

## INTER-OFFICE COMMUNICATION

Date May 29, 2013



File 2-ADM

To Major G. J. Williams Attention Staff Lieutenant K. E. Ward  
From Sergeant C. M. Bass, Administrative Investigation Unit  
Subject Administrative Investigation 2013-0313, Criminalist Emily Adelman, Unit 4333, Crime Lab

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### Summary

Criminalist Emily Adelman was recently the subject of an administrative investigation (2013-0204), that alleged the quality and quantity of her work was not at an acceptable level. The investigation was completed; however, there has not been a determination of discipline. As a result of the investigation, a performance action plan was given to Miss Adelman in an attempt to increase the quality and quantity of her work.

During a review of Miss Adelman's work, Crime Lab Director J. Jones, noticed Adelman had not been following the required guidelines. Further research by Director Jones revealed Adelman was not following crime lab protocols and appeared to have falsified two documents.

### Investigative Action

#### May 16, 2013, 1400 Hours

I was contacted by S/Lieutenant K. Ward, Administrative Investigations Unit Commander, about an incident involving Criminalist E. Adelman. S/Lieutenant Ward said Miss Adelman recently had an administrative investigation conducted on her for the quantity and quality of her work in the crime lab. He said as a result of the previous investigation, Miss Adelman was given a performance evaluation plan and was required to change her methods of operation to improve her overall work product in the lab.

S/Lieutenant Ward said the lab director was reviewing the performance action plan and noticed Miss Adelman was not abiding by the instructions given to her. He said the director also noticed Miss Adelman was taking short cuts during her toxicology screens and appeared to have falsified some of the documentation.

S/Lieutenant Ward said Captain Dicken, Crime Lab Commander, entered the investigation into the Employee Incident Reporting module and composed a series of questions because he expected to conduct the investigation. He said he told Captain Dicken the AIU could handle the investigation, so Captain Dicken forwarded him (Ward) all of the documentation relating to the allegations.

S/Lieutenant Ward asked me to handle the investigation and sent me all of the paperwork associated with Miss Adelman. After receiving and reviewing the paperwork I attempted to call Captain Dicken

for clarification with some of the paperwork. Captain Dicken was unavailable and I was informed he would be out of the office until Monday, May 20<sup>th</sup>.

**May 17, 2013, 0900 Hours**

The following is a list of some of the scanned attachments sent to S/Lieutenant Ward from Captain Dicken:

- Miss Adelman's 30 Day Focus – Quality and Organization (**Attachment A**)
  - In the "Priorities" section of the form, there were four highlighted areas.
    - "Assign cases on the day you perform a screen"
    - "Make transfers on the day you perform an extraction"
    - "Submit instrument checks to supervisor each day"
    - "Maintain a clean & orderly workstation"
- Olympus Status Report signed by Miss Adelman May 10, 2013 (**Attachment B**)
- "emadelman's daily status report" signed and dated May 9, 2013 (**Attachment C**)
- "emadelman's daily status report" signed and dated May 10, 2013 (**Attachment D**)
- Pages 13 and 14 of the OSHP Crime Lab Toxicology Procedure Manual (**Attachment E**)
  - The following are the sentences have been highlighted, located in the section titled Assigned Reagents:
    - "The following procedure shall be performed by all individuals assigned to the toxicology section each day of analysis: Open the toxicology section tracking system (TS2) using the instructions contained in Appendix B and print a current daily status report (A-1, A-2, A-3, A-4). Print and use the status report for the Olympus system (A-8) when screening. Verify with check marks that reagents used that day are as noted on the status report and enter these changes into the TS2 system. Sign and date the status report, punch, and file in the appropriate daily status logbook. Prepare any additional reagents, such as elution solvents necessary for any planned work and note this preparation in the TS2 system following the instructions contained in Appendix B."
- Pages 3 – 5 of the OSHP Crime Lab Toxicology Procedure Manual, pertaining to the Olympus AU400 (**Attachment F**). *The Olympus AU400 is the machine used to analyze urine samples to detect the presence of narcotics.*
  - The following are the sentences that appeared to have been highlighted, located in the calibration/quality control section:
    - "Print current Olympus Status Sheet (A-8) and verify tracking numbers and expiration dates of all assays and reagents on board."
  - The following was highlighted in the "Sample Processing" section:
    - "Assign urine drug screen requests. Transfer evidence from current location to self. Create work list in Justice Trax and print. Print toxicology worksheets (A-32) for each sample." *Justice Trax is a computer program used to track the specimens and is part of the chain of custody.*



May 20, 2013, Hours

I spoke to Captain Dicken via the telephone concerning the documentation he sent to S/Lieutenant Ward and asked him to explain some of the information. The following is a summary of the phone conversation.

Captain Dicken said he recently handled an administrative investigation on Miss Adelman where it was alleged the quality and quantity of her work was not at acceptable levels. He said it was necessary for the crime lab directors to create an action plan for Miss Adelman, in an attempt to assist her in maintaining the expected levels at the lab. He said Crime Lab Directors, Nielson and Jones presented Miss Adelman with a "30 Day Focus - Quality and Organization" directive, which outlined specific daily operations she needed to follow and when she was expected to complete her work; either in the AM or PM. He said the "30 Day Focus" plan was in addition to a 90 day Ad Hoc evaluation plan, which began April 1<sup>st</sup>. He said Miss Adelman had a 30 day review on May 1<sup>st</sup> and no problems were identified at that time.

Captain Dicken said all of the chemists are required to print "Olympus Status Reports" on a daily basis. He said the report is used for chemists to check their drug screen calibrators and verify them with what they are using. He said the crime lab procedure manual is specific with its instructions.

*The Ohio State Highway Patrol Crime Laboratory Toxicology Procedure Manual reads:*

*Print Current Olympus Status Sheet (A-8) and verify tracking numbers and expiration dates of all assays and reagents onboard. Remove blank, calibrator and control racks from the refrigerator. Verify all tracking numbers and expiration dates.*

*Note: A reagent is a "substance or compound that is added to a system in order to bring about a chemical reaction, or added to see if a reaction occurs."*

Captain Dicken said Director Jones discovered that Miss Adelman printed the status report on May 13<sup>th</sup>, but she signed and dated it May 10<sup>th</sup>, which was the same day it was updated. He said Miss Adelman did not prepare the report on May 10<sup>th</sup> as she indicated because the form was printed on May 13<sup>th</sup>. He said it is a procedural violation to not print and sign the form after the Olympus has been updated. He said "they" are not sure how problematic the situation is and he is exploring the possibility of conducting an audit of all of Miss Adelman's reports.

Captain Dicken said Miss Adelman is blatantly violating the work rules that are published in the manual. He said the accreditation of the crime lab comes into question when all of the internal control procedures are not followed in strict compliance. He said there is no room for shortcuts at the lab and Miss Adelman is violating the work rules and the accrediting standards.

Captain Dicken said Director Jones located fabrications during an administrative review of Miss Adelman's analysis. He said Director Jones found documentation where Miss Adelman claimed to have used a buffer reagent during one of her drug tests; however, Jones knew the buffer reagent R-794 had been depleted and the bottle was "dry as a bone." He said Director Jones knew Miss Adelman could not have used the R-794 reagent like she indicated that she did. He said the documents she falsified would not have normally be seen by one of the directors, but because "they" were working closely with her and monitoring her work, the errors were discovered.



Captain Dicken said Director Jones made Miss Adelman correct her daily status reports (DSR), indicating the correct (R-842) buffer was used. He said Director Jones told him that Miss Adelman said she got the R-842 from another chemist in the lab. Captain Dicken said Director Jones told him that he immediately questioned Miss Adelman about the falsified documents, but she did not have an answer. He said Director Jones brought it to his attention immediately following his (Jones) conversation with Miss Adelman.

**May 21, 2013, 1424 Hours**

I spoke to Director Jones, via the telephone regarding his interaction with Miss Adelman and the discoveries he made while reviewing her work. He said one of his responsibilities is to review all of the toxicology cases before they are released to the field; to make sure they contain accurate information. He said he uses a checklist for every case he reviews to make sure all of the regulations have been adhered to.

Director Jones said Miss Adelman is the midst of a review process, which was created to address work deficiencies recently recognized after an administrative investigation. He said he has been scrutinizing her work more thoroughly; specifically her DSR's, as a result of the action plan established for her. He said he has been taking note when Miss Adelman works in the lab, conducting extractions, to make sure she was generating her DSR's as required. He said he recently noticed Miss Adelman's personal binder contained a DSR from May 3<sup>rd</sup>; however, she continued to do extractions after that date.

I asked Director Jones about the Olympus Status Report (Olympus SR) and the significance of it. He said the machine is calibrated by each chemist prior to conducting drug tests. He said the Olympus SR is generated as part of the calibration, which indicates the chemicals have not been consumed or are expired. He said if three people were conducting drug screens, then there would need to be three status reports printed; one for each chemist. He said Miss Adelman was the only person performing drug screens on May 10<sup>th</sup>, so there should have only been one report generated. He confirmed that Miss Adelman printed the Olympus SR report on May 13<sup>th</sup>, but signed it May 10<sup>th</sup>. He said it should have been printed the day the Olympus was updated, which was May 10<sup>th</sup>.

Director Jones said during his review of Miss Adelman's work he noticed there were two reports that indicated she used a phosphate buffer reagent (R-794) that he knew had already been consumed. He said he checked it against her DSR and noticed that she indicated that she used the R-794 buffer during her test. He said as part of his review process he previously checked Miss Adelman's chemicals after she submitted an extraction report to him. He said he compared the agents Miss Adelman indicated she used, listed on her report, against her remaining chemicals. He said the last time Miss Adelman submitted an extraction report to him was April 30<sup>th</sup>, and he noticed then that she was out of the R-794.

Director Jones said the chemists are not required to document when they use all of their buffer reagents, but they do document when they make it and the number associated with it. He said Miss Adelman has only made two batches of the phosphate buffer reagent since the beginning of the year; with the last being February 26<sup>th</sup>. He said this particular phosphate buffer is used in almost every extraction a chemist performs and it generally is used within a month.

Director Jones said when he made the discovery he told her that he knew the reagent had been depleted and that she needed to make a new batch of reagent. He said the reagent Miss Adelman used during her extractions was batch R-842, which was made by and belonged to Nancy Keune. He said he told Miss



Adelman to stop stealing reagents from the other chemists in the lab and to make her own. He said Miss Adelman then made two buffer reagents, which took her approximately ten minutes. Director Jones said Miss Adelman seemed surprised when he confronted her about the errors, but she did not say anything to him.

Director Jones said each criminalist is assigned the reagent buffers and they generally do not share. He said it is not "bizarre" for a criminalist to be in the middle of an extraction and realize they "ran out" of a reagent. He said if this happens the chemists will ask another chemist to use some of theirs, which is acceptable. He said the change and deviation has to be noted on the receiving chemist's DSR and initialed. He said the two DSR's of Miss Adelman's that he discovered did not indicate someone else's reagent was used. He said she changed the DSR and entered the correct information after he brought it to her attention and told her to correct the error.

Director Jones said the two DSR's were not prepared on the day she conducted her analyses, which is a violation of the manual and their policies. He said the computer program they use keeps an electronic log that indicates when a chemist last accessed it to update their reagents and print their DSR. He said Miss Adelman logged into the website on May 9<sup>th</sup> and 10<sup>th</sup>, but printed DSR's that were updated from the last time she accessed the system on May 3<sup>rd</sup>. He said she signed and dated one of the DSR's May 9<sup>th</sup> and the other May 10<sup>th</sup>. He said each DSR is supposed to be prepared on the same day as the analysis.

Director Jones said he would not have known Miss Adelman was taking the short cut if she was not in the review process. He said he checks her DSR when she submits an analysis, and caught the violation. He said it is highly likely that she has done the same thing in the past and her actions have never been caught. He said if Miss Adelman was not in the 90 day evaluation process he probably would not have found the discrepancies out.

Director Jones said Miss Adelman has not been assigning cases on the same day that she performs a drug screen, which is a direct violation of their policies. He said it is necessary to assign cases the same day they are worked on because the lab needs to account for case turnaround time. He said the cases are entered into the database and the technicians are required to log into the website and assign cases to themselves. He said there could be 60 pending cases in the lab's "bank" and the person doing the drug screen on the cases needs to indicate it by assigning themselves the case. He said by not assigning the case it appears the case is still waiting to be assigned and is not being worked on. He said it is not efficient and has the potential to create duplicate work if a technician is already working on the case, but it appears it is still waiting to be worked on. He said Miss Adelman has the habit of removing samples from the refrigerator and performs drug screens prior to assigning the case to herself.

Director Jones said Miss Adelman is required to make "transfers" the same day that she makes an extraction or drug screen. He said the Department of Health requires the lab to keep specimens under refrigeration when an analysis is not being performed and they need to account for all travel of the specimen. He said the transfer is the process of moving the specimen from the refrigerator to the area to be worked on and then back to refrigeration. He said Miss Adelman has documented after the transfer has already been completed, sometimes several days after she actually performed a drug screen.

Director Jones said he told Miss Adelman on Friday (May 10<sup>th</sup>) to screen 48 cases. He said on Monday, May 13<sup>th</sup>, he noticed she did not assign the cases to herself even though she had already



performed the drug screens. He said he looked up each case individually through the database and saw she did not enter the transfers for the day she performed the extractions, which would have been May 10<sup>th</sup>.

**May 22, 2013, 1103 Hours**

I interviewed Criminalist Emily Adelman as a subject of the administrative investigation at the Highway Patrol Academy in classroom A. Prior to the start of the interview she was read the Internal Investigation Pre-Interview form. AFSME/OCSEA union representatives Kellie Collins and Patty Jackson were also present for the interview. The following is a summary of the digitally-recorded interview.

Miss Adelman said she has worked in the crime lab since February 2009 and said her responsibilities consist of performing drug and/or alcohol tests on biological samples.

Miss Adelman said recently the captain, lieutenant, and the directors brought to her attention that they noticed a decline in the quantity and quality of her work. She said they gave her five examples of errors that she made and also told her the total number of cases she has been completing has been decreasing. She said Directors Jones and Nielson subsequently presented her a 90-day performance improvement plan that was established and implemented sometime in April.

Miss Adelman said the plan was set up into 30 day sections and she already had a 30 day review at the beginning of May. She said the review was positive and they told her that she was progressing as they had hoped she would and things were going well. She said her supervisor, Deanna Neilson went over the goals they wanted her to accomplish and she (Nielson) had marked "meets expectations" on the areas she was to be improving on. She said according to the information she was given, she was meeting the goals they had established for her (Attachment G).

Miss Adelman said part of the plan specified her to perform extractions in the morning and complete her paperwork in the afternoon. She said it was her understanding there would be flexibility for the AM/PM tasks she was supposed to complete due to court appearances and the lack of testing instrumentation for all of the criminalist at the lab. She said to her recollection she has abided to the recommendation as much as she could and would have only deviated from the schedule for the aforementioned reasons.

Miss Adelman said the action plan required her to assign the cases she was working on the same day she was to perform her screen. I asked her if she had been compliant with this step of the plan and she said, "To the best of my knowledge, yes." I asked her to explain the process of assigning cases that she works on. She said after the samples are logged in there are secure refrigerators where the samples are kept and the type of test determines which refrigerator the samples are stored in. She said the lab utilizes a computer program that tracks the cases. She said the program indicates where the specimen is located and the type of test the specimen requires. She said she logs into the program and completes accompanying paperwork associated with the sample. She said she gathers the physical case and makes an entry into the computer indicating she assigned the cases to herself. She said she crosschecks the cases with the information that is on the specimen label to make sure there are no discrepancies and all of the information is correct. She said she signs the chain of custody and then performs the requested test.



Miss Adelman said one of the requirements of her newly established action plan was that Director Jones would tell her how many cases to assign herself in a screen. She said Director Jones only had her do 24 cases during the first 30 day review; however, he recently told her to pull 48 cases during a subsequent screen. She said she is responsible to do all of the testing for the 48 cases until they are complete and she must complete all of the tests before she can take on more cases. She said it could take up to a month to complete all of the testing on the sample depending on what type of drugs she is testing for.

Miss Adelman said she did assign all 48 cases to herself, but she does not recall if she assigned them on the day she performed the first screen. She said part of the action plan was that she would assign the cases the same day she performed a screen. She said the paperwork that is paired with the sample is dated and would indicate if she did assign them the same day. I asked her why she might not have assigned cases to herself on the same day she performed the screen. She said it might have been an oversight on her part.

Miss Adelman said the action plan also required her to perform transfers on the same day she made extractions. She said in the past she took on too many tasks and made transfer entries poorly and she has been working to improve in this area. She said to the best of her knowledge she has only missed one transfer. She said she performed the extraction in the morning, because she had court in the afternoon, and did not have an opportunity to enter the transfer the same day, so she transferred them the following morning. She said there may have been more she missed, but she is making a conscious effort to improve in this area.

I asked Miss Adelman when she is required to make transfers. She said Directors Nielson or Jones did not specify to her what time of the day or at what stage of the testing the transfers need to be completed, only that they are done on the same day as the extraction. She said she could not recall if the lab's manual specified a certain time when the transfers needed to be completed. Miss Adelman said there could be possible negative ramifications if the transfers were not entered.

I provided Miss Adelman a copy of the procedure manual and asked her to read the section regarding assigned reagents that reads: "The following procedure shall be performed by all individuals assigned to the toxicology section each day of analysis: Open the toxicology section tracking system (TS2) using the instructions contained in Appendix B and print a current daily status report (A-1, A-2, A-3, A-4). Print and use the status report for the Olympus system (A-8) when screening."

I asked her if she has followed all of the instructions according to what she read. She said to the best of her knowledge she has. She said Director Jones recently brought it to her attention that she made an error on one of her DSR's. She said she had the wrong buffer listed on her DSR and said she used a different buffer and forgot to indicate it on her report. I asked Miss Adelman if Director Jones was referring to her not following the manual in this particular circumstance. She said the manual refers to completing the DSR on the day of testing. She said she printed her DSR and filled it out, but by not changing the number of the buffer that she used during the testing was an oversight on her part.

Miss Adelman acknowledged she is supposed to print the Olympus SR prior to screening the samples. She said she updated the Olympus machine on May 10<sup>th</sup> as required and printed the Olympus SR before she started her screen. She said she did not place the report in their binder and inadvertently left it on the table next to the Olympus machine. She said she began working on her drug screens and forgot about the report. She said she came into work on Monday, May 13<sup>th</sup> and noticed the Olympus SR she



printed on May 10<sup>th</sup> was completely wet. She said she reprinted a new Olympus SR and placed it in the binder. She said she did not tell anyone the May 10<sup>th</sup> report got wet and she threw it away because she did not want the rest of the reports in the binder to get ruined. She said she does not know how the report got wet or what the substance on the paper was. She said the Olympus SR clearly indicates she updated the machine on May 10<sup>th</sup>, but printed it on May 13<sup>th</sup>. She said she is unsure if the computer program they use has the capability to prove she printed the Olympus SR on May 10<sup>th</sup>.

I asked Miss Adelman about the incorrect phosphate buffers she listed on two of her DSR's and asked her if there were additional tests she might have conducted that listed the wrong buffer. She said she was not sure, but there probably "would not be many more outside of these two, if any." I asked her why she indicated on two of her DSR's that she used the R-794 buffer, when in fact she used R-842. Miss Adelman said when she performed the testing on May 9<sup>th</sup> and 10<sup>th</sup>, as indicated on her DSR; she knew she was using R-842. She said she filled out the two DSR's at a later time and simply marked the line indicating she used the R-794, forgetting that she used the different buffer. She said she has had a problem with multitasking in the past and now tries to focus on one task at a time.

Miss Adelman said each chemist is responsible for making their own buffers they use during their drug screens. She said she did not make R-842 and it belonged to criminalist Nancy Keune. I asked her if she asked Ms. Keune if she could use the R-842 and she said "I believe so." She said there was a recent instance when Ms. Keune was not in the lab and she used a reagent of hers (Keune's) without asking. I asked her if there was a possibility that she did not ask Ms. Keune if she could use the R-842 when she performed testing on May 9<sup>th</sup> and 10<sup>th</sup>. She said she does not recall May 9<sup>th</sup> and 10<sup>th</sup> specifically, but she said it is her (Adelman's) normal practice to ask to borrow solutions before she would use them.

Miss Adelman said it takes approximately 15 minutes to make a phosphate buffer reagent. I asked her why she did not make a new buffer on May 9<sup>th</sup> after she realized she consumed all of the R-794. She said it was her fault for not making a new batch and she should have written a note to herself to remind her to make a new one. She said she started testing the next day, May 10<sup>th</sup>, and remembered she used up all of her buffer the previous day so she used R-842 again.

Miss Adelman said Director Jones approached her and told her the R-794 listed on her DSR was incorrect. She said he told her that R-794 was empty and that she needed to correct her DSR's with the correct buffer she used during her testing. She said she corrected the two DSR's by writing in the R-842 buffer she used during the testing.

Miss Adelman said the DSR's are a discoverable document and the division could have prosecution problems if the reports were determined to be erroneous. She said the authenticity of the entire drug test could be in question if the correct buffer was not listed on the DSR.

Miss Adelman said she is supposed to produce her DSR's on the same day she completes her extractions. She said it was one of the goals established during her action plan and is a requirement in the lab manual. I asked her why she waited four days before she prepared her DSR's and she again said it was an oversight and did not immediately know she did not do them. She said she should have left herself a note to remind her to complete them. She said there have been other instances in the past when she forgot to complete her DSR's on the day she performed tests. She said she completed the forms as soon as she remembered that she did not fill them out.



Miss Adelman said she understands the importance of following the guidelines and procedures in the lab. She said outside parties who are "looking in" must be able to see how our process works and she realizes if an outside party was to scrutinize the mistakes and oversights she has made that it could have a negative impact on her and the integrity of the lab.

Miss Adelman said she understands that the 90-day plan was implemented due to the mistakes she has made and in an attempt to help her. She said the plan is ongoing and feels she is improving and working through her deficiencies. I asked her why she is still not following the instructions after the plan was put in place. She said she is still a work in progress.

Union representative Jackson asked Miss Adelman if the Olympus keeps an electronic record of when she logged into the system on May 10<sup>th</sup> and Miss Adelman said it did. Ms. Jackson asked Miss Adelman if she someone would be able to determine if she printed the Olympus SR on May 10<sup>th</sup> as she said she did. Miss Adelman said she was uncertain if the program had the capability to provide that information.

I asked Miss Adelman what would have happened if Director Jones did not catch the error. She said there could be a few different possibilities if the error (incorrect buffer) had not been found. She said it might have remained unseen or it could have been bad if it was discovered at a later time through a discovery. She said she might have realized the error at a later time and she would have fixed it. She admitted that if she had printed her DSR, as required, she might have discovered the error herself. She said she needs to do a better job of leaving herself notes. She also said completing one task at a time, as opposed to multitasking, tends to be less effective for her in accomplishing her responsibilities.

Miss Adelman said she regrets that she is still making errors and felt good at the beginning of the month when she received her 30-day evaluation. She said she was meeting the goal expectations and is now disappointed with herself because the errors are still occurring. She said she was under the impression that the 90-day plan was in place so she could continue to improve and did not think a few mistakes along the way would result in her being removed from the lab.

Miss Adelman said she understands the lab is a business and mistakes are taken very seriously. She said she realizes how the combination of her mistakes could have a negative impact on the lab's reputation and accreditation.

The interview was completed at 1158 hours, and Miss Adelman confirmed that everything she told me was true and accurate.

#### **May 23, 2013, 1025 Hours**

I spoke to Director Joseph Jones and asked him about the Olympus SR printing capabilities. I asked him if the computer program kept a log of when a report was printed. He said it does not and the only way they can determine when a report is printed is by the date listed on the top of the page. He said not printing the Olympus SR on the date the machine was updated is a deviation of policy.

I asked Director Jones if the computer program kept a record of when Miss Adelman assigned the 48 cases. He said the top right corner of each toxicology worksheet indicates the date the case was assigned by the analyst, which was May 13<sup>th</sup> in this instance (**Attachments H**). He said the worksheet does not show when the analyst started working on the case. He said he would provide a separate



worksheet that Miss Adelman completed that indicates she started working the 48 cases on May 10<sup>th</sup> (Attachment I).

Director Jones also sent me an analytical work list, showing the bar codes of the 48 cases Miss Adelman screened on May 10<sup>th</sup>. The manual requires the form to be printed the day the screen is performed; however, it was not printed until May 13<sup>th</sup> when she assigned the cases to herself.

**May 29, 2013, 0940 Hours**

I conducted a phone interview with Criminalist Nancy Keune as a witness to this investigation. The following is a summary of the interview.

Ms. Keune said she made the R-842 buffer reagent on April 18, 2013, and used most of it herself. She said it is common practice in the lab to use another technician's reagent if they run out during a drug test. She said she makes a notation on the DSR indicating a different buffer was used if she borrows from someone.

Ms. Keune said Miss Adelman has borrowed buffers from her in the past and has always asked before she did. She said there have been occasions when she (Keune) has not been in the lab and a technician has used something of hers, which she does not have a problem with. She said all of the criminalist work well together and none of them would ever tell the other that they could not use something of theirs.

Ms. Keune said on May 9<sup>th</sup> Miss Adelman would not have been able to ask her if she could borrow the R-842, because she was not in the lab due to court. She said she was at the lab doing paperwork for half of the day on May 10<sup>th</sup> and it was possible Miss Adelman asked her then.

The interview was completed at 0950 hours.



### Conclusion

On April 1, 2013, Criminalist Emily Adelman began a special evaluation program due to decreasing work quality and quantity. There were several goals and priorities established by the lab directors in an attempt to assist Miss Adelman in fulfilling her responsibilities in the lab. Several of the goals given to Miss Adelman are basic requirements already established and documented in the crime lab's procedure manual.

On May 10, 2013, Miss Adelman performed a drug screen of 48 separate biological samples submitted to the lab. According to the action plan and crime lab manual, Miss Adelman was required to use the computer program and assign the 48 cases to herself on the same day she began the work. She did not assign the cases until May 13<sup>th</sup>.

Prior to starting the screen on May 10<sup>th</sup>, Miss Adelman updated and calibrated the Olympus drug analyzer. The lab manual requires the technician print the Olympus Status Report the same day the machine is updated. Miss Adelman claimed to have printed the report on May 10<sup>th</sup>; however, she said it was destroyed by a liquid substance and she threw the report away. She said she discovered the wet page after returning to work on May 13<sup>th</sup> and printed a new Olympus Status Report, but did not tell her supervisors the original printing had been destroyed. The machine does not have the capability to track if a report had been printed previously.

Miss Adelman is required to complete a daily status report on the same day she performs a drug screen. The report is used to document accurate reagents and chemicals used during the drug extraction process and is cross-checked with the Olympus calibration. Two separate daily status reports were discovered that indicated Miss Adelman used a non-existent phosphate buffer during her drug test. The buffer she claimed to have used was already depleted on April 30<sup>th</sup>. Miss Adelman performed the aforementioned tests on May 9<sup>th</sup> and 10<sup>th</sup> and signed her daily status reports as such. However, the reports were not physically printed and filled out until four days after she actually performed the tests. This is another requirement to the crime lab manual and simple instructions for Miss Adelman's action plan.

Another critical requirement listed in the crime lab manual and Miss Adelman's action plan is to enter the transfer of specimens to specify their sample's location. An entry into the crime lab computer module tracks the locations of the specimen for chain of custody purposes. Miss Adelman admitted having difficulty with this requirement in the past and believes she is making progress in this area and stated she may have only missed one transfer. All 48 specimen cases had improper transfer dates that indicated the chain of custody began on May 13<sup>th</sup>, when in fact the drug screens were started May 10<sup>th</sup>.

Throughout the interview Miss Adelman consistently mentioned oversights, forgetting, and needing to leave herself notes to remember basic responsibilities outlined in the lab's manual. At certain times she said she was multitasking too much at one time and at other times in the interview she said doing one task at a time was not helpful to her.



**Attachments**

- A. Miss Adelman's 30-Day Focus Plan
- B. Olympus Status Report
- C. Daily Status Report for Miss Adelman, May 9<sup>th</sup>
- D. Daily Status Report for Miss Adelman, May 10<sup>th</sup>
- E. Crime Lab Manual, pages 13&14
- F. Crime Lab Manual, pages 3-5
- G. Miss Adelman's 30 day evaluation
- H. Toxicology Worksheets
- I. Olympus Urine screen worksheet
- J. Analytical Work list with a print date of May 13<sup>th</sup>.