



Shelburne Police Department

SUBJECT: Property and Evidence

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Approved: *Joshua J. Flore*

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I. Purpose

- a. To ensure the security and safekeeping of all evidence and property that comes into the possession of the Shelburne Police Department.

II. Policy

- a. It is the policy of the Shelburne Police Department to ensure that all evidence and property that comes into custody of the Shelburne Police Department is secured and stored in a manner that will protect the item(s), allow the item(s) to be readily retrieved, and to properly document any changes in custody/status.

III. Procedure:

- a. The Shelburne Police Department will have a permanent evidence room, a critical evidence room, temporary evidence holding area, and non-evidentiary property holding area.
- b. The department head shall designate the location of the temporary evidence holding area, the permanent evidence room, the critical evidence room, and the personal property holding area, within the Shelburne Police Department.
- c. The department head will also designate a burn site for the destruction of marijuana and marijuana plants seized during cultivation cases.
- d. The temporary evidence holding area shall contain a refrigerator to hold evidence items that are perishable in nature. The refrigerator must be capable of being secured.

- e. The Shelburne Police Department shall maintain a critical evidence room. Critical evidence items such as firearms, jewelry, currency, and narcotics are to be secured in the critical evidence room while being stored as evidence or property.
- f. Access to the critical evidence room will be limited to the evidence technicians, who will be assigned by the Chief of Police.
- g. All evidence should be collected utilizing best practice as outlined by the Vermont Forensics Lab. Please refer to the following link <https://vfl.vermont.gov/sites/pslab/files/documents/EVIDENCE%20Packaging%20Power%20Point%20201109%20pdf.pdf>

IV. Responsibility for Evidence/Property Holding Areas

- a. The evidence technicians will be responsible for the security and condition of the temporary evidence holding area. Access to the temporary evidence holding area will be limited to sworn members of the Shelburne Police Department ("Member"). The temporary evidence holding area will consist of lockers to securely store evidence until it is transferred to the permanent evidence room, critical evidence room, or sent to the Vermont Forensics Laboratory for analysis. The lockers will include a designated temporary critical evidence storage locker, which will be secured with a secondary lock. The temporary critical evidence storage locker will only be accessible by both evidence technicians together.
- b. Once evidence is placed in a secure locker within the temporary evidence holding area, the evidence item will only be accessible to the evidence technicians. In their absence, the department head may coordinate as necessary due to exigent circumstances.
- c. The evidence technicians will be responsible for the security and condition of the permanent evidence room. Access to the permanent evidence room will be limited to the evidence technicians. In their absence, the department head may coordinate as necessary due to exigent circumstances.
- d. The evidence technicians are responsible for the daily operation of the permanent evidence room. This includes properly securing and keeping an up-to-date inventory of all property that is in the permanent evidence room and ensuring that property is properly secured and safeguarded. The evidence technicians will monitor evidence submissions and arrange for evidence transfers in a timely manner.
- e. The Department head, working with the evidence technicians, will be responsible for developing a standardized process of transferring evidence that has been stored in the temporary evidence holding facility to the permanent evidence room, critical evidence room, or to the Vermont Forensics Laboratory.

- f. Once an item has been placed in the permanent evidence room, or critical evidence room, only the evidence technicians will have the authority to enter or remove that evidence item.
- g. The Department head will be responsible for providing a scale for determining the weight of drug evidence.

V. Evidence/Property Identification and Property Receipt Forms

- a. All items that are received or taken into the custody of the Shelburne Police Department will be properly documented using a CAD/RMS incident number and case narrative describing the circumstances of how/why the property was taken into custody and the ultimate disposition of the item(s).
- b. All evidence being submitted to the temporary evidence holding area, or any other property holding area, must be properly identified, packaged, and accompanied by an evidence/property receipt.
 - i. Evidence items shall be accompanied by a PMI evidence/property receipt. The evidence/property receipt shall contain the case number, name of investigating Member, location the item was collected, date and time the item was collected, and any other pertinent details.
 - ii. The PMI evidence program will be used to document the chain of custody, indicating the current location of the item(s), as well as any movement or change in status of the individual item(s).
 - iii. Evidence containers, evidence tags, and all other items for evidence storage are available at the Shelburne Police Department. The evidence technicians, or designee, will be responsible for ensuring that the evidence control materials are readily available and that they are replenished as needed.
 - iv. The Request for Laboratory Examination/Property Receipt, [Form DPS 305](#), will be printed out by the submitting officer for the items that are being submitted to the Vermont Forensics Laboratory (VFL). [FormDPS 305](#) will be attached to the item(s) that are being transferred to the VFL for analysis.
 - v. The distribution for [Form DPS 305](#) will be:
 - 1. Original will accompany the evidence to the VFL and will be retained by the VFL.
 - 2. The lab personnel taking custody of the evidence will sign the

[Form DPS 305](#) for chain of custody purposes and provide the Member with a photocopy to be filed with the respective department case file. The original will be retained by the VFL.

3. If a Member delivers evidence to the VFL after hours, the original [Form DPS 305](#) will be left in the secure temporary evidence intake locker with the evidence. When lab personnel remove the evidence from the temporary evidence intake locker, they will sign the [Form DPS 305](#) for chain of custody purposes and e-mail a copy to the case officer to be filed with the respective department case file.
- c. Items seized as the result of a criminal investigation will only be collected when the item is needed for further investigation/analysis, safekeeping, or for court purposes.
 - d. All evidence suitable for storage in an evidence room will be stored there until transfer to the forensics laboratory or until other disposition is made.
 - e. Drugs, except marijuana weighing one ounce or less, hashish weighing five grams or less, and drug paraphernalia, will not be stored in the temporary evidence holding area or critical evidence room for more than five calendar days. Drugs, including marijuana weighing more than one ounce, and hashish weighing more than five grams, will be sent to the Vermont Forensics Laboratory for examination. Non-evidentiary drugs (ie. Drugs taken for safekeeping, turned in at a station, etc.) are to be destroyed through coordination with the evidence technicians.
 - f. All drug evidence will be weighed by the investigating officer, utilizing the department's scale. The weight, including packaging, will be noted in the investigative report and on the laboratory analysis form.
 - g. All drug evidence will be field tested whenever practical, to determine what type of drug has been seized. Drug testing will be conducted by the investigating officer and witnessed by a second officer when practical. The process and results of the field test will be documented on [Form DPS 305](#), PMI, and in the investigative narrative of the case. When practical, Members will wear appropriate PPE when field testing drug evidence. Examples of appropriate PPE may include; protective gloves, eye protection, and protective masks.

VI. Temporary Evidence Holding Area

- a. Evidence secured temporarily shall be placed in the designated secure lockers within the temporary evidence holding area along with the appropriate

documentation (entered into PMI, accompanied by a PMI evidence/property receipt, [Form DPS 305](#) attached if going to the VFL).

- b. All evidence submitted to the temporary evidence holding area must be logged into the PMI program and accompanied by a PMI evidence/property receipt.
- c. Once the evidence is secured in this manner, it may be accessed only by the evidence technicians. In their absence, the department head may coordinate access as necessary due to exigent circumstances.
- d. Evidence stored in the temporary evidence holding area shall be transferred in a timely manner to the permanent evidence room or to the VFL for laboratory analysis.
- e. Cultivated marijuana that is pending destruction may be stored temporarily in the department's designated area. This is not an evidence storage area; this area is only for temporary storage/drying of cultivated marijuana that is to be destroyed, until the materials can be destroyed at the designated burn area. Cultivated marijuana destruction will be conducted by the case officer through coordination with an evidence technician. The destruction will be documented in PMI and in the case narrative.

VII. Permanent Evidence

- a. All evidence submitted into the permanent evidence room must be entered into PMI. Permanent evidence must be identified by an evidence/property sticker with a barcode. The evidence/property sticker shall contain the case number, name of investigating Member, location the item was collected, date the item was collected and any other pertinent details indicated on the exterior of the container. Once the evidence is secured, it may only be accessed by the evidence technicians. In their absence, the Department head may coordinate as necessary due to exigent circumstances.
- b. It is the responsibility of the evidence technicians to ensure items, no longer needed as evidence, are disposed of in a timely manner. This should be done after receiving notice from the prosecuting authority that the items are no longer needed as evidence.

VIII. Laboratory Evidence

- a. Evidence to be analyzed by the Vermont Forensics Laboratory (VFL) should be hand-delivered or mailed to the laboratory as soon as is practical.
- b. All evidence being submitted to the VFL must be accompanied by a PMI property receipt or an evidence/property sticker with a barcode. The property receipt, or evidence/property sticker, shall contain the case number, name of investigating

officer, location the items was collected, date the item was collected, and any other pertinent details. The laboratory evidence must be accompanied by a [Form DPS 305](#).

- c. Laboratory evidence that is not immediately transferred to the VFL must be securely stored until transfer occurs. Laboratory evidence will be stored in the department's temporary evidence holding area or permanent evidence room until it is transferred. Laboratory evidence that is secured pending transfer to the VFL will be secured as soon as practical, but before the end of the submitting Member's shift.
- d. The case officer is responsible for ensuring that laboratory evidence stored in the temporary holding facility has been delivered to the VFL in a timely manner. It is the case officer's responsibility to coordinate with the evidence technicians for the delivery of evidence to the VFL.

IX. Evidence Audits/Inspections

- a. In order to maintain evidentiary integrity over agency-controlled property and evidence the following documented inspections and audits shall be completed at each station:
 - i. Semi-annual inspection: Conducted to determine adherence to procedures used for the control of property by the evidence technicians. The semi-annual inspection will be conducted by the evidence technicians.
 - ii. Change of evidence technician: An audit of the evidence room will be conducted when there is a change in assignment and a new evidence technician is assigned. The audit will be conducted jointly by the newly designated evidence technician and the Department head. This audit will ensure that records are correct and properly annotated.
 - iii. Annual audit: An audit of the property and evidence held at the Shelburne Police Department. This audit will be conducted by the department head or designee. The Member carrying out this audit must be a supervisor NOT directly connected with control of the department's stored property or evidence.
 - iv. Unannounced Inspections: Unannounced inspections of property and evidence storage areas will be conducted annually. These inspections will be conducted by the Department head or designee.
- b. Each Evidence Room Audit/Inspection will be documented using the Shelburne Police Department Evidence Audit/Inspection Form. The completed

Inspection/Audit Form will be kept by the Department head for review and filing.

X. Perishable Evidence

- a. Evidence in need of refrigeration will be secured in the department's temporary evidence refrigerator. The temporary evidence refrigerator shall be located in the station's temporary evidence holding area. Once the evidence is put into the refrigerator the refrigerator will be locked. The key to the evidence refrigerator will be secured by the evidence technicians. The refrigerator will remain unlocked unless there is evidence stored inside.
- b. Once the evidence is secured in this manner it may only be accessed by the evidence technicians. In their absence, the Department head may coordinate access, as necessary, due to exigent circumstances.
- c. Perishable evidence will be the only evidence stored in evidence refrigerator.
- d. The case officer will be responsible for coordinating with the evidence technicians to ensure perishable items are transferred to the VFL in a timely manner.

XI. Critical Evidence or Property

- a. Extra security will be provided for critical items of evidence or property. For example, in the case of firearms, options include securing them with cabling, on a rack, or in the critical evidence room. When appropriate, all other critical evidence items, not specifically addressed under this policy, will be secured in the critical evidence room as an added measure of security.
- b. All cash/currency and jewelry, that is evidence or found property, will be counted and witnessed by two officers and sealed in a tamper-proof evidence envelope. Both officers will be required to sign the sealed evidence envelope.
- c. All cash/currency, that is evidence or found property, shall be entered into PMI. All cash/currency, that is evidence or found property, shall be secured in the temporary critical evidence locker accompanied by a PMI evidence/property receipt and a Shelburne Police Department Cash/Currency Inventory Form.
- d. All cash/currency will be stored, long term, in the Shelburne Police Department critical evidence room regardless of value.
- e. When possible after collection, all critical evidence or property should be photographed. The photographs should be uploaded to the Shelburne Police Department RMS.

XII. Large/Oversized Evidence Items

- a. Larger items such as bicycles and vehicles may be secured in a designated holding area. These items may be kept in the secured sallyport area of the department.
- b. All oversized evidence items will be processed for any potential evidence as soon as is practical.
- c. Vehicles will be secured with evidence tape on all doors, trunk and hood areas, to ensure the integrity of the evidence.

XIII. Court/Trial Evidence

- a. All evidence needed for a court proceeding must be requested in advance by the case officer. The case officer will make arrangements with the evidence technician to obtain any evidence needed for court or for physical examination.
- b. All evidence released for this purpose will be properly documented in PMI. The return of the evidence will also be properly documented in PMI.

XIV. Drug Evidence

- a. Drug evidence submitted to the Vermont Forensic Laboratory (VFL) will be stored in the critical evidence room after examination until it is eligible for final disposition.
- b. Copies of all laboratory correspondence will be filed in the respective case file.
- c. Civil marijuana and/or hashish case evidence will be held for a period of 30 days in order for analysis to be conducted, if requested by the defendant. After the thirty-day holding period, the evidence shall be destroyed in accordance with evidence disposal provisions of this policy.

XV. Non-Evidentiary Property

- a. All non-evidentiary property shall be entered into and tracked using the Department's RMS/CAD system. All non-evidentiary property shall be accompanied by a completed property receipt.
- b. Storage and Security of Non-Evidentiary Property
 - i. Non-Evidentiary property shall be stored in a designated location.
 - ii. High Risk/High Value non-evidentiary property shall be stored in accordance with the critical evidence provisions of this policy.

XVI. Prisoner Property

- a. When subjects are taken into custody by the Shelburne Police Department and lodged at a correctional facility, the Shelburne Police Department will store the prisoner's property on a temporary basis. Perishable property without any evidentiary value, including food items, beverages, cigarettes, or any other items that may attract vermin or pests will not be held, and must be destroyed or returned to a designee of the subject within 24 hours of being taken into custody.
- b. All prisoner property will be inventoried and placed in a container accompanied by an evidence/property receipt. The property will be entered into the department's RMS/CAD system as an item held for safekeeping.
- c. Prisoners will be notified, in writing, that they must pick up their property or to make arrangements for another individual to claim the property within a 30-day period from the date of notice.
- d. A signed property receipt shall be completed for all prisoner property at the time the property is taken, with a copy provided to the property owner. The form shall also be signed by the person retrieving the property at the time the property is released to them.

XVII. Abandoned Property / Other Property Held for Safekeeping

- a. As soon as property held for safekeeping during the ordinary course of business becomes available for the apparent owner to reclaim it, a Member shall make reasonable efforts to contact the property's apparent owner and to notify them that the property is available for return. Notification shall be made in writing, or by other method that creates a contemporaneous record (e.g., email, recorded conversation, etc.). Members must properly document all attempts to contact the apparent owner. In the event that the owner is unknown, Members will follow the procedure set out in Section XVIII (Lost and Found Property) below.
- b. Property will be deemed unclaimed and presumed abandoned if, for a 90-day period after the property is made available for return, the apparent owner does not communicate with the Shelburne Police Department concerning the property.
- c. If the property in question is a financial instrument or contents of a safe deposit box, Members shall consult with the Office of the State Treasurer regarding disposition of the property.
- d. The Shelburne Police Department shall hold all property governed by this procedure until it is either claimed by the apparent owner; or disposed of in accordance with section Lost/Found Property.

- e. This section does not apply to firearms, which shall be disposed of according to section 20.3 (D) of this policy.

XVIII. Lost/Found Property

- a. The Shelburne Police Department does not take personal property or lost and found property unless it has immediate evidentiary value to a crime or is traceable by identifying marks.
- b. If property is taken under the above circumstances, the following will apply:
 - i. All lost/found property will be documented with a CAD/RMS case number. If the value of the property is \$3.00 or more, a notice describing the property and the time and place of finding shall be posted within six (6) days in two public places in the town in which the property was found (27 V.S.A. § 1101). If the value of the property is \$10.00 or more, the notice shall be published for three weeks successively in some newspaper circulating in the town in which the property was found (27 V.S.A. § 1103). If the property remains unclaimed after 20 days, the notice shall be recorded in the town clerk's office of the town in which the property was found (27 V.S.A. § 1104).
 - ii. Lost/found property will be stored in the department's non-evidentiary property holding area until the owner can be identified or for 90 days after the posting of the first of the above-mentioned notices. After 90 days, the property may be disposed of.
 - iii. The lost/found property must be properly identified by attachment of a completed department property receipt.
 - iv. Every effort will be made to identify and locate the owner of any lost/found property that is discovered by a Member or turned in by a citizen. If the owner is located, they must be contacted and notified that the property is available for return.
 - v. All efforts to identify and return lost/found property must be documented in the case narrative for the appropriate incident number.

XIX. Return/Release of Property and Evidence

- a. Evidence or property that is in the possession of this Department and kept as evidence or for safekeeping may be removed from evidence or from safekeeping if:
 - i. The case has been closed through court action and the appeal process has been completed.

- ii. The case is unresolved and the statute of limitations has expired.
 - iii. Pursuant to non-evidentiary property procedures.
 - iv. The owner of the property requests its return and the property requested has no further evidentiary value and is not contraband or illegal to possess.
- b. All property or evidence released by the Shelburne Police Department will be released only after the individual claiming the property or evidence has properly identified themselves. (Provides photo ID or is personally known by releaser).
- c. All property/evidence that is released by the Shelburne Police Department will be documented, using the department's RMS/CAD system.
- d. Third parties claiming property for another individual must have written permission from the property owner to retrieve the property.
- e. All documentation related to the release of property will be filed in the respective case.
- f. Whenever a weapon is being released, Members must ensure that the individual claiming the weapon is not prohibited from possessing a weapon.
- g. All homicide evidence will be retained indefinitely, unless otherwise directed by the prosecuting authority.
- h. Every effort will be made to promptly release items in evidence that do not require further analysis. This can be accomplished by photographing and releasing the item(s) back to their rightful owner as soon as possible. This type of property release will only be completed after consultation with the prosecuting authority having jurisdiction over the case.
- i. Property that is in the custody of the Shelburne Police Department and can be released shall be done as soon as it is practical. Every effort shall be made to return non-contraband property to its rightful owner in an expedient and efficient manner. The evidence technician will release the requested evidence to the case officer. It is the responsibility of the case officer to make any necessary arrangements for evidence to be returned to its rightful owner, or to be disposed of.
- j. Evidence that has been sent to the Vermont Forensics Laboratory will be stored at the laboratory only for purposes of analysis. As soon as the analysis has been completed, the evidence will be returned to the Shelburne Police Department. Once evidence has been returned from the forensics laboratory, the evidence technicians will notify the responsible case officer, who will then be required to

advise whether the item(s) need to be kept in the evidence room or can be released or destroyed.

- k. Any evidence that is no longer required to be stored for prosecution and is unable to be returned to its rightful owner, is unclaimed, or has been abandoned, will be disposed of by the evidence technician and the responsible case officer in a manner that is consistent with Section 18.5 (Lost/Found Property) of this policy and with 20 V.S.A. § 2305 et seq. (disposition of unlawful firearms).

XX. Evidence / Property Disposal

- a. All destruction of property shall be witnessed by the evidence technician and one other officer. The destruction of the property will be documented in PMI.
- b. Evidence that cannot legally be returned (contraband/illegal items) will be disposed of by the case officer and the evidence technician.
- c. Evidence / Property may be destroyed in the following manner:
 - i. Discarded in the department trash.
 - ii. Marijuana plants and marijuana not required for prosecution or analysis may be burned at the department's designated burn site.
 - iii. Drug paraphernalia may be rendered unusable and discarded in the department trash.
 - iv. Firearms shall be disposed of pursuant to Vermont Title 20 section 2305.

APPENDIX A

Vermont Forensic Laboratory Biological Evidence Submission Guidelines

VERMONT FORENSIC LABORATORY BIOLOGICAL EVIDENCE SUBMISSION GUIDELINES

I. PURPOSE

Because of advances in DNA technology and its effective use in aiding criminal investigations, forensic laboratories are experiencing increased demand for testing and thus receive a greater number of cases and evidence submissions. Prioritization of evidence submissions is essential to efficient laboratory operation; to reduce interruption and provide a systematic approach to returning investigative information in a timely fashion.

Case submission guidelines set the standard requirements for routine submission of evidence to the Forensic Biology Unit.

The Forensic Biology Unit acknowledges that in some circumstances there may be a need to analyze evidence that falls outside the stated guidelines.

These guidelines are meant to address the unnecessary analysis of evidence, not to eliminate the analysis that is really needed. They are designed to provide a mechanism for increased dialogue between the submitters and the Vermont Forensic Laboratory (VFL) staff regarding the needs involved with the case.

When there is a request for multiple analyses (e.g. Latent Print and DNA analyses) on the same item of evidence, the submitting agency should contact the VFL for guidance.

Cases will be returned to the submitting agency unanalyzed when information necessary for evidence processing and/or Combined DNA Index System (CODIS) eligibility is requested and not received.

II. CASE PRIORITY

A variety of factors are considered in case prioritization to ensure that cases of the most investigative and/or probative nature are handled immediately. Each case is prioritized by evaluating the following information:

1. Type of case
2. Nature of the laboratory request and an explanation of why the case is being submitted
3. Probative value of the evidence
4. Completeness of the case (all evidence, comparative standards, and appropriate information are received)
5. Number of items submitted (see evidence submission policy)
6. Investigative and/or court priority
7. Biological stability of the evidence in the case

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III. RUSH TESTING

1. Rush status **must** be approved by the VFL and can be given to cases for the following reasons:
 - a. There is a clear threat to public safety
 - b. No apparent threat to public safety but additional offenses are likely (retaliation, domestic assault)
 - c. Jury Trial date (does not include status/weight of evidence hearings)
 - i. Inform the lab of any pending trial dates for your case
 - ii. If your trial has a discovery deadline, you **must** provide this date as well
 - iii. Without sufficient notice of pending jury trial dates, there is no guarantee that work will be completed

IV. BIOLOGICAL EVIDENCE SUBMISSION CRITERIA

1. All items submitted for DNA analysis require a completed **Supplemental Biology Form**.
2. Relevant standard(s) **must** be submitted.
3. When there is a request for multiple analyses (e.g. Latent Print and DNA analyses) on the same item of evidence, the submitting agency should contact the VFL for guidance.
4. The **Supplemental Biology Form** attempts to capture all pertinent information necessary for establishing CODIS eligibility including:
 - a. An association is established for the submitted evidence. For example, an association is established between the items of evidence and the suspect and/or the victim and/or the crime scene(s).
 - b. A scenario is provided with the submitted evidence. The scenario will establish the value of each item as to its likelihood to provide informative results or an investigative lead.
 - c. Items submitted **must** include specific information as to whom, what, and where evidence was swabbed or collected. Submissions described as "DNA swabs" are unacceptable. A correct submission example would be "RBS swab from kitchen window frame where perpetrator likely broke into residence". Or "shirt with possible victim's blood removed from suspect".
5. The type and number of items accepted is based on case type.
 - a. An item is expected to be comprised of one piece of evidence. If items are received packaged together, the number of items in the package will be considered the number of items submitted (e.g. pants and shirt packaged together will be considered two items).
 - b. For all case types, standards will not count against the number of items that may be submitted.
6. Do not make multiple simultaneous biology submissions of question evidence. Only one submission will be accepted.
 - a. Exception: additional submissions for reference standards.

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V. CASE-TYPE SPECIFIC SUBMISSION GUIDELINES

1. Homicide / Attempted homicide

- a. Investigating agency will request a conference, either in person, virtual, or telephonic, to review the evidence submitted in the case
- b. If cases involve one suspect and one victim, initial evidence submission is limited to 5 items
- c. If cases involve multiple suspect(s) and/or victim(s), initial evidence submission is limited to 10 items
- d. Appropriate standard(s) **must** be submitted
- e. If a probative DNA profile is developed, additional items will not be examined unless case circumstances (multiple perpetrators) dictate the need for additional testing

2. Assault / Robbery / Other violent crimes

- a. Initial evidence submission is limited to 5 items
- b. Appropriate standard(s) **must** be submitted
- c. If a probative DNA profile is developed, additional items will not be examined unless case circumstances (multiple perpetrators) dictate the need for additional testing

3. Sexual Assault

- a. Initial evidence submission is limited to a sexual assault kit containing 1 pair of underwear (worn at time of incident or immediately after) and/or 1 condom
- b. If a kit was not collected or the kit is negative, other items (e.g. clothing, condom) may be submitted
- c. Victim standards **must** be submitted if a kit was not collected
- d. If a kit is positive, and a probative DNA profile is obtained, no additional items will be examined unless case circumstances dictate the need for additional testing
- e. Any wet evidence (e.g. condoms, diapers, tampons) **must** be brought to the attention of the evidence technician at the time of submission

4. Other Offense Types (Burglary / Property Crimes / Weapons Possession, etc.)

- a. Initial evidence submission is limited to 2 items
- b. Evidence items submitted may either be a biological fluid, an item recovered at the scene, and/or an item left/consumed by the perpetrator during commission of the crime (tool, bottle, cigarette butt)
- c. If the crime scene is a recovered stolen vehicle, a steering wheel swab may be submitted
- d. Appropriate elimination standard(s) **must** be submitted
- e. If a probative DNA profile is obtained, additional items will not be examined unless case circumstances dictate the need for additional analysis

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VI. EVIDENCE CONSIDERATIONS FOR THE FOLLOWING SAMPLE/CASE TYPES:

- 1. Reference Standards (Victim, Suspect, Elimination, Parentage standards)**
 - a. Utilize two swabs from one or both cheeks
 - b. Label packaging with first and last name of individual
 - i. Ensure the correct spelling is written
 - c. Submit swabs in one container
 - i. Submissions of separate left and right cheek swabs will result in one sample being rejected at intake.
 - d. Alternate standards are not accepted
 - i. Exceptions for missing persons and unidentified human remains cases
 - ii. Contact the laboratory

2. Firearms and Weapons Possession

Having one swab per firearm is beneficial for a touch DNA case because the DNA is concentrated on that one collection swab and has a better chance to produce a usable DNA profile.

Suggested swab collection are 1 swab from trigger/grip/slide and 1 swab from magazine (if found with firearm).

Case circumstances (and gun type) may dictate the need for additional swab collection.

Weapons Possession

1. Initial evidence submission is limited to 1 swabbing (trigger/grip/slide) per firearm
2. A suspect standard ***must*** be submitted
 - a. If a suspect standard is not submitted, the item will be rejected at intake

Firearms (directly related to crime)

1. Firearms ***must*** be linked to the crime through firearm analysis
2. Initial evidence submission is limited to 2 swabs per firearm
3. *Relevant* standard(s) ***must*** be submitted
 - a. If relevant standard(s) are not submitted, the item will not be tested and will be returned to agency
4. If other evidence items are available, then other items of evidence should be prioritized for DNA testing over firearms
5. If a probative DNA profile is developed, additional items will not be examined unless case circumstances (multiple perpetrators) dictate the need for additional testing
6. Firearms recovered as a result of search warrant that are not directly related to the crime will not be processed and will be returned to agency
7. Processing of firearms evidence may be declined by the VFL based on case facts which are likely to impact the recovery of a relevant DNA profile

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3. Touch DNA evidence

Touch DNA analysis allows for a DNA profile to be generated from skin cells transferred to an item of evidence through physical contact. The type of evidence being sampled and the possibility that individuals, other than the person(s) of interest, touched the evidence are important factors to consider when evaluating the suitability of an item for Touch DNA analysis. The results of such testing can often yield either a mixture of DNA from several people that is not interpretable or a profile of an individual unrelated to the crime. A successful sample is one that yields a DNA profile that is probative and suitable for comparison.

Touch evidence is defined as evidence which has no visible staining and would contain DNA left by touching that item. Touch evidence does not include cigarette butts, swabs of cans, bottles, or straws or other items in which the substance being tested may be saliva. Touch evidence does not include items submitted for identifying the wearer such as shirt, shoes, hats, or other items where there is a probability of prolonged contact.

Having one swab per item is beneficial for a touch DNA case because the DNA is concentrated on that one collection swab and has a better chance to produce a usable DNA profile.

1. Touch DNA evidence will be processed only when no other probative evidence exists
2. Touch DNA evidence will be processed for DNA only if the evidence has not been previously processed by another discipline
 - a. Please indicate if any processing was completed in the field
3. Touch DNA evidence will be accepted for possible DNA analysis when there is a high degree of likelihood that the evidence submitted will provide informative results or investigative leads. A high degree of likelihood may be established by means of witness corroboration, visual monitoring systems, or sound deductive reasoning.
4. Generally, the VFL will *not* accept the following Touch DNA items:
 - a. Fired cartridge cases
 - b. Live cartridges
 - c. Drug baggies
 - d. Items seized directly from the suspect (items from pockets, backpacks)
 - e. Swabs collected from the exterior of cars, dwellings, or other areas with open access (countertops, door handles)
5. Items submitted for Touch DNA will comply with existing policy relating to the number of items of evidence that may be submitted based on case type.

VERMONT FORENSIC LABORATORY
BIOLOGICAL EVIDENCE SUBMISSION GUIDELINES

4. **Parentage / Missing Persons / Unidentified Human Remains**
 - a. Submissions ***must*** include all relevant standards from the mother or alleged mother, father or alleged father, child, putative child or product of conception
 - b. In the case of unidentified human remains/missing persons, bone or tissue samples or an alternate standard(s) (e.g. toothbrush) may be submitted along with the appropriate familial standards
 - i. Contact the laboratory prior to submitting bone, tissue, or alternate standard(s)
 - ii. If CODIS upload is needed for Unidentified Human Remains (UHR), Missing Persons, or Relatives of Missing Persons (RMP), please contact the lab for additional submission paperwork.
 - a. UHR and RMP Submission form
5. **Evidence Potentially Infested with Insects**
 - a. Insect activity needs to be neutralized prior to laboratory submission
 - b. Freezing items that are potentially infested is usually successful
6. **Oversized Items (mattresses, doors, bikes, etc.)**
 - a. Contact the laboratory for approval prior to submitting oversized items
 - i. In most cases, a portion of or a collection from the oversized item is sufficient for analysis
 - b. If approval is not obtained, oversized items will be rejected at intake