

Deviation from Documented Procedures Form Texas DPS Crime Laboratory Houston Blood Alcohol Submissions

Dates of Deviation: 10/24/2023 – 11/17/2023

Type of Deviation: DPS Crime Laboratory Blood Alcohol Outsourcing Part 34

Describe the Deviation:

The Texas Department of Public Safety (DPS) Crime Laboratory Houston offered to test our blood alcohol samples after the BCSO Crime Laboratory withdrew our scope of accreditation with ANAB. Thirty or less samples are selected at a time. This batch includes ten samples. Laboratory staff prepare the samples by filling out the DPS Crime Laboratory submission form, ensuring there is sufficient sample for analysis, and moving the evidence to the overflow refrigerator. Investigators from the District Attorney's office are then picking up samples from the laboratory to submit to the DPS Crime Laboratory. Upon completion of analysis, a report is sent to the BCSO Crime Laboratory email and a contact at the District Attorney's office. If there are more cases to be submitted, the cycle repeats and the investigator picks up the previous set of samples, if available, upon submission of the next. A copy of the report from DPS Crime Laboratory Houston, this deviation, and a letter from the BCSO Crime Laboratory Director will be included in every 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The BCSO Crime Laboratory has voluntarily suspended operations and withdrawn our scope of accreditation pertaining to Toxicology, both blood alcohol and blood drug, while we develop new methods.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):

BCCL-23-0562	BCCL-23-1485	BCCL-23-1675
BCCL-23-1307	BCCL-23-1597	BCCL-23-1715
BCCL-23-1362	BCCL-23-1620	
BCCL-23-1378	BCCL-23-1674	

Brazoria County Sheriff's Office Crime Laboratory

Summer Swargo
Evidence Technician

12.21.23
Date

Nayla M. Bayler
Toxicologist

12/21/2023
Date

Melina Henry
Toxicologist

12/21/2023
Date

Approval Date: October 26, 2021
Effective Date: October 26, 2021

Issuing Authority: Upper Management
Authorized for Distribution by Laboratory Director

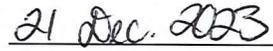
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DPS Crime Laboratory Blood Alcohol Outsourcing Part 34**



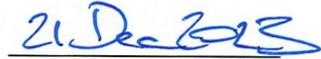
Quality Assurance Manager



Laboratory Director



Date



Date