

Deviation from Documented Procedures Form Texas DPS Crime Laboratory Houston Blood Alcohol Submissions

Dates of Deviation: 09/08/2022 – 10/04/2022

Type of Deviation: DPS Crime Laboratory Blood Alcohol Outsourcing Part 10

Describe the Deviation:

The Texas Department of Public Safety (DPS) Crime Laboratory Houston offered to test our blood alcohol samples after the BCSO Crime Laboratory withdrew our scope of accreditation with ANAB. Twenty samples are selected at a time. Our Toxicologist prepares the twenty samples by filling out the DPS Crime Laboratory submission form, ensuring there is sufficient sample for analysis, and moving the evidence to the overflow refrigerator. Investigators from the District Attorney's office are then picking up samples from the laboratory to submit to the DPS Crime Laboratory. Upon completion of analysis, a report is sent to the BCSO Crime Laboratory email and a contact at the District Attorney's office. If there are more cases to be submitted, the cycle repeats and the investigator picks up the previous twenty samples, if available, upon submission of the next twenty. A copy of the report from DPS Crime Laboratory Houston, this deviation, and a letter from the BCSO Crime Laboratory Director will be included in every 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The BCSO Crime Laboratory has voluntarily suspended operations and withdrawn our scope of accreditation pertaining to Toxicology, both blood alcohol and blood drug, while we develop new methods.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):

The following four cases were previously analyzed and the second, unopened tube of blood was sent for analysis:

The following case was previously analyzed for both blood alcohol, which was completed, and blood drug, which remained in draft complete. The BCCL reports were issued in conjunction with the DPS report: BCCL-21-0737.

The following cases were previously analyzed for blood alcohol and a BCCL Draft Complete report issued in conjunction with the DPS report:

BCCL-21-0774 BCCL-21-1631 BCCL-21-1651

The remaining cases analyzed is this batch sent to DPS:

BCCL-21-1764	BCCL-22-0033	BCCL-22-0325
BCCL-21-1827	BCCL-22-0072	BCCL-22-0836
BCCL-21-1858	BCCL-22-0186	BCCL-22-0901
BCCL-21-1912	BCCL-22-0196	BCCL-22-0909

Approval Date: October 26, 2021
Effective Date: October 26, 2021

Issuing Authority: Upper Management
Authorized for Distribution by Laboratory Director

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DPS Crime Laboratory Blood Alcohol Outsourcing Part 10**

BCCL-22-0942
BCCL-22-1021

BCCL-22-1030
BCCL-22-1128

Brazoria County Sheriff's Office Crime Laboratory

Summer Swango
Evidence Technician

10.5.22
Date

A. L. Qui
Toxicologist

10-5-22
Date

Ami Wap
Quality Assurance Manager

07 Oct. 2022
Date

Debra Sters
Laboratory Director

07 Oct 2022
Date