A forensic investigation on the secondary transfer of organic gunshot 1

residues 2

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9 Abstract

Gunshot residues (GSR) are an important forensic trace in firearm-related events. Currently, 10 11 routine GSR analyses focus on the detection and characterisation of the inorganic 12 components (IGSR). The increasing prevalence of heavy metal-free ammunition challenges 13 these current protocols and there is significant interest in how the organic components of 14 GSR (OGSR) can provide complementary information. OGSR compounds, originally 15 deposited on the shooter during the firing process, may further be transferred onto another 16 individual or surface, ultimately generating a pollution. Hence, the aim of this study was to 17 provide additional information regarding the risk of a secondary transfer of OGSR. Two 18 scenarios were investigated, the first one related to the arrest process and the possibilities of a 19 secondary transfer arising between a shooter onto a non-shooter (e.g. between a police officer 20 and a person of interest (POI)). The second scenario concerned the transfer of OGSR onto the 21 non-shooter after handling a firearm for few minutes without discharging it. One calibre was 22 chosen, the .40 S&W calibre, used by the Australian State Police Force involved in this 23 study. A secondary transfer was observed in all cases for the two scenarios investigated, for 24 three compounds of interest: ethylcentralite (EC), diphenylamine (DPA), N-25 nitrosodiphenylamine (N-nDPA). The firearm handling scenario resulted in a larger 26 secondary transfer to that of the arrest scenario. Overall, the amounts of OGSR detected on 27 the non-shooter were generally lower than that detected on the shooter and controls after the 28 arrest scenario. The results of this study provide complementary knowledge about OGSR, 29 which can be further used to improve the current practice and the interpretation of OGSR evidence. In particular, it highlights that the secondary transfer proposition must be 30 31 considered during the interpretation, especially when small amounts of OGSR target 32 compounds are detected.

33 Keywords: Firearm discharge residues, FDR, OGSR, arrest, firearm handling, UPLC-MS/MS

34 **1. Introduction**

35 Gunshot residues (GSR) are an essential trace in firearm-related events. In practice, GSR 36 analyses currently focus on the detection and characterisation of the inorganic components 37 (IGSR) which are mainly metallic particles composed of lead, barium and antimony known to 38 be associated with the primer mixture. IGSR protocols are challenged by the increasing 39 probability of encountering casework involving heavy metal-free (HMF) ammunition [1]. 40 Furthermore, given the quantity of propellant present in firearm cartridges, significant traces 41 of OGSR may be deposited during a shooting. This may provide GSR examiners with an 42 opportunity to obtain information that is complimentary to IGSR examination, potentially 43 enhancing the forensic evaluation process in regards to a shooting. This necessitates further 44 research into improving our knowledge of OGSR generated through the combustion of 45 propellant powder, its characterisation, its transfer and persistence. Several studies already 46 considered the question of OGSR analysis [2-9] and this study focused on the secondary 47 transfer, beyond such analytical aspects.

While the primary transfer of IGSR and OGSR to the shooter occurs during and after the firing process, it is also important to assess further transfer of these residues from the shooter to an uncontaminated individual. Indeed, detecting GSR on an individual does not confirm the person has discharged a firearm [10, 11]. Secondary transfer of GSR traces can happen when, for instance, a non-shooter makes contact with a firearm (without discharging it) or with another individual who recently discharged a firearm.

54 Several studies have approached secondary transfer of IGSR. Charles and Geusens [12] 55 investigated the secondary transfer of inorganic particles from police officers onto non-56 shooters. They concluded that the risk of transfer is heavily dependent of the technique of 57 arrest [12], the more vigorous the arrest, the higher is the risk of transferring particles from 58 one surface to another. They also emphasised that special unit forces officers who have a 59 higher degree of contact with firearms, resulted in larger quantities of GSR transferred [12]. 60 French et al. [13] examined the secondary transfer of IGSR particles via a handshake between 61 a shooter and non-shooter, as well as during the exchange of a firearm between a shooter and 62 non-shooter [13]. They concluded that the average number of particles transferred via 63 handshakes were found to be high (>80 characteristic particles in average) while an exchange 64 of firearm resulted in a lower number of particles (40 characteristic particles in average) 65 transferred [13]. The experiments were carried out immediately after the firearm was 66 discharged, resulting in the maximum amount of GSR being present on the shooter and the

67 firearm [13]. French et al.'s study was further extended to explore the tertiary transfer by 68 performing two consecutive handshakes [14]. A reduction in inorganic particle transfer was 69 observed, however IGSR particles were still detectable following the tertiary transfer scenario 70 [14]. Similar observations were made by Girvan et al. [15], where the transfer of inorganic 71 particles during the arrest of a non-shooter by a police officer who had previously discharged 72 a firearm was studied [15]. It was found that particles were detectable from specimens taken 73 from the hands of the non-shooter [15]. Studies into the secondary transfer of OGSR, 74 however, are limited. Arndt et al. [16] investigated the secondary transfer of OGSR after a 75 handshake between the shooter and non-shooter [16]. The specimens were analysed by Ion 76 Mobility Spectrometry (IMS) with no OGSR detected. However, several limitations, 77 including a high limit of detection of the instrumentation, were highlighted, which could have 78 contributed to this results [16]. Gassner et al investigated three different scenarios just after 79 discharge involving handshakes, transporting a firearm and arrests [17]. The secondary 80 transfer of OGSR was observed for all scenarios when a more sensitive analytical method 81 was utilised. The firearm displacement scenario resulted in the lowest amount transferred, 82 followed by handshaking with the arrest scenario resulting in highest amount of OGSR 83 transferred. These studies emphasised that the risk of a secondary transfer of both IGSR and 84 OGSR is significant. Therefore, precautions are essential to avoid a transfer of GSR when a 85 contact between police officers and non-shooters occurs.

The aim of the current study was to extend the body of knowledge regarding the secondary 86 87 transfer of OGSR as only two studies tackled such questions, and only one analysed specimens with a highly sensitive instrument. This study is focussing on an Australian 88 89 perspective. The current ammunition used in Australia is the calibre .40 S&W and has never 90 been studied in the context of secondary transfer. Generally, police officer(s) carry their 91 service firearms while on duty and may potentially come in contact with non-shooter(s) 92 during police investigations and operations. It is, therefore, essential to assess the degree of 93 transfer, which could potentially take place if physical altercations such as an arrest 94 procedure occurs between police officer(s) and non-shooter(s). This study considered two 95 scenarios: the first one related to an arrest scenario between the shooter (i.e. Police officer) 96 and a non-shooter (i.e. POI). The aim of this first scenario was to study the potential

pollution¹ of POI by police officers during the arrest process. The second scenario involved a 97 98 non-shooter handling a firearm without discharging it. The aim of the second scenario was to 99 determine the amount of OGSR transferred by handling the firearm when compared to a 100 person who discharged it. Four compounds of interest, known to be part of propellant powder 101 and OGSR composition, were investigated: ethylcentralite (EC), methylcentralite (MC), (DPA) 102 diphenylamine and 103 N-nitrosodiphenvlamine (N-nDPA) [19-21].

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105 **2. Material and method**

106 <u>2.1 Secondary transfer: Shooting experiment procedure</u>

For this study, one authorised personnel in an Australian State Police Force facility 107 performed the firearm discharges in an indoor shooting range. The different transfer scenarios 108 109 were performed outside of the firing range to minimise the risk of polluting the hands of the non-shooter from the environment. One calibre and firearm was selected: A Glock 22® 110 111 calibre .40 S&W. This was chosen as it is the service weapon and calibre of the Australian police forces. The lead-free Winchester WinClean[®] (180Gr. Brass Enclosed Base) 112 ammunition was chosen. The thumb-forefinger part of the palm and back of both dominant 113 114 and non-dominant hand (right and left respectively) as well as the wrists were sampled 115 separately.

¹ According to Schwendener et al [18], "pollution" refers to the addition of some material due to a lack of precautions, while "contamination" refers to non-pertinent traces present before any investigation and cannot be avoided [18]. Pollution is therefore more suitable in the context of a secondary transfer study.



SCENARIO 1

SCENARIO 2

117

118 Figure 1. This involved both participants (one shooter and one non-shooter) thoroughly 119 washing their hands prior to the blanks being collected. The next step required the shooter to discharge three rounds of ammunition with the Glock[®] 22 held with two hands. To avoid 120 121 pollution, the non-shooter did not enter the range at any point during the scenario. Following 122 the firearm discharge, the shooter left the firing range and conducted the arrest scenario: the 123 non-shooter put their hands on the top of their head before the shooter gripped the hands of 124 the non-shooter and put them behind their back before they were handcuffed (Figure 1, 125 scenario 1). The handcuffing procedure simulated a typical arrest procedure. The non-shooter 126 was also asked to resist the arrest during the handcuffing process in order to simulate a 127 realistic scenario.

128 After 1-2 minutes, the shooter removed the handcuffs and the specimens were collected from 129 both hands of the non-shooter, as well as the shooter. The collection of OGSR was performed 130 with GSR stubs (Ted Pella Inc, USA). The thumb-forefinger region of the palm and back of 131 the hand, as well as the wrist, were thoroughly sampled until the stub surface was no longer 132 sticky [21-23]. Each hand was sampled using an individual stub with the collected specimens 133 packaged separately by sealing with the cover and placed in their respective boxes. The specimens were stored at 4 °C until extraction. The extraction was performed within 24 hours 134 135 of collection to avoid degradation of the specimens [24].



138Figure 1. The sampling procedure of the secondary transfer experiments for both scenario 1 and 2 (n=5).139D= dominant hand, ND= Non-dominant hand.

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141 For the second scenario, the non-shooter washed their hands before blanks were taken outside 142 the firing range, while the shooter discharged the firearm three times. The non-shooter then picked up, held and handled the firearm with both hands for 5-10 minutes, without 143 144 discharging it (Figure 1, scenario 2). Specimens from both hands were collected after the time elapsed as described previously. Both scenarios presented in Figure 1 were repeated in 145 146 quintuplicate. Controls specimens were also collected. These specimens were collected from the same shooter immediately after having discharged three rounds of the same ammunition 147 148 with the same firearm. The shooter did not make contact with any other surfaces. These 149 control specimens can be reasonably expected to contain a greater amounts of OGSR because 150 of the absence of potential losses due to further activities. Consequently, control specimens 151 represent, on average, the maximum amount of OGSR detected from the hands of the 152 shooter.

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154 <u>2.2 Analytical method: OGSR standards and UPLC-QqQ-MS conditions</u>

Four target compound standards were used in this study: EC, MC, DPA and *N*-nDPA (**Erreur ! Source du renvoi introuvable.**). These standards were used for identification of compounds and analytical method validation purposes, presented in a previous publication 158 [21]. Additionally, a 5 point calibration standard curve (0.01-1 ppm) was prepared and159 analysed with every run of specimens for quality control purposes

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Table 1. Compounds of interest. IS = internal standard.

Compounds	Provider	Concentration	Solvent
EC		100 µg/mL	Methanol Acetonitrile (1:1)
MC	Namahan Diri Lid	100 µg/mL	Methanol Acetonitrile (1:1)
DPA	Novacnem Pty Ltd	1000 µg/mL	Methanol
<i>N</i> -nDPA		1000 µg/mL	Methanol
d10-DPA (IS)	C.D.N Isotopes Inc.	Solid	-

161 d10-DPA has been previously utilised as a suitable internal standard (IS) by [21, 25]. Stock 162 solutions of internal standard were prepared at a concentration 1000 μ g/mL in 163 methanol:acetonitrile (1:1) v/v and added to each specimen at a final concentration of 20 164 ppm [19].

Analysis of specimens was conducted per Maitre et al. [21]. The method was validated using the ICH Guidelines [26], and found fit for OGSR qualitative analysis purposes. The specimens were extracted using the protocol described in Taudte et al. [19, 21, 27].

168 The chromatographic separation was performed on a Waters UPLC ACQUITY® system. An Agilent ZORBAX RRHD Eclipse XDB 80Å C18, 3.0 x 100 mm, 1.8 µm was used coupled to 169 a ZORBAX Eclipse XDB 80Å C18, 3.0 x 5 mm, 1.8 µm UHPLC guard. The mobile phase 170 171 used is presented in Table 2, both solvent were filtered through 0.2 µm membrane filters 172 (Table 2). The starting conditions of the chromatographic method is 70% water and 30% methanol. The method used a gradient which includes a 4.6% increase of methanol per 173 174 minute for 12 minutes [19, 21], followed by 5 minutes of flushing and equilibrium before the 175 next run. The column temperature was thermostatically maintained at 43 °C and an injection 176 volume of 2 μ L was used throughout.

 Table 2. UPLC mobile phase composition.

Mobile phase components	Solvent grade	Additive	Membrane filters	
Methanol	Hypergrad Lichrosolv®, Merck KGaA	+0.19/(w/w) form is said	0.2 μm PTFE (47mm, Advantec, grade J020A047A)	
ultrapure Milli-Q® Water	18.2 MΩcm, Q-POD®, Merck KGaA	+ 0.1% (V/V) formic acid	0.2 μm mixed cellulose ester (47 mm, Advantec, grade A020H047A)	

The QqQ-MS conditions were as follow: the desolvation temperature was set at 250 °C and the detection was performed using Multi-Reaction-Monitoring (MRM) from 0 to 12 minutes with electrospray ionisation (ESI) source set at 140 °C [21].

The results were extracted and processed in order to provide a normalised response: the detected peaks were integrated using QuanLynx[®] (Waters software). The presence of precursors to both product ion transitions was a required condition in an abundance above the limits of detection (LOD) for considering the compounds as present. The detected compounds underwent a blank subtraction (hand blank collected before the each experiment) before being normalised to the internal standard (IS). The square root of the ratio was then calculated and represent the normalised peak area [21, 28, 29].

191 **3. Results and discussion**

During this study, calibration curves were analysed along with the specimens and showed consistent and stable responses across each analytical analysis with the calibration curves found to be linear during each analytical run (average $R^2 > 0.99$).

195 All the targeted compounds were considered detected when the abundance was found above 196 the limit of detection (LOD). The LODs were found as follow: N-nDPA: 5.64 ppb, MC: 0.17 ppb, DPA: 2.09 ppb and EC: 0.38 ppb [21]. Blank subtractions were performed on every 197 198 specimen from each of the shooter and the non-shooter to account for possible 199 contaminations. The blank specimens arising from the non-shooter where found to be clean, 200 i.e. with none of the OGSR compounds detected. However, it was surprising that even after 201 hand washing, some blanks from the shooter were found to contain OGSR. Hand washing has 202 previously been studied [16] and indicated a complete removal of OGSR traces. The 203 difference in results might arise from the use of different soap and sanitisers. Arndt et al have studied different soap containing alcohol [16], which might be more efficient in the removal 204 of OGSR. In this study the soap used was a D-lead[®] hand soap used to decontaminate the 205 hands of heavy metals, such soap might not be sufficient enough to remove OGSR. In 206 207 addition, different instrumentation were used, which differ in sensitivity [16]. Arndt et al. 208 have analysed specimens by IMS which typically produces high LODs [16]. Conversely, 209 highly sensitive UPLC-QqQ-MS instrumentation was used in this study, and it was found 210 that hand washing was not sufficient to remove completely OGSR traces. If the hand blank 211 was found to contain a larger amount of OGSR than that of its corresponding specimen from 212 the experimentation, that particular specimen was considered negative for OGSR traces to 213 avoid skewing the results.

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215 <u>3.1 Scenario 1: Arrest process</u>

During their duties, police officers may come into contact with a potential POI for a particular investigation. When it occurs, there is a question of potential pollution of the nonshooter by the police officer. In order to assess this, an arrest scenario was performed and investigated. The results from the UPLC-QqQ-MS analysis are reported as a normalised response (section 2.2) [21]. Three of the four target compounds were detected (EC, DPA and *N*-nDPA). The manufacture of propellant powder typically involves the addition of a single centralite, either EC or MC but rarely both. Figure 2 represents the amount detected (normalised response) for the three compounds of interest collected from both hands (dominant and non-dominant) of the shooter and non-shooter in the context of the arrest scenario. Figure 2a represents the details of the replicates, each bar-plot represents the amount detected on each hand. Figure 2b represents the averaged amount detected from each set of replicate specimens.

228 It was observed that the three compounds of interest were successfully identified in each of 229 the five replicates of the arrest scenario. The amount detected of these compounds followed 230 the same trend across each of the dominant and non-dominant hands, with a lower amount 231 detected on the latter when compared to the dominant hand. As expected, the largest amount 232 was detected in the control (Figure 2a and b), which relates to the detection of OGSR on the 233 hands of the shooter immediately after the firearm discharges. The second largest amounts 234 detected were from specimens arising from the hands of the shooter after they arrested the 235 non-shooter. Finally, a secondary transfer was observed for the three compounds of interest 236 on the non-shooter after being handcuffed by the shooter (Figure 2). The non-shooter did not 237 have any prior contact with any potential source of OGSR, and their blanks were found free 238 of OGSR. This emphasises the fact that the OGSR found on the non-shooter arose primarily 239 from the transfer of OGSR from the shooter during the arrest. It must be noted that the wrists 240 were also sampled. Hence, the handcuffs might also have contributed to the secondary 241 transfer of OGSR onto the hands of the non-shooter in addition to the transfer from the 242 shooter during the duration of the arrest process.

243 The results observed in Figure 2b on the hands of the shooter also suggest the presence of a 244 secondary transfer as the amount detected on the hands of the shooter is lower than the 245 amount detected in the controls. The only difference between the control specimens and the 246 shooter specimens was the arrest scenario. Hence, the responses detected, for each of the 247 compounds on both hands of the shooter, were found to be lower than the controls. Such a 248 result is likely due to the transfer of OGSR onto the hands of the non-shooter while 249 performing the arrest simulations. However, losses to the environment or redistribution of the 250 OGSR onto surfaces that were not collected may also have contributed to the results. An 251 exception is regarding DPA on the non-dominant hand (Figure 2 and Table 3), where it can 252 be observed that adding the shooter and non-shooter resulted in a larger amount than the 253 control. Such a result may be the consequence of the high variability observed between 254 specimens as illustrated by the error bars in Figure 2b.



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Figure 2. Scenario 1: Arrest process. Level of OGSR detected (normalised response) from both hands of each participant. D= dominant hand, ND= Non-dominant hand. a) Each replicates separately (n=5); b) Averaged amount; the error bars represent the standard deviation. The "non-shooter" represents the individual being arrested who did not have any contact with the firearm; the "Shooter" is the police officer who arrested the non-shooter after discharging the firearm. "Controls" represent the amount detected from the shooter immediately after three discharges, without having entered in contact with any other surfaces.

264 Different trends were observed between the non-shooter when compared to the shooter and 265 the controls when comparing the dominant and non-dominant hand (Figure 2b). It was found 266 that the detection of compounds was more consistent between both hands on the non-shooter 267 while larger differences between hands was seen in the shooter and control specimens. 268 Greater amounts of OGSR were detected on the dominant hand of the shooter and control 269 when compared to the amount detected on the non-dominant hand. The deposition of GSR is 270 highly dependent on the type of firearm, however, the position of the hands while holding the 271 grip of the gun causes the dominant hand to be positioned closer to the ejection port. In this 272 case the ejection port of the firearm was on the right. As a result, a greater amounts of GSR 273 are deposited on the dominant hand (right hand) [23]. The difference in the amount is 274 consequently high due to the activity of holding and discharging a firearm. Whereas on the 275 non-shooter, the result related to the handcuffing scenario for which both hands of the non-276 shooter were usually clutched in the same manner in order to put them behind the back. This 277 led to a lower and more consistent level of OGSR being transferred across both hands of the 278 non-shooter than that seen in the shooter and control specimens. The large variability was 279 also observed in Figure 2b (as demonstrated by the error bars) for both shooter and control. 280 This variability reflects the numerous factors influencing the primary transfer of OGSR 281 compounds such as the firearm, the ammunition, the plume dispersion at the muzzle and the 282 ejection port, the shooter position, skin conditions and environmental conditions. Such 283 variations were also observed previous studies [9, 17, 21].

Table 3 represents the percentage when the detected responses were normalised to the control. The controls represent the largest amount of residue available as they were collected immediately after discharging the firearm (100%). A large difference was observed between the specimens (Table 3), with the amount detected on the shooter post arrest ranging between 23% (EC, D) and 68% (DPA, ND). Conversely, that of the non-shooter ranged between 9% (*N*-nDPA, EC, D) up to 55% (DPA, ND).

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Table 3. Scenario 1: Average percent of the level of OGSR detected when normalised to Control.D= dominant hand, ND= non-dominant hand.

	<i>N</i> -nDPA		DPA		EC		
	D	ND	D	ND	D	ND	AVERAGES
Control	100%	100%	100%	100%	100%	100%	100%
Shooter	25.7%	27.3%	46.9%	68.1%	22.8%	42.5%	38.9%
Non-shooter	8.6%	21.0%	24.1%	55.4%	8.4%	22.4%	23.3%

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When comparing the overall averages (Table 3), it was observed that after the arrest scenario an amount corresponding to 39 % of the control were still observable from the shooter, while on the arrested non-shooter, the amount detected after secondary transfer was about 23 %, suggesting that a pollution of a non-shooter from shooter who proceeded to the arrest was significant. 299 Similar trends were observed by Gassner et al. [17] with detection of OGSR on a 300 non-shooter after an arrest scenario. The study involved the use of a different calibre 301 (9 mm Luger) with the arrest scenario conducted differently as the non-shooter was 302 handcuffed on the ground and then helped to get back up. They identified that a significant 303 amount of OGSR (41.9% for N-nDPA) was transferred during an arrest simulation. As they 304 sampled both hands on the same GSR stub [17], the results from the present study (e.g. D and 305 ND) were summed together for comparison purposes, and a secondary transfer of 29.6% for 306 N-nDPA was found. Considering the large variability observed between discharges, the 307 difference in the observed secondary transfer is likely to arise from the simulations and the 308 way the arrests were conducted. In [17], the fact that the non-shooter was lying down and 309 helped to get back up may result in a longer and more vigorous contact, which may 310 ultimately lead to a larger amount of OGSR being transferred.

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312 <u>3.2 Scenario 2: Firearm handling</u>

313 In Scenario 2, a firearm was discharged three times and then handled by a non-shooter for about 10 minutes without further discharges. The holding activity was not restricted and the 314 315 non-shooter also manipulated the firearm by opening and closing the breech. In Figure 3a and b, it was observed that *N*-nDPA, DPA and EC were successfully detected on the hands of the 316 317 non-shooter, confirming that secondary transfer was possible through handling of the firearm, 318 with OGSR detected in all 5 replicates. The amount detected was consistently lower than that 319 of the control (Figure 3a). Figure 3b represents the average amount (normalised response) for 320 each participant (non-shooter and shooter) and the error bars reflect the standard deviations.

After discharges, OGSR traces might deposit onto the body of the firearm, generating an accumulation of residues on its surface. Furthermore, the firearm is typically not cleaned frequently, favouring the accumulation of GSR on its outer part. The source of the OGSR traces detected on the non-shooter hands is, therefore, likely to arise from the OGSR background present on the firearm during the holding contact and manipulations.





Figure 3. Scenario 2: Firearm handling. Level of OGSR detected (normalised response) from both hands of each participant. D= dominant hand, ND= Non-dominant hand. a) Each replicates separately (n=5); b) Averaged amount; the error bars represent the standard deviation. The "non-shooter" represents the individual who handled the firearm; "Controls" represent the amount detected from the shooter immediately after three discharges, without having entered in contact with any other surfaces.

333 It is interesting to observe that for N-nDPA on the non-dominant hand of the non-shooter 334 (Figure 3), handling the firearm resulted in a similar amount of OGSR being transferred to 335 the amount detected in control specimens. Due to the construction of the firearm, the position 336 of the ejection port (on the right) and the position of the hands while discharging the firearm, 337 the non-dominant hand is often less exposed to the GSR plume than the dominant hand. 338 Therefore, a significant portion of the total amount of OGSR transferred onto the non-339 dominant hand might arise from the contact with the grip of the firearm as it usually acts as a 340 support when holding the firearm.

341 Consequently, the secondary transfer of OGSR when handling a firearm might be a main 342 contributor to the deposition of OGSR on the non-dominant hand. However as the non-343 shooter held the firearm without any restriction, it happened that the firearm was passed between the two hands and such actions made the firearm to be held with the non-dominant hand. Such manipulations usually do not occur while discharging as the weapon is held by the dominant hand and supported by the non-dominant hand. This activity might have likely contributed to the secondary transfer on the non-dominant hand. Furthermore, the duration of the contact was longer during the scenario (about 5-10 minutes) to that of the controls, where the specimens were collected immediately after discharge. A prolonged contact would also impact the level of OGSR transfer onto the surface of the hands.

When comparing the trends, Table 4 illustrates the percentage of OGSR detected on both hands of the non-shooter normalised to the control. On the dominant hand, an average between 22% and 35% was detected. While on the non-dominant hand, an average amount ranging between 33% and 65% was detectable (Table 4). On average, an amount of 40 %, when compared to the control specimens, was still detected after handling the firearm. The results emphasise that handling a firearm for several minutes, without discharging it, is sufficient to successfully transfer OGSR traces in a substantial amount.

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 Table 4. Scenario 2: average Percent of the level of OGSR detected when normalised to Control.

 D= dominant hand, ND= non-dominant hand.

	N-nDPA		DPA		EC		
	D	ND	D	ND	D	ND	AVERAGE
Control	100%	100%	100%	100%	100%	100%	100%
Non-shooter	21.7%	65.2%	35.1%	61.3%	24.1%	33.4%	40.2%

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362 Gassner et al. also observed a secondary transfer of OGSR by only touching the surface of a firearm when displacing it [17]. They observed that the amount detected after touching the 363 364 firearm was lower than after the arrest, while in this study the opposite trend was observed. 365 The different conditions of the firearm manipulation and the timeframe of the experiment is 366 likely the source of the different trends observed between the two studies. Indeed, their experiment involved displacing a firearm without any further handling, whereas in the 367 368 present study, the non-shooter was allowed to manipulate the firearm, including opening and 369 closing the breech. Opening and closing the breech provides access to additional sources of 370 OGSR inside the weapon, leading to a potentially higher secondary transfer. The second 371 substantial factor is the contact duration. In their study, contact was about 10 seconds [17],

while here the non-shooter held the weapon 5-10 minutes. Such difference in the duration of
the contact with the firearm may greatly influence the amount of OGSR transferred. A longer
contact may result in a larger amount of OGSR transferred.

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376 <u>3.3 Scenarios comparison</u>

Figure 4 illustrates the amount detected across the two scenarios performed in this study. It was found that a secondary transfer of OGSR occurred following both the arrest and firearm handling experiments, with similar trends observed across the three compounds detected. A substantial reduction of the response detected between the controls and the non-shooter after the arrest was observed (Figure 4).







Figure 4. Comparison between scenario 1 and 2. D= dominant hand, ND= non-dominant hand.

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It was also observed that handling a firearm resulted in a higher degree of secondary transfer (Table 4, average of 40% observed) than being arrested by the shooter (Table 3, average of 23% observed). The amount detected on the shooter after the arrest scenario is similar to the non-shooter after having handled a firearm (Figure 4, Table 3 and Table 4, 38.9% and 40.2% respectively). Minor exceptions were seen for DPA (D) for which a larger response was observed on the shooter when compared to the non-shooter (firearm handling). The opposite results was observed with *N*-nDPA on the non-dominant hand, of which a difference of almost 38% was observed between the two scenarios (27% in Table 3 and 65% in Table 4). This is due to a high amount detected on the hand of the non-shooter after handling the gun and a low amount detected on the shooter after the arrest. These results emphasise the influence of the shooting process and the associated variability in the amount of OGSR recovered and detected. Finally, on average, the largest responses detected arose from specimens taken from the controls, which were taken from the shooter immediately after the firearm discharges and without any contact with any other surfaces.

In summary, the results of this study demonstrate that the risk of secondary transfer is significant. From an investigation and interpretation perspective, it is recommended that precautions be taken to minimise or detect instance of secondary transfer to avoid false positive results. Because of the numerous factor involved in the formation, deposition and analysis of OGSR, as well as the unique sequence of activities that may lead to different extent of secondary transfer, it is essential to consider assessing every investigation following a

407 case-by-case approach in order to ensure to interpret OGSR results in an appropriate manner408 in view of the circumstances surrounding the investigation [11, 30].

409 The results suggest that practice procedures should include documentation of contacts 410 between officers, firearms and the POI(s). Further, the results suggest that officers' firearm, 411 handcuffs, clothes and other equipment should be cleaned and decontaminated regularly. It 412 would be valuable for contact records to be provided to the forensic scientist for the 413 evaluation of the OGSR evidence. This will allow forensic scientists to approach the 414 interpretation of the results with a better understanding of the context in which the specimens 415 were obtained. For instance, a police officer who discharged a firearm shortly before or 416 during an intervention should not enter into contact with POI(s) in order to restrict possible 417 pollution. If such situation occurs and is unavoidable, sampling the police officer who 418 arrested the POI might be valuable. Such specimens could be used as controls to assess the 419 degree of OGSR pollution of the police officer as soon as possible. Indeed detecting early in 420 the investigative process the possibility that specimen analysis results may arise from a 421 pollution would allow forensic scientists to interpret the results in the appropriate manner, by 422 taking into account the possibility of a secondary transfer. It may ultimately reduce the risk of 423 false positive, which would have a considerable impact on the outcomes of the forensic 424 investigation.

426 In the global context of GSR, no direct comparison can be performed between IGSR and 427 OGSR because of the different formation process, composition as well as transfer and 428 persistence mechanism. Several studies have examined the secondary transfer of IGSR [12-429 15]. In the context of an arrest scenario, Charles and Geusens [12] have studied two separate 430 simulations involving a low and high level of contamination of the police officers. For the low contamination simulation, in average, 2 characteristic particles (Pb-Ba-Sb) were detected 431 432 on the shooter while only 1 was detected on the non-shooter, resulting in 33% of transfer 433 [12]. For the high simulation, however, an average of 66 particles were found on the shooter, 434 while only 3 on the non-shooter (4% of transfer) [12]. Girvan et al [15] have also studied the 435 secondary transfer of IGSR through the arrest process. They found a secondary transfer of 436 40% for the characteristic Pb-Ba-Sb particles [15]. Such studies highlight the inherent 437 variability of IGSR deposition and analysis, which was also observed for OGSR in this study.

438 Despite the differences in the formation, transfer and analysis between IGSR and OGSR. The 439 studies on the secondary transfer of IGSR [12, 15] have shown similar trends when 440 compared to the results observed for OGSR presented in this study, emphasising that a 441 secondary transfer of both IGSR and OGSR is possible in the context of an arrest. The 442 differences are likely to arise from the different retention and transfer properties of IGSR 443 when compared to OGSR. Consequently, such results stress on the cautiousness that have to 444 be kept in mind when interpreting GSR evidence, especially when a low number of particles 445 of IGSR or a low amount of OGSR are detected. This study has emphasised the necessity and 446 the importance of assessing the secondary transfer of OGSR. Such results might be used in 447 order to improve the interpretation of such traces in the context of forensic investigations. An 448 interpretative model can be developed through the use of the Bayesian theorem. Such 449 probabilistic framework would enable forensic scientists to assess the likelihood ratio (LR) for OGSR outcomes in the light of the propositions of interest as well as the case 450 451 circumstances. The advantages of the Bayesian theorem approach is that it allows forensic 452 scientists to take into account the possibility of a secondary transfer as well as the persistence 453 when calculating the LR.

455 **4. Conclusion**

456 This study evaluated and explored critical questions regarding the secondary transfer of 457 OGSR between a shooter, who previously discharged a firearm, and a non-shooter, with no 458 immediate prior contact with a firearm. Two scenarios were investigated, one relating to the 459 arrest of the non-shooter by the shooter, the second one approach the handling of a firearm by 460 the non-shooter without discharging it. A secondary transfer occurred during both scenarios, 461 with OGSR detected in each specimen collected from the non-shooter following an arrest 462 process. OGSR was also detected when a non-shooter handled a firearm with similar levels 463 of OGSR detected when compared to a shooter who discharged their firearm followed by 464 conducting an arrest scenario. In average, the amount of OGSR detected did not exceed the 465 amount identified on the shooter who was sampled immediately after discharge. It is essential 466 to assess such scenarios in order to develop a better understanding of OGSR behaviour. In 467 addition, such research provides complementary information to forensic scientists in order to 468 improve the interpretation process. When approaching the assessment of traces such as 469 OGSR, questions such as secondary transfer and persistence become essential.

470 In practice, standardised protocols restricting or mitigating contact between police officers 471 who discharged a firearm and the POI are advisable as well as recommending that firearms 472 are cleaned on a regular basis to limit the accumulation of OGSR. Additionally, this 473 information and the context of the arrest should be documented and provided to the forensic 474 scientist for the evaluation of OGSR results. Such information allows the results of the 475 analysis to be included into the global context of the case, to be combined with other findings 476 such as IGSR particles. It also allows to take into account the chronology of the event, the 477 time of sampling and potential sources of pollution such as an arrest process undertaken by 478 contaminated officers.

In addition, the results presented in this study can inform the evaluative framework. The secondary transfer can be included in the interpretation process of OGSR in order to provide a more meaningful assessment of such traces. Doing so, this would allow to have a better understanding of such findings by including them in the global context of the case under investigation.

485 **5. Ethics**

486 UTS Human Research Ethics Committee (HREC) approved the presented research 487 (application number 2015000480).

488

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497 **7. References**

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