

# **WEST PALM BEACH POLICE DEPARTMENT**

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## **IV-6 CRIME SCENE INVESTIGATION AND EVIDENCE COLLECTION**

**EFFECTIVE: 10/01/2005**

**CALEA Standards: 33.6.1, 83.1.1, 83.2.1, 83.2.2, 83.2.3, 83.2.4, 83.3.1**

**CFA Standards: 35.03, 35.04**

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**I. POLICY:** The West Palm Beach Police Department has established guidelines for crime scene investigation, evidence collection, record keeping, chain of custody and submission of evidence for laboratory analysis. For a successful court presentation, evidence must be properly maintained and documented.

### **II. DEFINITION**

A. Crime Scene - The location where the crime occurred or where indications of the crime exist. It encompasses the area where the crime was committed and any portion of the surrounding area which the suspect or victim passed over or through en route to or going away from the scene of the crime.

B. Chain of Custody - The written record of all individuals who have maintained unbroken control and/or custody of evidence and property.

C. Electronic Evidence – Information and data of investigative value that is stored on or transmitted by an electronic device.

D. Non-Electronic Evidence – Items relevant to subsequent examination of electronic evidence that exists in other forms (e. g., written passwords and other handwritten notes, blank pads of paper with indented writing, hardware and software manuals, calendars, literature, text or graphical computer printouts and photographs).

### **III. COLLECTING AND MARKING PHYSICAL EVIDENCE:**

A. Established guidelines and procedures used for collecting, processing, and preserving physical evidence in the field have been developed and should be followed to preserve evidence located and to ensure a successful conclusion in a criminal prosecution.

B. The first officer arriving at the scene of a crime will take immediate steps to protect and preserve the scene from contamination for the purposes of processing and collecting evidence. The officer will request additional members to accomplish this task, if necessary.

C. Members will preserve the condition of evidence during and after collection.

1. All nonessential persons, including police officers, will be cleared from the scene. Nonessential persons will not be allowed to enter the crime scene.

2. Appropriate personal protection equipment (i.e. glove, shoe covers, jump suits, eye protection, etc.) will be worn by members collecting evidence at a scene where blood and body fluids are present.

a. Equipment will be changed when necessary to prevent cross-contamination of evidence.

3. Members will use a systematic approach while collecting evidence.

4. When possible or necessary, crime scenes will be video taped, photographed, measured, and sketched, before anything is moved and prior to the collection and preservation of evidence.

a. Video recordings or photographs of crime scenes will be accomplished noting the condition, location, date, time of collection, and who collected the item in order to maintain competency.

C. Evidence will be collected concurrent with its discovery or as soon as possible thereafter to prevent contamination.

D. Permanent and distinctive marks of identification will be placed directly on the item, (I. D. Numbers or initials) if it can be done without damage to the item or its evidentiary value.

1. If the item cannot or should not be marked for identification (hair, paint chips, stains, projectiles, items submitted for latent print processing, etc.) it will be placed and sealed in an appropriate container and the container's label and/or seal will be marked for identification.

E. All members will collect and package evidentiary material so its original condition is maintained. Every effort will be made to collect and package as complete a sampling of evidentiary material as possible.

1. Similar items found at different locations at the crime scene will be placed in separate containers, to eliminate cross contamination.

F. Evidence will be stored in secured custody as required by the Property and Evidence SOP.

G. Evidence will be collected and submitted to the laboratory for analysis according to guidelines established in the F.D.L.E. Crime Laboratory Evidence Submission Manual or in conformance with the receiving agency's particular requirements.

1. All fluids will be packaged individually to prevent leakage and cross contamination during handling, storage, and transport.

2. The perishable samples will be preserved and delivered to the laboratory and/or refrigerated storage in a timely manner.

3. Laboratory examinations concern the identification of substances and the comparison of these with materials of known sources. Whenever available, a known source will be collected and submitted to the F.D.L.E. Crime Laboratory for comparison with the substance or materiel to assist in its origin or identification.

H. Firearms:

1. Firearms - Before handling a firearm, the following should be noted: Position of the hammer, position of the slide mechanism (automatic), and position of the safety. When handling is required to determine the firearm's condition, it should be picked up by the edge of the trigger guard or textured finish of the handle which will not ordinarily retain an identifiable print. The make, model, serial number, caliber, and other descriptive information should be recorded.

2. When sending firearms to a crime laboratory, the firearm will be unloaded before packaging, unless otherwise directed by the receiving crime laboratory. When unloading a firearm, the following should be noted: condition of ammunition beneath the firing pin; position of fired/unfired ammunition; number of rounds left in the magazine, and whether or not a round was in the chamber.

3. Damaged or rusty weapons should be handled with extreme caution. When a gun cannot be checked or unloaded, it should be hand delivered to the crime laboratory in an evidence container clearly marked "Caution-Loaded Firearm." No attempt should be made in the field to clean or dry a firearm taken into evidence.

4. In major cases, when necessary, fingerprint equipment, i.e., dusting powder and tape, may be used to lift the serial number from a weapon in order to eliminate the possibility of error if the number was only hand recorded.

5. An evidentiary firearm should not be cleaned. Blood and other substances adhering to the gun should be left intact for laboratory examination.

6. When firearms and bullet casings are retained as evidence and require ballistics, fingerprint or examination for trace evidence or marks, members will not mark the firearm. The firearm will be tagged or bagged. The markings may detract from the evidentiary value of the firearm.

7. Firearms will be submitted into evidence or turned over to a Crime Scene Investigator per Property and Evidence Management SOP.

I. Computer Equipment Seizure:

1. Computers may be contraband, fruits of the crime, a tool of offense or a storage container holding evidence of the crime. When collecting computer systems, specialized knowledge about the system is required to effectively recover evidence and to ensure successful prosecution.

2. For stand-alone, non-networked computers, consult the departments Computer Forensic Investigator. If the Computer Forensic Investigator is unavailable and the computer is off; **DO NOT TURN THE COMPUTER ON**: follow the guidelines below;

- a. Disconnect all power sources,
- b. Unplug the power cord from the wall and the back of the computer,
- c. Place evidence tape over each drive slot,
- d. Photograph/diagram and label computer back components with existing connections,
- e. Label all connectors/cables ends to allow re-assembly, as needed,
- f. If transport is required, package components and transport/store components as fragile cargo,
- g. Keep it away from magnets, radio transmitters or hostile environments.

3. If the computer is on, do not turn it off and do the following;

- a. photograph the scene,
- b. have the departments Computer Forensic Investigator respond to the scene.
- c. If a Computer Forensic Investigator is not available:
  1. Disconnect all power sources,
  2. Unplug the power cord from the wall and the computer,
  3. Place evidence tape over the each drive slot,
  4. Photograph/diagram and label computer back components with existing connections,
  5. Label all connectors/cables ends to allow re-assembly, as needed,
  6. If transport is required, package components and transport/store components as fragile cargo,
  7. Keep it away from magnets, radio transmitters or hostile environments.

4. If the computer is a networked or business computer:

- a. Members will consult with Computer Forensics Investigators, or other personnel with formal training when dealing with networked or business computers, a computer network, a mainframe or a mainframe terminal.
- b. **DO NOT DISCONNECT POWER SOURCES** as doing so could damage the system or disrupt legitimate business.

J. Other electronic devices, pagers, fax machines, PDA's, caller ID's or other electronic device's may contain valuable evidence associated with criminal activity and unless an emergency exists, the device should not be accessed. Potential evidence contained in these devices includes;

1. Numbers called,
2. Numbers stored for speed dial,
3. Caller ID for incoming calls,
4. Names and addresses,
5. PIN numbers,
6. Voice mail passwords or access numbers,
7. Debit card numbers,
8. E-mail or internet access information,
9. valuable information can be obtained from on-screen images.

H. If the device is off, leave it off. If it is on perform the following prior to transport;

1. Write down all information on the display and photograph if possible,
2. Locate and collect any instruction manuals pertaining to the device,
3. Contact the departments Computer Forensic Investigator for further instructions and transport.
4. The Forensic Computer Investigative Report (Appendix A) must be completed and attached to the completed report.

**IV. CRIME SCENE PROCESSING:**

A. Crime Scene Investigators will be primarily responsible for the collection of evidence and processing of all major crime scenes on a 24 hour basis. Crime Scene Investigators will also be responsible for assisting the Traffic Homicide Investigator on the collection of trace evidence and processing crashes involving death and serious injury.

B. In an effort to allow for effective and timely processing of crime scenes each Crime Scene Investigators will carry equipment in their vehicles for scene processing. An adequate amount of processing supplies should be on-hand in each CSI vehicle to minimize the return to HQ in order to replenish supplies.

C. Crime Scene Investigators will receive, at a minimum, specialized training in the following areas;

1. The detection and collection of latent fingerprint evidence.
2. Detecting, photographing, and collecting of foot, tool, and tire impressions, when necessary.
3. Crime Scene photography and sketching.
4. The collection, preservation, and submission of physical evidence, including biological materials.

D. Crime Scene Investigators will receive refresher training in new procedures and equipment, when available.

E. Patrol Officers, Sergeants, and other non-specialized personnel with adequate training are authorized to conduct fingerprint and related crime scene processing in less serious investigations.

F. Patrol Officers will processes all burglary (non-residential, residential, auto) and stolen vehicle scenes for latent fingerprints unless exigent circumstances appear to preclude doing so.

1. When it appears a scene is too large to be processed by the officer or is not conducive to being processed, a supervisor will respond to the scene to make the final determination before Crime Scene is contacted or the scene is not processed.

G. Latent fingerprints will be developed and removed from the surface(s) of items with Department issued equipment, i.e., dusting powders, brushes, fingerprint tape, fingerprint cards, etc.

1. No attempt should be made to brush or apply powder to prints in dust, obviously greasy prints, or bloody prints, as this may destroy them. Such prints should be photographed. A Crime Scene Investigator should be contacted for specialized processing.
2. Wet objects to be processed for fingerprints should be allowed to air dry before processing, i.e., beer cans, glass and automobiles wet with rain or condensation. Lamps or other artificial heating should not be used. A Crime Scene Investigator should be contacted for assistance and/or specialized processing.

H. Whenever latent prints are removed from an item and placed on a latent fingerprint card, the card will contain the following information:

1. The member's name and ID #, date, case number, brief diagram or explanation of the source of print, and the direction of the print in relation to the surface.

I. Items believed to contain latent fingerprint evidence, such as paper, cardboard, unpainted wood, or other absorbent surfaces should be carefully handled and transported to the Crime Scene Section for chemical

processing, if possible or a Crime Scene Investigator will respond to the scene.

J. Whenever possible, comparison prints from known individuals should be obtained to submit along with recovered latent fingerprints in an effort to expedite the department's identification efforts.

K. Crime Scene Photography:

1. Crime Scene personnel will be provided formal and informal training in the use of all issued photography equipment. This includes still cameras, video cameras and associated computer applications.

a. Patrol Officers, Sergeants, and other non-specialized personnel with on-the-job training are authorized to conduct digital photography in less serious investigations.

1. The process of evidence collection should be supported by crime scene photography whenever possible. Crime scene photographs should represent a field of vision and perspective as close to actual scale as possible. Should unusual camera positions, lighting conditions, and camera settings be required, they should be noted by the crime scene photographer as each photograph is taken.

2. A scale should be used and included in the field of view when the objects photographed cannot be physically removed or will dissipate over time (i.e., tool marks, blood splatter, fluorescent Luminal, etc.) or when size is a crucial factor. A photographic record log should be kept on major crime scenes (i.e., murder, sexual battery, etc.) or when appropriate and/or necessary. Where the courts demand that nothing be introduced into the field of view, a separate photograph can be taken, using the same camera position, lighting, and camera settings.

3. All members assigned to process the scene of a serious crime against a person(s) or property will photograph and/or collect all available physical evidence. If photographs are not taken or physical evidence is not recovered, the investigator will prepare a report stating the reasons why.

4. Photographs of crime scenes, traffic crashes, vandalism/graffiti or any calls for photographs only, where no other processing is required, should be directed to a road supervisor or traffic crash investigator.

5. Battery victims with injuries and like occurrences, where no arrests are likely, and no suspects exist, or their injuries have been covered with bandages, and lacking any other extenuating circumstances, do not require photographs.

L. The information identification form, card or sheet of paper will be photographed first before photographing evidence to identify the series of exposures.

1. The same procedures will apply if video graphs or digital photographs are taken.

2. Patrol personnel will submit camera memory at the end of their duty week to Crime Scene, for processing.

M. When Crime Scene Investigators photograph evidence and/or a crime scene in a major case, they will record the following information on the Crime Scene Photography Log Sheet:

1. Camera type and lens description.

2. Type of film (ASA speed) or digital.

3. Lens setting, lighting.

4. Direction of the photograph.

5. Brief description of each photograph.

6. Number of photographs taken.

N. Original digital photographs submitted will be processed for authenticity prior to storage on CD recordable

disks. Editing original digital photography files is not permitted.

## **V. CHAIN OF CUSTODY:**

A. All property and evidence collected or obtained by Department personnel will be entered in the property control system accompanied by a West Palm Beach Police Department Evidence/Property Form except for motor vehicles, vessels, and airplanes which require a Vehicle Storage Receipt (V.S.R.).

1. The Evidence/Property Form (henceforth referred to as the property receipt) will be completed with all pertinent information including, but not limited to, the reason for submission, type of offenses, case number, date, arrestee's name, location found, etc.

B. A record of the chain of custody and records reflecting the status of all property and/or evidence by the Department is recorded on the back of the property receipt in the AChain of Custody RecordA section. The record will reflect:

1. The date, time, and method of transfer;
2. The receiving person=s name and position;
3. Reason for the transfer;
4. If the evidence submitted to an outside laboratory for analysis;
  - a. The name, location of the laboratory, synopsis of the event, and examinations desired;
  - b. The date and time of receipt in the laboratory; and
  - c. The name and signature of the person in the laboratory receiving the evidence.

C. These records are maintained in the Property and Evidence Section files.

D. Examination or testing will include:

1. Name of the officer last having custody.
2. Date and time of submission or mailing and method used for transmission.
  - a. When hand delivered to a local laboratory, the name of the receiving person will be obtained and noted in the record.
  - b. Evidence mailed or shipped will always be sent by registered mail, return receipt requested.
  - c. If mailed, the transmittal letter will request the date and time of receipt by the laboratory, and the name and signature of the person in the laboratory receiving the evidence.
  - d. The transmittal letter will include the name of the person in charge of the investigation and the name of the person to receive the laboratory analysis report.
  - e. The West Palm Beach Police Department's Crime Scene Investigation Unit will provide written reports on all crime scene involvement and laboratory analysis.
  - f. When evidence is submitted to an outside laboratory, the transmittal letter will include a specific request for written results of the examination(s).

## **VI. REPORTING:**

A. A record of events at a scene in connection with the crime or traffic investigation is essential at the time of trial. Reports completed by crime scene or traffic investigators must contain at a minimum:

1. Date and time of arrival at the scene;
2. location of the crime;
3. Name of the victim or suspect,
4. action taken at the scene, and
5. digital or film type photographs taken

**VII. REFERENCE:**

- ! SOP # IV-11 Property and Evidence Management.

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**Delsa R. Bush, Chief of Police**

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Revised: 10/01/2005  
I.D. # 1160

History: SOP # changed to IV-6 on 01/01/2005,  
Old SOP # 6.220.004 Collection of Evidence, 6.220.005 Accident/Crime Scene Reporting process, 6.220.010 Responsibility of Crime Scene Processors, #35.01 Crime Scene Investigations and Evidence Collection  
Revision Dates: 06/01/1999, 12/15/1999, 03/15/2001, 01/23/2002, 10/15/2002, 01/01/2005, 10/01/2005

Job Title Task Files: Patrol Supervisor, Patrol Officer, Crash Investigator, Detective

