



WISCONSIN STATE CRIME LABORATORIES

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WSCL Controlled Substances Evidence Submission Guidelines

Effective 08/01/2022

The Wisconsin State Crime Laboratories (WSCL) works to provide quality forensic results to assist agencies throughout Wisconsin. To be both as effective and efficient as possible, we have the following guidelines in place for all controlled substances submissions.

PACKAGING REQUIREMENTS

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

- Potentially hazardous evidence must be packaged to ensure safe handling. Examples include:
 - Glass items must be packaged in boxes,
 - Syringes should be packaged in sharps containers and be clearly marked.
- Powders must be packaged such that leakage does not occur. Examples of acceptable packaging include:
 - A powder in a paper packet placed into a manila envelope,
 - A tied or sealed plastic bag placed in another plastic bag or other container.
- Items requiring latent print or DNA analysis **must** be packaged separately from drug evidence unless unreasonable to do so.
- Evidence obtained from body cavities should be separated from original packaging prior to submission.
- Do not package liquids in metal cans, pill bottles, or plastic bags. Use a container appropriate for liquids (e.g., screw-top vial or specimen jars).
- All evidence packages must be sealed and initialed prior to submission to the WSCL.

LABORATORY REQUEST DETAILS

- Provide a Transmittal of Criminal Evidence form and a case synopsis of the case facts, not police reports. The case synopsis should include enough information to answer the following:
 - CCAP number and court proceeding dates, **specifically speedy trial demands**,
 - Detailed description of items in packaging including number of inner packets/bags, weights, and suspected identity of substances,
 - Location of recovery,
 - If multiple suspects, which items are associated with each suspect,
 - If the evidence submitted for controlled substance analysis has more than one date of offense the submitting agency must prepare a separate transmittal sheet for each date of offense.
- All items should be field tested when possible (except residues). In cases where fentanyl is suspected, the WSCL has made available at all three laboratory locations a testing area which will allow submitters to conduct field testing in a safe environment. Please contact a Chemistry Supervisor or Laboratory Director for more information and/or to set up a time to conduct your testing.
- Rush requests **must** pertain to significant public safety concerns, and/or approaching jury trial date. To accommodate timely results for all agencies throughout Wisconsin, WSCL works evidence in the order of submission. Rush requests impede the process; therefore, they will be accepted on a limited basis. The WSCL does not have direct access to the District Attorney PROTECT case management system. Consult with a WSCL Chemistry Supervisor or Forensic Case Manager with any rush request.

EVIDENCE ITEM ACCEPTANCE

The types and number of evidence items accepted are dependent on the case type. For controlled substances, the WSCL has specific guidelines that can assist in ensuring safety, evidence integrity, and timeliness for forensic science testing. The laboratory will work to the highest statutory weight limit for each type of drug submitted. If the drug does not have a statutory weight limit, or the weight of the drug does not reach the lowest statutory weight, only one unit will be tested.

Submission of items of evidence shall relate to **felony** investigations (WI Statute §165.75) which includes both the felony, and the misdemeanor drug charges for that specific case. The WSCL may accept evidence related to misdemeanor charges with established jury trial dates and prior approval from a Chemistry Supervisor or Forensic Case Manager.

The WSCL requires at least one month prior to the jury trial date to allow the laboratory time to complete analysis before the court date. Additional time is necessary if a large number of items need to be tested or if multiple disciplines are requested.

Additional or resubmitted evidence should be approved by the Chemistry Supervisor or Forensic Case Manager prior to submission.

I. Requirements for specific item types:

ITEM TYPE	ACCEPTANCE CRITERIA
Plant material	<ul style="list-style-type: none"> • Please thoroughly air dry all plant material prior to packaging. The laboratory will not accept wet or moldy plant material. • Please call the laboratory with questions about submission of large marijuana grows. • Submit a sample (approximately one gram) from a large plant instead of the entire plant. Package and seal each plant sample separately. • Do not submit mushroom spores or growing media.
Powders	<ul style="list-style-type: none"> • Large amounts of powders (>100g) need approval prior to submission.
Residues/Paraphernalia	<ul style="list-style-type: none"> • If weighable material is present in other items, please do not submit paraphernalia or residues. If there is no weighable material, only one residue item per substance type will be analyzed. Do not submit items such as rolling papers, lighters or other items not suspected of containing a controlled substance. • If a residue or paraphernalia item meets the guidelines for submission, DO NOT FIELD TEST THE RESIDUE (this includes syringes). Submit to the laboratory for testing.
Pharmaceuticals	<ul style="list-style-type: none"> • Pharmaceuticals must be listed in Chapter 961 statutes. Non-controlled pharmaceuticals will not be accepted for testing.
Syringes	<ul style="list-style-type: none"> • A syringe may be submitted if it is the only item in the case, or the only item connected to a suspect.
Clandestine labs	<ul style="list-style-type: none"> • Please contact the Wisconsin Department of Justice Division of Criminal Investigation for proper collection of evidence.

II. Items to note:

- If a field test is unable to be performed and there is no investigational information provided, you must contact the lab in your service area for approval, prior to submitting the evidence to the laboratory.
- Avoid sending in items that have not been charged and/or are not vital to the investigation.

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 greater evidentiary value.

As stated above, rush cases and testing on misdemeanor cases should be discussed with a Chemistry Supervisor or Forensic Case Manager of the WSCL:

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

Any questions concerning this policy should be directed to:

Nicole Roehm, M.S.
 Administrator
 WI Division of Forensic Sciences
 (414) 216-8769
roehmnl@doj.state.wi.us

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