

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

Dates of Deviation: 10/18/2022 – 11/17/2022

Type of Deviation: DPS Crime Laboratory Blood Alcohol Outsourcing Part 13

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. Previously, twenty samples were selected at a time. Going forward, we will be sending 30 samples in each batch. Our Toxicologist prepares the 30 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 set of samples, if available, upon submission of the next. 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The BCSO Crime Laboratory has voluntarily suspended operations and withdrawn our scope of accreditation pertaining to Toxicology, both blood alcohol and blood drug, while we develop new methods.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 case was previously analyzed for blood alcohol and the second, unopened tube of blood was sent for analysis. A BCCL Draft Complete report was issued in conjunction with the DPS report: BCCL-21-0001.

The remaining cases analyzed in this batch sent to DPS:

BCCL-21-0494	BCCL-22-0608	BCCL-22-1200
BCCL-21-1552	BCCL-22-0652	BCCL-22-1226
BCCL-21-1923	BCCL-22-0666	BCCL-22-1230
BCCL-21-2105	BCCL-22-0835	BCCL-22-1257
BCCL-21-2276	BCCL-22-0932	BCCL-22-1263
BCCL-22-0108	BCCL-22-1082	BCCL-22-1335
BCCL-22-0136	BCCL-22-1105	BCCL-22-1455
BCCL-22-0266	BCCL-22-1111	BCCL-22-1548
BCCL-22-0349	BCCL-22-1140	BCCL-22-1557

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

Issuing Authority: Upper Management
Authorized for Distribution by Laboratory Director

**Texas DPS Crime Laboratory Houston Blood Alcohol Submissions
DPS Crime Laboratory Blood Alcohol Outsourcing Part 13**

BCCL-22-1610

BCCL-22-1639

Brazoria County Sheriff's Office Crime Laboratory




Toxicologist

11-18-22
Date



Quality Assurance Manager

21 Nov. 2022
Date



Laboratory Director

21 Nov 2022
Date