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83.3 Collection of *Evidence* at the Scene

83.3.1 Scene Management

- A. It is the responsibility of the case agent at a crime scene to first assure that the scene is secure and protected as much as possible. The case agent *shall* then ensure that the scene is processed for all possible *evidence*, and the proper steps for its documentation, preservation and submission are taken. If the case agent is not qualified to handle any aspect of a scene, the case agent *shall* contact their *supervisor* and request *personnel* respond that are qualified to do so. 24/7, 365 call-out lists for investigators, traffic accident investigators and crime scene technicians are maintained by Communications to assist case agents when this occurs. Equipment and supplies for processing scenes (recovery of latent fingerprints, photography, sketches of scenes and collection and preservation of physical evidence), as well as expertise in using these items, are held by the department trained crime scene officers as well as by the Department of Public Safety crime scene officers who can assist the case agent.
- B. Generally, a scene is marked, photographed or video recorded, fingerprinted/DNA swabbed, and then *evidence* collected, in that order. Each *employee* who takes custody of *evidence* at a scene *shall* note in the *employee's report* a description of the item and the source of the item (person or location obtained from). Any transfer of custody of any *evidence* collected at the scene *shall* be documented in each *employee's report* of the incident.

83.3.2 Fingerprints

Each *officer shall* receive training on processing a crime scene for latent prints and taking an individual's fingerprints, and *shall* carry a fingerprint kit for that purpose. All latent prints *will* be packaged separately in latent print envelopes appropriately marked for identification and submitted to Evidence. An individual's fingerprints *will* be captured using appropriate electronic equipment or appropriately marked for identification fingerprint cards, which cards are submitted into property as a part of the case *evidence*.

83.3.3 Photographs

- A. Crime scene photographs *shall* only be taken with *Department* issued or *Department* approved digital cameras or video recorders. *Officers shall* receive



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training in taking evidentiary photographs (images obtained for the purposes of evidence to support a *criminal investigation*).

- B. All evidentiary photographs, regardless of quality, *shall* be downloaded onto the *Department's* photographic evidence storage device. At no time *shall* any images be deleted. A specific case identifier *shall* be included at the beginning and the end of the series of images.
- C. No *officer may* take photographs of a crime scene using private equipment or maintain a personal copy of any *evidence* photographs. Any images taken by an *officer* on an unauthorized camera or other electronic device *shall* have the memory medium packaged and placed into Evidence.
- D. Photographs or video recordings *shall* be taken when investigating serious crimes against persons or property, or when recovered property is to be returned to the *victim* in lieu of impounding (such as in shoplifting cases). Examples of serious crimes include, but are not limited to:
 - 1. Homicide
 - 2. Sexual Assault
 - 3. Arson
 - 4. Burglary
 - 5. Robbery
 - 6. Aggravated Assault
 - 7. Child Neglect/*Abuse*
 - 8. Traffic Fatality/Serious Injury Accident
 - 9. Injured Prisoner/Use of Force
 - 10. Any time a person is injured or alleges injury as a result of police contact, including traffic accidents

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The *officer* taking the photographs *shall* document in the *DR* the evidentiary value of the photographs. Photographs *should* whenever possible include a landmark for relative positions of the item being photographed. When size is an issue, the item *should* be photographed with and without a scale of measurement and be taken prior to the item's removal.

83.3.4 Biological Evidence Collection

- A. To avoid scene contamination, *officers should* closely control access to any crime scene in which there *may* be biological evidence. *Officers should* use protective gear (gloves, shoe covers, etc.) both for their own protection and to avoid scene contamination. Access to the scene *should* be strictly limited; a log *should* be kept of all those entering the scene.
- B. Given that biological evidence *may* be transferred during a physical encounter, both the suspect and the *victim*, themselves, *must* be considered part of the crime scene. The suspect and *victim shall* not be left alone until possible evidence is collected.
- C. Any items that contain or *may* contain biological evidence *should* be collected and transported to the Evidence Section. All such evidence *must* be properly packaged to avoid cross contamination.
- D. If an item is such that it cannot be transported, Crime Scene *Officers* (CSOs) *may* be called to the scene to assist with forensic collection from those items, subject to the approval of a *supervisor*. *Sworn personnel will* be in charge of the scene and investigation, with any responding civilian CSOs providing technical forensic support only.
- E. The above guidelines are especially important when dealing with DNA evidence. Given its unique and fragile nature, only trained *personnel should* seize DNA evidence. During that training, *employees* are taught how to collect, package and transport the DNA evidence, as well as how to submit it to *DPS* for analysis. *Employees should* follow those procedures and updates.