

Annapolis Police Department



GENERAL ORDER

Number: L.3

**Issue Date: February
2010**

TO: All Personnel

SUBJECT: Crime Scene Procedures/Collection of Evidence

PURPOSE

The purpose of this General Order is to establish clear guidelines for the collection, documentation, handling of evidence and control of crime scenes.

POLICY

It shall be the policy of the Annapolis Police Department that all members shall collect and preserve all relevant evidence, including exculpatory evidence, in a manner which insures its integrity and suitability for presentation in court.

DEFINITIONS

1. **Major Crimes** - Include but are not limited to murders, rapes, fatal accidents, fatal hit and run accidents, life threatening assaults and or robberies, officer involved shootings and any other life threatening injuries or death.
2. **Crime Scene** - The space immediately surrounding the area where a crime has occurred.
3. **Physical Evidence**- Any substance, materials or items found or recovered in connection with a criminal investigation.
4. **Chain of Custody**- The continuity of the custody of physical evidence from the time of collection to the time of disposal.
5. **Evidence Technician**- Those police personnel who have been specially trained in the identification, recovery, and preservation of physical evidence.

6. **On-Call List-** An on call list of Evidence Technicians will be located in the Communications Section. The On-Call list will be utilized when there are no Evidence Technicians on duty to process crime scenes and/or traffic collisions.

I. Required Action

Searches

1. Officers shall conduct a cursory search throughout the dwelling or business to locate other victims, suspects or witnesses who may be present.
2. Such a cursory search constitutes a legal intrusion during which immediately recognizable evidence or contraband in plain view may be seized.
3. Absent exigent circumstances, the warrant less search and seizure at a crime scene located in a private dwelling or business, and without consent by one with proper authority, is constitutionally prohibited under the 4th Amendment with the exception of:
 - a. Gathering blood samples and fingerprints;
 - b. Photographing the scene;
 - c. Collecting other evidence which presents a threat to both officers and the public; or,
 - d. Due to its inherent nature, may lose its evidentiary value if not timely seized.
4. In all other situations, the crime scene shall be secured until a search and seizure warrant is obtained prior to any extensive search of the crime scene and subsequent seizure of evidence or other items aiding in the investigation.

II. Initial Officer

- A. The initial officer responding to the scene of a crime shall immediately evaluate the seriousness of the situation and shall take all necessary action;
1. Summon necessary assistance and support;
 2. Resolve all potentially dangerous or violent situations;
 3. Render first aid;
 4. Interview complainant;
 5. Identify and if possible, arrest and interview all suspects;
 6. Locate, identify, detain, and if possible interview all witnesses;
 7. Protect the crime scene so as to preserve all available evidence from unnecessary contamination by both the public and other officers. Depending upon the nature of the scene;

- area
- a. Officers shall make use of additional officers, barricades, barrier tape and/or signs to secure and preserve the integrity of the scene and any potential evidence and/or,
 - b. Maintain a crime scene entry log listing the name, rank, identification number, time in and time out of **ALL** persons entering the secured area of the crime scene.
8. Observe all conditions, events and remarks.
 9. Generate a cooperative attitude on the scene by advising all necessary officers and detectives of the specific details of the crime, and by directing detectives, evidence technicians or other officers trained in evidence collection to possible evidence.
- B. The initial responding officer shall have the responsibility of coordinating the preliminary investigation under the supervision of their immediate supervisor. The officer shall have the authority to advise any ranking officer not directly involved in the investigation that entry within the perimeters of the crime scene would be in violation of this General Order. If the ranking officer enters despite the efforts of the subordinate in protecting the crime scene, the ranking officer shall bear full responsibility for his/her actions and shall be reported to the subordinate's supervisor.
- C. At this point in the preliminary investigation the crime scene shall be secured and only authorized personnel shall be allowed to enter. Authorized personnel shall include;
1. Other police/emergency personnel essential to the investigation as deemed necessary by the ranking on scene supervisor or the assigned detective.
 2. Command Protocol of the crime scene is described in **General Order A.6.**

III. Watch Commander/Platoon Supervisors

- A. In the event that a crime is deemed to be of such a serious magnitude, the Platoon supervisor shall respond and take appropriate action which may include but not be limited to:
1. Ensuring that initial responding officers are adhering to procedures as outlined in this general order or to delegate this authority to another subordinate.
 2. Assigning officers or delegate authority to specific responsibilities.
 3. Making necessary notifications for the response of detectives, Evidence Technicians, Media Relations officer and any other notifications which are deemed necessary.

- B. Watch Commanders/Platoon supervisors shall be responsible for all media relations on the scene prior to the arrival of the department's Media Relations officer.

IV. Detectives and Evidence Technicians

- A. When a detective, Evidence Technician(s) or officers trained in the collecting/processing of physical evidence are summoned to the crime scene by the Platoon supervisor or Criminal Investigations supervisor they shall respond in a reasonably expeditious manner.
- B. Upon arrival the detective(s) and Evidence Technician(s) shall immediately report to the Platoon supervisor or to their own supervisor. Arrangements shall be made for the detective(s), evidence technician(s) to confer with the initial responding officers so as to provide necessary background information for the investigation.
- C. Upon arriving at the scene the investigating detective shall inform the initial officer and Platoon supervisor that they have assumed responsibility for the crime scene. This does not relieve the Platoon supervisor of his/her inherent duties.
- D. The Evidence Technician and/or officers trained for such duties will assume responsibility for the collection of all evidence.
- E. Photography (Both 35 mm and digital photography)
 - 1. Photographs will only be taken by authorized Evidence Technicians. Photographs by other personnel are prohibited. The use of electronic or cellular phones is prohibited to photograph a crime scene. The only exception is exigent circumstances such as the possible loss of evidence due to weather conditions or other uncontrollable conditions. In the rare occasion when an officer must use a cellular phone or electronic device, it will be turned over to an Evidence Technician immediately.
 - 2. On all major crime scenes as well as any other crime scene requiring photographs to be taken using a 35 mm camera shall be:
 - a. Overall photographs showing the general area from different angles, showing any street name or house numbers that are relevant;
 - b. Mid-range photographs of the same area;
 - c. Close-up photographs after lettered or numbered markers have been placed at the location of each piece of evidence;
 - d. Retakes of mid-range and close up photographs after lettered or numbered markers have been placed at the location of each piece of evidence;
 - e. Negatives will be submitted to the Forensic Services Section via the Property Section as outlined in **General Order K.1** Negatives of evidence and crime scenes will be stored in a negative file maintained in the Forensic Services unit office and marked with case number, date, location and photographer. If they were printed, to whom the prints were printed for.

3. On all major crime scenes as well as any other crime scene requiring photographs to be taken using a digital camera shall be:
 - a. Taken as outlined in section E a-d.
 - b. Once a photograph is taken, no matter the quality of the photo, **it shall not be deleted from the camera.**
 - c. When the photographs have been taken, the memory card will be removed from the camera and submitted to Forensic Services via the Property Section as outlined in **General Order K.1.**
 - e. Forensic Service personnel will then retrieve the memory card from the Property Section. Using a departmental computer Forensic Service personnel will then download the data from the memory card onto a CD disc.
 - f. **During the download process photographs are not be altered no matter the quality of the photo.**
 - g. Once the data is downloaded onto a CD disc the Forensic Service personnel who conducted the download will take a pen intended to be used to write on CD discs and write the case number on the downloaded disc. Any changes (**which will not occur**) would be reflected on the "property" menu on the disc.
 - h. The disc will then be stored in the case folder in a secure cabinet in the Forensic Services office.
 - i. The memory card will then be cleared of all data and returned to the member who originally submitted it.

F. Latent Prints

1. While collecting physical evidence, Evidence Technicians and/or trained officers will examine all objects and surfaces for the possibility of latent prints. Whenever practical the object will be processed at the scene.
2. On major crime scenes, it is recommended that the latent print be photographed on the object before lifting. Latent prints on hard surfaces will be processed using standard commercial dusting powders and sticky side lifters.
3. The latent print lift will be marked with a case number, date, location of print and who lifted latent print.

4. When it is not possible to process items at the scene they will be transported to the Annapolis Police Department's Forensic Services Unit for processing. Items shall be transported in such a manner as not to destroy any latent prints.
5. Paper and other porous material will be transported to the Forensic Services Unit and processed using either a chemical or mechanical means. The results will be preserved by photographic process.
6. All recovered latent prints that are judged to be of value will be secured in a case file in the Forensic Services Unit. Latent prints that are suitable, will be submitted to the Maryland Fingerprint Identification System (MAFIS) on a regular basis.

G. Crime Scene Drawings

It shall be the responsibility of the Evidence Technician that all major crime scenes will be measured and sketched so that a detailed drawing may be done at a later time.

H. Video

1. Should a video recording of a scene be needed or performed, the video should be recorded with no sound, and process will follow the same format as that of photography. Sound on the video recorder shall be disengaged unless otherwise stated by the Criminal Investigations supervisor.
2. Video tape recordings shall be marked with all required information as found in **General Order K.1** and submitted to the Property Section.

I. Computer Seizures

Officers shall follow the guidelines as outlined in the United States Federal Guidelines for Searching and Seizing computers and other devices capable of storing data in an electronic format. Assistance may be obtained from the computer crimes units of the Anne Arundel County Police Department and/or the Maryland State Police. The reference material will be kept in the Platoon Sergeant's office and the Criminal Investigations Division office.

J. Physical Evidence Collection

1. While collecting and handling evidence, Evidence Technicians and officers should be particularly careful to protect themselves against blood borne pathogens.
2. All evidence will be collected in a manner that prevents damage or the tag or container will be marked with all required information as found in **General Order K.1**.
3. Each item will be collected and packaged separately.

4. Items shall be submitted into the Property Section. If items need to be processed, items shall be submitted to the Forensic Services Unit via the Property Section. The items must be logged into the evidence log.

K. Documentation

1. On all evidence handled the chain of custody must be documented and followed, this is to include the transfer of custody that occurred in the field.
2. All Evidence Technicians and officers submitting evidence or processing any crime scene/traffic collision must document their actions in an offense report, supplemental report or a crime scene processing report. The report should include:
 - a. Type of evidence collected;
 - b. Where collected, when collected, how collected, where the evidence was submitted, and any requested tests;
3. Whenever any evidence is submitted for processing there must be an APD Forensic Services Unit Request form submitted directly to the Forensic Services Unit.

L. Evidence Collection Equipment

1. All Evidence Technicians as well as those officers trained in evidence collection and on the Forensic Services Unit call-in list will have access to the mobile crime lab vehicle for any major crime scene that requires its use. The vehicle will be equipped with materials and equipment required to process any type of crime scene that may occur. Such equipment shall include but not limited to a camera, materials for lifting latent prints, materials to gather physical evidence and materials to sketch crime scenes. Additional equipment, e.g., extra lighting, generators, long ladders may be deployed though the Annapolis Fire Department.
2. All first line patrol vehicles shall be equipped with a crime scene processing kit. This kit shall include but not limited to a camera, materials for lifting latent prints, materials for sketching crime scenes and gathering of physical evidence.
3. The processing kits shall be maintained by the Evidence Technicians in conjunction with patrol personnel.
4. After every major crime scene, the next duty day an Evidence Technician will inspect and restock the mobile crime lab van as needed.

V. Assistance of Federal Law Enforcement Resources

There are times when it is necessary to request assistance from a Federal Law Enforcement agency such as the FBI, when a bank robbery has occurred or a major crime has been committed such as a murder, kidnapping, etc., and it is believed that the perpetrator of the crimes has left the state. The determination to notify the FBI will normally be made by the Unit Commander, Watch Commander or Platoon supervisor.

The Communications Section will be notified and a Police Communications Operator will make the notification. Similarly, other federal agencies such as the DEA, ATF, US Marshal's, military service police, and deserter apprehension teams, etc., may be contacted by the Police Communications Operator as directed by the Unit Commander, Watch Commander or Platoon supervisor.

Michael Pristoop
Chief of Police

References
1. Accreditation Standards 1.2.4, 2.1.4, 41.2.5, 42.2.1, 42.2.2, 81.2.5.83.2.1, 83.2.2, 83.2.3, 83.2.4, 83.2.5, 83.2.6, 83.3.1
2. General Orders A.6 Command Protocol, K.1 Evidence and Recovered Property

Revision: This General Order replaces General Order L.3 Crime Scene Procedures dated April 2007.