



NSP CRIME LABORATORY CRIME LABORATORY MANUAL TOXICOLOGY



I. Examinations

The NSPCL Toxicology Section will perform analyses of human urine specimens for the presence of drugs and drug metabolites when requested by authorized Nebraska law enforcement agencies. Furthermore, the Section will furnish reports of its findings to the submitting agencies and provide expert testimony in court when called on to do so.

Toxicology is a unique discipline that requires a logical analytical approach to determine what, if anything may be present in human biological materials. There is no single analytical procedure that can be administered to identify or rule out all possible substances, nor is it possible to test for every substance.

As much information as possible regarding the reason for submitting the sample should be included on the Laboratory Submittal Form. Include any drug evidence found and the identity of any prescription drugs the subject was taking. Information regarding any drug evaluation and the opinion of a trained Drug Recognition Expert (DRE) should be included on the Laboratory Submittal Form. DRE Facesheets shall accompany urine specimens submitted for the investigation of DUI when a DRE is performed.

II. Driving Under the Influence of Drugs

In those cases where a driver is impaired because of drug usage, the Toxicology Section of the Laboratory is often asked to analyze urine to detect a drug presence. The Toxicologist's testimony as to the presence of a drug may be used in court to supplement evidence of actual impairment. The Toxicologist cannot testify to whether a particular driver was impaired at the time of driving solely on the basis of Toxicology testing results.

- A. "Rules and Regulations related to analyses for the determination of drug content in urine while driving under the influence of drugs" are in effect in Nebraska (Title 177 Nebraska Administrative Code, Chapter 7). The rules provide a list of approved methods and techniques for urine drug screening and confirmation. The rules also provide cutoff levels for the analysis of marijuana metabolite, cocaine metabolite, morphine, codeine, phencyclidine, amphetamine and methamphetamine.
- B. The Rules and Regulations outline how a specimen shall be collected and preserved (Title 177, Chapter 7, Section 005) see section V below.
- C. Many of the cases worked in the Toxicology area of the Crime Laboratory are from law enforcement agencies where drugs and/or alcohol may be involved with a moving violation. If an alcohol determination is needed in a moving violation, the analyses are conducted by the State Health Laboratory. It is the responsibility of the submitting agency to confer with

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the State Health Laboratory to determine what kind of sample is accepted for alcohol testing and to submit the proper sample directly to the Health Lab. The Nebraska State Patrol Crime Laboratory will only accept urine samples for drug analysis.

Note: The Nebraska State Patrol Crime Laboratory will not transfer samples to the State Health Laboratory, nor will the State Health Laboratory transfer samples to the Nebraska State Patrol Crime Laboratory.

III. Other Examinations

The Crime Laboratory does not have the instruments necessary to test for the presence of poisons, lithium, carbon monoxide or other inhalants. If necessary, the Laboratory can provide contact information for laboratories that provide these services.

The Laboratory does not have the capability to test for the presence of steroids or GHB in body fluids. Call the Laboratory for a referral if this type of testing is needed.

IV. Collection and Packaging of Evidence

This section will give you information regarding collection and handling of samples to be submitted for toxicological examination. Results of analysis are no better than the sample submitted.

- A. All samples should be collected free of contamination and placed in a clean container and labeled with the suspects name, the date and time. The target amount needed for urine testing is 42 milliliters. The urine container must be clean, unbreakable and leak proof. After collection, the container must be sealed with evidence tape. The seal shall be initialed by an individual who witnessed the urine collection. Urine specimens should be stored under locked storage conditions. If transport of the specimens is delayed, they should be kept refrigerated or frozen (4 degrees Centigrade or less).
- B. Urine should be frozen, or at least refrigerated (4 degrees Centigrade or less) until transport to the Lab.
- C. Samples should be submitted to the Laboratory as soon as possible following collection. If packaged properly, samples can be sent by certified mail. Icing in transport is not required if transporting is done expeditiously (i.e. mailing samples on a Monday or Tuesday, eliminating weekend handling by the Post Office).

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- D. Never add preservatives to samples unless it is cleared through the Lab.
- E. Package all samples in sealed containers, then in a leak-proof container (such as a closed self-seal bag). It is important to be sure that the sample will not leak, because testing is not possible on an insufficient quantity of sample. Pack the container securely in a box or other package, seal and initial over the seal.
- F. Documentation

Two major documents will be utilized for documentation procedures.

1. Specimen Label - The specimen label should be affixed to the urine container and not to the lid; and should contain the following information:
 - a. Name of the subject (subject should initial the label and thereby acknowledge that the specimen is their urine).
 - b. Name or initials of individual who witnessed the urine collection and date/time of collection. This should be placed across a seal on the urine container.
2. Laboratory Submittal Form - This form accompanies the urine and confirms that all the specimens collected actually reach the Lab. In addition it provides information about the sample. The form should contain the following information:
 - a. Subject name.
 - b. Collection site and witness name.
 - c. Specimen collection date/time.
 - d. Information regarding any drug evaluation and the opinion of a trained Drug Recognition Expert (DRE).

V. Rules and Regulations Related to Analyses for the Determination of Drug Content in Urine While Driving Under the Influence of Drugs (Title 177: Chapter 7)

005 Specimen and Collection and Preservation

005.01 The urine specimen.

005.01A The collection of urine shall include saving a portion of an

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initial urination in a clean, dry, sample container and capped.

- 005.01B Sample collection shall be in the presence of collection personnel designated by the law enforcement agency to assure that adulteration of the sample does not occur.
- 005.01C Specimen containers shall be labeled and shall show the following information on the label: name of person tested, date and time of specimen collection, and initials of person supervising the collection of the specimen.
- 005.01D Specimen containers, with collected urine, shall be sealed and refrigerated as soon as practical as described in part 005.01E.
- 005.01E While not in transit to a site for screening or to a site for confirmatory testing, and while not under actual testing, all urine specimens shall be in secured refrigerated storage at four (4) degrees centigrade or less.
- 005.02 The evidence seal.
- At the testing site the evidence seal shall be broken and the sample analyzed. The seal shall not be broken except by the Class D permit holder at the time just prior to testing.
- 005.03 Retention of specimen following testing. Any remaining specimen after testing shall be retained in a secured frozen storage for a period of not less than 1 year, unless requested and receipted for by a defendant's legal counsel. If the defendant is acting as his/her own legal counsel, the sample shall be transferred directly to another testing site if so requested. The sample shall be analyzed within ten (10) days of receipt by the defendant's legal counsel at another testing site as requested in the transfer instructions.