

## CAMBRIDGE POLICE DEPARTMENT

**Title:** **COLLECTION, PACKAGING AND PRESERVATION OF EVIDENCE**

**Procedure: 5.500**

**Date Issued:**

**Revised:**

### **PURPOSE:**

To increase the effectiveness of the Department's evidence processing and collection.

To establish procedures for the proper packaging of evidence.

To ensure the proper control of all evidence and inventoried property.

To establish procedures for maintaining integrity in the chain of evidence.

### **POLICY:**

The Department recognizes that successful prosecution of criminal offenders, and other police related matters are directly linked to a thorough evidence collection and preservation process. Our responsibility in the evidence chain requires that personnel be properly trained in evidence recognition and collection procedures, and certain items collected during an investigation should be forwarded to the proper agency for testing and identification. Research has clearly shown that physical evidence must be identified, collected, preserved and transmitted properly if laboratory support resources are to be used effectively. This Department will ensure that evidence in its custody be properly secured, stored, readily retrieved and that all changes in custody have been properly and fully documented.

### **DEFINITIONS:**

**CHAIN OF CUSTODY:** The continuity of the custody of physical evidence -- from time of

**IMPOUNDING OFFICER:** The officer who initially receives the evidence and initiates the chain of custody.

**PHYSICAL EVIDENCE:** Any substance or material found or recovered in connection with a criminal investigation.

**EVIDENCE CUSTODIAN:** A member of the Police Department, typically a Criminal Investigator, accountable for control and maintenance of all evidence and property submitted.

**EVIDENCE/PROPERTY ROOM:** Facilities utilized by this Department for the storage of evidence property.

### **PROCEDURE:**

#### **CRIME SCENE RESPONSIBILITY**

1. The primary officer assigned to the call is responsible to secure and protect the crime scene. When processing consists only of the physical inspection and evaluation of the scene or the collection of an obvious item of evidence, this task will be the responsibility of the primary officer. In more serious cases, crime scene processing will be the responsibility of an investigator.

2. The investigator responding to a crime scene or incident will be responsible for photographing, video taping, collecting, preserving, documenting, transporting, inventoring, and securing all evidence.

3. Officers will only use those methods and procedures that have been established and recognized in the field to process physical evidence, preserve the condition of evidence, the collection of evidence, and ensure collection complete its sample as possible and practical.

4. Non-perishable evidence will be secured in the evidence/property lockers until the evidence custodian transfers it to the evidence/property room. All evidence

must be properly secured in the evidence/property lockers by locking the locker, removing the key and depositing the key in the secured location. Evidence/Property Inventory Tags must be filled out by the processing officer, approved by a supervisor and attached to the evidence. If the evidence requires further forensic processing or testing the officer will complete the Maryland State Police Form 67 for transmittal to the lab. The evidence custodian will ensure that evidence is transported to the appropriate crime lab.

5. Perishable evidence collected at the crime scene will be properly packaged, sealed, marked, tagged, and placed in the evidence refrigerator.

6. Special considerations are necessary for certain items taken into police custody. The following will apply whenever an officer comes into contact with the following items

### **WEAPONS**

All firearms will be unloaded and placed into the evidence locker. The unloaded ammunition from the weapon will stay in the same bag.

All weapons will be checked for stolen by the submitting officer. The NCIC printout should be made part of the original case report.

Weapons and unloaded ammunition will not be packaged with other evidence.

### **DRUGS**

Any large quantity of drugs submitted will be weighed by the submitting officer. Each separate bag will be properly marked with the weight or count, if applicable.

Pills or capsules will be counted, unless there is an excessive amount.

The evidence/property receipt will list the type of dangerous drug, the number of bags submitted, along

with the weight and count. The officer weighing the drugs should indicate whether the drugs were weighed with or without the bag or container.

Only drug evidence that is necessary to support the elements for an arrest or anticipated arrest will be processed by the lab. Officers will not submit evidence obtained from concerned parents, schools, organizations, or in which an arrest will not be made, and evidence found which has no prosecutable value.

Guidelines established by the State Crime Lab will be strictly followed.

Drugs will be packaged separate from other evidence.

### **MONEY**

All monies submitted will be counted by both the submitting officer and his supervisor.

All money will be submitted in a sealed package and initialed by both the submitting officer and his supervisor.

Money will be packaged separate from other evidence.

### **EXPLOSIVE OR HAZARDOUS MATERIALS**

Volatile fluid of evidentiary value will be stored by the office of the State Fire Marshall. If more than one gallon is recovered, the submitting officer should attempt to receive authorization from the States Attorneys Office to store only a sufficient sample.

The property tag should indicate the type of fluid, total amount of fluid taken, the amount retained for evidence, and the amount disposed.

Fireworks, railroad flares, fuses, or ammunition less than 50 caliber may be submitted as with other evidence. All other explosives will be considered unsafe. Such materials

need to be discussed with the States Attorneys Office to determine whether only a sample is required and special consideration for storing and disposing of these items. The total amount of these items will be photographed.

The State Fire Marshalls Office will be contacted to identify or disarm any explosive material.

### **BIOHAZARDOUS ITEMS**

Any item of evidence that may be contaminated with a bodily secretion such as blood, semen, urine or feces requires special precautions and packaging. Every department vehicle is supplied with personal protective equipment. Officers should follow the universal precautions described in procedure 5.800. Hypodermic needles and syringes will be placed in plastic tubes. All packages submitted into evidence will be marked with the biohazard label. The Evidence/Property Inventory Tag will be marked clearly that the items submitted are to be treated as biohazardous items.

### **LIQUID**

Any container containing a liquid that may evaporate or leak will be heat sealed in a plastic bag, i.e., alcohol.

7. When the following types of physical evidence/trace evidence are collected from a crime scene, a known source standard must be collected for comparison by the crime lab:

- blood;
- hair;
- fibers;
- paint;
- glass;
- wood;
- metal;
- soil;
- tool marks;
- footwear impressions; and,
- elimination prints.

8. The location from which the samples are taken is critical for analysis by the crime lab and should be thoroughly documented

on the officer's supplemental report and Evidence/Property Inventory Tag.

9. Investigators are responsible for crime scene sketches and photographing the crime scene, and will follow established guidelines.

10. The responsibility for requesting laboratory examination belongs to the officer who collected, packaged and completed the Evidence/Property Inventory Tag and Maryland State Police Form 67. When an investigator is later assigned to a case where evidence has been submitted to the crime lab for analysis, he will be responsible for monitoring the progress of the evidence through the lab analysis, adjudication and property disposal.

11. When a stolen vehicle is recovered by this Department from another jurisdiction the originating agency will be contacted by phone and a directed MILES message. That agency will be asked if the vehicle should be held for processing by members of their department, or be released to the owner.

12. When a vehicle is stolen from our jurisdiction and the occupants were also involved in a more serious criminal act this information should be included in the MILES message and our intention to process the vehicle when recovered.

### ***PACKAGING, REPORTS AND EVIDENCE RECORDS***

1. Physical evidence collected by patrol officers or investigators will be marked as soon as possible. The mark will consist of the officer's initials, Incident number, and date scribed, or marked, in a location that will not mutilate or destroy the value of the item.

2. The officer will seal the evidence in a proper container with evidence tape, placing his initials and date across the tape and packaging. If not already pre-printed, a property stamp or tag will be affixed to the container and all requested information will be completed.

3. All evidence will be documented on an Incident Report and properly marked with an Evidence/Property Inventory Tag. All

forms will be completed in their entirety and approved by a Supervisor.

4. The officer assigned to the call and preliminary investigation is responsible for documenting any crime scene search and evidence collection he initiated and performed. This information will be included in the narrative of the case report that he is required to complete.

5. Investigators requested to process a crime scene are required to submit a detailed report on their efforts in processing the crime scene. An accurate record of events and all items recovered or processed will be documented. Information in this report should include:

date and time of arrival at the scene;

location of the crime;

names of victim;

if a sketch of the scene was made; and

action taken at the scene, including the number of photographs taken or videotapes.

6. If an investigator is called to the scene of a serious crime and decides that no evidence can be collected or photographs taken the assigned investigator will submit a supplemental report explaining the reasons.

7. When photographs or video recordings are made the following information will be documented:

date and time of incident;

nature of incident;

location of incident;

location where photos were taken; and

name of photographer.

8. Video tapes may supplement, but should not replace, still photography. The tab will be removed on any tape that the investigator wants to retain permanently. Tapes will be clearly marked as to the

incident number, date, time, location, nature of incident, and officer who operated the camera.

9. A record will be made each time a custodial transfer of physical evidence takes place. All evidence will be stored under the direct control of the evidence custodian. When an officer is required to take evidence to court he will obtain the evidence from the evidence custodian. A written request for the evidence should be made at least five days prior to court. Evidence will be returned to the evidence custodian, or will be placed in the evidence lockers.

10. When evidence is retained by the States Attorney, the officer will write a supplement report indicating that the States Attorney has taken possession of the evidence.

11. When returning evidence after a case has been adjudicated, the court file will indicate the disposition of the evidence. Officers will immediately seek an order from the judge before leaving court directing the disposition of the evidence.

12. To maintain a record of physical evidence submitted to a laboratory for examination, the submitting officer will complete the Maryland State Police Form 67. The following minimum information is required:

name of the officer last having custody of the item;

date and time of submission or mailing and method of transmission;

date and time of receipt in the laboratory; and

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

13. The crime lab provides a written report of their findings on all requests for examination. Some cases can be disposed of by the arresting officer by calling the crime lab and getting an oral lab result. However, in all cases, the officer should indicate that a written lab result is necessary for our records.

**TRAINING**

1. Recruit police officers, as part of their basic law enforcement curriculum, are trained in crime scene processing. Additional training in crime scene processing and accident investigations is provided through the Field Training Program for new police officers.

2. Specialized training is provided to personnel assigned duties as an investigator. Training provided for crime scene processing will assist officers in developing the following skills:

recovery of latent fingerprints and palm prints;

recovery of shoe, tool, and tire impressions;

photographing/videotaping crime or crash scenes;

preparing crime or accident scene sketches; and,

collecting, preserving, and transmitting physical evidence, including biological materials.

3. Investigators will be provided with refresher training in crime scene processing as a component of the in-service training program.

**OFFICER/INVESTIGATOR RESPONSIBILITIES AND RESPONSE**

1. The Department will maintain a specialized assignment call out list in the Communications Center to contact an investigator if one is not working and a scene needs to be processed. The criminal Investigation Supervisor must authorize the call out of an investigator.

**PATROL OFFICER**

Emergency response procedures;

Preliminary report and investigation, initial scene protection; and,

Support role, if requested, for follow-up investigation.

**SUPERVISOR**

The Supervisor on the scene is responsible for the direction and supervision of all crime scene personnel until relieved by an investigator.

**INVESTIGATOR**

Follow-up investigation.

Direct control of the crime scene.

Collection and preservation of physical evidence.

Processing, photographing and videotaping sketching.

Packaging and inventorying evidence.

Report detailing the crime scene processing, activities and results.

**EQUIPMENT AND SUPPLIES**

1. Equipment and supplies provided to investigators will be stored in a designated locker. Care and maintenance of the equipment and supplies is the responsibility of one investigator specifically delegated this task. This investigator will ensure that enough supplies are on hand to handle any call to process a crime scene and the designated evidence case is appropriately stocked and ready for use.

2. Whenever equipment needs repair or supplies need to be replaced the investigator assigned to maintain the supplies will submit a request to the Criminal Investigations Supervisor.