

# **MASSACHUSETTS STATE POLICE CRIME LABORATORY**

## **EXPEDITED ANALYSIS POLICY**

# TABLE OF CONTENTS

<b>1</b>	<b>INTRODUCTION .....</b>	<b>4</b>
<b>2</b>	<b>CASE EVALUATION .....</b>	<b>4</b>
2.1	Public Safety .....	4
2.2	Imminent Trial .....	4
2.3	Ballistics Certification .....	5
<b>3</b>	<b>REQUESTS FOR EXPEDITED ANALYSIS.....</b>	<b>5</b>
3.1	Notification .....	5
3.2	Case Information .....	6
3.3	Processing Type(s).....	6
3.4	Evidence Submission.....	6
<b>4</b>	<b>ADDITIONAL REQUIREMENTS .....</b>	<b>6</b>
4.1	Reference Samples.....	6
4.2	Exhaustive Authorization.....	6
<b>5</b>	<b>APPROVAL OF REQUESTS.....</b>	<b>7</b>
5.1	Authorization to Approve.....	7
5.2	Approval of Expedited Analysis Request.....	7

# 1 INTRODUCTION

The Massachusetts State Police Crime Laboratory (MSPCL) is committed to providing the highest quality forensic analysis in a timely manner. In order to achieve this objective, interruptions to the routine flow of casework, such as requests for expedited analysis, must be kept at a minimum.

The MSPCL recognizes that under certain circumstances it is appropriate to elevate the priority for examination and processing of items of evidence by various Units throughout the laboratory system. Expedited analysis requests, therefore, refer to such requests made of the laboratory to elevate the priority of a case and initiate analysis immediately. Under no circumstance shall an expedited analysis request be interpreted as a change to, or shortening of, the required analysis process that would otherwise be performed. In general, requests for expedited analysis will be considered on a case by case basis. The following guidelines will assist in determining if expedited analysis is warranted and provide information regarding the documentation and approval required to initiate expedited analysis.

**Note: This policy does not apply to expedited requests for analysis in the Toxicology Unit.**

## 2 CASE EVALUATION

Cases that will be considered for expedited analysis must fall into one of the following categories, unless otherwise approved by the Laboratory Director or Assistant Laboratory Director.

### 2.1 Public Safety

2.1.1 Cases that involve egregious crimes of violence where the suspect is unknown.

2.1.2 Cases that involve serious crimes of violence or endangerment where a suspect has been identified and would be an imminent risk to re-offend if not apprehended and charged.

### 2.2 Imminent Trial

2.2.1 Cases that require evidence processing for a scheduled trial or motion(s) hearing (not a grand jury, status, or conference date unless legally necessary).

## 2.3 Ballistics Certification

- 2.3.1 Cases in which ballistics certification is needed to bring charges that require confirmation of an operable weapon or ammunition.

# 3 REQUESTS FOR EXPEDITED ANALYSIS

## 3.1 Notification

- 3.1.1 When practicable, all requests for expedited analysis shall be made by either the investigating agency or the Prosecuting Attorney's office prior to analysis by using the online MSPCL Expedited Analysis Request form available on [www.mass.gov](http://www.mass.gov) or if necessary an email may be sent to the Case Management Unit email group ([mspclcmu@mass.gov](mailto:mspclcmu@mass.gov)). Requests for expedited analysis received from individuals other than the aforementioned external parties or individuals in an analyst's direct reporting chain shall be forwarded to the Laboratory Director, Assistant Laboratory Director or Deputy Director for approval.
- 3.1.1.1 Requestors shall consult with the appropriate forensic scientist(s)/analyst(s), and/or other laboratory staff members to discuss the available evidence and formulate a reasonable strategy for analysis.
- 3.1.1.2 The request will be evaluated based on the information provided by the requestor. Please note that in order for the expedited analysis request to be considered, all requestors should adhere to this procedure for submitting such requests.
- 3.1.1.3 Requests that involve multiple units must be approved by appropriate personnel in each respective unit.
- 3.1.1.4 Any plan established must abide by existing MSPCL policies and procedures (e.g., the Item Analysis Policy).
- 3.1.1.5 Evidence with a high likelihood of providing a forensically relevant link or answering the relevant forensic question(s) may be selected for expedited analysis while further items for the case may be processed subsequently via routine assignment.

## 3.2 Case Information

3.2.1 The request must contain sufficient case background information and details to enable an informed decision by the laboratory.

## 3.3 Processing Type(s)

3.3.1 Requests must also include the type of processing necessary (e.g., DNA analysis, firearms comparison), as evidence may require examination by multiple Units/Sections.

## 3.4 Evidence Submission

3.4.1 Requests should include the earliest date of evidence submission possible, if the items have not yet been submitted to the laboratory.

3.4.2 It is important to recognize that the ability of the laboratory to complete an expedited analysis request is significantly impacted by the timely submission of items of evidence for examination to the laboratory.

# 4 ADDITIONAL REQUIREMENTS

## 4.1 Reference Samples

4.1.1 If applicable and available, reference samples (e.g., DNA standards, fingerprint cards, firearms) must be provided in firearms cases or cases where a suspect, victim, and/or other known standard(s) would assist in the analysis.

## 4.2 Exhaustive Authorization

4.2.1 Exhaustive authorization is required in cases involving DNA Analysis that would consume the entire sample during examination.

4.2.1.1 A signed exhaustive authorization letter by the prosecuting attorney's office must be provided immediately or analysis cannot be initiated.

4.2.1.2 A case in which a suspect has been charged requires an exhaustive authorization form signed by the defense attorney prior to testing.

- 4.2.1.3 Exhaustive authorization forms will be provided by the Case Management Unit or other laboratory personnel upon approval of the Expedited Analysis Request and if applicable, upon completion of any preliminary examinations (e.g., serological screening by the Criminalistics Unit).

## **5 APPROVAL OF REQUESTS**

### **5.1 Authorization to Approve**

- 5.1.1 The respective section Deputy Directors, in consultation as needed with their respective Section Managers, Section/Unit Supervisors, Deputy Division Commander, Assistant Laboratory Director and/or Laboratory Director shall approve Expedited Analysis Requests.
- 5.1.2 If necessary, the ultimate approval or denial of requests shall reside with the Laboratory Director or Assistant Laboratory Director.
- 5.1.3 Approval or denial of a request will be documented in the Laboratory Information Management System (LIMS) and become part of the case record.

### **5.2 Approval of Expedited Analysis Request**

- 5.2.1 The approving authority will be responsible for ensuring that each related Unit/Section is duly notified of the impending expedited evidence examination.
- 5.2.2 The Evidence Control Unit will also be notified to ensure the timely transfer of item(s) of evidence as applicable.
- 5.2.3 Each related Unit/Section will make any necessary arrangements and the requestor will be provided with an estimated turn-around time for examination. Providing a verbal report of the examination results within the anticipated turn-around time, followed by a written, comprehensive report of results in accordance with individual unit protocols may be acceptable.