



Oregon

Tina Kotek, Governor

Department of State Police Forensic Services Division

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The Oregon State Police Forensic Services Division (FSD) laboratory system is accredited by the ANSI National Accreditation Board (ANAB) in forensic testing and breath alcohol calibration to ISO/IEC 17025:2017 and ANAB AR 3125. Some elements of these accreditation standards necessitate a customer communication and agreement. This letter details specific information regarding confidentiality, reporting of results, and selection of methods that will be agreed to with every login to the Laboratory Online Information System (LOIS) and by a signature on the current version of the Forensic Services Request Form(s) when a request for laboratory analysis is submitted.

Confidentiality of Information

All case records will be held secure and in confidence. Case information will be shared with the investigating law enforcement agency(s) and the prosecuting attorney's office handling the case, and both parties may be considered "the customer". If the work is being done for a defense attorney, they are considered the customer. For postmortem toxicology cases the State Medical Examiner's Office is considered the customer. The FSD complies with court orders, discovery requests, and subpoenas. Case information will be released in these circumstances. The State Medical Examiner's Office will be contacted if the FSD receives discovery requests for postmortem toxicology cases. Case information may also be provided in compliance with public records requests, but only as required by law. When case-to-case database associations are obtained (i.e., two or more cases are linked via CODIS, SoleMateFPX®, or ABIS), the relevant case information will be shared with all associated investigating agencies and attorney's offices.

Case information may be shared during external presentations or trainings given by members of the FSD. The customer (investigating law enforcement agency(s), State Medical Examiner's Office, and/or attorney's offices handling the case) will be contacted for permission if there is a reasonable possibility that the specific incident or involved individuals could be identified from the information provided; otherwise, general information will be shared without further notification.

General statistical information may be made available in the public domain, and case data and associated results may be shared with external programs or law enforcement entities involved in monitoring criminal activity trends (e.g., Fatality Analysis Reporting System [FARS], National Forensic Laboratory Information System [NFLIS]). Case information may also be shared for necessary business with limited outside entities under strict confidentiality requirements (e.g., the laboratory accrediting organization, businesses contracted to digitize paper case records).

Agreeing to this confidentiality information does not preclude specific requests for additional confidentiality on a case-by-case basis.

Simplified Reporting

In the interest of providing scientifically accurate reports that are clear and readable, the FSD retains the right to limit information in the report that we have determined is unnecessary to understand the results, conclusions, or opinions.

The following information may not be included in all analytical reports: the location of the performance of some laboratory activities, identification of the methods used for the analyses and any approved deviations to those methods, chain of custody details, specific dates of the performance of laboratory activities (including sampling), location of sampling, details of the sampling method, individual test results that are reported in totality as a series of tests, and information on specific test or sampling conditions (e.g., environmental conditions). These details, if relevant, are included in the case record and are available upon request.

Selection of Methods and Deviations from Methods

The FSD reserves the right to select appropriate methods of analysis based on the type of evidence and information that is provided. At times, deviations to methods accepted by the FSD may be necessary. When used, these deviations go through a rigorous review and approval process to ensure they are documented, technically justified, scientifically valid, and authorized for use. Methods will be selected and may be deviated from as necessary following specific procedures outlined within the FSD and without further customer notification.

Please review the information contained in this letter carefully and contact FSD Operations Manager Rob Hilsenteger at rob.hilsenteger@osp.oregon.gov with any questions or concerns.