



Physical Evidence Bulletin

Electronic Smoking Devices

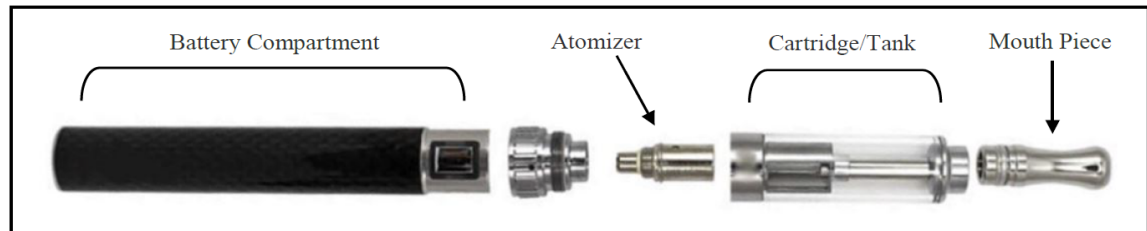
Purpose

The Physical Evidence Bulletin (PEB) is a guideline intended for law enforcement agencies to follow in order to submit evidence to BFS Laboratories. Physical Evidence bulletins are not intended to be used in lieu of training in the collection of evidence.

Cautions

Vape pens and E-cigarettes can pose a risk of fire and/or explosion, which can cause injury and/or property damage, when stored incorrectly. The potential hazards increase when the device contains faulty batteries. The risks associated with these hazards include injury to personnel and/or property damage, including other evidence that is stored in close proximity.

There have been several incidents where vape pens were inadvertently switched “on” while in evidence storage-resulting in smoke emitting from the device. As a result, DOJ has implemented new policies regarding the submissions of any electronic smoking devices, including vape pens and E-cigarettes. Below is an example of one type of electronic smoking device.



Evidence submission guidelines

Requirements for controlled substances analysis

- Submit only the cartridge or tank containing the contents for drug analysis.
- If the cartridge or tank cannot be separated from the device, the battery must be removed. Do not submit the battery.
- If both the cartridge and battery cannot be removed from the device, and the device must be submitted, the vape device must be packaged in either a metal paint can, a hard plastic evidence tube, or affixed (zip tied) to a cardboard box to prevent accidental activation.
- Refer to Department of Justice PEB 25 (Controlled Substances PEB) for additional evidence submission requirements with regards to Controlled Substances.

Requirements for latent print analysis

- Vape devices will only be accepted for analysis for felony investigations.
- If submitting for both controlled substances and latent print analysis, the cartridge or tank must be removed and secured in a heat-sealed plastic bag (K-pak).
- If the cartridge or tank cannot be separated from the device, the battery must be removed from the device. (Do not submit the battery unless latent prints are requested.)
- If both the cartridge and the battery cannot be removed from the device, and the device must be submitted, the vape device must be packaged in either a metal paint can, a hard plastic evidence tube, or affixed (zip tied) to a cardboard box to prevent accidental activation.

Refer to Department of Justice PEB 17 (Collection and Submission of Latent Print Evidence PEB) for additional evidence submission requirements with regards to latent print evidence.

Requirements for DNA submission

- Submit only the cartridge and mouthpiece for DNA analysis.
- If the cartridge or tank cannot be separated from the device, the battery must be removed from the device. Do not submit the battery.
- If both the cartridge and the battery cannot be removed from the device and the device must be submitted, the vape device must be packaged in either a metal paint can, a hard plastic evidence tube, or affixed (zip tied) to a cardboard box to prevent accidental activation.
- Refer to Department of Justice PEB 4 (Biological Materials for DNA Analysis PEB) for additional evidence submission requirements with regards to DNA evidence.

For further information and additional resources

Please contact your regional BFS laboratory with any further questions that you may have.

For a list of regional laboratories please go to:

https://oag.ca.gov/sites/all/files/agweb/pdfs/bfs/bfs_brochure.pdf

To locate the most current Physical Evidence Bulletins please go to:

<http://oag.ca.gov/bfs/peb>