



# Oregon

Kate Brown, Governor

An ASCLD/LAB - *International Accredited Testing Laboratory* Since 2006

## Department of State Police Forensic Services Division

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The Oregon State Police Forensic Services Division (FSD) laboratory system is accredited by ANAB (ANSI National Accreditation Board) to internationally accepted standards. Some of these accreditation standards have recently changed and necessitate a customer communication and agreement. This letter details specific information regarding confidentiality, reporting of results, and selection of testing 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 Forms 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. 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 cases are linked via CODIS, NIBIN, SoleMateFPX@, or ABIS), the relevant case information will be shared with both investigating agencies and attorney's offices.

Case information may be shared during outside presentations given by members of the FSD, and general statistical information may be made available in the public domain. The investigating law enforcement agency(s) 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.

Case information may also be shared for necessary business with limited outside entities under strict confidentiality requirements (e.g., the laboratory accrediting body, 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.

Information including the locations of some initial laboratory activities, identification of the methods used for the analyses and any approved modifications made to those methods, the chain of custody details, specific dates of the performance of laboratory testing and sampling, location of sampling, individual test results that are reported in totality as a series of tests, and environmental conditions during testing or sampling may not be included in all analytical reports. These details, if relevant, are included in the case record and are available upon request.

### **Selection of Methods and Deviations from Testing 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, modifications to methods accepted by the FSD may be necessary. When used, these modifications 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 adjusted 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](mailto:rob.hilsenteger@osp.oregon.gov) with any questions or concerns.**