

### **69D-5.001 Bureau of Forensic Services Analysis Requirements and Procedures for Submission of Evidence.**

(1) Evidence will be accepted from public law enforcement agencies and fire service agencies in matters related to criminal investigations. Other evidence is permitted to be accepted from other public agencies in special circumstances, but must be approved by the Bureau Chief. The criteria that will be considered for approval are the urgency of the evidence submitted, the use to which the evidence will be put after analysis, the importance of the evidence, and any other relevant factor bearing on the need for the laboratory to analyze the evidence. The Bureau publishes a Guide to the Collection, Packaging, Submission and Analysis of Evidence, rev. 05/01/2020, which is hereby adopted and incorporated by reference, that provides the minimum requirements for submitting evidence. The guide may be obtained by writing to the Bureau of Forensic Services at 38 Academy Drive, Havana, Florida 32333 or by accessing the Bureau's website under the Chemical Analysis page at <http://www.myfloridacfo.com/Division/SFM/BFFEA/ChemicalAnalysis/default.htm>.

(2) The Evidence Submission Form. By completely and properly filling out the submission form, Form DFS-K1-1096, Revised 05/01/2020, which is hereby adopted and incorporated by reference, the investigator is documenting all the information necessary for the laboratory to track and process the case. Form DFS-K1-1096 also provides a chain of custody for the evidence's receipt and return. This laboratory uses a computerized laboratory information management system. Because of this, there are certain items of information that are required to properly log the case. The information required on the Evidence Submission Form (Form DFS-K1-1096) is described within the Guide to the Collection, Packaging, Submission and Analysis of Evidence, rev. 05/01/2020, Form DFS-K1-2127, The form itself may be obtained by writing to the Bureau or by downloading it from the Bureau's website under the Chemical Analysis page, <http://www.myfloridacfo.com/Division/SFM/BFFEA/ChemicalAnalysis/default.htm>.

(3) Sample Return – All items of evidence submitted by agencies outside the Department of Financial Services shall be returned to the submitting agency or their representative. Submitters must additionally be aware that following testing and identification, there may be some samples which cannot be commercially shipped. The submitter has the responsibility to pick up their evidence from the Bureau within 60 days of the Bureau's request or their submission privileges shall be revoked.

(4) Sample Retanance Criteria – Because most fire debris samples are submitted in metal cans, and the contents of the can (fire debris) is usually a caustic material, the cans will begin to rust in various amounts of time depending on the amount of the content and the causticity of the material.

WHEREAS the rusting through of the container renders all contents void of any evidenciary value, and WHEREAS the extraction of the ignitable liquids trapped in the fire debris onto Activated Carbon Strips (ACS) maintains the value of the evidence, the ACS becomes the evidence from this analysis and shall be held and stored as evidence by the Bureau of Forensic Services in perpetuity or until a schedule for retaining this type of evidence is established.

THEREFORE, the original cans with the fire debris samples should be disposed of by BFS unless they are specifically requested for return or retanance per the following Trige Criteria:

- a. Homicide or Fatality - If a fatality occurred in the fire it should have rush priority. If the fatality is a suspected homicide, please indicate.
- b. Injured first responders or citizens from any phase of the fire (including suppression, investigation, or clean-up) or scene examination.
- c. The suspect is in custody or is a serious flight risk
- d. House of Worship or Historical Property
- e. Active threats or suspected serial crimes
- f. Other situations which must be appealed to and approved by the Chief of BFS

*Specific Authority 633.01(1) FS. Law Implemented 633.011, 633.03 FS. History–New 7-13-03, Formerly 4A-63.001.*