

	Charlotte-Mecklenburg Police Department		SOP
	Standard Operating Procedure	Crime Lab Priority SOP	
		Effective Date: 7/6/2021	1 of 6

I. PURPOSE

To establish the process and criteria for requesting expedited forensic analysis by the Crime Laboratory.

II. POLICY

The Charlotte-Mecklenburg Police Department (CMPD) Crime Lab is responsible for providing timely and accurate scientific analysis of evidentiary material based upon the needs of its customers, which include: CMPD, local law enforcement partner agencies and the criminal justice community.

III. DEFINITIONS

- A. Buccal Swab: Known cheek scraping collected from an individual relevant to the case submitted as either a suspect standard or for elimination purposes.
- B. Combined DNA Index System (CODIS): FBI managed database of DNA profiles including casework and convicted offender samples.
- C. Elimination Standard: Known DNA sample from an individual other than the suspect that could potentially be linked to a crime scene or evidence item.
- D. Touch DNA (or Contact DNA): Evidence that has no identifiable body fluid and could contain DNA only as a result of touching an item with the skin.
- E. Integrated Ballistic Identification System (IBIS): Computerized system for acquiring and storing the images of questioned (evidence) cartridge cases and known cartridge cases (test fired in known firearms).
- F. National Integrated Ballistic Information System (NIBIN): National database of digital images of fired cartridge cases managed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

IV. PROCEDURE

A. General

1. Many factors are considered when establishing the order in which evidence is tested by the Crime Lab. These factors include the type of offense, the type of evidence involved, the type of analysis being requested, the circumstances of the investigation and the overall impact to the community.
2. Routine casework within the Crime Lab will be prioritized based on the investigative needs of the department, the needs of the court system and the Crime Lab's ability to complete the testing.

Requests for testing in homicides, sexual assaults and crimes against persons (robbery, assault, etc.) will take precedence over burglary and property crimes cases with respect to lab testing.

	Charlotte-Mecklenburg Police Department		SOP
	Standard Operating Procedure	Crime Lab Priority SOP	
		Effective Date: 7/6/2021	2 of 6

4. Evidence in non-violent crimes will be tested based on the current caseload and the resources available within each section of the Crime Lab.

B. Requests for Expedited Testing

1. In certain circumstances, the examination of evidence may need to be expedited (e.g., public safety concerns, an ongoing investigation where a suspect may be at large or an upcoming trial involving the evidence that has already been scheduled). Examples of cases that may be prioritized by the Crime Lab include:
 - a. Immediate public safety concerns/threats to the community;
 - b. High profile violent crimes;
 - c. Officer involved cases with injury/death;
 - d. Open homicides – no known suspects or cases involving multiple victims;
 - e. Priority and/or habitual offenders;
 - f. Sexual assaults involving minor, elderly, disabled or incapacitated victims;
 - g. Scheduled trials for cases with evidence pending analysis;
2. In areas of the Crime Lab where a backlog exists, open investigations where public safety is a concern and cases with the earliest trial date will be processed first.
3. All requests for expedited testing should be made in writing by e-mail to the Crime Lab Director with the approval of the division Captain (or designee). Requests for expedited analysis should be evaluated by the submitting officer's chain of command for relevancy to the investigation (e.g. the likelihood to provide probative information or generate an investigative lead) and the overall need to prioritize.

C. Requests for Priority DNA Testing

1. Requests for priority DNA testing will be accepted in active, open violent crimes investigations with the review and approval of the submitting officer's division Captain (or designee).
2. Approval by the officer's chain of command should be forwarded to the Lab Director with justification for the priority request.

D. Sexual Assault Cases

1. The first submission in sexual assault cases will be limited to the sexual assault evidence collection kit and any associated known standards, if applicable.
2. If the kit produces a DNA profile foreign to the victim, no additional items will be accepted for DNA testing unless case circumstances (such as multiple suspects

	Charlotte-Mecklenburg Police Department		SOP
	Standard Operating Procedure	Crime Lab Priority SOP	
		Effective Date: 7/6/2021	3 of 6

or the DNA detected is attributable to a consensual partner) dictate the need for additional processing.

3. If the kit is negative, additional items such as clothing or bedding may be submitted in a separate request.
4. Depending on case circumstances, additional evidence items may be submitted as part of the initial request after consultation with the Biology Section staff.

E. Touch DNA (or Contact DNA)

1. Touch DNA evidence will be processed only in violent crime cases. Exceptions may be made with prior approval for cases of significant interest to the department and cases that are part of a series or suspected of being related (same suspect(s), modus operandi (M.O.), date/time, location or other factors). Evidence other than touch items will be considered for testing prior to accepting touch DNA samples if available.
2. Touch evidence in violent crimes will be considered after consultation with the detective assigned to the case.
3. Elimination standards from all victims and individuals with access to the area that the touch DNA sample was taken must be submitted prior to touch evidence being tested for DNA.
4. Swabs from public areas or areas where all known individuals with access to that area cannot be eliminated will not be tested for touch DNA due to the high likelihood of mixtures with limited or no identification value.
5. Evidence previously processed by another section of the Crime Lab cannot be tested for touch DNA.

F. DNA Testing in Firearms Related Cases

1. Requests for DNA testing in non-violent firearms related cases will be reviewed by the Firearms Enforcement Unit. Requests in cases where possession of the firearm is in question will be placed in a hold status until the Crime Lab is notified by the supervisor of the Firearms Enforcement Unit to proceed with DNA testing. The Firearms Enforcement Unit will evaluate factors such as the involvement of prolific offenders, criminal history and the likelihood of prosecution when determining which cases will go forward with DNA testing.
2. The gun and magazine are the only items that will be processed in possession cases. Ammunition will not be tested for DNA in non-violent crimes since possession of live ammunition alone will not result in criminal charges.
3. Items taken from an individual will not be processed when possession of the item is not in question or possession can be established by other means such as eyewitness account or video.

	Charlotte-Mecklenburg Police Department		SOP
	Standard Operating Procedure	Crime Lab Priority SOP	
		Effective Date: 7/6/2021	4 of 6

G. DNA Testing of Fired Evidence

1. Fired evidence will not be processed for DNA, except in homicides when there is no other evidence to identify a suspect or link an individual to the scene.
2. Fired evidence will not be tested unless the request is reviewed and approved by the investigating unit's chain of command.
3. The requesting detective must meet with a representative of the Crime Lab before fired evidence will be accepted for DNA testing.

H. Combined DNA Index System (CODIS) Submissions

1. Unknown DNA profiles developed as a result of DNA testing must meet the following criteria in order to be entered into CODIS:
 - a. The profile must originate from and/or be associated with a crime scene;
 - b. There must be a direct link between the evidence being tested and a suspect.
2. The following are not eligible for CODIS entry:
 - a. Victim profiles;
 - b. Profiles from individuals expected to be linked to a scene or item (ex. homeowners, family members, items removed from a person);
 - c. Items retrieved from a person or a person's property when the intent is to link that person to the item;
 - d. Possession of Firearm by Felon cases. DNA profiles from possession cases can be compared to known standards but cannot be submitted to CODIS.
3. The submitting officer must provide sufficient information regarding the origin of the evidence items for the lab to make a determination regarding CODIS eligibility using the criteria above.
4. CODIS eligibility of potential DNA samples will be taken into account when evaluating whether or not a request will be accepted for DNA testing, especially in cases where no suspect has been identified or when DNA testing (and the resulting CODIS entry) is intended to provide an investigative lead.
5. If a CODIS match is made, the Crime Lab will request a known standard from that individual for comparison to the evidentiary DNA profiles. This allows the Crime Lab to directly compare the individuals known profile to the profile from the evidence item. The CMPD Crime Lab does not have access or chain of custody rights to any DNA profiles that were generated by the North Carolina State Crime Lab.

	Charlotte-Mecklenburg Police Department		SOP
	Standard Operating Procedure	Crime Lab Priority SOP	
		Effective Date: 7/6/2021	5 of 6

- I. Firearms and Discharged Cartridge Cases for Integrated Ballistic Identification System/National Integrated Ballistic Information System (IBIS/NIBIN) entry
 1. Semiautomatic firearms of applicable caliber will automatically be test fired and a test standard entered into the IBIS/NIBIN database. An IBIS/NIBIN Entry Notification Form will be attached to the Case Information tab in PLIMS. A service request is not required for test firing and IBIS/NIBIN entry with the exception of homicide, death investigation, life threatening, and OIS cases.
 2. Discharged Cartridge Cases (DCC) of applicable caliber submitted as evidence in shooting incidents (e.g. SIOD, DTP, ADW) with the exception of homicide, death investigation, life threatening, and OIS cases will automatically be screened by the firearm section. Suitable representative sample(s) will be entered into the IBIS/NIBIN database. A Screening Notification Form and an IBIS/NIBIN Entry Notification Form will be attached to the Case Information tab in PLIMS. A service request is not required for DCC screening.
 3. The IBIS/NIBIN database search will consist of the ATF designated region that includes North Carolina, South Carolina, Georgia and Virginia unless otherwise noted.
 4. Information regarding associations between cases as a result of the above test firing and screening processes will be disseminated via an IBIS/NIBIN Lead Notification.
 5. All other examinations done by the firearm section including, but not limited to homicide cases and other exceptions noted above, examination of projectiles, serial number restorations, and microscopic comparisons will require a laboratory service request to be submitted through PLIMS. Requests for expedited testing should follow the procedure outlined above in Section IV B.
- J. Controlled Substance Evidence
 1. Requests for controlled substance testing (suspected drug evidence) will only be accepted from the Mecklenburg County District Attorney's Office following the papering of the case or from the United States District Attorney's Office. Exceptions will be made for suspected drug evidence from homicide and active Vice/Narcotics investigations.
 2. The highest scheduled drug analyzed will be reported unless otherwise requested. Additional items may be tested to satisfy statutory weight requirements or at the request of the DA's office. In instances where statutory requirements or state sentencing guidelines designate weight thresholds, sufficient specimens will be weighed and analyzed to exceed the threshold.
 3. Preliminary drug testing may be performed on a limited basis for active Vice/Narcotics investigations where the result is crucial to the on-going investigation or when safety is a concern. Officers should contact the Chemistry

	Charlotte-Mecklenburg Police Department		SOP
	Standard Operating Procedure	Crime Lab Priority SOP	
		Effective Date: 7/6/2021	6 of 6

Section of the Crime Lab to schedule preliminary drug testing and to coordinate the transport of the suspected drug evidence to the lab for testing.

V. REFERENCES

700-006 Laboratory Analysis of Evidence
 The DNA Identification Act of 1994 (42 U.S.C. §14132)
 National DNA Index System (NDIS) Operational Procedures
 FBI's Quality Assurance Standards for DNA Testing Laboratories
 North Carolina Controlled Substances Act, NCGS §90-86 through §90-113