

TITLE: COLLECTION AND PRESERVATION OF EVIDENCE

CODIFIED: 51.1
EFFECTIVE: 07/23/04
RESCINDS/AMENDS: P 13
PAGES: 7

PURPOSE

The purpose of this directive is to establish specific guidelines in the collection, processing, and preservation of all evidence that becomes the responsibility of the Santa Fe Police Department

DISCUSSION

The collection, processing and preservation of evidence are functions that are essential to any law enforcement agency where the effective investigation and prosecution of offenders rely mainly on the information obtained through careful, methodical and proper use of evidence.

POLICY

It shall be the policy of the Santa Fe 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.

PROCEDURE**51.1.01 Basic Steps for Crime Scene Processing.**

- A.** The first officer on the scene must ensure that the scene and perimeter are secure and protected and increase the outer perimeters of the area if necessary.
- B.** The first responding officer 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.

- C.** Officers arriving after the scene has been secured must contact the first officer/supervisor on the scene for pertinent information.
 - 1.** All personnel who enter the scene must be accounted for.
- D.** The narrative description of the scene is prepared during the preliminary survey. This is a description of the original conditions of the scene as found by law enforcement personnel. It is limited to a view of the scene as readily observed by the naked eye. Three (3) common methods of narrative preparation are:
 - 1.** Handwritten notes.
 - 2.** Audio tape recording.
 - 3.** Videotape with sight/sound capability.
 - a.** When a video tape is made, the video recorder shall be set to show the correct date and time the scene was recorded.
 - b.** It is imperative that once the video taping has begun, the officer maintain the recorder in a continuous running mode until the scene has been fully recorded.
- E.** Record the scene.
- F.** Evaluate latent print evidence.
- G.** Evaluate physical evidence.
- H.** Conduct detailed search.
- I.** Collect, mark, and record physical evidence.
- J.** Conduct a final survey to ensure that conditions of the crime scene have been documented as thoroughly as possible.
- K.** Release the scene.

51.1.02 Responsibilities of Supervisor in Charge of Crime Scenes

A. It is the responsibility of the supervisor in charge of a crime scene to maintain control of the scene and all personnel involved in the incident. In addition, the supervisor in charge of a scene shall ensure that:

1. The objectives of the crime scene search have been determined.
2. Equipment and personnel needs have been determined and/or requested (i.e.), Special Investigations (SI) notified.
3. Assignments for specific duties have been accomplished.
 - a. Assignments should be made consistent with the aptitude and training of the personnel involved.
 - b. Task assignments must be documented. This may be accomplished through the issuance of written assignments, the use of a voice recorder, or by taking written notes to document the assignments made.
 - c. Personnel given assignments must be made aware of the specific tasks and duties. (NO assumptions can exist in this area.)
 - d. The trading of assignments is not permitted.
4. Involved personnel must be briefed on the goals and directions of the search prior to the processing of the crime scene.
5. Officers should make no inferences that one assignment is of greater or lesser significance than others.
6. The Major Incident Checklist has been initiated.

7. A command Post has been established, if indicated.
8. Information for actions and direction has been reviewed on a constant basis as the crime scene investigation progresses.
9. Notes have been prepared to document actions and observations made.
10. Unforeseen circumstances are dealt with in a logical manner in keeping with the objectives of the search.

51.1.03 Collecting and processing Evidence in the Field

A. 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
 - a. Each item of evidence shall be labeled at the time it is collected, seized, or received.
 - b. Each item shall be numbered separately and sequentially.
 - c. Items should be tagged and placed in an appropriate package or container and sealed. If sealed with evidence tape, the seal should be marked with the name or initials and ID# of the person collecting the evidence, along with the Offense Incident (O/I)# and date, and Item #. If the evidence tag cannot be attached to item itself, it should be securely attached to the package or container holding the item.
 - d. Items should also be labeled or tagged in such a way as not to lessen its evidentiary value.

- e. Either an initial or supplementary report detailing the circumstances by which the property came into the department's possession and describing each item of property obtained shall be submitted for all assignments.

- 2. Officers or Crime Scene Technicians collecting evidence, property, or found items will be responsible for the proper preservation and safeguarding of these items until they have been logged into agency records and secured in evidence lockers or released to the Property Custodian before the officer ends his/her tour of duty.

51.1.04 Recording the Scene

- A. The crime scene technician shall report directly to the supervisor/officer in charge of the incident and shall be responsible for recording all evidence in the following manner:

- 1. Evidence sent to a forensic lab for analysis must be accompanied, when possible, by standard samples for comparison with the evidence material. To be used as a standard, the material must come from a known source.
- 2. The major value of lab examinations concerns the identification of substances and comparisons of these with materials from known sources. This is especially true in the analysis of hairs, fibers, fabrics, paint, glass, wood, soil, and tool marks. The location from which standard samples are collected is critical where fractures have occurred, such as in the case of glass, wood, paint, and metal.

51.1.05 Forensic Laboratory Submission.

- A. Perishable evidence that should be analyzed by a forensic lab must be submitted as soon as possible. Until the evidence is submitted, it will be packaged in a manner to preserve its current state and stored in the evidence refrigerator.

- B. When a lab will not accept evidence without standard samples, the evidence may be held in property storage pending collection of comparison sample.

51.1.06 Crime Scene Equipment.

- A. Crime scene technicians and detectives assigned to the Violent Crimes unit will have at least the following equipment available to them:

- 1. Fingerprint kit.
- 2. Tool mark kit.
- 3. Snow print kit.
- 4. Video equipment.
- 5. Assorted photographic equipment and lighting.
- 6. Magnetic dust lifter.

- B. Vehicles used by crime scene technicians will have, at a minimum, equipment to be used for the following purposes:

- 1. Recovery of latent fingerprints.
- 2. Photography.
- 3. Sketch of the scene.
- 4. Collection and preservation of physical evidence.

51.1.07 Photographs

- A. All commissioned and sworn officers will be trained in basic crime scene photography. There will be four hours of initial training followed by an annual one hour update/refresher class.

- B. Each patrol officer will be issued a 35mm camera with built-in flash. Film will be made available to the officer as needed.

- C. Only one case or incident will be photographed on a single roll of film.
- D. The first shot of each roll should be of a sheet of paper showing, at a minimum, the following information:
 1. Case number.
 2. Date photographs were taken.
 3. Name of photographer.

51.1.08 General photography procedures

- A. Begin at a distance from the subject for a wide shot and work in towards the subject for close-ups.
- B. The scene should be free of all extraneous objects (notebooks, flashlight, officers, unit, etc.)
- C. The first shots of a subject should be free of scales. A scale may be used following the first shots.
- D. A scale must be used with small or easily destroyed subjects, such as tool marks, shell casings, blood splatters, bite marks, foot/shoe prints, tire prints, etc.
- E. Photograph windows or highly reflective objects from an angle off the perpendicular to reduce reflections of the flash and the photographer.
- F. If necessary, include an indicator for north.
- G. Periodically include nearby objects for reference.

51.1.09 Specific photography procedures for:

- A. A dwelling, building, or room.

1. Photograph the location (exterior showing address or nearby street signs).

2. Photograph the exterior of the building or entrance to the room (start out far and work in).
3. Photograph from the four cardinal points (north, east, south, and west) or perpendicular to walls.

- B. Vehicles

1. Photograph from each side.
2. Photograph the license plate from a medium distance to include the rear or front of the vehicle, then get a close-up of the license plate and the Vehicle Identification Number.

- C. Tracks or prints.

1. Photograph from directly above and also from an angle to show depth and design.
2. Photograph from the four cardinal points (north, east, south, west).
3. Photographs will be made of prints or tracks before attempting to recover the impressions using casting techniques.

- D. Photographs submitted as evidence require proper documentation.

1. The narrative section of the report must contain, at a minimum:
 - a. That photographs were taken.
 - b. The name of the photographer.
 - c. The name or description of the subject.
 - d. Details of the subject (head injuries, shoe prints, point of entry, blood splatters, etc.)
 - e. The location where the photographs were taken.
 - f. Type of camera used (35mm, instant Polaroid, video, etc.)

E. Disposition of the film, photographs, or video tape

1. The photographs, film, or video tape must be listed in the property section of the report.
2. Exposed rolls of film will be placed in a film envelope and submitted as evidence into the designated evidence film locker.
3. If instant photographs are used, the photographer's initials, date, time case number, and numbering sequence (1 of 6, 2 of 6, etc.) must be written on the back of the photograph.

51.1.10 General video camera procedures

- A.** When a video camera is used, the date and time indicator must be activated, at least, at the beginning and the end of each video tape. The indicator must be used throughout the entire tape.
- B.** Video taping will be used only as an addition to still photography, not as a replacement.
- C.** Only one case or incident will be recorded on a single video tape.
- D.** Each video tape will be marked with:
 1. The case number.
 2. The name of the camera operator.
 3. The date and time.
- E.** It is sometimes advisable to disconnect the microphone during taping and dub the voice in at a later time. This eliminates extraneous noises recorded at the scene such as radio transmissions, traffic noise, unexpected vocal outbursts, etc.
- F.** Prior to submitting the video tape as evidence, the recording tab should be removed from the

back of the tape housing to prevent accidental re-recording or erasure of the tape.

- G.** Video tapes submitted as evidence require proper documentation. The narrative section of the report must contain, at a minimum:
 1. That a video tape recording was made.
 2. The name of the camera operator.
 3. The subject.
 4. The location where the video tape was made.
 5. Disposition of the video tape.
- H.** The video tape must be listed in the property section of the report.

51.1.11 When a scene sketch is necessary, a rough sketch will be made at the scene with sufficient information to prepare a final, more precise drawing. The rough sketch will be part of the case file and is not to be destroyed. The final sketch may be either manually or computer drawn. The diskette used in the preparation of a computer sketch must be submitted as evidence. The following information must be included on the final draft:

- A.** Measurements and dimensions;
- B.** If it is drawn to scale;
- C.** Address or location;
- D.** Location of significant features;
- E.** Relation of the scene to other buildings, or geographic or geologic features;
- F.** Names of the person who prepared the sketch and the person that assisted with measurements;
- G.** Date of sketch;
- H.** Direction of north; and
- I.** Location of physical evidence.

51.1.12 Responsibilities of the officer who recovers a stolen vehicle:

- A. The owner is to be notified of the recovery with information regarding the recovery location, vehicle condition, impound location, and whether it can be released.
- B. If an outside agency originated the report, it is to be notified by teletype of the recovery along with a confirmation request from the agency that the owner was notified.
- C. Clear the vehicle from NCIC and include the NCIC documentation in the report.
- D. Process the vehicle to locate evidence.

51.1.13 Chain of Custody

- A. Information on the evidence tag is the record of chain of custody. Chain of custody is a record of transfer of physical evidence from one person or entity to another. The record will be maintained at the bottom of the evidence tag. The record regarding chain of custody shall include:
 - 1. Date and time of transfer.
 - 2. The receiving person's name and functional responsibility.
 - 3. Reason for transfer.
 - 4. If applicable, the name of the trying court.
 - 5. If applicable, the name and location of the examining laboratory.
- B. When evidence is taken or sent to a criminal forensic laboratory, a request will be made to have the analysis results sent to the submitting officer. A letter is to accompany the evidence stating:
 - 1. Name of officer last having custody of the item.

- 2. The date and time of submission or shipping.
 - 3. What type of analysis is requested and what type of analysis has been attempted.
 - 4. Case number and name of the last person to have custody of the evidence.
 - 5. Specific information requested or required by the lab.
- C. A request will be made to any forensic lab to submit written results of any analysis to the Department.

51.1.14 Evidence Tag

- A. Evidence tags will be prepared for all items submitted for evidence, seizure, safekeeping, and found items. An evidence tag supplement (UN-numbered evidence tag) will be used as a receipt when a found item is returned to the owner before the item can be turned over to Property. A receipt will also be given for an item taken for safekeeping. The evidence tag must contain the information outlined in the Department Directive entitled, "Forms, Design, Development, and Application".

51.1.15 Training

- A. Familiarization training for newly hired officers concerning crime, incident, and accident scenes will occur during the initial orientation training. The training will address, at a minimum:
 - 1. Evaluate potential and limitations of different kinds of evidence.
 - 2. Written directives concerning the role and function of the patrol officer, investigator, and the crime scene technician.
 - 3. Collection methods and procedures regarding blood, fingerprints, footprints,

fibers, weapons, hair, paint, glass, and tool marks.

- 4. The requirements for collection of materials from a known source for comparison purposes.
- 5. Preservation methods for various forms of evidence.
- 6. Maintenance of the chain of custody and records.
- 7. Scene sketch.
- 8. Photography.
- 9. Scene records.

B. Specialized training is provided to all personnel responsible for scene processing to develop the following skills:

- 1. Recovery of latent prints.
- 2. Recovery of foot, tool, and tire impressions.
- 3. Scene photography.
- 4. Scene sketches.
- 5. Collecting, preserving, and transmitting physical evidence, including biological materials.

C. In-service training will be provided annually for investigative personnel as a refresher class for scene processing. The update will include information about laboratory capabilities, new equipment, and examination techniques.

51.1.16 Felony Arrests

A. All personal possessions of evidentiary value will be taken as evidence from all felony suspects arrested at the time of the offense, or shortly afterward.

- 1. This may include all clothing (shoes, socks, underwear, hats, etc.) wallet, purse, bags, and packs.
- 2. The items will be taken after the suspect has been transported to the detention center.
- 3. If a suspect taken to a hospital for treatment has to stay, the possessions will be taken at the hospital.
- 4. An inventory of the suspect's possessions shall be made and all items seized shall be listed individually on the Evidence Tag.
- 5. REFER TO SECTION **51.1.03** OF THIS DIRECTIVE FOR COLLECTION AND PRESERVATION OF THIS EVIDENCE.

Drafted (awm) 02/03

APPROVED: _____

Beverly K. Lennen
BEVERLY K. LENNEN
Chief of Police

DATE: _____

07-23-04