



# NORTH CAROLINA STATE CRIME LABORATORY POST CONVICTION WORK

# DISCOVERY

## **N.C. Gen. Stat. § 15A-1415(f)–**

“In the case of a defendant who is represented by counsel **in postconviction proceedings in superior court...**”

## **N.C. Gen. Stat. § 15A-269(f) –**

“Upon receipt of a motion for postconviction DNA testing, the **custodial agency** shall inventory the evidence pertaining to that case and provide the inventory list, as well as any documents, notes, logs, or reports relating to the items of physical evidence, to the prosecution, the petitioner, and the court.”

# DISCOVERY con't

- Full lab file
- Policies and procedures
- Lab files now vs. Lab files in the past
- Method of delivery of files?
- Raw data files

# TESTING

- Who is to do the testing?
  - The State and/or the defendant has not consulted with the Lab before asking for an order for testing.
  - There is a cost for outside testing vs no cost for the Lab.
- What is the evidence that we are to test?
  - Specifically, where on the evidence and what method should we use?
- How does the evidence get to us and what are we to do with it once we are done?
- Consumptive testing?
- Who are we to report to when testing is done?

# CODIS

- What goes into CODIS?
  - Quality of the profile
  - Relation to a crime
- How are CODIS hits released?
  - FBI regulations on hits and confirmations in regards to who gets notification.
- How long of a search and follow up hit notifications?
- Keyboard searches?

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