
	<b>GAITHERSBURG POLICE DEPARTMENT</b>		
	<b>Protecting &amp; Processing Crime Scenes</b>		
	<b>GENERAL ORDER</b>	<b>1101.1</b>	
<b>Effective Date</b>	<b>04/24/2015</b>	<b>83.1.1, 83.1.2, 83.2.1, 83.2.4, 83.2.6, 83.2.7.</b>	
<b>Authorized by:</b>	<b>Mark P. Sroka</b> CHIEF OF POLICE	SIGNATURE	DATE

**I. DEPARTMENT POLICY**

The success of an investigation that involves a definable crime scene depends heavily on the initial observations and actions of the first officer on the scene. The circumstances of a particular case will govern the actions taken by the officer to protect and preserve the crime scene to ensure that legal and scientific requirements can be met. Actions taken by the first officer to arrive on the scene are perhaps the most important because without a properly handled crime scene, and in several cases the victim is the crime scene, the evidence obtained from the scene may be ruled inadmissible in Court.

Since most every scene to which an officer responds is a potential crime scene, officers will be cognizant of this and make every reasonable effort to protect and preserve the scene and any potential evidence contained therein.

**II. CRIME SCENE PROTECTION**

**A. Guidelines**

1. The nature and extent to which a crime scene is protected will have to be determined on a case-by-case basis. Protecting a crime scene preserves evidence so that an evidence technician can collect it, or the patrol officer handling the scene can collect it. The following are guidelines for the first arriving officer, depending on the nature and size of the crime scene:
  - Cordon off the area with either rope or yellow ("Police Line Do Not Cross") vinyl tape;
  - Position traffic cones;
  - Secure building entrances;
  - Post a guard(s);
  - Cover areas/items that may be affected by weather elements, and

- If necessary, erect a tarpaulin or similar device to shield the crime scene from bystanders, especially if a dead body is present.
- If the suspect is still on the scene and a lawful arrest can be made, make the arrest to prevent the suspect from tampering with, disposing, or destroying evidence.
- Identify witnesses and separate them from each other until an investigator arrives or the scene is secure and their statements can be obtained.
- Prevent unnecessary walking around at or in the scene by everyone, particularly in areas likely to contain physical evidence such as footprints, shoe impressions, blood, bullet casings, etc.

**B. Procedures**

1. After a crime scene has been secured, unnecessary persons will not be permitted into the crime scene, except in extreme cases (such as fire/rescue treating a victim in the crime scene or the victim is the crime scene).
2. If a body or object(s) must be moved, officers should take a picture of the item before it is moved, record the exact location of where it was originally found, where it was moved and document the reason for the move.
3. Officers will not permit items or surfaces to be touched that are likely to yield latent fingerprints.
4. Officers will not permit any items to be removed from the scene without specific permission from the investigator(s).
5. The notes belonging to the officer that secured the crime scene (usually the first-arriving officer) should be made available to investigator(s) as soon as possible, indicating:
  - The officer's name, station address; and phone number(s);
  - Date and time of arrival on the scene;
  - Weather conditions;

- The names of others on the scene;
- What items were touched or moved;
- Doors that were locked, unlocked, closed and/or open upon arrival;
- Lights that were on or off;
- Persons observed leaving, if any;
- Any changes in the crime scene; and
- Who the first officer on the scene was and what specifically was done by each officer prior to the investigator's arrival.

### III. PRESERVING, COLLECTING AND PROCESSING EVIDENCE

#### A. Legal Requirements

1. To satisfy legal requirements concerning physical evidence, the officer/investigator that intends to use the evidence during a trial must be able to prove to the Court that the evidence was collected, processed, and preserved properly, and s(he) must be able to identify each piece of evidence at trial, as well as show its relevance to the case.

#### B. Collection Procedures

1. A crime scene sketch and/or other record will be made prior to the collection of evidence to document where these pieces of evidence were found so that the officer's Event Report, State's Attorney's Evidence Information Form and, if necessary, the Statement of Charges, can accurately reflect this information.
2. Officers will place evidence in appropriate containers and complete the label on the respective container before submitting it to the Property Custodian (see **General Order 1105.1 for packaging guidelines**).
3. Whenever available, materials and substances will be collected from known sources for submission to the crime lab/F.S.S. for comparison with physical evidence collected.
  - Such materials/substances include, but are not limited to, elimination prints, fibers, toolmarks, paint chips, and pieces

of glass and wood.

4. If a container contains a piece of evidence that is a biological hazard (i.e., body fluids, blood, etc.), or needs refrigeration, the submitting officer will so indicate conspicuously on the container.

**C. Evidence Processing**

1. It is the responsibility of the primary officer, unless relieved by an investigator, to determine how a scene is processed and what evidence is to be collected, especially when materials/ substances from a known source(s) are to be collected for comparison against the physical evidence collected.
2. A crime scene processor is available on a 24-hour basis.
  - **Shift I.D.** is a patrol officer who has been trained in crime scene processing and who possesses appropriate equipment with which to process a scene.
  - **Forensic Services Section (FSS)** is a section of the Montgomery County Police Department whose members have specialized training and expertise in crime scene processing and evidence collection.
3. In most cases where a patrol officer is the primary investigator, Shift I.D. may be sufficient to lift latents from a burglary scene or a stolen vehicle.
4. Any officer that is collecting any type of DNA evidence will use the appropriate DNA evidence collection kit approved by the Montgomery County Police Department (MCP).
5. MCP has two types of DNA evidence collection kits readily available for use:
  - Buccal and Hair Samples Kit used for swabs involving persons (pubic hair, head hair and cheek samples); and
  - Swab Kit (SKIT) used for the recovery of physical evidence involving property (suspected dried (or wet) blood, semen, saliva stains and objects believed to contain relevant DNA deposits from shed skin cell/perspiration).
6. Officers will read, fully understand, and comply with the directions contained within the DNA evidence collection kits prior to their

use.

7. GPD Investigators will periodically conduct roll call training on the types of evidence to be collected by patrol officers and the use of collection kits.
8. FSS personnel may be more appropriate for more complex scenes that are beyond the capabilities and resources of Shift I.D. officers because F.S.S. vehicles have equipment for:
  - Recovery of latents,
  - Photography equipment,
  - Crime scene sketching equipment, and
  - Equipment for evidence collection and preservation.
9. If practical, officers will contact the FSS by phone for serious offenses so that the officer on the scene can fully explain the situation to FSS personnel.
10. If a telephone is not available, or no one in FSS answers the telephone, or usage of the phone would not be practical, FSS may be requested through the Public Safety Communications Center.

**D. Evidence Preservation**

1. To ensure that evidence is handled properly after it has been collected, methods must be used that will preserve the condition of evidence in the process of collection, prevent the introduction of foreign materials to it, and ensure as complete a sample as possible and practical.
2. Before a piece of evidence is packaged, attempts should be made to lift latents from it, if practical.
3. Clothing that is wet or bloody must be "air dried" and packaged in paper bags unless impractical.
  - *The use of plastic bags should be avoided because once sealed they do not allow air in and, as a result, condensation may form and cause the item and the substance that has soaked it to decompose.*
4. Other items, such as those that might hold latent fingerprint

evidence, must be protected from any movement or action that might destroy or contaminate the prints.

5. For officers that have received training in the use of the below listed equipment, the Department will provide the following for the processing of crime/accident scenes:
  - Equipment for the recovery of latents,
  - Camera equipment,
  - Resources for the sketching of crime scenes, ~~and~~
  - Containers for the collection and preservation of physical evidence (i.e., paper and plastic bags, vials, etc.), and
  - Traffic collision investigation equipment such as measuring tape, spray-paint, etc.

### **Reporting Procedures**

1. Any officer from this Department who processes a crime or collision scene for another officer shall ensure that the details, such as evidence collected and its submission to the lab, are recorded in the associated event report.
  - Even attempts that yield no evidence should be documented.
  - If the processing officer finds that the information is not documented in the initial report, the officer shall submit a supplement report.

### **If A Scene Is Not Processed**

1. If an officer does not have photographs taken or physical evidence recovered/collected, s(he) will indicate this in the ACRS or Event Report.
  - Examples: "Contamination by weather", "Contamination by victim/complainant", "Destroyed by fire."

### **Responsibility for Requesting Lab Examinations**

1. When a number of personnel are involved in the investigation of a scene, a false assumption may be made that someone else has taken the action to get physical evidence to the lab for examination

and, as a result, it is not delivered.

2. It shall be the primary officer's/investigator's responsibility for requesting lab examinations, unless relieved of that responsibility by an investigator, FSS technician, or Shift I.D.
3. The primary officer/investigator will be responsible for specifying the test/examination to be performed, and should consult with lab technicians to ensure that the lab can accomplish the type(s) examination(s) the officer wants, and if that particular examination is appropriate for the circumstances.