

## Quality Forensics Toxicology Outsourcing Part 31 Deviation from Documented Procedures Form

**Date of Deviation:** 12/20/2023 – 01/17/2024

**Type of Deviation:** Procedural. Quality Forensics Toxicology Outsourcing Part 31

**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. Submission forms are usually sent with the samples; however, submission forms were shipped the next day for this batch. 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**Reason for Deviation:** The BCSO Crime Laboratory has voluntarily suspended operations and withdrawn our scope of accreditation pertaining to Toxicology, both blood alcohol and blood drug, while we develop new methods.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-23-1811	BCCL-23-2010
BCCL-23-1910	BCCL-23-2014

The following cases were analyzed for blood alcohol only:

BCCL-23-1492	BCCL-23-1921
BCCL-23-1899	BCCL-23-2062

The following case was analyzed for blood drug only: BCCL-23-1909

### Quality Forensics Toxicology Outsourcing Part 31

**Brazoria County Sheriff's Office Crime Laboratory**

Summer Swigo  
Evidence Technician

2.9.2024  
Date

Kayla M Bayle  
Toxicologist

2/9/2024  
Date

Melanie Henry  
Toxicologist

2/9/2024  
Date

Almi Wirth  
Quality Assurance Manager

9 Feb 2024  
Date

Dave S  
Laboratory Director

02/06/2024  
Date