

STATE OF MONTANA
DEPARTMENT OF JUSTICE
FORENSIC SCIENCE DIVISION

2679 Palmer Street
Missoula, MT 59808



1516 4th Avenue North, Ste 1
Billings, MT 59101

Date: October 26, 2023

To: Montana Law Enforcement
Montana County Attorneys

Re: Current FSD Syringe Policy

In an effort to improve our services across the state the Forensic Science Division is altering its testing policy for syringe evidence. We believe the previous process created more issues than benefits to the submitting agencies and the laboratory. Starting October 24, 2023, the policy regarding the analysis of syringe related evidence is changing. Syringes are considered residues and will be handled accordingly. The previous policy required syringes to be the only item of evidence and required a county attorney letter stating that the evidence will be moving forward for prosecution. Unfortunately, this policy was abused on a regular basis. While we would receive letters stating that the syringe was the only item of evidence, the letter would be accompanied by not only the syringe but a weighable quantity of material. Therefore, syringe letters from the county attorney's office will not be required nor will they be honored requiring the lab to analyze more items of evidence.

The sampling plan policy regarding residues states in part:

Residues:

- a. Should not be analyzed if weighable quantities exist in other items.
- b. Syringes are considered residues.
- c. When a case consists of only residue items, additional residue items will be analyzed until at least one controlled substance is identified.

If you have any questions regarding this updated policy, please contact the Chemistry section supervisor Misty Icard (MIcard@mt.gov / 406-255-1104).

Respectfully,

Travis Spinder
Administrator
Forensic Science Division and State Medical Examiner's Office
406-329-1127 tspinder@mt.gov