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# UW-Madison Police Department

**Policy: 83.1**

**SUBJECT: COLLECTION & PRESERVATION OF EVIDENCE-ADMINISTRATION**

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**STANDARD: CALEA 83.1.1, 83.3.1, 83.3.2**

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## **POLICY:**

The UW-Madison Police Department trains and makes available personnel to collect and preserve evidence. The successful conclusion of investigations is often directly related to the timely and proper collection and preservation of evidence. Department members shall conduct evidentiary-related activities in a timely and professional manner.

## **DEFINITIONS:**

“Chain of evidence” refers to the continuity of custody of material and items collected as evidence, whether at the crime scene or not.

“Evidence technician” refers to an officer who has received advanced training in the documentation and collection of evidence. Evidence technicians are responsible for the following: preparing necessary reports, sketches, and diagrams; collecting, preserving, and processing evidence; forwarding evidence to laboratories for examination; conducting analysis; maintaining a proper evidentiary chain of custody; and informing investigating officers of all developments and/or examination results.

“Known sample” refers to any sample which can be used as a reference to which an unknown sample can be compared, with the goal of identifying the source.

## **PROCEDURE:**

### **83.1.1 COLLECTION AND PRESERVATION OF EVIDENCE-ADMINISTRATION**

The following procedures shall describe and govern the availability of crime scene/traffic collision processors:

- A. All evidence technicians receive specialized training in crime scene processing which may include, but not be limited to; recovery of latent fingerprints and palm prints, recovery of foot, tool, and tire impressions, photographing crime/accident scenes, preparing crime/accident scene sketches, and the collection and preservation of physical evidence, including DNA evidence. All training should be in accordance with the “Physical Evidence Handbook.”
- B. Evidence technicians should be requested as soon as the need is realized. On-scene officers and/or supervisory personnel shall be responsible for requesting processing assistance in a timely manner.
- C. Qualified personnel shall be available on a 24-hour basis to process a crime scene and/or traffic collision. Trained Departmental and/or outside agency personnel shall be dispatched to process major crime scenes and serious traffic collisions when determined necessary and appropriate.
- D. Evidence technicians shall normally be responsible to the officer in charge. Processors shall provide necessary input at the scene but shall not take actual command unless deemed appropriate.
- E. To ensure availability, designated qualified crime scene personnel may be called in to process a crime scene and/or traffic collision. Outside agency personnel may also be contacted when such assistance is required.
- F. In addition to Department resources, the following agencies may be requested to provide crime scene/traffic collision processing services: The Wisconsin State Crime Lab, Wisconsin Division of Criminal Investigations, Federal Bureau of Investigations, Wisconsin State Patrol, City of Madison Police Department and the Dane County Sheriff’s Office. Each agency maintains scene-processing capability and is available by formal request.

- G. Approval from a police manager shall be received before requesting processing assistance from another agency. The following factors should be considered when such assistance is considered: personnel availability; experience levels; incident complexity; jurisdiction; and chain of evidentiary custody.

### **83.1.2 EVIDENCE COMPARISONS/KNOWN SAMPLES**

- A. Materials and substances shall be collected from a known source, whenever available, for submission to the laboratory for comparison with physical evidence collected. Such evidence may include the following: hairs, fibers, fabrics, paint, glass, wood, soil, and tool marks.
- B. Evidence collected during initial case investigations shall be handled, packaged, and stored in a manner that does not jeopardize future processing.
- C. Evidentiary items shall be collected in accordance with the Wisconsin Department of Justice "Physical Evidence Handbook."
- D. The location from which samples from a known source are taken is especially critical where fractures have occurred, particularly in the case of glass, wood, paint, and metal. Such information shall be noted in reports and recorded on accompanying forms.
- E. When hair samples are to be taken, they should be plucked rather than cut. Hair samples collected from different body areas should be packaged separately.
- F. When fibers are to be collected, samples of fibers should be collected from the applicable source. Samples should be packaged separately to avoid contamination.
- G. Paint may appear in the form of chips, flakes, or smears. If paint is to be collected, a known standard sample should be chipped or scraped from the applicable source. Lifting tape, scotch tape, or plastic bags should not be used to collect paint flakes or chips. Such items should be placed into suitable rigid evidence containers. Paint smears should be left on the object and then suitably packaged whenever possible.
- H. When glass is to be collected, a sample of glass should be collected from the applicable source. Samples should be packaged separately to avoid contamination or damage. In cases where glass has been broken from a frame, both the frame and fragments should be removed for future reconstruction or examination. If this is not possible, the fragments should be marked as to their inside/outside surfaces and position within the frame.
- I. When soil is to be collected, a sample should be collected from the applicable source. Samples should generally consist of a minimum of two tablespoons, collected not deeper than one inch. Samples from different areas or depths should be packaged separately to avoid contamination. Collection tools should be thoroughly cleaned after each sample is obtained. If soil is found on a suspect's footwear, comparison samples should be taken from any observable footprints at the scene.
- J. When wood is to be collected, a sample should be collected from the applicable source. Whenever possible, the entire object should be collected and packaged appropriately. If it is not practical to remove the entire object, the affected area should be photographed before removing the appropriate portion.
- K. When blood is to be collected, a known sample should be collected from a victim and/or suspect; two vials should be collected whenever possible. Such samples shall only be collected by a licensed physician or registered nurse. An officer should witness the collection and then record all pertinent details in a supplemental report.

### **83.1.3 EVIDENCE SUBMISSION TO LABORATORY**

- A. Evidence collected at a crime or traffic collision scene may require processing which cannot be performed by Department personnel. Such evidence shall be analyzed by a certified forensic laboratory. The Wisconsin State Crime Laboratory should be used for evidence processing involving the following: microanalysis; toxicology; serology; footwear identification; fingerprint identification; and microscopic photography. It shall be the responsibility of the officer investigating the case to make notation on the RMS Chain of Custody Record indicating laboratory analysis or evidence technician processing is required. The Property Manager or designee is responsible for retrieving items placed

into the temporary holding evidence lockers and securing those items into Property Storage. Property team members are responsible for the proper documentation and coordinate transfer of all evidentiary items to a Laboratory for analysis. The RMS Chain of Custody Record shall be utilized as the chain of evidence. Evidence shall be submitted to a laboratory in person, certified U.S. Mail, or private courier (FedEx, U.P.S., etc.).

- B. Methods used for packaging, labeling and transmitting evidence to the laboratory should be consistent with accepted professional standards outlined in the “Physical Evidence Handbook,” expert recommendations and Department directives (to include the UWPD packaging guide.) Blood, blood-stained objects, physiological stains/tissue, biological materials, controlled substances, and drug paraphernalia should be securely packaged; biohazard labels should be affixed as required. Weapons should be packaged and handled in a safe condition. Firearms shall be transported in accordance with all applicable statutes.
- C. The Property Manager shall note the change in chain of custody on the original RMS Chain of Custody Record with an electronic signature and/or change of custody notation. Chain of custody is completed electronically within RMS.
- D. All items transported to the Wisconsin State Crime Lab require documentation in the form of a WSCL Transmittal Form. This form is turned over to the WSCL upon receipt of the item. A receipt is provided for the item and the receipt is then scanned and attached to the Property Control Record and proper disposition given to the item within RMS.
- E. All documentation pertaining to the mailing or shipping of an item of evidence shall be recorded and attached to the incident report.
- F. Verbal reports from a laboratory conducting an analysis may be accepted, but shall be followed up by a written report. When evidentiary items are processed by a Department evidence technician, findings shall be reported in a supplemental report.