

Quality Forensics Toxicology Outsourcing Part 26 Deviation from Documented Procedures Form

Date of Deviation: 08/15/2023 – 09/14/2023

Type of Deviation: Procedural. Quality Forensics Toxicology Outsourcing Part 26

Describe the Deviation: Since April of 2021, there has not been a second Toxicologist employed by the BCSO Crime Laboratory. Therefore, there was no analyst available for technical and administrative review of blood drug analysis. The toxicologist ceased performing analysis, with the exception of urine specimens, after the voluntary withdrawal of Toxicological services from our scope of accreditation effective March 2, 2022. Since accreditation withdrawal, the laboratory has still been accepting biological specimens. We have found an outside laboratory, Quality Forensics Toxicology Laboratory in San Antonio, Texas, willing to test our biological evidence, both unanalyzed and previously analyzed. Laboratory staff prepare the samples by filling out the Quality Forensics submission form, ensuring there is sufficient sample for analysis, and moving the evidence to the overflow refrigerator. Samples are prepared and shipped via FedEx. Upon completion of analysis, a report is emailed to both the BCSO Crime Laboratory and a contact at the District Attorney's office. Any BCSO Crime Laboratory findings, in conjunction with the final report issued by the outside laboratory, will be available in each 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Reason for Deviation: The BCSO Crime Laboratory has voluntarily suspended operations and withdrawn our scope of accreditation pertaining to Toxicology, both blood alcohol and blood drug, while we develop new methods.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): None of the cases sent in this batch were previously analyzed by the BCSO Crime Laboratory.

The following cases were analyzed for both blood alcohol and blood drug:

BCCL-21-1123	BCCL-23-1174	BCCL-23-1247
BCCL-23-0468	BCCL-23-1189	
BCCL-23-1135	BCCL-23-1242	

The following cases were analyzed for blood alcohol only:

BCCL-23-0842	BCCL23-1202
BCCL-23-1161	BCCL-23-1263

The following case was analyzed for blood drug only: BCCL-23-0584

Quality Forensics Toxicology Outsourcing Part 26

Brazoria County Sheriff's Office Crime Laboratory

Summer Swartz
Evidence Technician

11.29.23
Date

Melina Henry
Toxicologist

11/29/2023
Date

Kayla M. Bayle
Toxicologist

11/29/2023
Date

Ann North
Quality Assurance Manager

29 Nov 2023
Date

Debra Sturz
Laboratory Director

29 Nov 2023
Date