

# Burleson Police Department

## Administrative Policy and Procedures

Number: 06-003

Document Title: Collection and Preservation of Evidence

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CALEA Standards Referenced: 83.1.1; 83.2.1; 83.2.2; 83.2.3; 83.2.4; 83.2.5; 83.2.6;  
83.2.7; 83.3.1; 83.3.2

ISSUING AUTHORITY: \_\_\_\_\_

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### I. Evidence Collection

Evidence collection is the most beneficial resource in the investigation of crime. In order that it may be used efficiently, it will be identified, collected, preserved, and analyzed promptly.

#### A. Definitions

1. **Crime Scene**  
The physical area believed by the investigating officers to contain information or physical evidence related to a criminal offense. Area may be expanded or reduced during an investigation depending on information available during the investigation.
2. **First Officer**  
First commissioned police officer arriving at the scene of a criminal offense regardless of rank.
3. **Perimeter**  
That imaginary or physical barrier between the outside environment and the presumed maximum physical area likely to contain physical evidence.
4. **Investigator**  
Commissioned police officer assigned to investigative functions related to initial offense, may be patrol, detective or traffic, depending on nature of offense and responsibility assumed by personnel involved.
5. **Crime Scene Officer**  
Officer or the officer's designee is responsible for collection and processing of physical evidence within the offense scene. This officer is also responsible for recording or diagramming details. This may be a patrol officer originally assigned to an offense or an officer specially trained in physical evidence collection, depending on the nature of offense and responsibility assumed by personnel involved.
6. **Field Commander**  
Highest-ranking patrol supervisor assuming command field responsibility and officers.
7. **Nature of Offense**

Each offense shall be evaluated based on type of offense, degree of investigation involved, physical evidence potentially available, area expanse, and required personnel. Limited offenses may require only one officer assigned who may assume functions of investigation and evidence collection. Some major offenses may require additional personnel assigned to each responsibility. Physical and technical ability should be considered.

## II. Searching and protecting the crime scene

- A. When first entering a potential crime scene, arriving officers will be cognizant of preserving evidence. Protection of crime scene will be the utmost importance, secondary only to treatment of injured persons. [83.2.1]
- B. Once an officer has established that a crime has been committed, they should secure the area. Crime scene tape will be used to set up a perimeter around the area.
- C. All unauthorized persons shall be removed immediately upon arrival of the first officer or as soon thereafter, as is reasonably possible.
- D. The first officer arriving at the scene should note names and identification of all persons within the crime scene or having access. Note activity and vehicles at or near the crime scene.
- E. The first arriving officer shall be placed in charge of protecting the crime scene until relieved of duty. This officer will allow only necessary persons into the area. This officer will maintain a log of persons making entry. The log will indicate the time of entry and departure of each individual and his or her purpose.
- F. No persons shall be allowed to neither enter the crime scene nor move any potential evidence unless instructed to do so by the evidence collection officer.
- G. No media personnel will be allowed entry into any crime scene unless approved by the supervisor in charge of the scene.
- H. Officers securing the crime scene have the potential of expanding the perimeter.

## III. Crime Scene Call Response

- A. The field supervisor will determine when a crime scene / accident specialist will be called to respond.
  - 1. The Criminal Investigations Supervisor will provide an on call schedule to communications and patrol supervisors. This will be updated on an as needed basis. The shift supervisor will make contact with the investigator. [83.1.1]
  - 2. A crime scene specialist will respond to the scene immediately upon notification and/or within one hour from notification.
  - 3. A crime scene specialist may be required for cases of:
    - a. murder

- b. suicide
- c. rape
- d. robbery
- e. officer involved shooting
- f. any complex crime scene

In the case of a fatality / multiple injury accident, the on-duty supervisor will call the traffic section supervisor to arrange for an investigator from that section.

IV. Processing the crime Scene [\[83.2.1\]](#)

- A. The investigator / crime scene specialist will first gather pertinent information from the officer on the scene prior to beginning the crime scene search.
- B. The investigator / crime scene specialist will photograph or videotape the crime scene including pieces of evidence prior to any item being removed. The digital photo images/video or film will be attached to the case file into the records management system or logged as evidence, which ever is most appropriate. The following information will be recorded by the camera and/or person photographing/videotaping the crime scene: [\[83.2.2 / 83.2.4b\]](#)
  - 1. a. type camera
  - b. type lens used and setting
  - c. film speed as designated by ASA/ISO
  - d. F-stop (or auto)
  - e. shutter speed (or auto)
  - f. type lighting (natural, strobe or other)
  - g. date and time photographs were taken
  - h. roll number
  - i. location photographs were taken
  - j. case file number
  - k. description of photo
  - l. name and identification number of person taking photos

*NOTE: When using digital cameras steps b, c, d, e and h may be omitted.*

- C. When necessary or relevant, the crime scene specialist/investigator will accomplish a sketch of the area noting measurements and evidence. [\[83.2.4c\]](#)

V. Collecting Evidence [\[83.2.1 / 83.2.4d\]](#)

- A. Physical evidence collected at a crime scene will be removed in a manner which best preserves that evidence, e.g. items of blood, blood stained

objects, and other physiological stains and tissues shall be air dried and stored in paper containers.

1. In cases involving the seizure of computer equipment, the officer in charge of the crime scene investigation shall shut down or disassemble any computer equipment according to procedures recommended by the IACP and U.S. Secret Service. The computer could be pre-programmed to erase or destroy data if startup or shutdown procedures are not followed. [83.2.5]
2. Items of physical evidence will be marked, packaged, labeled, and stored following policies outlined in this department's policy on Property and Evidence. [83.3.2b]
3. Officers will take care in maintaining the chain of custody of evidence and maintaining an accurate chain of custody record. [83.3.2d]
4. When possible materials/substances will be collected from a known source for comparison with physical evidence collected (example: hair, blood, fingerprints, etc.) [83.3.1]
5. The crime scene specialist, after collecting evidence, will accomplish a supplemental report including the description of the evidence taken and detailing where the evidence was collected. [83.3.1/ 83.2.6]

B. DNA Evidence Collection [83.2.7]

Deoxyribonucleic Acid (DNA) is the fundamental building block for an individual's genetic makeup. As such, DNA coupled with continuing technological advancements has become an important factor in solving crimes where the offender is unknown. Moreover, DNA has proven to be self-instrumental in eliminating potential suspects. In recognizing the importance of DNA as evidence, the purpose of this policy is to ensure agency personnel who are tasked with the responsibility of investigating crime scenes have a good understanding of where DNA evidence can be found, how to avoid its contamination, and how to effectively preserve it.

1. First responder responsibilities and precautions: [83.2.7a]
  - a. The first responding officer(s) to any crime scene should be aware of any potential DNA evidence. DNA may be recovered from most biological specimens. For example, blood, semen, skin cells, tissues, organs, brain cells, teeth, hair saliva, mucus, and perspiration are all potential sources of DNA. As a result, any item at a crime scene may hold potential DNA evidence. The following list is not exclusive, but simply designed to inspire imagination when considering potential sources of DNA evidence:
    1. Club, bat, or similar striking, cutting or shooting weapon
    2. Hat, bandanna, or mask
    3. Eye glasses
    4. Used tissue/ toilet paper
    5. Dirty or soiled clothing

6. Toothpick, toothbrush, or gum
  7. Used cigarette butts or tobacco product
  8. Used stamp or envelope
  9. Used bottle, can, or drinking glass
  10. Used condom
  11. Blanket, pillow, or sheet
  12. Any item used or possessed by the actor; including the victim's own person
- b. Every reasonable precaution should be taken to ensure the integrity of such evidence by protecting it from contamination and degradation.
2. Procedures for the collection, storage, and transportation of DNA evidence: [\[83.2.7b\]](#)  
Given the potential health and safety hazards of biological evidence, officers should use caution when handling such evidence. In order to protect the officers as well as the integrity of the evidence officers shall wear protective gloves when handling unprotected biological evidence. Based on the complexity and volume of potential biological evidence at a crime scene officers should consider covering any exposed skin, to include eyes, nose, mouth, and hair to prevent accidental exposure or contamination.

### **Collection**

- a. Identify the presence of items containing possible biological evidence
- b. Properly document the evidence before attempting to collect the needed sample(s)
- c. Collect the evidence in accordance with established procedures
- d. If the item will not fit in the standard evidence containers, the area should be protected by covering the possible evidence with sterile paper
- e. If the biological evidence is wet and found on clothing items or bedding, the items may be placed in plastic for transportation purposes only. This evidence should be properly secured in the Drying Cabinet as soon as possible until it is determined that the articles are sufficiently dried for submission. This evidence should then be secured in the appropriate paper package / container
- f. If the entire item cannot be collected, then an attempt to cut the evidence from the item utilizing a clean scalpel may be used. Package the cut evidence in paper products such as paper bags or envelopes
- g. If it is not practical to collect the entire item or obtain a cut sample, swab the item in an attempt to obtain a suitable

- sampling. A sterile swab should be moistened with approximately one drop of distilled water. Additional water may be added if necessary. If the sample is wet then it is not necessary to utilize water.
- h. Rotate the swab through the sample until it appears saturated with the sample or until the stain appears collected. The swab should be allowed to air dry. Once dry, the swab should be placed in a biological evidence collection box per department procedures. Swabs from the same sample source should be packaged together.
  - i. When necessary a scalpel may be used to scrape a stain onto a clean piece of paper or evidence envelope. After each scraping, the scalpel must be thoroughly cleaned, so as not to contaminate the next sample.
  - j. Examination gloves are to be worn while collecting samples, and should be changed in between the collection of samples from different areas.
  - k. When possible, known DNA samples should be submitted along with unknown samples so that DNA comparisons can be made.
  - l. When collecting a DNA sample from an individual, sterile cotton tipped applicators will be utilized. The officer taking the sample must ensure the sterility of the applicators by examining the packaging for defect prior to opening. The collecting officer while wearing examination gloves will insert the cotton tip of the applicators into the mouth of the individual from who the sample is to be taken and rub the cotton tip against the inside cheek 3 to 5 times. The process will be repeated against the inside of the opposing cheek utilizing the opposite side of the cotton tipped applicator. Once the sample has been collected, it must be protected from contamination and secured in a temporary evidence locker, following the proper procedure for that evidence, while it is allowed to dry. Upon drying the sample will be secured in a Swab Carton, marked, labeled, and entered into evidence in accordance with department policy.
  - m. All DNA samples will be marked, submitted and documented as directed by Standard Operating Procedures.
3. It is the responsibility of each officer to be cognizant of their level of training and experience in the area of collecting biological evidence. If confronted with circumstances that exceed their level of training, the on duty supervisor should be notified to determine the need for specialized personnel. Criminal Investigations will be responsible for providing crime scene support for first responding officers. In the event of an overly complex crime scene, the

department will utilize either the Texas Department of Public Safety Crime Lab or an accredited contracted private laboratory. [83.2.7c]

4. DNA evidence collection training requirements for persons collecting evidence: [83.2.7c]  
The Burleson Police Department will provide training to its officers who are tasked with the responsibility of identifying and collecting DNA evidence. The training will be commensurate to the department's level of expectation for the officer's position and responsibility as it pertains to crime scene investigation.

C. Submission of evidence [83.2.7d]

1. DNA samples submitted as evidence will be retained by the Department's evidence custodian. Only laboratories accredited by either the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or the National Forensic Science Technology Center (NFSTC) will be utilized for the processing of DNA evidence. The evidence custodian will be responsible for the submission of DNA evidence to a laboratory for analysis. The department primarily utilizes the Texas Department of Public Safety Crime Laboratory for DNA analysis, comparison, and submission into the National DNA database.
2. Latent prints lifted will be processed into property / evidence following guidelines set in the Property and Evidence policy. [83.2.4a]
3. Fingerprints taken from known individuals for the purpose of comparison to latent prints shall be marked as items of evidence also. [83.2.3]
4. Perishable evidence shall be subject to immediate disposition by the property / evidence unit.
5. Evidence requiring laboratory analysis will be packaged correctly and the proper transmittal forms accomplished. [83.3.2b/c]
6. Evidence requiring laboratory analysis will be transported to the laboratory under the direction of the property/evidence tech. [83.3.2a]
7. The property/evidence technician will request, in writing, a written response from the laboratory regarding the results. [83.3.2a]
8. The barcode system will reflect the chain of custody from the time the property was collected until its destruction or final disposition. [83.3.2d]