

## Quality Forensics Toxicology Outsourcing Part 9 Deviation from Documented Procedures Form

**Date of Deviation:** 08/30/2022 – 09/22/2022

**Type of Deviation:** Procedural. Quality Forensics Toxicology Outsourcing Part 9

**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. 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. Upon completion of analysis, a report is emailed to both the BCSO Crime Laboratory and a contact at the District Attorney's office. Any BCSO Crime Laboratory findings, in conjunction with the final report issued by the outside laboratory, will be available in each case file.

**Reason for Deviation:** The BCSO Crime Laboratory has voluntarily suspended operations and withdrawn our scope of accreditation pertaining to Toxicology, both blood alcohol and blood drug, while we develop new methods. We are still currently accepting biological evidence but not testing at this time. According to the *Texas Administrative Code Title 37 Part 15 Chapter 651 Subchapter A*, accreditation is required of analysis that involves use in a criminal proceeding. Evidence is typically submitted with an offense listed. The BCSO Crime Laboratory could no longer produce reports viable for criminal proceedings.

**Laboratory Number(s) (if applicable):** None of the cases sent in this batch were previously analyzed by the BCSO Crime Laboratory.

The following case was analyzed for blood alcohol only: BCCL-22-0028.

The following cases were analyzed for both blood alcohol and blood drug:

BCCL-22-0014	BCCL-22-0878	BCCL-22-1112
BCCL-22-0137	BCCL-22-1056	BCCL-22-1187

The following cases were analyzed for blood drug only:

BCCL-22-0584	BCCL-22-1138	BCCL-22-1221
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The following case was analyzed for both blood alcohol and blood drug but only blood drug was requested: BCCL-22-0710.

### Quality Forensics Toxicology Outsourcing Part 9

Brazoria County Sheriff's Office Crime Laboratory

Summer Swango  
Evidence Technician

9.24.22  
Date

S. L. Dwyer  
Toxicologist

9-26-22  
Date

Cheri Wuth  
Quality Assurance Manager

26 Sept. 2022  
Date

Derek Slava  
Laboratory Director

26 Sept 2022  
Date