

**TYLER POLICE DEPARTMENT
GENERAL ORDER**

CRIME SCENE PROCESSING

17.100

REVISED 03/25/10

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17.101 PURPOSE

- A. The purpose of this order is to establish responsibility and procedures for the processing of crime scenes by the Tyler Police Department.
- B. Personnel Definitions:
 - 1. **Crime Scene Investigator** - One who is assigned to the Investigative Division and has the capability to work detailed crime scenes, make comparisons, and testify in court as to identification of latent prints.
 - 2. **Intermediate Crime Scene Investigator** – one who is assigned to the Patrol Division that possesses a higher degree of crime scene training than the Cross Trained Officer. The Intermediate Investigator is available for on-call assignments.
 - 3. **Cross Trained Officers** - One who is assigned to the Patrol Division and has the capability to work minor crime scenes and assist at major crime scenes.

17.102 ASSIGNMENTS AND DUTIES

- A. The Crime Scene Unit consists of a Crime Scene Unit Supervisor, Crime Scene Investigators and a Crime Scene Technician. The responsibility for the unit rests with the Crime Scene Unit Supervisor.
 - 1. The unit also utilizes Intermediate Crime Scene Investigators and Cross Trained Officers that report directly to their respective Supervisors.
 - 2. The Crime Scene Unit Supervisor will routinely review activities relating to any crime scene investigation by a Crime Scene Investigator, Intermediate Crime Scene Investigator or a Cross Trained Officer.
 - 3. The Crime Scene Unit Supervisor will make assignments (i.e., latent comparisons, crime scene follow-up, etc) to the Crime Scene Investigators.
 - 4. Any scene where Homicide is suspected shall be worked by no less than two Crime Scene Investigators.
- B. The crime scene responsibilities of the Crime Scene Investigators will consist of:
 - 1. The search for, collection, identification, preservation, inventory, processing and safe transporting of physical evidence.
 - 2. The taking of photographs and measurements, and drawing rough and finished sketches of the scene when indicated by the nature of the investigation.
 - 3. Completing all necessary evidence reports relative to the crime or accident scene. A follow up report is necessary in every case where the Crime Scene Investigator is involved, whether or not any evidence is collected.
 - 4. Prepare, package, transport (or cause transport) to appropriate lab for testing of evidence when requested or required.
 - 5. The Case Investigator and a Crime Scene Investigator may attend autopsies ordered by a Justice of the Peace, photograph the autopsy, fingerprint the deceased, and take into custody any physical evidence from the autopsy as directed by the pathologist or other approved authority. Attendance will be at the discretion of the Division Commander.

6. The Crime Scene Investigator will transport physical evidence to Property.
 - a. The Crime Scene Investigator will establish and/or continue the chain of custody.
 - b. The Crime Scene Investigator will complete the property or evidence tags.
 - c. Bio-hazard labels/seals will be used to identify potentially dangerous items.

7. A supplement report (with property and evidence pages - as needed) shall be completed for all incidents.
 - a. This report shall include, but not be limited to:
 - (1) Date and time of arrival at the scene.
 - (2) Location of the crime.
 - (3) Name of the victims, if known.
 - (4) Name of the suspect, if known.
 - (5) Name of the person requesting that the scene be processed.
 - (6) Action taken at the scene, including whether photographs were taken, measurements taken (yes or no), a listing of physical evidence recovered, and latent testing results.
 - (7) Complete description of activities describing the occurrence of the crime as observed by the Crime Scene Investigator.
 - (8) Case file number.
 - b. The report should reflect what type of processing was done and results of that processing. Other information that should be included is the date and time a request for service was received and the name of the requesting officer, the disposition of the physical evidence and of the exposed negatives, and the crime scene measurement information.
 - c. The officer will also make a copy of the required case report(s) and forward the report(s) to the Major Crimes Supervisor.

- C. Whenever an Officer or Intermediate Crime Scene Investigator determines the nature of the investigation requires skills or equipment, which the Officer or Intermediate Crime Scene Investigator does not possess; they shall notify an on-scene Supervisor or the Crime Scene Unit Supervisor (if he/she is currently on-duty) and request assistance. Any notification of the crime scene supervisor when that person is off duty will be made either by an on-duty supervisor, or by an officer with the supervisor's permission.

- D. It is the responsibility of the assigned Crime Scene Investigator to ensure that the Crime Scene Unit Supervisor is notified/contacted regarding major crime scenes.

17.103 RESPONSIBILITIES OF FIELD PERSONNEL

- A. The primary responding officers shall:
 1. Establish and maintain security of the scene, establish a scene perimeter, protecting it from unauthorized entry and subsequent contamination.
 2. At major scenes an officer is assigned to identify persons entering the scene (maintain a crime scene log)
 3. Arrange for crowd control if necessary.
 4. Request authorization from a supervisor to summon Crime Scene Unit personnel if needed.
 5. Communicate all known facts to Investigators and/or Crime Scene Investigators.

6. Assist the investigator(s) if necessary.
 7. Document the name of the Crime Scene Investigator processing the scene in the original or follow-up report.
 8. Maintain security of the scene until Crime Scene personnel clear from the location or until otherwise directed by a supervisor, Crime Scene Investigator, or the assigned Investigator.
- B. All personnel that respond to a crime scene shall document their presence and their role at the scene in a supplement.
 - C. All forensic evidence at a crime scene shall be appropriately collected, marked, packaged, and placed in the police property room for chain of custody.
 - D. In most cases where Crime Scene personnel are called to a scene, the Crime Scene personnel will collect items relevant to the case. The exception would be when there is potential for destruction or loss of the evidence (i.e., weather, safety, crowd control, etc.) if the item were to remain as it was until it could be collected by Crime Scene personnel. Any officer who disturbs or takes possession of any evidence at a crime scene becomes personally responsible for marking the evidence, placing that evidence into the property room, and testifying in court to the chain of custody of that property.
 - E. All officers that report to a crime scene should take every precaution to not contaminate or disturb the scene. Once the scene has been searched for victims and suspects, the immediate scene should be evacuated, a secure perimeter set up, and officers should wait for the arrival of Crime Scene personnel.

17.104 SUPPLIES

- A. The Crime Scene Unit shall provide the Crime Scene Investigators with the necessary equipment and assistance for the performance of their duties.
- B. The Crime Scene Unit Supervisor shall cause a periodic inventory examination to ensure that an adequate amount of supplies are available for processing crime scenes.
- C. Requests for supplies will be made to the Crime Scene Unit who shall provide these supplies.

17.105 SUPERVISION OF INVESTIGATORS

- A. The Crime Scene Technician and the Crime Scene Investigators shall be under the supervision of the Crime Scene Unit Supervisor.
- B. The Crime Scene Investigator assigned to a crime scene shall be in charge of how physical evidence is gathered and processed unless countermanded by the Crime Scene or the Investigative Supervisor.
- C. The Crime Scene Investigators may be supported by the Intermediate Crime Scene Investigators and Cross Trained Officers if assistance is required at a major crime scene.
- D. The Crime Scene Investigator shall collect and process any relative evidence requested by the assigned Officer/Investigator
 1. If the Crime Scene Investigator determines that the processing of any particular item(s) might cause damage to that item, then the requesting Officer/Investigator shall be notified.

2. If the requesting Officer/Investigator still desires that the item(s) be processed, then the requesting officer/investigator shall assume full responsibility for any damage to the item(s).
 3. The ultimate decision for what evidence is or is not collected at scenes rests with the Crime Scene and/or Investigative Unit supervisors in charge of the scene.
- E. If both Crime Scene and Investigative Unit personnel are responding to a crime scene, the scene processing may be held until the arrival of the personnel from both Units to allow for a coordinated investigation.
1. In order to reduce the possibility of contaminating the crime scene, Crime Scene personnel may photograph the scene and collect or preserve any fragile or perishable evidence such as DNA, bloody footprints, spatter, etc. prior to other Investigative Unit personnel entering the scene.
 2. Once the scene is photographed and the perishable evidence protected, the other Investigative personnel may then enter the crime scene in order to view the scene before things are moved or changed by the primary processing and collection of evidence. Any investigator entering the scene at this point will adhere to the same crime scene protection protocol necessary to minimize any cross-contamination of the scene.
 3. The Investigator in charge of the investigation may, after being briefed regarding known evidence at the scene by the Crime Scene Investigator, request additional processing and/or collection of evidence.

17.106 CRIME SCENE INVESTIGATOR AVAILABILITY

- A. The Crime Scene Investigators and Intermediate Crime Scene Investigators shall be available on a 24-hour basis. The on-call schedule will be developed by the Crime Scene Unit Supervisor and placed in the on-call folder on the W drive so that supervisory personnel are informed of who is on the call out list.
1. In the event of the unavailability of an on-duty Crime Scene Investigator at the time of request, an on-call Crime Scene Investigator shall be called out.
 2. The on-duty Patrol supervisor or the Investigative supervisor may call out the on-call Crime Scene Investigator.
- B. Cross Trained and Intermediate Cross Trained Investigators
1. Intermediate Crime Scene Investigators are part of minimum staffing, and the Intermediate Crime Scene Investigators will not be used when their use will adversely affect the Department's ability to respond to calls.
 2. If a call does meet the criteria for an intermediate investigator(s) and the use of the intermediate investigators will not affect the Department's ability to answer calls, then the Intermediate Investigator may be used. An Intermediate Investigator who has started working a scene will not be called away unless extenuating circumstances exist, and the crime scene can be protected and preserved.
- C. The cross-trained officers will continue to work minor crime scenes and assist at major crime scenes.
- D. Should any Intermediate Crime Scene Investigator or Cross Trained Officer feel they are not qualified to process a particular crime scene, the on-scene Supervisor is to be notified and other arrangements for processing the scene will be made.

17.107 EVIDENCE

Physical evidence is any object or item (*no matter the size or nature*), marking or impression, which may assist in the reconstruction of a crime. Physical evidence may lead to identification of the offender. Physical evidence may connect the offender with the victim/witness or scene of the crime. Physical evidence may require laboratory processing to render it usable in the investigation or in court. A supervisor is to be consulted regarding whether or not it is necessary to obtain a search warrant before processing a scene.

17.108 PROCESSING PHYSICAL EVIDENCE IN THE FIELD

- A. Upon the completion of *the detailed* photographing and rough sketching of a crime scene, the Crime Scene Investigator will begin the process of collecting physical evidence. The evidence will be collected in a systematic, organized manner. Collected items will, when practical, be placed in individual containers, assigned an item number and the location corresponding with the items on the crime scene drawing. The container will be marked with the case number, item number, date, and initials of the individual actually collecting the evidence. The items will be placed in the appropriate container, whether it is plastic bags, paper sacks, or metal containers. Items which are unduly wet may be placed in plastic bags until placed in the evidence storage building to dry. The bag should not be tightly secured, to permit the contents to breathe. The Crime Scene Officer or the Intermediate Crime Scene Officer collecting the evidence will hang the wet evidence on clothes hangers in the drying shed. The key to the drying shed is located inside the Crime Scene Lab Area and is accessible only to Crime Scene Personnel, Intermediate Crime Scene Personnel, and all Lieutenants. The logbook entry must be completed when evidence is hung in the shed.
- B. The evidence collector will remain aware of cross-contamination of the items of physical evidence and take steps to prevent it. For this reason, evidence from multiple scenes will not be placed in the drying shed at the same time.
- C. In the processing for latent fingerprints, all developed latents which the Crime Scene Investigator thinks may be destroyed in lifting, or important latents at major crime scenes, will first be photographed before an attempt is made to lift the latent print.
 - 1. All latent print lifts will be marked with the case number, location from which the latent was lifted, a sketch of where the latent was recovered, a direction mark to indicate "up", the date, and the initials of the individual doing the lifting.
 - 2. When latents are not detected, test prints will be conducted and the results documented.
 - 3. All latents (including partial and non-useable) will be collected. These latents will be examined by a Crime Scene Investigator to determine if they contain sufficient detail for comparison. If the latents are not suitable for identification, the latents will be destroyed. A report will be completed documenting this action.
 - 4. All latent lifts and photo negatives will be filed numerically in the Crime Scene Unit in case packets marked with the case number, date, location, type of offense, name of victim or complainant and the initials or name of the individual lifting the prints. The collecting Crime Scene Investigator will complete these case packets. The Crime Scene Services case packet file cabinet will be kept locked at all times when not in use.
- D. During the evidence collection/storage process, the collector must use care to prevent cross-contamination. Each piece of evidence requiring analysis will be packaged in individual containers.
- E. Whole blood collected for comparison purposes will be collected in Vacutainer tubes. The "red stopper" tube will be used to store blood without preservatives; the "yellow stopper" and/or "purple stopper" tube is to be used to store blood with preservatives. For DNA testing purposes,

the "purple stopper" tube is required.

1. These tubes must be refrigerated as soon as possible after collection.
 2. Blood taken for blood alcohol content, drug screens, heavy metal screens, and carbon monoxide testing will be placed in Department of Public Safety blood containers and the accompanying paper work properly filled out by the requesting Officer.
- F. Sexual Assault examination kits will be delivered to the Police Department and placed in the Property Unit evidence refrigerator.
1. All kits will be placed in the refrigerator in the Evidence Locker.
 2. Other body fluids or chemicals may be placed in appropriate non-preservative containers. Body fluids will be placed in refrigeration as soon as possible.
 3. The Case Investigator will immediately follow-up with the appropriate testing of the sample.
- G. All items of evidence will have properly filled out evidence tags attached to their containers. Each container will be marked or labeled at the time it is collected. The labels or evidence tags will give the case number, date, Officer's initials and location where the evidence was recovered. At the Case Investigator's request, the evidence will be sent to the appropriate laboratory.
- H. No physical evidence, film, or other items obtained at the scene will be left in the Officer's vehicle. All items will be returned to the department and stored appropriately. Evidence will be immediately submitted and will not be retained by any Officer. A secure drop box exists in the Crime Scene Unit Office. This drop-box is to be utilized by the Crime Scene Investigator to deposit case packets that contain film to be processed or latents recovered at the scene when no one is available in the Crime Scene Unit.
- I. DNA Collection
1. When responding to a scene, the officer should be aware that DNA evidence might be present. The possibility of cross-contamination should always be a consideration. The officer should also be cognizant of the health risk when handling blood or other body fluids.
 2. Prior to the collection of DNA samples, photographs should be taken of the evidence. This will be done with and without a measuring device. DNA will be collected by applying saline, sterile or distilled water to the end of a sterile swab and placing the swab in the sample to be collected. The swab will then be placed in a cardboard sample box. The box will be labeled with case number, date, item number and officer's initials. A biohazard sticker will be affixed to the outside of the box. If more than one sample is collected, they will be placed inside a brown sack individually to eliminate possible cross contamination. A biohazard label will be affixed to the outside of the sack. All pertinent information will be written on the outside of the sack. There are boxes, swabs, and saline in all cross-train kits. Biohazard labels are in the processing area outside of central property.
 3. All officers receive basic cross-training in order to process their own scenes. During this 8-hour training, they are shown how to properly collect DNA samples. If an officer does not feel confident in properly collecting a specimen, an Intermediate cross-trained officer or Crime Scene Investigator will be called to the scene to assist.
 4. An Investigator requesting evidence be evaluated will complete all the appropriate paperwork and ensure the evidence is sent to an accredited laboratory.

17.109 PRIMARY VEHICLES USED BY CRIME SCENE PERSONNEL

The crime scene vehicle will be equipped with a minimum of the following equipment:

1. A digital camera with a, flash unit, memory cards and necessary accessories.
2. A fingerprint kit for the recovery of latent fingerprints.
3. A crime scene kit to include sketchpad, ruler, tape measure, razor knife, marking pen and scribe.
4. Evidence collection material to include paper and plastic bags and miscellaneous evidence containers.
5. Blood evidence kit.
6. Two (2) Gun shot residue collection kits
7. Crime scene protection (barrier) tape.
8. Portable and stationary lights.
9. A post mortem kit.
10. Protective clothing that includes a hard hat, paper jumpsuits and rubber boots.
11. A disaster collection kit.
12. Generator.
13. Putrefication and gas masks.
14. Biohazard kit.
15. Vacuum cleaner for trace evidence.

17.110 EVIDENCE/EQUIPMENT STORAGE AND SECURITY

- A. The Crime Scene Unit lab and storage room is to be utilized to store crime scene processing equipment and the case packets containing latent prints, finger print cards, photographs, and negatives. The file cabinets containing latent prints, finger print cards, photographs, and negatives are to remain locked at all times except when they are being accessed to allow filing or retrieval of packets. Only personnel assigned to the Crime Scene Unit will have access to the cabinets.
- B. The Crime Scene Lab and storage room may also be utilized to process crime scene evidence. Crime Scene Investigators may check the evidence out of the property room or process the evidence prior to the evidence being placed in property. As soon as the evidence is processed and no further testing is to be performed, the evidence is to be placed into Property.

17.111 EVIDENCE SUBMITTED TO STATE AND FEDERAL LABORATORIES

- A. Perishable evidence such as fresh blood, bloodstained objects, sexual assault examination kits, physiological stains and tissue, and biological materials shall be submitted to the appropriate laboratory within ***(5) five working*** days of the receipt of the item by the Case Investigator.
 1. Non-perishable items can be held for (20) days without submission to a lab by the Case Investigator. The exception will be when the Investigator determines there is no need to process the evidence, which will be included in a supplement report and approved by an investigative sergeant.
 2. The Crime Scene Investigator shall determine the proper storage media and monitor the evidence, when not sent to the lab under the prescribed time, to prevent deterioration or destruction of the perishable evidence. Communications with the Case Investigator and the Crime Scene Investigator is required.
- B. Whenever possible, evidence will not be submitted without a comparison standard. A supplemental report will be prepared by the Case Investigator as to the reason for any delay in the submission of evidence.

17.112 PHYSICAL EVIDENCE -- KNOWN SOURCES/STANDARDS

Whenever possible, known sources will be collected by the Case Investigator or Crime Scene Investigator to be used for comparison purposes with collected physical evidence. The known sources will be handled the same as any other physical evidence recovered by the Investigator(s). Known sources will be submitted for laboratory examination by the Criminal or Crime Scene Investigator assigned. Examples of known sources could include hairs, fibers, fabrics, paint, glass, wood, soil, and tool marks.

17.113 CRIME SCENE SKETCHES

Crime scene sketches will be completed in two parts, the rough sketch and the finished sketch.

- A. ***Finished*** crime scene sketches shall contain, but not be limited to, the following basic elements:
1. Full and complete dimensions of the scene including all rooms, buildings involved in the overall scene.
 2. Relation of the crime scene to other rooms, buildings, geographical features or roads.
 3. Address, floor or room number as appropriate.
 4. Location of significant features of the scene, such as placement of the victim, furniture, bullet holes, and items of evidence.
 5. Date and time of preparation.
 6. Names of the persons preparing the sketch.
 7. Direction of north.
 8. Location of items of physical evidence recovered. All key evidence will be measured.
 9. Case Number.
- B. The original crime scene sketch will be filed in the Crime Scene Unit.
- C. The rough sketch will be a simple drawing of the overall crime scene layout. It will contain all important items identified as evidence, detailed measurements, and key items labeled. The rough sketch will provide enough detail information to allow the completion of the finished sketch. It will contain the sketcher's name, date, location address, and any other notations. The rough sketch is kept in the case packet in the Crime Scene Unit.

17.114 EVIDENTIARY PHOTOGRAPHIC RECORD

- A. Prior to any other activity undertaken by the Crime Scene Investigator, the investigator shall make a detailed photographic record of the crime scene.
- B. Before photographs are taken at a crime scene, a marker/identifier card shall be photographed. This marker card will include the case number, date, location, photographer's initials and time. The card will be placed in the case packet and stored in the Crime Scene Unit.
- C. A case packet is to be completed and the stamped area filled out each time photographs are taken or latents recovered. This provides a place for filing scene negatives.
- D. Film canisters/digital camera cards are to be placed in the envelopes provided (and information completed) in the Crime Scene Unit for processing. This includes a partially exposed roll of film. Exposed film will not to be left in the camera.
- E. The Crime Scene Unit will be responsible for the film processing of crime scene photographs.
- F. Photographs will be taken of the exterior of a building where a crime occurred, which shows the address, approach and escape routes, and the scene in relation to other objects in the area. Where a central point of focus of a crime scene exists, such as a victim, photographs will be taken from four (approximate) equal and opposite corners making an entire sweep to the scene from each

corner. If the scene enclosure does not reveal all evidence and overall scene view, the scene will be photographed in a manner that overlaps all areas. Close up photographs of items of physical evidence will be taken both with and without a scale inserted in the field of view.

- G. It will be the responsibility of the Crime Scene Investigator to assure all scene areas, evidence and other items (as identified) are properly recorded and documented.
- H. In addition to still photography, the Crime Scene Investigator may also use videotaping as a means to document evidence. The Crime Scene Investigator should be trained to use the video camera, and if used, should ensure that care is taken to visually record all areas of the crime scene. The tape will be properly labeled with the date, case number and the name of the officer conducting the recording. Tapes will be stored in evidence and only duplicated if necessary by the Crime Scene Unit. Under no circumstance will the tape be erased or altered in any manner. A video camera is part of the equipment maintained by the Crime Scene Unit. Video taping a crime scene if done is only a portion of the evidence to be collected. Still photography should be utilized in all cases even if the scene is video taped.

17.115 COMPARISON OF LATENT PRINTS

The comparison of latent fingerprints is a fundamental process in the identification of suspects. The following will apply in this process:

1. Comparisons are to be completed by crime scene personnel who have received training provided by the Texas Department of Public Safety or the Federal Bureau of Investigation in the areas of Basic Identification Officers School (fingerprint classification/identification) and Latent Print Identification
2. When an identification is made of a latent print to a suspect, a verification by a second qualified person will be required. If any dispute occurs regarding any points of identification or confirmation doubt, the latent(s) in question will be forwarded to the Crime Scene Unit Supervisor for a final decision. No confirmation will be provided if any unexplained (points) doubt persists.
3. To assist the Crime Scene Investigator and provide information to court, any comparisons, whether by request or by the Investigator's own initiative, will be documented by the completion of a supplement report. The report, at a minimum, will contain 1.) requester's name, 2.) suspect(s) name, race/sex, DOB, ID #, 3.) case nature, 4.) comparison results.
4. Requests for fingerprint comparisons by Officers/Investigators will be routed through the Crime Scene Unit Supervisor for assignment to the Crime Scene Investigator. These individuals shall utilize self-initiative to develop suspects.
5. When a comparison is done through AFIS, a supplemental report will be submitted with the results. A manual confirmation must be completed using a set of rolled prints. Another qualified person must verify this confirmation.

17.116 REQUEST FOR LABORATORY EXAMINATIONS

- A. Whenever a Case officer/investigator needs to have evidence examined that was collected by a Crime Scene Investigator, the Case Investigator shall make such request in writing to the Crime Scene Unit Supervisor for assignment.
- B. It shall be the responsibility of the Case officer/investigator to indicate what type of laboratory examination is needed regarding the evidence. This shall be done whether the examination is to be done by a Crime Scene Investigator of the Police Department or submitted to an outside laboratory utilized by the Tyler Police Department. Decomposition or breakdown of the evidence must be considered and the submission of the evidence for testing must be timely.

17.117 PROCESSING OF RECOVERED STOLEN VEHICLES

When an officer recovers a stolen vehicle and **immediate** processing of that vehicle is required, the officer will contact a Crime Scene Investigator and make such request. Due to the possibility of soiling or destroying tested surfaces, vehicles will not be processed until the owner is contacted and has given consent for processing.

1. If there is observable physical damage to the vehicle, photographs will be taken.
2. A Crime Scene Investigator may, at the investigator's discretion, have the officer request a wrecker to be dispatched to tow the vehicle to the Police Department Impound Lot for processing.
3. Before the vehicle is towed, an inventory sheet will be completed by the officer. Care will be taken not to destroy any evidence. In cases involving crimes against persons, the vehicle inventory will be done by a Crime Scene Investigator.
4. The officer will ensure the placing of the vehicle in the impound yard.
 - a. A metal evidence (property) tag will be completed and placed on the vehicle by the investigating officer.
 - b. All vehicles shall be secured from inclement weather by the impounding officer. Vehicles with inoperable or broken windows shall be covered by tarps, which are kept in the property lot by the entry gate.
5. A Crime Scene Investigator will then be responsible for the proper processing of the vehicle.
6. The assigned investigating officer will make a written report of the circumstances of the recovery and see that the proper agency or person reporting the stolen vehicle is promptly notified of the recovery and the steps necessary to reclaim the vehicle.
7. Vehicles reported stolen by another agency will be processed only upon request from the agency at which it was reported stolen, or if the vehicle was used in the commission of a crime within the City of Tyler. The request shall be routed through the Crime Scene Unit Supervisor for approval and/or assignment unless approved by an on-duty patrol supervisor.

17.118 MARKING/LABELING OF PHYSICAL EVIDENCE

- A. Only those articles which may be used in court as evidence will be marked, if possible, when discovered. Documentation of the marking of evidence (initials used, date of initialing, witnesses present and to whom delivered) will be entered in the appropriate report by the originating Officer.
- B. Solid objects which have a volume of approximately one cubic inch or greater will be marked, if possible, for identification purposes with the initials of the officer receiving or finding the evidence.
 1. The mark of identification will not be placed in an area where evidentiary traces exist.
 2. Pen and pencil can be used for absorbent articles.
 3. Special care will be used in marking articles of value.
 4. Smaller articles need not be marked, but will be placed in separate containers and then sealed and labeled. Information will be written on the label giving the case number, date and time the article was found, name or description of the article, location of the article at the time of discovery, and signature of the Officer who made the discovery. The officer sealing the evidence bags with tape will sign their name or initial across the tape to prevent tampering.
- C. ***Evidence will not be destroyed for the sake of marking. If this is to occur, then other methods must be utilized.***

17.119 DAILIES

It is an important function to track activities and log the use of supplies for future budgetary information. Each time a Crime Scene Investigator processes a crime scene, such as taking photographs of the scene, performing an activity associated with the collection of latent fingerprints, or the collection of other evidence that requires further processing by the Crime Scene Unit, the information regarding these activities and tasks will be logged (nature, quantity numbers (i.e. used two GSR kits, etc) on the officer's daily and on the appropriate report form(s). The officer will make a copy of the daily and will forward the copy to the Crime Scene Unit Supervisor. If an officer uses large quantities of supplies from the Crime Scene Vehicle, a memo will be submitted to the Crime Scene Unit Supervisor for replacement of the supplies.

17.120 PHYSICAL EVIDENCE - CUSTODY - TRANSFER OF CUSTODY

- A. It shall be the policy of the Tyler Police Department that anytime any officer recovers physical evidence, a properly completed evidence tag will be attached and a property report will be completed.
- B. Each time the custody of an item of evidence is changed, the evidence record of custody will be immediately signed, dated, and time recorded by the person receiving the item. An entry will be made on the evidence room log by the Property Custodian as to the date, time, whom and for what reason evidence is released, and when it is released from the evidence room.
- C. The record of physical evidence transferred to an outside laboratory will include the following:
 - 1. Date and time of transfer.
 - 2. Receiving person's name and functional responsibility.
 - 3. Reason for the transfer.
 - 4. Name and location of the laboratory, synopsis of the event, and examinations desired.

17.121 SUBMISSION OF EVIDENCE TO LABORATORIES - RECORD REQUIRED

- A. All submission of evidence to outside laboratories shall be done in a timely manner and in accordance with the following standard procedures for packaging and transmittal of evidence.
 - 1. Package all items of evidence and any comparison standard materials in separate sealed containers that are appropriate for the evidence/material in question.
 - 2. Properly mark all containers with an item number, the case number, and your initials.
 - 3. Package evidence and comparison standards in an appropriate sized and constructed shipping container that will keep the evidence from being crushed or damaged. Include appropriate packing material as needed.
 - 4. Include a written request of what type of laboratory examination is desired. Include item numbers to indicate which item(s) are questioned and which are comparison standards. All items must be accounted for in the transmittal letter to the laboratory.
 - 5. Properly wrap and seal --all six (6) sides-- to insure that the package cannot be opened without breaking the seal during shipment.
- B. Evidence that is submitted to the Department of Public Safety Laboratories will be submitted on DPS forms. Evidence being submitted to federal laboratories will be submitted on Tyler Police Department stationary, and will contain the same information as requested on DPS forms.
- C. Evidence forms will remain with the items of physical evidence submitted to laboratories for chain of custody purposes. The original transmittal request shall be sent to the lab, copies will be filed in the Crime Scene Unit case packet and with the Case Investigator.

- D. Whenever possible, all evidence submitted to outside laboratories will be submitted by the Case Investigator or the Crime Scene Investigator that collected the evidence.
- E. All submission of evidence to outside laboratories shall be made in person or by Certified United States Mail, with return receipt. Whenever possible, the personal delivery or mailing of evidence shall be done by the Case or Crime Scene Investigator who collected the evidence. The return receipt from the United States Post Office Department shall be filed with the case number, officer/investigator initials, and date that the returned receipt was received at the Police Department.
- F. When evidence is returned from the outside examining laboratory, it shall be returned to the Evidence/Property Room with appropriate evidence forms completed. All packaging material and wrappers shall be maintained, together with the evidence, as may be needed in later court proceedings.
- G. Physical evidence submitted to a laboratory for examination will include to following prior custody information:
 - 1. Name of the officer last having custody of the item.
 - 2. Date and time of submission or mailing and method used for transmission.
 - 3. Date and time of receipt in the laboratory.
 - 4. Name and signature of the person in the laboratory receiving the evidence.
 - 5. Name of the officer in charge of the investigation, if known.
 - 6. Name of the Crime Scene Unit Supervisor as the person to whom the laboratory report should be sent for proper routing.

17.122 WRITTEN LABORATORY REPORTS

It shall be the policy of the Tyler Police Department that in all cases that physical evidence is submitted to outside laboratories that a written report of the results of the analysis be provided to the Police Department. The original laboratory report shall be routed to the Case Investigator with a copy to the Data Management Unit, and a copy to the case package in the Crime Scene Unit.

17.123 TRAINING - ACCIDENT AND CRIME SCENES

- A. All officers of the Tyler Police Department will receive at least basic training in crime scene processing as provided by the Basic Police Academy. Additional training will be provided to officers as a regular part of their in-service training.
- B. Crime Scene Investigators will receive specialized training in photography and crime scene processing, as advancements in technology require.
 - 1. Annual refresher courses for investigators will also be provided.
 - 2. The training of the Crime Scene Investigator will be controlled by the individual's Division Commander with input from the Crime Scene Unit Supervisor.
- C. This specialized training is to include, but not be limited to the following:
 - 1. Recovery of latent fingerprints and palm prints.
 - 2. Photographing crime or accident scenes.
 - 3. Preparing crime scene or accident sketches.
 - 4. Collection, preservation, and transmitting physical evidence including biological materials.
 - 5. Photography of foot, shoe, tool, and tire impressions.

17.124 REPORTING INVESTIGATOR DEFICIENCIES

Any Department member who becomes aware of any deficiencies on the part of any Crime Scene Investigator shall report that information, in writing, to the Crime Scene Unit Supervisor.

17.125 RESERVED

17.126 RESERVED

17.127 COMPUTER/ELECTRONIC DATA STORAGE DEVICE EVIDENCE

The following sections of this directive provide information concerning the seizure of computer/electronic data storage device evidence. It applies to all matters concerning the seizure of computer/electronic data storage device evidence, and other evidence such as peripheral components, manuals, media, disks, software and associated materials. This is intended as a guide to protect the hardware, software, and media storage devices until these devices and components may be examined by a Computer Forensic Examiner/Specialist for purposes of uncovering evidence of criminal conduct.

17.128 DEFINITIONS

- A. Computer/electronic data storage device – an electronic, magnetic, optical, electrochemical, or other high-speed data processing device that performs logical, arithmetic, or memory functions by the manipulations of electronic or magnetic impulses and includes all input, output, processing, storage, or communication facilities that are connected or related to the device.
- B. Computer Network – the interconnection of two or more computer systems by satellite, microwave, line, or other communication medium with the capability to transmit information among the computers.
- C. Program – an ordered set of data representing coded instructions or statements that when executed by a device cause the device to process data or perform specific functions.
- D. Computer/electronic data storage device System – the product of the use of a device, the information stored in the device, or the personnel supporting the device, including device time, data processing, and storage functions.
- E. Computer Software – a set of computer programs, procedures, and associated documentation related to the operation of a computer, computer system, or computer network.
- F. Data – a representation of information, knowledge, facts, concepts, or instructions that is being prepared or has been prepared in a formalized manner and is intended to be stored or processed, is being stored or processed, or has been stored or processed in a computer. Data may be embodied in any form, including but not limited to printouts, magnetic storage media, laser storage media, and punch cards, or may be stored internally in the memory of the device.
- G. Modem – a device either internal or external used to transmit data via phone line or network cable. A modem converts data between analog and digital information.
- H. Peripherals – any device on the outside of the computer/electronic data storage device that is used in conjunction with a computer/electronic data storage device for the purpose of processing, manipulating, storing, transmitting, printing or displaying the product of a computer/electronic

data storage device. (examples: monitor, modem, keyboard, printer, disk drives, media storage drives, mouse, and any cable meant to attach to the computer box)

- I. Media – any part of a computer/electronic data storage device or peripheral that stores or transmits information, such as disks, diskettes or tapes and are generally either magnetic or optical in nature.
- J. UPS – an un-interruptible power source that provides power to the computer in the event of a power failure. This is usually a battery-type device that the computer/electronic data storage device power plug attaches directly to.

17.129 FORENSIC EVIDENCE COLLECTION PROCEDURES

- A. Special Considerations regarding the seizure of computers/electronic data storage devices:
 - 1. Criminals have been known to booby trap computers/electronic data storage devices with small explosive charges or voltage surges meant to destroy the device and all data. This should be a concern for anyone who suspects a computer/electronic data storage device system has been tampered with.
 - 2. Even unsophisticated criminals can rig a computer/electronic data storage device to purge all of its data in an instant if the wrong key is pushed or if other inputs occur locally or from a remotely networked site. There are several scenarios that will render all evidence on site useless and destroy links to any data being stored or accessed off site.
 - 3. When there is a legitimate business use for a computer/electronic data storage device being seized, any improper command could destroy legitimate business records, leaving the seizing agency and individual possibly liable for any business lost while these records are reconstructed.
 - 4. If an officer encounters or suspects that removing a computer/electronic data storage device will compromise the safety of the officer or the data on the computer/electronic data storage device, guidance is to be sought from a technology professional. By following the procedures listed below, the investigator should minimize danger to the officer or the possible loss of data.
- B. Duties of the primary investigator or officer:
 - 1. If computer/electronic data storage device evidence is to be seized, request the assistance of a Crime Scene Investigator.
 - a. Provide the Crime Scene Investigator with the scope of the search/seizure.
 - b. Provide the Crime Scene Investigator with detailed information as to the type of information that you suspect the computer/electronic data storage device to contain, including any screen names, Internet names, or nicknames used.
 - 2. The primary investigator may consult with officers assigned to the Department's Technology Unit during the investigation. The primary investigator may also ask for assistance from the City of Tyler Information Services Technology Department if the investigator thinks special technical information is needed. This should be requested through the Technology Unit.
 - 3. Protect the scene by:
 - a. Never let anyone touch, run, or power-on any computer/electronic data storage device system(s). If it is on, leave it on; if it is off, leave it off.
 - b. Remove everyone from the area of computer/electronic data storage device(s) and/or data storage media.

- c. Interview suspects and witnesses to obtain passwords (system, Internet, documents, crypto-keys) and other crucial information to assist the Forensic Examiner.

C. Duties of the Crime Scene Investigator:

1. Photograph the screen when the computer/electronic data storage device display is found on.
2. Immediately disable the power at its source, either at the back of the computer/electronic data storage device, at the wall, or UPS. Do not use the power button or switch to turn the computer/electronic data storage device off.
3. Disable or disconnect the modem(s) or external communication devices at their source.
4. Disconnect the power to the printer and/or all peripheral devices at their source.
5. Place evidence tape over all of the drive slots.
6. Photograph connections of all equipment.
7. Label all connections for later re-assembly.
8. Photograph all labeled connections and diagram them, including computer/electronic data storage device network connections.
9. Photograph the area after the computer/electronic data storage device is removed.
10. Search the area around the computer/electronic data storage device specifically for passwords or other related information.
11. Seize all books, manuals, software, disks, media and related data to the computer/electronic data storage device system or peripherals.
12. Transport the evidence, keeping it away from all electromagnetic sources.
13. If traveling over extended distances, be certain all computer/electronic data storage device equipment is well padded against jarring shocks and protected against extreme heat.
14. Properly label all evidence and submit evidence for storage in the department's Property and Evidence Unit.

Approved: 03/25/10

