

Purpose

To establish procedures for the collection, processing and preservation of physical evidence at the scene of a crime, collision or unusual occurrence.

Policy

The Cecil County Sheriff's Office will thoroughly process the scene of all crimes, collisions and unusual occurrences, collecting available evidence from known sources for laboratory examination and comparison in accordance with the Guidelines for Submitting Physical Evidence, Maryland State Police, Crime Lab, as amended. The manual will be located on the Agency Public Drive for access at all times.

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Procedures**I. Crime Scene Protocol**

The initial responsibility of the first deputy on the scene of any crime, motor vehicle collision, or unusual occurrence is to make the scene safe for victims, bystanders and emergency services personnel. Once this is accomplished, deputy(s) will secure the scene and prevent the loss or contamination of possible evidence.

A. Once the scene is secure, deputy(s) will determine the seriousness of the incident, advise the on-duty patrol supervisor of the incident nature and request any necessary investigative resources to include, but not limited to:

- Criminal Investigator(s)
- Crime Scene Technician(s)
- Collision Reconstructionist(s)

B. Unless disruption is necessary to assist the injured or affect an arrest, the crime scene must remain intact and undisturbed until the completion of an examination for evidence.

- No attempt will be made to rescue or move deceased persons.

- All unnecessary persons, including police not assigned to the investigation, must be restricted from entering the crime scene.
- Supervisors will ensure the use of crime scene logs and scene security of all persons who enter any crime scene, to include police personnel.

C. Processing includes, but is not limited to, photographing, sketching, developing fingerprints, and locating and collecting physical evidence. Personnel collecting evidence will ensure that all evidence he/she collects or develops is packaged and tagged, and that all appropriate field, property held and laboratory reports are completed.

- The deputy assigned as lead investigator is responsible for all evidence he/she collects or develops through processing; including proper packaging, tagging and completion of the property held report and appropriate laboratory examination forms; except:
 - When a Crime Scene Technician(s) is assigned to a crime scene, he/she is responsible for processing, collecting and submitting all evidence at the crime scene.

D. The Property & Evidence Control Manager/Crime Scene Technician will transport and submit all evidence requiring laboratory analysis to the Maryland State Police Crime Laboratory for processing.

- Written results of laboratory examinations are returned to deputies on the original request form or through U.S Mail in a report prepared by the Maryland State Police Crime Laboratory.
- Supervisors shall ensure that all laboratory reports are forwarded to the States' Attorney's Office by the requestor and included in the Central Records file.

E. Crime Scene Technicians are skilled personnel trained in the use of specialized equipment and techniques required to conduct effective crime scene processing, having the specific duty to sketch the scene, search for, identify, collect, preserve, and transport DNA and physical evidence to the Maryland State Police Crime Lab for analysis. Crime Scene Technicians are also available to provide deputies with advice and assistance in their field of expertise.

- Cecil County Sheriff's Office Crime Scene Technician - is on-duty or available for activation twenty-four hours a day through supervisory approval.
- Maryland State Police Crime Scene Unit – May be contacted with supervisory authorization when the Crime Scene Technician is unavailable.

II. Collection

If a Crime Scene Technician is not requested, where possible, evidentiary samples such as hair, tool marks or fluids from a known origin will be collected and packaged in separate containers and submitted to the Maryland State Police Crime Laboratory for comparison against evidence of an unknown origin.

A. Members processing the scene of any investigation for evidence will:

- Conduct a primary search of the scene to obtain an overview of the situation and determine the extent of the scene and what equipment is needed.
- Determine if the scene needs to be photographed and/or sketched. If photographs or sketches are necessary, they should be done first.
- Once primary photographs and measurements have been taken, the assigned deputy will collect items of physical evidence, generally beginning with most time sensitive unpreserved/perishable item of the scene.

B. Great care must be taken by first responders to avoid cross-contamination of DNA evidence, either by commingling evidence that may come from a DNA-rich crime scene or by contaminating evidence with a deputy's own, or someone else's DNA.

- In most cases, a Crime Scene Technician will process a crime scene that is believed to contain significant amounts of DNA evidence. Crime Scene Technicians have special training in identifying and handling DNA evidence. In this case, the first responding deputy's responsibilities are to:

- Recognize that there may be DNA evidence to be retrieved;
- Identify potential sources of DNA evidence; and
- Protect the evidence by limiting access to the crime scene, either by crime scene tape or by other means.
- If emergency medical personnel are at the crime scene attending to an injured person, the investigating deputy will observe and note where those responders have been in the crime scene, what they have done, and what they have touched or moved. The investigating deputy will brief the Crime Scene Technician, identifying all of the areas that have been disturbed, and to what extent.
- In the case of an uncomplicated crime scene where the investigating deputy will process the scene, evidence-gathering should be conducted slowly and methodically.
- The deputy will always wear latex or nitrile gloves to prevent contamination of any DNA evidence with the officer's own DNA.
- The deputy will be alert for any evidence (such as cigarette butts, tissues, or other items) which may contain DNA evidence.

C. Collecting personnel will document the exact location and under what conditions the sample was collected, and if practical will photograph the location of the sample before collection.

- Once all known DNA and physical evidence has been collected, the scene will be processed for latent fingerprints.
- Before clearing the scene the assigned deputy will conduct a final search of the scene and a search of the area just outside the secured area.

D. Collected evidence will be packaged and preserved in accordance with this subtitle and the “Maryland State Police Guidelines for Submitting Physical Evidence Manual.”

- All Requests to the Maryland State Police Crime Laboratory for laboratory examinations, with the exception of blood samples for alcohol determination, must be submitted on the Maryland State Police Request for Laboratory Examination Form, (MSP 67, or 67A for CDS).
- The Cecil County Sheriff’s Office Crime Scene Technician is trained and equipped to process most items for latent fingerprints. An item submitted to the Crime Scene Unit for latent print processing must be accompanied by a Maryland State Police Request for Laboratory Examination Form, (MSP 67).

E. Reporting

In completing the appropriate field report documenting the incident, members processing the scene of a crime or collision will:

- Describe the premises in detail, including measurements when necessary,
- Describe what actions he/she took to process the scene, and
- Include a detailed list of any items collected as evidence.
- When assisting another member(s) with scene processing, processing activities will be documented in a Supplement Report under the original Complaint Control Number.

III. Photography

Deputies/investigators are issued a digital camera for basic investigative photography. Personally owned cell phone cameras are prohibited from being used to collect photographic evidence of any kind. All felony crimes against persons, domestic violence cases, racial, religious, ethnic hate crimes, death investigations (regardless of manner), fatal and serious injury motor vehicle collisions, motor vehicle collisions involving government vehicles, and any other incident at the discretion of the investigating deputy, will be photographed.

A. Primary photographs will be made with the scene “as is”, or as the deputy found it.

- Deputies on the scene will not in any way or for any reason replace or reconstruct any evidence or scene for any purpose.
- The primary or “overall” and “mid-range” photographs will not contain any scales or other objects foreign to the scene.
- After the primary photographs have been taken, “close-up” photographs may be taken with scales or identification items.

B. Photographs shall show the perimeter of the scene to establish location, an overview of the scene from each of the four basic geographic angles (example: north, east, south, west or “4 corners of the room”), and close up photographs of items of specific evidence.

C. Where possible, incidents involving any death that will result in an autopsy being conducted at the Office of the Chief Medical Examiner for the State of Maryland will be photographed.

- The photographs will show the position of the body before removal (if possible), the conditions of the area where the body was found, and any mechanism of injury.

D. Digital photographs will be submitted as physical evidence by the reporting deputy and uploaded into the Sheriff's Office Records Management System (RMS) of the CAD.

E. The Cecil County Sheriff's Office Crime Scene Technician is trained in the use of, and equipped with crime scene video equipment; all requests for investigative scene videotaping will be directed to a Crime Scene Technician in accordance with Section I, paragraph E of this directive.

IV. Latent Fingerprints

Deputies are provided with a basic fingerprint lift kit, which includes black powder, magnetic powder, brushes, lift cards and lift tape to develop latent fingerprints. However, deputies requiring advanced development techniques and supplies including the use of regular colored powders, bichromatic or cyanoacrylate fuming, iodine fuming, ninhydrin, silver nitrate, physical developer, and use of the forensic light source should request assistance from a Crime Scene Technician.

A. Any deputy or Crime Scene Technician developing latent fingerprints from a crime scene will fill in the following information on the back of each latent print lift card:

- Incident Number
- Date print developed
- Deputy developing the print
- Location print was developed

B. When developed latent prints cannot be lifted onto latent print lift cards, where possible, the item will be recovered for more advanced processing techniques for submission and analysis.

C. Developed latent prints will be packaged in accordance with procedures described in the "Maryland State Police Guidelines for Submitting Physical Evidence Manual" and submitted to the Property & Evidence Control Room with a completed Maryland State Police Request for Laboratory Examination Form, (MSP 67), and Maryland State Police Forensic Sciences Division Latent Print Casework Submittal Form (MSP 241).

- The Property & Evidence Control Manager/ Crime Scene Technician will submit developed latent prints to the Maryland State Police Crime Lab Latent Print Unit.

D. Evidence Submitted for Latent Print Processing - Items of evidence requiring latent print processing before submission to the Crime Laboratory will be transported and

submitted with all appropriate forms by the recovering deputy, to the Cecil County Sheriff's Office Property Room. When deputies seize evidence requiring latent print processing, they will;

- Photograph the materials and place the photographs in the case folder,
- Package the evidence in the manner prescribed by the Maryland State Police in their manual titled, "Guidelines for Submitting Physical Evidence",
- Complete the Seized Property/Property Module, Maryland State Police Request for Laboratory Examination Form, (MSP 67) and drop both in the Cecil County Sheriff's Office Property Room, for latent print processing.

V. Seizure of Computer Equipment

Computer equipment can be severely damaged or data lost due to improper shutdown procedures; therefore, members collecting computers or computer related equipment, as evidence will adhere to the following procedures:

A. If the computer is in operation, FIRST photograph the screen and all attached devices and cords. Then pull the power cord from the back of the CPU (NOT from the wall).

B. Only personnel skilled in computer operations should attempt to restart computer equipment that is already shutdown.

- Some computers can be pre-programmed to destroy data if proper procedures are not followed.

C. All equipment will be handled with care when being transported and must be properly stored. Computer hardware and software may be damaged when exposed to extreme temperatures. Any existing damage will be noted by seizing personnel.

D. All computers and related equipment will be packaged in accordance with procedures described in the "Maryland State Police Guidelines for Submitting Physical Evidence Manual" and submitted to the Property Room for analysis.

VI. Seizing Cellular Telephones & Electronic Devices

Cellular phones, digital cameras and other electronic devices capable of storing data may contain valuable evidence associated with criminal activity. Unless an immediate life threatening emergency exists such as a homicide, kidnapping, critical missing child, etc., the device should not be accessed until a search warrant is obtained.

A. Should it be necessary to access the device, all actions associated with the manipulation of the device will be noted in order to document the chain of custody and insure its admission into court proceedings to include any existing damage.

B. The Maryland State Police Computer Crime Lab, recommends the following in the handling of telecommunications equipment at a crime scene where an immediate examination of data is necessary; such as a homicide, kidnapping, critical missing child, etc.:

- Photograph or record the screen contents, including the time and date;
- Handle with care and do not press any keys;
- Visually attempt to determine if the device is password protected;
- If the device is on, leave it on. If it is off, leave it off; and,
- Note the battery's charge level
- Remove the antenna (if equipped with a removable antenna)
- Remove battery for storage (if equipment with a removable battery).
- Seal in a large or small size shielding bag.
- Attempt to recover charging and data cables. If charging and data cables are recovered, consider placing the device on said cables.
- The device should be examined as soon as possible or data may be lost with the loss of battery power.

C. Otherwise, the device will be collected as evidence and packaged in accordance with procedures described in the "Maryland State Police Guidelines for Submitting Physical Evidence Manual" and submitted to the Property & Evidence Room.