

Directive	Collection and Preservation of Evidence	700-1	1 of 15
Effective Date	January 1, 2010		



Wilkesboro Police Department

Electronic Written Directives Document

I. PURPOSE

To provide guidelines and procedures for collecting, processing and preserving physical evidence.

II. POLICY

Proper documentation, collection, preservation and submission to Forensic Laboratories of physical evidence may provide the key ingredients of any police investigation. It will be the responsibility of personnel to: (1) protect the crime scene from destruction or contamination, (2) preserve all items and facts of evidentiary value obtained at the crime scene, to include making sketches, taking notes, photographing, collecting trace evidence, locating and collecting fingerprints, questioning victims, witnesses and suspects and properly marking evidence; and (3) present in court, etc.. The findings made from the crime scene processing while attempting to reconstruct what actually occurred during the crime, and to logically and positively identify all facts/items obtained during the processing in a professional manner in accordance with all legal requirements.

III. PROCEDURES

A. Twenty-four Hour Availability of Crime and Accident Processors.

1. The Wilkesboro Police Department shall have 24 hour availability of crime and crash scene processors. If needed, the On-Duty Supervisor can have Central Communications call department investigators or crash reconstruction personnel out to the scene, who can then advise if additional assistance is needed to help with crime scene processing and evidence handling.
2. Each patrol team has the option of assigning an evidence processor at the discretion of the team supervisor.
3. In the event of major crimes occurring that require the need of crime scene specialist, the North Carolina State Bureau of Investigation may be notified through central communications at the request of the on duty Supervisor, Investigations Supervisor, Chief of Police or his designate.

Directive	Collection and Preservation of Evidence	700-1	2 of 15
Effective Date	January 1, 2010		

The S.B.I may be reached by calling the Hickory District Office at (828) 294-2226 or the weekends, by calling the Raleigh Headquarters at (919)662-4500.

4. The supervisor on duty shall coordinate with the crime scene specialist before they arrive to get instructions for our personnel on how to proceed at the scene until their arrival.

B. Collecting Evidence from Known Source

1. When physical evidence is collected and is to be sent to the S.B.I. Laboratory for examination, comparison samples shall be collected if at all possible, from known sources.
2. A significant degree of the value of laboratory examinations concern the identification of substance and comparison of these materials from known sources. This is true especially in the case of hairs, fibers, paint, glass, wood, soil and tool marks. The location from which samples from a known source are taken is critical especially where fractures have occurred, such as in the case of glass, wood, paint, and metal.

C. Photography and Video Tapes

1. Photographs are admissible evidence if they fairly and accurately represent the scene. Thus photographs should be taken before the scene is altered. Fellow officers should not be included in photographs unless absolutely necessary.
2. At no time will a photograph be altered in any way by the officer in custody of the photographs. All digital images will be processed and printed as taken.
3. General photographic requirements include:
 - a. Approaches to the scene
 - b. surrounding areas
 - c. close-ups of entrances and exits
 - d. a general scenario showing condition of the scene and body.
 - e. all evidence located (tool marks, weapons, fingerprints, etc..)

Directive	Collection and Preservation of Evidence	700-1	3 of 15
Effective Date	January 1, 2010		

- f. Mid range photos of a body from all angles
 - g. Damaged areas or items
 - h. Points of entry and exit
 - i. A measuring device in the photograph to indicate the size of small pieces of evidence. When an object needs to be photographed without anything else in the field of view, a separate photograph can be taken, using the same camera settings.
 - j. The dimensions of a fixed object may be taken to provide a scale of reference for a photograph.
4. Traffic related incidents should be photographed when the investigating officer deems it necessary. Photographic requirements include:
- a. All fatal and serious accidents.
 - b. A minimum of 4 photographs should be taken, showing each side of the motor vehicle.
 - c. Additional photographs should be taken in daylight if the accident occurs at night.
 - d. All directions of travel should be taken.
 - e. All evidence found at the scene should be photographed and then collected.
5. Officers photographing a scene should list the following information in their report or evidence log:
- a. Type of camera used, i.e. digital, 35mm, Polaroid and other types of image making equipment.
 - b. Type of lens used, if other than a fixed lens
 - c. Kind of film used and ASA speed if known, specify if digital photos were taken, specify digital card type if known
 - d. Kind of lighting, flash, ambient or flashlight

Directive	Collection and Preservation of Evidence	700-1	4 of 15
Effective Date	January 1, 2010		

- e. Direction of the camera at the time of exposure
 - f. Date and time of exposure
 - g. A brief description of each photograph taken should be prepared.
 - h. Location of camera positions should be included in a sketch.
 - i. Case number and officer taking photographs
6. When using 35 mm film, the film canisters should be marked with the name of the officer taking the photographs, case number, and date. The officer will enter the photographic evidence into the evidence system. If the evidence photos are on 35 mm film, they should be sent to the SBI Lab Photography Section for film development.
 7. If the evidence photos are on a digital card, the digital card can be sent to the SBI Lab Photography Section for development of the images. The SBI Photo Lab should be utilized in very serious felony cases so that the integrity of the digital images can not be compromised or questioned.
 8. If the photographic images are on Polaroid film, such as domestic violence photos, they should be handled just as any other items of evidence.
 9. Digital images can also be downloaded into the computer system and attached to the case of record. Digital images can also be downloaded to a CD-R disc. Only one CD-R disc should be used per case. The CD-R disc shall have the following information with it, the case number, the officer's name, the date and the crime type.
 10. Video equipment is available to tape crime/traffic scenes from the C.I.D and Juvenile offices. Videos may supplement but should not replace still photography. The crime scene supervisor will make the decision to make a video tape. Special consideration should be given to major cases against persons and property wherein a particular need exists.
 11. The same general requirements used in photographing a scene should be applied while video taping a scene.
 12. Upon completion, the tape will be submitted as evidence. The tape will be properly marked for identification.

Directive	Collection and Preservation of Evidence	700-1	5 of 15
Effective Date	January 1, 2010		

13. Request for photographic assistance from other agencies will be examined on an individual basis. Assistance will be given when possible.

D. Crime Scene Sketches

1. Before collection of evidence begins, the crime or accident scene should be photographed and sketched. The basic elements of a sketch are:
 - a. Dimensions
 - b. Relationship of the crime scene to other buildings, geographical features, or roads
 - c. Address, floor or room number as appropriate
 - d. Location of significant features of the scene, including the victim
 - e. Date and time of preparation
 - f. Name of the person preparing the sketch
 - g. Direction of north
 - h. Location of items of physical evidence recovered
 - i. Point of entry and exit

IV. EQUIPMENT AND SUPPLIES

- A. The Wilkesboro Police Department provides the following personnel, equipment and supplies for processing scenes:
 1. Recovery of latent fingerprints
 - a. Dark and light colored fingerprint powder
 - b. fingerprint brushes
 - c. magnifying glass
 - d. flashlight
 - e. Rubber gloves

Directive	Collection and Preservation of Evidence	700-1	6 of 15
Effective Date	January 1, 2010		

- f. lifting tape
 - 2. Photography
 - a. Color & black and white film is available from the Captain.
 - b. A Polaroid Instant camera is available in the Equipment Room
 - c. A 35 millimeter camera is available in the Equipment Room
 - d. Each Officer and Investigator has a digital camera that is available for use at any crime scene or event.
 - 3. Sketches
 - a. For vehicle accidents, officers should utilize the sketch area of the state accident form
 - b. For crime scenes, officers should use continuation forms or plain white paper for sketches
 - 4. Collection and preservation of physical evidence
 - a. Rubber gloves
 - b. Permanent markers
 - c. Plastic evidence bags of various sizes
 - d. Paper bags
 - e. Evidence tags
 - f. Tape
 - 5. Accident Investigation
 - a. Measuring Device
 - b. Bags of various sizes
- B. Personnel for processing scenes

Directive	Collection and Preservation of Evidence	700-1	7 of 15
Effective Date	January 1, 2010		

1. All officers have training in processing, collection and preservation of evidence
2. N.C. S.B.I may be requested for major scenes where more specialized equipment is needed.

V. REPORT PREPERATION

A. The officer or crime scene specialist who processes the crime or accident scene shall prepare a report of the events that transpire at the scene, to include:

1. Date and time of arrival at the scene
2. Location of the crime
3. Name of victim, if known
4. Name of suspect, if known
5. Action taken at the scene:
 - a. including the number of photographs taken,
 - b. measurements taken (yes or no) and
 - c. a list of physical evidence recovered
6. What was done with the evidence recovered
7. Wilkesboro P.D. Case number
8. Date and time a specialist was called and arrival date and time
9. Name of the investigating officer

B. The officer collecting evidence or photographing the crime scene shall write a supplemental report related to what he/she did at the scene. This report is in addition to the report that is written by the responding officer or the detective who was called to a scene.

Directive	Collection and Preservation of Evidence	700-1	8 of 15
Effective Date	January 1, 2010		

VI. TRANSFER OF PHYSICAL EVIDENCE

- A. All Wilkesboro Police Department personnel shall upon transferring physical evidence, document same.
- B. Chain of Custody - Once evidence has been seized; it must be accounted for continuously up to disposition in court. Every officer who has custody of the evidence must be able to identify the evidence in court. The documentation shall include:
 - 1. Date and time of transfer
 - 2. Receiving persons name and functional responsibility
 - 3. Reason for the transfer
 - 4. Name and location of laboratory, if applicable
 - 5. Date of transfer to laboratory, if applicable

VII. FINGERPRINT PROCEDURES

- A. Latent Prints - those prints that are hidden or partially hidden at crime scenes. Before attempting to process, develop and lift fingerprints at scenes, officers should photograph the print, if visible, then follow the following procedure:
 - 1. In checking an area for latent prints, it is often helpful to use a flashlight at an angle to help locate latent prints.
 - 2. Before applying fingerprint powder to a surface, you must first determine what shade of fingerprint powder to use, light for dark surfaces and dark for light colored surfaces.
 - 3. Dusting powder should never be poured onto the surface where latent prints may be, because the ridges could be destroyed. The top that comes on the powder container makes an excellent place to pour a small amount of powder for dusting.
 - 4. Using a soft dusting brush, the officer should dip the end of the brush into the powder and gently shake off any excess powder. The brush should then be swept in a circular motion, barely touching the suspected surface. This procedure should be followed until a print is located or the surface has been completely tested.

Directive	Collection and Preservation of Evidence	700-1	9 of 15
Effective Date	January 1, 2010		

5. If a print starts to appear, the officer should carefully darken the print with the powder, being careful not to destroy the ridges. Once the print is in plain view, a photograph should be made of the print in case it is destroyed in the lifting process.
 6. With the print highlighted with dusting powder and a photograph made, the officer should pick a suitable colored card for the print to be placed on. A light colored card for a dark print and a dark colored card for a light print.
 7. A piece of fingerprint lifting tape of appropriate length and width to cover the print should be cut. The officer should start at one end and gently rub the tape onto the print in a side to side action to remove air bubbles. Excess tape should be carefully trimmed off.
 8. The print card should now be labeled with the following information:
 - a. Case number
 - b. Date and time lifted
 - c. Lifting officers name
 - d. Address or geographical location of scene
 - e. exact location from which the print was obtained
 - f. Type of crime
 9. The print should now be packaged and a property form filled out and the print submitted into evidence. If the print is to be sent to the lab for a comparison, then it should be properly packaged and the S.B.I. submission form properly completed as per its instructions.
- B. Inked Impressions - Impressions taken directly from persons, either known or unknown.
1. Inked impressions should be done at the police department, if possible. Small portable ink pads may be used if bringing someone to the office is not possible.

Directive	Collection and Preservation of Evidence	700-1	10 of 15
Effective Date	January 1, 2010		

VII. PRESERVING, PROCESSING AND COLLECTING PHYSICAL EVIDENCE

A. Protection and Preservation of Crime Scene

1. Secure the scene if needed with yellow barrier tape.
2. Only necessary law enforcement, medical, or other personnel should be at the crime scene. A list of all personnel who have entered the crime scene should be kept with the case file.
3. The location of evidence that is readily visible should be marked immediately as to location.
4. Photographing, sketching, and fingerprinting of the crime scene should be done, if possible, before the collection of evidence begins.

B. Collection, Marking, and Packaging of Specific Evidence

1. Collection and Officer Safety

Some items of evidence, by their nature, can be hazardous or fatal if not collected properly. All evidence should be handled with rubber gloves this is especially true when collecting unknown liquids, powders, or other substances that may enter the body through absorption or injection. All firearms should be treated as if loaded and should be made safe before removing from the scene, if possible. Small items may be collected with the help of tweezers. Items that may have the potential for providing latent finger or palm prints should be handled in such a way that the surface is protected from contamination. Knives, syringes, and other sharp objects should be wrapped in heavy cardboard after collection.

2. Marijuana should be retained in its original container. This container can be dusted for latent prints to build a stronger case. Small amounts may be sealed in large paper envelopes. Large amounts should be placed in boxes. Damp marijuana should never be packaged in plastic since it will rot and be useless for positive identification.
3. Powders should be kept in their original packages. These packages should be placed in large envelopes and sealed.

Powders of different variety should never be packaged so that they could be mixed.

Directive	Collection and Preservation of Evidence	700-1	11 of 15
Effective Date	January 1, 2010		

4. Tablets/Capsules, If seized in bottles, can be easily sealed with tape around the cap. If seized loosely, they should be placed in a box or envelope to prevent their being crushed. Different varieties of tablets/capsules should not be packaged together.
5. Liquids, if seized in a bottle should be placed in a box or wrapped with bubble wrap or thick paper.
6. Edged weapons, syringes and razor blades should be wrapped in heavy cardboard stock or packed in boxes.
7. Firearms, after being rendered safe, should be packaged in plastic bags or boxes, if they are to be tested for latent prints.
8. Evidence seized or obtained from different individuals should be placed in separate packages.
9. Collection and Preservation of Money

During the collection of money, to be used as evidence or held pursuant to further investigation by state or federal agencies, the collecting officer should use the three step method to ensure accuracy and preserve its integrity.

- a. The collecting officer will summon a second officer to witness the finding or locating of any money that is seized as evidence or held pursuant to further investigation. The collecting officer shall have another officer witness him/her in counting the money aloud, preferably in front of the defendant or person in apparent control of the property., and make any notation on the recovered property report as to the defendant or person in apparent control agreeing to the amount by having the defendant place his/her initials next to the written amount
- b. The witnessing officer must count the money aloud, with the collecting officer present, to insure accuracy. This can be done in front of the defendant or person in apparent control of the property prior to making notations on the recovered property report.
- c. The collecting officer must then place the money in an evidence bag and seal the property item to preserve the integrity of that item. The witnessing officer must remain present from the time he/she counted the money till the collecting officer places the evidence bag and same

Directive	Collection and Preservation of Evidence	700-1	12 of 15
Effective Date	January 1, 2010		

is sealed. The witnessing officer must then initial the evidence bag next to the written amount, in agreement as to the accuracy of the amount observed placed in the evidence bag.

C. Labeling of Evidence

Labeling of evidence is done to ensure that a particular piece of evidence can be properly associated with a particular case and to document the handling of a piece of evidence by different individuals. All evidence and/or its package should contain the following markings at a minimum:

1. Name/initials - The officer should write his name or initials on the container and should do so over the seals of the container before placing the tape over these seals. In addition, every officer who has custody of a package prior to its disposition in court should sign and initial the container.
2. Time/date - The collecting officer should write the time and date the evidence was collected on the container. Every officer that handles the package should also write the time and date they received custody of the evidence.
3. Case number - Should be written on the package or container to associate the evidence with a particular case.
4. Item number - Each piece of evidence should be assigned an item number that corresponds with the items listed on the property form and/or evidence submission form.
5. Additional information to include:
 - a. Suspects name
 - b. Victims name
 - c. Witness name
 - d. Any hazards that may be associated to the evidence
 - e. Weight - mandatory for all drug evidence
 - f. Any other information the officer deems necessary

Directive	Collection and Preservation of Evidence	700-1	13 of 15
Effective Date	January 1, 2010		

6. Small items - Obviously there are problems associated with small pieces of evidence and how thoroughly they can be labeled. An example may be a small piece of aluminum foil with powder or trace evidence. In this instance it may only be possible to mark the original container with one or two initials of the officers' last name. The remainder of the information may be placed on the sealed package. Remember, the key point is to be able to go to court and testify that the evidence in the package is the evidence that was seized in a particular case.

7. Once labeling is complete, clear tape should be placed over the seals of the envelope/container, with the officer placing his/hers initials over the seal. The seizing officer will then complete the information on the evidence bag or write on the container, the description of evidence, place evidence found, date/time of recovery of evidence, suspect name, victim name, evidence recovered by (name rank of officer), chain of possession of evidence (on each individual evidence bag). The officer will then complete computerized evidence module in police pack with all pertinent data, including the chain of custody. The officer will then submit the evidence to an evidence locker located in the stairway between the first and second floor. The evidence custodian will retrieve the evidence from the appropriate storage locker for processing into a departmental evidence room.

IX. SUBMITTING EVIDENCE TO FORENSICS LABORATORY

- A. Responsibility - It will be the investigating officer's responsibility to request laboratory examination of evidence. Evidence custodians/technicians can assist officers in packaging and filling out the submission form if needed.

- B. Transmittal of evidence to the lab - If evidence is small enough, it will be sent to the Lab via First Class Mail. If the evidence is too bulky to be sent by mail, the investigating officer must make arrangements for it to be hand carried to the Lab Monday through Friday 0800-1700 Hrs. The evidence custodian may also assist the investigating officer with evidence submission, but this process is not entirely left up to the evidence custodian.

- C. Perishable evidence such as blood and bloodstained objects should be submitted to the lab within one week of the liquid being collected.

- D. Packaging of evidence to be submitted - officers should package all evidence as defined in sections VII, B of this policy and place same in large manila envelopes or boxes, and properly sealed before sending through the mail. Postage should be placed on the evidence package as well as the evidence

Directive	Collection and Preservation of Evidence	700-1	14 of 15
Effective Date	January 1, 2010		

submission envelope attached to the outside of the package. In the event that one becomes separated from the other, both items will reach their destination.

E. Documentation to accompany evidence to be transmitted to the Lab.

The requesting officer must properly complete the S.B.I. "Request for Examination of Physical Evidence" form. Any other information the officer believes would be of value to the analyst may be supplied on the back of the form or on a separate sheet of paper.

F. Receipts to insure chain of custody

1. The "Chain of Custody" on the property form shall always be signed, dated, and given a reason for transfer of evidence each time the evidence comes into someone else's control. If evidence is sent to the Lab, the property form must indicate that reason. Upon receipt of the evidence returning from the Lab, the officer shall indicate on the property form that it was received by him from the lab on that particular date. The evidence shall then be placed in the evidence room to await disposition.
2. The S.B.I. "Request for Examination of Physical Evidence" form, has a chain of custody provided on it for Lab personnel.

G. Written Report of Laboratory Findings

When the laboratory being used is part of the agency, a written report of the findings will be provided to the investigating officer by lab personnel. When the Lab being used is not part of the agency, a transmittal letter or written request as part of the evidence transmittal form should be used to request a written report of the findings.

H. Instructions and Obtaining Help with Evidence

If any officer should have any questions pertaining to the collection, preservation, packaging, labeling, transmittal, or filling out of the Evidence submission form that is not answered in this policy, he/she should refer to the "SBI Evidence Manual" located in the squad room or call the S.B.I. Lab for assistance.

- I. The S.B.I "Physical Evidence Examination Request Instructions" and the "Request for Examination of Physical Examination" form shall become part of this policy.

Directive	Collection and Preservation of Evidence	700-1	15 of 15
Effective Date	January 1, 2010		

X. REFERENCES

CALEA 83.1.1, 83.2.1, 83.2.2, 83.2.3, 83.2.4, 83.2.6, 83.3.1 and 83.3.2