

GENERAL ORDER

G.O. 9-831

SUBJECT: EVIDENCE



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I. PURPOSE AND RESPONSIBILITY:

- A. Purpose: To set the policy and establish the procedures for the collection, preservation, and submission of evidence by officers of the Monroe Police Department.
- B. Responsibility:
 - 1. It will be the responsibility of the Chief of Police to make the determination to request the assistance of the Connecticut State Police (CSP), Major Crime Squad. This decision is to be based on whether the manpower of this Department may or may not be sufficient to efficiently process a major crime or accident scene.
 - 2. It will be the responsibility of the Detective Division (DD) Supervisor to maintain a call-back schedule for Department officers trained in crime scene processing on a twenty-four (24) hour basis.
 - 3. It will be the responsibility of all officers assigned to a position that entails

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crime scene processing to familiarize themselves with the procedures established in this directive and the CSP "Physical Evidence and Forensic Science Manual".

4. It will be the responsibility of all officers of this Department to develop an understanding of the delicate nature of physical evidence and the relationship between physical evidence and successful investigations.

II. DISCUSSION:

- A. This general order deals with the collection and preservation of physical evidence as it relates to criminal investigations and/or motor vehicle traffic accidents. The objective of any criminal investigation is to identify the perpetrator and to develop sufficient evidence to sustain a successful prosecution of that person in court. Many times, the perpetrator of a crime may be known, but the lack of sufficient evidence causes a failure to successfully prosecute. The same may hold true in serious motor vehicle accidents resulting in extensive property damage, serious injury, or death. The intent of this directive is to establish guidelines and procedures relating to the collection, handling, and preservation of evidence, in order to minimize the possibility of destruction or contamination. This directive will also address the proper method of submitting evidence to outside agencies for examination such as the Toxicology Laboratory, the CSP Forensic Laboratory, and the Federal Bureau of Investigation (FBI) Laboratory.

III. DEFINITIONS:

- A. CHAIN OF EVIDENCE: The continuity of custody of material and items collected as physical evidence whether at the crime scene or not. The connotation, under the law, is that the item or material introduced subsequently into the court at the time of trial must be proven to be the same as that obtained initially by the crime scene specialist, the investigator, or some other person and delivered to the laboratory for examination.
- B. CRIME SCENE: The location where the crime occurred or where the indication of crime exists.
- C. CRIME SCENE PROCESSING: The specific actions taken at a crime scene or accident scene which entails the taking of photographs, preparing the crime scene

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or accident scene sketch, and the collecting and preserving of physical evidence.

- D. EVIDENCE: Any property, substance, or matter that can be used in court to establish guilt or innocence, or whether or not a crime has been committed.
- E. PHYSICAL EVIDENCE: Any substance or material found or recovered in connection with a criminal investigation or motor vehicle traffic accident investigation.

IV. POLICY:

- A. It will be the policy of the Monroe Police Department that officers assigned to positions that entail criminal investigation, crime scene processing, and accident investigation receive adequate training. This training should cause the knowledge to efficiently collect and preserve evidence.
- B. It will be the policy of the Monroe Police Department to collect physical evidence at crime and accident scenes and to preserve such evidence in the manner prescribed in the CSP "Physical Evidence and Forensic Science Manual."

V. PROCEDURES:

- A. EVIDENCE ADMINISTRATION:
 - 1. CRIME SCENE PERSONNEL: Officers trained in crime scene processing and accident investigation shall be available on a twenty-four (24) hour basis to respond, if necessary, to the scene of a major crime or serious motor vehicle accident.
 - 2. EVIDENCE SOURCES: Whenever the situation permits, samples of materials and substances should be collected from known sources for comparative analysis to the physical evidence collected and submitted to the laboratory.
- B. EVIDENCE OPERATIONS:
 - 1. EVIDENCE COLLECTING, PROCESSING, AND PRESERVING: The following procedures establish the guidelines for collecting, processing, and

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preserving physical evidence in the field:

- a. Collecting: All crime scenes will be secured and protected until the arrival of officers trained in crime scene processing. One of the officers trained in crime scene processing will be named the "evidence officer." Crime scenes will be photographed, sketched, and then processed for evidence. Searches for evidence shall be conducted in a logical, efficient manner to minimize the destruction of evidence at the scene. The evidence officer will then mark and collect the evidence. Physical evidence consisting of, but not limited to, blood, body fluids, hair, fibers, latent fingerprints, clothing, accelerant, weapons and ammunition shall be collected in accordance with the CSP "Physical Evidence and Forensic Science Manual", Part II, "Crime scene search and collection of physical evidence".
- b. Processing: Physical evidence collected by an evidence officer shall be marked by the officer immediately to maintain the proper "chain of evidence." The marking shall consist of the officer's initials or unique mark and the date. The marking shall be made with indelible pen or scribe and placed in a location so as not to destroy or mutilate the evidence. Recording evidence:
 1. Evidence Log Sheet : Officers seizing physical evidence shall complete an evidence log and/or a "Property Seized Without a Warrant" form. These forms shall be submitted to the supervisor and then to the SSD Records Unit. The evidence log portion of this form will include the following information:
 - aa. Description of item (including make, model number, and serial number, if known);
 - bb. Source (from whom or location where obtained);
 - cc. Name of officer collecting the item(s);
 - dd. Incident/case number;
 - ee. Exhibit number;

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- ff. Date;
 - gg. Date seized;
 - hh. Time seized;
 - ii. Location stored, and by whom.
2. Latent Print Log Sheet: In all major cases where evidence consisting of latent fingerprints is developed and lifts prepared, a Department latent print log sheet shall be completed and entered into the incident/case report file. The latent print log shall contain the following information:
- aa. Latent print lift number;
 - bb. Location where print was lifted from;
 - cc. Date;
 - dd. Time;
 - ee. Identity of officer developing/lifting print;
 - ff. Pattern if discernible, and
 - gg. Whether identification has been effected (after comparison work has been conducted).
- c. Preserving: Physical evidence collected by an evidence officer shall be sealed, if possible, by the officer to protect from contamination. The evidence shall be labeled by the officer with a Department label or tag if not possible or practical to mark. All evidence collected shall be preserved in accordance with the CSP "Physical Evidence and Forensic Science Manual", Part II, "Crime scene search and collection of physical evidence".

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2. EVIDENCE PHOTOGRAPHING AND VIDEOGRAPHY: All aspects of the crime scene will be photographed, or when appropriate video recorded, by an officer trained in these functions. All photography and videography shall be obtained prior to the search for any evidence at the scene. When the exact size of an item being photographed is required, a scale will be placed next to the item to add dimension. A second photograph using the same camera settings, lighting, and position will be taken without the scale, for court purposes. The officer assigned as the photographer will log the photographs on a photo log sheet and turn the photographs in as evidence.
3. FINGERPRINTS: Officers trained in latent fingerprint techniques will process major crime scenes. Latent fingerprints that are developed will be lifted and placed on cards designed for latent fingerprints. The officer will label the cards, place them in an envelope, and submit them as evidence. An officer trained in fingerprint classification will take the latent fingerprints out of evidence through established procedures and compare the latent fingerprints for elimination and with known suspects. Latent fingerprints may be sent to either the State forensic lab or the FBI for comparisons. Refer to section 1, subsection b of this subparagraph. When the officer assigned to compare the latent fingerprints is finished, the fingerprints will be returned to evidence.
4. EVIDENCE EQUIPMENT AND SUPPLIES: The Detective Division of this Department shall maintain equipment and supplies, in a portable state, ready to be transported to a crime or accident scene. The equipment and supplies shall consist of those items necessary to accomplish the following crime or accident scene functions:
 - a. Recovery of latent prints;
 - b. Photography;
 - c. Sketch of the scene;
 - d. Collection and preservation of evidence; and
 - e. Accident investigation.
5. COMPUTER SEIZURES: Computer equipment, by its inherent nature, is

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very volatile. Special precautions must be in place to prevent any digital evidence contamination. Computer equipment includes, but is not limited to, cell phones USB thumb drives, compact disks, diskettes, personal computers, network equipment, keyboard, mouse, printers, hard drives, zip disks, etc. Computer equipment will only be handled by a specialist trained in "Seized Computer and Evidence Recovery" or an official authorized by the specialist. All digital evidence will not come in contact with any radio transmission. Digital evidence that has to be transported to headquarters will be in a vehicle without a two way radio or with the two way radio turned off. A master copy and a working copy will be made of the seized media. The master copy will be used as best evidence. The master copy will be a bit by bit forensic image of the seized media. The seized original will not be analyzed under normal circumstances. A MD5 or SHA-1 hash will be performed on all images/copies to verify its contents. The analysis of the seized equipment will be performed by a qualified specialist. Methods of seizure are established as follows:

1. Personal Computers:
 - a. Do not turn on or off computer's that are being seized;
 - b. Photograph the computer screen (even if it is off);
 - c. Photograph the front, back, and two sides of the computer giving special attention to the back and all cables that are attached;
 - d. Photograph any modem or communication equipment;
 - e. Do not touch or move any keyboard or mouse attached to the computer;
 - f. Remove anyone from the computer and prevent any user from any further computer usage;
 - g. The specialist will determine the proper shutdown procedure, different situations determine different shutdown procedures;

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- h. Decide what type of evidence:
 1. Tool or instrument of the crime (such as frauds, forgeries, etc.);
 2. Contraband (such as illegal software, child pornography, etc.);
 3. Repository of evidence (such as drug sales records, etc.); or
 4. Proceeds of a crime (computer itself is stolen, etc.).
2. Cell phones:
 - a. Do not turn off the cell phone;
 - b. Seize a charger for the cell phone and keep it charged;
 - c. Photograph the cell phone screen, front and back sides;
 - d. Place cell phone into a static free bag.
3. All other digital equipment:
 - a. Photograph all equipment prior to being seized;
 - b. Place digital media into a static free bag.
6. EVIDENCE PROCESSING REPORT: Officers involved in the processing of a crime scene or accident scene shall submit an incident/case report. The report shall include the following elements:
 - a. Date and time of arrival at the scene;
 - b. Location of the scene;
 - c. Name of the victim(s), if known;

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- d. Name of the suspect(s), if known;
- e. Action taken at the scene, including the number of photographs taken and measurements taken;
- f. Incident/case number; and
- g. All appropriate evidence log/flow sheets and latent print log sheets.

C. EVIDENCE TRANSFER;

1. EVIDENCE TRANSFER RECORDS:

- a. Evidence Log/Flow Sheet: Officers transferring physical evidence which includes submitting evidence to crime laboratory for examination, shall complete the flow sheet portion of this form. The form must be entered into the incident/case report file. The flow sheet portion will include the following information:
 - 1. Date and time of transfer;
 - 2. Receiving person's name and function;
 - 3. Reason for transfer; and
 - 4. Name and location of laboratory.
- b. Laboratory Form/Cover Letter: Officers submitting physical evidence to a laboratory will complete a lab form or a cover letter, which includes the following information:
 - 1. Synopsis of the event or the source of the evidence; and
 - 2. Examinations desired.
- c. Laboratories and Lab Forms: Laboratories most used by this Department and the forms required by these labs:

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1. State Toxicology Laboratory: State form DPS-997-C will be completed and accompany any physical evidence submitted to the State Toxicology Laboratory;
2. CSP Forensic Laboratory:
 - a. Evidence shall be submitted in the manner described in the "State of Connecticut, Department of Public Safety, Division of Scientific Services, Forensic Science Laboratory, Guidelines For Evidence Submission" dated April 02, 2001;
 - b. State form DPS-997-C will be completed and shall accompany any physical evidence submitted for examination.
3. FBI Laboratory: A cover letter will be written and shall accompany any physical evidence submitted to the FBI Laboratory or other suitable facility.
- d. Mailed Evidence: Evidence submitted to any laboratory by mail shall be by "certified mail, return receipt requested," and all receipts and records of the mailing shall be marked with the incident/case number related to the evidence mailed and entered into the incident/case file.
2. EVIDENCE SUBMISSION: The guidelines established in the "State of Connecticut, Department of Public Safety, Division of Scientific Services, Forensic Science Laboratory, Guidelines For Evidence Submission" will govern the timing and conditions for submitting evidence to the laboratory. The guidelines establish the following procedures:
 - a. Identification of the officer responsible for submitting the evidence;
 - b. Methods for packaging and transmitting evidence to the laboratory;
 - c. Types of documentation to accompany evidence when transmitted;

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- d. Receipts to ensure maintenance of the chain of custody;
- e. Stipulation that laboratory results be submitted in writing.