KERN REGIONAL CRIME LABORATORY
Laboratory Services Section, Evidence Control Unit

Policy on the Submission of Evidence for Firearms Analysis

QT41348 v35 **Creation Date: 09/19/2012**

The purpose of this document is to provide law enforcement and criminal justice officials with guidance regarding the submission of physical evidence for examination/analysis by the Kern Regional Crime Laboratory Firearms and Toolmarks Unit (FTU).

Firearm Analysis v2.0

- **Firearm**: Condition, class/individual characteristics, functionality, trigger pull function, full-automatic firing mode.
- **Bullets**: Class/individual characteristics, list of possible firearms, comparison to test fires from submitted firearms or other evidence bullets.
- **Fired cartridge cases or shot shells**: Class/individual characteristics, comparison to test fires from submitted firearms or other evidence cartridge cases.
- **Shot pellets, buckshot or slugs**: Size, gauge, possible manufacturer.
- **Wadding**: Gauge, possible manufacturer, suitable markings for comparison.
- **Unfired cartridges or shot shells that may have been cycled through a firearm**: Manufacturer, caliber/gauge, suitable markings for comparison.

Serial Number Restoration v2.0

- **Firearm**: Restoration of obliterated or altered serial numbers

Firearm Database Search – Tier I or II[1]

- **Firearm**: Entry of test-fires to identify possible association(s) to other shooting incidents.
- **Fired cartridge cases or shot shells**: Entry to identify possible association(s) to other shooting incidents.
- **Bullets (requires pre-approval)**: Entry to identify possible association(s) to other shooting incidents.

NIBIN Entry[2]

- **Firearm (requires approval)**: Entry of test-fires to identify possible association(s) to other shooting incidents
- **Fired cartridge cases or shot shells (requires approval)**: Entry to identify possible association(s) to other shooting incidents.

Physical Fit (Fracture Match Analysis)

- **Broken, cut or torn pieces such as broken car pieces, plastic, glass, wood, metal, tape, plastic bags, fabric, etc.; Recovered items for comparison**: Class/individual characteristics, broken, torn or cut unknown pieces compared to recovered items for a physical fit/match.

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[1] **Firearm Database Search – Tier I (10-day turnaround time):** All homicide, attempted murder, assault with deadly weapon, robbery, shooting at a dwelling cases, and other accepted offense codes* with dates < 2 years old.

Firearm Database Search – Tier II (45-day turnaround time): Cases with accepted offense codes with dates > 2 years old except homicide, attempted murder, assault with deadly weapon, robbery, and shooting at a dwelling cases.

[2] **NIBIN Entry (10-day turnaround time):** Cases with specific approved requests for NIBIN entry.

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Analysis Recommendations

1. Minimally handle all items to avoid loss, damage, or destruction of evidence. If DNA analysis of the item(s) is desired now or in the future, appropriate PPE such as gloves and mask should be worn when handling items.
2. For all submitted firearms and/or fired cartridge cases, select a Firearm Database Search request.
3. For confirmation of a Firearm Database Search image association, select a Firearm Analysis v2.0 request (pre-approval is not needed).
4. For one or more fired bullets, select a Firearm Analysis v2.0 request.
   a. Note: Firearm Database Search requests for a bullet require pre-approval from the Firearm Unit Supervisor or the Laboratory's Case Manager (firearms@kernda.org), due to the small size of the current bullet database and therefore limited value to any results.

Restrictions

1. Firearm comparisons between cases **without a database image association** require pre-approval from the Unit Supervisor or the Laboratory's Case Manager who may be contacted at firearms@kernda.org.
2. To be searched in the laboratory's Firearms Database, a firearm must be suspected of being used in a crime. Consequently, the Firearms and Toolmarks Unit will not accept guns recovered as a result of the following offense codes unless previously approved by the Unit Supervisor or the Laboratory's Case Manager. Email approval requests to firearms@kernda.org:

   Found property (PC 485)
   Mental Instability (WI 5150)(PC 1367)
   Safekeeping (PC 2080)
   Surrender (PC 527.9)
   Domestic violence (PC 243)
   Malicious mischief (PC 594)
   Miscellaneous investigations

3. The laboratory reserves the right to compare items of evidence that appear to be related, including between agencies. When an interagency comparison has been completed, the report of examination will be released to all agencies involved in the comparison.
4. The laboratory will not pick up evidence items to be analyzed. Agencies are responsible for transporting items to and from the laboratory for analysis.
5. The laboratory will not supply gun boxes.

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SUBMISSION OF PHYSICAL EVIDENCE TO THE LABORATORY FOR ANALYSIS

All non-laboratory sealed gun boxes will be opened at the Evidence Control Unit counter in the presence of the agency representative in order to verify that the weapon has been rendered safe. Gloves, masks, and evidence tape will be provided. Once verified to be safe, the agency representative will re-seal the gun box with evidence tape. This step is necessary to ensure that all firearms entering the laboratory are safe and to ultimately protect all personnel who handle them.

Agency Responsibilities

To submit a firearm to the Kern Regional Crime Laboratory for examination:

1. **Unload** the firearm and **render it safe**.
2. Remove ammunition components and magazine (if it has one) from the firearm.
3. If desired, swab items for DNA. See the Policy on the Submission of Evidence for Biological Analysis (QT41330) for information about submission of DNA evidence and requests for analysis.
4. Secure the firearm (**with action open**, if possible) with plastic ties in a properly sealed[3] evidence gun box. One piece of tape along the long edge of the box with initials and date across the tape and onto the box is sufficient.
   a. Ammunition components and magazine may be placed together inside of the gun box with the firearm, if packaged or secured separately.
5. If the magazine of the gun is available, **it must be submitted** at the same time as the firearm so that test firing can be completed.

To submit firearms-related evidence items such as cartridge cases, shot shells, or bullets to the Kern Regional Crime Laboratory for examination:

1. If desired, swab items for DNA. See the Policy on the Submission of Evidence for Biological Analysis (QT41330) for information about submission of DNA evidence and requests for analysis.
2. Package the item in a properly sealed[3] evidence container with the outermost package preferably larger than 1 inch by 4 inches (large enough to affix a barcode label). Every edge of a container does not need to have tape applied. There just needs to be enough tape applied to ensure the container cannot be breached undetected.

[3] A proper seal is one that prevents loss, cross transfer, or contamination while ensuring that attempted entry into the container is detectable. A proper seal may include heat seal, tape seal, or a lock. The Kern Regional Crime Laboratory requires that the initials of the person creating the seal and the date that the seal was created be placed across the seal onto the container.

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To submit physical fit (fracture match) related evidence items:

1. Package each item in a separate, properly sealed[3] evidence container.
2. Package securely in such a way as to prevent any further breakage of items.

SUBMISSION OF PHYSICAL EVIDENCE TO THE LABORATORY VIA PORTAL

Full instructions for the use of Portal is available on the laboratory's website, www.kerncounty.com/government/departments/kern-regional-crime-laboratory.

Click on "Evidence Submission/Reporting" and there you will find basic instructions for use with a link to more in-depth instructions.

Submitting Evidence in Portal

Use the following example when submitting item(s) for firearms analysis.

Evidence Type	Evidence Description
Box (gun box)	Sealed gun box labeled as – [Agency property # or item #], [Exact description as on label or evidence box]
Envelope (other envelope)	Sealed envelope labeled as - [Agency property # or item #], [Exact description as on label or evidence envelope]
Bag	[Agency property # or item #], [Exact description as on label or evidence bag]
Box (other box)	Sealed box labeled as - [Agency property # or item #], [Exact description as on label or evidence box]

Submitting Request(s) in Portal

Select the *Discipline(s)* and *Service Type(s)* available for submitting physical evidence for firearms analysis request(s) in Portal.

Discipline	Service Type
Firearms & Toolmarks Unit	Firearm Analysis v2.0 Firearm Database Search – Tier I

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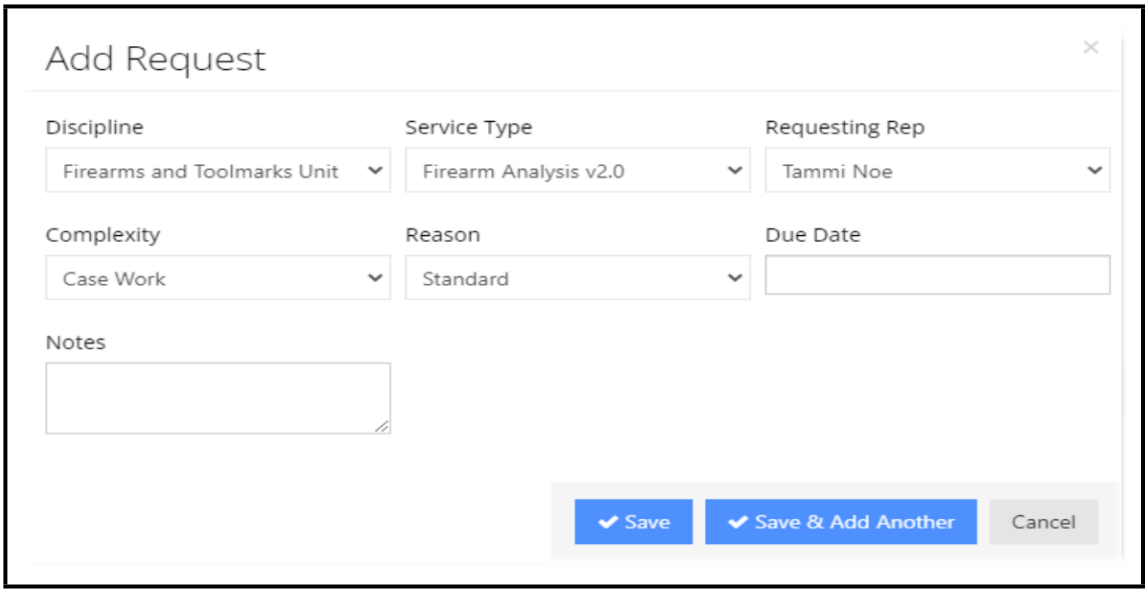
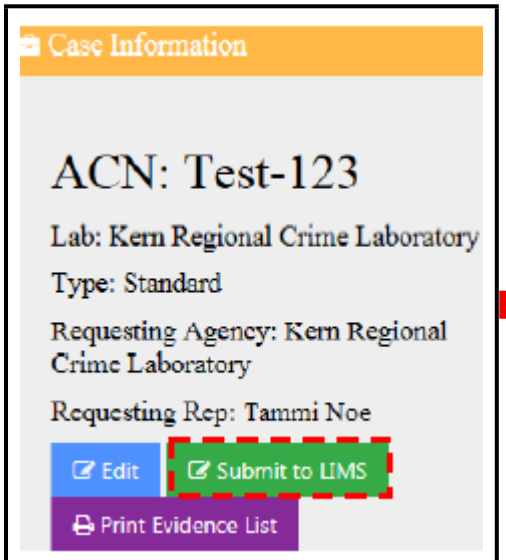
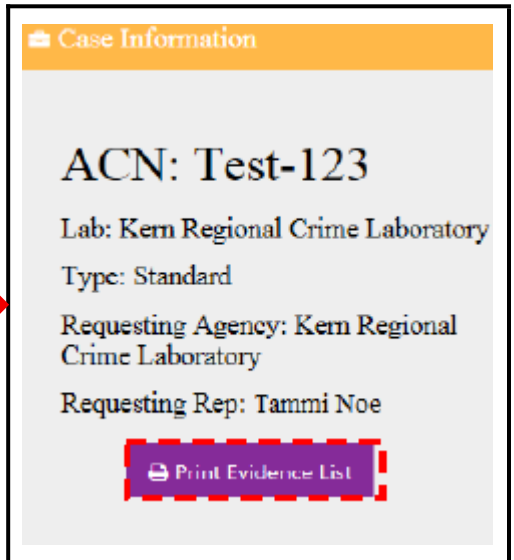
	Firearm Database Search – Tier II NIBIN Entry Serial Number Restoration v2.0 Physical Fit





Select "**Submit to LIMS**" to submit the Portal entry so the



Print the Evidence List and submit along with your evidence

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laboratory has access to the case information.	to the Evidence Control Unit of the Laboratory.

Evidence submitted without a printout may not be accepted.

Laboratory Responsibilities

In order to accept physical evidence, a member of the Kern Regional Crime Laboratory's Evidence Control Unit (ECU) shall:

1. Ensure that the following information is included:

Portal Request	Evidence Label (Required)
• Incident date • Subject and/or victim names (first and last) • Offense(s) • List of items submitted • Requested analysis	• Agency • Agency case number • Requesting officer • Subject and/or victim names (first and last), if any.

2. Ensure that the outer packaging of the evidence is properly sealed; and
3. Record the date, time, and transferred from/transferred to for the initial step on the chain of custody.

END OF DOCUMENT

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