SEIZED DRUGS FACT SHEET

Location(s): Forensic Investigation Center, Mid-Hudson Satellite Crime Laboratory, Southern Tier Satellite Crime Laboratory, Western Satellite Crime Laboratory

The Seized Drugs Section of the NYSP Crime Laboratory provides drug analysis on submissions from state and local law enforcement agencies.

Seized Drugs Section Technical Contacts

NYSP Laboratory System / Seized Drugs
Christopher McDonough, Associate Director – (518) 485-2710

Forensic Investigation Center
Jaime Sickinger, Supervisor of Forensic Services – (518) 485-0515
Adam Prusik, Supervisor of Forensic Services – (518) 457-1550
Luz Stevens, Supervisor of Forensic Services – (518) 457-2488

Mid-Hudson Satellite Crime Laboratory
Kim Grey, Supervisor of Forensic Services – (845) 762-5171

Southern-Tier Satellite Crime Laboratory
Abigail Roberts, Supervisor of Forensic Services – (607) 648-7868 ext. 301

Western Satellite Crime Laboratory
Jeffrey Marciano, Supervisor of Forensic Services – (716) 373-3668 ext. 275

Seized Drugs Section Current Services

- Analysis and reporting of most Controlled substances listed in NYS Article 3306 of the Public Health Law
- Analysis and reporting of Cannabis for vegetative submissions
- Quantitative Analysis and reporting of Cocaine and Ketamine
- Clandestine Laboratory Analysis of Methamphetamine, and Precursors (Pseudoephedrine, Ephedrine)

NOTE: An appropriate analytical method will be utilized in analyzing evidence submitted to the laboratory. Requests for aggregate weights may not be given if the laboratory chooses to employ a method that is better suited for the circumstances of the case. The method chosen will be in accordance with laboratory guidelines and ISO/IEC 17025 or ANAB accreditation.

The Forensic Scientist will routinely test enough samples necessary to determine the highest degree of crime according to Article 220 and 222 of the Penal Law. It is policy that laboratory personnel will select the item or items most appropriate for analysis with consideration of the submitter's requests and will determine the scope of analysis as well as the analysis to be performed. The Seized Drugs Section of the NYSP Crime laboratory does not consider this a change to the contract and is not required to make notification to the customer.

Evidence submitted for controlled substance analysis is prioritized and assigned based upon statutory offense level, court requests and/or investigatory purposes by the Section Supervisor at each laboratory. Higher offense level submissions needed for trial will supersede all other requests. Lower offense level submissions will not routinely be prioritized unless a trial date has been established and verified by the

prosecuting attorney. A Supervisor of Forensic Services or Associate Director may assign these cases discretionarily, based on an individual request and laboratory resources.

Miscellaneous Information

- Federal drug submissions will be assigned only when a specific request has been made by the prosecuting attorney and communicated to the Supervisor of Forensic Services or Associate Director.
- Analysis will not be performed on submissions previously analyzed by another accredited laboratory. An exception to this policy would be when an additional service is requested and is not offered by that laboratory. Those requests would be granted at the discretion of the Associate Director – Seized Drugs Section.
- Quantitations will be performed only when a specific request has been made by the prosecuting attorney and communicated to the Supervisor of Forensic Services or Associate Director.
- Residues will not be analyzed unless they are the only items in a case.
- Contents of hypodermic instruments submitted with needles will not be analyzed.
- Routine analysis will not be performed on suspected violation or misdemeanor offenses without a request from the prosecuting attorney.
- Submissions of Unlawful/Criminal Possession of Cannabis (under 5 pounds) or Unlawful/Criminal Sale of Cannabis (under 16 ounces) will not be analyzed without a request from the prosecuting attorney.
- Moldy cannabis cases submitted to the laboratory will not be analyzed.
- NYSP Laboratory does not test for, or report concentrated cannabis.
- The administrative reporting of cannabis is based on a greater than 0.5% delta 9-tetrahydrocannabinol (THC) percent concentration. When the measured purity of delta 9-THC found in vegetation is greater than the 0.5% established administrative threshold, cannabis will be reported. The NYSP laboratory does not determine the total THC (delta 9-THC and THCA) content in vegetation.
- Analysis on more than one marked pharmaceutical will not be routinely performed when a physical appearance identification is made on multiple similar sub-items.
- Non-controlled pharmaceuticals (i.e., tablets, capsules) from commercial manufacturers will not be routinely analyzed.
- Representative sampling and extrapolation of weight may be utilized as appropriate on submissions with over 30 sub-items.
- Subcontracting may be utilized at the discretion of the Associate Director – Seized Drugs Section.
- The laboratory may not record the aggregate weights of all submissions (based upon the review of information provided on the submission forms - offense type, gross weights, description of events, item types, etc.). However, when meaningful to the charge, the aggregate weight of the items will be captured and reported.

Seized Drugs Section Returned Without Analysis Program (RWOA)

To manage the current drug case backlog, all drug evidence that has remained at the laboratory over six (6) months will be returned to the submitting agency without analysis. Prior to returning unanalyzed drug cases, notification to the District Attorney's offices will be made. At any time if the evidence is needed for prosecution, it may be resubmitted to the laboratory for analysis.