

Firearms/Toolmarks Discipline Marking and Examination of Evidence

1 Purpose

1.1 The nature and extent of marking, recording, and examining evidence, including secondary evidence (referred to as evidence in the remaining document), will be determined by the type of evidence, the requested examinations, and the requirements contained in the FBI Laboratory Quality Assurance Manual (QAM) and the FBI Laboratory Operations Manual (LOM). This document supplements the latter.

1.2 Specific procedures for the examination of evidence within the FTD can be found in the FTD Technical Procedures.

2 Scope

The procedure applies to Firearms/Toolmarks Discipline (FTD) personnel or authorized personnel from other disciplines when conducting examinations in the FTD.

3 Marking and Recording Secondary Evidence

3.1 Any FTD personnel conducting forensic examinations will adhere to the following practices, at a minimum, where appropriate:

- *LOM – Practices for Processing a Single Unit Submission (SUS)*
- *LOM – Practices for Processing a Submission and Evidence Breakdown*
- *LOM – Practices for Shipping and Returning Evidence*
- *LOM – Practices for Assigning Cases and Conducting Examinations*
- *LOM – Practices for Transferring and Storing Evidence*

3.2 Secondary evidence in the FTD is defined as material derived from the examination of submitted evidence that includes:

- Test fired bullet
- Test fired cartridge/shotshell case
- Test marks from tool
- Electronic files
- Casts of evidentiary surface
- Processed cloth/fabric
- Processed photographic paper
- Processed bullet hole testing kit paper

3.3 Secondary evidence will be marked in accordance with the *LOM – Practices for Assigning Cases and Conducting Examinations*. Additionally, FTD secondary evidence will be physically marked/scribed, at a minimum, with the:

- Item identifier associated with the primary evidentiary item, preceded by an ‘*f*’ (meaning *from*), e.g., Item 4 screwdriver – test marks produced from Item 4 will be marked *f*Item 4 or *f*I4.
- Laboratory Number
- Initials

3.3.1 For secondary evidence that has insufficient surface area for this information or that resists visible markings (such as casting material), a subset of this information can be imparted to the secondary evidence as long as the primary container bears all of the information.

3.3.2 Identifiers may be placed on the substrate to become a permanent part of the cast, or a paper label may be placed in the back of the cast. See Section 3.3 of this document for the minimum required information.

3.4 Secondary evidence will be itemized and recorded on the *FTD Secondary Evidence Log* (Appendix A). At a minimum, the *FTD Secondary Evidence Log* will include the following required fields:

- Laboratory Number
- When applicable, Item Number generated in Forensic Advantage (FA) for secondary evidence
- Item identifier associated with the primary evidentiary item, preceded by an ‘*f*’
- Quantity of secondary evidence type derived from the primary evidentiary item
- Description of secondary evidence (e.g., list provided in Section 3.2)
- Indication if secondary evidence contains hazardous materials
- Page Count
- Name of preparer

3.5 Secondary evidence will be packaged in accordance with the *LOM – Practices for Assigning Cases and Conducting Examinations*. At a minimum, the packaging will bear the following:

- Laboratory Number
- Case Identifier
- Item identifier
- When applicable, Item Number generated in FA for secondary evidence
- Unit/Group name or acronym and “Secondary Evidence”

3.5.1 The case identifier is not required for TEDAC secondary evidence.

3.6 FTD secondary evidence scanned for Virtual Comparison Microscopy (VCM) will be labeled, at a minimum, with the following:

- Item identifier associated with the primary item, preceded by an ‘*f*’

- Laboratory number
- Initials
- Unique identifier for test fires utilized for instrument acquisition (e.g., *f*Item 4-a, *f*Item 4a, *f*I4a, *f*Item 4b, *f*Item 4c, etc.)

3.6.1 Additional items (e.g., test fired bullets/cartridge cases, test marked lead, casts of toolmarks) that are retained in the FBI Laboratory solely for research, training, or inclusion in the General Rifling Characteristics (GRC) database are not considered secondary evidence and will not contain the Laboratory Number.

4 Examination of Evidence

4.1 Multiple discipline examination requests require that examinations be conducted in their proper sequence. FTD personnel should ensure that other examinations (e.g., DNA, latent, trace) have been completed prior to the commencement of FTD examinations. Necessary precautions should be taken when handling the evidence before beginning the appropriate examinations.

4.2 FTD personnel will follow the appropriate *FBI LOM* practices when processing, storing, or conducting examinations on evidence, including secondary evidence, and when evidence is left unattended.

4.3 FTD evidence is considered under active examination for a period of up to six months.

4.3.1 FTD evidence under active examination may be maintained without proper seal, and the appropriate *FBI LOM* practices will be followed.

4.4 Prior to the six month active examination period ending, the status of the evidence will be reevaluated by communication with the contributor to determine case status, trial dates, or whether the request should remain active. This communication is not required for TEDAC evidence; however, examiners must still ensure that evidence meets the requirements specified in Sections 4.2 and 4.3 above.

4.4.1 Records of all communication related to the status of examinations, including any attempted communication, will be retained in the case record.

4.4.2 Reevaluation of the evidence may also be conducted by FTD personnel to determine priority.

5 Returning Secondary Evidence

5.1 Secondary evidence will be inventoried and packaged, and the disposition of the evidence will be determined in accordance with the FBI LOM.

5.2 Secondary evidence that contains hazardous materials (e.g., cartridges, live primers) will be packaged and returned to the appropriate Unit/Group for proper shipping.

5.3 Secondary evidence for the Scientific & Biometrics Analysis Unit /Toolmark Group (SBAU-TG) will be retained for future examinations. This evidence will be packaged separately and marked appropriately.

5.3.1 For all domestic cases and for international cases where the contributor has requested the secondary evidence to be returned, SBAU/TG personnel will inventory, package, and return the secondary evidence in accordance with the FBI LOM.

6 Marking and Recording Subdivided Evidence

6.1 FTD personnel conducting forensic examinations will adhere to the FBI LOM for marking and recording subdivided evidence.

6.2 When FTD personnel encounter legacy subdivided evidence containing alpha characters, the specimen will be relabeled with the next logical item identifier in accordance with the FBI LOM. A note of the change will be placed in the Communication and Activity Log and on the appropriate *FTD Worksheets* located in Appendix B of the *FTD QAM Case Assignment, Records, Results and Verifications*.

7 References

FBI Laboratory Quality Assurance Manual, latest revision

FBI Laboratory Operations Manual, latest revision

Rev. #	Issue Date	History
6	03/02/20	Grammatical changes throughout, Sections 3.3.1 and 3.3.3 added, addition made to table in Section 3.5, Section 3.5.1 added, Section 4.2 and 4.3 were combined and renumbered, Section 4.5 updated and Section 4.5.1 added, removed references to Scientific Analysis Unit (SAU) and replaced with Scientific and Biometrics Analysis Unit (SBAU) to reflect unit realignment. Section 6 added and renumbered. Section 7 updated. Appendix A updated.
7	04/15/21	Sections 1 and 2 was rearranged with each other; Renumbered Sections 2.1 and 2.2 to 1.1 and 1.2; Section 2.2 removed “Standard Operating” and replaced with “Technical”; Section 3.3 updated bulleted list; Added Section 5.3.1.; Removed section 3.3.1 and updated numbering

Approval

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Firearms/Toolmarks
 Acting Unit Chief

Date: 04/15/2021

Scientific & Biometrics
 Analysis Unit Chief

Date: 04/15/2021

Firearms/Toolmarks
 Technical Leader

Date: 04/15/2021

QA Approval

Quality Manager

Date: 04/15/2021

Appendix A: *FTD Secondary Evidence Log*

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