



STATE OF WASHINGTON
WASHINGTON STATE PATROL

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July 12, 2023

TO: All Crime Laboratory User Agencies
FROM: Mr. Gene P. Lawrence, Crime Laboratory Division *GPL*
SUBJECT: Crime Laboratory Seized Drug Testing

The Washington State Legislature passed ESSB 5536, encoding changes to the RCW pertaining to possession of drugs and the penalties associated with possession in response to the Blake decision. This notice provides an update on the testing that WSP Crime Laboratory Division (CLD) will perform on possession (misdemeanor) cases, and submission procedures for all drug-related offenses.

The CLD does and will continue to test and report findings on seized drug evidence submitted from misdemeanor possession cases. For possession cases with an offense date on or after July 1st, 2023, the laboratory will examine a single item of seized drug evidence per possession offense. If there are extenuating circumstances justifying the analysis of additional items, approval from a Materials Analysis (MA) supervisor must be obtained prior to submission. The CLD will continue to examine multiple items of evidence for felony cases. Please ensure to contact the MA supervisor at your local lab in advance of submission if you wish to submit more than six items for testing.

CLD will prioritize testing of seized drugs provided the Request for Laboratory Examination (RFLE) form is submitted with all required information. In the drop down menu for offense/request category, the submitting official must select either Seized Drugs – Possession or Seized Drugs – Delivery. If no selection is made on the form, the laboratory will not test the evidence until that information is provided. Please ensure that all evidence personnel and submitting officers are aware of this requirement.

It will continue to be a requirement that cases submitted for rush analysis include the following:

- An actual court date, which should be noted on the Request for Laboratory Examination
- An email or letter from the prosecuting attorney or designee to that effect

As always, any concerns or questions can be directed to the Materials Analysis supervisor of the laboratory where your cases are submitted.

We are committed to providing the highest quality forensic testing to enhance public safety for communities throughout Washington State. Please let us know what we can do to better serve you and your agency in this endeavor.

