



JEFFERSON COUNTY

Regional Crime Laboratory

CASE SUBMISSION GUIDELINES – JCRCL FORENSIC BIOLOGY SECTION

The Forensic Biology Section of the JCRCL will limit the type of cases analyzed for DNA and will limit the number of items that can be submitted for a case based on the type of offense committed. These case submission guidelines were established to maximize analytical results by focusing on evidence with the most probative value that will answer the relevant investigative questions in the case. Items that best answer the investigative questions include but are not limited to:

- Items that make an association between the victim(s) and suspect(s)
- Items that make an association between the suspect(s) and the crime scene
- Representative samples

The JCRCL recognizes that each case is unique and that in some circumstances there may be a need to analyze evidence that falls outside of these stated guidelines. Requests that fall outside of these guidelines need documented approval from Lab Management Staff prior to their submission for analysis.

These case submission guidelines are for items requiring DNA analysis and are not intended to replace the practice of proper crime scene collection of evidence. Many of the guidelines have been created to ensure appropriate DNA profiles are entered into the CODIS database and that the JCRCL is following all state and federal guidelines regarding CODIS eligibility.

Evidence Not Accepted for DNA Analysis

Not all cases or types of evidence are conducive for DNA analysis. The following is a list of cases or types of evidence that typically will not be analyzed for DNA:

- Misdemeanor cases
- Drug possession cases
- Fired cartridges or swabs from fired cartridges
- Items obtained from the suspect's possession will not be analyzed for the presence of the suspect's DNA (e.g., possession of weapon cases in which the gun was found directly on the suspect)
- Substrate or water controls
- Swabs from public accessible areas without suspect reference standards
- Sexual assault kits from a victim who **does not** consent to the analysis of the kit

Supplemental Information

The majority of the cases submitted to the Forensic Biology Section of the JCRCL require a JCRCL Case Submission Supplemental Information form (LAB243) to accompany the laboratory request. The relevant case information should be provided in the appropriate fields on the form, including a brief description of the event, notification of any communication with the laboratory, the pertinent locations of stolen vehicles, and the names of individuals associated with the case along with the status of buccal swabs.

Crimes Against Persons (i.e. homicides, sexual assault, kidnappings, or assaults)

Due to the complexity of most of these cases, a meeting with a DNA analyst from the Forensic Biology section is highly recommended prior to submitting evidence. The primary investigator and/or District Attorney assigned to the case will present the case specifics, and the items submitted for DNA analysis will then be determined. For cases that involve multiple sections of the JCRCL, consultation with staff members from all affected sections should take place prior to any laboratory analysis. In some instances, several rounds of testing may be necessary to answer the investigative questions of the case; analysis on additional items will not be performed to merely disprove all possible scenarios in a case.

Considerations for evidence submission:

- For most cases, submit the entire item of evidence for analysis rather than a swabbing or cutting of the item.
- Submit all appropriate reference standards (i.e. buccal swabs or blood standards from the morgue) from all named suspects, victims, and necessary elimination standards (e.g., consensual partners) with the crime scene evidence. *DNA analysis may be delayed or the case may be returned to the submitting agency if the necessary reference standards are not submitted.*
- For sexual assault cases, submit the sexual assault kit first. Other items may be analyzed at a later date or in addition to the sexual assault kit based on case specifics and/or analyst discretion.
- Effective March 1, 2014 all sexual assault kits must be submitted to a forensic laboratory within 21 days of receipt from a medical facility, in accordance with CRS 24-33.5-113. Exceptions to these rules are as follows:
 1. the victim does not consent to the submission of the SA kit
 2. the law enforcement agency is able to provide corroborated evidence of a false report before the required submission to a forensic laboratory.

Property Crimes

- All items submitted must be directly related to the crime. The Supplemental Information form should be clear in establishing the items' relationship to the crime scene. *Analysis may be delayed or items may be returned to the submitting agency if the Supplemental Information form does not contain the proper information.*
- For most cases, submit swabs from an item rather than the item (e.g., swabs from the beer can not the beer can). Exception: items that require analysis by multiple sections of the JCRCL
- Only 2 evidence items may be submitted for analysis; reference standards do not count in the 2 item limit. If more than 2 items are submitted, it will be analyst discretion to choose the best 2 items for analysis. More than 2 items may be accepted if the circumstances dictate the need for additional analysis (e.g., multiple perpetrators or multiple scenes).
- Items to submit, in order of preference, are as follows:
 - body fluid samples left by the perpetrator followed by,
 - items left at the crime scene by the perpetrator followed by.
 - trace/touch DNA samples from items the perpetrator touched/handled.
- Touch/trace DNA swabs from a crime scene may be accepted only if there is a listed suspect and reference standards from that suspect are submitted with the evidence items.
- Motor Vehicle Theft (MVT) Cases:
 - Only MVT cases with a nexus to Jefferson County will be processed. Evidence for all other MVT cases should be submitted to the agency in the jurisdiction where the crime was committed.
 - The submitting agency must provide the address (including county) for the locations from which the vehicle was stolen *and* recovered. If the vehicle was stolen outside Jefferson County, the submitting agency should provide information as to the investigative connection to Jefferson County.
 - Swabs from steering wheels and gear shifts will be analyzed if they meet the following:

- For cases without a listed suspect(s), elimination reference standards from the driver(s)/owner of the vehicle must be submitted with the evidence items; items will not be analyzed and will be returned to the submitting agency if the elimination reference standards are not submitted with the evidence items.
 - For cases with a listed suspect, reference swabs from the suspect are required prior to analysis. If the reference swabs cannot be obtained, the reason should be stated in the cover letter.
- If items from a property case are submitted for latent print and DNA analysis and a fingerprint identification is made to someone other than the listed victim, the JCRCL will require that the submitting agency determine the outcome of that fingerprint lead before the DNA evidence is examined.