



NORTH CAROLINA
STATE BUREAU OF INVESTIGATION
 DEPARTMENT OF JUSTICE



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ROBIN P. PENDERGRAFT
 DIRECTOR

RE: Drug Screening Reports
 Dear Sir/Madam:

Due to increased Toxicology case submissions, the SBI Toxicology Unit anticipates a confirmatory analysis of drugs in blood will require approximately 12 months to complete. This turnaround time is unacceptable in most North Carolina District Courts; therefore the SBI Crime Laboratory Toxicology Unit is reporting the results of the drug screening tests with the option of having a confirmatory test completed.

A special request by the District Attorney's Office is no longer needed in order to have a blood sample screened for drugs in an impaired driving case.

The screening tests used by the Toxicology Unit at the State Bureau of Investigation Crime Laboratory are immunoassays, which are tests commonly used by forensic laboratories and medical facilities to screen for the presence or absence of therapeutic and abused drugs. Toxicology samples that give a positive immunoassay result normally undergo a confirmatory test based on a different chemical principle. Many years of testing at the SBI Crime Laboratory have shown that it is rare when confirmatory testing has failed to identify the drug(s) indicated in the immunoassay screens used by the Toxicology Unit; however, a confirmatory test would be needed to identify the specific drugs present in a toxicology sample.

Confirmatory testing will be automatically performed in the following situations:

- ▶ all DWI cases involving a known personal injury or fatality to someone other than the driver.
- ▶ all non DWI cases involving a crime against persons (e.g. drug facilitated sexual assaults).
- ▶ or, when the only drug(s) requested cannot be detected by the available screening tests, and none of the screening tests are positive.

If there is any concern expressed by the prosecutor, defendant, or judge then it is recommended that a confirmatory test be requested. In cases where confirmation of screening test results or other drugs is needed, the SBI Toxicology Unit requires that the District Attorney's Office submit a written request for the confirmatory testing with the understanding that confirmatory testing will significantly extend completion time.

Reporting in this way is necessary due to the significant increase in submissions of toxicology samples to be tested for drugs. Since the change of the DWI law that became effective in 1997 and the significant increase in DRE officers, the SBI has been unable to obtain the necessary resources to meet the demand of blood drug testing.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Jerry Richardson
 Assistant Director Laboratory Services



