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GENERAL ORDER 83

COLLECTION & PRESERVATION OF EVIDENCE

EFFECTIVE DATE: August 14, 2024

SUMMARY OF REVISIONS: REVISION OF 83.3.2

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PURPOSE: This order 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 ADMINISTRATION

83.1.1 AVAILABILITY OF CRIME SCENE/TECHNICAL TRAFFIC CRASH PERSONNEL

An evidence technician or technical crash investigator is **available for call on a twenty-four-hour basis**. When the immediate services of a crime scene or technical traffic crash personnel are required, the specialist will be contacted immediately. It will be the responsibility of the on-duty patrol shift commander to:

- Ensure notification to the evidence technician and/or technical crash investigator is made.
- Ensure the scene is secured until they arrive.

If no evidence technician and/or technical crash investigator is on duty, a call roster is maintained in the communications center as part of the 42-day personnel order.

- The patrol shift commander will be notified in the event an evidence technician and/or technical crash investigator is unable to be contacted
- Crime scene/technical traffic crash personnel may respond to police headquarters to pick up appropriate vehicle and/or equipment.

Sworn personnel in the Patrol and Investigative Sections receive training on crime scene preservation and the collection and preservation of evidence biennially.

83.2 OPERATIONS

83.2.1 FIELD PROCESSING EVIDENCE

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. Such a log is mandatory for major crime scenes including homicide.
- Personnel authorized to enter a controlled crime scene must wear protective gloves and shall not have any type of drink, tobacco etc.

A. Processing and collection of evidence: Depending on the type of scene (crime or traffic crash), the on-duty supervisor, will make the determination as to whether a crime scene or traffic crash personnel are required.

- The 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 an evidence technician, technical crash investigator, and/or detectives could lead to a more efficient or effective conclusion to the investigation.

B. The Collection & Preservation of Evidence Protocol published and provided by the Forensic Science Section, will be used as the guideline for the collection and preservation of physical evidence. All Officers will complete Divisional training in field evidence collection that normally does not require the assistance of an Evidence Technician.

- In most minor cases officers are trained in evidence collection and DNA buccal swab collection and capable of processing evidence in the field.

C. 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 properly labeled and/or tagged.

- For all items of evidence, the officer impounding the evidence will complete an electronic (RMS) voucher, which will document the following information:

- A complete description of each item (i.e. make, model number, serial number, color, etc.)
- Source (from whom the property was obtained and/or the exact location where the property was seized)
- Name of the person collecting the item(s)
- Case number
- Location where the property was recovered

- The evidence shall be placed in a property control locker. Overflow lockers are designated as gun security lockers and those located in the Armory.

D. Chain of custody of evidence: The electronic (RMS) voucher is maintained electronically.

- It is the responsibility of the submitting officer to maintain control of the property, until it is submitted/secured in the agency's property control unit, turned over to another individual or agency, or released.

83.2.2 PROCEDURES FOR PHOTOGRAPHY AND AUDIO EVIDENCE

A. Crime scene and life-threatening or fatal accident scene photographs (digital images) are necessary when the photographs are of paramount importance to a case to accurately document evidence.

- Photographs (digital images) of physical evidence should be taken prior to the collection of physical evidence when possible.

- Crime scene photographs (digital images) should be considered in the following circumstances:

- Crimes of violence (i.e. domestic violence, assault, etc.)
- Death investigations
- Serious felonies
- Perishable goods (in lieu of impounding the goods such as in the case of shoplifting)
- When evidence might be damaged or destroyed (footprints, blood marks, etc.)
- Crimes involving serious injury (i.e. illustrate the injury at the time of occurrence)
- 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 un-scaled photograph.

B. Routine audio and video recordings documented in reference to drug investigations are maintained with the drug evidence in the Forensic Science Section.

C. Video photography of crime scenes may be used as a substitute or in addition to still photography.

- Digital images will be stored on an agency computer by forensic science section personnel and filed by film pack number and/or property control number.

- A defined server location shall contain ALL digital images. Sub-folders shall be created to contain all the case folders for each sequential year, e.g. 2011 with a separate sub-folder for month and case images.

- Forensic Science Section (FSS) personnel shall create a computer file folder for Patrol Operations (film packs) and the Forensic Science Section (Year-Month-Case) 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 and the initials of the FSS Photographer.

- Officers shall submit cameras and a film pack envelope that shall contain the frame number, location, general offense number and badge number of the officer.

- Forensic Science Section will download the images from the camera to the film pack folder in the computer.

- Images (photo files) shall be retained in the records function and subject to records retention as specified by the city records retention schedule as are the FFS photo files.

- 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 request, digital photographs of cases shall be downloaded from the server to a CD. The CD is then available for the prosecutor, defense attorney and/or investigating officer.

Upon determination of the Investigating Officer, Law Director or Prosecutor that images recorded by in-car camera systems will be used in a criminal prosecution as evidence, the recorded media will be submitted to the FSS as evidence.

D. The use of personal cell phones or other personal devices to collect and/or preserve evidence is unallowable; except in circumstances where the loss of the evidence is imminent and collection must be made before the evidence is lost. This should only occur in exigent circumstance. The personal item must be submitted immediately to the Forensic Science Section for appropriate download and copies.

83.2.3 COLLECTION OF FINGERPRINTS

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.
- Collection of fingerprints from items at a crime scene should be in accordance with **Collection & Preservation of Evidence Protocol** published and provided by the Forensic Science Section.
- Objects that need to be fingerprinted and could be better processed in a controlled environment should be collected as evidence and submitted for processing.
- The impounding officer should indicate on the electronic (RMS) voucher if the evidence requires processing.
- If the evidence requires processing by the Forensic Science Section, the request should be documented on the electronic (RMS) voucher.
- **All latent fingerprints collected as evidence**, whether from known or unknown subjects will be stored as evidence by the Forensic Science Section AFIS unit for submission into local and the State of Ohio database, who in turn, may make submissions to the any national databases.

83.2.4 EQUIPMENT AND SUPPLIES

- A. Each patrol and detective unit is provided a latent print kit.
- B. Digital cameras/recorders are available for Patrol operations.
 - Professional SLR/digital cameras are available for FSS personnel
- C. Templates and tablets are available from the FSS for use in crime scene sketches and/or digital rendering of the scene.
 - Patrol officers have access to OH-2 Diagram forms that may be utilized to complete sketches of a scene (crime or crash).
- D. Patrol and Investigations personnel are provided with evidence collection and preservation containers to assist in the collection and preservation of physical evidence.
 - The agency utilizes a crime scene response vehicle. This vehicle is equipped with a fingerprint kit, digital cameras, sketchpads, templates, and collection and preservation containers.

Additional equipment used for the purposes of investigation, including portable power generators and scene lighting are available from the Mansfield Fire Department.

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 reference the **Collection & Preservation of Evidence Protocol** prepared by the Forensic Science Section of the Mansfield Police Department.

- The recommended procedure, in general, to save information and prevent damage to data or devices is to photograph the system and monitor, then unplug the computer and modem or network connection

simultaneously. Server systems will require trained personnel to seize.

- It is recommended that prior to search and/or seizure of computer equipment that proper consent or a search warrant is obtained whenever possible.

83.2.6 ACCIDENT/CRIME SCENE PROCESSING RECORD (LE1)

The officer who processes a crime or crash scene shall as applicable, complete a **General Offense Report, Motor Vehicle Crash report**, supplement report, and/or evidence voucher.

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 of an evidence technician or DNA analyst.
- Utilize Biohazard Universal **Precautions** as potential DNA evidence may be considered a biohazard.
- Ensure the evidence is secured.

B. The Collection & Preservation of Evidence Protocol published and provided by the Forensic Science Section, will be used as the guideline for the **collection, preservation and transportation** of physical evidence, including potential DNA evidence.

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 Forensic Science Section.

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 Collection & Preservation of Evidence Protocol published and provided by the Forensic Science Section.

83.3.2 SUBMITTING EVIDENCE TO FORENSIC LABS

A. The officer who takes responsibility for a crime scene and /or the investigation will generally be responsible for submitting evidence and recovered property to an accredited forensic laboratory.

B. **Forensic evidence** shall be packaged and submitted in accordance with the Collection & Preservation of Evidence Protocol.

- In general, evidence should be dried prior to being packaged.

- Normally, evidence will be packaged in plastic, paper bags or cardboard containers.
- Urine evidence collected by an officer shall be placed in an approved evidence container, and sealed. The samples will be drop shipped by the submitting officer to the Ohio State Highway Patrol Laboratory for analysis.

C. Outsource laboratory analysis will be submitted by the FSS in accordance with the specific laboratory guidelines. Outsource cases will generally include a laboratory **submission sheet**, documentation of all property submitted for testing/analysis and will include name of officer last having custody of the item and date of submission. The method used for transmission, and date and time of receipt in the laboratory may also be documented.

- The submission sheet will contain the name and location of the laboratory and description of the examinations/analysis desired.

- A copy of the offense/incident and/or arrest report that includes a synopsis of the event may 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.

- Results will be forwarded to the Forensic Science Section, which will maintain a copy and forward the original to the case folder.

F. Any time money, jewelry, drugs or ammunition is confiscated during an arrest; these items are always to be packaged separately from each other - NEVER TOGETHER.

- Money shall be counted by two officers, packaged separately with the total amount documented on the outside of the packaged. The package(s) are to be heat sealed in plastic and initialed by both officers; including their badge numbers (Ex: \$253.49 JY#123).

G. Syringe submissions

- Syringes containing liquid will be submitted to the Forensic Science Section.
- Expelled syringes shall be photographed, documented on a film (image) pack and disposed of in the sharp's container.

CROSS REFERENCE TO STANDARDS AND POLICIES: Ohio Revised Code 3701.43, MPD Collection & Preservation of Evidence Protocol, Forensic Science Manual MS 1.0, City of Mansfield Records Retention Schedule.

CROSS REFERENCE TO FORMS: Crime Scene Processing Form, Crime Scene Log.