



Intermountain Forensics

SOP #

ADM-112

Revision #

01

Forensic DNA Technical Leader Approval

Issue Date

10/07/2020

Vision and Mission

1. Purpose

This document describes the overall policy **corporate structure, impartiality, and confidentiality** policies of the laboratory.

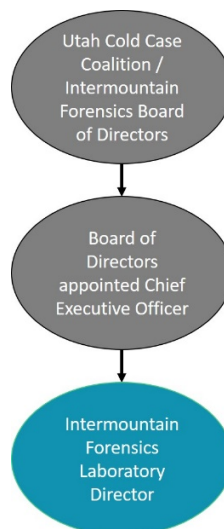
2. Summary

The policies in this document describe the corporate structure of the laboratory as an independent and neutral non-profit 501(c)(3) entity. It also describes the neutrality and confidentiality of the laboratory to ensure absolute confidence in unbiased and confidential laboratory processes.

3. Procedure

1. Corporate Structure
 - a. Intermountain Forensics is classified as a "doing business as" ("dba") registered entity of Utah Cold Case Coalition, Inc.
 - b. Utah Cold Case Coalition is registered with the federal Internal Revenue Service as a 501(c)(3) charity
 - i. Intermountain Forensics maintains this status as a "dba" of Utah Cold Case Coalition
 - c. Utah Cold Case Coalition is classified as a 170(b)(1)(A)(vi) public charity
 - i. Intermountain Forensics maintains this status as a "dba" of Utah Cold Case Coalition
 - d. Utah Cold Case Coalition is registered with the state of Utah and as a Charitable Organization
 - i. Intermountain Forensics maintains this status as a "dba" of Utah Cold Case Coalition
2. Board of Directors
 - a. Intermountain Forensics charitable organization shall be managed by a board of directors
 - i. The Board of Directors shall appoint a Chief Executive Officer to act as the primary liaison between the board and the laboratory
 - ii. The Intermountain Forensics Laboratory Director will function as the top level management executive reporting to the CEO

Figure 1. Corporate Organization





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3. Responsibilities

a. Board of Directors

- i. The board of directors acts to advise the Chief Executive Officer (CEO) periodically in long-term strategy, budgeting, funding, and human resources
- ii. The board of directors is responsible for approval of the following:
 1. Appointment and approval of Chief Executive Officer
 2. Single laboratory expenditures exceeding \$50,000
 3. Changes to pricing policy

b. Chief Executive Officer

- i. The CEO acts as the figurative head of the organization when communicating with stakeholders, government entities and the general public
- ii. The CEO has general responsibility for:
 1. Development of the organization's long- and short-term strategies
 2. Managing overall operations and making major decisions affecting the organization
 3. Managing the organization's resources
 4. Negotiating or approving agreements and contracts for the organization
 5. Compliance with applicable laws and regulations
- iii. The CEO is responsible for approval of the following:
 1. Laboratory Purchases above \$5,000
 2. Budgeting
 3. Approving new personnel positions
 4. Pricing adjustments
 5. Final approval of contracts
 - a. This includes client contracts, vendor contracts and grants

c. Laboratory Director

- i. The Laboratory Director is responsible for day-to-day oversight of laboratory personnel and processes
- ii. Laboratory Director is responsible for approval of the following:
 1. Laboratory purchases up to \$5,000
 2. Hiring personnel to open positions
 - a. This includes termination of employees
 3. Pricing quotes to potential clients
 4. Client-specific and vendor business documentation
- iii. Other roles and responsibilities as outlined in ORG-202 Position Summary-Laboratory Director

4. Impartiality

- a. Intermountain Forensics has a policy of maintaining complete impartiality in the provision of services regardless of the identity of the client or nature of the work. Intermountain Forensics offers the same services, pricing, and client interaction regardless of whether the client is governmental or private, representing a prosecutor, defendant, or private individual or entity.
- b. Intermountain Forensics accepts case work from all sources, including law enforcement agencies, crime laboratories, criminal defense attorneys, innocence projects, and private individuals and entities.
- c. Intermountain Forensics publicly posts its pricing and does not offer undisclosed discounts to clients or categories of clients.
- d. Intermountain Forensics has a policy of providing general DNA education at no cost to any group or organization in good standing. In furtherance of this policy, Intermountain Forensics regularly accepts invitations to present to law enforcement, legal, and civic groups.

5. Confidentiality

- a. Intermountain Forensics maintains strict confidentiality of client information. Confidentiality protections include:
 - i. All client agency, case, sample, testing and financial information.
 1. Intermountain Forensics will maintain STRICT confidentiality of all information pertaining to a client, the clients case, the clients samples, testing plan and status, financial information, submission status and any client/case information and/or documents relayed by the client to Intermountain Forensics
 2. Requests for information to individuals outside of the client's agency will only be provided upon written (or e-mail) permission from the client.
 3. If any Intermountain Forensics personnel are unsure of whether the confidentiality is required, they should clarify with the agency at minimum verbally before sharing the information.
 - ii. Only Intermountain Forensics personnel have physical access to the laboratory. No other persons, including personnel of the parent organization, have physical access to the laboratory.



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- iii. Access to JusticeTrax and other electronic client data is restricted to the Lab Director and other laboratory personnel under the Lab Director's supervision. Laboratory personnel have executed confidentiality / nondisclosure agreements.
 - iv. Intermountain Forensics' Administrator has access to client information solely to the extent necessary for billing and related administrative purposes. The administrator has executed a confidentiality / nondisclosure agreement.
 - v. Intermountain Forensics personnel do not disclose the receipt or nature of case work received without client authority or order of law.
 - vi. Although non-Intermountain Forensics personnel do not have access to client data, other personnel, including volunteers, are routinely asked to execute confidentiality/nondisclosure agreements.
 - vii. Before allowing persons physical access to the laboratory, Intermountain Forensics personnel ensure that no confidential information is visible.
 - viii. Intermountain Forensics utilizes an electronic security system that records all visits to the laboratory, including all areas to which visitors are permitted access.
 - ix. Intermountain Forensics has a policy of requiring immediate retrieval of any items printed, and of shredding all confidential printed material immediately when no longer needed.
 - x. Intermountain Forensics will not provide confidential information to a third party without proof of authority or legal compulsion, such as a court order or subpoena.
 - xi. The CEO, presently a licensed attorney, regularly reviews DNA-related rules, regulations, and court decisions that may impact the laboratory's obligations.
 - b. Client information is only available to the Lab Director and other laboratory personnel such as DNA analysts and molecular biologists.
 - c. Client information is not available to the CEO, Board of Directors, or Administrator. Solely as needed for management or planning purposes, the CEO may learn the identity of clients and general information regarding the type or amount of work expected to be associated with clients. The CEO has executed a confidentiality/nondisclosure agreement.
 - i. This includes client information, submission status and any case information
 - d. Authorized and documented authorization is required from the client to
 - e. As a requisite to employment and/or volunteer work for or with the laboratory, employees/volunteers are required to sign NDA/Confidentiality agreements
6. External sources
- a. Confidential information obtained from sources other than the client also remain confidential in the same manner as the above listed client confidentiality policy.
7. Lawful Required Disclosure/Subpoenas
- a. Unless specifically disallowed, any lawfully required release of confidential information will elicit notification of the affected party (client etc.) of the release of information.
8. Vendors/Contractors
- a. Any Vendors and/or Contractors doing work for and with Intermountain Forensics are required to maintain the above level of confidentiality.
 - b. If any confidential information will be accessible, an NDA/Confidentiality agreement will be signed prior to the access being allowed.

4. References

1. Internal Revenue Service 501(c)(3) approval
2. Utah State Tax Commission Sales Tax Exemption
3. Utah Charitable Solicitation Permit

5. Definitions

N/A