



WISCONSIN STATE CRIME LABORATORIES

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Controlled Substances Unit FAQ's

Q: What if DNA or latent print examination is also needed on the packaging containing the controlled substance items?

A: The original packaging should be separated and individually packaged prior to submission to the crime laboratory unless it is unreasonable to do so. For efficient and timely analysis, it is important to place these items in separate containers for submission to each unit. Please contact the Forensic Case Manager prior to submission of packaging for DNA or latent print examination to ensure the request meets submission guidelines.

Q: When should evidence be submitted to the laboratory?

A: Evidence should be submitted as soon as a pretrial and/or trial date has been set. This should be at least one month prior to the trial date or the date results are needed to allow the laboratory time to complete analysis. For cases in which results are needed prior to charging or needed for investigational purposes, please contact the Forensic Case Manager or the Chemistry Supervisor for your laboratory.

Q: Can syringes, drug paraphernalia, and residue items be submitted to the Controlled Substances Unit (CSU) for analysis?

A: These items may be submitted if they are the only item in the case and/or if their analysis is imperative to the case investigation. The CSU will work one item per substance type. If other weighable amounts of controlled substances are present in the case, please **do not** submit these items.

Q: Should a field test be performed on residue items?

A: No. In cases with residual amounts that are required to be analyzed, material should be conserved for laboratory analysis. If results are needed for charging purposes, please contact the Forensic Case Manager or the Chemistry Supervisor for submission approval.

Q: What is the difference between hemp and marijuana?

A: The Cannabis plant is considered hemp by law if it contains less than 0.3% Tetrahydrocannabinol (THC). THC and Cannabidiol (CBD) are two major cannabinoids found in the Cannabis plant. In general, Cannabis will be classified as marijuana when the ratio of THC is much greater than CBD. Hemp and marijuana cannot be distinguished by appearance, odor, or the Duquenois-Levine color test.

Q: Is there a color test available for hemp?

A: Yes. Many companies have started distribution of products based on the 4-AP color test or cannabis typification test. This test may be a valuable tool to distinguish between hemp and marijuana based on the ratios of THC to CBD. However, it cannot determine a percentage of THC. For best results, perform the color test on known samples of hemp and marijuana to familiarize yourself with the appropriate colors.

Q: Can the Crime Lab determine whether a sample is hemp or marijuana?

A: The Crime Lab does not perform a quantitative analysis for the percentage of THC. However, analysis includes instrumental methods which can assess the levels of THC and CBD and may provide valuable information regarding whether the plant material is more consistent with hemp or marijuana.

Q: What special precautions should be taken when handling suspected fentanyl?

A: Fentanyl is a very potent opioid and accidental exposure could have serious consequences. Since fentanyl can be absorbed through the skin, proper protective equipment should be worn such as gloves and masks. To prevent inhalation, avoid any actions that would cause the sample to become airborne. Ensure that samples are properly packaged to prevent any leakage. When submitting suspected fentanyl cases to the laboratory, communicate this information to the evidence specialist during intake and additionally document this information on the transmittal form. We recommend that your agency have a safety plan in place for accidental exposure to fentanyl which should include having Narcan[®] available.

Q: Should a field test be performed on suspected fentanyl samples?

A: Yes, suspected fentanyl samples should be field tested prior to submission to the laboratory (with the exception of residues). If your agency does not have a safe environment to perform field testing, please contact a Chemistry Supervisor or Laboratory Director to set up a time to use the laboratories fume hood. If you have other questions or concerns about safely color testing fentanyl samples, don't hesitate to contact the CSU at your laboratory.

Q: Can the field test for fentanyl give false positives?

A: Yes. As with any field test there are false positives and other substances that may lead to confusing results. Specifically, the field test marketed as a fentanyl/heroin test may give similar results for methamphetamine, cocaine, fentanyl, and marijuana. Additionally, many new fentanyl analogs are currently being seen in the Midwest region. To conclusively determine if a sample contains fentanyl, it should be submitted to the crime laboratory for analysis.

Q: May evidence removed from a body cavity be submitted for analysis?

A: If analysis is important to the case, this evidence may be submitted. Contaminated packaging should be separated from the drug evidence prior to submission. If packaging cannot be easily separated, steps should be taken to preserve the evidence with proper packaging and storage in the refrigerator or freezer. Any evidence removed from a body cavity must be affixed with a biohazard or other safety label.

Q: Can the Crime Lab analyze food items for controlled substances?

A: Yes. Food items suspected to contain controlled substances should be stored in the refrigerator or freezer to preserve the evidence and prevent any spoilage.

Q: Who should be contacted regarding a suspected clandestine laboratory?

A: Clandestine laboratories involve many safety hazards and dangers. Any time a clandestine laboratory, including a "one-pot" methamphetamine lab, is suspected, you should immediately contact your local DCI field office. Besides the many safety hazards, failure to properly handle a clandestine laboratory site may violate OSHA and DNR regulations. **Never enter a suspected clandestine laboratory site or handle possible clandestine laboratory chemicals unless you are a certified clandestine laboratory responder.** Clandestine laboratory samples must be rendered safe prior to submission to crime laboratory.

Q: What should be submitted in a case involving numerous items, large plant grows, etc.?

A: Please discuss the case with the prosecuting attorney prior to submission and determine which items are necessary for analysis. The Crime Laboratory will only accept those items necessary to reach the charged statutory weight limits/plant counts unless otherwise approved by the Forensic Case Manager or Chemistry Supervisor. With respect to sampling marijuana grows with plants of sufficient size, it is recommended to sample 1-2 grams of dried plant material from each plant and package separately for submission. Contact your area CSU with any questions regarding sampling methods. Questions related to item submission in large cases or grows should be directed to the Forensic Case Manager or Chemistry Supervisor.

Q: How should wet plant material or other samples with moisture be packaged?

A: In order to preserve evidence, it is important to ensure the evidence is reasonably dried and packaged properly. Wet plant material is especially susceptible to mold and should be dried before packaging. It is best to package in paper bags or other packaging material that will not trap moisture.

Q: How should liquid evidence be packaged?

A: If the original container is sufficient to contain the liquid and prevent any leakage, it may be used with additional secondary packaging. For instance, a capped syringe with liquid may be placed in a secondary container such as a plastic biohazard tube. If the original container is not sufficient to prevent leakage, use an appropriate container for liquids such as a glass bottle or specimen jar with a screw top lid. Secondary packaging that can contain liquid such as a plastic tube, a plastic bag, nalgene bottle, or metal can should always be used. Never put liquids directly into a metal can.

Q: Should pharmaceutical tablets/products be submitted for analysis?

A: Controlled pharmaceuticals under Wisconsin Statute 961 can be submitted for analysis. Prescription pharmaceuticals that will be charged under Wisconsin Statute 450 should not be submitted for analysis.

Q: Can you detect psilocybin or psilocin in mushroom spores?

A: No. Do not submit items suspected to contain mushroom spores or grow media with mycelium. The laboratory's ability to detect psilocin or psilocybin is increased if the mushrooms are at least at the pinhead stage. Harvest and fully dry any mature mushrooms for submission to the laboratory.

Q: Are there field test kits available for synthetic cannabinoids and synthetic cathinones?

A: There are field tests kits currently marketed that may detect these compounds. However, due to the large and always increasing number of synthetic compounds these tests will not react with many of the currently seen compounds. Additionally, as with all field tests, there may be false positives. To conclusively determine if the item contains a controlled substance, it must be submitted to the crime laboratory for analysis.