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# **Terms and Conditions**

A request for a forensic service is acceptance and agreement by the requestor to all the terms, conditions, and limitations stated in this document.

A request for service is executed and in force when the request is accepted by the Wake County Bureau of Forensic Services (WCFS). WCFS reserves the right to decline requests that do not meet the terms and conditions listed in this document. A requesting agency will be notified of any declined requests.

A request for a WCFS Crime Scene Science Division or Laboratory Sciences Division service authorizes WCFS to select the methods, procedures, exceptions to procedures, and report format determined by WCFS to accurately and impartially complete the request. Approved Wake County Bureau of Forensic Services procedures are located here: <u>https://public.powerdms.com/WakeBI/tree</u>

WCFS makes every reasonable effort to ensure that results and conclusions pursuant to service requests are accurate; however, results and conclusions are limited by the equipment, instrumentation, information, methods, standards, and reference materials available to WCFS at the time of the request.

# **General Services**

## Purpose

The purpose of this section is to establish the general requirements, guidelines, and limitations for evidence submitted to the Wake County Bureau of Forensic Services.

## **Scope and Service**

These guidelines and requirements apply to all items submitted to WCFS. The WCFS Crime Scene Science Division accepts service requests to examine, process, develop, and collect of evidence. The WCFS Laboratory Sciences Division provides forensic analyses for computing devices, controlled substances, DWI blood samples, firearms evidence, and latent impressions. The scope and limitations of each of these services are described in the following chapters of this document. A report documenting examination activities is issued for all evidence received by the Wake County Bureau of Forensic Services.

## **Requirements, Guidelines and Limitations**

#### **Evidence** Acceptance

Items submitted to WCFS for examination must meet the criteria listed here to be accepted. Items must be:

- Evidentiary in nature to a criminal offense occurring in Wake County
- Related to an investigation conducted by a law enforcement agency with jurisdiction in Wake County
- Relative a to a prosecution conducted by the Wake County District Attorney or the United States District Attorney

All evidence accepted by WCFS must be in a sealed condition to the extent that the evidence is protected from evidentiary loss. If it is not practical to seal a piece of evidence in a container the evidence must be secured in a manner to protect the evidentiary value.

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Any firearm submitted to WCFS will be required to be made safe according to the Evidence Packaging section of the Firearms Chapter within this Manual. (Click this link for the <<u>Firearms</u>> Chapter in this Manual).

Any bladed or sharp object must be packaged in an appropriate container to ensure the safe transfer of the evidence. The container should be clearly marked to indicate the evidence is sharp and poses a hazard.

Packages containing biological materials or biological hazards must be clearly marked and clearly visible on the outer most packaging.

DO NOT submit hypodermic needles. Hypodermic needles are not accepted.

The number of items exchanged pursuant to a transaction of evidence must correspond to the number of items documented on all transaction inventories and Chain of Custody documents.

Evidence submitted to WCFS must be labeled with an agency case number and agency item number.

Generally, the submitting individual will not meet directly with the analyst who will conduct the analysis. A request to meet with the analyst(s) must be made when a need to discuss the case exists.

In general, the Wake County Bureau of Forensic Services does not re-examine or re-analyze evidence previously examined or analyzed by WCFS or any other entity. All requests for re-examination of evidence previously analyzed must be approved by the Laboratory Sciences Division Assistant Director or the Director.

Requests for expedited forensic analysis must be documented in writing and must include the following information: WCFS Case Number, Submitting Agency Case Number, defendant/subject name, trial date (if available), and justification for the urgency of the request. Rush requests will be reviewed and evaluated by a Forensic Manager or an Assistant Director to determine feasibility based upon available resources and case priorities. Rush requests that do not include a valid reason for prioritization will not be considered.

Exceptions to criteria for acceptance of evidence in this manual require prior approval from the Director, an appropriate Division Assistant Director, or their designee.

#### Submission of Evidence

The Wake County Bureau of Forensic Services does not accept physical evidence from external agencies through a third-party carrier (e.g., USPS or UPS). Physical evidence may be submitted in person to the following location:

Wake County Bureau of Forensic Services 3301 Hammond Road Raleigh, NC 27603

Evidence Receiving Unit Office (919)255-7335

WCFS shares its facility with the Wake County Detention Center located at the intersection of Hammond Road and Chapanoke Road.

Directions: Enter the Detention Center driveway from Hammond Road. Make a right turn before the parking deck entrance and go around to the back of the parking deck. Request access to WCFS Evidence Receiving Unit via the speaker along the road. Go through the gate (Gate 6). The Evidence Receiving Unit is located on the left before the next gate (Gate 1). The sign by the door reads Evidence Receiving C1395. Ring the bell for access to the Evidence Receiving Unit Lobby.



Digital or electronic media may be submitted as physical evidence on digital media (i.e., a thumb drive), as a Case Attachment in LIMS Portal, or as an email attachment.

### Laboratory Information Management System (LIMS)

All evidence submitted to the Wake County Bureau of Forensic Services must be documented in WCFS's Laboratory Information Management System (LIMS). JusticeTrax LIMS-Plus Portal (Portal) is a web-based, secure-submission software application that allows the submitting agency to complete all documentation requirements. Additionally, Portal allows agency representatives the ability to monitor the status of laboratory case work and electronic access to laboratory reports.

External agencies may pre-log evidence in the Portal prior to delivering the evidence to WCFS or access the Portal in the lobby of the Evidence Receiving Unit. Pre-logging evidence expedites the evidence submission process.

Portal user credentials are provided and maintained by WCFS. Portal user accounts may only be created when authorized by the designated agency representative. A list of designated agency representatives is maintained by WCFS.

Issued By: Director

External agencies may contact Luke Cunningham with questions and access requests. Lucus.Cunningham@wake.gov 919.255.7343

Users without Portal credentials must complete the evidence submissions via the Portal terminal in the Evidence Receiving Unit Lobby.

Further guidance for using Portal can be found here: <u>Customer Service Page</u>

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# **Crime Scene Science Division**

## Purpose

The purpose of this section is to establish specific requirements, guidelines and limitations for requests submitted to the WCFS Crime Scene Science Division for the processing, development, and collection of evidence. This includes the development of latent fingerprints, the detection, documentation, and collection of bodily fluids, and/or other physical evidence.

## **Scope and Services**

The Crime Scene Science Division accepts service requests to examine and collect evidence for the presence of latent prints, bodily fluids, gunshot residue, and other physical evidence. When requested, the Crime Scene Science Division will attempt to collect apparent or trace DNA samples. The Crime Scene Science Division will develop, document and collect latent evidence from submitted items. No analysis or comparisons are completed by the Crime Scene Science Division.

## **Requirements, Guidelines and Limitations**

Requests for the collection of DNA must be clearly indicated in the Portal Request notes as this needs to be a consideration prior to other processing techniques or examinations. To ensure the preservation of latent and DNA evidence, all requests for DNA collection and latent print development must be submitted at the same time or prior to a request for a WCFS Laboratory Examination of the item.

Occasionally there is a need for the analyst conducting the examination to contact the requesting agency representative. This may include the need for a synopsis clarifying the probative value of latent evidence on an item in a case. As such, accurate contact information from the requesting agency representative must be provided with the evidence submission. The inability to contact and clarify the details of a request will likely delay of the examination of the evidence.

Special requests and rush requests for the Crime Scene Science Division are to be emailed to <u>Andy.Parker@wake.gov</u>

# **Facial Recognition and Illustrative Media**

## Purpose

The purpose of this section is to establish additional requirements, guidelines, and limitations specific to requests submitted to the WCFS for Facial Recognition and illustrative media.

# **Scope and Services**

These requirements, guidelines and limitations apply to items submitted to the WCFS for facial recognition comparison and photographic media processing. The WCFS has the capability to search facial photographs from various sources against the photograph database of individuals arrested in Wake County and provide the potential identity of persons of interest. The WCFS also creates or produces illustrative media and displays for investigative and judicial purposes.

## **Requirements, Guidelines and Limitations**

### **Evidence Packaging**

Items submitted to the WCFS in relation to Facial Recognition will be treated as evidence and must be secured in an appropriate manner to protect against evidentiary loss. Photographs for facial recognition may be submitted as digital media or as physical media.

## **Facial Recognition**

The result of a facial recognition search is provided as investigatory information and is not a conclusive identification of an individual.

For video submissions, indicate in the Request notes in LIMS the portion of the video that is of interest. This may be indicated by listing a time frame or the time in hours, minutes, and seconds (time stamp on the video itself). Indicate the subject of interest by describing that person

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including a physical description and any actions that subject is taking in the video. Also include any additional information that you have about the events captured in the video evidence.

If there are multiple subjects of interest, indicate the number of subjects, the portion of the video for each subject, and a description for each subject.

#### **Illustrative Media and Displays**

For creation or production of illustrative media and displays for investigative and judicial purposes contact Melissa Southern. <u>Melissa.Southern@wake.gov</u> 919.255.7354 (office) or 919.605.7811 (mobile)

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# Information Technology Analytical Unit

## Purpose

The purpose of this section is to establish additional requirements, guidelines, and limitations specific to requests for analysis of computing devices and digital media submitted to the WCFS Laboratory.

## **Scope and Service**

These requirements, guidelines and limitations apply to digital evidence submitted to the WCFS Laboratory for the extraction and examination of digital data. The IT Analytical Unit has the capability to perform forensic extractions and examinations of computing devices and digital media.

## **Requirements, Guidelines and Limitations**

### **Evidence Packaging**

Items of digital evidence (e.g., mobile devices, computers, tablets) must be packaged individually with one item per container. Each item must have its own item number.

Digital evidence should be placed in a sealed container and protected from electromagnetic signals when possible. Digital evidence which cannot practically be placed in a container, must have tape placed across power receptacles, drive bays, and chassis in such a way that digital data can neither be removed nor added to the device without breaking the tape.

### **Other Requirements, Guidelines and Limitations**

Legal authority to examine and extract data from computing devices or digital storage media must be obtained by the requesting agency. A copy of the original legal document granting the legal authority must be provided to the IT Analytical Unit for retention within the case file. Examples of legal authority documentation are a signed consent form or search warrant. The devices to be searched and the scope of the search must be clearly articulated in the authorizing document.

Charging devices or power supplies should be submitted with computing devices when available. Peripheral devices such as monitor, keyboard, mouse, and speakers are not accepted as evidence when not necessary for forensic examinations and extractions.

Any known or suspected passwords and PINs must be provided, when known.

The quantity of data able to be recovered from mobile devices can be negatively impacted if the device is powered "OFF". In these instances, mobile devices should be submitted directly to the IT Analytical Unit powered "ON" along with a charging device or power supply.

Mobile devices should be placed in Airplane Mode prior to submission to WCFS, if possible.

Contact the Evidence Receiving Unit to schedule an appointment with a Forensic Computer Analyst for evidence submission. If a Forensic Computer Analyst is not available, advise the Evidence Receiving Unit that the device needs to remain charged and powered-on so that provisions can be made to ensure the power requirements are met.

The IT Analytical Unit does not perform voice recognition analysis.

Special requests and rush requests for the IT Analytical Unit are to be emailed to <u>WCFS.digitalservices@wake.gov</u>

# **Drug Chemistry**

## Purpose

The purpose of this section is to establish additional requirements, guidelines, and limitations specific to the requests for analysis of evidence submitted to the WCFS Laboratory for determination of the presence of controlled substances.

### **Scope and Service**

These requirements, guidelines and limitations apply to evidence submitted to the WCFS Laboratory for analysis for the presence of controlled substances. The Drug Chemistry Unit analyzes items of evidence for the presence of controlled substances and structurally similar or designer forms of controlled substances.

### **Requirements, Guidelines and Limitations**

### **Evidence Packaging**

Evidence submitted to the Drug Chemistry Unit for analysis requires approval from the Wake County District Attorney's Office (or US Attorney's Office).

Evidence must be submitted with a minimum of two layers of packaging (e.g. plastic bag containing controlled substances inside a manilla envelope).

Separate suspected controlled substances from containers to be processed for latent prints. Do not combine material from individual packages.

Remove the suspected controlled substance from syringes prior to submission when possible and place in a clean container.

Fresh plant material must be dried or submitted in paper bags. Dry plant material may be submitted in plastic bags.

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#### Other Requirements, Guidelines, and Limitations

Submit perishable items (e.g., food products) as soon as possible and packaged to prevent degradation.

No more than two (2) items of evidence within the same suspected schedule of the Controlled Substances Act will be analyzed for each subject or group of subjects unless the analysis of the evidence shifts criminal charges to a higher criminal charge.

Multiple items of evidence or multiple types of material in a single item will be evaluated and the best evidence will be analyzed.

Items of evidence associated with a misdemeanor criminal charge are not analyzed when items of evidence relating to a felony criminal charge are present.

The Drug Chemistry Unit does not analyze evidence directly associated with a death investigation.

The Drug Chemistry Unit does not analyze for adulteration or poisoning unless the substance is suspected to be a controlled substance.

Drug Field Test Kits are not analyzed. Do not submit field test kits as evidence submissions. Field test kits applied directly to evidence or small amounts of material may render the material unsuitable for analysis or preclude sufficient material for analysis.

US currency is not accepted for analysis of trace amounts of controlled substances or exposure to controlled substances.

Biological specimens (e.g., stomach lavage or feces) suspected to contain controlled substance are not accepted for analysis. Suspected controlled substances which have been removed from body cavities and cleaned may be submitted.

The Drug Chemistry Unit does not determine purity or concentration.

Special requests and Rush requests for the Drug Chemistry Unit are to be emailed to <u>WCFS.chemistry@wake.gov</u>

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# **DWI Blood Chemistry**

## Purpose

The purpose of this section is to establish additional requirements, guidelines, and limitations specific to requests for analysis of DWI blood samples submitted to the WCFS Laboratory.

## **Scope and Services**

These requirements, guidelines and limitations apply to DWI blood evidence submitted to the WCFS Laboratory. The DWI Blood Chemistry Unit analyzes antemortem blood seized in conjunction with DWI investigations for the presence of a specific set of targeted substances. The DWI Blood Chemistry Unit does not examine postmortem blood and does not analyze for other types of xenobiotic substances (i.e., poisonous toxins).

## **Requirements, Guidelines and Limitations**

### **Evidence Packaging**

Commercially available Blood Alcohol Collection Kits which contain gray top collection tubes should be used to collect and submit DWI blood samples.

WCFS does not provide Blood Alcohol Collection Kits.

When Blood Alcohol Collection Kits are unavailable, sterile tubes containing a preservative and an anticoagulant (i.e., gray top vacutainer) should be used to collect DWI blood evidence. The tubes must be sealed, labeled, and placed in a plastic bag with an absorptive sheet. The plastic bag containing the collection tubes should be sealed in a cardboard box.

#### Other Requirements, Guidelines, and Limitations

The outer packaging for DWI blood evidence is not retained by the WCFS Laboratory. Only the blood collection tubes are retained.

Following the analysis, WCFS will destroy the DWI blood evidence per requirements and conditions set forth in the North Carolina General Statutes (i.e., NCGS 20-139.1(h)), if the submitting agency provides a Criminal Record Number (i.e., CR) with the DWI blood evidence. DWI blood evidence submitted without a CR number will be returned to the submitting agency for destruction management after analysis is complete.

An Email address is required in order for the requesting agency to receive DWI Affidavit and Revocation Reports directly. Otherwise reports must be obtained from Portal. External agency Portal administrators are responsible for managing Email addresses for their agency.

Blood samples should be protected from heat. Storage in a refrigerator is recommended prior to submission to the WCFS Laboratory.

Dried or coagulated blood evidence cannot be analyzed.

Serum can be analyzed by the DWI Blood Chemistry Unit.

Twenty (20) milliliters of blood should be collected in two (2) separate 10 milliliter tubes. Failure to follow this guideline can affect the number of tests that can be performed.

The DWI Blood Chemistry Unit analyzes all DWI blood evidence for blood alcohol concentration (BAC) unless the volume submitted is limited. Blood evidence will not be analyzed for controlled substances when the BAC is greater than 0.085 grams/100 milliliters of blood unless there is information the case involves a death or serious injury to a victim, or the controlled substance analysis is requested by the District Attorney's Office.

The DWI Blood Chemistry Unit will attempt to test for controlled substances outside of the target set (e.g. barbiturates) upon a specific request. The DWI Blood Chemistry Unit will not specifically analyze DWI blood evidence for the presence of non-controlled substances and metabolites without a request from the Wake County District Attorney's Office; however, during the course of the analysis for controlled substances, non-controlled substances can occasionally be identified.

The DWI Blood Chemistry Unit determines the concentration for a target set of substances identified in DWI blood evidence. Some substances are identified qualitatively only.

Special requests and Rush requests for the DWI Blood Chemistry Unit are to be emailed to <u>WCFS.chemistry@wake.gov</u>

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## Firearms

## Purpose

The purpose of this section is to establish additional requirements, guidelines, and limitations specific to requests for analysis of firearm evidence submitted to the WCFS Laboratory.

## **Scope and Services**

These requirements, guidelines and limitations apply to firearm evidence submitted to the WCFS Laboratory. The Firearms Unit examines firearms for functionality, compares spent ammunition to test fired ammunition (i.e., projectiles and cartridge casings), and conducts serial number restorations. The Firearms Unit is also a partner site for the National Integrated Ballistic Information Network (NIBIN) program administered by the US Bureau of Alcohol, Tobacco, and Firearms (ATF). The Firearms Unit enters cartridge casings into NIBIN for crime gun intelligence. The Firearms Unit does not perform firearm distance determinations.

## **Requirements, Guidelines and Limitations**

### **Evidence Packaging**

All firearms must be unloaded prior to submission to the WCFS Laboratory and appear visually to be safe.

Ammunition must be removed from any feeding mechanisms which cannot be separated from a firearm. Detachable feeding mechanisms (i.e., magazine) must be removed from firearms prior to submission.

The action of a firearm must be secured in an open position, if possible, in a manner to prevent the unintentional closing or locking of the chamber. Any functioning lock on the firearm or safety feature that secures the action in an open position will suffice when the locking mechanism appears to be in operational condition.

Firearms must have a marker placed through the barrel and breachface and secured in a manner to prevent accidental or unintentional removal. Zip ties or plastic-coated copper electrical wire should be used.

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Requests for NIBIN Entry of test fired cartridge cases created by the submitting agency must contain the following information:

Agency Case Number Agency Item Number Offense Date Offense Type Firearm Seizure Date Type of Firearm Caliber Manufacturer Importer of Firearm (if known) Model of Firearm Serial Number

WCFS personnel receiving firearm evidence must be advised of any firearm being submitted that cannot be made safe in the manner described in the preceding paragraphs.

#### Other Requirements, Guidelines, and Limitations

All evidence relative to a comparison request must be submitted at the same time unless the evidence is currently in the custody of the WCFS.

Autopsy projectiles must be rinsed and dried prior to submission to the Firearms Unit. The Firearms Unit cannot determine when a gun was last fired or whether a projectile and cartridge case were once a single unit.

NIBIN entries are governed by the ATF Minimum Required Operating Standards (MROS) document. All fired cartridge cases and test-fired cartridge cases from firearms suspected by law enforcement of having been used in a crime are suitable and accepted for NIBIN entry. NIBIN entries are further limited to the following calibers and criteria:

- Semi-automatic pistols 22 caliber and larger
- 223 and 7.62 semi-automatic rifles
- 12-gauge shotguns
- Long guns that use handgun ammunition consistent with the above guidelines

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Fired cartridge cases and test-fired cartridge cases from revolvers, single shot or bolt action rifles, shotguns in other gauges, weapons never fired, or firearms deemed unsafe, inoperable, or incomplete are not suitable for entry into NIBIN.

NIBIN partner site (i.e., WCFS) searches are automatically limited by NIBIN protocols to the site's designated regional location in the United States. Broader NIBIN geographical searches are performed only upon request.

The Firearms Unit will only notify the requestor of a NIBIN entry of the lead(s) resulting from NIBIN correlations. The requester of a NIBIN entry is responsible for notifying all other associated agencies of the NIBIN lead(s).

NIBIN leads are not confirmed microscopic comparisons. Microscopic comparisons are completed only upon a subsequent request.

Serial number restorations for firearms are performed only upon a request for the service. This service is not automatically performed for all firearm examination requests.

Special requests and Rush requests for the Firearms Unit are to be emailed to <u>WCFS.latentrequest@wake.gov</u>

# **Latent Prints**

## Purpose

The purpose of this section is to establish additional requirements, guidelines, and limitations specific to requests for examination of friction ridge impressions submitted to the WCFS Laboratory.

### **Scope and Services**

These requirements, guidelines and limitations apply to latent impressions evidence submitted to the WCFS Laboratory. The Latent Print Unit (LPU) examines latent fingerprints, palmprints and footprints collected from crime scenes. The LPU also conducts ten print comparisons. The LPU does not examine footwear impressions (i.e., shoe tracks).

## **Requirements, Guidelines and Limitations**

### **Evidence Packaging**

Latent evidence within a submission must be labeled with the following:

- Date of collection
- Initials of the collecting person
- Investigating agency case number
- Lift card number
- Lift card location description
- Sketch demonstrating the location of the print

### Other Requirements, Guidelines, and Limitations

Latent impression casework is prioritized based on criteria set forth in the Latent Print Unit Technical Procedures.

The LPU will enter latent finger and palm prints of sufficient quality into an Automated Fingerprint Identification System (AFIS) to determine candidates with prints appropriate for comparison to the latent prints.

The entry of prints into AFIS is subject to limitations.

AFIS search results (i.e., AFIS Associations) are reported as investigative information.

Latent impressions entered into AFIS and not dispositioned to an AFIS search result continue to search against newly acquired fingerprints added to the AFIS database. The Latent Print Unit will notify the requester of any reverse search results.

Comparisons based on Analysis, Comparison, Evaluation and Verification (ACE-V) methodology will be completed for AFIS Associations subsequent to a completion request and are generally performed only pursuant to judicial needs.

Sufficiency to compare a latent impression to a known source is limited to the quality and quantity of the latent impression and the current available impressions from a known source.

Latent impressions deemed to have "No Value" are impressions with insufficient quality and quantity of friction ridge detail to render them suitable for database entry or comparison based on ACE-V methodology. "No Value" impressions will not be compared.

The LPU also performs comparisons of latent impressions to known impressions from specific individuals at the request of an investigating law enforcement agency or the District Attorney's Office. Requests are reviewed prior to acceptance and may be denied by the Impressions Section Forensic Manager in some circumstances. The Forensic Manager will notify the requesting agency if a comparison request has been denied and provide a reason for the denial. The LPU will attempt to obtain known standards for the subject of a comparison request. If known standards cannot be located, the requestor will be notified and responsible for obtaining and submitting the subject's known standards. Requests to compare must be submitted via e-mail to WCFS.latentrequest@wake.gov and must include the following:

- WCFS Case Number
- Agency Case Number
- Date of Offense
- Subject Name
- Date of Birth

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- Identification Number
- A brief explanation of the request

Any comparison which is part of a nontestimonial order (NTO) must be accompanied by the NTO application, the NTO affidavit and the court order. Discrepancies between a comparison request and NTO paperwork will result in denial of the comparison request.

Requests for Ten Print Examination must be submitted via e-mail to <u>WCFS.latentrequest@wake.gov</u>

For Ten Print Examination requests (e.g., habitual felon or firearm by felon ten print requests), a specific ten print card must be designated as a "pending charge / known standard" card. All other ten print cards will be compared to this designated card. Ten Print Examination requests must include an Agency Case Number and listing of all ten print cards to be compared along with the following information for each ten-print card:

- Subject Name
- Date of Birth
- Identification Number
- Date of Offense
- Date of Arrest
- County of Conviction

Full Case Examinations will only be completed upon a law enforcement agency request and authorization by the Impression Section Forensic Manager or a request from the District Attorney's Office.

Latent impression evidence submitted to the Laboratory will be retained and maintained by WCFS.

Document Revision History			
Revision Date	Prepared By	Revision	
1/18/2024	L. Cunningham	Added requirement for items of digital evidence to be submitted individually.	
7/25/2024	A. Abernethy	Added requirement for requests for re-examination to be approved by the Laboratory Assistant Director or Director.	
11/27/2024	A. Abernethy	Changed agency name from Raleigh/Wake City-County Bureau of Identification to Wake County Bureau of Forensic Services. No change to content.	
2/11/2025	A. Abernethy	Added requirements for rush requests; changed link for procedures; changed photography to illustrative media; added mobile devices to be in airplane mode prior to submission; minor wording changes throughout	