



CEDAR RAPIDS POLICE DEPARTMENT

Cedar Rapids, Iowa

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POLICY TITLE: *Evidence, Crime Scene*

STANDARD/REF #: 83.1.1 / 83.2.1 / 83.2.2 /
83.2.3 / 83.2.4 / 83.2.5 /
83.2.6 / 83.3.1 / 83.3.2

APPROVED BY: *David Dostal, Chief*

REVIEWED DATE: 3/17/2023

REQUIRED *Property and Evidence*
REVIEWERS: *Commander; CID Captain*

REVISED DATE: 3/18/2024

POLICY/PURPOSE:

The purpose of this policy is to provide personnel with guidelines and uniform procedures, which incorporate scientific methods for the collection and preservation of physical evidence. A thorough, detailed evidence collection process will ensure that:

- The integrity of the chain of custody of evidence is maintained.
- The evidence will contribute to the success of investigations.
- The evidence will facilitate the prosecution of criminal offenders.

TRAINING: [83.2.1c]

All officers receive evidence handling and collection training in their initial academy and during the field training process.

ON-SCENE RESPONSIBILITIES: [83.2.1a]

The incident scene must be secured as soon as possible to prevent the contamination, disturbance, or loss of evidence.

- It is the responsibility of the first officer arriving on the scene of an incident to secure the scene from all nonessential persons.
- If necessary, the securing officer will request assistance from the watch commander or field commander in protecting the crime scene. The watch commander or field commander will make a determination if an investigator and/or a Crime Scene Unit (CSU) investigator is needed, and if so, request that the proper notification list be activated.
- If the incident is a homicide, or undetermined death, the officer securing the scene will initiate a log with the name, time, and reason for all personnel who enter the scene.
- The securing officer will ensure that all personnel on the scene do not disturb or touch physical evidence while waiting for the arrival of a crime scene Investigator. An exception to this would be in a situation where a danger exists of the evidence being lost or destroyed prior to processing by an investigator and/or a crime scene investigator or a victim needing medical attention.
 - In this type of situation, it is the responsibility of the securing officer, whenever possible, to secure and preserve the evidence in an appropriate manner utilizing all available means at their disposal, pursuant to procedures outlined in this section.
- The securing officer will remain on the scene, until either the scene is turned over to the Criminal Investigative Division (CID) or the CSU investigator, or they are relieved by the watch commander.
- The assigned on-call investigator and the CSU investigator have the primary responsibility for processing the scene unless they are relieved by the CID commander. They are responsible for photographing, collecting, preserving, transporting, and submitting all evidence to the Property and Evidence Unit.



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- If the incident is minor in nature, evidentiary items may be collected, preserved, and inventoried by the on-scene officer(s).
- If the incident is major in nature (i.e. homicide, criminal sexual assault, arson, robbery), the CID on-call commander will be notified. It will be the responsibility of the on-call commander to assess the situation and make the determination if they will process the scene.

REQUESTING AN INVESTIGATOR AND CSU INVESTIGATOR:

The watch commander may request an on-call investigator and a CSU investigator through a CID commander at any incident scene, which requires photography work or the preservation or collection of physical, or trace evidence.

When requesting an investigator and a CSU investigator the following factors will be considered:

- If a suspect is in custody or a known offender is suspected, and evidence may place him at the crime scene;
- If it appears that there is a strong likelihood of obtaining latent fingerprints suitable for comparison or other physical evidence that may link an unknown offender(s) to the crime scene at a later date;
- If there are visible footprints or tire impressions believed to have been left by the offender(s);
- If there is visible blood or trace evidence present.

On-call Investigator and CSU Investigator availability:

- The department will maintain 24-hour on-call coverage for crime scene processing and other evidence duties.

After hours call-out procedure: [83.1.1]

- The watch or on-scene commander will contact the on-call CID commander to request an on-call investigator and/or a CSU investigator.
- They should attempt to convey to the on-call commander, any special equipment needed.

On-call investigator and CSU investigator arrival on scene:

- Once the assigned on-call investigator and/or CSU investigator arrives on the scene, the securing officer and/or reporting officer will review the crime scene and what has transpired with the on-call investigator and/or CSU investigator, including pointing out possible evidence or any items of special interest.
- In all major incidents, the securing/reporting officer will remain on the scene until relieved by the CID commander, investigator and/or CSU investigator.



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- If the incident is minor in nature, upon approval by the watch commander, the reporting officer may leave the scene prior to the on-call investigator and/or CSU investigator arrival. The watch commander will only grant his approval if there is a reasonable expectation that the area(s) targeted for evidence processing will remain secure or security is not an issue. Personnel availability will be a primary consideration in this decision.
- In most situations, the on-call investigator and/or CSU investigator may request that the securing officer and/or reporting officer remain on the scene to provide assistance and/or security. This request will be made to the watch commander for approval.
- The assigned CSU investigator will cooperate with the criminal investigator and will be responsible for the following:
 - Forwarding supplemental reports to the CID commander.
 - Making immediate notification to the assigned investigator and/or the CID commander of any significant crime scene findings or discoveries, and
 - Upon request, provide a briefing to the CID commander, detailing the results of the crime scene processing.

CSU INVESTIGATOR EQUIPMENT: [83.2.4a, b, c, d]

CSU investigators will be provided with the necessary equipment and supplies in order to properly collect and preserve evidence for future judicial proceedings in an effective and timely manner. The specialty equipment maintained by CSU investigators is that which is used for:

- Latent fingerprint recovery
- Photography
- Crime scene diagrams and measurements (FARO 3D Scanner)
- Collection and preservation of physical evidence

It will be each CSU investigator's responsibility to ensure that the assigned crime scene vehicle has all the supplies necessary to complete the assignments.

- Periodic inventory will be made by each CSU investigator to ensure adequate supplies are on hand.

It will be mandatory for all CSU investigators to have their equipment available to them while on duty.

OUTSIDE AGENCY ASSISTANCE:

In some cases, it might be advantageous to the department to utilize the services of an outside agency's technical support unit (i.e. Division of Criminal Investigation Evidence Technician Unit, Iowa State Patrol, Linn County

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Sheriff's Office, and Marion Police Department). In these situations, personnel availability, experience, and complexity of the crime scene will be considered.

- The decision to request the services of one or more of the above agencies will be made by the CID commander.
- If an outside agency is to be utilized, a request will be made to the applicable personnel to allow our assigned CSU investigators to assist and/or observe in the crime scene processing. This will allow for increased coordination between the involved agencies and the enhancement of skills for the participating department CSU investigators.

PROCESSING PROCEDURES – EVIDENCE COLLECTION: [83.2.1a,b]**Firearms:**

Officers may refrain from clearing a firearm, depending upon the relevancy of the incident and if the evidentiary integrity may be compromised by doing so. CSU shall be responsible for the clearing of the weapon. If CSU is not available, the weapon will be secured in an evidence gun box and turned in as evidence to be processed by CSU.

If CSU is not available and the weapon remains loaded, this status shall be:

- Clearly identified on the exterior of the gun box and
- An email shall be sent to "Police ID Processing" indicating the loaded status of the gun and request for processing.

Photography: [83.2.1a,b; 83.2.2]

- Photographing major crime scenes and other incidents is the responsibility of an investigator and/or CSU investigator.
- Patrol officers may photograph minor incidents/crimes and accidents. Photographs of the scene should be taken prior to any items being moved, altered, or collected.
- Digital photographs are maintained in a digital format on a server. Photos are downloaded using a squad car MDC or a network computer. Personnel shall place photos in the designated location by the end of their shift.
- When the exact size of an item being photographed is required, a scale will be placed next to the item to add dimension and aid in the development of actual size prints. In these situations a second identical photograph of the item will be taken without the scale, or anything else introduced into the field of view.
- In an event of a serious incident or the event has the potential to become a serious incident the watch commander and/or CID commander may request that all photographs be recorded on the photo log sheet containing the date, time, location, subject, photographer's name, and case number.



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Crime Scene Sketches:

When crime scene sketches are drawn, pursuant to the procedures outlined for the collection and preservation of evidence, they will generally contain the following information:

- Relation of the scene to other buildings, geographical features and/or marks, or roads;
- Address, floor or room number, as appropriate;
- Location of significant features of the scene, including the victim if applicable;
- Date and time of preparation;
- Name and PIN number(s) of officer(s) preparing the sketch;
- Direction of North; and
- Exact location of physical/recovered evidence.

Generally the Investigator and/or CSU investigator processing the scene will make rough sketches and measurements, including sufficient information so a final scale drawing can be made at a later time. These rough sketches will be retained in the case file.

Collection of Known Standards for Comparison: [83.2.1a; 83.3.1]

Whenever the collection of a known standard for comparison purposes involves, belongs to, or in the possession of the suspect (i.e. hair, blood, DNA buccal swabs, fibers, fabrics, paint, glass, wood, soil, tool marks), the county attorney's office shall be contacted for prior approval. It may be necessary to obtain a search warrant or court order prior to collection in these situations.

Latent Prints: [83.2.3]

The lifted print generally contained on either a fingerprint lifted or fingerprint card will then be appropriately marked with the case number, latent location, address collection, and have the recovering officer's name and PIN number.

Blood and Perishable Evidence:

Perishable evidence should be packaged in paper containers and transported to the police department as soon as possible. A property technician or CSU investigator should then be notified of the perishable evidence so that it can be properly dried and processed before the evidence degrades.



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Collection of DNA Evidence at Crime Scenes:

- Place the DNA swab back into its original packaging and then into the provided manila envelope and mark the envelope with the appropriate information pertaining to the swab. The recovering officer should seal the envelope with evidence tape and then initial and date across the seal.
- Transport the manila envelope to the police station, affix an evidence tag to the envelope, and place the item into a secure evidence locker.

Collection of DNA Evidence from People [83.2.1a,b]

Cheek swab (buccal)

- The collector should ensure that the provider of the sample has not eaten or drank anything for 20 minutes prior to the collection. Using the DNA collection kit, take the cotton tipped swab and scrub the inside of the cheek. Repeat this with the second swab on the opposite cheek. These swabs do not need pre-moistened.
- Once the sample is collected, place each cotton swab into the DNA swab box provided with the kit. Place the swab stick through the pre-slotted tabs to keep the tip from touching the sides of the box. Place the DNA swab box in the provided manila envelope and mark the envelope with the appropriate information pertaining to the swab. The recovering officer should seal the envelope with evidence tape and then initial and date across the seal. Transport the manila envelope to the police station, affix an evidence tag to the envelope, and place the item into a secure evidence locker.

Evidence Records: [83.2.1b,d]

- Whenever property or an item of evidentiary value is recovered, a Property Receipt (CRPD Form 407) must be completed. The only exception would be photographic evidence.
- A record will be made each time a transfer in custody of physical evidence takes place. A record will be maintained noting the chain of custody transfers.

Lab Analysis: [83.3.2a,b,c,d]

- Periodically it may be necessary to submit recovered items of evidence to an accredited forensic lab. The CRPD utilizes the Iowa Division of Criminal Investigation Criminalistics Laboratory (DCI Crime Lab) for analysis, comparison, or processing.
- It will be the responsibility of the assigned case officer/investigator to determine if it is necessary to submit evidentiary items to the DCI Crime Lab with input/approval from his immediate supervisor prior to submission.
- When the determination has been made to submit evidence to the DCI Crime Lab, the item(s) of evidence will be submitted/transported by an officer or investigator when practical.



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- Prior to any item of evidence being submitted to the DCI Crime Lab, a DCI Evidence Receipt will be completed per the DCI Crime Lab pre-log website. The evidence receipt will contain the following information: [83.2.1d]
 - The printed name of the officer delivering the item(s) of evidence to the crime lab;
 - The date and time of submission;
 - The signature of the lab personnel receiving the evidence.
- Upon submission of the evidence to the crime lab, the submitting officer will retain a copy of the evidence receipt. This receipt will then be filed in the appropriate original case file.
- After the state crime lab has completed the analysis of submitted evidence and the police department has been notified that such evidence may be picked up, the retrieval officer shall sign and receive a copy of the DCI Crime Lab evidence receipt. This receipt will serve as documentation that the police department is in custody and control of such evidence. [83.2.1d]
- The retrieval officer shall return the receipt and evidence to the police department. Upon arrival at the police department, the retrieval officer shall return the item to a property technician or note on the state lab receipt the date, time, and location (locker number or other approved location) where the property is placed awaiting resubmission to the property section.
- The property technician will then submit the state lab receipt to the Records Department so that it may be scanned into the case file.
- The DCI Crime Lab provides the agency with a written report on all analysis and examinations conducted. [83.3.2e]

CSU Investigator Report: [83.2.6]

Whenever a CSU investigator is assigned to collect or process evidence, they will complete a supplementary report to the original case report in a timely manner. These supplemental reports shall be submitted to a CID commander for approval. The report should include, at a minimum, the following:

- Date and time of arrival at the scene
- Location of the incident
- Name of victim(s), if known
- Name of suspect(s), if known
- Actions taken at the scene, to include photographs, diagrams, measurements and a listing of physical evidence recovered
- Case number
- Written narrative



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EVIDENCE GATHERED AT HOSPITALS: [83.2.1a,b]

Evidence is to be gathered from the victim and/or defendant, if applicable. A property receipt will be completed and a copy left for the property owner.

- Blood sample. If alcohol is to be checked, a sample should be obtained by attending nurse, lab technician, or a doctor.
- Oral swab/buccal swab. The sample may be used to test for DNA, and should be collected with clean sterile cotton tipped swab and air dried before packing.
- Fingernail scrapings. These should be obtained and placed in separate paper containers.
- Photographs should be taken, when appropriate, of any wounds, bruises or abrasions resulting from the contact involved.
- Clothing should be taken, when applicable. Each article of clothing should be placed in a separate paper sack. If the articles are wet, they should be air dried as soon as possible and plastic bags should only be used to allow for handling and transport. Wet items left in plastic will start to spoil in a short time period.
- If a sexual abuse evidence kit is available, it should be used. The kit provides the materials and packaging of most of the evidence encountered and will be collected by the attending nurse or physician.

The names of the hospital staff members who take the samples should be recorded in the officer's report, as well as the names of the person who received the samples. In this way, the chain of evidence is secure and can be demonstrated in court.

Clothing shall be kept separated by victim and suspect and placed in the evidence lockers unless they are in need of drying. Clothing that needs drying should be given directly to a CSU investigator if possible. If a CSU investigator is not available, place the clothing into an evidence locker, and send an email to Police ID Processing distribution.

Complete and detailed reports describing the nature of the evidence by the collection thereof and the chain of evidence must be completed by all officers assisting with the procedure.

SEIZURE OF COMPUTER EQUIPMENT: [83.2.1a,b; 83.2.5]

The following shall be established procedures for the seizure of computer equipment and other devices capable of storing data in an electronic format.

- Officers should exercise extreme caution when seizing and/or examining computer equipment, cellular telephones, personal digital assistants (PDAs), thumb drives, external hard drives, and other devices capable of storing data in an electronic format so as not to cause severe damage or the loss of valuable data.



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- Persons who have specialized knowledge of computers and computer security should be consulted during the preparation and execution of search warrants when deemed necessary. Available resources may include employees from the following organizations or departments: DCI Cyber-Crime Unit, Computer Forensic Examiner and Cyber-Crime Investigator.
- Officers should not rely on suspects, even when they are cooperative, for any computer-related assistance.
- When computer equipment is in operation at the time of seizure, the CPU should be disconnected from the power source. This procedure will ensure that all contents stored on the hard drive remain intact. However, data cached in memory will be lost when the computer is powered down. While it may be safe to utilize the shutdown button on a Windows system, there is a possibility that the computer has been modified to run embedded scripts that alter data stored on the disk.
- Before operating, computer equipment should be disconnected from the power source. Photographs and/or videotape of on-screen images should be taken.
- Computers, disks, drives, and related peripherals should be considered fragile. Such equipment should be appropriately packaged, handled, and transported.
- Special care must be taken to avoid exposing removable media such as hard drives, flash drives, memory cards, CDs, and DVDs to elements that could compromise the data contained on these devices. Some types of removable media may be rendered useless by exposure to static electricity and physical force. These items should be packaged in anti-static packaging, paper bags, or envelopes when possible.
- A person skilled in computer operation should be used to examine such equipment prior to startup.
- Whenever possible, a copy of the hard drive should be made before examination. The original should then be placed in secure storage and the copy used for examination purposes.
- Prior to sending the computer to auction or having it used by the department, the hard drive or other media should be wiped clean.

FIRES:

Officers will complete a supplement and request an Arson Investigator from the Cedar Rapids Fire Department on fires where:

- A death or injury occurred,
- Officers suspect arson,
- An explosion was involved, or
- The fire is suspicious in nature

If an Arson Investigator is not available, Officers will complete an Incident Report (CRPD #600).