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|  | SECTION: | OPERATIONS | OPR-227 |
| | CHAPTER: | FIELD PROCEDURES | |
| | DIRECTIVE: | EVIDENCE – COLLECTION AND PRESERVATION | |
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**EVIDENCE-
COLLECTION AND
PRESERVATION
INDEX**

- 227.01 – SUMMARY**
- 227.02 – DEFINITIONS**
- 227.03 – AUTHORITY OF COMMAND**
- 227.04 – ASSIGNED OFFICER RESPONSIBILITY**
- 227.05 – CRIME SCENE OFFICER RESPONSIBILITY**
- 227.06 – GENERAL PROCEDURES**
- 227.07 – SECURE THE CRIME SCENE**
- 227.08 – PHOTOGRAPH THE CRIME SCENE**
- 227.09 – DIGITAL PHOTOGRAPHY**
- 227.10 – PHOTOGRAPHING INJURIES**
- 227.11 – CRIME SCENE SKETCHES**
- 227.12 – LATENT PRINT PROCESSING**
- 227.13 – EVIDENCE COLLECTION**
- 227.14 – TRANSPORT/SECURE EVIDENCE**
- 227.15 – SPECIAL OR UNUSUAL EVIDENCE**

227.01 SUMMARY

This directive describes the procedures for the collection, processing and preservation of evidence collected during criminal investigations.

227.02 DEFINITIONS

PRIMARY OFFICER – The Officer initially assigned to or first arrives at a scene.

CRIME SCENE OFFICER – The Officer who is responsible for the preservation, processing and collection of evidence at a crime scene. In most cases, the Primary Officer will be the Primary and Crime Scene Officer. If evidence collection functions are delegated, the delegate becomes the Crime Scene Officer. Any delegation shall be done only with Supervisor approval and it shall be carefully noted (date, time and extent of delegation) in the Primary Officer’s reports.

CASE OFFICER – The Officer assigned to handle the actual investigation of the crime which may include the coordination of preservation and collection of evidence at a crime scene. (e.g. Lead Detective at a major crime scene)

With approval of the appropriate Supervisor, evidence processing may be delegated to a Forensic Investigator or Lab personnel when:

- The crime is a felony or specialized training and/or equipment for evidence processing is required;
- In circumstances where the Primary Officer has limited training in crime scene processing;
- Staffing prevents the primary Officer from processing the crime scene in a timely and thorough manner.

The Supervisor will be responsible for monitoring situations when an on-duty F.I. may be utilized. The Supervisor is also responsible for deciding if additional off-duty personnel and/or Lab personnel respond.

NOTE: For purposes of this directive, “Officer” means all sworn Officers, Police Service Technicians, Civilian Lab personnel and/or any other person authorized by the Department to process and/or collect evidence.

227.03 AUTHORITY OF COMMAND

FIRST OFFICER ON SCENE – The authority of command at any incident will lie with the first Officer on the scene until such time as the Officer assigned to the call arrives. At that point, the assigned Officer is in command until he/she relinquishes to, or is relieved by, a Training Officer or Supervisor. The assigned Officer shall relinquish command to another Officer (e.g. Detective or assigned Officer) brought in to conduct the investigation because of specialized skills or assignment or a Supervisor.

- 227.04 ASSIGNED OFFICER RESPONSIBILITY** **ASSIGNED OFFICER RESPONSIBILITY** – The assigned Officer is responsible for the proper disposition of his/her calls, which includes the preservation, collection and processing of evidence. The assigned Officer will be responsible for the means and methods he/she utilizes to preserve, collect and analyze evidence. Department sanctioned techniques are stated below.
- 227.05 CRIME SCENE OFFICER RESPONSIBILITY** **CRIME SCENE OFFICER RESPONSIBILITY** – In addition to the processing and collection of evidence at a crime scene, a Crime Scene Officer is responsible for preparing a supplemental report once the scene processing is completed. If the crime scene is not processed, the Primary Officer and/or Crime Scene Officer will document in the official report(s) why the scene was not processed.
- 227.06 GENERAL PROCEDURES** **The Officer in command should assess and evaluate the crime scene and determine what resources may be necessary. The processing of a crime scene may include, but is not limited to the following procedures.**
- 227.07 SECURE THE CRIME SCENE**
- Establish a command post if necessary.
 - Set the parameters/limits of the area to be investigated and assign personnel to protect (and/or collect) evidence that may be lost or destroyed, such as shoe impressions/prints or firearms evidence. Include the ambulance and Emergency Room as possible locations for evidence.
 - The Supervisor shall call for and deploy additional personnel (Detectives and F.I.s) as or if needed.
 - Ensure that an Officer is assigned to prepare a written log of all persons entering the scene, the time of entry/exit and the reason for entry/reentry.
 - Assign an Officer to canvass the area, locate and identify witnesses and **ISOLATE** them.
 - Designate a press area. The press area should be located so that the media may observe but be at a distance where they will not interfere or overhear conversations.
- 227.08 PHOTOGRAPH THE CRIME SCENE** Photograph the pertinent aspects and any evidence within the crime scene prior to undertaking any other processing activity.
- If there is a central point of focus (for example, a vehicle) the processor should take photographs from four opposite directions and at equal distances.
 - The photographer shall photograph the evidence with and without a scale inserted in the field of view.

PHOTOGRAPH THE CRIME SCENE (con't)

- All negatives and/or disks will be submitted and stored in a secure area in the proper evidence section of the Police Department.

227.09 DIGITAL PHOTOGRAPHY

Digital photographs taken during a criminal investigation are evidence subject to the rules of disclosure. Department employees are responsible for securing and preserving evidence so that admissibility at trial is ensured.

- **CHAIN OF CUSTODY** – Maintain photos taken with digital camera under a chain of custody from the internal camera storage to a compact disk (CD). List each CD on a Property Report with an evidence tag accompanying each CD. Submit all CDs to the Evidence Section before the end of the shift.
- **CD AS STORAGE MEDIUM** – Use only CD-R type disks, which can only record one time.
- **REVIEW IMAGES** – Review the images on the CD or floppy disk to determine that each is a true and accurate depiction of the scene or item (what it represents).
- **CLEAR CAMERA** – Format the internal storage of the camera to ensure that no image is inadvertently carried forward into another criminal investigation.
- **WORKING COPIES** – The Officer may make a working copy of a CD or request the Evidence Section make a copy. The tag of a working copy is marked “duplicate” or “copy” and is also marked with the original identifying information and the date and name of the person making the copy. Each working copy is write-protected after duplication in the same way that the original is write-protected.

227.10 PHOTOGRAPHING INJURIES

Photographs of injuries to a person’s genitalia or a female’s breasts will be submitted to and remain secured in the Evidence Section except when the same are being used in an active criminal investigation or as required in a court proceeding.

- A person’s face, including juvenile victims, will be photographed for identification purposes.
- All injuries should be photographed with and without a scale in each view.
- Photographs of injuries to a person’s genitalia or a female’s breasts shall not include a view of the person’s face.

**PHOTOGRAPHING INJURIES
(con't)**

- A responsible person in addition to the photographer shall be present when photographing the breasts or genitalia of female victims. If a female officer is available and is not the Primary or Crime Scene Officer, she shall be assigned as the responsible person.
- A person's genitalia and/or breasts shall not be photographed if they can be draped and the injury/purpose of the photograph is still evident.
- Photographs taken of a victim will not include the faces of hospital personnel, victim's advocates, Officers or other persons.
- If a victim has sustained injuries in an automobile crash, 3rd degree assault or similar non-life threatening situation then the Officer shall photograph the injuries with a full function 35mm camera or a high resolution digital camera with variable focus. A supervisor may request the assistance of an FI or Laboratory personnel or schedule the victim to be later photographed by an FI or Lab personnel if he/she believes higher resolution photography would be beneficial to the case.

**227.11 CRIME SCENE
SKETCHS**

The Crime Scene Sketch should include the following:

- Incident Report Number.
- Dimensions.
- Address, floor and room number, as appropriate.
- Location of notable features or events, including the location of any weapon(s), the victim etc.
- Location of pertinent items of physical evidence recovered at the scene.
- Annotated sketch (not to scale).
- North arrow.
- Name of the person preparing the sketch.
- Date of the sketch.

**227.12 LATENT PRINT
PROCESSING**

The Crime Scene Officer may photograph visible prints, using appropriate camera(s) and scales, before lifting them. Place lifted prints on a latent print card and include the following information on the card:

LATENT PRINT PROCESSING (con't)

- Incident Report Number.
- Officer Name and ID#
- Date and time the fingerprints were lifted.
- Location where the fingerprints were lifted.
- The item that was printed.

227.13 EVIDENCE COLLECTION

The Crime Scene Officer shall systematically collect evidence after the processing phase is complete.

- **PAPER BAGS** – Place moist items in paper bags.
- **WET AND/OR BLOODY CLOTHING** – Place all wet clothing items in plastic bags. Wetness from bodily fluids is preserved only if allowed to air dry. When wet clothing is placed into evidence the Crime Scene Officer shall hang the wet clothing to air dry. The plastic bag used to carry each item shall remain with the clothing.
- **KNOWN-SOURCE PHYSICAL EVIDENCE** – The Crime scene officer will collect known-source evidence samples, whenever possible and submit them to the Evidence Section for examination.
- **KNOWN BLOOD** (collected for comparison purposes) – Collect at a medical facility by authorized medical personnel. Seal any tubes of blood and refrigerate as soon as possible after collection.
- **SEXUAL ASSAULT KITS** – Refrigerate as soon as possible after collection.
- **PERISHABLE EVIDENCE** – Submit fresh blood and or bloodstained objects as soon as possible after collection.

227.14 TRANSPORT AND SECURE EVIDENCE

The Crime Scene Officer will retain custody of all evidence until he/she delivers the evidence to the Department's evidence lockers or gives the evidence to the Evidence Technician.

The assigned Officer or the Crime Scene Officer is responsible for submitting the appropriate requests for Laboratory examination and/or processing to the Evidence section. If an off-site forensic laboratory performs the examination, then the assigned Officer or Crime Scene Officer shall prepare a cover letter that accompanies the evidence and Laboratory Request.

227.15 SPECIAL OR UNUSUAL EVIDENCE**RECOVERED STOLEN VEHICLES**

- **ALWAYS PROCESS** – Recovered stolen vehicles should always be processed for evidence prior to releasing the vehicle to the owner or towing it to a storage facility. An Officer, P.S.T. or F.I. may process the vehicle at the recovery scene. If processing cannot be completed at the scene, the vehicle may be towed to a secure facility for evidence processing. On unprocessed, stored vehicles, always post a sign stating “Evidence - Do Not Touch” on the vehicle.
- **IMPOUNDED VEHICLES** – The impounding Officer is responsible for stating the conditions of release on the Impound Report and notifying the owner and reporting agency, as needed.

COMPUTER BASED DATA

- **COMPUTERS** – While it is not customary to seize a mainframe, personal or laptop computer for the data stored in the computer, it may be necessary. An Officer shall consult with his/her Supervisor prior to the seizure of a computer. Generally the information on the computer will be copied and secured as evidence once a search warrant is issued. The Electronic Communication Privacy Act (ECPA) and the Privacy Protection Act (PPA) specifically address search warrants for computers and computer information. Unless written consent is secured, obtain a search warrant before examining any computer evidence or copies or computer evidence stored in electronic format.
- **MAGNETIC DATA DISKS**– Store in anti-static bags in the Evidence section. Do not photocopy to record markings, labels, etc.
- **INTERNET SERVICE PROVIDER (ISP)** – Immediately secure evidence that resides with an ISP (for example, e-mail) by serving the ISP with an 18 USC 2703 (f) – “Intent to Preserve Evidence Notification Letter”. Then, obtain a warrant from the Court that specifies the information requested and describes the transfer medium the ISP should use to provide the information.

TAPE RECORDINGS

Officers are encouraged to utilize audio and video recordings to document interviews. Recorders may be used in criminal investigations when:

SPECIAL OR UNUSUAL EVIDENCE (con't)

- The Officer is a party to the conversation, or
- The Officer has advised the subject(s) verbally or in writing they are being recorded, or
- One party to the conversation has given permission to the Officer to record, or
- A court order is obtained authorizing the recording.
- **CONTINUOUS RECORDING** – If recording an interview record continuously. Do not use a voice actuation feature (VOX) during the interview.
- **WRITE PROTECTION** – Remove the recording tab of each tape to protect against recording over evidence as soon as possible after completing a recording and before submitting the tape to the Evidence Section.
- **CHAIN OF CUSTODY** – Mark and tag each tape individually. Submit all tapes to the Evidence Section prior to the end of the shift during which made. Magnetic tapes are to be used only once. Magnetic tapes are physically destroyed at case disposition.
- **WORKING COPY** – The Evidence Section will duplicate the original tape when an Officer requests a copy for case review or transcription. The Evidence Section will clearly mark the duplicate tapes “Duplicate” or “Copy”.
- **DOCUMENTATION** – The interviewer should briefly summarize each taped interview on a Supplemental Report Form.

