

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

Amended Deviation:

This is an amended deviation to the original Texas DPS Crime Laboratory Blood Alcohol Outsourcing Part 37 deviation dated 01/23/2023 to 02/20/2024 and signed 02/28/2024. This document reflects a correction to the start date of the deviation. The start date was January 23, 2024, not 2023. There was no change made to the remainder of the document.

Dates of Deviation: 01/23/2024 – 02/20/2024

Type of Deviation: DPS Crime Laboratory Blood Alcohol Outsourcing Part 37

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 29 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The BCSO Crime Laboratory has voluntarily suspended operations and withdrawn our scope of accreditation pertaining to Toxicology, both blood alcohol and blood drug, while we develop new methods.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-22-1458	BCCL-23-1959	BCCL-23-2043
BCCL-23-1015	BCCL-23-1968	BCCL-23-2048
BCCL-23-1087	BCCL-23-2012	BCCL-23-2049
BCCL-23-1179	BCCL-23-2016	BCCL-23-2050
BCCL-23-1854	BCCL-23-2017	BCCL-23-2058
BCCL-23-1900	BCCL-23-2018	BCCL-23-2063
BCCL-23-1950	BCCL-23-2039	BCCL-23-2066
BCCL-23-1952	BCCL-23-2041	BCCL-23-2068

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

Issuing Authority: Upper Management
Authorized for Distribution by Laboratory Director

**Texas DPS Crime Laboratory Houston Blood Alcohol Submissions
DPS Crime Laboratory Blood Alcohol Outsourcing Part 37**

BCCL-23-2088
BCCL-23-2089

BCCL-23-2111
BCCL-23-2149

BCCL-24-0013

Brazoria County Sheriff's Office Crime Laboratory

Summer Swayo
Evidence Technician

3-7-2024
Date

Melina Henry
Toxicologist

3/7/2024
Date

Kayla M. Bayliss
Toxicologist

3/7/2024
Date

Allin Winters
Quality Assurance Manager

7 Mar. 2024
Date

Jared Zier
Laboratory Director

23/07/2024
Date