

**A. PURPOSE:**

Record control is an important step to maintaining the integrity of case documentation, training records, quality records and other Management System documents within the Division of Scientific Services (DSS). This General Laboratory procedure outlines the steps taken for the identification, collection, indexing, access, filing, storage, maintenance, and the minimum retention period for quality and technical records. Record control also includes the dissemination of records for Freedom of Information Act Requests, Discovery requests and requests by the media.

**B. RESPONSIBILITY:**

DSS Personnel are responsible to follow the guidance set forth in this procedure.

**C. DEFINITIONS/ABBREVIATIONS:**

1. SOP – Standard Operating Procedure
2. LIMS or LIMS-plus - Laboratory Information Management System
3. RML – Record Management Liaison
4. RMLO – Record Management Liaison Officer
5. FOIA – Freedom of Information Act
6. Original Report – this is the report with the original signatures. When electronic signatures are used, the original document is that which is within LIMS-plus. All others are copies of the original but will be referred to here as the report or copy of the report. Reports are considered and treated as technical records.
7. Secure location - A location inside the DSS facility that prevents damage, deterioration or loss. May also be an area of limited access. Secure location may also refer to a location off site as approved by the State Library.
8. Technical Records- Accumulations of data and information which result from carrying out tests.
9. Examination Records – Documentation whether hardcopy or electronic, of procedures followed, tests conducted, standards and controls used, diagrams, printouts, photographs, observations and results of testing and examinations. Examination records constitute part of “technical records”. The CT DSS considers draft reports examination records once they are submitted for technical review. Completed examination records are defined as any record that has been submitted for technical review.

**D. PROCEDURE:****1. Case records:**

- a. Records can be either paper, electronic, or a combination of both. Electronic may include the LIMS-plus case information and other Unit specific electronically maintained records as designated in Unit procedures.
- b. All records shall be prepared in a legible manner and stored or retained in such a way that they may be readily retrieved. Nothing in the examination documentation will be obliterated, made illegible, deleted or overwritten. Adjustments to technical records, such

as additions, insertions, interlineations and crossed out information will be initialed and dated by the person making the change. Records shall be stored in secure locations that provide a suitable environment to prevent damage, deterioration, and loss.

- c. Electronic records shall be backed-up and/or stored in a manner that prevents unauthorized access or amendment (Refer to GL-4).
  - i. In the Computer Crimes Unit evidence submitted may contain large amounts of electronic data. Some of this data may not be pertinent to the case investigation or maybe outside of the scope of the warrant. The Unit creates a mirror image upon the start of analysis of the electronic evidence to prevent change to the original materials. From the mirrored image a 'working copy' containing the pertinent information related to the case parameters and report is created. For those cases only the 'working copy' electronic information used that is part of the report will be maintained per the state record retention schedule. The mirrored image will be maintained 1 year from the date of the case report in the event further work is requested. After 1 year this can be deleted. If further work is required after the mirror image is deleted, the evidence will need to be resubmitted and re-imaged.
- d. All pertinent records generated during the course of laboratory analysis shall be maintained in the case file or within a batch file.
  - i. It is incumbent upon case analysts to ensure, whenever possible, that records for each test contain enough information to facilitate the identification of factors affecting the uncertainty of the test.
  - ii. It is also incumbent upon case analysts to enable the test to be reproduced under conditions as close as possible to the original and to enable a competent analyst to come to the same conclusion and/or results.
  - iii. In addition, all personnel responsible for the sampling, performance, and review processes of these tests shall be readily identifiable in case documentation within the case file.
  - iv. For units that perform batch analyses, casefiles will have documentation that shows where records can be located when not based in casefiles. Case documentation shall be clear as to which samples are associated with which batches. The batch documentation will be maintained per unit guidance and in a manner similar to case files.
- e. All records of observations, data or calculations made while performing specific tests shall be documented at the time they are made, within the constraints of reasonable and accepted scientific practice.
- f. If an observation, data, or a test result is rejected, the reason for the rejection, the identity of the individual(s) taking the action and the date shall be recorded in the technical record.
- g. Testing dates shall be clearly documented in the case records. Testing dates may be reflected as a range of dates or the date of individual test performance.

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- h. The starting and ending date of analysis reflected on examination documents is identified below per DSS unit. Note: For cases with multiple requests received on different dates the start and end dates may be per request.

Unit	Indicates Analysis Start Date	Indicated Analysis End Date
Electronic Evidence/ Computer Crimes	Date on 1 <sup>st</sup> worksheet in case file	Date on Draft Report
Controlled Substance	Date on 1 <sup>st</sup> worksheet in case file	Date on Draft Report
Toxicology	Date on 1 <sup>st</sup> worksheet in case file	Date on Draft Report
DNA	Date on DNA extraction sheet	Date on Draft Report
Forensic Biology	Date on 1 <sup>st</sup> worksheet in case file	Date on Draft Report
Chemistry	Date on 1 <sup>st</sup> worksheet in case file.	Date on Draft Report
Imprints	Date on 1 <sup>st</sup> worksheet in case file	Date on Draft Report
Latent Prints	Date on 1 <sup>st</sup> worksheet in case file	Date on Draft Report
Multimedia	Date on 1 <sup>st</sup> worksheet in case file	Date on Draft Report
Firearms	Date on 1 <sup>st</sup> worksheet is started	Date on Draft Report

- i. Any changes made to completed examination records, either hard copy or electronic format shall be clearly documented in the case records. Changes are to include the date the change is made and the initials of the person making the change. Completed examination records are defined as any record that has been submitted for technical review. All changes made to technical records as a result of verification or technical review shall be tracked to original versions. Both the original and amended data/files shall be retained.
- i. Edits made to records will be addressed as follows:
- Cross out the information to be edited with a single line, never obliterate the information
  - Enter the correct information
  - Put the initials of the person making the correction by the correction
  - Put the date the change was made
- ii. Records include, but are not limited to, case documentation such as worksheets, draft reports, chain of custody documents, photographs, drawings and instrumentation data sheets.
- j. In the event that changes to electronically maintained records are required, a copy of the original pre-edited record is maintained and documented in a manner that is evident that a change was made. A corrected copy of the document will be made and when possible, printed and added to the case file. Units that maintain electronic case records will address tracking changes in Unit SOPs. For records that are in PDF or similar format initials and cross outs can be achieved through software that allows editing such as Adobe Pro.
- k. When non-common abbreviations or symbols are used on examination worksheets Unit specific SOPs or the worksheet will contain the definition.
2. Analysts shall ensure that:
- All case records include sufficient data to facilitate and allow another competent analyst to evaluate what was done and provide an independent interpretation of the data.

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- b. The DSS Case Number, or other unique case identifier, are on each page of the examination documents in the case record.
- c. Where required, initials are present; this may be on Unit specific forms, when verifications are performed or when needed to identify who performed a specific task.
  - i. Photocopies of initials are acceptable; this may be common with batch documentation where certain pages of the batch are copied to file in multiple case files.
- d. Photos of initials are acceptable. Analysts taking case photos often include the case number, item identifier and initials in the photo when printed they need not re-initial the photo.
- e. Documentation in the case file that has been prepared by another analyst contains the initials and date of preparation by that analyst, the case records should be such that it is clear who performed what work. The case analyst is responsible to review all records generated by another analyst when they are incorporating that work into their findings. The review must be documented and can be achieved by initialing a portion of that record or through a case note. Alternatively if the work represents a “batch” and a batch form is used only the batch form needs to be initialed by the batch analyst and the case analyst.
  - i. In cases such as cold cases where a different analyst is performing new work they need not document review of the original work performed, unless they are using that data as part of the new analysis and/or report.
- f. All administrative documents in the case file contain the DSS Case Number or other unique case identifier. In the event administrative documents are added to a file once the case is completed, the initials of the person placing administrative documents within the file should be on the documents; this individual is also responsible to ensure the case number is on the document(s).
- g. In the event of multiple case data recorded on a single printout (e.g. Toxicology Batch Summary Sheet), the DSS Case Number or other unique case identifier is appropriately recorded, and specified (e.g., highlighted, circled or similar).
- h. When examination records are present on both sides of a single page, both sides of the page will be treated as separate pages.
  - i. In areas that use 2 sided forms, only the side written on needs to be initialed. When both sides are used then both sides must contain the case number.
- i. All examination worksheets have been completed using a permanent form of a writing device. Examples of such devices include, but are not limited to pens, permanent markers, and laser inkjet printers.
- j. When an independent check of a critical finding or calculation has been performed:
  - i. An authorized individual having expertise in the field, gained through knowledge, training and experience carried out that check.
  - ii. A record of this review was made to confirm the critical finding and this record includes, by whom and when the check was performed.

- k. This record is maintained in the case file/records. When the case reviews (technical and administrative) are complete and the report is signed, the case report is prepared for issue to the submitting agency.
  - i. Units creating reports in LIMS-plus that require handwritten signatures or Units using word processing programs to write reports that do not automatically save to LIMS-plus will save all final reports in a read-only format in a secure location. The report will be uploaded to the case in LIMS-plus.
    - (i) Reports will be added to the appropriate folder on the document tree in the ‘Attachments’ tab of the file in LIMS.
  - ii. Units creating reports directly in LIMS-plus and that use electronic signatures need not attach the report as it is automatically saved within the case in LIMS-plus.
  - iii. When printing a report from LIMS a watermark will print on the report if it is not considered to be the official case report. The watermark will state ‘Uncontrolled Please refer to official signed report from the attachments tab or case file’. This alerts the user that they need to refer to the correct official report in the case record. This occurs when the report was saved within LIMS in a non-static manner, meaning it will update to the latest report template each time it is opened.
    - (a) If this occurs and the report is retrieved from the case file the report should be scanned and attached in LIMS under the ‘Attachments’ tab of the case.
3. To document that a case report has been issued to the submitting agency, a copy of the case report will be tracked through LIMS-plus. The analyst will create a sub-item in LIMS-plus (refer to GL-4 for guidance). The chain of custody for the copy of the report will be maintained from this point in the same manner as the evidence chain of custody is maintained. See exceptions to this below in “Notes”.
  - i. When itemizing the report, ensure that the PARENT agency and representative are chosen when creating the sub-item. When itemizing, these are the first two boxes in the left corner of the screen. These may auto populate but if they do not, please ensure to add the information. Doing this is very important; it allows the evidence receipt to print for this item.
  - ii. Results issued by the DSS will be provided in a written report that is either transmitted electronically or transferred through LIMS-plus. When a paper final report is to be issued, the final report that will be sent to the submitting/requesting agency is sealed in a business-sized envelope. The report envelope may be sealed with its standard adhesive glue or with clear tape.
  - iii. The Report’s barcode will be generated from LIMS-plus, printed and affixed to the front of the envelope. Please note that a PIN entry does not need to be entered until the envelope with report is brought down to evidence receiving. This envelope may then be attached to evidence if there is any going back.
  - iv. The Report and any appropriate evidence will be transferred to the Evidence Receiving Unit and then to the submitting agency using the LIMS-plus system. The chain of

custody of this report will be used to verify that the submitting/requesting agency has received the report.

Notes:

- (a) Toxicology Unit case reports need not be documented in the above manner. These reports are transferred electronically (e.g., fax or email) and documentation of report issuance is maintained.
  - (b) Computer Crimes case reports are accompanied by an attachment CD, this media is tracked and acts as documentation of report issuance. In cases in which an attachment disk is not generated, the Unit will follow the above procedure.
  - (c) Copies of reports may be obtained by customers (submitting agencies or GA's), through iResults when the customer is set up for this LIMS-plus feature.
- b. In general, when the case report is complete, the evidence is transferred to Evidence Receiving and is held there until it is picked up by the submitting agency.
- i. In general the DSS only releases case reports to the submitting agency and to the related GA (Geographical Areas) judicial branch. In the event a report is requested to be sent to another party (other than for FOIAs) approval will be obtained from the submitting agency. Approval may be through email or verbal; if verbal, the name of the contact and date of the approval will be recorded in the case record. Exceptions to this are as noted below.
- c. The case reports are maintained as follows:
- i. All units not using electronically signed reports:
    - (a) The original report is filed in the analytical case file.
    - (b) Make one copy for the submitting agency, this will be forwarded to Evidence Receiving (itemized and bar coded as listed above). The itemized report is to be issued via LIMS-plus transfer to the submitting agency.
    - (c) One copy is attached to the case in LIMS under the attachments tab.
    - (d) Note: As the DSS transitions to minimizing paper records, the use of the term 'administrative' case file may mean paper or electronic. Electronic meaning the record will be associated to the case within LIMS. For some cases the administrative case file may be a combination of electronic and paper.
  - ii. Units using electronically signed reports:
    - (a) The original report is the report maintained within LIMS. Paper reproductions if maintained in Unit case files are not considered the original record.
  - iii. Case reports are to be issued to the submitting agency or their authorized agent (such as the related court) only. The exception of DUI case reports which are provided to the subject per state statute C. G. S. § 14-227.
  - iv. Exceptions to case report maintenance:
    - (a) Controlled Substance Unit:

- (i) One copy will be generated from the original within LIMS, this will be sub-itemized and bar coded as listed above and will be issued to the submitting agency when the evidence is picked up.
- (ii) A second copy may be forwarded to ER to be sent to the appropriate State Attorney's Office.
- (b) Toxicology Unit:
  - (i) One copy of the report will be generated from the original within LIMS, this will be issued to the submitting agency via email, the email will be attached to the case in LIMS as documentation of issuing the report.
  - (ii) A copy may be sent to the appropriate State's Attorney's Office.
  - (iii) For impaired driving cases:
    - 1. The electronic signed original case report will remain within LIMS and can be accessed for copies.
    - 2. A copy of the report will be sent electronically (emailed or faxed) to the submitting agency and to the Department of Motor Vehicles legal unit.
      - a. The emails will act as documentation of the reports being transmitted, a copy of the email will be attached to the case in LIMS.
    - 3. If dictated by current state statute, a copy of the report will be mailed to the subject of whom the specimen originated.
- d. In general, the only electronic transmission of case reports is faxing or the emailing of a pdf file. When a report is faxed or emailed, it must be to a known fax number or email address provided by the submitting agency. A record of the transmission will be maintained in the case file or attached to the case in LIMS-plus (a copy of the fax receipt or the email notification is sufficient for this record). Emailed reports will not be sent to personal email accounts.
  - i. As upgrades to LIMS-plus are put in place the use of iReporting will be an acceptable form of electronic transmission of reports.
- 4. **Record Maintenance:** All quality records will be maintained within the DSS facility or at a facility approved by the State Library for a minimum of ten years. The State Library record retention policy will be followed to determine the minimum retention times for all DSS records. These records fall into four distinct categories: Management System Records, Training Records, Case Records and Quality Records (logs). Prior to destruction of or transfer of original DSS records, approval will be obtained through the State Library based on current state policy. This includes records included below. This does not extend to copies of original records.
  - a. **Management System Records:**
    - i. Indexing and Collection: Quality Section
    - ii. Access: as required based on the needs of the DSS

- iii. Filing: as required based on the needs of the DSS
- iv. Storage: Within DSS facility or facility approved by the State Library
- v. Maintenance: Minimum of ten years
- vi. Disposal: Destruction after maintenance period

Management System Records include (but may not be limited to): Internal Audits, External Audits, Management System Reviews, QARs, Change Request Forms, Minutes from Meetings, Court Monitoring Forms, Court Technical Review forms, proficiency results, customer surveys.

**b. Training Records/Continuing Education Records:**

- i. Indexing and Collection: Supervisors, Assistant Directors, Deputy Directors and Quality Section
- ii. Access: as required based on the needs of the DSS
- iii. Filing: as required based on the needs of the DSS

The Quality Section will maintain summaries of training documents that document competence and allow authorization to perform work. Unit Managers or their designees maintain all detailed training information including but not limited to: test cases, training lists, training modules, competency tests (written and practical), notations/memos of feedback given and documentation of authorization. Additionally records of continuing education courses taken are maintained with training records.

- iv. Storage: Within the DSS facility or facility approved by the State Library
  - v. Maintenance: duration of employment plus 30 years
  - vi. Disposal: Destruction after maintenance period
- Note: Training records are to remain at the DSS if the examiner should resign or retire. Copies of training records are allowed.

**c. Case Records:**

- i. Indexing and Collection: Analysts (however titled), Assistant Directors, Deputy Directors
- ii. Access: as required based on the needs of the DSS
- iii. Filing: as required based on the needs of the DSS
- iv. Storage: Within DSS Facility or facility approved by the State Library
- v. Maintenance: Case Dependent (see D.4.a below)
- vi. Disposal: Destruction after maintenance period or permanent storage within the DSS facility or facility approved by the State Library

Case records include all documentation (administrative or technical) normally associated with case files this includes both paper and electronic records. For units

that use batch analysis this includes any batch files which are maintained separately from the case file.

**d. Quality Records:**

- i. Indexing and Collecting: Unit Leads, Supervisors, Assistant Directors, Deputy Directors, Director and Quality Section
- ii. Access: as required based on the needs of the DSS
- iii. Filing: as required based on the needs of the DSS
- iv. Storage: Within DSS facility or facility approved by the State Library
- v. Maintenance: Minimum of ten years

Quality Records include but may not be limited to: all documentation of calibrations (pipette, masses, thermometers, etc.), all documentation of monitoring (temperature logs, instrument maintenance logs etc.), all QC checks (standard validations), and all records associated with the evaluation of measurement uncertainty.

Documentation of method validation records will be maintained for the life of the method plus 10 years. These records may include but may not be limited to the procedure used, specifications, performance characteristics of the method, results and the statement of method fitness for use.

**5. Records Retention Schedule:**

- a. For the current records retention schedule refer to the State Library web site: <https://atlas.ct.gov/Portal/pages/index.jsp>. The DESPP website contains guidance on records destruction: <http://intranet/intranet/2017%20DESPP%20Records%20Retention%20and%20Destruction%20Guidebook%20Revised.pdf>. Questions regarding records retention should be directed to the Division Record Management Liaison.
- b. When records are identified which are past the minimum years of storage requirement, a request can be made to have the documents destroyed. To determine if a case file can be destroyed:
  - i. Verify the case type, if any of the following are true the file is deemed an “Essential Record” and must be maintained indefinitely.
    - (a) The case is a homicide, sexual assault or a Toxicology death related case.
      - (i) Note for the purpose of record retention Toxicology includes Controlled Substance cases.
      - (b) The case is part of a DNA database record or was searched in the DNA database.
      - (c) The case is part of a Firearms database search or includes test fires.
    - ii. If the case file does not meet any of the above criteria, the retention schedule is to be followed. From the Records Retention schedule:

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- (a) Forensic Laboratory Requests; 10 years from the final date report was submitted to the requesting agency.
- (b) Toxicology Reports; (related to State Police Cases) 10 years from the date the final report was submitted to the requesting agency.
- (c) Toxicology – No Death; (related to municipal agencies) 7 years from the date the final report was submitted to the requesting agency.
- iii. Additional guidance is given specific to Toxicology Quality Control/Assurance Records as 10 years from the date of inspection.
- iv. Create a list of case files to be destroyed. The list will be maintained as part of the destruction request.
- v. Generate a memo that outlines:
  - (a) The date range of the files.
  - (b) The file type; this is specific to the current records retention schedule. See the Records Management Liaison for guidance.
  - (c) The number of files and the related numbers of banker box size containers this represents. Note that the “volume of records” needs to be reported to the library, one regular sized bankers box equals 1 cubic foot.
- vi. Submit the list and the memo to the Records Management Liaison.
- c. Requests for record destructions go through the Division’s Record Management Liaison (RML). No official records will be destroyed without approvals gained through DSS Management and the State Library. This includes, but is not limited to any documents/records listed under Record Maintenance above, other case records and administrative records.
  - i. The Division RML will complete a State of Connecticut RC-108 form (Records Disposition Authorization – State Agencies) based on the memo and file list provided, this will be forwarded to the Department RMLO, located at DESPP Headquarters for approval by the State Library.
  - ii. Records cannot be destroyed without this approval.
  - iii. Records listing what documents were destroyed and when they were destroyed will be maintained by the RML, this may be achieved electronically, for a period of no less than 10 years.
- 6. Storage of records with the State Library or State Library Approved Facility:
  - a. In general the DSS goal is to store the current year plus four years case files in the DSS facility with all other records being stored with the State Library or other approved facility.
  - b. Records can only be transferred for permanent storage with the approval of the State Library. The RML will work through the DESPP RMLO to obtain authorization for transfers.

- c. The State Library guidance that is in place at the time of the transfer will be used. This can be found at: <https://ctstatelibrary.org/publicrecords/state>
  - d. The DSS will prepare and maintain an index of all records being transferred. A copy of the transfer index supplied to the State Library will be stored in Qualtrax.
  - e. Refer to GL11.1 for instructions on preparing records for transfer.
7. Retrieval of records stored off site:
- a. If case file(s) stored off site are required, the DSS will notify the State Library through the DESPP RMLO. When the file is needed, the case number and the boxes the case file(s) are to be found will be provided via email. The DSS will arrange for the file to be retrieved from the storage site.
8. **Release of Information:**
- a. **General:** The Case Management Unit (CMU) is the organizing body for both FOIA and Discovery requests. It is the goal of the DSS to respond to these requests quickly and thoroughly.  
The DSS will not provide any documents that are copyright protected.  
The DSS will follow CJIS compliance guidelines for data related to the COLLECT system and will follow the guidance for use of the CODIS, NIBIN and AFIS systems. Information may require redacting due to the compliance guidelines.  
The DSS will not provide case materials that contain contraband.  
When the following records are requested the DSS will provide summary documentation. Complete documentation will be provided if upon review of the summary documentation the requester requires the complete documents.
    - i. Validation Studies
    - ii. Unexpected Results/Contamination records
    - iii. Corrective Actions (if not narrowed to a specific case)
    - iv. Internal Audit Documents
    - v. External Audit DocumentsRefer to CM WI-6 'Discovery and Freedom of Information Act (FOIA) Requests'.
  - b. Freedom of Information requests (FOIA): FOIA requests will not be addressed prior to being reviewed by the DESPP Legal Unit. If a request comes in without having been vetted by Legal the CMU will forward it to the Legal Unit.

Upon receipt of a FOIA request:

- i. A 'FOIA' service request will be added in LIMS-plus by the Case Management Unit for the case(s) listed in the request. The FOIA request will be attached to the case in LIMS-plus; under the attachments tab.
- ii. CMU will notify the SSAM and Director of any requests made by non-criminal justice agencies or for any extensive or non-standard requests.
- iii. The CMU will review the request to determine what DSS units are involved in the request and work with the needed Units to compile the requested records.

- iv. The DSS will not provide any documents that are copyright protected or information from the COLLECT system.
    - (a) The DSS will follow guidance for CODIS, AFIS and NIBIN database systems regarding the release of information from those systems.
    - (b) The CMU will work with the related Units to gather and scan all required materials. Unit Managers should assist to identify what records from their areas fall under the FOIA.
      - (i) Redact information if required per established CJIS compliance guidelines requirements (CODIS, AFIS, NIBIN)
  - v. The CMU will forward the complied materials to the Legal Unit electronically. An electronic record will be maintained of the materials provided.
- c. Discovery Request: All discovery requests go through the Case Management Unit. Analysts receiving discovery requests must forward the requests to the Case Management Unit. An exception to this is Discovery requests for the Breath Alcohol Unit; these may be handled by that unit.
- i. The Case Management Unit will review the request and forward it to the appropriate analyst(s) and Unit Lead, Supervisor or Unit Manager.
    - (a) A 'Discovery' request will be added and the request will be attached in LIMS-plus by Case Management.
  - ii. Required materials will be scanned and redacted if appropriate.
  - iii. In areas that use batch analysis the Unit needs to be determined if any of the batch paperwork not maintained in the case file is required for the request (i.e. control results or other).
  - iv. The Case Management Unit will save an electronic copy of the discovery packet.
    - (a) If the Discovery request was made through the State Attorney's Office, the documents will be forwarded to the State Attorney for dissemination.
    - (b) If the Discovery request is through the Public Defender's Office or through a Private Attorney, the Case Management Unit will forward the documents through the DESPP Legal Department and/or the State Attorney's Office.
- d. Media Requests: all requests by the media are to be forwarded to the Director. No DSS employees are authorized to make statements to the media concerning any case related to the work of the DSS unless specified by the Director.