

FLORENCE POLICE DEPARTMENT GENERAL ORDER

Subject: COLLECTION AND PRESERVATION OF EVIDENCE	Procedure: General Order 37.1.1 CALEA 83.1	Total Pages: 12
Authorizing Signature: Original with Authorizing Signature on File	Effective: 08/08/2011 <input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	

I. POLICY

It is the policy of the Florence Police Department to collect and preserve evidence in a manner that will adequately meet the requirements of the courts.

II. PURPOSE

This written order establishes guidelines for the collection and preservation of evidence.

III. SCOPE

This written order is applicable to all personnel.

IV. RESPONSIBILITY

All personnel are responsible for complying with this directive.

V. GENERAL PROVISIONS

A. 24 HOUR AVAILABILITY:

1. **DESIGNATED SHIFT EVIDENCE TECHNICIANS:** Each patrol shift has officers designated as "Evidence Technicians." Each of these evidence techs is capable of collecting and preserving evidence including, but not limited to:
 - a. Photographing crime scenes;
 - b. Collecting latent prints;
 - c. Establishing crime scene perimeters;
 - d. Taking DNA swabs; and
 - e. Collecting and submitting various forms of evidence.
2. **CID EVIDENCE TECHNICIAN:** The Evidence Technician assigned to the Criminal Investigations Division is available on a 24 hour basis and may be summoned to a scene by any supervisor or investigator. This Evidence Technician has additional skills, resources, and training to assist in larger crime scenes.
3. **TRAFFIC FATALITY INVESTIGATORS:** The Crash Reduction Unit has officers trained as "Traffic Fatality Investigators" and are

COLLECTION AND PRESERVATION OF EVIDENCE

available on a 24-hour basis in the event a traffic fatality occurs. They may be summoned to the scene by any supervisor or investigator.

- B. The function of the Evidence Technicians is to assist the Investigator assigned to the crime scene or traffic fatality. Once the preliminary investigation determines immediate follow-up is required, the scene and investigation will be turned over to the Investigator upon his/her arrival.

VI. PROCEDURES FOR COLLECTING, PROCESSING, AND PRESERVING EVIDENCE

A. FIRST RESPONDING OFFICER(S):

1. Secure the scene;
2. Provide aid to any victim(s);
3. Summon additional resources, when necessary;
4. Protect the scene to prevent the destruction or contamination of evidence;
5. Establish a crime scene perimeter, tape off the area;
6. Identify and locate witnesses;
7. Document the names of all people who enter the scene;
8. Exclude unauthorized persons from the scene;
9. Make certain the critical area remains under constant protection; and
10. Prepare proper paperwork.

B. DESIGNATED CRIME SCENE EVIDENCE TECHNICIAN:

1. At major crime scenes, or other scenes where a Criminal Investigator has been called, the officer designated as Evidence Technician will work with the Investigator. Evidence Technicians and/or Investigators will be responsible for the following:
 - a. Locate items of evidence;
 - b. Photograph, Video, and/or sketch the scene when appropriate;
 - c. Processing, collecting, preserving, and packaging physical evidence to include the documented transfer of custody of physical evidence while in the field; and
 - d. Submitting evidence by placing it in the evidence lockers.

- C. CRIME SCENE SKETCHES: Detailed crime scene sketches are normally prepared only for major crimes. Crime scene sketches should include:

General Order 37.1.1

COLLECTION AND PRESERVATION OF EVIDENCE

1. Notation of the date and time of preparation;
 2. Location of the offense (address, room number, etc.);
 3. Location of items of evidence in the scene;
 4. Location of significant features of the scene, including the victim;
 5. Relationship of the crime scene to other rooms, buildings, road, etc.;
 6. Name of the person preparing the sketch;
 7. Direction of north;
 8. Dimensions and measurements of items; and
 9. Agency case number.
- D. PROCESSING THE CRIME SCENE: Officer/Investigator actions at the crime scene should include:
1. Observing the layout of the scene and location of items within the scene;
 2. Determining the nature and extent of the crime scene;
 3. Determining the location of evidence;
 4. Making notes of existing conditions;
 5. Noting items that are out of place and/or damaged;
 6. Noting the relationship between items; and
 7. Developing a plan to collect the evidence.
- E. COLLECTION OF EVIDENCE AT THE SCENE:
1. All items of evidence should be identified and photographed/videoed prior to being moved;
 2. Once photographed, evidence should be collected in a manner to prevent contamination;
 3. Each piece of evidence should be packaged separately;
 4. Officers/Investigators should always use latex gloves and avoid touching items of evidence with bare hands;
 5. Each piece of evidence collected should be placed into a paper bag or paper envelope, unless the nature of the evidence requires the use of other types of evidentiary containers.
 6. The officer/investigator collecting the evidence should seal the evidence container with evidence tape and place his or her initials on the seal.
 7. Each evidence container shall contain the following information:

COLLECTION AND PRESERVATION OF EVIDENCE

- a. Case number;
 - b. Date and time the evidence was collected;
 - c. Nature of incident;
 - d. Name of the complainant or suspect;
 - e. Description of the evidence; and
 - f. The name of the collecting officer.
8. The officer/investigator shall next complete an Evidence Voucher. The Evidence Voucher contains the following information:
- a. Case number;
 - b. Date and time the evidence was submitted;
 - c. Nature of the incident;
 - d. Name of the complainant or suspect;
 - e. Description of the evidence;
 - f. Name of the officer submitting the evidence; and
 - g. Location or locker number where the officer is placing the evidence.
 - h. The Evidence Voucher also documents the chain of custody.
9. Officers/Investigators should conduct a final, thorough search after collecting and packaging items of evidence in order to make sure no evidence was overlooked.
10. **SCENES NOT PROCESSED:** In the event of a serious crime where the scene is not photographed or processed, the initial investigating officer shall give a full explanation as to why the scene was not processed. This explanation shall be included in the narrative of the initial case report or the appropriate supplement to the initial case report.
11. All evidence will be identified, collected, packaged, and submitted in a manner that maintains the integrity of the Chain of Custody. Any transfers of evidence shall be documented, including transfers of custody that occur while in the field.

VII. PHOTOGRAPHY AND VIDEO

- A. While still photography is the primary method used to record crime scene evidence, video recordings may be used when possible to support still photographs. The combination of the two types of recordings at a crime scene is especially useful at large crime scenes. Photographs and video may be taken with conventional or digital format cameras.

COLLECTION AND PRESERVATION OF EVIDENCE

- B. Photographs (Video, if taken, records the same information in video format) shall include:
 - 1. Overall (General) Photographs – These photographs give an overall view of the entire crime scene. Several of these photographs should be taken from various viewpoints;
 - 2. Mid-range Photographs – Mid-range photography is utilized to orient the viewer as to the exact location of items of evidence in the scene;
 - 3. Photographs of the Deceased (when applicable) – A set of views should be selected to show significant aspects of the body of the deceased, its relationship to surrounding furniture, depictions of the wounds, etc.;
 - 4. Close-up Photographs/Video of Articles of Evidence – As the scene is examined, various objects will appear to have a direct relation to the crime, such as weapons, blood stains, hair, fibers, papers and similar articles. Before any item of evidence is moved, close-up photographs should be taken. Photographs or video should be taken that accurately depict the item photographed. Other shots should be taken in order to place the object in perspective with other items nearby.
- C. DOCUMENTATION OF PHOTOGRAPHS AND/OR VIDEO: At the time evidentiary photographs or video are taken, the following information should be recorded. The information should be included in necessary reports and on evidence submission materials.
 - 1. Case Number;
 - 2. Date and Time photographs/video was taken;
 - 3. Photographer's name; and
 - 4. Address or location.

VIII. FINGERPRINTS

- A. When processing for latent fingerprints, officers will use the method best suited to process the surface in question. Prints located on a surface that present a problem to lift may be photographed.
- B. Procedures for lifting latent prints:
 - 1. Generally, officers should be looking for latent prints at the scene of property crimes such as burglaries, stolen vehicles, and/or Unlawful B & E's. This does not exclude officers from looking for latent prints at any other scene.
 - 2. Once prints have been located, evidence technicians should lightly dust the fingerprints using the latent print brush and powder that has been provided for this purpose.

COLLECTION AND PRESERVATION OF EVIDENCE

3. Print tape should then be carefully and evenly applied over the latent print. The tape should then be slowly removed.
 4. Once removed from the item, the tape containing the latent print should then be carefully applied to a latent print lift card.
 5. The latent print lift card should then have the information contained below recorded on the card and then placed in evidence following proper evidence submission procedures.
- C. The following information should be recorded on the back of each latent print lift card:
1. Case number;
 2. Name or initials of the officer lifting the print;
 3. Date and Time; and
 4. Location from which the print was lifted.
- D. The CID Evidence Technician will next submit latent print cards to the Alabama Department of Forensics for processing in a timely manner.

IX. EVIDENCE TECHNICIAN EQUIPMENT AND SUPPLIES

- A. Every patrol officer has access to the following equipment and supplies:
1. Crime Scene tape;
 2. Paper bags and envelopes for the collection and preservation of evidence; and
 3. Latex gloves; and
 4. Supplement reports capable of serving as a crime scene sketch pad.
- B. Each patrol shift has individuals that have been issued the following additional equipment. The daily line up sheet designates which officer has possession of the various pieces of equipment and supplies.
1. Digital Camera and memory card;
 2. Latent Fingerprint Collection Kits; and
- C. The CID Evidence Technician is equipped with the following equipment and supplies:
1. Still Camera, memory card, flash and lenses;
 2. Video Camera;
 3. Latent Fingerprint Collection Kit;
 4. Paper bags for the collection and preservation of evidence;
 5. Latex gloves;
 6. Tape measure and ruler;

COLLECTION AND PRESERVATION OF EVIDENCE

7. Plastic bags and other containers;
8. Crime Scene tape;
9. Cotton Swabs;
10. Saline; and
11. Other items necessary for the collection and preservation of various forms of evidence.

X. PROCESSING RECOVERED STOLEN VEHICLES

- A. The officer making the recovery report of a stolen vehicle is responsible for ensuring that Dispatch is notified so that the stolen data can be removed from NCIC and for ensuring that the owner, reporting agency, etc., receives notification of the recovery.
- B. In most cases, it is the responsibility of the Patrol Officer to process the vehicle for fingerprints or other evidence. Any items of evidentiary value will be processed, logged, and submitted as evidence.
- C. Anytime a stolen vehicle is believed to have been used in a more serious crime (i.e. armed robbery or murder, etc.) an Investigator should be contacted. The Investigator may request the CID Evidence Technician process the vehicle.
- D. The vehicle may be released by the officer in charge of the case, upon completion of the on-scene investigation. If the vehicle is drivable and the owner can be contacted, the owner should be allowed to come the scene to pick up the vehicle, if it can be done in a reasonable amount of time.
- E. An I/O Report will be completed, detailing the recovery of the stolen vehicle.

XI. REPORT PREPARATION

- A. The Crime Scene Investigator or Primary Officer who processes a crime scene or traffic accident scene will submit detailed reports and supplement reports on the sequence of events associated with the investigation. At a minimum, the reports will contain the following information, when applicable:
 1. Date and time of arrival at the scene;
 2. Location/Address of the crime scene;
 3. Name of victim(s)/, if known;
 4. Name of suspect(s), if known;
 5. Name of drivers, passengers, and witnesses, if traffic related;
 6. Actions taken at the scene;
 7. Description of physical evidence recovered;

COLLECTION AND PRESERVATION OF EVIDENCE

8. Case number; and
 9. Narrative of the events.
- B. This responsibility for accurate crime scene reporting applies to all sworn personnel.
 - C. Reports should be thoroughly, accurately, and legibly written.
 - D. Whenever an officer or investigator assists at a crime scene, a supplement report will be completed which describes the officer's actions while in the scene.

XII. DNA EVIDENCE COLLECTION

- A. DNA processing is now possible on any piece of biological evidence. Properly preserving bloody evidence has become a crucial concern as a single drop of blood may be sufficient to conclusively prove the innocence or infer guilt of a suspect. It would follow that the loss of blood evidence due to improper collection and/or storage could result in the dismissal of the case. Evidence can be contaminated when DNA from another source gets mixed with DNA relevant to the case. This can happen when someone sneezes or coughs over the evidence or touches his or her mouth, nose, or other part of the face and then touches the area of the evidence containing the DNA.
- B. FIRST RESPONDER RESPONSIBILITIES AND PRECAUTIONS:
 1. The first personnel on scene should take the necessary steps to ensure the integrity of the crime scene and to reduce the risk of contamination.
 2. All personnel on the scene should be aware of the potentially deadly hazards associated with body fluid evidence. Always assume that unknown samples may be infected and handle the evidence using latex gloves. Do not smoke, drink, or eat until after removing gloves and thoroughly washing hands.
- C. To avoid contamination of evidence that may contain DNA, first responders always take the following precautions:
 1. COLLECTION PROCEDURES:
 - a. Latex gloves should be worn at all times. Gloves should be changed between the collection of each item to avoid cross contamination;
 - b. Avoid touching the area of the evidence where you believe DNA may exist;
 - c. Avoid sneezing, talking, scratching, and/or coughing over the evidence;
 - d. Avoid touching your face, nose and mouth when collecting

COLLECTION AND PRESERVATION OF EVIDENCE

and packaging possible DNA evidence;

- e. Evidence wet from blood or other sources must be air dried in a protected environment without the use of heaters or fans.
- f. Lay the items out flat when drying; do not fold;
- g. Submit the entire piece of evidence when possible;
- h. If a wet stain is present and the whole item cannot be collected, the stain can be removed using a clean sterile, cotton swab.
- i. If a stain must be cut out of an article such as carpet, cut the entire stain. If multiple areas are being cut out of an article, clean and sterilize the cutting instrument before going to the next area, or use a separate cutting instrument to avoid cross contamination.

2. STORAGE PROCEDURES:

- a. Place evidence into new paper bags or paper envelopes, do not use plastic bags;
- b. Each item of evidence should be placed in a separate paper container;
- c. All evidence shall be sealed with evidence tape, initialed, and identified as a biohazard;
- d. Wet evidence items must not be stored where they may come into contact with any other evidence;
- e. Liquid blood samples should be kept under refrigeration prior to submission to the lab; and
- f. After laboratory analysis, returned evidence should be stored in a cool, dry location.

3. When transporting and storing DNA evidence, the evidence should be kept dry and at room temperature.

- D. As with fingerprints, the effective use of DNA may require the collection and analysis of “elimination samples.” These samples are necessary to determine whether the evidence came from the suspect or from someone else.
- E. Evidence Technicians shall be trained in the collection of DNA evidence. At a minimum, the training will meet the basics of collecting and packaging DNA evidence for submission. Unless unusual circumstances dictate otherwise, evidence technicians shall be the only officers to collect DNA evidence.
- F. Once the evidence has been secured in paper bags or paper envelopes, it

COLLECTION AND PRESERVATION OF EVIDENCE

must be sealed, labeled, and transported in a way that ensures proper identification of where it was found and indicate the proper chain of custody.

- G. Never place DNA evidence in plastic bags because moisture contained in the bag can be damaging to the DNA. Direct sunlight and hot conditions may also be harmful to DNA. Avoid keeping evidence in places that may get hot, such as a room or police vehicle without air conditioning.
- H. If using paper envelopes to package, transport, or store DNA evidence NEVER lick the envelope in order to seal it. Use evidence tape to secure the envelope.
- I. DNA evidence shall be submitted to the Alabama Department of Forensic Sciences Laboratory or other accredited laboratory in accordance with their established policies for the submission of evidence.

XIII. COLLECTING FROM KNOWN SOURCE

Many items submitted to the lab must be accompanied by a known specimen so a comparison can be made. The investigating officer on the case will be responsible for obtaining any required known specimens, following legal procedures, and sending them, along with the items of evidence, to the forensic lab for analysis and comparison. Known sources will be handled in the same manner as any other piece of physical evidence.

XIV. SUBMITTING EVIDENCE TO THE LAB

- A. The responsibility for the submission of evidence to the lab for examination will lie with the Property/Evidence Custodian.
- B. Evidence being submitted to the laboratory for examination will be packaged in a manner to avoid contamination. Each piece of evidence should remain sealed until submitted to the lab. Furthermore, evidence should be transported to the laboratory as soon as possible. Precautions should be taken as prolonged exposure to heat could damage some types of evidence.
- C. Physical evidence submitted to the Alabama Department of Forensic Sciences will be submitted using the approved ADFS forms (Evidence Submission Form or Toxicology Evidence Submission Form). (These forms are available at www.adfs.alabama.gov.) These forms require information including, but not limited to:
 - 1. Name of Investigating officer;
 - 2. Name of Submitting officer;
 - 3. Date and time of submission;
 - 4. Which examinations are being requested;
 - 5. Description of the incident; and
 - 6. Agency assigned case number.

COLLECTION AND PRESERVATION OF EVIDENCE

- D. Each time a custody transfer of physical evidence takes place, the chain of custody will be maintained on the Evidence Receipt. This receipt includes blocks to designate the date and time of all transfers of custody, the person receiving the property, and the purpose of the transfer. This is completed in order to properly maintain the chain of evidence.
- E. Submission of the ADFS forms to the laboratory serve as the Department's request for written reports of the lab's findings.

XV. SEIZURE OF COMPUTER EQUIPMENT

Computer equipment can be severely damaged or data lost due to improper shutdown procedures. When seizing computer equipment, officers will follow the following procedures:

- A. **SEARCH WARRANT:** If at all possible, a search warrant should be obtained for the computer and all equipment to be seized. All computer equipment, disks, papers, computer manuals, printers, monitors, cables, or any other computer related items should be named in the search warrant. If no search warrant is obtained, be sure legal authority in the form of written or verbal consent is obtained prior to seizing the computer.
- B. **SEIZING THE COMPUTER:**
 - 1. If the computer is turned off, leave it off. If the computer is on and password protected, do not try to break the password.
 - 2. Always turn the power off at the computer unit, do not disconnect the power source until the computer is shut down.
 - 3. When given the option, always elect to "save" any information prior to shutting down a program or the computer.
 - 4. It is recommended that photographs of the area, including the back of all machines in order to document the cable locations and serial numbers, should be done prior to moving or removing any equipment.
 - 5. Any device with volatile memory should be packaged appropriately for continuous power to the device.
 - 6. Do not check the contents of the computer. Only personnel with training in computer data recovery should examine the contents of a seized computer.
 - 7. When transporting electronic evidence, specific care should be taken. To avoid physical damage, electrical static, and the effects of magnetic fields, the evidence should not be placed near any radio source, such as the trunk of a patrol vehicle.
- C. **INVENTORY:** Inventory all wires and all components of the computer, as well as any other item seized.
- D. If the officer seizing the equipment has reason to believe that the computer

COLLECTION AND PRESERVATION OF EVIDENCE

and its information may be damaged due to shut down, he should call for assistance from IT personnel or ADFS computer personnel prior to attempting to seize the computer.

XVI. TRAINING

- A. Each new officer receives training in crime scene and accident scene processing as part of the basic Police Academy curriculum.
- B. During the FTO phase of training, new officers receive training in the following skills:
 - 1. Recovery of latent fingerprints;
 - 2. Crime scene photography, and
 - 3. The collection, preservation, and submission of evidence.
- C. Officers designated as Evidence Technicians will undergo refresher training in crime scene collection and preservation skills during in-service training whenever possible.