

DEPARTMENT GENERAL ORDER 15-01

OFFICE of the CHIEF OF POLICE
REPLACES: General Order 11-02

DATE: January 8, 2015

EVIDENCE COLLECTION AND PRESERVATION

I. PURPOSE.

The manner in which evidence is collected and preserved will not only affect the correct determination/interpretation of the facts surrounding a crime or accident scene, but also serve to enhance the successful prosecution of those cases which warrant same. As such, the following procedures have been established to provide a guideline in processing incident scenes for items of evidentiary value, and how the findings of such activities should be preserved and documented.

II. DEFINITIONS.

Chain of Custody - The continuity of custody of material and/or items collected as physical evidence. The connotation, under the law, being that the material or items introduced into a court must be proven to be the same as that initially obtained at a crime/accident scene.

Crime Scene Processing - Specific actions taken at a crime or accident scene, consisting of photography, sketch preparation, fingerprinting, and the collection and preservation of physical evidence.

Evidence - Information, testimony, writings, material objects, or other items discovered and/or determined during the course of an investigation that are offered to prove or disprove the existence of a fact.

III. EVIDENCE COLLECTION/PROCESSING/PRESERVATION PROCEDURES.

Field Investigators, detectives, and/or other qualified individuals who may be tasked to process a crime or accident scene shall proceed in a methodical, professional manner. Processing procedures shall generally adhere to the following progression:

- 1). The scene shall be secured from contamination by unauthorized personnel to the maximum extent possible.
- 2). Photographs and/or video tapes will be made of the scene, utilizing a combination of overview shots, and close-ups of specific items of evidence identified by photo markers (e.g. numbered plastic markers, chalk, paint, or in the case of bodies, paper cutouts).
- 3). A sketch may be made to accompany the photographs, yet same shall generally not be drawn to scale.
- 4). The scene will be processed for latent fingerprints, as necessary, and should such evidence be discovered, lifts shall be made, cataloged, and packaged.
- 5). Evidence will be collected in a manner suitable to preserve same, and properly labeled and packaged.

Only items of significant evidentiary value should be submitted to departmental evidence officers for safekeeping. Supervisors are responsible for reviewing the evidentiary value of items seized by their subordinates and that the items are properly packaged.

CID evidence officers are responsible for the management and administration of all evidence and property submitted to their care. However, only properly packaged evidence will be accepted for entry into the evidence vault. Improperly packaged evidence or property will be returned to the responsible officer's supervisor with an explanation of why the items were rejected. Any evidence/property rejected in this manner must be resubmitted in a timely manner with the required corrections.

Evidence will be maintained in the evidence lockers for as minimal amount of time as possible awaiting a decision to photograph and release, transport to the laboratory, or transfer to the main evidence vault.

A. Comparative Samples

Contingent upon the circumstances, materials and substances (e.g. hairs, fibers, fabrics, paint, glass, wood, soil, metals, etc.) will be collected from a known source to provide a comparative sample to be used during the forensic testing of physical evidence. Such comparative samples will be

properly marked and, whenever possible, submitted to the lab in conjunction with the evidence to be tested.

For instance, FIOs should obtain a dirt sample from beneath a homicide victim or suspicious death where the body is discovered outside. A coring device should be used in such instances to obtain the sample, with the dirt from each core placed in a separate glass container and labeled. A comparative soil sample should be taken close to the body and properly packaged for later examination.

B. Evidence Marking/Labeling

When practical, each item of physical evidence which is seized shall be marked or labeled by the seizing officer. Required labeling data will include the officer's initials, DSN, date, and report number. This labeling may be applied directly to the item in permanent marker (where same shall not deface or ruin the item), on tape affixed to the item, or via cardboard tag attached to the item. Such labeling shall be done prior to the items being packaged and will serve as a security supplement to the information provided on the evidence containers/packages themselves.

C. Evidence Packaging

The officer responsible for the collection of physical evidence shall ensure that same is properly packaged or tagged. All packaged items must be completely enclosed within a container (envelope, bag, box, etc.), with the outside of the container sealed using a department-approved preprinted seal. The seal shall then be marked with the current date, and officer's initials/DSN.

In the case of large items, the large item outside evidence area may be used when an item will not fit in the evidence pass through lockers. All evidence handling procedures will be completed as normal, however, depending on the size, type and nature of the evidence, the evidence officer may choose to store the large item in the large item evidence facility or move the large item into the inside evidence vault at his discretion.

Specific packaging requirements/procedures are listed as follows:

1). Firearms

- a. All firearms shall be unloaded prior to packaging. Handguns will be placed in a specifically designed box for such use. Handgun ammunition shall be packaged separately and then placed into the weapons box.

- b. Rifles and shotguns will be tagged as evidence and/or property. Ammunition obtained from same shall be packaged separately and then attached to the weapon.
- c. Handguns, once seized, will not be released without a court order or specific authorization by the Chief of Police.

2). Dangerous Materials

All dangerous items, including, but not limited to, live ammunition, blank cartridges, fireworks, flares, fuses, flammables, etc. shall be packaged as any other evidence or property. However, as a safety measure, the container shall be marked with large red letters identifying the contents.

3). Knives and other Open Bladed Items

Fixed blade knives, picks, and other sharp edged items shall be packaged in a manner as to prevent the sharp edges from protruding through the packaging. The manner in which such items may be packaged may include but are not limited to: special containers designed for storage of sharp instruments, wrapping the sharp edges with cardboard and tape, or improvised methods and packaging so as to protect the instrument and others from injury.

4). Needles and Syringes

Needles and syringes shall be packaged in hard plastic receptacles prior to their being placed into an evidence container. The exterior of the evidence container shall then be marked with large red letters identifying the contents.

5). Wet or Damp Materials

Materials which are wet or damp as a result of something other than blood or bodily fluids, shall be air dried prior to packaging. Once dried, such items will be packaged in paper or cardboard containers.

Should evidence be contaminated with blood or other bodily fluids, the material(s) should be air dried prior to packaging, if same can be accomplished in a safe and secure manner. The items shall then be boxed or wrapped in brown paper for submission to the laboratory. In the event air drying is deemed to be impractical, the items shall be placed in a plastic container or bag and sealed with tape. Staples shall not be used to seal the container. Such evidence shall then be clearly

marked in red, “Biohazard” and delivered to the St. Louis County Police Laboratory within two hours of the time of seizure.

6). Money

All U.S. currency and coin seized as evidence or for safekeeping shall be counted by the reporting/seizing officer in the presence of at least one sworn witness. Once a total has been obtained, the money shall be packaged in a regular evidence or property envelope.

Only money that has been turned in for safekeeping or possesses evidentiary value will be seized and retained by this agency.

7). Written Statements/Miranda Rights Forms

Written statements prepared by criminal suspects and completed Miranda Rights forms shall be placed in an Evidence Envelope and forwarded to the Evidence Officer.

8). Composite and Scene Sketches

Composite sketches and scene sketches shall be placed into evidence in the normal manner and have a barcode attached.

9). Narcotics

Any controlled substance will be weighed except pills and capsules which will be counted. Officers will use the department's scientific scale to accomplish this task, which will record the weight of the substance/package in grams. The weight capacity of the scale is 4000 grams or 8.8 pounds. The evidence shall then be properly packaged prior to submission to the St. Louis County Laboratory or inclusion into the evidence vault.

The seizing officer shall leave the weight of the narcotics off the evidence envelope, evidence control sheet, and laboratory receipt. Due to past problems with contradictory weights obtained by the police laboratory, their weight shall serve as the official weight and will be the one entered on the appropriate documentation.

Officers will also be required to indicate the full charge on the laboratory receipt (e.g. VMCSL Possession, VMCSL Trafficking, not just VMCSL).

If more than one evidence envelope is being submitted to the lab for

analysis, officers shall use an evidence receipt continuation sheet instead of a second entirely separate evidence receipt form. Similarly, narcotics items will be packaged separately from other evidentiary items.

It should be noted that the wrapping or packaging used to hold narcotics such as plastic baggies, garbage bags, paper bags, butcher paper, etc. can be processed for latent fingerprints. This will also apply to various types of tape (scotch, masking, duct, adhesive, etc.) that may be used to seal the package, if any.

10). Insect Samples

Insects or larva found at the scene of a homicide or suspicious death should be seized and placed in a glass jar containing some type of preservation fluid.

D. Documentation

- 1). Officers and/or detectives will document the seizure of evidence (to include an itemized list of each item seized) within the body of an incident or supplemental police report, and shall incorporate the same information on the exterior of any evidence envelope or container used.
- 2). An evidence computer entry shall be completed for each package, container, or item submitted to CID evidence officers. This shall be used to document the transfer of evidence and thereby establish and maintain a proper "Chain of Custody." In addition to the preceding, an evidence barcode will be attached to the evidence or evidence packaging and an evidence property record will be attached to the original report

IV. SCENE PHOTOGRAPHY PROCEDURES.

The primary purpose of scene photography shall be to capture the incident scene as it was when first discovered. To accomplish this task, the Police Department may employ both still and video photography; however, video photography shall only be used to supplement still photography and not as a replacement for same.

Scene photography will be performed in the following circumstances:

- 1). At all serious criminal offenses such as homicide, rape, robbery, burglary, felony assault, arson, or suicide where such photos are critical for a felony arrest and successful prosecution.
- 2). At those crime scenes where latent fingerprints and/or other significant items of evidence are located, the recovery of which may be instrumental to the successful investigation of the case.
- 3). Vehicle accident scenes involving serious injuries or fatalities.
- 4). Damage to City property (both deliberate and accidental).
- 5). To record the damage caused by an emergency event to City and/or private property in accordance with Chapter 6 of the Code of Ordinances and the City's Emergency Operations Plan.
- 6). Accidental injury scenes involving City property (e.g. sidewalks, playground equipment, etc.).

Photography of thefts from autos, stealing offenses, property damage offenses (except City property), minor injury accidents, etc., where no latent fingerprints or other significant evidence (e.g. pry marks, foot prints, tools, etc.) are found will still be photographed except where special mitigating circumstances may exist, or in the event the on-duty supervisor deems that photography is not warranted.

Scene photography shall be restricted to those personnel who possess the requisite technical training. This will generally include Field Investigators, detectives, supervisory personnel, and/or designated personnel from an outside law enforcement agency.

When an incident occurs in which photographic services are needed, notification will be made to an on-duty Field Investigator or detective, who shall then respond to the scene with the appropriate equipment.

A. Still Photography

Photographs taken at an incident scene shall be obtained via digital camera . The initial photographs taken shall record data contained on an identification placard, which shall include:

1. Case number.
2. Photographer's name and DSN.
3. Date.
4. Location.

Crime scene photographs shall be taken from enough different angles to ensure a correct understanding of the setting, and will be made from eye level whenever possible.

Scene photography shall include both overview and close-up images, as necessary. In the event of the latter, a scale will routinely be used in the photograph to illustrate the relative size of the object being recorded.

Should other than a normal lens be utilized the variation shall be documented in the supplemental report.

Photographic evidence shall be administered in the following manner:

A. Digital Media

Once photographs have been taken, the memory card shall be turned into the Criminal Investigations Division. The detective in charge of photographic services, or his designate, will then download the stored images onto the main computer.

Should prints of the digital images be needed, the requesting party shall contact appropriate CID personnel who will print hard copy photographs.

B. Video

Video photography may supplement still images at the discretion of the field investigator and/or scene supervisor. The use of video images shall not supplant still photography, and similar to the latter shall be conducted prior to a scene being disturbed whenever possible.

The digital video camera shall be set with the time and date feature displayed, and the beginning of each video tape shall include a recording of the informational placard used as an identifier for still photography. Walking movement with the video camera should be avoided, with coverage of the scene obtained from various fixed perspectives.

The use of accessories or artificial lighting shall be approved by a supervisor prior to their use, and will be properly documented within the photographer's supplemental report.

Once video images have been taken, the memory card shall be turned over to the Criminal Investigations Division. The detective in charge of photographic services, or his designate, will then download the stored images onto the main computer.

V. SCENE SKETCHES.

Scene sketches shall routinely be accomplished as an integral facet of the evidence collection process at major crime and/or accident scenes. Major incident scenes will include homicides, suicides, questionable deaths, police involved shootings, accidents involving serious bodily injuries or fatalities, and those incidents, which in the opinion of a commander or supervisor, constitutes a major crime or accident scene.

A scene sketch will document the overall layout of the immediate area surrounding an incident scene (e.g. bedroom, kitchen, garage, highway, yard, etc.), its location (to include rough dimensions) to various reference points, the location of specific evidentiary items, and the location/position of the victim(s), if any.

The sketch shall also include:

- 1). Report Number.
- 2). Date:
- 3). Officer's Name/DSN.
- 4). Compass Direction.
- 5). Disclaimer "Not Drawn to Scale."

Scene sketches/diagrams will normally be such that a readable and accurate representation of the scene shall fit on an 8 ½ x 11 sheet of paper. Completed scene sketches shall be appropriately packaged and placed into evidence.

VI. FINGERPRINT PROCESSING.

Field Investigators, detectives, or other personnel who are called to a crime or accident scene to process same for latent fingerprints shall first examine the area to determine if the surfaces contained therein are suitable for processing. Should the scene be deemed acceptable for fingerprint processing, investigators shall utilize the proper fingerprint equipment (powder, brushes, lights, fuming hamper, etc.) to process those surfaces which may contain fingerprint evidence. In the event latent fingerprints are discovered, either visually or through the aid of a blue light, they shall be photographed, and placed (if possible) on a fingerprint lift card for subsequent submission to the St. Louis County Fingerprint Laboratory.

In the event a lift cannot be made, then the item, or a section thereof, should be removed (if same can reasonably be accomplished), packaged in such a manner to protect the latent prints, and conveyed back to this department or the St. Louis County Police Fingerprint Lab for further identification.

Contingent upon other circumstances, certain movable items from a crime and/or accident scene may be conveyed back to this department, or transported directly to the St. Louis County Lab prior to being processed for fingerprints. Again, the items should be packaged in such a way to protect any possible latent fingerprints.

Paper items (letters, checks, etc.) which may bear latent fingerprints shall generally be seized, placed in an envelope, and returned to this department. The items shall then be forwarded to the St. Louis County Fingerprint Laboratory to be chemically treated for latent prints.

In those instances where a Field Investigator transports fingerprint evidence to the St. Louis County Police lab, the Field Investigator involved shall make the appropriate evidence computer entry, attach associated bar code labels and notify the detective designated to coordinate fingerprint evidence (either orally or in writing), so that the latter may make appropriate entries in the computer evidence log.

A. Comparison Prints

Comparison or elimination fingerprints shall be secured from those individuals who own, have control over, or have ready/recent access to an item or area, whenever latent fingerprint lifts are obtained at a crime scene. This process may include the victim, family member, owner, custodian, driver, employee, or other individual whose fingerprints may legitimately be found at the scene.

Elimination fingerprints shall be recorded on Applicant Fingerprint Cards, and the Field Investigator, detective, or other employee who obtains the prints shall label the card "Elimination prints" and place the report number and name of the individual printed in the appropriate spaces on the face of the fingerprint card. The comparison prints shall then be entered into the same evidence envelope as latent fingerprints and submitted to the St. Louis County Forensic Laboratory for analysis.

The officer responsible for obtaining elimination or comparison fingerprints shall document same within the narrative of an original incident report, or via supplemental report.

B. Stolen Vehicles

This agency shall generally attempt to process all stolen vehicles in accordance with the following directions:

- 1). Should a vehicle be recovered in another jurisdiction and this agency is notified after the vehicle has been towed, it will be the supervisors discretion regarding processing.

- 2). In the event a vehicle is recovered in another jurisdiction the on-duty supervisor shall determine whether to detach a Field Investigator to process the auto at the scene, have the vehicle towed to this department's impound lot for processing, or to decline to process at all.

VII. AVAILABILITY OF SCENE PROCESSING EQUIPMENT/SUPPLIES.

The technical equipment and supplies that will routinely be used by Field Investigators to perform crime and accident scene processing tasks shall be available on a twenty-four basis. Each individual Field Investigator has been issued a processing kit which they shall have accessible for the duration of their assigned shift. These shall be brought into service as needed and, contingent upon the circumstances may be used by a detective or supervisor who possesses the required technical expertise to process a crime or accident scene.

The individual evidence kits and the technical equipment/supplies routinely stored in the Field Investigator's supply room have been selected to effectively allow Field Investigators to perform a wide variety of processing tasks. Available materials and equipment that are utilized to perform specific evidence processing/collection tasks are listed as follows:

A. Fingerprint processing

Fingerprint brushes, regular, magnetic, and fluorescent fingerprint powder, fingerprint lifting tape and dispensers, lift backing cards, fuming container, super glue, fluorescent fingerprint light, magnifying glass, flashlight, and fingerprint evidence envelopes.

B. Photography

Still cameras (35mm, digital, and Polaroid), video camera, portable electric lights, tripod, extension cords, film and storage canisters, video tapes, numbered photo markers, informational placard, ruler, and camera accessories.

C. Sketch Materials

Tablets, markers, pens/pencils, portable walking measure.

D. Evidence Collection

Evidence tags, boxes, bags, envelopes, and metal containers.

E. Protective Clothing/Items

Lab coats, protective glasses, latex gloves, shoe covers, and antiseptic wipes/solution.

F. Miscellaneous

Portable fingerprint unit, crime scene tape, tools (scissors, tweezers, screw drivers, etc.), crime scene vacuum, paper figure cutouts, spray paint, and other necessary materials.

In the event a Field Investigator would need additional supplies, he/she shall obtain them from the supply room and restock their processing kits. The uniformed supervisor responsible to serve as a liaison officer for the Field Investigators will monitor the quantity of supplies currently in storage and order replacement items as necessary. Should additional film or related camera supplies be required, Field Investigators will obtain same from the Criminal Investigations Division which shall be responsible for the ordering of all photographic supplies, equipment maintenance, and general management of photographic services.

The sergeant responsible to oversee the department's Field Investigators shall also conduct periodic inspections of each individual F.I.'s processing kit and note any discrepancies. The Commander of the Field Operations Bureau shall then be apprised of the results of such inspections, and corrective action initiated as necessary.

VIII. REPORT WRITING.

Field Investigators, detectives, or other department personnel who respond to a crime or accident scene to photograph and/or process same for evidence, shall document their investigative activities via a supplemental report, irrespective of the findings.

Information entered in the report should include, but not be limited to:

1. Number and location of photographs.
2. Type of film and camera settings.
3. Number and location of fingerprint lifts.
4. Measurements (if any).
5. Types and location of other evidence collected.
6. Assisting officers.

IX. EVIDENCE TRANSFER/EVIDENCE COMPUTER ENTRY

A computer evidence entry must be completed for each item submitted to evidence officers assigned to CID. This shall consist of an entry into the computer evidence system as well as a barcoded label which will be attached to the evidence or evidence packaging.

The officer assigned primary responsibility for an incident shall generally be responsible for the seizure and transportation of evidence from a crime or accident scene, and the packaging of same. This shall include the completion of the evidence computer entry which will create a permanent record of the evidence. The only exceptions to this shall be when the responsibility for evidence collection is otherwise assigned by a supervisor, or assumed by a Field Investigator or member of CID.

Should evidence be submitted to a forensic laboratory, a separate evidence control sheet shall be completed, and the submission process accomplished in accordance with the procedures outlined in Section X of this document.

X. SUBMISSION OF EVIDENCE TO FORENSIC LABORATORY.

A. Officer Responsible for Submission

Each officer who seizes evidence for forensic analysis at a crime or accident scene, and/or packages same, shall be responsible to submit such evidence to the CID evidence officer along with a St. Louis County Lab sheet. Generally, the CID evidence officer will then transport the evidence to the St. Louis County Police Laboratory for evaluation/testing.

B. Packaging

Evidence intended for delivery to a forensic laboratory shall be marked and packaged in accordance with Section III of this order.

C. Method of Transmission

The CID evidence officer, or his designate, will routinely hand-carry evidence to the St. Louis County Police Laboratory for testing. This will be done immediately upon removing the items from the evidence lockers. In the event a delay is necessitated due to investigative requirements or other circumstances requiring the evidence officer's immediate attention the evidence will be submitted as soon as possible.

D. Documentation

A St. Louis County Police Department Evidence Receipt shall be completed in regard to each delivery of evidence to the St. Louis County Laboratory for testing. The record of transfer shall include the date, case number, type of offense, location, agency code, suspect information, victim information, type of property, description of property, officer's name and DSN, case status, and type of analysis requested. Signatures documenting the chain of custody shall be affixed to the appropriate lines on the form.

At the time custody is relinquished to laboratory personnel, the officer making the delivery shall receive a copy of the receipt form. This copy will be retained by the evidence officer in a secure location.

Evidence to be submitted to the laboratory shall also be documented within the original incident report or by supplemental report.

E. Laboratory Results

The results of each laboratory examination of evidence shall be contained in a printed analysis report issued by laboratory personnel. Completed reports shall generally be obtained by members of CID who will then forward the forms to the officer who initially submitted the evidence. A supplemental report will then be written documenting the results of the analysis, and the lab analysis report shall be placed in the case file.

1). Property Control Receipt Form

Upon taking return receipt of evidence from the St. Louis County Laboratory, the evidence officer will return the evidence to the Clayton Evidence Vault. He will then file the St. Louis County Evidence receipt in a secure location in order to show the complete chain of custody during the time the evidence was in the possession of the lab.

XI. EVIDENCE RELEASE.

A periodic check shall be conducted by the department's evidence officers of all evidence/property currently in their custody. Individual evidence and property disposition forms shall then be distributed to each sworn officer who has seized evidence or property and submitted same for safekeeping. Officers shall review the disposition sheets and forward the completed forms back to the evidence control officers indicating the need to retain the evidence, or conversely, by providing authorization to release and/or destroy the items in question. Evidence may be released or destroyed when:

- 1). The prosecuting attorney advises that photographs are an acceptable substitute for the physical item(s).
- 2). A warrant is refused or prosecution otherwise ceases.
- 3). The property and/or items are determined to have no evidentiary value following laboratory analysis.

A. Case Dispositions

While reviewing evidence, case dispositions on state charges may be obtained through the St. Louis County Prosecuting Attorney's Office or the Criminal Assignment Division of the Circuit Court. A report number, suspect name, and date of birth is required to obtain a disposition. A warrant number, if available, should also be provided to expedite the court's response.

Municipal case dispositions may be obtained through the Court Clerk.

Photographs will be taken in each instance where evidence or property, recovered in connection with a criminal investigation, is released back to the owner or their designated agent. In certain instances this may occur before a final disposition in the case is reached, particularly when the recovered items are of a perishable nature, or the prosecuting attorney's office has given permission to return the items back to their legitimate owner.

An evidence/property release form shall also be completed at the time such a release is made, and once the owner or his agent has signed same, the form will subsequently be attached to a supplemental report detailing the events surrounding the release.

BY ORDER OF:

KEVIN R. MURPHY
Chief of Police

KRM:mj

CALEA Reference: 83.1.2/83.2.1/83.2.2/83.2.3/83.2.4/83.2.6 83.3.1/83.3.2