

Bowie City Police Department - General Orders



TITLE: COLLECTION AND PRESERVATION OF EVIDENCE		NUMBER: 426
EFFECTIVE DATE: 10/11/17	REVIEW DATE:	
X_NEW _ AMENDS _ RESCINDS	DATE:	

AUTHORITY Chief John K. Nesky	ACCREDITATIONS STANDARDS 41.2.4 83.1.1 83.2.1 83.2.2 83.2.3 83.2.4 83.2.6 83.2.7 83.3.1 83.3.2	TOTAL PAGES 11
---	--	--------------------------

I. POLICY

It is the policy of the City of Bowie Police Department to establish a set of thorough procedures and guidelines to be followed by all employees responsible for crime scene security and the collection and preservation of evidence.

II. PROCEDURES

A. Call Outs: (CALEA 41.2.4)

1. The primary responsibility of the Evidence Technician(s) when on-duty is to respond to all serious crime scenes that require processing, except when legitimately unavailable.
2. The evidence technicians' schedules and contact information (cellular phone numbers) shall be noted on the Criminal Investigations Section call out schedule.
3. Every effort shall be made to have an Evidence Technician(s) on-call at all times providing the Department with twenty-four hour coverage (CALEA 83.1.1)
4. In rare instances when all Department Evidence Technician(s) are unavailable, a member of the Prince George's County Police Department's Evidence Technician shall be contacted through communications. (CALEA 83.1.1)
5. Bowie Police Department Evidence Technician(s) shall be called out by a Shift Supervisor) at his/her discretion when in his/her opinion the crime scene is beyond the scope of a patrol officer; this should be on rare occasions. And respond to the following incidents:
 - a. Motor vehicle fatalities, if requested by the assigned collision analyst.
 - b. Departmental non-contact shootings;

c. All felony crime scenes where there are body fluids, Latent fingerprints, tire impressions, etc., which are beyond the capability of the on-duty personnel to collect.

d. In cases where an investigator responds, the investigator will determine the need for the Evidence Technician(s) to respond.

e. In cases where an investigator does not respond, the evidence technician shall be requested only with the approval of the on-duty Shift Supervisor

6. Prince George's County Evidence Technician(s) shall be called out and respond to any incident investigated by Prince George's County CID.

B. Basic Steps to Crime Scene Processing: (CALEA 83.2.1)

1. The first arriving officers on the scene must ensure that the scene and perimeter are secure and protected, and increase the outer perimeters of the area, if necessary, in order to preserve evidence.

2. The first responding officers and/or supervisor must conduct a preliminary survey after securing the scene. This is an initial walk through of the scene in order to obtain an understanding of the scene as a whole, including the existence and location of readily observable items of possible evidence.

3. The on-duty Shift Supervisor is responsible for crime scene management and the determination if the scene will be processed by a patrol officer or if an Evidence Technician will be needed. The on-duty Shift Supervisor will maintain control of the crime scene until relieved by the assigned investigator or Evidence Technician(s), when required.

4. Officers arriving after the scene has been secured must contact one of the first arriving officers/supervisor on the scene for pertinent information.

5. All persons who enter the scene must be accounted for. A Crime Scene Log will be completed by the on-duty Shift Supervisor or his/her designee.

6. The narrative description of the scene is prepared during the preliminary survey. This is a description of the original condition of the scene as found by law enforcement personnel. It is limited to a view of the scenes as readily observed by the naked eye. Three (3) common methods of narrative preparation are:

a. Handwritten notes.

b. Audio tape recorder.

c. DVD with sight capability.

i. When a DVD is made, the video recorder shall be set to show the correct date and time the scene was recorded. The sound will be disconnected as to prevent unsolicited noise.

ii. It is preferable that once the recording has begun, the officer maintain the recording in a continuous running mode until the scene has been fully recorded.

7. Record the scene (photographs).
8. Evaluate latent print evidence.
9. Evaluate physical evidence.
10. Make a rough sketch.
11. Collect, mark and record physical evidence.
12. Annotate the transfer of custody of physical evidence, while in the field on the appropriate forms.
13. Conduct a final search to ensure that conditions of the crime scene have been documented as thoroughly as possible.
14. Release the scene.

D. Responsibilities of the Evidence Technician(s) at the Crime Scene:

1. Take charge of the crime scene and ensure that:
 - a. The objectives of the crime scene search have been determined.
 - b. Equipment and personnel needs have been determined and/or requested for Criminal Investigations Section.
2. Ensure specific duties have been accomplished:
 - a. Assignments should be made concurrent with the aptitude and training of the personnel involved.
 - b. Tasks assignments must be documented. This may be accomplished through the issuance of written assignments, the use of a voice recorder or by written notes to document that assignments made.
 - c. Personnel given assignments must be aware of the specifics.
 - d. The trading of assignments is not permitted.
 - e. Involved personnel have been briefed on the goal and direction of the search prior to the processing of the crime scene.
 - f. Make no inferences that one assignment is of greater or lesser significance than others.
 - g. Either an initial evidence or supplemental report shall be submitted for all assignments. (CALEA 83.2.6)

3. The Major Crime Scene Checklist, if necessary. (CALEA 42.2.4)
4. Information for actions and direction has been reviewed on a constant basis as the crime scene process progresses.
5. Notes have been prepared to document actions and observations made. (CALEA 83.2.6)
6. Unforeseen circumstances are dealt within a logical manner in keeping with the objectives of the search.

E. Evidence Technician(s) Responsibilities after the Crime Scene:

1. Submitting to the proper laboratories the comparison of latent print evidence with latent print records of known or suspected criminals by the use of the AFIS workstation and the maintenance of such files.
2. Conducting training sessions with employees that will be involved in lifting latent prints, processing crime scenes and photography.
3. Recording and gathering evidence collected from a major crime scenes.
4. Ensuring all photographic processing is accomplished.

F. Recording the Crime Scene: The Evidence Technician(s) shall be responsible for recording crime scenes. This may be done through photography using digital images or videography.

1. Photographing of a Scene: A complete set of photographs with written documentation shall be made of the scene. When possible, photographs shall contain a landmark showing the relative positions of the item being photographed. During major crime scenes, photography may be supplemented by a video recording of the scene. (CALEA 83.2.2) (CALEA 83.2.4.b)

- a. All items of evidence shall be photographed prior to removal.
- b. When the size of an object needs to be shown, a scale shall be introduced. If a scale is used, at least two (2) images of the objects shall be taken; one with the scale and one without the scale. Both images shall use the same lighting, camera setting and camera position.
- c. A written record shall be made by the photographer giving the images sequence number when using film, date and the photo description.
- e. No personal photographs, negatives, audio or videotape recordings shall be taken or retained by individual employees for non-Departmental related purposes.
- f. Video and Photo storage drives shall be stored in the Evidence Unit Digital Imaging Fireproof Safe.

2. Crime Scene Sketches: (CALEA 83.2.4.c)

- a. Evidence Technician(s) shall prepare a rough sketch pursuant to the collection and preservation of evidence at all major incidents. A list of such incidents would include, but is not limited to:

- i. Death investigations where foul play is suspected.
- ii. Major crime scenes to which detectives have been summoned.

NOTE: Collision Analysts shall prepare rough sketches at the scene of all fatal motor vehicle collisions.

b. Sketches shall be maintained as notes in the Evidence Technician(s)'s case file. The sketch should contain sufficient information so that a final scaled drawing can be made at a later time. The rough sketch should include:

- i. Dimensions, including measurements;
- ii. Relation of the crime scene to other buildings, geographical features, or roadways;
- iii. Address, floor, or room number, if applicable;
- iv. Location of significant features of the scene, including the victim(s);
- v. Date and time of sketch preparation;
- vi. Names(s) of the individual(s) preparing the sketch;
- vii. Direction of north; and,
- viii. Locations of items of physical evidence recovered.

3. Preparation of a complete and detailed report. The Evidence Technician(s) will complete the Department's Crime Scene Processing Report by the end of the Technician's tour. The report shall include actions taken at scene, whether or not measurements were taken and a listing of the physical evidence removed.

G. Collecting and Processing Evidence in the Field:

It is imperative that proper methods for collecting and preserving evidence be used in the field. Proper methods are those that will preserve the evidence in the process of collection, prevent introduction of foreign material to it, and ensure as complete a sample as possible.

1. Evidence Collection: (CALEA 83.2.1) (84.1.1.d)

a. In general, employees should photograph and release evidence to its owner when an item has been identified and verified through reasonable means. Items of evidence will be impounded under the following conditions:

- i. An owner cannot be identified.
- ii. The item is a weapon used in an offense against others.
- iii. Any item that requires scientific analysis. The collecting officer will notify the owner that the item may be destroyed during the scientific processing. It should be noted on the Evidence Form if the owner still wants the item returned.

iv. Any evidence that by local, state and/or federal laws is contraband (drugs, fireworks, etc.)

v. Any other evidence that by its nature should be impounded.

b. Each item of evidence shall be labeled at the time it is collected, seized or received. The Department provides several types of tags, evidence labels, bags, etc., for the proper labeling of evidence.

c. Each item shall be numbered separately and sequentially.

d. Items should be tagged and placed in an appropriate package or container and sealed. If sealed with evidence tape, the seal shall be marked with the name or initials and identification number of the person collecting the evidence. The incident number and item number will also be noted on the container. Each item of property will be completely identified and recorded on the preprinted container or evidence tag. The following information shall be included for each item:

i. Name or initials and identification number of the employee collecting the evidence;

ii. The date and time the evidence was collected;

iii. The incident number;

iv. The item number;

v. Description of the item (including make, model number, serial number, color, etc.)

(a) This information will be included on the Department's Evidence Report Form on items seized during search warrant service or other applicable situations.

(b) Source (name of person or location from which obtained).

(c) Name of person collecting the items.

(d) Date and time each item was collected.

e. Items should also be labeled or tagged in such a way as not to lessen its evidentiary value.

f. Evidence shall be collected, marked and packaged only by the person assigned to process the crime scene. Others may be assigned to assist in a crime scene search and location of items of evidence, but should not touch or move items of evidence when located.

g. Officers/ Detectives/ Evidence Technician(s) responding to the hospital where a victim is located should be prepared to collect evidence. All items should be packaged in separate paper bags.

i. Clothing that is saturated with bodily fluids may be transported back to headquarters and immediately placed in the drying area to begin drying. Otherwise they will be placed in paper bags.

ii. If the victim is deceased, the victim's hands will be bagged using paper bags that cover the hand and wrist. The bags will be taped to the arm to create a seal.

2. Evidence Processing: It shall be the responsibility of the Evidence Technician(s) or Detective assigned to the case, to determine which items of evidence need to be sent to a forensic laboratory for further examination, and submit them. It should be remembered that a laboratory will not run a test unless it is specifically asked for. (CALEA 83.3.1) (CALEA 83.3.2.a)

a. Items requiring laboratory examinations shall be taken or sent (mail, Federal Express, etc.) to the appropriate laboratory as soon as practical. Only accredited laboratories will be used for DNA analysis. Items shall be prepared, packaged and delivered in accordance with the requirements of the receiving laboratory, by the Evidence Technician(s) or assigned detective. DNA evidence will have biohazard stickers placed conspicuously on the item. (CALEA 83.3.2.b)

b. Whenever a known source is available, material from that known source shall be collected and sent to the laboratory for comparison with the physical evidence collected. (CALEA 83.3.1)

c. A letter of transmittal accompanied by a chain of custody on any evidence submitted to a laboratory for examination shall be maintained. The record shall include the following items: (CALEA 83.3.2.c & d)

Exception: Latent Prints

i. The name of the officer last having custody of the item.

ii. The date and time of submission or mailing and the method used for transmission.

iii. The date and time of receipt in the laboratory.

iv. The name and signature of the person in the laboratory receiving the evidence.

d. Written laboratory reports, when returned by the lab, shall be forwarded to the Records Section and copies will be provided to the investigating officer and the Evidence Unit. (83.3.2.e)

H. Vehicles: Vehicles taken into custody as evidence by this Department shall be impounded and released in accordance with the below listed procedures.

1. Processing Vehicles for Other Jurisdictions:

a. On felonies, such as auto theft, the recovering officers will process the vehicle on the scene.

b. If the reporting agency requests that a vehicle involved in a serious crime be impounded, it shall be impounded in the Department's Sally Port or other manner as authorized by the reporting agency.

c. If the reporting agency does not wish the vehicle to be impounded, it shall be towed by the Department's contract tow company.

d. Once towed, the reporting agency shall be notified by teletype of the name and telephone number of the towing company having possession of the vehicle.

2. Locally Stolen and Recovered Vehicles:

a. Vehicles stolen from within the jurisdiction of the City of Bowie Police Department shall be processed for items of evidence, when not contaminated, at the scene, by the recovering officer.

b. Upon completion of processing for evidence, the registered owner of the stolen vehicle will be requested to take possession of the vehicle, if the insurance company has not already paid the claim. In the event that the registered owner cannot be contacted, the vehicle will be towed and impounded by the Department's contract towing service. See Order 5-50 Towing Vehicles.

3. Processing Vehicles Involved in Serious Crimes:

a. Vehicles involved in major felonies that are evidentiary in nature shall be processed for items of evidence. An Evidence Technician(s) shall be responsible for the processing of the vehicle. If there is any doubt as to the need of a search and seizure warrant, contact should be made with the assigned investigator for advice and direction.

i. Vehicles shall be impounded to the Sally Port at Headquarters and the door shall be sealed and the seal number recorded on the Evidence Report.

ii. If a vehicle is stored outside of the Sally Port, a chain-of-custody will be maintained and the doors, trunk, hood will be sealed. Doors shall be sealed at the bottom of the door and hoods and trunks shall be sealed in an area where there are no visible signs of evidence.

I. Training: (CALEA 83.2.4.a) (CALEA 83.2.4.d)

1. Training in crime and accident scene processing is provided as part of an officer's basic curriculum for recruits. In addition, all persons responsible for crime scene processing shall receive specialized training to develop the following skills:

a. Recovery of latent prints;

b. Recovery of foot, tool and tire impressions;

c. Photographing crime and accident scenes;

d. Preparing crime scene sketches;

e. Collecting, preserving and transmitting physical evidence, including biological materials; and,

f. DNA evidence collection. (CALEA 83.2.7.c)

2. Evidence Technician(s) shall receive a minimum twenty-four (24) hours of in-service training every other year as required by the International Association for Identification (IAI).

J. Equipment: (CALEA 83.2.4.a, b, c & d)

1. Department vehicles used by person(s) responsible for processing crime scenes shall be equipped in a manner that allows time and effective processing of the scene.

a. Each officer shall be issued a latent print kit which shall be carried with them, in their vehicle, while on-duty. Officers will maintain the kit and obtain replenishment when supplies are exhausted from the Evidence Unit.

b. The Evidence Unit Officer vehicles shall contain, at least, equipment and supplies to be used for the following purposes:

i. Recovery of latent prints;

ii. Photography;

iii. Sketch of the scene; and,

iv. Collection and preservation of physical evidence.

c. Equipment that is sensitive to temperature and humidity changes, such as cameras and film, may be maintained in the Evidence Technician's office rather than in the crime scene van itself.

K. General Management: A CIS Supervisor may call upon specialist(s) from allied agencies (Prince George's County Police, Federal Bureau of Investigations, etc.) for assistance if he/she feels that the available personnel are not equipped or trained to a particular aspect of the crime scene processing.

L. City of Bowie Police Department's Evidence and Property Manual: (CALEA 82.2.3) The guidelines and specific instructions for the collection, packaging and processing of physical evidence are detailed in the City of Bowie Police Department Property and Evidence Procedure Manual.

1. This manual shall be reviewed each fiscal year by the CIS Sergeant to ensure the accuracy and completeness of the procedures.

2. Each employee who is responsible for evidence collection shall be trained yearly and issued a manual.

M. Hazardous Materials:

1. The Prince George's County Fire Department (PGFD) will only be notified to determine the nature of the hazardous materials encountered. PGFD dispatcher will be notified of the size and condition of the material so that an appropriate response can be made.
2. In general, with the exception of blood, hazardous chemical or biological materials will not be impounded at the City of Bowie Police Department. Hazardous materials which are evidentiary and require testing will be impounded only in sufficient quantity for testing, in an air tight container and in the Evidence Room until the item can be transported for testing.
3. The on-duty Shift Supervisor will ensure that unstable hazardous materials encountered (other than as a result of a motor vehicle collision) are disposed of properly, (i.e., notifying PGFD).
4. If the hazardous material is determined to be generally stable and only an environmental hazard as in motor oil, household chemicals, gasoline, etc., the officer shall do the following:
 - a. If a portion of the hazardous material must be retained as evidence, the officer will only obtain a sample sufficient for testing in a laboratory. The item will be impounded into the Evidence Room until it can be transported for testing purposes.
 - b. In the event a device is encountered that appears to be constructed as an explosive (gasoline filled bottles with cloth wicks), the on-duty Shift Supervisor will notify PGFD for appropriate bomb disposal.
 - c. Any non-evidentiary hazardous material or if there is excess of material after an evidentiary sample has been obtained, Public Works will be notified. Public Works has the proper storage containers to dispose of household chemicals and motor oils at that location. This material will not be poured on the ground, down the drain or any similar manner.