

	Winchester City Sheriff's Office Manual of General Orders Administration 111	Effective Date: May 1, 2014
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		Original Policy: May 1, 2014 Last Review Date: October 31, 2023 Next Review Date: October 31, 2024
Subject: Crime Scene Processing		<u>By Authority of:</u> <hr/> William E Sales, Sheriff

I. PURPOSE

The purpose of this general order is to establish responsibilities for deputies/investigators processing crime scenes. This general order establishes guidelines for the proper documentation, collection, packaging, and submission of physical evidence to the forensic laboratory.

II. POLICY

Proper documentation, collection, preservation, and submission of physical evidence to forensic laboratories may be the key component of any investigation. The crime scene is usually the starting point of a criminal investigation. Through evidence located at the scene, suspects are developed or eliminated, investigative leads are established, and theories concerning the crime are substantiated or disproved. The deputy/investigator must always be aware that any physical evidence collected might someday have to be presented in court; therefore, it is imperative that each deputy/investigator process each crime scene carefully to avoid overlooking, contaminating, or destroying evidence. Physical evidence appears in many shapes, sizes and forms, thereby necessitating various recovery, preservation, and submission techniques. The deputy shall be prepared to collect, identify, and package the evidence so that it will not be changed in form and value when it reaches the laboratory. The deputy collecting the evidence shall maintain a chain of custody of that evidence in order to ensure that it is presented to the court professionally and in compliance with the law.

III. PROCEDURES

A. Responsibilities of first deputy on a crime scene:

1. Respond to the scene promptly and safely.
2. Provide first aid to any victims
3. Protect the scene to prevent the destruction/contamination of evidence.
4. Locate items of evidence.
5. Locate/Separate witnesses.
6. Photograph the scene (Sketch the scene when appropriate).
7. Collect and package the evidence.
8. Submit evidence to the forensic lab for analysis, as needed
9. Submit evidence to the Property Technician for storage.
10. Complete an Incident Report on the offense.

B. Crime Scene Processing

The initial responding deputy normally will be responsible for completing an IBR and processing the crime scene, however, certain serious offenses may require the assistance of an investigator. The initial

deputy should contact their supervisor if they require assistance with the investigation or with processing the crime scene.

C. Crime Scene Processing Equipment

Deputies responding to a crime scene will make a determination of equipment needed for processing. The Sheriff's Office has issued a complete evidence collection kit to include a camera, fingerprint recovery tools, blood recovery materials, bags, envelopes, tape, marking tools, and evidence tags to each deputy. Other materials for lifting impressions (footprints, tire tracks) and packaging large items are available to deputies.

D. Arrival at the Crime Scene

1. Deputies shall not rush into the crime scene because an armed suspect may still be present. Rushing into the scene may also result in the accidental destruction or contamination of evidence.
2. Deputies must first render aid to a victim at the scene, unless the deputy must immediately protect himself/herself from a suspect still at the scene. If the deputy has probable cause to believe that the suspect committed a felony, he/she should place the suspect under arrest and search them. Record any spontaneous statements the suspect may make. The suspect will be given the Miranda warning if the suspect is to be questioned further.
3. The deputy will notify the supervisor and request assistance as needed to properly process the crime scene and collect all of the evidence.

E. Protecting the Scene

1. The first deputy on the scene shall establish a perimeter around the scene and direct assisting deputies to help secure the scene.
2. Crime scenes may be secured by the following methods:
 - a. Sheriff's deputy(s)
 - b. Barricades, rope, or crime scene barrier tape may be used to define the area to be protected.
 - c. Signs used to control access.
3. Deputies need to be cognizant of the crime scene. They should not add anything to the scene, to include cigarette butts, spitting, trash, etc. On major crime scenes deputies should place disposable booties over their shoes before entering the crime scene.

F. Notes and Reports

1. The deputy's original notes are his/her personal and most readily available record of the crime scene. These notes should be referred to when completing the original incident report. The deputy will document in the incident report everything they did at the scene of the crime.

2. Types of information the deputy/investigator should record at the scene include:

- a. Case number
- b. Date & time of incident
- c. Location of scene
- d. Any pertinent conditions, events, or remarks
- e. Victim(s)-identify, locate, interview
- f. Suspect(s)-identify, locate, interview
- g. Witnesses-identify. Locate, interview
- h. Everyone's actions taken at scene, including arrival time
- i. Name of deputy/investigator taking photographs
- j. Name of deputy/investigator collecting/packaging evidence
- k. Weather conditions

G. Preliminary Scene Survey-- Deputy/investigator actions at the crime scene should include the following, at a minimum:

1. Observe and record (look but don't touch)
2. Determine nature and extent of crime scene
3. Determine location of evidence
4. Determine order of collection
5. Duplicate movement of perpetrator, and plan search accordingly
6. Note all existing conditions (lighting, environment)
7. Note items out of place or damaged
8. Note relationship between items
9. Initial rough sketch should be made, if necessary
10. Lights on/off
11. Windows/doors open/closed, locked/unlocked
12. Stereo/Television/Appliances on/off
13. Mail/newspapers present/dates

H. Crime Scene Sketch-- Detailed crime scene sketches are normally prepared only in major crimes. The minimum details to be contained in the sketch include:

1. Case number and date of preparation
2. Location of offense
3. Location of items of evidence in the scene
4. Location and names of victims, witnesses, and suspects in the scene
5. Relationship of the crime scene to other rooms, buildings, or roads
6. Name of person preparing the sketch
7. Direction of north and always write "not to scale" on the sketch

I. Photographing the Scene-- At the end of the preliminary scene survey, overall photographs of the scene should be taken. If it is a major crime scene a photo log should be completed. Overall photographs should be taken from all four corners.

1. Supplemental photos should be taken from several different locations, include house numbers, etc. that will show the location of the crime scene
 2. If it is an interior scene, a wide-angle lens may need to be used. Photographs should be taken from all four corners towards the center of the room/area of the crime scene
 3. Photograph the surrounding area and crime scene thoroughly
- J. Midrange Photography-- Midrange photography is used to orient the viewer as to the exact location of items of evidence in the scene.
1. If possible, the deputy/investigator should include a fixed or permanent object with the item of evidence in the field of view. If this is not possible, then a common item (desk, bed, table, etc.) should be included in the midrange photos. The permanent object is the center of the field of view, not the item of evidence.
 2. Midrange photos should always be taken with a normal lens to prevent distortion.
- K. Close-up Photography-- Before any item of evidence is moved, a close-up photograph should be taken as follows:
1. Fill the field of vision with the item.
 2. Take one close-up shot of each item without a scale and one with a scale. A ruler can be used for this purpose. Always use the inch increments on the scale for the close-up photographs; the metric increments are only to be used for blood splatter/droplet photographs.
 3. The deputy/investigator may place a strip of masking tape across the face of the ruler, making sure not to cover the measuring increments. Information to be written on the tape includes:
 - a. Item number
 - b. Case number
 - c. Date
 - d. Deputy's/investigator's initials
- L. Information to be Recorded about Photographs-- The deputy processing the scene will record in the incident report whether or not photographs were taken at the crime/incident scene. The following information will be recorded in the incident report when photographs have been taken at the crime/incident scene:
1. Date the photographs were taken
 2. Deputy taking the photographs
 3. Location of the CD/DVD
 - a. Sent to Division of Forensic Science to obtain photographs
 - b. Retained in property/evidence room
- M. Location of Evidence-Measurements-- Before collecting any item of evidence, take measurements using triangulation, coordinate method, or base line method.

N. Collection of Evidence-- The Sheriff's Office adopts the Virginia Division of Forensic Science Evidence Handling and Laboratory Capabilities Guide as the recommended procedures for evidence collection. Additionally, when collecting evidence the deputy/investigator should consider:

1. The deputy/investigator should avoid touching the item of evidence with his hands or anything that might contaminate the item. Disposable latex/nitrate gloves should be worn when collecting any evidence. The latex gloves should be changed when collecting different items of evidence to prevent cross contamination.
2. Proper order of collection:
 - a. The deputy/investigator should collect perishable evidence first.
 - b. If destruction of evidence is not a concern, then the deputy/investigator should work his/her way through the scene, collecting in a logical sequence, trying to avoid disruption of other items of evidence.
3. Collection of known samples: The forensic laboratory can only compare known items with those showing similar characteristics. Sufficient specimens must be submitted for comparisons of such items as hairs, fibers, paint, glass, soil, tool marks, and DNA samples.
4. Documentation of each item collected: All items of evidence that are collected by the deputy/investigator processing the crime scene may be listed on the incident report property page and a Sheriff's Office property form (Numerous items may be placed on a separate sheet and attached to the report). For each item collected, the following information will be listed in the incident report:
 - a. A complete description of the item (including make, model, serial numbers, if any, color, identifying marks, etc.).
 - b. The source of the evidence, from whom or where was the item obtained.
 - c. The name/date of the person collecting the item.

O. Packaging/Labeling Evidence

1. In most instances, collecting, packaging and labeling the evidence may represent a single process. In instances where the evidence is large, complete identifying data may be recorded on a property tag and the tag attached to the evidence. The evidence label will include the following: deputy's/investigator's name, date, recovery location, item number, description of item, and the case number.
2. Paper bags, cardboard boxes, envelopes, tape, etc., are provided for routine evidence packaging.
3. The deputy collecting/packaging the item of evidence will be the person responsible for labeling the item at the time it first comes into Sheriff's Office custody.
4. The deputy should avoid any contamination of evidence by packaging each item separately.

4. Fluids or stains shouldn't be allowed to touch and should be carefully rolled in paper or placed in the appropriate container.
5. Pack the item to minimize interior movement within the package.
6. Seal the package with tape.
7. The collecting/packaging deputy should initial across the seale,
8. The deputy should label the exterior of the package.
9. Whenever possible, the package should be labeled before placing the evidence in it so as not to damage contents while writing on it.

P. Latent Fingerprints-- When processing the crime scene for latent fingerprints, the deputy/investigator shall take the following into consideration. Deputies are encouraged to use the appropriate protective equipment when using fingerprint dust.

1. The size of the item to be dusted.
2. The type of surface.
3. Deputies are encouraged to process evidence for latent fingerprints at the crime scene whenever possible and appropriate, thus removing the possibility that the latent evidence will be destroyed during transportation to the Sheriff's Office.
4. Fingerprint powder is destructive; consult with the victim first about the possibility of the fingerprint dust damaging expensive items that need processed.

Q. Overall Measurements-- Obtaining the wall, room, and building measurements is one of the last operations to be performed in the processing of the crime scene. The overall measurements are vital in the production of the final crime scene sketch, but must be obtained last, so as not to damage or destroy items of evidence.

R. Final Organized Search-- A final, thorough search should be conducted at the crime scene in case evidence may have been overlooked. Wherever possible, using a different deputy/investigator on a final search is preferred; he/she may find evidence that was overlooked.

S. Preservation and Submission of Evidence to the Forensic Laboratory

1. Responsibility for requesting lab examinations:
 - a. Under normal circumstances, the responsibility for the sub-mission and request for lab examination will lie with the deputy who actually processed the scene and took custody of the evidence.
 - b. In those cases where there may be more than one deputy processing the scene, the deputy completing the incident report will take custody of all evidence collected and be responsible for the submission of the evidence to the forensic laboratory for analysis. If an investigator is assigned the case, then the investigator will assume the responsibility of submitting evidence to the forensic laboratory.

- c. Some items that are submitted to the lab must be accompanied by a known specimen so a comparison can be made. The investigating deputy/investigator assigned the case will be responsible for obtaining any required known specimens, following legal procedures, and submitting them, along with the items of evidence, to the forensic lab for analysis and comparison.
- d. Any evidence submitted to the Division of Forensic Science, will be accompanied by a completed Request for Laboratory Examination form. The Division of Forensic Science will automatically supply written results on all requested examinations.
- e. The investigating deputy is responsible for correctly completing the request form and include it with the submitted evidence.
- f. The bottom part of the request form is reserved for documentation of chain of custody and must be completed by the relinquishing deputy/investigator when the evidence is turned over to the forensic lab. The receiving person at the forensic lab will also sign the form returning a copy of the request form to the deputy that transported the evidence to the forensic lab.

T. Property Form

1. The deputy processing a crime/incident scene shall prepare a Sheriff's Office property report accurately listing all items of evidence/property that has been collected. The evidence/property will also be listed in the incident report. The following information will be placed on the property report:
 - a. The date the evidence/property was collected.
 - b. The address and location where the evidence was collected.
 - c. The name of the property owner, or whom the property was obtained from (if known).
 - d. Incident/case number
 - e. The deputy's name.
 - f. The reason the property was seized.

NOTE: The description of the property/evidence has to be specific and should match the description on the Sheriff's Office's incident report.

- U. Failure to Recover Physical Evidence/Photograph Scenes of Serious Incidents-- Whenever photographs are not taken or where physical evidence is not recovered from the scene of a serious crime against person or property, the deputy/investigator assigned will prepare a written report giving the reasons why these things were not done.
- V. Legal Requirements-- Deputies need to understand several important legal principles regarding the legal use of evidence. As noted above, deputies must exercise a chain of custody of all evidence.
 1. A chain of custody is the series of documented links between the times the evidence was obtained until presented in court. The links are recorded dates/times of when, where, and who handled, processed, examined, and stored the evidence.
 2. The most crucial principle for the collection and handling of evidence is the exclusionary rule.

- a. The exclusionary rule requires that evidence seized or discovered in violation of the suspect's Fourth, Fifth, and Sixth Amendment Rights cannot be admitted in court.
- b. Deputies shall rigorously maintain a chain of custody and shall always remain mindful of constitutional safeguards.

