

## Pasco Police Department Policy Manual

<b>COLLECTION AND PRESERVATION OF EVIDENCE</b>	<b>Chapter No. 83</b>
<b>Effective Date:</b> <b>04/01/2018</b> <b>Revision Date:</b> <b>6/1/2022</b>	<b>Reference:</b> <b>Evidence Packaging Manual</b> <b>Evidence Room Securities Procedures</b>

### 83.1.1 24-HOUR AVAILABILITY

The Pasco Police Department has a 24-hour crime scene processing capability. The Detective Sergeant makes the decision to call-out a detective and the Evidence Technician when crime scene processing is necessary.

The Detective Sergeant will call the Washington State Crime Lab after consulting with the Support Operations Captain if the services of a Crime Scene Response Team are deemed necessary. The Detective Sergeant shall:

- Make sure the crime scene is secure.
- Gather all necessary information of the crime and crime scene.
- Call the Crime Scene Response Team Coordinator.
- Give the necessary information and answer any additional questions.
- Carry out the directions given by the Crime Scene Response Team Coordinator.

### 83.2.1 GUIDELINES AND PROCEDURES

Evidence collection procedures are outlined by the [Washington State Patrol Forensic Guide](#).

The first officer at the crime scene is to secure and protect the crime scene.

The responding officer handles minor crime scenes. Patrol vehicles contain equipment for latent print recovery, photography and evidence collection and preservation (refer to 83.2.4).

At major crime scenes, the officer contacts the Patrol Sergeant for detective call out. The Patrol Sergeant contacts the Detective Sergeant to make the request. The Detective Sergeant calls the detective and the Evidence Technician.

The responding officer should take the steps necessary to preserve evidence that is short-lived, perishable or evidentiary items that may be removed or otherwise lost.

Crime scene investigators or officers will collect and package evidence carefully to preserve the original condition of the item. Investigation members shall be responsible for the proper collection of evidentiary items to maintain the chain of custody. Members shall be trained on the proper methods to collect evidentiary items. Members shall utilize their (BLEA) training and experience to properly collect evidentiary items as a part of their duties and responsibilities.

The investigating officer or Evidence Technician maintains a list of the collected evidence. The list should include item description, the source collected from (person or location), location found, and the name of the person who collected the item.

Investigating officer or Evidence Technician will list all physical evidence collected from a crime scene on the evidence log and document collection of evidence in the case report. Note in the narrative of the report and evidence log if the officer who collected the evidence is different from the officer who submitted the evidence.

Refer to 83.2.9 for the maintenance of evidence records.

Refer to 83.3.2 for the submission of evidence for laboratory processing.

### **83.2.2 PHOTOGRAPHY, AUDIO, AND VIDEOTAPES**

Evidence collection is supported by using crime scene photography and/or videotaping when possible. The investigating officer, detective, or Evidence Technician may do this.

Only department issued recorders, digital cameras, or smartphones will be used to take statements, photos, or video of crime scenes.

Crime scene photographs should represent a field of vision and perspective as close to scale as possible. It may be necessary to introduce scales into photographs to show the proper dimension in relation to the field of vision. A photography log may be done for a scene in which photographs are taken. The photograph log shall notate the photographer, location, date and time, camera used, and a brief description of each photograph. The photographs and/or video tapes shall be placed into evidence.

Audio recording will be digital and uploaded into the evidence system. If a taped device is used, the original cassette will be placed into evidence.

Refer to the guidelines for labeling and marking physical evidence and inventory in the Evidence Packaging Manual.

### **83.2.3 FINGERPRINTING**

1. Prints may be used for comparison/elimination purposes during a criminal investigation.
  - Fingerprints, suspect and/or victim, may be taken in the field by detectives, officers, or the Evidence Technician with portable equipment or at the police department by records personnel.
  - If full case prints are needed, contact the Evidence Technician or officer (who has been trained on collecting full case prints) to set an appointment to have full case prints taken.
  - Suspect and/or victim fingerprints shall be sent to the Washington State Patrol crime lab for comparison to latent prints recovered at the crime scene.
2. Process latent fingerprints at the crime scene or in an area designated for that purpose.
3. Use methods of dusting with fingerprint powder, alone or with cyanoacrylate fuming, for collecting prints.

4. Lift the latent print(s) and place on a latent print card with the following information:
  - Pasco Police Department case number
  - Date and time processed
  - Processed by (print name) and initial
  - Any additional information or remarks that will help the investigation.
  - Mark the print card with an arrow to indicate the top and draw a diagram on the back of the card.
5. Seal, secure, and mark the latent cards as evidence.
6. Collect, package, and submit evidence that is suspected of containing latent evidence.
7. Submit evidence to the Washington State Patrol Crime Lab.
8. Entry into Databases
  - The investigating officer shall ensure that unidentified fingerprints, including those of the suspect, are entered into all appropriate state and/or federal databases.
  - Latent prints with no comparison value are returned to PPD for destruction.

#### **83.2.4 EQUIPMENT AND SUPPLIES**

The department shall maintain an equipped crime scene vehicle for evidence personnel that may include supplies for:

- Latent print recovery
- Photography or videography
- Crime scene sketching
- The collection and preservation of evidence
- Collision investigation
- Other miscellaneous crime scenes

Additional equipment may be stored in the detective's area at the police department or in the Evidence Technician's office.

It is the responsibility of the Evidence Technician to keep the vehicle equipped and in good working order, complete a restocking inspection after each use, and assure completion of all scheduled vehicle maintenance.

Patrol cars contain equipment for latent print recovery, photography, crime scene sketching, and evidence collection and preservation.

The collision response equipment is used for serious vehicle collision investigations. This equipment is held in the traffic unit vehicle, detective area and/or in the quartermaster storage room. The collision response equipment contains the following items:

- Traffic cones and flares
- 100', 200', or 300' tape measure
- Irrigation flags for off-road scene markers (work in tall grass, bushy areas, etc.) and asphalt spikes for use on the roadway.
- Rollo tape measuring wheel
- Spray paint and chalk for road marking
- Basic evidence collection equipment, small hand tools, and plastic scene markers for location of evidence items.

### **83.2.5 SEIZURE OF ELECTRONIC EQUIPMENT**

Many criminal investigations are done by electronic devices to include but not limited to, cell phones, computers, and tablets, to facilitate and strengthen prosecution of suspects, seizing the suspect's and/or victim's equipment has become necessary.

The Electronic Communications Privacy Act gives some protection to subjects who have certain types of information stored on their computer systems. A search warrant, on the system itself, is needed to gain access to the electronic files and the information stored on them. In most cases, Pasco Police Department detectives will handle the investigation as well as the seizure of the evidence. Only personnel trained in computer forensics shall perform any function with the computer while seizing it.

### **83.2.6 REPORT PREPARATION**

The initial officer responding to a crime/traffic collision scene is responsible for submitting a case report indicating date and time of arrival at the scene, location of crime, name of victims (if known), name of suspect (if known), action taken at the scene, if photos were taken, if measurements were taken and a list of evidence recovered.

### **83.2.7 FIREARMS**

All necessary care and caution shall be used when handling any firearms seized to include the appropriate packaging of the firearm. All firearms shall be rendered safe, ammunition and magazine be removed, and the cylinder, slide or bolt be secured in an open position before being placed into evidence.

1. The investigating officer and Evidence Technician shall determine if it is reasonably necessary or appropriate to have the firearm, bullets, magazine and/or shell casings be examined for DNA, fingerprints or other forensic examination. If needed, the investigating officer or Evidence Technician shall consult with the forensic scientist or examiner to determine the priority of testing or examination.
  - The investigating officer shall ensure that results of any ballistic testing are entered into all appropriate state or federal databases that categorize or track firearm ballistics data.
2. The Evidence Technician shall ensure that any firearm received into evidence is checked for stolen through WACIC/NCIC and an ATF eTrace is conducted on the firearm.

### **83.2.8 EXPLOSIVES OR EXPLOSIVE MATERIAL**

All necessary care and caution shall be used when handling any seized explosive or explosive material. This includes an explosive mixture, dangerous chemical, volatile solvent, or otherwise unsafe compound. Thorough consideration shall be given to whether an explosive or explosive material can be documented through other means (photographs, video) for evidentiary purposes.

- Investigating officers shall contact the on-duty supervisor to inform the supervisor of the possible explosive. The supervisor shall then contact the Richland Bomb Squad supervisor to determine necessary protocol.
- No explosive or explosive material that poses a potential threat will be stored at the Pasco Police Department. Once the evidence item is deemed “inert” by the Richland Bomb Squad, the investigation officer will determine if any remaining parts of the evidence are of any evidentiary value.
- The Richland Bomb Squad will be responsible for the destruction of Pasco Police Department evidence that is explosive or explosive material.

### **83.2.9 EVIDENCE, ENTRY AND TRANSFER OF CUSTODY**

The Pasco Police Department uses an electronic management system to track all evidence. The Evidence Technician is responsible for managing and tracking all evidence. Access is also given to the Information Systems Manager to maintain the system software and hardware components.

The Evidence Room Securities Procedures detail the actions required of officers and the Evidence Technician relating to:

- Entering evidence into the database
- Submitting evidence to the evidence room
- Evidence leaving the evidence room
  1. Evidence returned to the legal owner
  2. Evidence that is destroyed
  3. Evidence checked out for court
  4. Evidence sent to the Crime Lab.
- For evidence entered into court as exhibits, the Evidence Technician will change the location in the database to indicate the court in which it was entered (i.e., Superior Court, District Court or Municipal Court).

### **83.3.1 COLLECTING FROM KNOWN SOURCE**

When collecting physical evidence, investigators will include the collection of comparison samples whenever possible. Comparison samples are important when body fluids, hairs, fibers, latent prints, and material transfer evidence are collected. The assigned investigator will produce a record of the location of comparison samples in relation to physical evidence.

1. Suspect samples may be obtained by the officer or Evidence Technician by voluntary consent of the individual, by search warrant or by other legally permissible means.
  - Use of Force, pursuant to [RCW 43.43.750](#), an officer may, consistent with constitutional and legal requirements, use such reasonable force as necessary to compel an unwilling person to submit to being photographed, fingerprinted or submit to any other identification procedure which will result in obtaining physical evidence serving to identify such persons.
2. The following are examples of reasonably appropriate and approved methods that shall be used to collect DNA samples:
  - Blood samples which are drawn from a health care provider who is trained and qualified to draw blood are the only persons authorized to perform the withdrawal in a medically approved manner.
  - Buccal swabs which are taken from the inside of the mouth of the suspect and/or victim by officers/detectives.
3. Custodial samples are taken pursuant to [RCW 43.43.754](#) where a biological sample must be collected for purposes of DNA identification analysis from every adult or juvenile convicted of a felony or any of the crimes further identified in that state statute.

### **83.3.2 EVIDENCE, LABORATORY SUBMISSION**

The investigating officer or detective is primarily responsible for requesting laboratory examinations. The Evidence Technician completes and signs the "Washington State Patrol Crime Laboratory Request" and submits evidence to Washington State Patrol Lab or another accredited lab.

- The Evidence Technician packages the evidence for shipment to the appropriate lab. Evidence is personally delivered to the local lab and sent via FedEx to other labs throughout the state. The Evidence Technician will personally deliver evidence of a highly sensitive nature.
- The person receiving the evidence at the WSP Crime Lab signs the lab request form to maintain chain of custody.
- The Evidence Technician changes the status of each item submitted to the crime lab for testing, changing the location to indicate the appropriate crime lab.
- The forensic scientist performing the tests documents the results of the evidence examinations. The written results are picked up at the laboratory by the department's evidence personnel or mailed to the department. The original copy of the test results are placed in the master case file.
- Upon return of the evidence from the WSP Crime Lab, the Evidence Technician will change the status of each item being returned and change the location to the original storage area.

When submitting perishable evidence for analysis, follow procedures outlined by the [Washington State Patrol \(WSP\) Crime Laboratory Evidence Handbook](#).