

## Deviation from Documented Procedures Form

**Date of Deviation:** 06/09/2022 – 06/17/2022

**Type of Deviation:**

Procedural. Quality Forensics Toxicology Draft Complete Outsourcing Part 2

**Describe the Deviation:** Since April of 2021, there has not been a second Toxicologist employed by the BCSO Crime Laboratory. Therefore, there was no analyst available for technical and administrative review of blood drug analysis. The current toxicologist ceased performing analysis, with the exception of urine specimens, after the voluntary withdrawal of Toxicological services from our scope of accreditation effective March 2, 2022. At the time of withdrawal, there were still cases in Draft Complete. BCSO Crime Laboratory could not find an outside laboratory willing to only technical and administratively review cases. All draft complete biological specimens will be sent for reanalysis by an outside laboratory. Since accreditation withdrawal, the laboratory has still been accepting biological specimens. We have found an outside laboratory, Quality Forensics Toxicology Laboratory in San Antonio, Texas, willing to test our biological evidence, both unanalyzed and previously analyzed. Our Toxicologist prepares the samples by filling out the Quality Forensics submission form, ensuring there is sufficient sample for analysis, and moving the evidence to the overflow refrigerator. Samples are prepared and shipped via FedEx. Any BCSO Crime Laboratory findings, in conjunction with the final report issued by the outside laboratory, will be available in each case file.

LOG-25-03 Evidence Control

*“3.4.1 A technical review shall be performed by any authorized Laboratory employee with proper knowledge of the discipline to ensure all critical findings are accurate.*

*3.4.2 The technical reviewer shall not be the analyst who performed testing on the evidence.*

*3.4.6 All BCCL cases in each discipline shall be technically reviewed.*

*3.5.1 An administrative review should be completed by any authorized Laboratory employee with the proper knowledge of the discipline.*

*3.5.2 The administrative reviewer shall not review his/her own report. It is recommended that the technical reviewer also perform the administrative review.*

*3.5.6 All cases shall be administratively reviewed prior to report distribution.*

*3.6.3 If an outside Laboratory needs to be contacted, it shall be treated as a subcontractor.”*

**Reason for Deviation:** The Toxicology department is understaffed, and the Laboratory was unable to find a subcontractor to review casework. The Crime Laboratory has withdrawn its scope of accreditation in Toxicology.

**Laboratory Number(s) (if applicable):**

The following cases were previously analyzed for blood drug and a BCCL Draft Complete report issued:

BCCL-21-0362

BCCL-21-0650

BCCL-21-0939

BCCL-21-0475

BCCL-21-0788

BCCL-21-0940

BCCL-21-0482

BCCL-21-0809

BCCL-21-0642

BCCL-21-0936

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The following two cases were not previously analyzed. They were tested for both blood alcohol and blood drug:

BCCL-21-1746

BCCL-21-1804


### Brazoria County Sheriff's Office Crime Laboratory

  
Evidence Technician

6.20.22  
Date

  
Toxicologist

6/29/22  
Date

  
Quality Assurance Manager

20 June 2022  
Date

  
Laboratory Director

20 June 2022  
Date