



### **Policy Overview**

The original version of this policy was issued on August 15, 2019. The policy has since been revised and made effective on March 15, 2020.

This preservation policy eliminates the current 5-day hold on NIBIN processing of firearms. On June 15, 2010, circular 10-0615-122 established a 5-business day hold on firearms evidence so requests for other analysis (such as latent prints or DNA) could be submitted prior to NIBIN processing.

The firearms magazine preservation policy is designed to preserve the integrity of possible evidence (such as latent prints or DNA) that may have been deposited on the magazine. Preserving the evidence allows for NIBIN analysis and entry to be performed immediately after the evidence is received at the laboratory, eliminating the need for the 5-business day hold.

### **Magazine Preservation**

To better fulfill stakeholder requests, HFSC has implemented a policy to preserve the magazine upon the firearm's collection:

- The magazine must be ejected into proper evidence packaging with limited handling
- All cartridges must remain in the magazine
  - This preserves possible evidence on the magazine
- HFSC will select a separate magazine of appropriate make and model from its reference collection to use during the NIBIN analysis

### **NIBIN Analysis**

NIBIN-eligible firearms will be evaluated for visible biological material. When found, biological material will be swabbed and preserved for future requested analysis.

If HFSC does not have the right magazine in its reference collection and needs the magazine to complete NIBIN testing, its latent print processors will process the submitted magazine prior to NIBIN analysis.

Appropriately packaged and sealed long guns will be evaluated for DNA preservation and processed by the latent prints laboratory prior to any firearms analysis.

Properly packaging and sealing evidence includes:

- Protecting the evidence from loss, cross-contamination and/or deleterious change
- Tape used to seal the package (i.e. commercially available evidence tape or packaging tape) must have initials or signature placed on the seal and have some part of the initials or signature extending over the edge of the seal
- Tape must cover all openings of the evidence container
- Heat sealed plastic bags are acceptable if initials/signature are included on the seal Firearms not collected by HFSC's Crime Scene Unit, excluding properly packaged long guns, will not be processed for contact DNA since they are typically handled in a manner that renders them unsuitable for contact DNA. However, magazines collected by non-CSU personnel that are properly preserved will be available for future requested analysis (such as latent prints or DNA).

### **Firearms analysis**

Once a NIBIN notification has been issued, additional firearms analysis may be requested. Further analysis will require the use of the original magazine submitted with the firearm. Therefore, once full



firearms analysis has been completed it is not possible to also perform DNA and/or latent print analysis on that item of evidence.

Consequently, DNA, latent print and other requests for analysis must be submitted at the same time as the request for firearms analysis. Requests for DNA and/or latent print analysis received after firearms analysis has begun will not be processed.

Exceptions to this policy must be requested as soon as possible and approved by the Director of Crime Scene Unit, the COO or the CEO. To request an exception to this policy, call the Crime Scene Unit on-call staff at 713-929-6760, select CSU and provide the following information:

Case number

Contact information: name, email, phone number

Items that need testing

Type of testing requested

Reason for exception

### Preservation Workflow

