



COMMONWEALTH of VIRGINIA

DEPARTMENT OF FORENSIC SCIENCE

OFFICE OF THE DIRECTOR
A Nationally Accredited Laboratory

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Memorandum

To: All Law Enforcement Agencies & Commonwealth's Attorneys
From: Paul B. Ferrara, Ph.D., Director
Date: July 1, 2005
RE: **Revised Drug Submission Policy: Submission of Items with Residue Limited to Cases with No Weighable Quantity of Drugs**

The Department's drug case backlog currently stands in excess of 14,000 cases. It is at this level despite four months of mandatory overtime earlier this year, and it is continuing to grow. We need your assistance in managing this problem by reducing submissions of items that are not being analyzed. Having our examiners open, document and repackage these additional items is extremely time consuming.

In 1988, we implemented the Drug Item Reduction Policy (DIRP). The aim of this program was to increase the number of cases worked by having the examiners analyze only the most important items in a case in terms of quantity and schedule. For example, residue items are only analyzed when they are the only item connected to a particular suspect. Under this policy, officers have routinely submitted all items from a case, and the analyst has determined which one to analyze, marking the others as "not analyzed" on the certificate of analysis. In doing so, however, the examiner still must inventory all evidence received which takes time. In order to further effectuate the goal of the policy, we would like for officers to only submit those items being analyzed under the DIRP. Typically, this would be those drugs that are of weighable quantity unless the only item in a case is an item with residue. For cases consisting of multiple residue items, only items with direct connection to a suspect should be submitted.

If, during the pretrial process, it becomes apparent that items that were not submitted will in fact require analysis for successful prosecution then, upon submission, any additional item from such a case will receive top priority at the laboratory. We appreciate your cooperation and understanding of this program and its goal to help our laboratory staff provide better, more efficient service.

Please contact Katya Herndon, Counsel for the Department of Forensic Science, at (804) 786-6848 should you have any questions about this matter.