

# UW-WHITEWATER POLICE SERVICES



<b>EVIDENCE PROCESSING</b>	<i>Number:</i> 83.1.1	<i>No. Pages:</i> 9	
<i>Special Instructions:</i> ACC#83.1.1, 83.2.1, 83.2.2, 83.2.3, 83.2.4, 83.2.6, 83.3.1, 83.3.2			
<i>Approved By:</i> CHIEF KIEDERLEN	<i>Effective Date:</i> 7/28/2008	<i>Revised Date:</i> 8/1/2013	<i>Revision number:</i> 1

## I. PURPOSE

The purpose of this General Order is to establish guidelines for the collection and preservation of physical evidence.

## II. POLICY

It is the policy of UWWPS that all employees conform to uniform procedures for the collection, preservation and security of physical evidence. The Department provides basic training for all officers in evidence management and specialized training to Evidence Technicians. In general, the Wisconsin Department of Justice State Crime Laboratories Physical Evidence Handbook is followed unless otherwise stated.

## III. DEFINITIONS

- A. **Property Officer:** The department employee responsible for the storage, management, control and disposition of property received by the department. In the remainder of this General Order, PO shall stand for Property Officer and Assistant Property Officer.
- B. **Assistant Property Officer(s):** Department employees responsible for the duties of the Property Officer, in the Property Officer's absence. Assistant Property Officer(s) may also assist in the day-to-day operations of the property inventory system.
- C. **Crime Scene:** A crime scene is a scene which requires urgent and thorough investigation due to the seriousness and/or complexity of the offense. A crime scene, which is determined by the responding officer as criminal in nature, must have an Evidence Technician respond to process the scene. Crime scenes, which appear to be forfeiture in nature, will be handled by responding officers.
- D. **Evidence Technician:** Specially selected officers who have received specialized training, who shall respond to crime scenes.

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## IV. PROCEDURES

### A. Evaluation of the Crime Scene

1. The initial officer responding to a scene or another officer assigned by a Supervisor shall survey the scene to determine the extent of the scene and potential locations for recovery of physical evidence.
2. The responding officer will assess and determine if the crime scene is criminal or forfeiture.
  - a. If that officer determines that the crime scene is criminal a Supervisor must be notified and a decision will be made on calling in an Evidence Technician.
  - b. If the crime scene is forfeiture the assessing officer shall process the crime scene.
3. If criminal, the assessing officer shall brief the Evidence Technician. From this point on the crime scene becomes the responsibility of the Evidence Technician (Processing Officer).

### B. Crime Scene Specialist Availability (ACC#83.1.1)

1. The department has available Evidence Technicians and Detectives, with training and skills to process crime scenes. Employees are available for duty through on-duty scheduling and call-in.
  - a. If an Evidence Technician or Detective is needed and not already on-duty, Department General Order requires Supervisory notification and the Supervisor will call-in the Evidence Technician or Detective.
  - b. On occasion, the size or number of crime scenes may require additional personnel. With approval of the Chief of Police or his/her designee, a request for additional personnel outside the department may be made via mutual aid.
2. In serious crimes, including, but not limited to, homicide, violent sexual assaults, bombings and arsons involving loss of life, serious injury, or large monetary loss, a request for assistance in crime scene processing may be made to the Wisconsin State Crime Laboratory crime scene team and/or other specialists from Federal Law Enforcement agencies. The Chief of Police or his/her designee, in consultation with the officer and/or Evidence Technician in charge of the case, shall make this determination. The Wisconsin State Crime Laboratory is authorized by Wisconsin Statute to assist in a criminal investigation at the request of the Chief of Police.

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- a. The Chief of Police or his/her designee will ensure that a search warrant for the scene is obtained prior to authorities from the Wisconsin State Crime Laboratory crime scene team and/or other specialists from Federal Law Enforcement agencies arrive on the scene.

## C. Security and Preservation of the Crime Scene (ACC#83.2.1)

1. The initial officer responding to a crime scene shall be responsible for the security and protection of the scene. The purpose is to prevent loss or contamination of evidence at the scene.
2. The Sergeant and additional officers, including crime scene specialists or Detectives, may be required. The Sergeant, or initial officer after conferring with the on-call supervisor, shall make this determination and assign personnel as needed.
3. Only one point of entry to a scene shall be allowed for authorized personnel. The officer assigned to the scene integrity shall determine who shall be allowed into the scene and from what entry point.
4. To enhance the integrity of the scene and lessen contamination or loss of physical evidence, and minimize the amount of personnel on the scene.
  - a. Only the minimum number of rescue squad personnel needed to accomplish treatment or transport of an injured person shall be allowed into the scene.
  - b. Barring exigent circumstances, uninvolved personnel (including but not limited to fire, rescue, or uninvolved department personnel) should not enter the crime scene until scene processing has been completed.

## D. Physical Evidence at the Crime Scene (ACC#83.2.1)

1. The processing officer shall conduct the search in a systematic manner working from the outer limits of the scene towards the center.
2. Proper recognition, collection and preservation of physical evidence are guided by the Wisconsin Department of Justice State Crime Laboratory Physical Evidence Handbook. All sworn personnel are issued the handbook, or can access it on-line ([WILENET](#)), and shall follow the guidelines set forth in this handbook.
  - a. If questions regarding this topic arise, forensic scientists are available by telephone through the State Crime Laboratory on a 24-hour basis.

## E. Visual Documentation of the Scene (ACC#83.2.1)

1. Sketches:

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- a. Following examination of the scene, the processing officer will prepare a sketch of the scene, which shall include the location of physical evidence and any other pertinent items. Seriousness of the crime and complexity of the scene will dictate how extensive or detailed the sketch should be.
- b. Sketches of crime scenes in buildings, dwellings, stores, etc. ordinarily begin with an overall drawing of the floor plan of the structure. The sketch shall contain a compass direction and street names to orient the viewer of the sketch. Depending on the size and complexity of the scene, additional, more detailed sketching on individual rooms may be needed. Sketches of outdoor scenes shall also include an adjacent street, road, or other landmark to orient the viewer to the area.
- c. In many circumstances measurements at the crime scene are important aspects of the evidence gathering procedure. For example, the distance of a weapon from a body or the length of skid marks from a vehicle to the point of impact may be critical to the investigation. Pertinent measurements shall be included on crime scene sketches.

## 2. Photography (ACC#83.2.2)

- a. Following examination and sketching of the scene, the processing officer shall take still photos of the scene.
- b. A systematic approach should be used working from the outside of the scene towards the interior and from overall views to close-up shots.
- c. Close-up photos of tools marks, fractures, shoe prints, stains, wounds, or similar evidentiary items shall be taken with and without a scale in the photo.
- d. A description of the photographs and the time they were taken will be included in the officer's report (photo log).
- e. The admissibility of photographs in court may hinge on the photographer's testimony that the photos presented accurately reflect the scene at the time of the investigation. When printing digital photos they must not be adjusted or altered. Photos may also be digitally attached to the report via BadgeSE whenever possible.
- f. Although State Statutes do not require that you record specific data on photographs taken, you may be asked this information during court testimony.

## 3. Video Taping (ACC#83.2.2)

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- a. The scene may be videotaped if in the processing officer's opinion such taping would contribute to a better understanding of the scene. Videotaping may serve for other needs as well.
- b. Used where a large amount of stolen property is seized and utilized for identifying ownership.
- c. Taping of a residence prior to search and upon completion of the search to protect the department from damage claims by the occupants.
- d. In no case shall a videotape of a scene be a substitute for appropriate still photos of the scene.
- e. The processing officer who is videotaping a scene shall activate the sound recorder on the video camera and begin the taping by stating his/her name, the date, time, location and reason for the taping. The officer may continue a voice monologue throughout the taping process to provide a verbal description of pertinent items and locations for the viewer of the tape. The completed videotape shall be packaged and submitted as evidence.

#### 4. Specialty Photography (ACC#83.2.2)

##### a. Electronic Medium (Digital)

##### 1. Photos may be taken on a CD-ROM

- i. Case information is then logged on the CD-ROM cardstock in the CD-ROM case using a permanent marking. Never stick tape or partial label onto the CD-ROM as this will affect its balance while loading or transferring data. Never write directly onto the CD-ROM.
- ii. CD-ROM case is then taped closed and placed in a Temporary Evidence Locker. An effort should be made to attach the digital photos into BadgeSE.
- iii. CD-ROM shall be inventoried in the computer and entered into evidence.
- iv. CD-ROM cases will be filed, according to case number, in the Property Inventory Room.
- v. If digital photo prints are needed, requests may be submitted to the Property Officer.

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- vi. The case report shall document when and who made copies of photos from the disk.

## 2. Photos may be stored digitally directly to BadgeSE.

- a. Photos should be placed in an electronic folder labeled with the incident case number under the Police T:/drive, Cardinal, BadgeSE, incNew.
- b. Note should be made on the UWW Police Cover Sheet that the photos exist and need to be placed into BadgeSE by the Operations Program Associate or the Police Services Associate.
- c. If digital prints are needed, the officer may make those prints, but documentation of when and who made copies should be made in the case report.

## F. Collection of Evidence (*ACC#83.2.1*)

1. In some cases, it may be required that the processing officer collecting an item of evidence shall mark the case number, date, and his/her initials directly on the item with an indelible marking pen.
  - a. If marking directly on the item may destroy or contaminate latent prints or trace evidence, the outside of the package shall be marked.
  - b. Similarly, items which are impossible or impractical to mark shall be marked on the outside of the package.
2. Evidence collection from the victim and suspect in sexual assault cases shall be accomplished using the Wisconsin State Crime Laboratory supplied collection kit.
  - a. The actual collection shall be done by qualified medical personnel according to the collection instructions contained in the kit. Every effort should be made to use a SANE.
  - b. The SANE or other medical professional will document the collection on the form contained on the kit.
  - c. The officer who accompanies the victim or suspect to the hospital shall also mark the kit in the same manner as other evidence following the collection. The officer shall also note in the report the name of the SANE and other medical personnel involved in the examination of and collection of evidence from the victim or suspect.

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- d. In cases where the sexual assault collection kit is retained by the hospital personnel, without law enforcement present, any departmental officer can retrieve the kit and enter it in to BadgeSE.
3. When possible, objects containing evidence should themselves be collected rather than attempting to collect the evidence off the item. This is most appropriate when the evidence is blood, semen, or other bodily fluids that are found on clothing, bedding, carpeting, etc.
  - a. If doing so is impractical, collection from the object should be done using the Wisconsin State Crime Laboratory stain collection kit and enclosed instructions.
4. Materials and substances shall be collected from known sources, when available, so that laboratory comparisons can be made with suspect materials that have been collected. This is especially true in regard to hairs, fibers, fabrics, paint, glass, wood, soil and tool marks. (*ACC#83.3.1*)
5. Fingerprints (*ACC#83.2.3*)
  - a. Latent fingerprints shall be photographed prior to lifting if the potential exists that the print will be lost in the process. Latent prints shall be marked as other evidence. In addition, a sketch, or photo, and notes shall be made depicting the location where the latent was recovered. This can be placed directly on the backing card for the lift(s) or if numerous lifts are taken on a separate sheet of paper. Individual lifts may be numbered and coded to a sketch/photo.
  - b. Where a suspect is known an attempt shall be made to obtain a standard inked fingerprint card of the suspect. If the suspect was printed on a prior occasion a criminal history should reveal prior arrests and departments where a card can be obtained. If no fingerprint card can be located the suspect can be asked to voluntarily submit to fingerprinting. If this is not an option consideration should be given to obtaining a court order for the suspect to submit to fingerprinting.
  - c. Where a suspect is unknown, victims and others who may have deposited fingerprints at the scene shall be asked to submit to fingerprinting so that latent prints left by them can be eliminated from the investigation.
6. Physical evidence collected at the scene shall be placed in appropriate containers prior to transport to the department to prevent contamination. Specific guidelines for selection of an appropriate container and packaging method are set forth in the Physical Evidence Handbook.
  - a. Paper containers, including bags, envelopes, wrapping paper and cardboard boxes are appropriate for packaging a wide variety of evidence especially

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where the items may contain some residual moisture, as in items of clothing, where plant material is involved, as in marijuana, or where the item contains latent fingerprints.

- b. Clear plastic bags may be used for some evidence where degradation by moisture is not an issue. Clear plastic bags are advantageous in viewing the evidence.
  - c. Evidence in liquid form is to be packaged in glass jars or vials.
  - d. Some items of evidence, which may give off gaseous vapors, shall be packaged in clean, unlined paint cans. This would include debris collected from a fire scene to determine if accelerants were present.
7. Following appropriate packaging of evidence, the officer collecting the evidence shall follow the procedure in the Property Control and Handling General Order ([GO 84.1.1](#))
8. Crime Lab Evidence (*ACC#83.3.2*)
  - a. Evidence which requires laboratory examination will be sent or taken to the laboratory by the Property Officer or his/her designee.
  - b. The Property Officer will handle the transfer in a manner consistent with procedures and documentation as prescribed by the Wisconsin State Crime Laboratory in the Physical Evidence Handbook and the Property Control and Handling General Order ([84.1.1](#)).
  - c. The laboratory sends a return receipt to the department for the evidence received.
  - d. After testing, the crime laboratory results are submitted to the Department in writing.
  - e. If a different law enforcement laboratory or private laboratory is used the Property Officer will similarly follow guidelines for transmittal as prescribed by that laboratory.
9. All audio taped statements shall be placed in a Temporary Evidence locker with the appropriate paperwork affixed to the outside of the locker and the Property Officer (s) and Operations Program Associate shall be notified of this via voicemail and email.
  - a. If transcription of these files or attachments of these files to BadgeSE are requested, a note should be made on the UWW Police Cover Sheet and the Property Officer should be notified via email.



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## G. Report Preparation (ACC#83.2.6)

1. The officer processing a crime scene shall include the following in his/her report:
  - a. Date and time of arrival at the scene.
  - b. Location of the crime
  - c. Name of the victim(s), if known
  - d. Name of the suspect(s), if known
  - e. Description of Evidence Technician and/or Detectives actions at the scene
  - f. Whether measurements were made
  - g. List of items of physical evidence recovered and their disposition
  - h. Description and number of photographs taken and the disposition of the exposed film, or digital photograph storage media, including video and audio tapes.

## H. Evidence gathering equipment (83.2.4)

1. The department Processing Room is the designated area for processing and packaging of evidence. It also serves as the storage area for evidence collection and processing equipment and supplies. A listing of supplies and equipment can be found in the Processing Room.
2. Additional cameras are located in the Processing Room and/or squads.