



MAINE STATE POLICE GENERAL ORDER

E-49

SUBJECT: MAINE STATE POLICE EVIDENCE RESPONSE TEAM

EFFECTIVE DATE: 08.09.2021

EXPIRATION DATE: 08.09.2028

RECENT HISTORY: AMENDED (08.09.2021); AMENDED (08.01.2020); AMENDED (12.29.2016); CORRECTED (NONSUBSTANTIVE EDITS) (12.07.2010); REVISED MSP GO E-49 (FORMERLY G.O. 83T)(12.08.2010)

DISTRIBUTION CODE: 2 (MAY BE PUBLICLY DISCLOSED)

APPLICABILITY CODE: S

MLEAP: 12.02

SIGNATURE OF COLONEL:

A handwritten signature in blue ink, which appears to read "John Cote", is written over a light blue rectangular background.

I. PURPOSE

1. The purpose of this General Order is to establish the Maine State Police Evidence Response Team.

II. POLICY

1. The policy of the Maine State Police is to maintain a trained, certified, and well-equipped Team of officers to respond to and examine major scenes that require investigation by law enforcement personnel. **MLEAP 12.02**
 - A. Troopers and supervisors shall continue to maintain responsibility for the documentation and processing of crime scenes that are not

"major scenes," as that term is defined in this order (for example, routine property crime scenes).

- B. Nothing in this policy prohibits a Troop Commander, or her or his Sergeants, from assigning members of the ERT who are assigned to the Troop to document and process crime scenes that are not "major scenes," as that term is defined in this order (for example, routine property crime scenes).

- *NOTE: Participation on a Maine State Police specialty Team is contingent upon Team members' satisfactory performance in their primary duty assignment. Participation on a specialty Team is a privilege, not a right, and by accepting an assignment to a specialty Team, a member of the Maine State Police waives any and all future claim of right to any benefit conferred upon the member by virtue of her or his participation on the Team.*

III. DEFINITIONS

1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.
 - A. Colonel. "Colonel" means the Chief of the Maine State Police, or her or his designee.
 - B. ERT. "ERT" is the acronym for the Evidence Response Team.
 - C. IAI. "IAI" is the acronym for the International Association of Identification.
 - D. Major scene. "Major scene" means a location where either:
 1. A murder, suspicious death, or serious bodily injury that has potential to become a murder has occurred; or
 2. A law enforcement officer-involved shooting has occurred.
 - E. On-scene supervisor. "On-scene supervisor" means the ranking officer responsible for overall control of the investigation that necessitated the activation of the Evidence Response Team.
 - F. Primary investigator. "Primary investigator" means the officer assigned to conduct the investigation that necessitated the activation of the Evidence Response Team.
 - G. Senior Team member. "Senior Team member" means a member of the Evidence Response Team who either is certified by the IAI Certification Board as a Crime Scene Analyst, or who is diligently working toward such certification and is authorized by the Colonel to be a member of the Evidence Response Team.
 - H. Team Commander. "Team Commander" means the Evidence Response Team Sergeant or, when necessary and appropriate, her or his designee.

IV. PROCEDURE

1. TEAM DUTIES

- A. Upon a request made pursuant to this policy, the Evidence Response Team (“ERT”; “Team”) shall respond to major scenes when and as directed to do so by the Team Commander.

2. TEAM STRUCTURE

- A. The Maine State Police ERT shall consist of as many members as are authorized by the Colonel.
- B. The Team shall be administered by the ERT Administrator, who is the Director of the Maine State Police Crime Laboratory.
- C. From the current members of the Team the Colonel shall select a Team Commander, who must be certified by the International Association of Identification (“IAI”) Crime Scene Certification Board as a Senior Crime Scene Analyst.
 - 1. The Team Commander is responsible for Team training, the administration of qualification examinations, inventory maintenance, and overall supervision of the activities of the ERT.
- D. From the current members of the Team the Colonel shall select an Assistant Team Commander, who must be certified by the IAI Crime Scene Certification Board as a Senior Crime Scene Analyst.
 - 1. The Assistant Team Commander is responsible for assisting the Team Commander with respect to Team training, the administration of qualification examinations, inventory maintenance, and overall supervision of the activities of the ERT.
- E. The Team Commander reports directly to the ERT Administrator with respect to the activities of the Team.
- F. The Team Commander shall designate senior Team members, as authorized by the Colonel, who shall be responsible for a geographical area of the State.
 - 1. Senior Team members shall be responsible for supervising Team members who work in the same jurisdiction as the respective senior Team member.
 - 2. Senior Team members should be certified by the IAI Crime Scene Certification Board as a Crime Scene Analyst, or be diligently working toward such certification.

- G. Each Team member should be certified by the IAI Crime Scene Certification Board as, at a minimum, a Crime Scene Technician, or be diligently working toward such certification.
- H. If time and resources permit, and with the approval of the Team Commander, members of the Team may consult with individuals with specific forensic expertise, in order to obtain advice from such individuals regarding 'best practices' in scientific techniques and methodology.

3. TEAM MEMBERSHIP

A. SELECTION

- 1. When a vacancy on the Team exists, the ERT Administrator, or her or his designee, shall notify all sworn Maine State Police officers of the opening.
 - a. An officer interested in joining the Team shall forward a written request through the officer's Commanding Officer to the Crime Laboratory Lieutenant, or her or his designee; the officer's Commanding Officer shall forward with the written request a recommendation and copies of the officer's performance evaluations for the most recent rating period.
- 2. Consideration for final selection to the Team shall be based on:
 - a. A candidate's time in service and/or related experience.
 - (1) A candidate must have completed one (1) year of service after graduation from the Recruit Training Troop and have met or exceeded expectations on the most recent performance evaluation.
 - (A) Any exceptions to this requirement shall be considered on a case-by-case basis for new members who were certified as law enforcement officers and who were, or are, currently certified in or assigned to a related law enforcement specialty;
 - b. A candidate's willingness to make a minimum commitment of three (3) years to the Team;
 - c. A candidate's Commanding Officer's recommendation;

- d. The geographic location of the candidate's residence;
 - e. The operational needs of the Maine State Police; and
 - f. The approval of the Support Services Major.
- 3. Each candidate must successfully complete the specific testing and evaluation processes associated with the ERT.
 - 4. An officer selected to join the ERT shall be a probationary member of the ERT for one (1) year. At the end of that period, the ERT Commander shall make a recommendation to the ERT Administrator as to whether the officer should become a permanent member of the ERT. The ERT Administrator, under the direction of the Support Services Major, shall determine whether the officer will become a permanent member of the ERT based on the ERT Commander's recommendation and any other information the ERT Administrator thinks relevant to the determination.

B. MEMBER RETENTION REQUIREMENTS

- 1. To remain a member of the Team, each Team member shall
 - a. Respond immediately to calls for a Team response when requested;
 - b. Successfully acquire and maintain IAI Crime Scene Certification Board certification;
 - c. Maintain proficiency in processing major scenes;
 - d. Attend, participate in, and meet the training goals and learning objectives of all required Team training; and
 - e. Meet or exceed expectations on general, and Team supplemental, performance evaluations.
- 2. Failure to meet any of the above requirements is grounds for the removal of a member from the Team; the ERT Administrator must approve the removal of any Team member from the Team.

4. TEAM EQUIPMENT

- A. Equipment, as determined by the Team Commander following consultation with the ERT Administrator, may be issued to each member and must be kept in the members' issued vehicles.
- B. All equipment must be maintained in excellent working order, kept clean, and decontaminated after each scene is processed.
- C. Problems with issued equipment must be promptly reported to the Team Commander, or her or his designee.

D. A sufficient number of Team vehicles equipped for scene processing must be maintained geographically and be strategically located.

1. Each such vehicle is to be assigned to a senior Team member, or her or his designee, and he or she shall be responsible for the maintenance of the vehicle, as well as for ensuring that the vehicle is fully stocked and equipped.

5. TEAM TRAINING

A. Training Generally

1. The Team Commander shall determine the scope and subject matter of Team training.
2. The Team Commander shall maintain a training record for each Team member.
3. Each year the ERT Administrator, after consulting with the Team Commander and the Operations Major, shall determine and set the total number of annual training hours the Team is required to complete, and shall communicate that information to members of the Team, Maine State Police Commanding Officers, and the Maine State Police Command Staff.

B. Attendance

1. Each Team member shall attend, participate in, and satisfactorily meet the goals and learning objectives of all required Team training.
2. For good cause, the Team Commander may excuse a member from a Team training session.

C. Non-MSP Team Training Records

1. Each Team member shall ensure that a copy of attendance records from an outside training program (e.g., North East State Police Administrators Conference) are forwarded to the Maine State Police Training office.

6. INJURIES TO TEAM MEMBERS

- A. With respect to injuries to or medical work restrictions placed on a Team member, the Team and Team member shall act in accordance with MSP GO E-108.

7. TEAM ACTIVATION

- A. The senior ranking Maine State Police officer at a major scene may request the assistance of the Team by contacting the regional communications center (“RCC”) of jurisdiction to request that the RCC contact the Team Commander or Assistant Team Commander to request activation of the Team.
- B. The Team Commander (or Assistant Team Commander, if applicable) shall gather as much information as possible from the individual requesting the assistance of the Team, and then make the determination of whether to activate the Team to respond to the request.
- C. If the Team Commander (or Assistant Team Commander, if applicable) decides to activate the Team, he or she may notify the appropriate RCC and request that the RCC contact the Team members who are to respond to the major scene.
 - 1. The Team Commander shall ensure that each RCC is provided with a Team roster that is current.
- D. An on-duty Team member whose assistance is requested at a major scene must contact her or his supervisor, or her or his designee, to request permission to respond to the major scene.
 - 1. A Team member who is denied permission to respond to a major scene, or who is otherwise unable to respond to a major scene, must ensure that appropriate personnel are promptly notified so that another Team member may be assigned to the location of the major scene.
- E. A Team member may respond to and assist with the processing of a scene that is not a major scene if the Team member requests, and is granted, permission from her or his supervisor to do so.

8. TEAM RESPONSE

- A. At any major scene to which the ERT responds, the senior Team member shall report to the on-scene supervisor to collaboratively coordinate the Team's work at the scene.
 - 1. Once the processing of a major scene has been completed and the scene is released, the ERT shall participate in any debriefing and investigative meetings intended to assist with the investigation and prosecution of the case to which the major scene relates.
 - 2. The senior Team member is responsible for briefing the Team Commander regarding the Team's response to and work at a major scene.

NOTICE

THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.