

COLLECTION AND PRESERVATION OF EVIDENCE

31.1 ADMINISTRATION

31.1.1 Scene Processing Capabilities – 24 Hour Basis

Principle: All Police Officers employed by the Lakewood Police Department receive basic training in crime scene processing. Police officers perform crime scene processing for routine investigations. The Forensic Services Section is responsible for coordinating all crime scene investigations, and will direct the appropriate response.

- A. Major Crime Scenes: The Forensic Services Section is available on an on-call basis seven days a week and 24 hours a day. Officers requesting this service should contact the Forensic Services Manager or the designated Forensic Services detective. The Washington State Patrol Crime Scene Response Team (WSPCL CSRT) is available to assist with major crime scenes. A request for the WSPCL CSRT assistance may be made by the Forensic Services Manager (or designee) or LPD Command Staff.
- B. Major Traffic Collision Scenes: The Traffic Section is available on an on-call basis seven days a week and 24 hours a day. The Traffic Section shall be notified of any collision that results in a fatality, or an injury that may result in a fatality, or when there is possible liability for the City. The Traffic Section shall be responsible for the processing of major traffic collision scenes and may request the assistance of Forensic Services or the Cooperative Cities MCRT.

31.2 OPERATIONS

PHILOSOPHY: Crime scene processing is a time consuming and resource intensive aspect of criminal investigation. It may also serve as the key to identifying and prosecuting a criminal. Therefore the Lakewood Police Department is committed to providing quality crime scene processing in criminal investigations conducted by police personnel. In an effort to ensure fulfillment of this commitment the standards in this section will apply.

31.2.1 Crime Scene Processing

Principle: The investigating police officer shall be responsible for the collection of evidence and the recording of conditions at the crime scene. When a major crime or a pattern of serial crimes is involved CIU and Forensic Services shall be notified and may respond to assume the investigation and responsibility for the crime scene processing. All officers shall ensure the following crime scene processing steps are performed as necessary.

Practices:

- A. Crime Scene Protection: As soon as practicable, the first officer to arrive on scene shall take steps to protect the crime scene.
- B. Crime Scene Search: The investigating officer or Forensic Services shall ensure the crime scene area is searched for any physical evidence. The search should not be confined to the immediate area of the crime. The approach to the crime scene as well as the exit from the scene also requires a search. The method used to search the scene, the officer(s) conducting the search, and the extent of the search shall be included in the police report.
- C. Crime Scene Photography: Photographs of the scene, individual, or item enhance the credibility of the evidence found and serve to support testimony. Refer to Standard 31.2.2 for specific information regarding the photography and/or video recording of a crime scene.
- D. Crime Scene Sketching / Diagraming: When appropriate, a sketch or diagram will be made to depict the location of evidence. Sketches / Diagrams will be made prior to actual collection unless appropriate marking and documentation is made. Use of scene scanning should be considered for documentation of major crime scenes

and major traffic collisions.

- E. Evidence Collection: The investigating officer or Forensic Services shall ensure that all physical evidence that will aid in the prosecution of a subject or the identification of a suspect shall be collected from the crime scene area. In some instances photographs of physical evidence will suffice for prosecution. In these instances the investigating officer shall ensure the physical evidence is photographed for prosecution prior to the evidence being released or destroyed. The following items are examples: Retail items taken in a shop-lift and recovered, alcoholic beverages (possession cases only).
1. Blood: Personnel shall use safe practices and personal protective equipment whenever handling blood or bloody items.
 - a. Collected from Person: Blood collected from a person shall be drawn only by a physician, registered nurse, or qualified technician.
 1. In addition to the information required in Standard 32.1.1; blood specimen containers must be sealed with tape or labels that display the following information:
 - Name of person blood was drawn from
 - Date, time, and location of collection
 - Name and position of person drawing the sample
 2. All samples collected shall be submitted for storage in the following manner.
 - a. Gray Top Vials: Blood is collected in grey top vial for DUI investigations. It does not require refrigeration. Officers shall place the gray top vials into an evidence locker per the practices in Standard 32.1.1.
 - b. Purple Top Vials: Blood collected in relation to other criminal investigations is kept in purple top vials. It does require refrigeration. The samples will be refrigerated in the Evidence Room as soon as possible after collection.
 3. Refrigeration: The refrigerator storage temperature shall be maintained at less than or equal to 38 degrees Fahrenheit. The Property/Evidence Supervisor shall monitor the storage temperature regularly. The storage temperature may be recorded on the blood container when the container is removed from the refrigerator for analysis.
 - b. Other Blood Samples: When bloody items or blood samples from an alternative source are collected the following practices shall be followed:
 1. Bloody Items: All items collected that have a significant amount of blood on them shall be completely dried prior to being packaged for submission to the Property/Evidence Storage Room. If an item must be dried, it shall be placed in the Drying Room / Drying Cabinet. Kraft type paper should be placed beneath the drying items in order to collect trace evidence. Once the items are dry they will be packaged for submission to the Property/Evidence Storage Room.
 - a. Packaging: Once dry, bloody items shall be packaged individually in Kraft or other paper packaging and marked with Biohazard labels.
 - b. The drying room should be used in accordance with the protocols posted in the room and available in the Forensic Services Resources folder on the shared drive.
 2. Blood Samples from Alternative Sources: When an officer collects a blood sample from a source other than a person, the following practices shall apply:
 - Collect as much of a sample as possible and/or necessary
 - If the sample is wet, allow it to air dry prior to packaging or use drying vessel.

- Ensure each sample is carefully labeled for the location where it was collected
2. **Other Bodily Fluids:** Personnel shall use safe practices and personal protective equipment whenever handling items contaminated with bodily fluids. An officer shall collect samples of other bodily fluids when necessary and in compliance with search and seizure rules and case law. These samples shall be collected and handled as described in Section E1 of this Standard, Blood Samples.
 3. **Firearms:** Firearms shall be unloaded as soon as practical and always prior to submission to the Property/Evidence Storage Room. All firearms shall be submitted in a manner that ensures the action or cylinder remains open. If there is a potential that trace evidence may be disturbed, employees should consult with Forensic Services. The position of live and expended rounds in revolvers shall be documented in relation to the firing pin prior to unloading the weapon. Ammunition collected from the firearm shall be packaged separately from the firearm. Bullets and cartridges shall not be marked in any way in order to allow for future submission to IBIS/NIBIS. A firearms collection and documentation guide is available in the Forensic Services References folder on the shared drive.
 4. **Wet Items:** If an item must be dried, it shall be placed in the Drying Room and in a drying locker. Refer to Section (A) of this Standard for specific practices to follow.
 5. **Narcotics:** Employees shall wear protective gloves when handling narcotics. All narcotics shall be separated from other evidence. Narcotics shall be weighed, before and after packaging, and then submitted to the Property/Evidence Storage Room. . Narcotic pills and/or plants will be weighed only and not counted individually. When employees have completed packaging the narcotics, the employee shall clean the surface used to package the narcotics with the solution provided for communicable disease decontamination.
 - a. **Marijuana:** Marijuana shall not be collected for safekeeping purposes. It may only be collected as evidence or for destruction.
 6. **Currency:** Whenever any currency is being submitted to the Property/Evidence Storage Room, the officer submitting the currency shall complete a Property Report and place the currency in a package. The officer shall indicate if the money is of intrinsic evidentiary value or if it is suitable for deposit. When submitting currency a supervisor (or another officer if a supervisor is not available) shall verify the amount, and the amount shall be documented in the General and Property Report. The number of each denomination of currency, along with a total, shall be notated by the submitting officer on the outside of the evidence packaging. As with other evidence, the package will be sealed on the seams with evidence tape and initialed and dated by the submitting officer.
 7. **Volatile Fluids:** When a sample of a volatile fluid is collected for evidentiary value, it must be placed in a tightly sealed metal, glass or K-Pac container. Volatile fluids not of evidentiary value shall not be submitted to the Property/Evidence Room.
 8. **Other Dangerous Items:** The below listed items shall not be submitted to the Property/Evidence Storage Room. A police supervisor shall contact an appropriate agency to ensure proper disposal of these items. The items may be photographed prior to disposal.
 - a. **Not to be submitted:** Explosives, dangerous chemicals, nuclear material, ammunition greater than .50 caliber.
 - b. **Fireworks:** Officers may seize small quantities of fireworks for destruction. Fireworks shall be placed in an appropriate container designed for their destruction.
 9. **Poisons:** Any amount of a poisonous material shall be placed in a glass or metal container and clearly labeled as "Poison". Poisons not of evidentiary value shall not be submitted to the Property/Evidence Storage Room.

10. Syringes and Razor Blades: Normally these items will not be submitted to the Property/Evidence Storage Room. These items shall be photographed when necessary for prosecution and disposed of in an authorized sharps container. If a syringe and/or razor blade must be taken as evidence, a supervisor or Forensic Services shall approve this, the item shall be placed in a puncture-proof container, and the hazard label shall be placed in the locker to notify the Evidence Custodian or designee of a potential hazard.
 11. Knives and Sharp-Edged Items: The blades or sharp edges of these items shall be packaged in the provided cardboard or knife box prior to the item being submitted.
 12. Food/Perishable Items: Normally these items will not be submitted to the Property/Evidence Storage Room. These items shall be photographed when necessary for prosecution and disposed. If food/perishable items must be taken as evidence, a supervisor or Forensic Services shall approve this.
 13. Clothing: When booking any clothing item (such as pants or a jacket) into property, it should be searched first. Any items inside the pockets should be documented and booked separately.
 14. Other Items: An officer shall refer to the WSPCL Forensic Services Guide when packaging any other items in order to ensure compliance with the Crime Lab standards. The handbook is located in the Property/Evidence Processing area and in the Forensic Services Reference folder on the shared drive. Forensic. Forensic Services may also be consulted for any questions.
- F. Transfer of Custody of Physical Evidence: Once an officer collects physical evidence, found property, and/or recovered property any transfer of such property shall be documented. Various methods exist for documenting transfers.
1. If the officer collecting the property transfers the property to another officer in the field for any reason, the transfer shall be recorded in the incident report narrative. The documentation shall include the name of the person receiving property, the date and time of the transfer, and the reason for the transfer.
 2. Whenever a person submits property to the Property/Evidence Storage Room, a completed Property Report form (white copy) shall accompany the property. This form serves as documentation of the transfer.
 3. Whenever property is released from the Property/Evidence Storage Room, the appropriate portion of the Property Report form shall be completed and a copy of the form shall accompany the property to its destination. This form shall include the signature of the person receiving the property. Any officer releasing the property to another agency will return the completed form to the Evidence Custodian.

31.2.2 Photographing / Videorecording Crime/Collision Scenes

Principle: It is the responsibility of the lead investigating officer of an incident to ensure the necessary photographs and/or video recording is accomplished. Whenever a scene is photographed or video recorded the following practices will apply:

Practices:

- A. Video Recording: Only Forensic Services, CIU or Traffic Section personnel trained in the video recording of scenes shall perform this function. This section does not apply to ICV or BWC video recordings.
- B. Photographs: Whenever an officer deems photographs are necessary a photo log may be completed and submitted with the incident report. Officers are not to take photos for personal use or storage. The Lakewood Police Department does not use conventional film photography.
 1. The photo file should contain a photograph of a "photo card" listing the case number, date, and name of the photographer. When the exact size of an item being photographed is required, a scale will be placed next to the item to add dimension and aid in development for 1 to 1 prints. However, a photo of the item should also be taken prior to placing the scale.
 2. All photographs taken by the LPD are in Digital format. The department issued smart phone may be used

by officers to take digital photos. No conventional film photography equipment is used or maintained by the department.

3. The cameras minimum resolution shall be 3mp and shall have a memory format capable of storing the photographs in JPEG, TIF, or RAW format. The camera should be set to display the correct date and time. JPEG format is recommended for most photos and must be set to the highest resolution setting.
4. There should be no deletion or editing done of the photographs once recorded on the memory. All related photos will be uploaded to the OnQ server.
5. The officer shall download all case related images from the camera memory to the Digital OnQ system for evidence. The uploading of photos to OnQ will be according to established protocols and training.
6. If digital images or video are burned to write once media for evidence, a "master" of the storage media will be booked into the LPD Property Room.
7. Photographs are considered to be evidence. Therefore, all of the rules of evidence, evidence display, and acquisition apply.

C. Automated License Plate Readers – Operator Usage

1. Automated License Plate Reader (ALPR) operation and access to ALPR collected data shall be for official LPD purposes only.
2. LPD shall maintain records of all ALPR operators and their ALPR usage.
3. ALPRs may be used during any routine patrol or criminal investigation. Reasonable suspicion or probable cause is not necessary.
4. ALPR equipped cars will be made available to conduct license plate canvasses for all homicides, shootings and other major crimes or incidents.
5. ALPR may be used to conduct grid searches of all blocks around the crime scene.
6. Partial plates reported during major crimes should be entered into the ALPR in an attempt to identify suspected perpetrator's vehicles.

D. ALPR – Data Collection and Retention

1. All ALPR data recorded should be maintained on the operator's laptop for a maximum of 24 hours from the end of the officer's shift during which the data was recorded.
2. All ALPR data recorded during a shift will be downloaded within 24 hours to an authorized server. Once the data is transferred it shall be purged immediately, or as soon as practicable, from the ALPR/laptop.
3. All ALPR data downloaded to the operator lap top and server must be accessible only through a login/password accessible system capable of documenting who accesses the information by identity, date and time.
4. Only those with ACCESS Level I certification may access ALPR data. All requests for access to stored ALPR data must be logged, and a stated purpose for access must be provided.
5. Requests to review stored data shall be recorded and maintained in the same manner as criminal history logs.
6. All ALPR data downloaded to the server may be stored for a period of up to no longer than 60 days prior to purging. Data must be purged once the maximum retention period has been reached unless it has become

or it is reasonable to believe it will become evidence in a specific criminal or civil action. In those circumstances, the applicable data shall be downloaded from the server onto a CD or other portable technology. It shall then be subject to the same logging, handling and chain of custody requirements as other evidence.

7. Persons approved to access ALPR data under these guidelines are permitted to access the data when there is an articulable suspicion that the data relates to an investigation in a specific criminal or civil action.

31.2.3 Fingerprints

Principle: Personnel follow the guidelines in the LPD Latent Print Processing Guide and the WSP Forensics Guide. The following additional practices will apply when processing a crime scene for latent fingerprints and submitting latent fingerprints as evidence:

Practices:

- A. Photographing: An officer may consider photographing a latent fingerprint developed prior to attempting to lift the print when the surface containing the print may not allow for an adequate lift. The photograph must include a scale to be of identification value.
- B. Latent Fingerprint Cards: The information on the card may also be included in the officer's General Report.
- C. Submission to Evidence: Latent fingerprint cards must be placed in an envelope, sealed, and marked prior to being submitted to the Property/Evidence Storage Room. An officer shall complete a Forensic Services Request for submission to the Automated Fingerprint Identification System for search.
 - Known Suspect Comparison Requests: When requesting a comparison of latent fingerprints and there is a known suspect, fingerprints and/or SID or FBI number, from the suspect shall also be submitted if available.

31.2.4 Crime Scene Resources

Principle: The Lakewood Police Department provides access to personnel, equipment, and supplies to be used in the processing of crime scenes for the below listed evidence:

- Latent fingerprints
- Crime Scene Investigation and Processing
- Photographs / Videorecording
- Scene sketches / diagrams / Scans
- Other physical evidence

Practices:

- A. Personnel: In addition to the personnel Referred to in Standard 31.1.1., the Lakewood Police Department has established a Forensic Services Section. Forensic Services, as its primary mission, will conduct Crime Scene Investigation, follow-up evidence processing, and coordination of submission to various crime labs. In addition, Forensic Services will be the umbrella under which some additional duties and disciplines are coordinated. These additional functions are; Computer Forensics, Video Forensics, Crime Scene Mapping and diagramming. Although the persons trained to conduct these functions may remain fully functional in their primary assignment or duty, they will operate under the umbrella of Forensic Services when providing these services for the Forensic Services Unit and will be guided by the Quality, Training and Procedures Manual in addition to the MOS.
- B. Equipment:
 1. Patrol vehicles shall be equipped with basic evidence collection and packaging equipment to include latent fingerprint kits and paper envelopes/bags of various sizes.
 2. Designated personnel have been assigned evidence collection kits that they are required to maintain in

functional order and keep stocked with necessary supplies.

3. Additional packaging materials, evidence labels, and necessary forms are available in the Property/Evidence Processing Room.
 4. Crime Scene Response Vehicles are maintained by Forensic Services and are available for the processing of major crime scenes or collision scenes.
 5. Equipment requiring specialized training to operate is maintained by both Forensic Services and the Traffic Section.
- C. Supplies: Forensic Services and the Property/ Evidence Section shall be responsible for the maintenance, accountability, and re-stocking of supplies for any equipment assigned to their respective section/unit. The Property Supervisor shall maintain supplies for the packaging and storage of evidence.
1. When an employee becomes aware of a need to replenish any supplies and/or equipment located in the patrol vehicles, evidence kits, or the Property/Evidence Processing Room, the employee shall notify Forensic Services or the Property Supervisor so that the supplies are replenished.

31.2.5 Computers

Principle: Seizing computers for evidentiary reasons involves many complex legal issues and therefore shall only be done pursuant to a warrant or with written consent from all parties that use/access the computer. No computer may be seized without prior notification and approval by Forensic Services or a supervisor. Whenever a computer is seized as evidence the following practices shall apply.

Practices:

- A. Processing the Scene:
1. Computers can be easily set up with a trap that will destroy programs if it is activated. Therefore personnel not specifically trained in computer forensics shall not perform any function with the computer while seizing it.
 2. If possible, photograph the entire computer set-up prior to touching the computer or any of its components, to include:
 - Anything displayed on the monitor
 - The wiring (also diagram)
 - Any documents/manuals related to computer operations
 3. Preparing a Computer for Transport:
 - a. Never turn on/off the computer.
 - b. Do not unplug from the power source. If something must be unplugged then pull the connection at the rear of the computer, printer, etc.
 - c. If a diskette is in a drive, do not touch the diskette. Seal the drive with tape to prevent removal of the diskette.
 - d. Only disassemble to facilitate transport. When disconnecting wires, always mark both ends to indicate how the wires were connected.
 - e. Tag all the computer components and record identification number/information.
 - f. Cover the keyboard with cardboard to protect the keys.

- g. Collect any indicia of ownership.
- 4. Do not transport components near radio antennas or power supplies. Keep disks away from electromagnetic fields.
- 5. Other Electronic devices, such as flash memory, PDA, portable hard drives etc. may be capable of storing viable evidence associated with criminal activity. Unless an emergency exists, do not access the device. Should it be necessary to access the device, note all actions associated with the manipulation of the device in order to document the chain of custody and protect the integrity of the evidence.
- 6. The Forensics Services Manager will assign appropriate personnel for all processing of computers and other electronic storage devices.

31.2.6 Crime / Collision Scene Report

Principle: It shall be the responsibility of personnel processing a major crime or accident scene to submit a Supplementary Report to the General Report. The report describes their observations of the scene and their actions at the scene. Forensic Services personnel may use the "LPD Crime Scene Report." It shall be the responsibility of the scene supervisor to ensure that all supplements are submitted.

- A. If an outside agency is requested to provide specialized assistance with the processing of the scene, the lead investigating officer or Forensic Services Manager shall ensure that the date and time of request; the name of the officer making the request; the agency requested and the name of the specialist responding to assist is gathered and added to the report or CAD and that a written report from the assisting agency is received.

31.2.7 Deoxyribonucleic Acid (DNA) Evidence

Principle: DNA can be a major factor in solving cases where the identity of the offender is not known or a tool to further assist in the prosecution of a known suspect(s). DNA technology has made a major impact on law enforcement and improvements continue to advance this means of identification even with very small or old samples.

Practices: When responding to all types of crimes officers should always be asking themselves if DNA could be used as a possible investigative tool in these circumstances. DNA samples are very obviously connected to certain types of crimes (homicide, rape, etc.), but can also be of value in other types of crimes: a commercial burglary when a suspect cuts themselves; a hit and run traffic collision where blood or hair is left behind at the scene; or a missing person case which is suspicious in nature.

- A. Considerations: DNA technology is becoming more and more sophisticated, and smaller samples are able to be used in producing viable DNA for testing – something as simple as a fingerprint left behind on a glass could contain DNA. Officers need to be aware that their presence can also affect a crime scene and think about DNA evidence while moving through and around the area. An officer or supervisor may determine because of the complexity or size of the scene that the best thing they are able to do right then is to cordon off the crime scene and preserve it for additional crime scene processing (see below). DNA samples can always be collected for possible use at a later time. The DNA sample can remain in storage to provide a lead or tie into another or multiple crimes at a later date.

- 1. Biological/DNA analysis of biological stains can be used to:
 - Include or exclude an individual as a possible source of a blood, semen, saliva, hair, or urine stain (or species of the source if the stain is not of human origin).
 - Be used to compare DNA from a stain to the felon databank when there is no suspect.
 - Help identify the weapon used.
 - Assist in locating the crime scene.
 - Determine the possible commission of a crime.
- 2. Additional Crime Scene Processing: A supervisor may determine that the crime scene processing required

is beyond the staffing and/or skill level available, or the complexity and seriousness of the crime demands a more involved response. If this is the case, the supervisor should consult with Forensic Services.

- B. Procedures: The WSPCL Forensic Services Guide outlines very detailed instructions regarding the collection, storage, and transportation of DNA samples. The department expects the collection, storage, and transportation of DNA samples will take place according to these directives or in accordance with generally accepted protocols and best practices.
- C. Training: Officers should familiarize themselves with and further reference the WSPCL Forensic Services Guide for procedures in the collection of all DNA samples; reading and clearly understanding these directions gives an officer enough information to be able to collect DNA as needed in a variety of situations.
 - 1. Detectives, Traffic Unit members, and/or members of Forensic Services may obtain more specific and specialized training in regards to DNA to meet the needs of the department.
- D. Laboratory Submission: If a patrol officer does collect a DNA sample(s) the case will be referred to CIU and Forensic Services, who will determine if DNA evidence should be submitted.
 - 1. Accreditation: All WSPCL DNA processing facilities are accredited through the American Society of Crime Laboratory Directors/Laboratory Accreditation Board. WSPCL will ascertain if a sample meets the criteria for submission to the national DNA database (National DNA Indexing System) administered by the FBI.

31.3 EVIDENCE HANDLING

PHILOSOPHY: The proper handling and transferring of evidence is a key factor in maintaining the integrity of the Lakewood Police Department. In an effort to avoid the challenging of the Lakewood Police Department's or any individual employee's reputation the following guidelines will be followed.

31.3.1 Collecting Comparison Samples

Principle: When items are submitted to a Washington State Crime Laboratory (WSPCL) or a private laboratory, for comparison purposes, comparison samples from a known source may also be submitted, if available. Personnel may collect comparison samples from the scene when such samples are available. The location from which the samples are taken is critical information for the laboratory and shall be documented on the Property Report. Refer to the WSP Forensics Guide for further information.

31.3.2 Submission of Evidence to Forensic Laboratories

Principle: Further examination of evidence by a forensic laboratory or other outside agencies is often required. All submission of evidence to outside laboratories will be reviewed and coordinated by the Forensic Services Manager. In order to ensure the submission of the evidence is performed in a manner prescribed by laboratories and other agencies the practices provided in this standard will apply.

- A. Upon direction by the Forensic Services Manager, the Evidence Custodian shall ensure evidence is transferred to the necessary forensic laboratories or agencies. Forensic Services, CIU or Traffic Section personnel may be responsible for the submission of evidence to a laboratory or outside agency when the investigation necessitates an immediate submission or when investigative personnel must accompany the evidence.
- B. Packaging and Transmitting:
 - 1. When investigative personnel do not accompany evidence, it shall be packaged per the requirements established in the WSPCL Forensic Services Guide. A copy of the handbook is available on the Department I: drive.
 - 2. Evidence shall be delivered by Lakewood Police Department members to laboratories and/or outside

agencies. The transfer shall be documented as prescribed by Standard 31.3.1. When staffing does not allow delivery to be accomplished by Lakewood Police Department personnel or the distance to the laboratory or outside agency is excessive, evidence may be delivered by licensed courier. A tracking number for the evidence shall be obtained in writing from the courier.

- C. Documentation: In addition to the transfer documentation required by Standard 31.3.1, many laboratories require an appropriate request form for the laboratory to be completed.
- D. Receipts: The WSPCL Lab Request Form (RFLE) serves as a receipt of transfer of custody. In the event that evidence is transferred by mail, the shipment tracking receipt will be retained in the master property records. In all other instances, the LPD property transfer/release form will be used.
- E. Written Reports of Results: Washington State and Federal laboratories provide written reports regarding the exams/tests conducted and the results. If evidence is transferred to other laboratories or outside agencies for exams/tests, the Lakewood Police Department employee conducting the transfer shall ensure the laboratory or outside agency agrees in writing to provide a written report of the exams/tests results.