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Date: _____

GENERAL ORDER 83
COLLECTION & PRESERVATION OF EVIDENCE
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PURPOSE: This policy is designed to ensure the exercise of law enforcement responsibility in the investigation of crime and the prosecution of offenders through the effective collection of physical evidence.

83.1.1 AVAILABILITY OF CRIME SCENE SPECIALIST

- A. A **crime scene investigator** or **technical crash investigator** is available on a twenty-four hour basis. When the immediate services of a crime scene or technical traffic crash specialist is required, the specialist will be contacted immediately. It will be the **responsibility of the on-duty patrol supervisor** to:
- **Ensure notification** to the specialist is made.
 - **Ensure the scene is secured** until the specialist arrives.
 - If no specialist is on duty, an on-call roster is maintained in the communications center. The supervisors for the detective and technical crash units will be responsible for completing and issuing the on-call list to the communications center. The supervisors for the detective and technical crash units may alter the on-call rotation and/or approve a mutually agreeable switch between specialists within the same assignment.
- B. Requirements of on-call employees shall be governed by the following:
- Specialists who are in an on-call status **shall not use intoxicants or controlled substances** while off duty to the extent that any evidence of such consumption is apparent when reporting to duty. Given the uncertainty of on-call status consumption of intoxicants or controlled substances while on-call should be kept to a bare minimum, i.e.; one standard alcoholic beverage (12 oz. Beer, 4 oz. Glass of wine, etc.) with a meal would be considered a "bare minimum."
 - On-call personnel are **assigned a pager and/or cell phone for immediate accessibility** by the communications center. It will be the responsibility of the on-call specialist to wear his/her pager or cell phone at all times, on or off duty. Specialists assigned to on-call are required to respond by phone any time they are paged or called by the division. The specialist should respond by phone in the shortest time possible, but no later than 15 minutes.
 - If a specialist is called out, he/she will **respond to the scene in the shortest time possible** that must not exceed 60 minutes. If the response time to the scene will exceed one hour (60 minutes), the specialist's supervisor will be notified and will make a decision on whether or not to reassign the call out.
 - In the event the on-call specialist would be out of cell phone or pager range any time during their on-call period, they must notify the communications center with a number where they can be reached.
 - The Detective or Technical Crash supervisor will be notified in the event that the on-call specialist **does not respond to a page/call within 15 minutes**. In the event that the Detective or Technical Crash supervisor cannot be reached or is on approved leave, the appropriate Bureau Commander will be contacted.
 - The Detective or Technical Crash supervisor will determine whether or not to reassign the call out if the on-call investigator cannot be reached within 15 minutes. If the on-call specialist cannot be reached, the on-duty patrol supervisor should access another specialist as soon as possible.
 - Officers assigned to the detective section who are on-call will be **authorized to use a city unmarked vehicle** to drive to and from work and for use within the City of Dublin, for the period that they are on-call. Officers must ensure that their vehicle is fully equipped with all the necessary equipment to process and/or respond to a crime scene, in include at least the following: a fully stocked evidence kit,

camera (35mm or digital), ballistic vest, flashlight, property impound forms, and mini-recorder (tape or digital).

- Depending on the type of crime scene, officers may respond to police headquarters to pick up the mobile evidence vehicle.
- C. **Notifications:** Any time a detective is called out to investigate any of the crimes listed below, the Communications Center will automatically notify the Detective supervisor and the Services Bureau Commander.
 - Accidental or intentional shootings
 - Accidental deaths (except motor vehicle crashes)
 - Suicides
 - Felonious assault
 - Homicide
 - Suspicious Death
 - Aggravated Robbery
 - Rape or Sexual Assault
 - Real or suspected explosive device is located
 - Hostage barricade situation
 - Officer actions result in serious physical harm or death of another
- The Detective supervisor and/or Services Bureau Commander will then make the determination as to whether or not more than one detective is needed.
- This in no way precludes the patrol supervisor or the assigned detective from requesting another detective or detectives be called out if necessary.
- Any time that **two or more detectives are called out**, the Detective supervisor and the Services Bureau Commander will be advised.

83.2 OPERATIONS

83.2.1 FIELD PROCESSING EVIDENCE

- A. **Securing and protecting evidence** at a crime or traffic crash scene is a priority for initial responding officers. Initial responding officers to a crime or traffic crash scene where evidence will be collected will generally:
 - Establish a perimeter and secure the crime scene using crime scene tape or by other means.
 - Photograph (if possible) and collect as soon as possible any evidence that is short-lived.
 - If applicable initiate a crime scene log.
- B. **Processing and collection of evidence:** Depending on the type of scene (crime or traffic crash), the on-duty patrol supervisor, upon a request or recommendation by the on-scene officer, will make the determination as to whether a crime scene or traffic crash specialist is needed or not.
 - The **patrol supervisor should consider** the total amount of loss, the severity of injury, the extent of damage, the severity of the crime, and situations where the special expertise of specialists or detectives

could lead to a more efficient or effective conclusion to the investigation.

- In most minor cases officers are trained and capable of processing evidence in the field.
 - The **Physical Evidence Manual** published and provided by the Ohio Bureau of Criminal Identification and Investigation, Ohio Attorney Generals Office, will be used as the guideline for the collection and preservation of physical evidence.
 - When **evidence** is collected, it shall be identified either by an evidence label or shall be placed in an envelope, bag, or other approved container, that shall be tagged.
 - For all items of evidence, the officer impounding the evidence will **complete a property impound form** which will be a sequentially numbered with the following information:
 - o A complete description of each item (i.e. make, model number, serial number, color, etc.)
 - o Source (from whom the property was obtained and/or the exact location where the property was seized)
 - o Name of the person collecting the item(s)
 - o Date and time of impound
 - o Weight (if narcotics)
 - o Chain of custody
 - o Case number
 - o Location where the property was impounded
 - The evidence shall be **placed in a property impound locker or cage** in the property **function** with a property impound form specifically delineating and identifying each item of property that has been seized and impounded.
- C. Chain of custody of evidence: The back page of the property impound form will normally serve as documentation of the chain of custody of evidence. **The evidence impound form will contain a record of each transfer** of custody of physical evidence to include date and time of transfer, receiving person's name and reason for the transfer.
- The submission sheet will contain the name and location of the laboratory and description of the examinations/analysis desired.
 - **If the crime is a violent crime against a person, the** offense/incident and/or arrest report that includes a synopsis of the event will also be included with the submission.
 - **It is the responsibility of the impounding officer to maintain control** and not leave unattended any impounded evidentiary property until it is secured in the agency's property function, turned over to another individual or agency, or released.
 - **Any change in the person who is in control of evidentiary property** must be documented on the impound form. This includes documenting the transfer of custody to another person prior to having the property logged into the agency's property function.
- D. **Vehicles impounded** for evidentiary purposes will normally be towed to the Justice Center sally porte or the Service Department caged impound area for processing.
- **When a recovered stolen vehicle is impounded as evidence**, the Detective Section will be responsible for assigning an officer or detective to process the vehicle and its contents.

- If the **vehicle is stolen from another agency's jurisdiction**, the reporting officer will contact that agency first to determine what actions they wish our agency to take (stand-by with the vehicle for one of their officers, impound the vehicle, release to the registered owner, etc.).
- If the vehicle is to be impounded by our agency, the officer will fill out an incident/offense report detailing the circumstances of the contact with the vehicle and the officer will also complete a vehicle impound form.
- Upon completion of the processing of the vehicle for evidentiary purposes, the vehicle will normally be released back to the tow company, owner, or service complex area.

83.2.2 PROCEDURES FOR PHOTOGRAPHY

- A. **Crime scene and life-threatening or fatal accident scene photographs** are necessary when the photographs are of paramount importance to a case to accurately document evidence.
- Photographs should be taken when **evidence cannot be preserved** by other means.
 - Photographs of physical evidence should be taken prior to the collection of physical evidence when possible.
 - **Photographs of crime scenes or fatal accident scene photographs** will be taken by someone familiar with crime scene photography and will be taken of all aspects of the crime scene.
 - Any time photos of crime scenes or fatal/life-threatening accident scenes are taken a photo log shall be utilized to document pertinent information regarding each photograph taken.
 - Crime scene photographs should be considered in the following circumstances:
 - o Crimes of violence (i.e. domestic violence, assault, etc.)
 - o Death investigations
 - o Serious felonies
 - o Perishable goods (in lieu of impounding the goods such as in the case of shoplifting)
 - o When evidence might be damaged or destroyed (footprints, blood marks, etc.)
 - o Crimes involving serious injury (i.e. illustrate the injury at the time of occurrence)
 - o Any other time when it is necessary for the proper recording of evidence
 - A scale should be used when possible in the field of view for relative size comparison, as deemed necessary by the photographer, in addition to an unscaled photograph.
 - Pictures should not be taken for insurance company reports or when there is no visible evidence to photograph.
 - Video photography of crime scenes may be used as a substitute or in addition to still photography.
- B. **Evidentiary photographs** submitted for processing shall be placed in a photo pouch envelope that shall contain the officer's name and the case number.

Digital:

- **Digital photos** will be stored on an agency computer by records section personnel and filed by incident number.

- A master folder shall be prepared containing ALL digital images and a sub-folder shall be created to contain all the case folders for each sequential year, e.g. 2001 with a separate sub-folder for case images.
- Records personnel shall create a computer file folder which shall contain all the images for a particular case and which shall be identified by the case number as the identifier of the folder, e.g. 01-130 shall also be the file folder containing all images related to case 01-130.
- Officers shall submit “flash cards” from digital cameras in a photo pouch, which shall include the officer’s name, date the photographs were taken, the location, the type of incident, and the incident number.
- Records personnel will download the images from the flash card to the folders in the computer.
- Images (photo files) shall be retained in the records function and subject to records retention as specified by the agency’s records retention schedule.
- The unique photo ID number, date and time assigned by the digital camera will serve to authenticate the image. Should authenticity need verified, records section personnel shall print an image sheet that contains the reference numbers of each image.
- Upon an officer request, digital photographs of cases shall be downloaded from the master folder to a CD, which shall include information including the date and incident number. When completed, the officer shall then impound said CD into the Property Room and mark it as “evidence”. (NOTE: A CD may maintain multiple incidents but shall not be used for more than one sequential year.)
- Requests of copies for photographs from digital images shall require that the clerical personnel to copy the images to a diskette or CD or other acceptable medium.

Film: In the event a *digital* camera is not available, the officer may use film to document a crime scene.

- Photo pouches will be used to retain film for processing. Multiple rolls (up to 6) of the same incident may be included in the same envelope.
- The aforementioned photographs are the property of the Dublin Division of Police and shall not be tampered with, nor removed from the premises without proper authorization.
- Officers shall fill out a photo pouch, which they shall have available with film reserves.
- A roll of film shall be used for each *separate* incident. If there are multiple rolls from one incident, place them all in the same photo pouch.
- The completed pouch will be placed in the “checked paperwork” tray in the duty room.
- Film pouches will be processed by a records clerk who will record necessary information and assign a pouch number unique to the incident then place the pouch for pickup for development.
- Instructions for photo pouches:
 - **Pouch number** is assigned by the clerk after the pouch is turned in and will act as a reference for tracking.
 - **Date** the photographs are taken.

- **Incident number** is the number assigned by radio and will be left blank if no call number is assigned, e.g. special assignment photographs for public relations.
- **Officer** taking the pictures.
- **Description** should include the type of incident, the location, and any other information pertinent to the photographic evidence.
- **Prints required** indicate that the officer has a special need for prints; normally only negatives *will* be processed.
- **Print size** only if prints are requested.
- The negatives will be stored with the incident packet.

83.2.3 COLLECTION OF FINGERPRINTS

- A. Fingerprints will be **developed, photographed** (when possible), **lifted, and collected** at crime scenes if and when fingerprint evidence is found.
- **Standard collection of fingerprint techniques** should be used for the development of fingerprint evidence in the field, i.e. “dusting” with volcanic, magnetic, and/or bio-chromatic powders and brushes; photographed; and lifted with hinged lifters and/or tape.
 - Collection of fingerprints from items at a crime scene should be in accordance with Ohio BCI Physical Evidence Manual.
 - **Objects that need to be fingerprinted** and could be better processed in a laboratory or in a controlled environment should be collected as evidence and impounded for processing.
 - The impounding officer should indicate on the impound form if the evidence needs processing.
 - If the evidence requires processing by a Dublin Police Detective, the request should be documented on the incident report or a supplemental report and forwarded to the Detective-Sergeant.
 - If the evidence requires processing and/or analysis by BCI, a BCI evidence submission form should be completed and forwarded to the property officer.
 - **All fingerprints collected as evidence**, whether from known or unknown subjects will be stored as evidence by the agency’s property function.
- B. The Dublin Division of Police will **submit fingerprints** on forms provided by the Federal Bureau of Investigations and by the Ohio Bureau of Criminal Identification and Investigation (BCI&I) as applicable. (See also General Order 82.3.6 and 82.3.7)

83.2.4 EQUIPMENT AND SUPPLIES

- A. Each patrol shift is assigned a full service **fingerprint and drug-testing kit** available at all times that can be transported to a crime scene.
- Each detective vehicle is equipped with a full service fingerprint kit.

- B. Each patrol vehicle is equipped with a digital **camera**.
- Each detective is assigned a 35mm and/or digital camera.
- C. All detectives have access to **sketch tablets** located on station for use in crime scene sketches.
- The traffic accident investigation unit utilizes a computer-based program for mapping/sketching crash and/or crime scenes.
 - Patrol officers have access to OH-2 Diagram forms that may be utilized to complete sketches of a scene (crime or crash).
- D. All front line patrol vehicles are equipped with a **crime scene response kit** containing equipment to **collect and preserve physical evidence**.
- Each detective vehicle is equipped with a crime scene response kit that contains equipment to collect and preserve physical evidence.
 - - The agency utilizes a **crime scene/traffic crash response vehicle** to respond to major incidents. This vehicle is equipped with a full service fingerprint kit, digital and film photography cameras, sketchpads and templates, and evidence collection and preservation containers for physical evidence. The vehicle also contains equipment used for the purposes of technical crash investigation and contains a portable power generator and scene lighting.
 - The vehicle is kept in the Justice Center sally port and is available at all times.

83.2.5 SEIZURE OF COMPUTER EQUIPMENT

In order to ensure the safe and secure search and/or seizure of computer information, hardware, software, and/or other associated peripherals, the Division of Police will adopt the "Federal Guidelines for Searching and Seizing Computers" prepared by the United States Department of Justice, as the official guideline for operations.

- **The recommended procedure, in general, to save information and prevent damage** to data or devices is to unplug the computer and modem or network connection simultaneously.
- It is recommended that prior to search and/or seizure of computer equipment that **proper consent** or a search warrant be obtained.
- **The division will provide appropriate training** to agency personnel who will extract and/or analyze data stored on device that has been seized as evidence.

83.2.6 ACCIDENT/CRIME SCENE PROCESSING RECORD

The officer who processes a crime or crash scene shall complete a **crime scene processing form**. In addition to the crime scene processing form, the officer who processes a crime or crash scene may also document his/her actions on a supplement report form.

- If a crime or crash scene is going to be held for purposes of collecting evidence, the supervisor in charge or the officer responsible for the scene will be responsible for ensuring a **crime scene log** is utilized.
- The crime scene log will be turned over to the investigator when the scene is released or the crime scene log may be turned in with other paperwork associated with the investigation.

83.2.7 DNA EVIDENCE COLLECTION

A. **Securing and protecting potential DNA evidence** is a priority for initial responding officers. It will be the **responsibility of the on-duty patrol supervisor** to:

- **If needed, ensure notification** to a crime scene specialist is made.
- **Ensure the evidence is secured.**

B. The **Physical Evidence Manual** published and provided by the Ohio Bureau of Criminal Identification and Investigation, Ohio Attorney General's Office, will be used as the guideline for the collection, preservation and transportation of physical evidence, including potential DNA evidence.

- Biological evidence for the crimes of aggravated murder, murder, voluntary manslaughter, first- and second-degree involuntary manslaughter, first- and second-degree aggravated vehicular manslaughter, rape, attempted rape, sexual battery or underage gross sexual imposition shall be retained according to the evidence preservation guidelines set forth in the Ohio Revised Code (2933.82).
- Biological evidence includes sexual assault kits and any item, such as clothing, that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids or any other identifiable biological material that was collected as part of an investigation and might reasonably incriminate or exonerate a suspect shall be preserved.
- Biological material is any product of a human body containing DNA.
- Biological evidence and biological material must be retained in the amount and manner sufficient to develop a DNA profile from the material.
- When the physical evidence is of such size, bulk, or physical character as to render retention impracticable, before returning or disposing of the evidence, the investigator must remove and preserve portions of the evidence which is likely to contain biological evidence, in a quantity sufficient to permit future DNA testing.
- The property room technician shall retain biological evidence according to the retention schedule set forth in ORC 2933.82 in a manner sufficient to develop a DNA profile from the material.

C. DNA evidence collection shall be performed by personnel trained in the DNA collection process.

- D. Submission of DNA evidence for analysis will be made to the Ohio BCI&I Laboratory. In the event the Ohio BCI&I Laboratory is not available or cannot process the request in a timely manner, the Columbus Police Crime Lab or other accredited laboratory may be used. The **Physical Evidence Manual** published and provided by the Ohio Bureau of Criminal Identification and Investigation, Ohio Attorney Generals Office, will be used as the guideline for the submission of DNA evidence for analysis.

83.3 EVIDENCE HANDLING

83.3.1 MATERIALS FROM KNOWN SOURCES/COMPARISON

Whenever available, **materials and substances from a known source** will be collected for submission to the laboratory for comparison with physical evidence collected that is being submitted/prepared for examination or analysis.

- **Preparation of known samples and comparison** will be on the basis of guidelines provided in the Physical Evidence Manual published and provided by the Bureau of Criminal Identification and Investigation, Ohio Attorney Generals Office.

83.3.2 SUBMITTING EVIDENCE TO FORENSIC LABS

- A. The officer who takes responsibility for a crime scene and/or the investigation will be responsible for **requesting laboratory submissions** on collected physical evidence and will be responsible for specifying the tests to be performed on the sample by submitting appropriate laboratory submission forms.
- The requesting officer or property technician will transport forensic evidence to the laboratory.
- B. **Forensic evidence** shall be packaged and transmitted to the Ohio BCI laboratory as soon as practical in accordance with the Ohio BCI Physical Evidence Manual.
- In general, evidence should be dried prior to being packaged.
 - The north sally port property impound area should be used to dry evidence prior to packaging.
 - Roll paper or any other similar product should be used to place under the physical evidence so as to collect any evidence (i.e. hair, fibers, etc.) that might fall off during the drying process.
 - Evidence will be packaged per the BCI Physical Evidence Manual.
 - Urine evidence collected by an officer shall be witnessed, placed in an approved evidence container, and sealed.
 - Blood evidence shall be taken at the hospital.
 - Blood and Urine evidence shall be packaged per the "Evidence Submission Checklist for Blood and Urine" and appropriate forms filled out as per the checklist. Evidence will then be placed in the temperature controlled storage, pending transport by the Property Technician to the appropriate lab.
 - Alcohol evidence will be transported to the Ohio Department of Liquor Control laboratory as soon as practical in a sealed container.
 - The requesting officer or property technician will transport forensic evidence to the laboratory.

- C. A laboratory **submission sheet** will accompany all property submitted for testing/analysis and will include name of officer last having custody of the item, date and time of submission or mailing and method used for transmission, and date and time of receipt in the laboratory.
- The submission sheet will contain the name and location of the laboratory and description of the examinations/analysis desired.
 - **If the crime is a violent crime against a person, the** offense/incident and/or arrest report that includes a synopsis of the event will also be included with the submission.
- D. A **receipt** will be obtained from the laboratory that contains a laboratory assigned tracking number.
- E. All laboratories used to analyze evidence will be required to provide **written results** of laboratory analysis.
- Verbal reports from the laboratory may be accepted, but the originating officer, investigating officer, or property officer should insist on a written report from the laboratory.
 - Results will be forwarded to the property officer, who will maintain a copy and forward the original to the case folder.

CROSS REFERENCE TO STANDARDS AND POLICIES: Ohio Revised Code 3701.43, BCI Physical Evidence Manual, City of Dublin Records Retention Schedule, Federal Guidelines for Searching and Seizing Computers

CROSS REFERENCE TO FORMS: BCI Evidence Submission Sheet, Crime Scene Processing Form, Crime Scene Log.

SAMPLE POLICY
This may not represent this agency's current procedure.