



## NSP Crime Laboratory Special Report: Drug Residue Policies and Syringe Testing

The Nebraska State Patrol Crime Laboratory (NSPCL) Drug Section provides forensic drug testing and results to more than 160 agencies throughout the state of Nebraska. In an effort to provide the most effective and efficient service to the criminal justice system, the NSPCL continually evaluates its submission and testing policies.

Due to the number of agencies served throughout the state, countless drug residue items are submitted to the laboratory for testing each year. These cases often contain either multiple items of residue pertaining to one person or contain more items of residue than persons involved. **Unfortunately, the submital form received at the laboratory often gives no indication to which person the items pertain.**

As a result, analysts spend a considerable amount of time attempting to determine items that are probative as it is neither feasible nor necessary to test multiple residues attributed to a single person. Laboratory analysts must inventory and label each item of residue regardless of whether or not it is tested. **Overall a tremendous amount of time is spent by drug analysts managing residue items.**

The following serves as a reminder of existing NSPCL policies regarding residues along with a **policy change** that comes about as the result of evaluation of resources and testing needs.





## NSP Crime Laboratory Special Report:

### Drug Residue Policies and Syringe Testing

Residues should only be submitted and will only be tested under the following circumstances:

- It is the **ONLY** item in the case or the **ONLY** item that can be tied to a specific person.
  - ◇ Ownership must be clearly indicated either on the evidence packaging or submittal form

**NOTE:** Analysts will only test items with ownership marked!
  - ◇ (**CHANGE**) Only one item of residue will be tested per person of interest regardless of whether or not they are suspected to contain different substances.
- The item submitted was probable cause for a search
  - ◇ The item **MUST** be identified as probable cause either on the evidence or submittal form

**NOTE:** Items marked as having a positive field test will **NOT** be assumed to be probable cause, the items must still be marked accordingly on the submittal form!
  - ◇ Analysts will not test multiple items if they are all indicated as probable cause, **ONLY** one probable cause item will be tested
- A prosecutor is able to give justification for testing if the item does not meet one of the above criteria and this is approved prior to submission to the lab.



## NSP Crime Laboratory Special Report: Drug Residue Policies and Syringe Testing

The following is a reminder of the existing policies regarding syringe rinses (which are treated as residues):

Syringe rinses should only be submitted and will only be tested under the following circumstances:

- It is the **ONLY** item in the case or the **ONLY** item tied to a particular person
  - ◇ **Ownership must be clearly indicated** either on the evidence packaging or submittal form
  - ◇ Multiple syringe rinses for one suspect will not be tested even if it is suspected that they contain different substances
- It was the **ONLY** probable cause for a search
  - ◇ This must be **clearly indicated** on the evidence or submittal form.
- A prosecutor can provide justification that the testing is needed if the rinse does not meet one of the above criteria and this is approved prior to submission to the lab

**REMEMBER: the laboratory DOES NOT accept physical syringes!**

Only submit items meeting the aforementioned criteria. Do not submit additional items seized that will not be tested.

If you have questions/concerns, please contact the NSPCL  
Controlled Substances Section staff

(Main) 402-471-8950

