

# FORENSIC BIOLOGY EVIDENCE AND CASE MANAGEMENT MANUAL

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## Reports

### 1 Guiding Principles and Scope

- 1.1 Case reports bring together all of the analytical results and conclusions found in the case notes. Reports must be clear and accurate, and avoid overly technical terminology and misleading statements.
- 1.2 If it becomes necessary for an additional report or associated suspect report to be authored by a criminalist who did not author the previous case report, nor were they the prior Technical Reviewer of the case, the [CASE RECORDS REVIEW-PREVIOUSLY REPORTED RESULTS form](#) must be completed and placed in the case file by the author of the additional report.

**NOTE:** Molecular Serology reports written as additional reports do not require a Case Records Review-Previously Reported form.

### 2 General guidelines

- 2.1 Overly technical terminology or misleading statements must be avoided. The conclusions in each report must be supported by the analytical data.
- 2.2 Each reviewer must document the completion of the technical and administrative reviews.
- 2.3 DNA reports must include the following:
  - Case identifiers, including the complaint number and/or ME number.
  - List of evidence and date received
  - Description of the methodology
  - Loci tested and/or Amplification Test Kit used
  - Results and conclusions
  - An interpretive statement, either quantitative (statistics) or qualitative
  - Report date
  - Disposition of evidence
  - Signature and title of person accepting responsibility for the content of the report
  - Appendix containing explanatory statements and definitions of terms.
- 2.3.1 The complaint number and/ or Medical Examiner (ME) number is generated by the customer and will serve as the address of the customer
  - 2.3.1.1 The complaint number is comprised of 3 sets of numbers. The middle set of numbers represents the police precinct number.

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- 2.3.1.2 The ME number contains a letter representing the borough office, for example M for Manhattan.
- 2.3.1.3 In the instance a case does not contain a complaint number or ME number, for example an outside jurisdiction case, the address of the customer should be reflected in the “Additional Information” section of the report.
- 2.4 The above requirements are met in the sections of the report: top block, RESULTS AND CONCLUSIONS, EVIDENCE RECEIVED, DISPOSITION, signature block, and APPENDIX.
- 2.4.1 The date(s) of the performance of laboratory activity are contained within the case file and is referenced as such in the report Appendix.
- 2.5 Serology or additional reports may not require all of the above.
- 2.5.1 Molecular Serology reports will be written as additional reports.
- 2.6 DNA Hit Notifications and their associated statistical calculation are notifications, not reports and therefore do not require all of the above.
- 2.6.1 DNA Hit Notifications should include the following:
- Case identifiers, including Forensic Biology case number(s)
  - DNA hit number
  - Number of loci used
  - Results and conclusions
  - An interpretive, quantitative (statistics), statement
  - Report date
  - Signature and title of person accepting responsibility for the content of the report
- 2.7 Report templates are available and should be used. These report templates have many pre-written statements which are applicable to most cases and save valuable time by eliminating the need to write the same sentences repeatedly. There are different template reports depending on case type and testing performed (Serology, DNA, suspect, missing persons, etc.); make sure the correct template is used for the type of case analyzed. Suspect samples compared to evidence results typed in different systems (ex. Identifiler or Fusion) may need multiple reports in order to use the correct template for each comparison. The complete appendix section for each template must remain in every report. Pre-written statements cannot cover every possible case scenario and should be modified as necessary for accuracy.

## 3 Evidence reports

- 3.1 The DNA typing of evidence is often completed long before a suspect is identified, or an exemplar is provided from an identified suspect. Sometimes, more than one suspect is developed on a case, such as when the initial suspect has been eliminated (especially with pattern cases). It

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is also possible for a suspect whose DNA was collected for one investigation to end up linked to a totally different case. For these reasons, an evidence report stands alone, without inclusion of any suspect DNA typing results.

- 3.2 The evidence report describes the examination of any evidence that was submitted, DNA typing results from the evidence and victim/elimination sample(s), and the statistical statements of the DNA typing results of the evidence.
- 3.3 The evidence report may have the name, arrest number and/or NYSID (New York State Identification) number of an identified suspect in the top block of the report.
- 3.4 If an evidence case is linked to another evidence case or pattern, *the link between the cases is described in the evidence report(s)*. When making comparisons to other cases in the pattern, list the linked cases (case number, victim, complainant names, and all LIMS REPORT ID(s), if applicable, or report date) in the summary.

## 4 Suspect (exemplar) reports

- 4.1 At least one, initial report must be written for each submitted suspect with comparisons to the complaint number it was submitted for. After an initial suspect report is written, an additional suspect report must be written if comparison is requested later to results that are suitable for comparison.
- 4.2 If a suspect is linked to a case or pattern, *the link between the suspect and the evidence is described in the suspect report*. If the suspect is linked to only one case, the precinct and complaint number information can be included; if linked to a pattern, the information may be left out. If a suspect is submitted for a complaint number for which no evidence has been submitted, this is indicated in the ADDITIONAL INFORMATION section using the standardized report template statement.
  - 4.2.1 Where a suspect sample is being compared to DNA profiles in multiple cases, each suspect report (suspect to case 1, suspect to case 2, etc.) should be able to stand on its own if the cases are of vastly different types (e.g., a burglary and a sexual assault) or reporting comparisons from different test types (e.g., Fusion vs. Identifiler or autosomal vs. mitochondrial).
  - 4.2.2 If the multiple cases are part of a “normal” pattern, a single suspect report can address the matching cases simultaneously. List all cases where comparisons are being made (case number, victim, complainant, and/or entity names, and all LIMS REPORT ID(s), if applicable, or report date(s)).
  - 4.2.3 For suspect kits, the evidence and suspect comparison may be written within one combined report, using the applicable report template.
- 4.3 An additional suspect report is not required in the following situations:

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- 4.3.1 First round of evidence is tested, suspect is compared and initial report issued. Additional evidence is tested and is insufficient.
- 4.3.2 An initial suspect report is issued before evidence arrives at the lab. Evidence is now tested, and the case is insufficient.
- 4.3.3 An initial suspect report is issued before evidence arrives at the lab. Evidence is now tested, none of the samples are suitable for comparison.
- 4.3.4 A suspect is associated with numerous cases (ex. pattern or gun). One or more suspect reports are issued on the first sets of cases. Additional cases arrive and all results of testing are insufficient and/or not suitable for comparison.
- 4.3.5 One or more suspect reports have previously been issued to numerous cases. If a new DNA profile hits the pattern of cases but the suspect has since been removed from LDIS/Linkage, a suspect report does not need to be written to the new case.
- 4.3.6 A suspect sample is tested and the results are insufficient or not suitable for comparison (ex. an abandonment sample that resulted in a mixture). An initial report is issued before evidence arrives in the lab.
- 4.3.7 A suspect matches to a pattern of property crime cases. This set of cases has been adjudicated or has passed the statue for prosecution.
- 4.4 If an additional suspect report is not issued under 4.3 , the documentation of this decision may be recorded in the LIMS case record for the suspect file. In the Linked Cases tab within the suspect case record, the relevant evidence file is linked. If an additional suspect report is not needed, enter into the right most column “No comparison to CRT(s)” and the relevant evidence CRT#(s) where the suspect comparison report was not required.
- 4.5 For a suspect file where an initial report was issued based on results from an abandonment sample, and then a true exemplar is submitted for the same suspect, the additional report that is issued needs to be a complete report, re-presenting of all the needed comparisons and relevant statistics. The report includes a statement which indicates that the testing results of the true exemplar match the results obtained from the abandonment sample, unless the true exemplar is associated with a protective order.
- 4.6 Interpretation of evidence must be completed prior to comparison to a suspect. If a sample from a suspect is available, write the evidence report prior to writing a suspect comparison report.
- 4.7 If a submitted suspect is subsequently found to match an evidence case, an additional report is issued as indicated in section 7
  - 4.7.1 If a suspect comes in for a different complaint number than what it subsequently matches to, and the subsequent match is considered a “warm hit”, a report indicating only the

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sample(s) it matches to will be issued. Any additional comparisons can be made upon request. Refer to the report template for the wording to address these situations.

4.7.1.1 If this subsequent match is to a pattern (where the pattern sheet is provided in the case), a report indicating only the sample(s) it matches to in the first case of the pattern will be issued. Any additional comparisons can be made upon request. Refer to the report template for the wording to address these situations.

4.8 When reporting results on an abandonment sample submitted for a suspect it must be clear from the report that the result was not from a buccal- or blood-sample. Depending on the results obtained, there may need to be additional statements about mixtures. In all abandonment sample reports, a request for a true exemplar (oral swab) must be made. Refer to the report template for the wording to address these situations.

## 5 Kinship reports

5.1 For a kinship (paternity, maternity, etc.) case, a single report is generated using the paternity report template. Both FB numbers are used on the report and a copy of the report is kept with each case record.

## 6 DNA Hit Notifications

6.1 If a DNA profile developed from an evidence case matches a suspect previously STR-typed, a likelihood ratio statistic must be performed. If this statistic has a positive association (above the uninformative range), a DNA hit will be issued (Refer to DNA hits manual link), and a DNA hit Notification will be issued.

6.1.1 No report will be written with any comparisons or statistics, including the stat performed in order to issue the DNA hit Notification, until one of the following occurs:

6.1.1.1 A request for comparison is made

6.1.1.1.1 This will be granted if there is a full DNA profile in the most current STR-typing system for the suspect, the suspect STR-typing system is consistent with the evidence typing system, or there is an approved request from Forensic Biology Management

6.1.1.2 A new buccal sample for the suspect is obtained and is typed in the most current system

6.1.1.3 A request for the old sample to be recalled is made and it is tested in the most current system

6.2 A DNA hit Notification will also be used when a statistic is generated from an Offender Specimen for the purposes of Grand Jury testimony.

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## 7 Additional and Amended Reports

7.1 Additional reports are written when additional work (interpretations and/or testing) has been performed on a case where testing results have been previously reported. If an additional report is generated, this will be noted immediately prior to the RESULTS AND CONCLUSIONS section using the standard statement from the report template.

7.1.1 In instances where additional reports are generated, the analyst who interpreted the most recent results will author the most recent report. The RESULTS AND CONCLUSIONS section generally discusses only the new analyses. If the new data includes additional genetic testing, the report may be cumulative, including the new genetic testing results plus the genetic testing results from past reports.

7.2 Amended reports are written when it has been determined that an error in previously reported results has occurred. Consult the Control of Non-Conforming Work section of the QA/QC Manual to assess the extent in which the error must be documented for Quality Assurance purposes. If an amended report is generated, this will be noted immediately prior to the RESULTS AND CONCLUSIONS section using the standard statement from the report template.

7.2.1 In instances where amended reports are generated, the original reporting analyst will sign the most recent report. The entire previous report, including the amendment, is generated.

## 8 Top block

8.1 Each report will be on the most current version of the department letterhead and will have specific identifying information in the top block. Not all of the following are available for each case. The information may vary depending on the case type and/or whether the case is an NYPD submitted case. If there are discrepancies between spelling of first and last names of a complainant within paperwork submitted for a case, use the information present on the 61 (police report) submitted by the NYPD.

- Report date indicating the date the final report was generated
- Name of deceased or complainant
- Forensic Biology case number
- Medical Examiner case number
- Physician that conducted the autopsy and autopsy date
- Name of suspect
- Arrest number and/or NYSID number of suspect
- NYPD complaint number

8.2 Regarding which Subject category should be used:

8.2.1 The category of "Victim" should be used for Homicide reports.

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8.2.2 The category of “Complainant” should be used for all other reports.

### 9 Results and Conclusions

- 9.1 The Results and Conclusions section contains a summary of results and/or conclusions and the interpretive statement (quantitative or qualitative) that provides weight to any associations made.
- 9.2 Before writing results and conclusions, ask yourself “WHAT DOES THE READER OF THE REPORT NEED TO KNOW?” Then choose the statements which best answer those questions.
- 9.3 The template reports contain many pre-written sentences to guide the explanations and interpretation of results.
- 9.4 The first part of Results and Conclusions is a brief synopsis of the analytical results; it should answer the questions that were posed by the submission of the physical evidence, such as: Was blood presumptively found? Was male DNA presumptively found? Was a DNA profile of a donor determined? Are there DNA profiles foreign to the victim?
- 9.4.1 Any references to “male” or “female” is referring to the biological sex of the sample/profile.
- 9.5 The synopsis contains information, where applicable, regarding database comparisons or suitability of entry of profiles into DNA databases.
- 9.5.1 Positive associations of evidentiary or suspect DNA profiles to DNA profiles in local databases are reported in the applicable case report.
- 9.5.2 Negative results on database searches of evidentiary or suspect profiles are reported in a case report only in the following circumstances:
- The search is a one-time event and the evidentiary or suspect DNA profile will not be entered into the local databases, and/or
  - A suspect sample was submitted specifically for comparison to local DNA databases.
- 9.5.3 Case reports must identify the DNA profiles that are suitable for entry into DNA databases, and which level of database/CODIS the profile will ultimately reside.
- 9.6 Within the report templates, sections are included that cover the vast majority of testing results that will be needed. Instructions within each section indicate when to apply each section or statement to the results within the case. All items that are examined and tested must be mentioned in the report. Sections include:

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- Serology (KM) and Male Screening
  - Molecular Serology
  - Samples with Sufficient DNA Detected
  - Database Expungement or Entry
  - Samples with Insufficient DNA Detected or Inconclusive DNA Results
  - Negative Serology (KM)
- 9.7 The testing of victim or elimination samples must be mentioned in the report. If the sample was not compared to any evidentiary results, the testing and development of a profile from that victim or elimination sample must be stated.
- 9.8 If multiple results were generated for the same sample (ex. STR results are obtained from both Y-screening direct amplification and a differential extraction from the same swab, or multiple STRmix runs were performed on the same set of results), the most informative result is generally chosen for the report. All results shall be included within the case record, and any results that are not reported will be indicated as such within the casefile.
- 9.9 Clearly differentiate between similar items so that there is no confusion regarding which test results and conclusions apply to which items. For example, items can be differentiated by color or other descriptions: ex. blue shirt, green shirt.
- 9.10 Avoid the exclusive use of item numbers alone when reporting samples tested since that forces the reader to look elsewhere to find out what is being described. However, item numbers can be used in conjunction with the item descriptions for instances when similar items are submitted and the item description alone will not suffice in differentiating one item from the other. Notations used by the collecting officer to identify samples may be useful to differentiate between many items as well. Examples: grey duct tape (item 1), grey duct tape (item 2).
- 9.11 If items were removed from an object, location or person, it may be useful to put that information in the summary. Quotation marks may be used to indicate wording that has been copied EXACTLY as it is written elsewhere, including any misspellings or abbreviations. Examples: swab of “bedroom door”, shirt from “the defendant”, swab of “trigger/trigger guard”
- 9.11.1 If there is conflicting information in the voucher, request for laboratory examination, and/or crime scene report, it may be impossible to determine which is correct; in that case, do not include any information.
- 9.12 Trace evidence (hairs, fibers, etc.) observed while examining evidence is not mentioned in the report.
- 9.13 If nothing of evidentiary interest was found on an item, use the template statements to report the negative results.
- 9.14 Positive associations can be described by a qualitative match statement and/or a statistic. Statistics are generally calculated for samples when an exemplar (victim/elimination/suspect) is

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submitted for comparison, and that comparison is probative and/or the individual is not expected to be found on that item. Some examples include:

- victim on suspect's shirt
- suspect included/excluded on weapon

- 9.15 Statistics are not calculated for expected inclusions such as epithelial cells from a swab giving a profile consistent with the donor of the swab. (e.g. victim on her own vaginal swab)
- 9.16 Comparisons to a single source sample that matches the complainant/victim should be reported as "is not the source".
- 9.17 If multiple samples from the same location or item generate the same single source or deconvoluted profile, it may only be necessary to calculate and report a statistic for one of the samples. The remainder of the samples can be reported using a qualitative match statement. Consider each scenario on a case-by-case basis.
- 9.18 After a summary is written, review it carefully. Does it answer all of the questions? Is it clear? Are all submitted items and test results accounted for?

## 10 Evidence received

- 10.1 This section lists all evidence received, whether from a submitting agency or from an autopsy.
- 10.2 All items signed into the case, whether or not they were examined, are listed in the EVIDENCE RECEIVED section.
- 10.3 The Evidence Received section lists the item number, voucher number, date received, and description of each item.
- 10.3.1 If items were removed from an object, location or person, it is useful to put that information in the description. Use quotation marks to indicate an exact copy of information written elsewhere.

ITEM	VOUCHER	DATE REC'D	DESCRIPTION
1	1000100100	4/15/17	swab of "bedroom door"
1		4/21/17	shirt
1	—	4/10/17	bloodstain card from victim

- 10.3.2 If several items are submitted as one, give all items individual item numbers.

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ITEM	VOUCHER	DATE REC'D	DESCRIPTION
1.1	1000100100	4/15/17	cigarette butt
1.2			cigarette butt
1.3			cigarette butt

On the voucher, the cigarette butts were identified as "item 1". Upon opening the package, there were three; they were given the identifiers 1.1, 1.2, and 1.3.

10.3.3 For sexual assault kits, list the item as “sexual offense evidence collection kit from Jane Doe:” with the sub-items listed below this header.

10.3.4 Use complete descriptions as opposed to abbreviations (ex. “left nails” as opposed to “L nails”).

10.3.5 Indicate any submitted items that weren't included on the voucher as follows:

ITEM	VOUCHER	DATE REC'D	DESCRIPTION
1.1	1000100100	4/15/17	shoe
1.2			sock (not listed on voucher)

10.3.6 If upon opening the items it was discovered that the description on the voucher was incorrect (for example, a tank top was submitted, but the voucher says "T-shirt"), ensure that the correct description is in the EVIDENCE RECEIVED section.

10.3.7 List items submitted to the laboratory but not examined, including post-mortem items submitted from the medical examiner. These items will be marked as (not examined). For sexual assault kit buccal swabs that are re-packaged and retained, this item is considered as ‘examined’ for disposition purposes.

ITEM	VOUCHER	DATE REC'D	DESCRIPTION
1	1000100100	4/15/17	shoes (not examined)

10.3.8 Missing items listed on the voucher but not present upon opening the packaging for examination will be marked as (not submitted).

ITEM	VOUCHER	DATE REC'D	DESCRIPTION
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1                      10001001000                      7/23/16                      shirt (not submitted)

## 11 Disposition

- 11.1 This section describes what has happened to the exemplars, vouchered evidence, post-mortem samples, and samples removed from the evidence.
- 11.2 List which items have been retained by the laboratory (typically only sexual assault buccal specimens or postmortem samples).
- 11.3 Any consumed items/samples will be tagged with an “\*” following the item description in the evidence received section. The report template statement will be used to reference the “\*” in the disposition.
- 11.4 State when items have been transferred to the Evidence Unit, and include the report template statement in regards to the retention of DNA extracts, if applicable.
- 11.5 Molecular Serology report must include the disposition specific for serology extracts.

## 12 Signature block

- 12.1 Each report has the signature of the reporting analyst for the case.
- 12.2 Reports generated within the LIMS are electronically “signed” after validating the user’s credentials.

## 13 Comparison only reports

- 13.1 A “comparison only” report provides the results of a comparison in the absence of any additional DNA typing. For example, this could include the comparison of a previously typed exemplar from a suspect file to additional results in the evidence file or comparison of a previously typed exemplar to a second evidence case. Because no additional testing was performed on the suspect exemplar, an evidence received section and disposition section is not necessary in that additional suspect report. Disposition information is documented in previous reports and referred to in the “Additional Report” statement.

## 14 Verbal Results

- 14.1 Verbal results are not routinely released before the technical and administrative review of case records and distribution of the associated report.
- 14.2 Exceptions are made for a requested priority case where verbal results are requested:

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- 14.2.1 Verbal results are to be communicated to the submitting agency by a Criminalist IV or Manager.
- 14.2.2 Analytical results of a case in progress will only be released verbally to the submitting agency after review of the testing to date.
- 14.2.3 Interpretation and/or comparison results will only be verbally released after a report has been written and the case records have been through the technical review process.
- 14.3 If verbal results are provided, this communication will be documented in the LIMS communication log.
- 14.4 Do not return phone calls made by case detectives looking to discuss case results or the testing of additional evidence. An agreement in place between the OCME and the NYPD requires that all inquiries concerning testing requests must go through the Forensic Investigations Division of the NYPD (NYPD FID Liaison Unit) only. Criminalists may discuss case information and technically reviewed results with the detectives at FID (see [Memo 2013-005](#)).