

BIOLOGICAL EVIDENCE RETENTION GUIDELINES

Technical Working Group on Biological Evidence Preservation

Crime Categories (NIBRS*)	CASE STATUS			
	Open [†]	Charges Filed	Adjudicated	Unfounded/Refused/Denied/No Further Investigation
Homicide Offenses	Retain indefinitely	Retain indefinitely	At a minimum, retain for the length of incarceration [‡]	Dispose of upon receipt of authorization
Sexual Offenses	At a minimum, retain for the length of the statute of limitations	Retain pending adjudication	At a minimum, retain for the length of incarceration [‡]	Dispose of upon receipt of authorization
Assault Offenses, Kidnapping/Abduction, Robbery				
All Other Group A & B Offenses			Dispose of upon receipt of authorization	

* The Federal Bureau of Investigation's National Incident-Based Reporting System (NIBRS) classifies 22 types of offenses as Group "A" crimes and 11 types of lesser offenses as Group "B" crimes. This table uses the NIBRS crime categories.

[†] Cases in which someone was found not guilty after criminal proceedings and additional suspects have not yet been identified or charged should follow the same guidance as open cases.

[‡] Statutes regarding the disposition of biological evidence from homicide, sexual offenses, and other crime categories vary from state to state. Almost all states that have statutes require that such evidence be held for the period of incarceration; a few states require that the evidence be held for the period of probation, parole, or registration as a sex offender. Custodians should check their state statutes. Written authorization for disposal should be obtained from the assigned case investigator. (Note: If the assigned investigator is no longer employed by the agency, a designated investigator should give written approval.)



For additional guidance on biological evidence retention and the disposition process, please reference *The Biological Evidence Preservation Handbook: Best Practices for Evidence Handlers* (http://www.nist.gov/manuscript-publication-search.cfm?pub_id=913699).