



WISCONSIN STATE CRIME LABORATORIES

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WSCL DNA Evidence Submission Guidelines

Effective 11/12/2024

The Wisconsin State Crime Laboratories (WSCL) works to provide quality forensic results to assist agencies throughout Wisconsin. To be both as effective and efficient as possible, we have the following guidelines for all DNA case submissions.

PACKAGING REQUIREMENTS

Upon receipt, evidence items must be packaged to protect them from loss, cross contamination, and/or deleterious change.

- Potentially hazardous evidence must be packaged to ensure safe handling. Examples include:
 - Glass, knives, guns, etc. should be securely packaged in boxes,
 - Syringes should be packaged in sharps containers.
- Evidence items should be packaged separately to avoid direct contact that could result in cross contamination. Examples include:
 - Separate each swabbing or set of swabs (one wet and one dry) taken from an item of evidence,
 - Separate questioned evidence from known sources,
 - Separate by evidence type.
- Drugs must be separated from packaging prior to submission to the laboratory.
- Biological evidence should be dried and packaged in paper to prevent deterioration of evidence. Some exceptions include condoms and products of conception, which may be packaged in a specimen jar or vial and should be kept frozen.
- DNA reference standard packages must be clearly labeled with the name of the donor.
- All evidence packages must be sealed and initialed prior to submission to the WSCL.

LABORATORY REQUEST DETAILS

- I. Provide a Transmittal of Criminal Evidence form and a CODIS Eligibility Questionnaire (CEQ) form.
 - Select all units in which processing is needed under the "Requested Analysis" portion of the Transmittal of Criminal Evidence form.
- II. To accommodate timely results for all agencies throughout Wisconsin, WSCL works evidence in the order of submission. Rush requests impede the process; therefore, they will be accepted on a limited basis. Consult with a WSCL DNA Supervisor or Forensic Case Manager with any rush request or speedy trial demands. **DNA rush requests must pertain to:**
 - Significant public safety concerns regarding violent crimes against a person(s),
 - Unknown perpetrator, and
 - Biological fluid evidence only (i.e., no touched DNA evidence), or
 - Approaching jury trial date when the trial is at least two months from the date of submission to the laboratory.
- III. In non-violent cases with touched DNA evidence, a justification from the District Attorney's (DAs) Office must be made to the WSCL prior to submission. (See additional information under touched DNA evidence.)

EVIDENCE ITEM ACCEPTANCE

Submission of items of evidence shall relate to felony investigations (Wis. Stat. §165.75(3)(e)). The WSCL requires at least two months to complete analysis prior to any anticipated deadline (e.g., jury trial, etc.). **If testing results are needed by the court before the jury trial date, submit the items at least two months earlier than that date and make a note on the Transmittal of Criminal Evidence form. Additional time is necessary if a large number of items need to be tested or if multiple disciplines are requested.**

The types and number of evidence items accepted are dependent on the case type. Known DNA reference standards will not count against the number of items that may be submitted. A CEQ must be provided with the submitted evidence.

- I. Limits on the first laboratory submission:

CASE TYPE	NUMBER OF ITEMS ALLOWED	PREFERRED EVIDENCE
Homicide	10	Weapons, suspect/victim clothing, sexual assault kit (if applicable)
Other Violent Crimes Against a Person (Robbery, Assault, etc.)	3	Suspected biological fluids, clothing or item left behind by suspect

Non-violent Crimes (Property Crimes, Possession, etc.)	3	Suspected blood from point of entry, clothing or item left behind by suspect, not touched DNA*
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If no probative association is established from the first submission, a second submission is allowed with the same limit on the number of items in the previous table. If a probative association is established from the first submission, no additional evidence will be analyzed.

II. Sexual assault cases – limit in first laboratory submission:

- Medical Forensic Evidence Collection Kit (from victim and/or suspect),
- Underwear (from victim and/or suspect),
- Condom, if applicable.
- If consensual sex occurred within 5 days of the exam date, provide known reference samples from the consenting partner.

If no probative association is established from the first submission, a second submission of up to 5 items is allowed. If a probative association is established from the first submission, no additional evidence will be analyzed. For additional information refer to the *WSCL Sexual Assault Kit Evidence Submission Guidelines*.

III. Touched DNA evidence*:

- Only processed in cases that are violent crimes against persons, unless specifically requested by the DAs Office.
 - Only processed if not previously handled by another unit within the laboratory. Items submitted for DNA analysis may not be processed for latent prints afterwards.
- Must have elimination known reference standards submitted for comparison.
- Only processed when no other probative evidence exists.

Examples of touched DNA in nonviolent cases:

Case Type	Evidence Type Example	Buccal Swab Standards	DAs Justification Needed –
Burglary	Dresser drawer knob swabs	Victim, Elimination	Yes
Car Theft	Steering wheel/gear shifter swabs	Victim, Elimination	Yes
Felon in possession of gun	Gun swabs	Suspect, Elimination	Yes
Possession of drugs	Baggie swabs	Suspect, Elimination	Yes

*Touched DNA evidence is believed to occur when an individual has limited casual contact with an item. Items of evidence in which biological fluid may be present, such as drink container openings or items that have been worn are not considered touched DNA evidence and may be submitted for testing following the guidelines above.

The following evidence items will not be accepted for DNA analysis:

- Misdemeanor cases.
- Fired cartridge casings.
- Touched DNA evidence collected from the floor, countertop, doorknob/handle, etc. of a public place or currency.
- Items taken directly from a subject in a possession case.

To reduce the time it takes to obtain a laboratory report, confer with WSCL to identify which items are best suited for testing and provide known DNA reference standards at the time of the case submission. Immediately notify the laboratory of any upcoming court deadlines and if analysis is no longer needed.

Based on the circumstances of the case, the possibility of additional testing may be warranted. In such cases, the evidence items and testing requested should be discussed with the WSCL Forensic Case Manager for consideration of acceptance:

Kathy Mahnke
 WSCL Forensic Case Manager
 (608) 609-6125
 mahnkeka@doj.state.wi.us

Any questions concerning the policy should be directed to:

Nicole Roehm
 WI Division of Forensic Sciences Administrator
 (414) 216-8769
 Nicole.Roehm@wisdoj.gov

Thank you for your cooperation in helping the WSCL provide consistent, quality service to agencies throughout Wisconsin. We look forward to working with you.