Assurance Manager	PAGE 2 OF 6

Case Type	Associated Samples	Case Designation
Suspect	- Pseudo-exemplars (such as bottles, cups, cigarettes) - Exemplars (oral swab, blood)	FBYY-S####
Property Crimes	- Evidence - Elimination exemplars*	FBYY- #####
Weapons (CPW, Found Firearm)	- Evidence - Exemplars	FBYY- #####
Assault	- Evidence - Exemplars	FBYY- #####
Forensic Paternity	- Product of conception - Exemplars	FBYY- #####
Unidentified Human Remains (“Missing Persons”)	- Post-mortem samples - Kinship exemplars - Pseudoexemplars (razors, toothbrushes, underwear, etc.)	FBYY- #####
Mass Disaster	- Post-mortem samples - Kinship exemplars - Pseudoexemplars (razors, toothbrushes, underwear, etc.)	D@YY-##### (where @ = One-letter borough designation)
Mitochondrial DNA Testing (mtDNA)	- Evidence - Exemplars	FBYY-#####
Outsourced	- Evidence - Exemplars	Assigned by contract lab
Proficiency	- Evidence - Exemplars	Designated by vendor

\* A biological sample from a known individual (commonly a consensual partner, homeowner, or employee of a business), other than the alleged perpetrator or victim, which is analyzed for purposes of identifying those portions of a forensic DNA profile attributable to the alleged perpetrator.

1. The Forensic Biology Sign-In Team and/or a supervisor evaluate the submitted case information for each item of evidence. During the evaluation process, the communication log and case notations may be created and additional documents may be considered (e-mailed pdf forms from DAOs, NYPD, etc.)
  - a. Review the case details to determine if enough information is available to accept the case.

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Status:Published		Document ID: 997
DATE EFFECTIVE 01/03/2017	APPROVED BY Quality Assurance Manager	PAGE 3 OF 6

2. Check the Forensic Biology case databases (FBDMS and LIMS) to determine if the evidence is from a new incident or is additional evidence for an existing Forensic Biology case.
  - a. If the evidence submitted is additional evidence connected to a sexual assault kit, it should be noted as such and the additional evidence will remain in a pending status until a Criminalist IV supervisor evaluates the evidence for acceptance.
3. Check the DNA Evidence Management Program (DEMP) to determine if there is any related evidence or a case conferral.
4. Make case conferrals, if necessary, and create or update the communication log.
  - a. If a request or communication comes into the lab prior to the evidence, a communication log can be started within the LIMS and attached to the applicable case record after the evidence is accepted in Forensic Biology.
  - b. If the case will be deferred, proceed with the Deferral Procedures outlined in Section
5. New cases are automatically assigned the next available Forensic Biology number by the LIMS. Each incident gets a unique Forensic Biology (FB) number, which usually means one case record per victim. However, some types of cases with multiple victims, e.g., homicide/suicide, double homicide, assaults/sexual assaults with more than one victim, or mass disasters; are counted as one incident, and therefore would be a single case. *Serial or pattern crimes* (more than one homicide, sexual assault, or assault but over a period of time) have individual cases per victim. All evidence associated with each incident will use the same FB number.

If the evidence is from a case that was started prior to the LIMS, the original FB number can be entered manually in the LIMS.

- a. The format of the case number varies by case type. The case number formats for new Forensic Biology cases are:

Criminal cases:	FBXX-YYYYY
Missing Persons cases:	FBXX-YYYYY
Suspect cases:	FBSXX-YYYYY
Proficiency Tests:	FBPTXX-YYYYY
Random Reanalysis (STRs):	FBRAXX-YYYYY
Training cases:	FBTRXX-YYYYY

XX = last two digits of the calendar year

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Case Acceptance and Evidence Sign-in		
Status:Published		Document ID: 997
DATE EFFECTIVE 01/03/2017	APPROVED BY Quality Assurance Manager	PAGE 4 OF 6

YYYYY = a 5-digit number corresponding to the order in which the case was received during the calendar year

For example, the 10<sup>th</sup> case accepted in calendar year 2013 that is categorized as either Criminal or Missing Person would be assigned case number FB13-00010.

- b. Forensic Biology also has “case” designators for the following miscellaneous testing activities: QC Box, Reagent, Research, SRM, WTC-Disaster Manhattan, and WTC-Reported Missing.
6. Complete the Scheduled Analysis in LIMS.

Depending on the case, it may be necessary for other types of examinations to be done before or after the Department of Forensic Biology examines an item. Fingerprint processing, gunshot residue, hair and fiber examinations, etc., may be equally or more important than the presence of biological fluids.

- a. The scheduled analysis can range from determining only the presence of semen, saliva, or blood on an item to DNA analysis of stained or touched items for comparison with victims, elimination samples, and/or suspects. The decision of what analyses are to be performed is made by a member of the Sign-In Team or a supervisor after evaluation of the evidence through review of the NYPD paperwork (vouchers, requests for laboratory examinations, and NYPD reports), discussions with the NYPD, and/or discussions with assistant district attorneys. The scheduled analysis can change if prioritized items are negative and additional evidence must be examined, or if additional evidence is accepted by the laboratory.
- b. For post-mortem items submitted by the OCME medical examiners, the decision of what analyses are to be performed is generally made by a supervisor after evaluation of the items through review of the OCME paperwork and/or discussions with the medical examiner. For post-mortem sexual assault kits (or swabs submitted separately), serology testing and DNA testing is not done automatically (with the exception of homicide cases). Instead, the medical examiner responsible for the autopsy is notified and asked to reply if testing is needed. For most such items, the Department of Forensic Biology will assign a case number and store the items without scheduling testing. The Scheduled Analysis can change if the medical examiner, NYPD and/or assistant district attorneys later decide the analysis is needed.

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Status:Published		Document ID: 997
DATE EFFECTIVE 01/03/2017	APPROVED BY Quality Assurance Manager	PAGE 5 OF 6

- c. For documented instances where a decedent (ME cases) is also the named suspect in another case, a portion of the PM Bloodstain should be transferred into an S-file (analogous to suspect sexual assault kit buccal specimens) for typing, comparison and entry into LDIS as per normal procedures for suspects.
7. **Important:** Add an “RA” entry for each anticipated case report. This is equivalent to creating an “assignment” for testing. Initial information will be the functional group(s) and assignment start date. The actual RA for the assignment can be selected later.
8. Enter case information into the Forensic Biology LIMS case record.
  - a. For Missing Persons/Unidentified Human Remains cases submitted from jurisdictions outside of New York City, enter “NYS Grant case” into the Notes field in the case record.
9. Once the sign-in process is complete, the case may require a supervisor review. If a review is not required, it is submitted directly for evidence exam. If a review is required, a supervisor shall review the submission and the schedule of analysis, and either accepts it or rejects it back to sign-in for correction. Most property crimes, weapons cases, and suspect files may not require sign-in review.

**Note:** Any “High Priority” designation must be first approved by a Forensic Biology Manager or the Forensic Biology Customer Liaison. Stranger cases (i.e., no suspect cases) must be visibly indicated for proper processing.
10. Once the sign-in process has been completed, the EU will be notified through the LIMS that the evidence is ready for examination and that they should move it up to the 5<sup>th</sup> floor for analysis.

## B. Additional Evidence for Previously Submitted Cases

1. For pre-LIMS cases, Request the case file from Records. For post-LIMS cases all case information can be accessed from the LIMS.
2. Determine if the additional evidence requires testing. Proceed with evidence sign-in or evidence deferral.

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Case Acceptance and Evidence Sign-in		
Status:Published		Document ID: 997
DATE EFFECTIVE 01/03/2017	APPROVED BY Quality Assurance Manager	PAGE 6 OF 6

## C. Evidence Deferral

At any point of the case acceptance evaluation process the following steps must be followed to defer any evidence from testing:

1. Deferral notifications are generated and distributed to the LU and DAO.
  - a. Notifications are completed by a member of the Sign-In team or a Forensic Biology supervisor or manager.
  - b. The LIMS has functionality for generating and distributing the notifications.

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