



WISCONSIN STATE CRIME LABORATORY BUREAU

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WSCLB DNA Evidence Submission Guidelines

Effective 2/15/2019

The Wisconsin State Crime Laboratory Bureau (WSCLB) works to provide quality forensic results to assist agencies throughout Wisconsin. In an effort to be both as effective and efficient as possible, we have the following policies for all DNA case submissions:

PACKAGING REQUIREMENTS

Upon receipt, evidence items must be packaged to protect them from loss, cross contamination, and/or deleterious change.

- Potentially hazardous evidence must be packaged to ensure safe handling. Examples include:
 - Glass, knives, guns, etc. should be securely packaged in boxes
 - Syringes should be packaged in sharps containers.
- Evidence items should be packaged separately to avoid direct contact that could result in cross contamination. Examples include:
 - Separate each swabbing or set of swabs (one wet and one dry) taken from an item of evidence
 - Separate questioned evidence from known sources
 - Separate by evidence type.
- Biological evidence should be dried and packaged in paper to prevent deterioration of evidence. Some exceptions include condoms and products of conception, which may be packaged in a specimen jar or vial.
- DNA reference standard packages must be clearly labeled with the name of the donor.
- All evidence packages must be sealed and initialed prior to submission to the WSCLB.

LABORATORY REQUEST DETAILS

- I. Provide an Evidence Transmittal Form and a case synopsis of the case facts. The case synopsis should include:
 - How the evidence relates to the crime in question;
 - To whom the evidence belongs; and
 - Where the evidence was located/collected from.
- II. To accommodate timely results for all agencies throughout Wisconsin, WSCLB works evidence in the order of submission. Rush requests impede the process; therefore, they will be accepted on a limited basis. Consult with a WSCLB Supervisor or Forensic Case Manager with any rush request.

DNA rush requests must pertain to:

- Significant public safety concerns regarding violent crimes against a person(s);
- Unknown perpetrator; and
- Biological fluid evidence only (i.e., no touch DNA); or
- Approaching jury trial date when the trial is at least eight weeks from the date of submission to the laboratory.

EVIDENCE ITEM ACCEPTANCE

The types and number of evidence items accepted are dependent on the case type. Known DNA reference standards will not count against the number of items that may be submitted. A case scenario must be provided with the submitted evidence.

- I. Limits on the first laboratory submission:

CASE TYPE	NUMBER OF ITEMS ALLOWED	PREFERRED EVIDENCE
Homicide	10	Weapons, suspect/victim clothing, sexual assault kit (if applicable)
Other Crimes Against a Person (Robbery, Assault, etc.)	3	Suspected biological fluids, clothing or item left behind by suspect
Property Crimes	3	Suspected blood from point of entry, clothing or item left behind by suspect

If no probative association is established from the first submission, a second submission is allowed with the same limit on the number of items in the table above. If a probative association is established from the first submission then no additional evidence will be analyzed.

II. Sexual assault cases – limit in first laboratory submission:

- Medical Forensic Evidence Collection Kit (from victim and/or suspect)
- Underwear (from victim and/or suspect)
- Condom, if applicable
- If consensual sex occurred within 5 days of the exam date, please provide known reference samples from the consenting partner.

If no probative association is established from the first submission, a second submission of up to 5 items is allowed. If a probative association is established from the first submission no additional evidence will be analyzed.

III. Touched DNA evidence*:

- Will only be processed in cases that are crimes against persons; if not previously processed by another unit within the laboratory
- Items submitted for DNA analysis will not be processed for latent prints
- Must have elimination known reference standards submitted for comparison
- Will only be processed when no other probative evidence exists.

* Touched DNA evidence is defined as an evidence item that has had limited casual contact with an individual. This would primarily include objects briefly touched by an individual's hand. Items of evidence in which biological fluid may be located such as drink container openings or items that have undergone prolonged contact such as clothing are not considered touched DNA items and may be submitted for testing following the guidelines above.

IV. Possession cases (controlled substances and firearms):

- Items taken directly from a subject in a possession case will not be processed for DNA
- Will only be considered for analysis if the following conditions are met:
 - Request with an acceptable justification has been made from the District Attorney's Office to the laboratory
 - The appropriate known reference standards are submitted with the evidence
 - Drugs must be separated from packaging prior to submission to the laboratory.

Any evidence that contained fentanyl or fentanyl analogs will not be processed for DNA due to safety concerns.

The following evidence items will not be accepted for DNA analysis:

- Misdemeanor cases
- Fired cartridge casings
- Touched DNA evidence collected from the floor, countertop, doorknob/handle, etc. of a public place
- Touched DNA in a property crime that does not have a request and acceptable justification from the District Attorney's Office to the laboratory and appropriate known reference standards
- Cases with a jury trial date that is less than eight weeks from the date of submission to the laboratory.

To reduce the time it takes to obtain a laboratory report, provide known DNA reference standards at the time of the case submission. Please notify the laboratory if analysis is no longer needed. Immediately notify the laboratory of any upcoming court deadlines that will impact laboratory operations.

It is best to confer with the forensic scientists and identify which items are best suited for testing. By eliminating items that are unlikely to yield probative results, the remaining items can be tested faster and will have potentially greater evidentiary value.

Based on the circumstances of the case, the possibility of additional testing may be warranted. In such cases, the evidence items and testing requested should be discussed with the Forensic Case Manager of the WSCLB for consideration of acceptance:

Kathy Mahnke
WSCLB Forensic Case Manager
(608) 609-6125
mahnkeka@doj.state.wi.us

Any questions concerning the policy should be directed to:

Nicole Roehm, M.S.
WSCLB Director
(414) 216-8769
roehmnl@doj.state.wi.us

Thank you for your cooperation in helping the WSCLB provide consistent, quality service to agencies throughout Wisconsin. We look forward to working with you.