



Miriam Norman- TSRP

Traffic Safety Resource Prosecutors

Re: Potential Impeachment Disclosure (PID) of WSP Toxicology Laboratory

Date: August 7, 2020

We have received information from the WSP Toxicology Laboratory that is potential impeachment information (“PII”). This PID (potential impeachment disclosure) relates environmental contamination of portions of the WSP Toxicology Laboratory of methamphetamine. By environmental contamination, we mean that the methamphetamine level found in various areas exceeded the levels specified in WAC 246-205-541. The environmental contamination *possibly* contaminated some blood samples during the extraction process.

In March of 2018, the toxicology laboratory took over laboratory and office space from the crime lab. The toxicology laboratory moved one ethanol instrument into that space. In addition, extractions of evidence were to be conducted in that space. Prior to becoming toxicology laboratory space, the crime lab used one of the lab areas to house a methamphetamine production laboratory for training purposes; this information was not known to the Toxicology laboratory at the time. It is hypothesized that this use resulted in environmental contamination of the area.

During the extraction process performed in the contaminated area, analysts observed that some preliminary tests were positive for methamphetamine, while confirmation tests were negative for methamphetamine. There is a possibility that these “false presumptive positives” were due to the environmental contamination. The environmental methamphetamine contamination did not affect any results reported by the toxicology laboratory for two reasons:

First, the one ethanol instrument in the room cannot read/detect methamphetamine. The ethanol instruments can only detect volatiles not drugs.

Second, as to the drug cases, the toxicology laboratory discovered this environmental contamination due to the drug testing process. They noticed in three separate cases that the initial testing indicated there was methamphetamine present. As a quality measure, all cases receive two tests prior to reporting the final result. When the secondary test was performed, methamphetamine was not detected.

The discrepancy between the initial and secondary testing led the toxicology laboratory to conduct environmental testing on that area of the crime lab turned toxicology lab, which showed that the environmental contamination of that room was above state level thresholds found at WAC 246-205-541. Once the toxicology laboratory was aware of the scope of the problem, all personnel ceased testing in the labs and relocated out of the office areas. The areas were then professionally cleaned. The formerly contaminated space has not been used for forensic testing by the toxicology laboratory since June 19, 2019.

Contained herein are the emails between the toxicology laboratory and the accreditation entity as well as the final report issued by the accreditation entity, taking into account the environmental contamination of portions of the toxicology laboratory.



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More information will be disclosed as we receive it from the WSP Toxicology Laboratory.

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