



<b>ATF-LS-5.10</b> <b>Reporting the Results of Analysis</b>	Published Online: <b>March 2018</b>
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## 1. Purpose

- 1.1. This procedure defines the process for reporting analytical findings and conclusions. The particular format and content may vary for some disciplines depending on the purpose of the report. Discipline-specific report wording requirements are addressed in the discipline procedures.

## 2. Scope

- 2.1. This procedure is applicable to laboratory reports generated and distributed by Laboratory Services laboratories.

## 3. References

ATF-LS-4.11 Corrective action

ATF-LS-4.13.2 Case records

ATF-LS-5.9.4A Review of case records, reports, and notifications

ATF-LS-FB21 Sampling Evidence for DNA Analysis

ATF Form 7140.7 Laboratory Exam Request

ATF O 1340.4 Preserving and Producing Bureau Records, Documents and Information Subject to the Legal Process

ATF O 3210.7 Investigative Policies, Procedures and Techniques

28 C.F.R. 16.21-16.29

## 4. Policy

- 4.1. Official laboratory reports will be generated for all case work performed by ATF examiners.

- 4.1.1. In instances where all evidence is returned to the submitter unexamined or a request for analysis is canceled prior to the work being completed, a laboratory report is not required; however, a record stating the circumstances will be generated by the appropriate Section Chief or examiner and maintained in the laboratory case record.

- 4.2. Formal reports are not required for technical assistance provided as a member of a National Response Team (NRT), or as an on-scene advisor. Copies of all scene notes, photographs, any narratives provided to the team leader, lead investigator, or case agent, will be maintained in accordance with ATF-LS 4.13.2 Case records.

- 4.3. DNA collection notifications are issued when a submitter requests that items of evidence are sampled for DNA analysis. DNA collection notifications are not reports of scientific findings, just a means of communicating to the submitter that the request for DNA collection was met. Multiple submissions under the same laboratory case number may be reported using one notification letter. Specific requirements for issuing a DNA collection notification are found in

ATF-LS-FB21 Sampling Evidence for DNA Analysis. DNA sample collection does not constitute an examination and may be included in other discipline reports.

- 4.4. Separate reports of analysis will be generated for each discipline examination except where technical notes (remarks) are deemed necessary by the examiners and approved by the appropriate Section Chiefs. The Section Chief's signature on the peer review form and final report will serve as a record of this approval.
- 4.5. All examination documentation and technical and administrative reviews will be completed prior to the issuance of a laboratory report. Note exceptions described in ATF-LS-5.9.4A Review of case records, reports, and notifications.
- 4.6. Laboratory reports will be understandable and professional in appearance, will include relevant technical and administrative information, will have clearly and accurately stated conclusions and may use technical illustrations where required to effectively convey information. An abbreviation may be used after the terms have been previously defined in the report and terminology should be consistent with that accepted in the appropriate scientific field. Commonly accepted and understood abbreviations do not fall under this requirement; however, if there is potential for misunderstanding, then the terms shall be defined.
- 4.7. ATF Laboratories do not issue electronic transmissions of official reports. Examiners may provide preliminary results or investigative assistance information by way of email or telephone conversations. In these instances, a copy of the email or note of the phone conversation will be maintained with the communications log section of the case record.

## 5. Definitions

- 5.1. Laboratory-separated evidence - any material that is removed or isolated from the original item of evidence and packaged separately for purposes of preservation and examination by an analytical scheme specific to that particular type of material.
- 5.2. Laboratory-generated evidence - any material produced during the laboratory examination of the original item of evidence and packaged separately for purposes of preservation and subsequent examination.
- 5.3. Exemplar - any material obtained for the purposes of testing or comparison.
  - 5.3.1. Sufficient information about the exemplar to characterize it appropriately (e.g. manufacturer, composition, other features that bear on the performance of the material as an appropriate exemplar for the case) must be maintained in the examiner's notes.

## 6. Procedures

### 6.1. Report format

#### 6.1.1. Report header

- 6.1.1.1. The following entries will be included in the header of all ATF laboratory reports. To ensure accuracy, reporting examiners and case reviewers will include a cross

check of the computer generated information to the transmittal documents during the administrative review of the case record.

6.1.1.1.1. To - name and mailing address of the person to whom the report is sent.

6.1.1.1.2. Date of report - date is automatically generated at the time the report draft is initiated. This date will be changed on the final report to reflect the actual report date as the report is issued.

6.1.1.1.3. Lab number - laboratory case number with the submission number(s) following the case number in parenthesis or preceded by *Sub* in parenthesis.

6.1.1.1.3.1. Example: 94S0582 (2,3) indicates a report on submissions 2 and 3 of the 582nd case received by the San Francisco Laboratory in 1994.

6.1.1.1.4. ATF investigation number

6.1.1.1.5. Type of exam - discipline examination being reported.

6.1.1.1.5.1. Only the following types of examination descriptors will be used in this portion of the report header: Comparative, Document, DNA, Explosives, Fingerprint, Fire Debris, Firearm, Tobacco, Toolmark, Trace, Impression, Engineering Analysis, Testing, Electrical and Research.

#### 6.1.2. Identification and page numbering

6.1.2.1. Multiple page reports will have the case number, including submission number, noted at the top of each subsequent page.

6.1.2.2. Reports consisting of more than one page must include the page number centered at the bottom of each page as follows: Page 1 of 3, Page 2 of 3, Page 3 of 3, etc. It is not necessary to number a one-page report.

#### 6.1.3. Report content

##### 6.1.3.1. Introductory statement

6.1.3.1.1. An introductory statement that includes specific information regarding the date and means by which the evidence and/ or the request for analysis was received by the laboratory.

6.1.3.1.2. Example: *The following evidence was received on (date) by (mail number/FedEx number/hand-carried by [whom])*

##### 6.1.3.2. Exhibits section

6.1.3.2.1. The numbering of exhibits will match the numbering on the ATF F 7140.7 Laboratory Exam Request. If the submitting agent's numbering of the exhibits

is incorrect, the examiner will contact the agent and correct the exhibit numbers accordingly.

- 6.1.3.2.2. The description of exhibits will generally correspond to the case request transmittal documents, the Report of Investigation (ROI) and/ or the ATF F 7140.7 Laboratory Exam Request. Examiners may use different wording to describe the item so that it accurately describes what was received if the transmittal documents do not describe the exhibits accurately.
  - 6.1.3.2.3. For cases involving large numbers of exhibits, examiners may reference and attach copies of transmittal documents where the exhibits are accurately identified in the transmittal documents. The appropriate Section Chief will determine what constitutes a large number. If the transmittal documentation does not agree with the evidence actually received, all exhibits must be listed regardless of number received.
  - 6.1.3.2.4. Items separated or generated during examination/ analysis need not be listed in the Exhibits section of the report since separation or isolation of such evidence generally occurs as part of the examination process. These evidence items will be described in the Examination/ Analysis and Interpretation of Results section of the report and identified in the Disposition of Evidence section of the report when analysis is performed on the item(s). Laboratory generated or separated evidence may be referenced in the Disposition of Evidence section only of the report when the items are not analyzed.
- 6.1.3.3. Examination/ Analysis and Interpretation of Results section
- 6.1.3.3.1. This section of the report will communicate the analytical findings and the interpretation and expert opinions derived from those findings.
  - 6.1.3.3.2. Examiners may use a brief general description of an examination, such as *a chemical and physical examination* or *fire simulation experiment*. Special situations may warrant descriptions that are more extensive.
  - 6.1.3.3.3. Reported results derived solely from a visual examination will be clearly identified as such in the report.
  - 6.1.3.3.4. When associations are made, the significance of the association must be clearly communicated in this section of the report.
  - 6.1.3.3.5. When no definitive conclusion can be reached, i.e., inconclusive, the reason will be clearly documented in the case record and briefly explained in the report.
  - 6.1.3.3.6. If the examination included a sampling plan, then a reference to that procedure shall be included in the report.
  - 6.1.3.3.7. Where appropriate to the examination, the following information will be included in Examination/ Analysis and Interpretation of Results section of the report:

- estimated uncertainty of measurement, if significant to the validity of results
- statistical or other data reflecting accuracy and precision
- deviation from a procedure, including the reason
- validation of non-routine method
- references

6.1.3.3.8. All exhibits listed in the Exhibits section of the report will be addressed in this section.

6.1.3.3.8.1. A brief statement identifying exhibits not examined in detail or not examined at all along with an explanation as to why the item(s) were not examined will be included in the Examination/ Analysis and Interpretation of Results section of the report

6.1.3.4. Disposition of Evidence section

6.1.3.4.1. A brief statement describing the disposition of the evidence will be included in all laboratory reports involving physical evidence. If the analysis/examination has resulted in laboratory separated or generated items that are packaged separately from the original item of evidence, then a statement communicating this will be made in this section. If these items could be used for future comparison examinations, a statement communicating this will be made in either the Examination/ Analysis and Interpretation of Results or the Disposition of Evidence section. The disposition statement will also include information regarding laboratory generated or separated evidence and potential biological evidence that has been separated and packaged for potential future DNA or other biological analysis.

6.1.3.5. Signature section

6.1.3.5.1. Reports must be signed by the analyst who conducted the examination.

6.1.3.5.2. Fire Research Laboratory reports must be signed by the analyst who conducted the technical review.

6.1.3.5.3. Reports must be signed by the section supervisor as the administrative reviewer and authorizer of release of information.

6.1.3.5.4. Only the following examiner titles will be used: DNA Technical Leader, Forensic Biologist, Forensic Document Examiner, Fingerprint Specialist, Firearm and Toolmark Examiner, Forensic Chemist, and/or Forensic Scientist Fire Research Engineer, Senior Fire Research Engineer, Fire Research Scientist, Senior Fire Research Scientist, Electrical Engineer, and Senior Electrical Engineer.

6.1.3.5.5. Where earned and documented, the following certifications and terminal degree designations may be used following the analyst's name, e.g., Ph.D., D.Sc., P.E., D-ABC, and CFI.

## 6.2. Report distribution

6.2.1. The original signed report will be sent to the case agent identified in the laboratory exam request. Additional copies of the signed report may be sent to other investigative entities if requested.

6.2.2. Copies of the signed report will be distributed as follows:

- one copy of the signed will be placed in the case record jacket
- one copy of the signed will be given to the author of the report
- one copy of the signed will be packaged with the evidence when returned
  - If there is no evidence to be returned, this copy will not be created.

6.2.3. If quality copies cannot be made due to the malfunction or unavailability of duplication equipment, copies may be computer generated. In these instances, the author and Section Chief will initial all pages of the report copy prior to it being filed.

## 6.3. Amended reports

6.3.1. If an error is discovered in a laboratory report after it has been issued, it will be brought to the attention of the examiner and Section Chief. The Section Chief is responsible for initiating the appropriate corrective action in accordance with ATF-LS-4.11 Corrective action. If deemed a necessary part of the corrective action, then an amended report shall be issued.

6.3.2. Amended reports will be formatted, reviewed, approved and distributed in the same manner as general laboratory reports with *Amended* typed in bold text on the first page under the Type of Exam. When practicable, the appropriate Section Chief or examiner should notify the submitting agent of the amendment(s) prior to the report being distributed.

6.3.3. Recording the amendment in the case record

6.3.3.1. A single line will be drawn through the error on a copy of the originally issued report that was retained in the case record jacket. The original copy will not be marked.

6.3.3.2. The change will be typed or handwritten somewhere near the error on the copy of the originally issued report.

6.3.3.3. The change will be initialed by the person making the correction and by the Section Chief.

6.3.3.4. The following statement will be typed or handwritten across the bottom of the signature page of the case record copy of the originally issued report: *This report has been amended and replaced on MM/DD/YR.*

6.3.3.5. A brief description of the amendment will be added to the above statement of the case record copy of the originally issued report.

6.3.3.6. Examples of ways to describe amendment include typographical error and a portion of the report was omitted.

6.3.3.6.1. If applicable, add: *Amendment does not affect reported examination results.*

#### 6.3.4. Preliminary reports

6.3.4.1. When a request is made for a written laboratory report based on the expeditious analysis of only a portion of the evidence received in a case, the examiner may issue a preliminary report. *Preliminary Report* will be typed directly below the Type of Exam.

6.3.4.2. Preliminary reports are distributed and maintained in the same manner as final laboratory reports. The final laboratory report will be issued when the full analysis has been completed.

#### 6.3.5. Release of reports to parties not on the laboratory exam request

6.3.5.1. Demands for case records are covered by 28 C.F.R. 16.21-16.29, ATF O 1340.4 Preserving and Producing Bureau Records, Documents and Information Subject to the Legal Process, and ATF O 3210.7 Investigative Policies, Procedures and Techniques.

6.3.5.2. In addition to the above referenced directives, Laboratory Chiefs will be made aware of requests for laboratory case records and other management system documents or records, when made by parties other than those identified in the case transmittal documents. Requests for laboratory records or management system documents must be approved by the Laboratory Chief prior to release. ATF Chief Counsel shall be informed of all Freedom of Information Act (FOIA) requests and may be consulted for other disclosure issues as deemed appropriate.

6.3.5.3. Records of these types of document releases will be maintained according to ATF-LS-4.13.2 Case records.

## 7. Controls

### 7.1. Examiner

7.1.1. The laboratory examiner authoring the report is responsible for ensuring that the laboratory report is in compliance with all agency policies and procedures and is generally grammatically correct and free of typographical errors. The examiner shall document his or her review of the report on the appropriate review form and by signing the report.

### 7.2. Section Chiefs

7.2.1. Section Chiefs will review reports for compliance with this procedure as part of the administrative review process.

### 7.3. Quality Program

7.3.1. Case records, including laboratory reports, will be reviewed during the annual internal audits.