

November 29, 2007

Dear Submitter:

The Division of Criminal Investigation Laboratory will be changing their policy regarding the proper collection of urine for urine alcohol (UA) analysis. This change will take place on 01/01/08.

Due to biological and physiological factors that influence the integrity of a urine sample we will be requiring the urine sample be placed in a test tube with the preservative sodium fluoride (NaF) at a concentration of 100 mg. This urine sample will be used by the laboratory for the urine alcohol analysis.

In order to accomplish this we are requiring the use of the following UA kits provided by the following manufacturers:

1. Tri-tech kit number BU - 3
2. NiK kit number 3010 - IOWSTA

Since a second urine void is the preferred UA sample and the recommended UA kits have only one urine collection container, it would be necessary to have a second urine collection container available.

**Instructions for collection are as follows:
(This is how the administrative rule will read as of January 1, 2008.)**

661-157.3(321J) Urine collection. A peace officer who collects a sample of a subject's urine for the purpose of determining alcohol or drug concentration shall proceed as follows:

157.3(1) The collection shall be made in the presence of a peace officer or other reliable person under the supervision of a peace officer. The peace officer or other person in the presence of the subject shall be of the same gender as the subject.

157.3(2) As soon as practicable, the subject shall urinate into a urine alcohol kit supplied bottle, cup or other suitable container which is clean, dry, and free from any visible contamination. Anticoagulant and antimicrobial substances in a blood or urine kit do not constitute visible contamination.

157.3(3) The peace officer shall collect a second urine void for alcohol testing, in a suitable container which is clean, dry, and free from visible contamination. If a second void can not be collected, the peace officer shall submit a sample from the first void and shall inform the Iowa Division of Criminal Investigation Criminalistics Laboratory on the laboratory receipt form that the sample is from a first void. It is not necessary that the bladder be completely emptied.

157.3(4) When collection of the sample for alcohol testing has been completed, the peace officer shall cause a portion of the collected sample to be transferred to a test tube containing 100 milligrams of sodium fluoride and anticoagulant. A listing of test kits known to meet the requirements of this subrule may be found on the criminalistics laboratory web site. Any peace officer wishing to use a test kit which is not listed should inquire of the criminalistics laboratory as to whether the other test kit meets the requirement. Any provider of test kits may request the addition of a kit to the list by sending a sample kit to the administrator of the criminalistics laboratory with a cover letter requesting that the kit be added to the list of kits known to meet the requirements of this subrule.

NOTE: The current location of information about test kits on the laboratory web site is:
http://www.dps.state.ia.us/DCI/Crime_Lab/Forensic_Toxicology/index.shtml.

157.3(5) If the peace officer requests additional toxicological testing, the remainder of the sample may be retained in a container and sent to the Iowa Division of Criminal Investigation Criminalistics Laboratory for analysis.

157.3(6) The peace officer shall label the container showing the date and time the sample was collected and identifying the peace officer, the subject, the collecting officer and the person present during the collection of the sample, if other than the collecting officer.

All officers must view the video file: "Collecting a Urine Sample for Alcohol Testing Version 1.0" training video on the Crime Laboratory website. After viewing, all officers must fill out the viewing form and email the form to the DCI. The video file and viewing form can be found on the DPS DCI website listed below.

A DCI laboratory receipt form will have a check list that must be checked off to indicate what type of testing is desired. The receipt form will have the following check list that can be downloaded from the DPS DCI website. http://www.dps.state.ia.us/DCI/Crime_Lab/Forensic_Toxicology/index.shtml

Y___ N___ Urine alcohol test Y___ N___ Urine toxicology test
___ First void urine sample
___ Second void urine sample

The Code of Iowa defines urine alcohol concentration as grams of alcohol per 67ml of urine and on **second** void urine samples the Lab will report as stated in the code. If a **first** void urine sample is submitted, the Lab will report grams per 67 and grams per 57 ml of urine. Grams per 57 ml of urine will be reported by the Lab in order to insure a higher confidence level for first void urine samples.

It is important to correctly collect the sample for a urine alcohol test. If the sample for a UA test is not in the appropriate test tube with the NaF preservative the DCI Lab will not analyze the urine for alcohol concentration but will proceed with the toxicological analysis.

The DCI Lab strongly encourages the utilization of the DataMaster evidential breath instrument as the first choice in determining an alcohol concentration. A blood sample should be the second choice for an alcohol determination with the urine alcohol as the last choice.

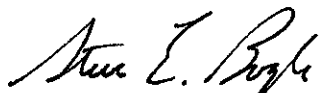
Please understand that this letter is related to urine alcohol testing and does not affect our policy on urine toxicology that includes drugs of abuse and/or prescription drug testing.

We apologize for this inconvenience. If you have any questions, please contact Sandra J. Stoltenow, Criminalist Supervisor at 515-725-1500.

Sincerely,



EUGENE T. MEYER, Commissioner
Iowa Department of Public Safety



STEVE E. BOGLE, Director
Division of Criminal Investigation



BRUCE P. REEVE, Laboratory Administrator
Division of Criminal Investigation

ETM/SEB/BPR/gac