

MONTPELIER POLICE DEPARTMENT

CRIME SCENE PROTECTION AND PROCESSING, AND WARRANT SEARCH LOCATION PROCEDURES	Related Policies:
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Vermont Statutes:	
CALEA Standard:	
Date Implemented: 7/23/2021	Review Date: 7/23/2022

- I. **Purpose:** The purpose of this policy is to establish guidelines governing the procedures and responsibilities of crime scene protection, searches, and processing for the Montpelier Police Department (MPD). The actions taken by patrol and investigative officers at crime scenes often determine the course and success of a criminal investigation. Initial responding officers play the lead role by protecting the crime scene, rendering emergency services, and initiating the investigation. It is also vital that warrant searches of a home, facility or other building are done in an organized manner to preserve chain of custody integrity.
- II. **Policy:** It is the policy of MPD that all officers and dispatchers understand and follow applicable procedures to effectively protect, collect and preserve evidence of a crime scene or search, and conduct initial investigative and other essential tasks at major crime scenes or during warrant searches.
- III. **Definitions:**
 - A. Chain of Custody: Documentation and maintenance of the handling of items of evidentiary value.
 - B. Evidence Custodian: Primarily responsible for the receipt, storage, tracking, and disposal of items of evidentiary value.
 - C. Evidence Logging Officer: An officer designated to log, collect, and photograph evidence.
 - D. Evidentiary Value: Items or information that may establish how, when, or where a crime was committed and/or who may have committed a crime.
 - E. Initially Responding Officer(s): The first officer(s) to respond to the scene.

- F. Inner Perimeter:** The area of a crime scene which visibly contains or may reasonably contain items or images of evidentiary value. This area shall be limited only to personnel actively involved in the investigation. NOTE: EMS, Fire or medical personnel may be within the inner perimeter due to medical, fire, or other applicable responses as necessary.
- G. Major Crime Scenes:** Scene where violent or felony crimes may or have occurred such as, but not limited to, homicides, aggravated assault, sexual assault, kidnapping, arson, robbery, or crimes where significant injury or death have resulted.
- H. Outer Perimeter:** The area surrounding the inner perimeter. This area shall be controlled and restricted only to personnel relevant to the applicable investigation. NOTE: EMS, Fire or medical personnel may be within the outer perimeter due to medical, fire, or other applicable responses as necessary.
- I. Scene Supervisor:** The primary officer or investigator responsible for the investigation of the incident. NOTE: MPD may request the assistance of outside agencies (such as the Vermont State Police or the FBI) for assistance as the lead in processing a crime scene. In these cases, MPD shall follow the applicable crime scene processing and evidence collection policies of said agency.

IV. Procedures: Crime Scenes

- A.** Initial responding officers shall initiate the preliminary investigation and perform tasks as designated below until otherwise directed by a supervisor, detective, or other officer specifically assigned to criminal investigations.
 - 1. In transit to crime scenes, officers shall be cognizant of suspects/vehicles that may be in flight.
 - 2. Upon arrival, verify that a crime has been committed and relay essential information to Dispatch. Dispatch shall request additional resources as applicable through mutual aid agreements.
 - 3. Administer first aid and/or summon emergency medical assistance if required and take steps necessary to protect victims or others.
 - 4. Make the scene safe and arrest the suspect if at the scene¹. Any decision to leave the scene to arrest or pursue a suspect should be made based on weighing the immediate needs of victims and others against the safety of the public if the suspect was allowed to escape.
- B.** Once the scene is safe, Officers shall provide Dispatch with such information which may include, but may not be limited to:
 - 1. Nature of the crime committed;
 - 2. Description of the perpetrator and mode/direction of flight;

¹ Officers are permitted to enter, with force if necessary, premises without a warrant under exigent circumstances in order to conduct protective fan-out searches when they have reasonable grounds to believe that a person within is in immediate need of assistance or a perpetrator is present. If in the course of such a search, evidence is discovered in plain view, it may be seized without a warrant or noted for later removal. Any searches beyond these require a search warrant.

3. Description of any vehicle used by the suspect and any accomplices;
 4. Use of firearms or any other deadly weapons; and
 5. Any support required at the crime scene.
- C.** Identify any witnesses to the crime, secure their identities and request that they remain present at the crime scene until they can be interviewed. Officers will separate witnesses and should strive to interview witnesses separately and as soon as possible.
- D.** Where reasonably possible, obtain the identities on any other persons who were present upon arrival to the crime scene.
- E.** As applicable, note the license tags of vehicles parked near the crime scene and be aware of suspicious persons on hand at or near the crime scene.
- F.** Provide supervisors, detectives or any other investigative personnel arriving on the scene with complete information on the offense and the measures taken thus far by officers and others.

Preserving Crime Scenes

- A.** Homicides and other major crime scenes shall be controlled so to avoid destruction or contamination of items of evidentiary value which may include, but are limited to, footprints or other impressions, scent trails (that may be useful for canine searches). Responding officers and scene supervisors should also consider preservation/control of the “place last seen” of a kidnapped or missing persons as applicable.
- B.** Responding officers, regardless of rank, shall enter crime scenes only for purposes of aiding victims or bystanders in need of immediate assistance, apprehending suspects or securing the area. Other entries shall be permitted only under the direction of the scene supervisor. When possible, Investigations personnel should be assigned as scene supervisors for major crime scenes.
- C.** Officers making initial entry into a crime scene for the above purposes shall, where feasible, avoid touching, walking upon, moving objects, or otherwise altering or any items contains within the crime scene.
- D.** Define the boundaries of the crime scene to include all areas that may reasonably be searched for evidence. As necessary, considering the nature and seriousness of the crime, officers should:
1. Request backup assistance to restrict access to the crime scene and control any on-lookers;
 2. Erect red barricade tape, rope or cordon off, lock or otherwise secure the immediate crime scene (inner perimeter) and restrict access to defined crime perimeters; and
 3. Record any alterations made at the crime scene due to emergency assistance to victims, the actions of persons reporting the crime, handling of any items of evidentiary value or other actions.

- E.** Yellow barricade tape should be used to create an outer perimeter and staging area when determined appropriate. Red barricade tape should be used to create the inner perimeter which should encompass known or observed evidence at that time.
- F.** Access to the outer perimeter should be restricted only to law enforcement or other individuals with a legitimate lawful or investigative purpose. The inner perimeter shall be restricted to individuals directly involved in the investigation and/or processing of the scene. Once the inner perimeter is established, officers and other personnel not directly involved in the investigation/processing shall not re-enter unless authorized by the Scene Supervisor. If evidence is discovered outside the inner perimeter, a crime scene marker will be adjacently placed when necessary/applicable. The Scene Supervisor shall ensure that the identity of all persons who have been in and/or are entering the inner perimeter are recorded via the attached Crime Scene Log (Appendix A).
- G.** After the crime scene has been controlled, a canvass shall be conducted where officers attempt to contact neighbors, business owners, or other individuals within close proximity of the crime scene so to gather information which may be relative to the investigation.
- H.** The Scene Supervisor may designate an Evidence Logging Officer. Officers shall search the crime scene in a manner or method prescribed by the Scene Supervisor for any items of evidentiary value. This may include, but is not limited to:
1. Unusual objects or objects found in unexpected or unusual locations and;
 2. Weapons, tools, clothing, stains, blood splatters, fingerprints, footprints, tire or toolmark impressions, broken glass, fibers, DNA, notes, and documents, soil or other items or substances.
- I.** For crime scenes where MPD is the lead processing and collection agency, crime scenes shall be documented via video, photography, or both and shall include: an initial overall imagery capture of the scene, an intermediate imagery capture of items of evidentiary value, and close imagery capture of items of evidentiary value, and a final overall imagery capture of the scene after any processing or evidence collection.
- J.** For major crime scenes where MPD is the lead processing and collection agency, in addition to overall, intermediate, and close video and/or photographed imagery, notes shall be taken of the crime scene which include:
1. The time processing of the scene began and the time ended;
 2. The time and location each item of evidentiary value was found AND collected;
 3. Overall dimensions of the crime scene;
 4. A sketch or drawing of the scene which includes where items of evidentiary value were located within the scene. These sketches or drawings may or may not be drawn to scale. NOTE: if an item of evidentiary value was manipulated or moved, the sketch/drawing shall note the approximate location where the item was found prior to being manipulated or moved, as well as where the item was when it was collected.

- K.** Officers conducting preliminary and follow-up investigations shall complete appropriate reports in Valcour usually within 14 days or as directed by Investigations or a Supervisor. At a minimum the reports should include:
1. Date and time of arrival at the scene;
 2. Any relevant weather or situational conditions at the scene to include the status of the crime scene upon arrival (e.g. fire, crowds, and initial observations);
 3. How the officer or investigator discovered the crime scene;
 4. The relationship of any victims to complainants, reporting individuals, etc.;
 5. Identity of other officers or emergency personnel present upon the arrival and those who responded to the crime scene thereafter;
 6. Physical evidence discovered and officers responsible for collection (special note should be made of any valuables collected at the scene such as currency or jewelry);
 7. Contact information of witnesses to the crime;
 8. Results of interviews with victims and witnesses to include in particular the identity or best possible description of suspects, method of operation, means of escape and other pertinent identifying information;
 9. Information of canvass results to include date, time and locations where contact was attempted, results of contacts, and contact information of those interviewed;
 10. Attachments of diagrams, sketches, photographs, videos or other similar information made at the scene and the identity of officers or civilians who made such recordings.

Collection of Evidence and Chain of Custody

- L.** Unless exigent circumstances exist or authorization from a supervisor is received, initial responding officers at major crime scenes shall not engage in collection of items of potential evidentiary value. Officers should only engage in the collection of evidence as directed by the Scene Supervisor.
- M.** When collecting any items of evidentiary value, officers shall wear rubber gloves and, as applicable, personal protective equipment (PPE) (e.g. scenes where significant bio or chemical hazards are present).
- N.** The chain of custody for all evidentiary items:
1. It shall be documented the name of the member who initially found the evidence, the name of the member who collected the evidence;
 2. Once the crime scene has been photographed and processed, evidence shall immediately be collected and turned over directly to an Evidence Custodian or placed in temporary evidence lockers;

3. If any evidence was touched, manipulated or moved prior to being documented and processed, the evidence shall not be returned to its original location. It will be videoed and/or photographed in its current place and documentation shall be made as to how the item was touched, manipulated or moved.

V. Procedures: Warrant Searches

- A.** When conducting warrant searches, involved officers shall conduct execution and entry of a warrant based on the guidelines established in the warrant, training, policy and state law. Officers should work to conduct warrants or warrant arrests at times that maximize safety to the officers, suspects and the public.
- B.** As Officers clear locations, officers should take care to not touch or manipulate items of evidentiary value unless exigent or immediate safety concerns exist.
- C.** Once a location has been searched and made safe, search assignments and locations shall be given by the Scene Supervisor. The Scene Supervisor should strive to have officers who conduct searches and a separate Evidence Logging Officer.
- D.** The entire location shall be videoed, photographed, or both prior to the start of any search.
- E.** Rooms/Areas shall be designed and clearly marked from A to Z and an officer(s) will be assigned to work said designated area (Appendix B).
- F.** It shall be documented for each room/area who entered the room/area to be searched, the names and time(s) of those when entered and exited, the time the search was completed and by whom, and the times initial and final photographs/videos were taken (Appendix B).
- G.** Officers who find evidence shall document (Appendix C):
 1. A description of the item;
 2. The location the item was found;
 3. The time the item was found, and;
 4. The name of the officer who found the item.
- H.** The discovering officer should not manipulate, touch, or move any items of evidentiary value if possible until the item has been photographed. If any evidence was touched, manipulated or moved prior to being documented and processed, the evidence shall not be returned to its original location. It will be videoed and/or photographed in its current place and documentation shall be made as to how the item was touched, manipulated or moved.
- I.** Upon discovering evidence, the discovering officer shall notify the Scene Supervisor and the Evidence Logging Officer who will then photograph and document the items as applicable.
- J.** Upon completion of the search, the entire search location shall again be videoed, photographed or both.
- K.** Any items of evidentiary value shall be turned over directly to an Evidence Custodian or placed in temporary evidence lockers.

APPENDIX A

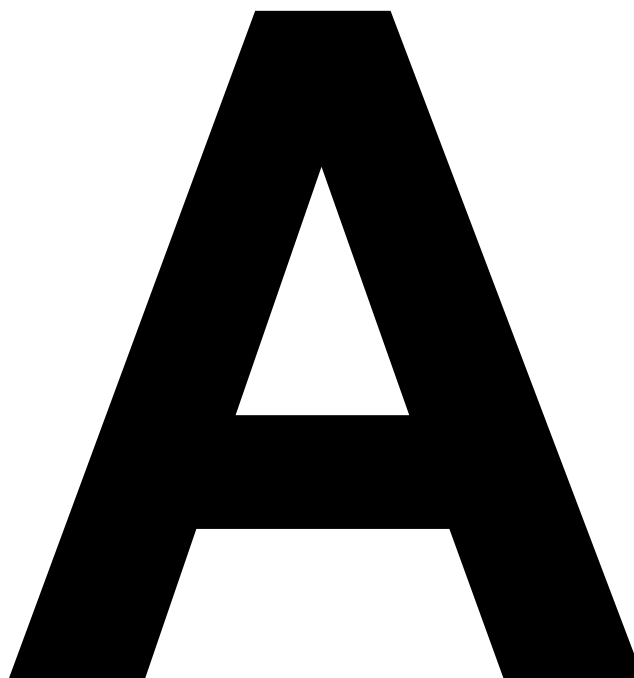
MONTPELIER POLICE DEPARTMENT CRIME SCENE ENTRY LOG SHEET

CASE OR INCIDENT NUMBER: _____ **NAME OF LOGGING OFFICER:** _____

LOCATION: _____

NAME	TITLE AND AGENCY	IN DATE/TIME	OUT DATE/TIME	REASON FOR ENTERING THE SCENE	INITIALS

APPENDIX B



SEARCH PROCEDURE

INITIAL PHOTOGRAPH TIME _____
PHOTOGRAPHER/VIDEOGRAPHER _____
SEARCH CONDUCTED BY _____
TIME SEARCH COMPLETED _____
EXIT PHOTOGRAPH/VIDEO TIME _____

NON-SEARCH PERSONNEL

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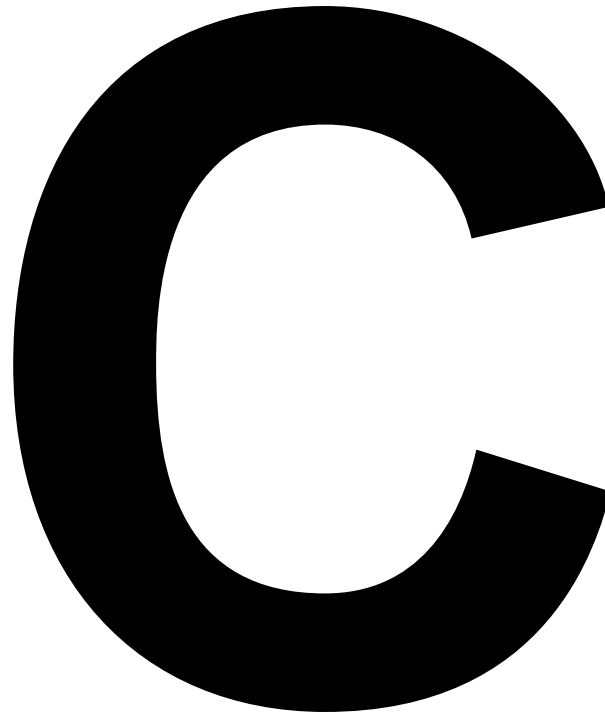
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SEARCH CONDUCTED BY _____
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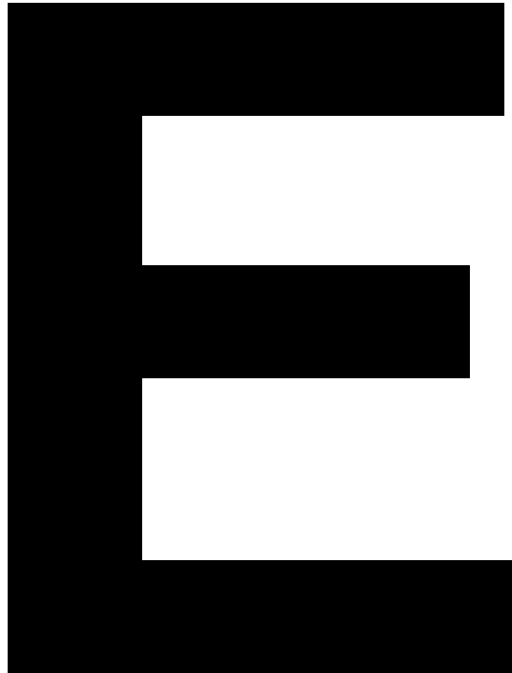
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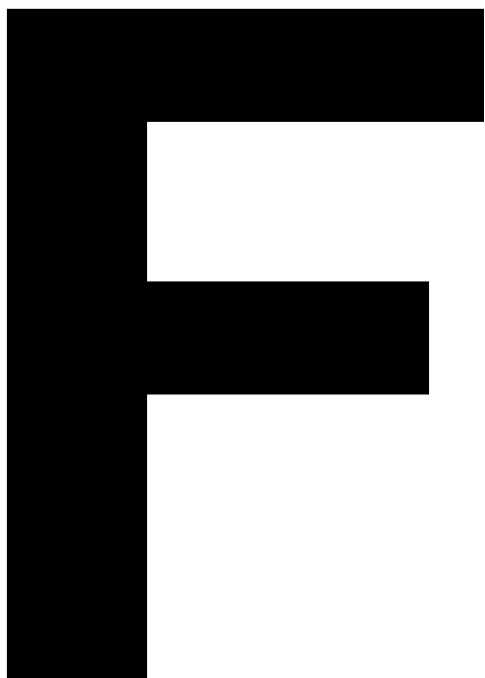


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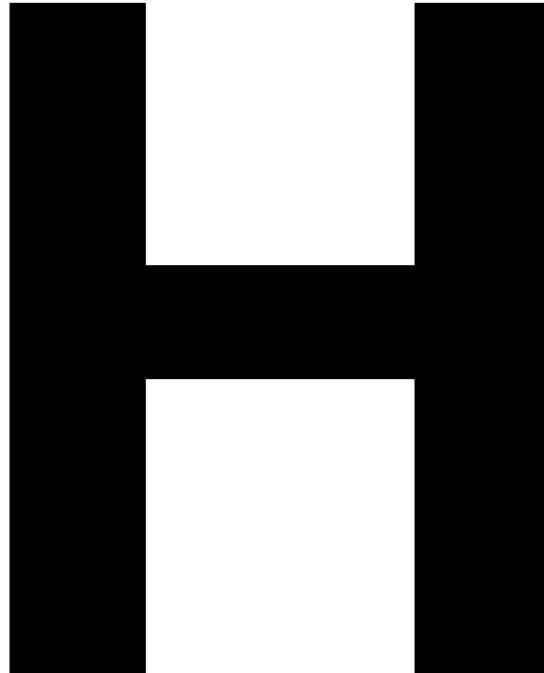


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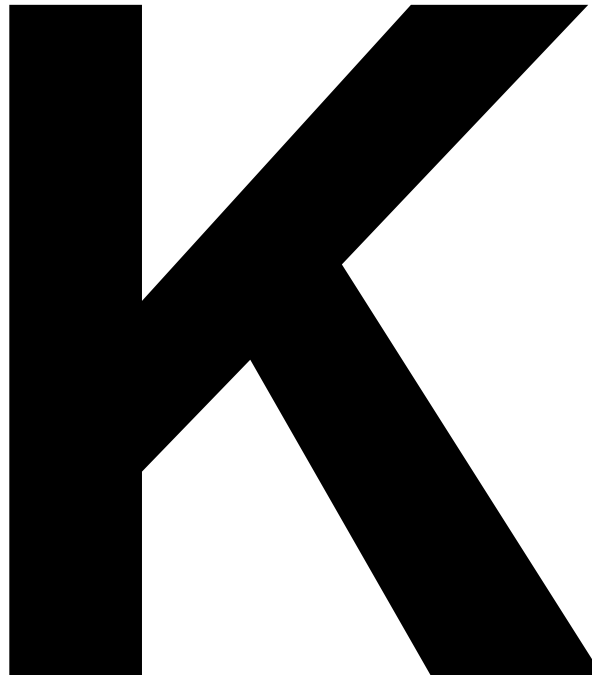
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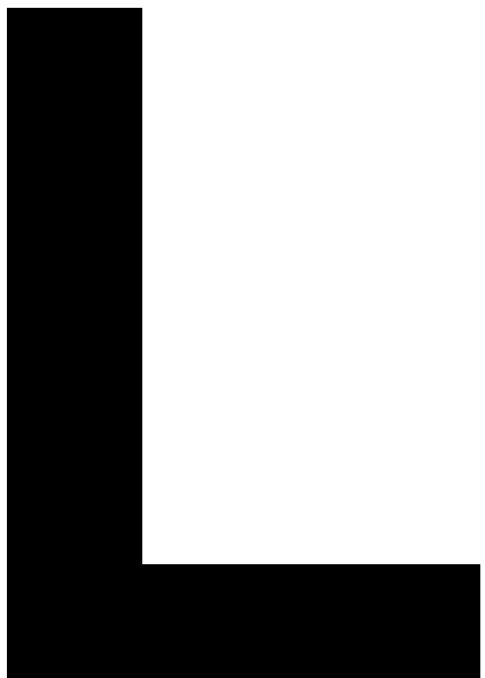


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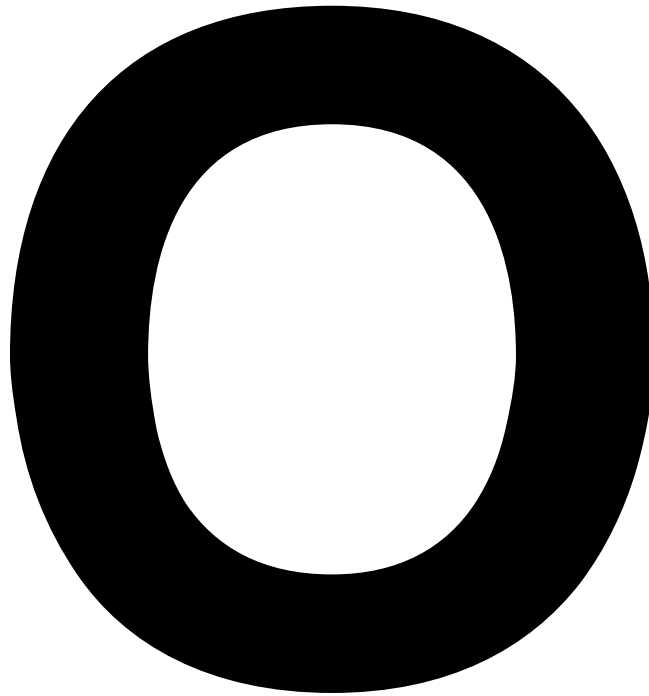
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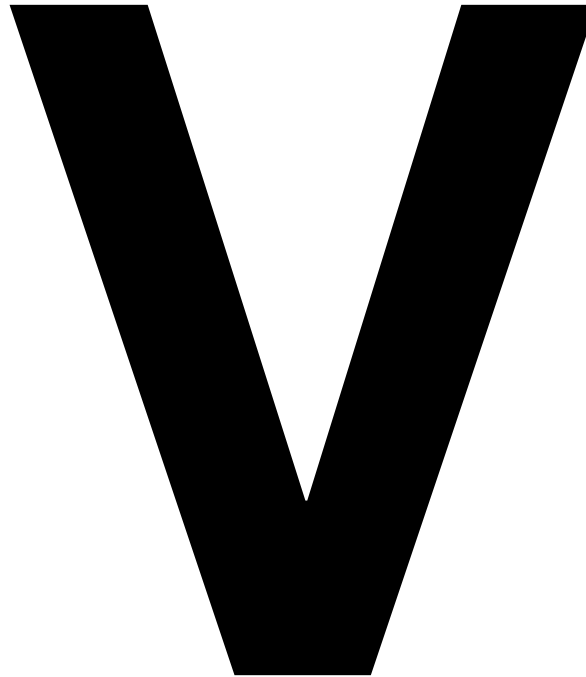
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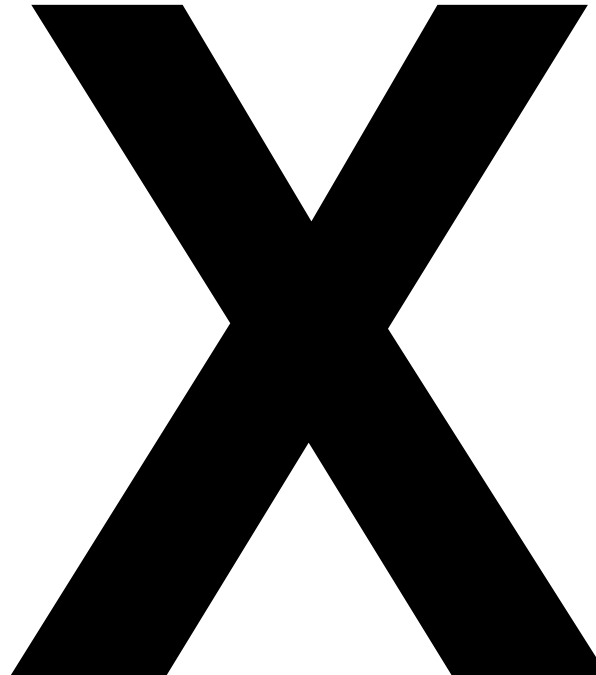
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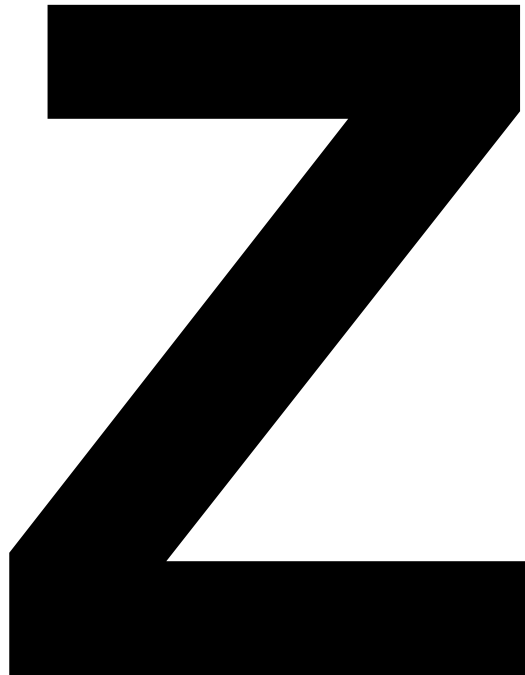


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APPENDIX C

ITEM #	_____
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