



Lunenburg Police Department

Policy Number: 6.01	Subject: Collection & Preservation of Evidence
Issue Date: 06/23/2017 Revision Date: 10/24/2021, 1/19/2022 Effective Date: 06/23/2017	Massachusetts Police Accreditation 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: <i>Chief Thomas L. Gammel</i>	

I. GENERAL CONSIDERATIONS AND GUIDELINES

Physical evidence is an extremely important component for the prosecution of criminal cases. The successful presentation of evidence at trial includes documenting where the evidentiary item was found, who has had possession of it, where it has been after being collected, and what forensic testing was done along its journey to the court.

Given the scientific nature of much of the evidence today, officers must be even more vigilant to protect crime scenes from contamination, and those who collect evidence must take great care not to contaminate the evidence at the scene, during packaging, or during processing.

In addition to in-house personnel, state and federal evidence processing resources are available to police departments to augment their collecting and processing of evidence. In some cases, specialized state crime scene personnel have the expertise and equipment to provide a more detailed search for forensic evidence. They often can collect more and better evidence, shorten the chain of custody by bringing the items directly to the lab, and help to avoid the collection of unnecessary items that can burden the property and evidence function.

II. POLICY

It is the policy of this department to:

- A. Protect and process the crime/incident scene as appropriate;
- B. Properly collect, record, and preserve items recovered of potential evidentiary value;
- C. Maintain a precise chain of custody for potentially evidentiary items; and,
- D. Ensure the admissibility of evidence recovered at a crime/incident scene in court.
- E. Designate an evidence officer/s from time to time with respect to assignment changes, retirements, superannuation or attrition

III. PROCEDURE: CRIME SCENE PROCESSING RESOURCES

A. EQUIPMENT AND SUPPLIES

1. This department provides crime scene technicians with equipment and supplies used for conducting their specialty tasks, as determined by the Chief of Police. [83.2.4]

B. AVAILABILITY [83.1.1]

1. Qualified personnel are available on a twenty-four hour per day basis to process a crime scene or the scene of a traffic collision.
2. A list of department personnel and their contact numbers is available in dispatch.
3. Taskforce, Law Enforcement Council, and State Police points of contact and telephone numbers are available in dispatch.

C. COLLISION RECONSTRUCTION

1. Traffic collision reconstruction personnel may be requested as authorized by an officer-in-charge.
2. These include:
 - a. Department personnel;
 - b. Taskforce or Law Enforcement Council personnel; and
 - c. State Police.

D. COMMERCIAL VEHICLE INSPECTIONS

1. Commercial Vehicle Inspection personnel may be requested as authorized by an officer-in-charge.
2. These include:
 - a. Department personnel; and
 - b. State Police Truck Team.

E. LATENT FINGERPRINT RECOVERY [83.2.4(a)]

1. Latent fingerprint recovery personnel may be requested by THE OFFICER IN CHARGE, PRELIMINARY INVESTIGATION OFFICER, and/or DETECTIVE SUPERVISOR.
2. These include:
 - a. Department personnel;
 - b. Taskforce or Law Enforcement Council personnel; and
 - c. State police: State Police Crime Scene Services.

F. PHOTOGRAPHY [83.2.4(b)]

1. Photography personnel may be requested as authorized by the officer-in-charge or investigator.
2. These include:

- a. Department personnel;
- b. Taskforce or Law Enforcement Council personnel; and
- c. State police: State Police Crime Scene Services.

G. CRIME SCENE SKETCH [83.2.4(c)]

1. Crime scene sketches (diagrams) will normally be accomplished by the case officer or investigator.
2. Specialized crime scene diagramming and mapping personnel are available for certain crime scenes and may be requested by THE PRELIMINARY INVESTIGATION OFFICER, OFFICER IN CHARGE, DETECTIVE, and/ OR DETECTIVE SUPERVISOR. These personnel resources may be summoned for incidents where:
 - a. The scene covers a large geographical area.
 - b. There is a large volume of recoverable evidence.
 - c. Deaths or serious injuries resulting from suspected criminal action have resulted.
 - d. A collision reconstruction is being undertaken.
 - e. A supervisor has determined that such a crime scene diagram is necessary.
3. Crime Scene Diagram Resources
 - a. Department personnel;
 - b. Taskforce or Law Enforcement Council personnel; and
 - c. State police: State Police Crime Scene Services.

H. PHYSICAL EVIDENCE COLLECTION AND RECOVERY [83.2.4(d)]

1. In most cases, physical evidence will be recovered by department personnel conducting preliminary or follow-up investigations.
2. Physical evidence recovery personnel may be requested by THE OFFICER IN CHARGE, PRELIMINARY INVESTIGATION OFFICER, and/or DETECTIVE SUPERVISOR. These personnel resources may be summoned for incidents where:
 - a. There is a large volume of recoverable evidence.
 - b. The evidence is of such a nature that the services of specially trained persons are necessary for recovery.
 - c. A supervisor has determined that such a crime scene diagram is necessary. Such cases may include:
 - i. Recovery of DNA evidence;
 - ii. Perishable fingerprints on portable items;
 - iii. Firearms which could be loaded, containing fingerprint or DNA evidence that officers at the scene are unfamiliar with; and
 - iv. Explosive devices and infernal machines.
 - d. Evidence Collection Resources
 - i. Department personnel
 - ii. Taskforce or Law Enforcement Council personnel π State police: State Police Crime Scene Services

I. TRACE AND BODY FLUID EVIDENCE RECOVERY

1. Trace and body fluid evidence recovery personnel may be requested by THE PRELIMINARY INVESTIGATION OFFICER, OFFICER IN CHARGE, DETECTIVE, and/ OR DETECTIVE SUPERVISOR.
 - a. Department personnel;
 - b. Taskforce or Law Enforcement Council personnel; and
 - c. State police: State Police Crime Scene Services.

IV. PROCEDURE: INITIAL RESPONSE TO A CRIME/INCIDENT SCENE

A. PRELIMINARY INVESTIGATION

1. Some crime scenes can be processed by patrol personnel conducting preliminary investigations. This will be determined by:
 - a. The nature of the incident;
 - b. The volume of potential evidence;
 - c. The need for any special skills in collecting evidence; and
 - d. The availability of patrol officers and detectives.
2. Normally, the first units to arrive will be responsible for identifying, securing, and protecting the crime/incident scene as well as conducting the preliminary investigation (see the department policy on Preliminary Investigations).
3. Investigators may respond directly to a crime scene while on duty or may be called at the direction of a supervisor who has evaluated the need for investigators.

B. INVESTIGATOR DUTIES

1. Not all crime scenes require processing.
2. Upon arrival at a crime scene, the investigator should:
 - a. Ensure that the scene has, in fact, been secured.
 - b. Obtain information about the nature of the incident.
 - c. Inquire as to what potential evidence items have been located and what, if any, has been recovered.
 - d. Enquire as to contamination of the crime scene, if any, and to what degree contamination may have occurred prior to the arrival of the investigator.
 - e. Determine what types of evidence, if any, may be collected and what resources will be needed.
 - f. Adjust the secured crime scene area, larger or smaller, as appropriate.

V. PROCEDURE: CRIME SCENE PROCESSING PLAN

To avoid contaminating, missing, or destroying evidence, and to ensure that evidence is properly collected and documented, it is important to process the scene methodically.

A simple crime scene may be processed by one or two officers.

A larger or more complicated crime scene may require a team of investigators to process the scene for evidence. For such an incident, the officer managing the search should consider:

1. The types of evidence to be processed;
2. Personnel and skills needed to process the scene;
3. The need for clothing such as Tyvek outerwear or foot covers to avoid contaminating the crime scene or personnel;
4. The need to videotape the crime scene prior to processing;
5. Adequate supplies to process, collect and package evidence;
6. The need for any special equipment;
7. On-site storage of collected evidence; and
8. Transportation of evidence from the scene.

A. CRIME SCENE PROCESSING FUNCTIONS

1. In most cases, personnel processing for evidence will need to perform several functions. For smaller scenes, all of the functions may be carried out by one person. For a larger scene, one of more officers may be assigned to each function:
 - a. Locate evidence.
 - b. Photograph the evidence in place.
 - c. Document the photo on a photo log.
 - d. Collect the evidence.
 - e. Document the evidence on an evidence collection log.

B. SEARCH TEAMS

In a large crime scene, the area to be processed may be broken down into smaller areas and a team assigned to each area.

VI. **PROCEDURE: CRIME SCENE PROCESSING** [83.2.1]

A. VIDEO [83.2.2]

1. The crime scene manager should consider the need for videotaping the crime scene prior to searching for and processing evidence.
2. The secured crime scene should be vacant of people other than the videographer, if possible. Other investigators should vacate the area.
3. Be aware that background noise and voices may be recorded while the video is recorded.
4. The videographer should methodically video the entire scene generally and again in more detail to capture images of the scene prior to processing.
5. Known evidence items should be captured in detail and the items' spatial relationship to the scene should be portrayed.
6. Video media containing crime scene video shall be labeled with:
 - a. The incident number;
 - b. Date of video;
 - c. Location of video; and
 - d. Name of videographer.

7. The video shall be submitted to the evidence officer to be logged and maintained by the property and evidence function.

B. PHOTOGRAPHS [83.2.2]

1. TAKING PHOTOGRAPHS

- a. In most cases, photographs should be taken of the crime scene prior to processing.
- b. The photographer shall write identifying information and photograph same to identify the incident from which the photographs were taken. The information shall include:
 - i. The incident number;
 - ii. Date of photographs;
 - iii. Location of photographs; and
 - iv. Name of photographer.
- c. Photographs should include a wide view of the crime scene showing its spatial relationship to the area's other buildings, markers or terrain features.
- d. Several closer photographs, if necessary, should be taken to focus in on the crime scene area.
- e. Photographs of areas of the crime scene itself should be taken to document the overall crime scene.
- f. Photographs of each evidence item should be taken, when possible, prior to the item's being collected or processed.
- g. A photograph of each collected evidence item may be taken to document the item. This may be useful as best evidence in the event that the item is returned to the owner.
- h. When a scale is to be used in the field of view so that the exact size of an object can be determined, a separate photograph will also be taken without the scale.
 - i. The same camera position, lighting, and camera settings will be used.
 - ii. Alternatively, the dimensions of a fixed object in the scene can be taken to provide a scale of reference.

2. PHOTO LOG

- a. A photographic/video log will be maintained of each video or photograph taken, noting:
 - i. The date, time, and location;
 - ii. The case/incident number;
 - iii. The camera used;
 - iv. The lenses used;
 - v. The film and ISO if applicable;
 - vi. The lighting used;
 - vii. Photo number (as assigned by photo log);
 - viii. A description of each photograph;
 - ix. Notation of whether or not a scale is used; and
 - x. The name of the photographer.

3. SUBMISSION OF PHOTOGRAPHS

- a. When film is developed, a CD Rom of the photographs will also be ordered.

- b. The original negatives, one set of prints, and the original CD will be entered as evidence.
- c. A copy of the CD will be made for the investigator upon request.

4. SUBMISSION OF DIGITAL IMAGES

- a. The digital media shall be submitted to the designated evidence officers for processing.
- b. Upon receipt of the media, the designated evidence officers shall copy the images to a read-only media.
 - i. No changes of any kind, including file name changes and image orientation (portrait, landscape), may be made to any file.
 - ii. The images burned on the media must be an exact copy of the images from the camera media.
- c. The CD containing the images shall be logged into evidence. If additional copies are needed, they may be made from the camera media when the master CD is made or from the master CD later.
- d. The images shall be uploaded to RMS software.

C. CRIME SCENE DIAGRAM (SKETCH)

1. CRIME SCENE DIAGRAMS GENERALLY

- a. Not all crime scenes require a diagram.
- b. A crime scene diagram may be necessary depending upon the nature of the incident and the evidence recovered from the scene. The crime scene diagram establishes a “map” of the crime scene.
- c. Crime scene diagrams shall contain the following information:
 - i. Incident number;
 - ii. Incident date;
 - iii. Incident location;
 - iv. Name of officer preparing the diagram; and
 - v. An arrow indicating north.

2. CRIME SCENE DIAGRAM DETAIL

- a. A simple diagram, not necessarily to scale, may be provided to document the crime scene and the location of furniture, articles and evidence at the scene. Measurements may be included if the quantification of distance is necessary.
- b. A more detailed, to-scale crime scene diagram may be necessary if distances and detailed special relationships between articles and evidence are important elements.
- c. Computerized, surveyor type equipment and mapping software for the purpose of crime scene diagramming and mapping may be needed for large crime scenes, numerous evidence items, or when accurate distances are necessary.

VII. COLLECTION OF ARTICLES OF EVIDENCE

All articles collected as evidence should be photographed in place prior to being collected, if practical.

If multiple articles are collected, an evidence collection log form may be used. The log shall include:

1. The incident number;
2. The date of collection;
3. Location of collection;
4. The item number;
5. Description of the item;
6. The person who collected the item; and
7. The person at the scene taking custody of the item.

Each article shall be packaged in a bag, box, or envelope. Large items shall have a tag affixed, and all shall be marked with the information below. Evidence labels should not be affixed directly to any item, as the label adhesive may damage or alter the item. The label or tag shall include:

1. Incident number;
2. Location where collected;
3. Date of collection;
4. Person who collected the item; and
5. Item number corresponding to the collection log, if any.

Drug evidence collected shall not be commingled.

1. Drugs found in separate locations shall be collected, packaged, and submitted as separate evidence articles.
2. Drugs of the same type, found together, may be submitted as one evidence article. (Marijuana in a baggie and a marijuana cigarette are different for the purposes of packaging and submission.) Drugs of different types or pills of different shape, color or configuration, found together, must be package separately and submitted as separate articles of evidence. The lab must process them separately.

A. FINGERPRINTS [83.2.3]

1. PROCESSING FINGERPRINTS

- a. Fingerprints may be recovered from surfaces at the crime scene, or portable items may be collected and processed at a police, state, or federal lab.
- b. Fingerprints should be photographed with a size scale, as they appear, prior to any attempt to lift the print.
- c. Ideally, the search for latent fingerprints should be undertaken as follows, whenever practical:
 - i. Begin with a visual search of surfaces for fingerprints that can be seen without any other aid. A light source, if available, may be employed to expose fingerprints which were not visible without the light source.
 - ii. Chemicals
 - 1) Porous specimens should be processed with the appropriate chemical for the type of material.
 - 2) Non-porous specimens should be processed by superglue fuming, if practical.
 - iii. Fingerprint powders.

2. COLLECTING FINGERPRINTS

- a. If multiple prints are to be photographed and/or lifted from a surface, the officer should create a diagram of the surface, indicating the location from which each print is photographed and/or lifted.
- b. Lifted prints should be marked with the incident number and, if necessary, a notation which corresponds to a fingerprint lift diagram.
- c. The fingerprint lifts should be placed in an envelope, bag, or other container marked with the incident number for further processing or storage.

3. COLLECTING EVIDENCE TO BE PROCESSED AT A LAB

- a. The item must be collected without damaging existing fingerprints.
- b. Gloves should be used and handling kept to a minimum.
- c. The item should be placed in a container and the container handled.
- d. The container must be clearly marked to warn others that it contains fingerprint evidence.

B. TRACE AND BODY FLUID EVIDENCE

1. For information regarding DNA evidence, see DNA EVIDENCE in this policy.

2. SEARCH FOR TRACE AND BODY FLUID EVIDENCE

- a. A search should begin with a visual examination. The visual examination may be followed up with a search using an alternate light source to expose evidence not visible under normal spectrum light.
- b. The location of evidence items should be marked by circling with a marker for collection under normal light conditions.
- c. A diagram shall be created of each item from which trace or body fluid evidence is removed.

3. COLLECTING TRACE AND BODY FLUID EVIDENCE

- a. Those collecting trace or body fluid evidence must take care to avoid contaminating evidence samples. This is particularly important if DNA testing may be conducted on the evidence item.
- b. Care must be taken not to cross contaminate evidence of suspects and victims, or to accidentally introduce such evidence into the crime scene.
- c. Items should be removed, packaged and marked for further examination and/or storage. Marking should include:
 - i. Incident Number;
 - ii. Date of collection;
 - iii. Name of person collected by; and
 - iv. A notation corresponding to the location on the diagram indicating where the item was collected.
- d. Clothing or other items on which are located body fluid specimens, such as blood and semen, should be allowed to dry thoroughly. Such items must not be placed in plastic as the sample may mold and deteriorate. Paper bags or envelopes should be used until they are completely dry.
- e. Comparison Sample [83.3.1]: Whenever possible a comparison sample shall be collected and submitted. Such comparison sample may include samples of:
 - i. Hairs;

- ii. Fibers;
- iii. Fabrics;
- iv. Paint;
- v. Glass;
- vi. Wood;
- vii. Soil;
- viii. Tool marks
- ix. Wood fractures; and
- x. Torn ends of tape or rope.

C. SEIZURE OF FIREARMS

1. SAFE KEEPING

- a. Firearms seized for safe keeping, such as in the case of a restraining order, shall be unloaded and inspected to ensure that no ammunition remains in the firearm or magazine prior to submission to the evidence officer.
- b. Firearms actions shall be locked open, whenever possible.
- c. Detachable magazines shall be removed from firearms whenever possible.

2. EVIDENCE FIREARMS

- a. Firearms collected as evidence shall be photographed prior to unloading or clearing, whenever possible.
- b. Whenever fingerprint or DNA testing is requested:
 - i. The firearms must be handled with Biohazard Barrier Gloves to avoid contamination.
 - ii. The firearms shall be stored separately in an unused container, bag or box.
- c. When the firearm is unloaded, the chamber or cylinder shall be inspected, and the location of live ammunition and/or empty shell casings noted.
 - i. Ammunition from the chamber or cylinder shall be packaged separately from ammunition from a magazine, or a magazine containing ammunition.
 - ii. A magazine removed from a firearm shall be packaged separately from other magazines and identified as such.
- d. Firearms shall only be submitted unloaded as described in the preceding section, "Safe Keeping."
- e. If a firearm must be examined prior to unloading, contact the State Police and request a ballisticsian to respond and process the firearm prior to submission to the evidence officer.

D. SEIZURE OF COMPUTER EQUIPMENT [83.2.5]

- 1. **INSPECTION OF MEDIA:** No employee, except one acting under the direction of a computer forensic specialist, or an employee who has specialized training in computer forensics, will attempt to examine any computer system, CPU, floppy disk, zip disk, thumb drive, CD ROM, or like device used to store electronic media for potential evidence contained therein.

- a. Whenever electronic devices are encountered and to be seized pursuant to a search warrant, consent or probable cause, the employee making the seizure will take the following steps:
 - i. If the computer is off, leave it off. Do not turn it on.
 - ii. If the computer is on, photograph the monitor to document what is displayed for evidentiary purposes.
 - iii. Do not make any key strokes or mouse clicks to the computer. If that occurs, document exactly what keystrokes or mouse clicks were made and the results of these actions.
 - iv. Photograph the computer or other electronic media in their original state before anything is touched.
 - v. If the computer is on, unplug the power cord from the back of the computer, not the wall outlet.
 - vi. Unplug any external hard drives.
 - vii. Photograph any devices connected to the computer.
 - viii. If the computer is connected to a modem, LAN, or router, disconnect it from the computer.
 - ix. Document each step as each cable is disconnected, making notes as to which device was disconnected.
 - x. Once power has been disconnected from the computer, tags or labels should be applied to all cables on the computer. Corresponding labels should be affixed to the computer connectors, or a diagram created noting each connector and identifying the cable attached, so that the computer can be reconnected to its original configuration for later analysis or court purposes.
 - xi. Do not transport electronic media near antennas or power supplies. Keep electronic media away from electromagnetic fields. Contact with these sources can cause the deletion of data.
 - xii. The employee impounding the electronic media must provide the computer forensics specialist with the background information of the case. This will include, but will not be limited to, the following:
 - 1) Suspect(s) name(s);
 - 2) Special or street language used by the suspect(s); known code words;
 - 3) Passwords;
 - 4) Email addresses; and
 - 5) Other information that may be of use to the computer forensic specialist in the formulation of searches.

E. DNA EVIDENCE

1. FIRST RESPONDER PRECAUTIONS [83.2.7(a)]

- a. First responders must secure the crime scene.
- b. Protect the area from which the DNA sample is to be taken from contamination.
- c. Always wear fresh Biohazard Barrier Gloves when processing for DNA.
- d. Replace gloves between samples.
- e. Avoid contact of samples.
- f. Be careful not to introduce suspect or victim DNA into the collection area.

2. TRAINING REQUIREMENTS: The collector shall complete a MSP DNA Standard Collection Course prior to collecting DNA evidence. [83.2.7(c)]
3. COLLECTION, STORAGE, AND TRANSPORTATION OF DNA EVIDENCE [83.2.7(b)]
 - a. Collector shall wear Biohazard Barrier Gloves.
 - b. Lightly moisten cotton swabs with distilled water. Do not oversaturate the swabs.
 - c. Rub the collection area with the swab to transfer the matter to the swab. Use a minimal number of swabs (1-6 maximum).
 - d. Use a separate swab to swab the area around the collection area. This will be a control swab.
 - e. Allow the swabs to dry for at least thirty minutes. Be sure to maintain the chain of custody during the drying time.
 - f. Label and package the sample swab separately from the control swab. The two swabs should never come into contact.
 - g. Place both swabs into an envelope.
 - h. Seal the envelope with tape, and initial and date the seal. NEVER MOISTEN THE ENVELOPE SEAL WITH SALIVA OR WATER.

F. DNA BUCCAL SWAB

1. AUTHORIZATION FOR COLLECTION

- a. A DNA Buccal swab may be conducted under the consent of the person being tested or pursuant to a court order.
- b. All consent swabbing must be preceded by the subject's reading, understanding and signing a Voluntary Submission of DNA Sample for Analysis form.

2. PRECAUTIONS

- a. Whenever possible, use a State Police approved collection kit.
- b. Read the entire instruction sheet prior to collection.
- c. Do not use a kit if the integrity seal has been broken.
- d. It is critical to avoid touching the pink/white collection paper, and to avoid allowing the paper to come into contact with another collection paper during the drying and packaging stage.

3. COLLECTION PROCEDURES

- a. Remove all components from the kit envelope.
- b. Fill out all information requested on the front of the DNA collection card.
- c. Put on Biohazard Barrier Gloves.
- d. Remove the foam-tipped swab from the sterile package, being careful not to touch the foam tip.
- e. Place the swab in the subject's mouth, then thoroughly swab between gum line and cheek, both left and right side, using all sides of the swab, and then swab under the subject's tongue, allowing the foam tip to absorb as much saliva as possible.
- f. Remove the applicator from the subject's mouth.
 - i. Carefully lift the paper cover on the collection card.

- ii. Press, drag and roll the applicator onto the FTA paper. This technique is wiping the skin cells off the swab onto the FTA paper.
- iii. If there is an immediate change from pink to white, continue. If there is little change, swab again and apply swab to FTA paper.
- iv. Discard the applicator.
- g. Allow the card to air dry for approximately thirty minutes. Be sure to maintain a chain of custody during the drying process.
- h. Place the dry collection card into the zip lock bag provided, seal the bag and return the bag to the kit envelope. NEVER MOISTEN THE ENVELOPE SEAL WITH SALIVA OR WATER.
- i. Do not remove the desiccant packet from the zip lock bag.
- j. Kits may be ordered from Doe & Ingalls, Medford, MA. 798-391- 0090 ext. 208, Kit ordering code: DNA(S.S)-1M.

4. SUBMISSION OF DNA EVIDENCE [83.2.7(d)]

- a. DNA swabs kits may be stored at room temperature or refrigerated prior to submission.
- b. Follow the department evidence labeling and evidence submission procedures.
- c. DNA samples shall be submitted to the State Police Crime Lab.

5. ACTIVATING A DNA CASE

- a. After submission of DNA, the case must be activated in order for lab personnel to process the evidence.
- b. Contact the Case Resolution Unit at 508-358-3152 or 3245.

G. CHAIN OF CUSTODY

1. TRANSFER OF CUSTODY IN THE FIELD [83.2.1]

- a. A transfer of evidence from one person to another in the field must be documented to ensure the chain of custody is maintained.
- b. In cases where an evidence collection team member collects an item of evidence and submits the evidence to a team member tasked with receiving and documenting collected evidence, a notation on the evidence collection log as to who collected the evidence is sufficient.
- c. In cases where evidence is submitted to a crime scene technician from another agency or from the crime lab, a written receipt from the person taking custody of the evidence must be obtained.
 - i. The submission copy of the state CL-1 form is an adequate receipt.
 - ii. A receipt may be handwritten and contain:
 - 1) The date and time of transfer;
 - 2) The incident number;
 - 3) Name of the person taking custody;
 - 4) A description of the item(s) taken; and
 - 5) Signature of the person taking custody.

H. EVIDENCE OFFICER

The Designated evidence officers shall be responsible for accepting, maintaining, accounting for, and submitting to the appropriate laboratory, evidence collected by officers in the field.

The evidence officer may refuse to accept improperly packaged evidence, or evidence missing proper documentation.

Missing evidence items shall be noted, and the evidence officer shall confer with the submitting officer.

Discrepancies that are not resolved shall be reported to the Chief of Police.

1. SUBMISSION OF EVIDENCE TO EVIDENCE OFFICER

- a. All evidence items shall be packaged and labeled prior to submission to the evidence unit.
- b. Non-perishable items shall be turned over directly to the evidence officer. When the property/evidence officer is not on duty, evidence shall be:
 - i. Entered into report.
 - ii. Properly labelled.
 - iii. Placed into temporary evidence locker.

2. SUBMISSION OF PERISHABLE EVIDENCE

- a. When an item of evidence may deteriorate if not refrigerated, the evidence shall be submitted to the evidence officer as soon as possible. The evidence officer will store the evidence in secure, refrigerated storage.
- b. When the property/evidence officer is not on duty, evidence shall be secured in a secure, temporary storage refrigerator.

3. SUBMISSION OF HAZARDOUS, FLAMMABLE EVIDENCE

- a. Flammable evidence shall be secured in a sealable metal or glass container. If a large volume of such material is collected, a sample of the material shall be sealed in such a metal or glass container and submitted as evidence. The balance shall be entered as evidence, tagged, and secured in a flammables storage locker.
- b. The evidence officer may consult with Fire Department officials and the Commanding Officer - Detective Division to make certain that the evidence is stored and processed in a manner that will ensure both safety and the admissibility of the evidence.

4. SUBMISSION OF EVIDENCE FOR FINGERPRINT PROCESSING

- a. Officers submitting evidence that they believe may contain fingerprints of evidentiary value must package the item in such a manner as to avoid accidental contamination by handling.
- b. The evidence shall be submitted to the evidence officer and the packaging clearly marked "FINGERPRINTS."
- c. The evidence officer shall accept the properly packaged item for submission to department fingerprint personnel or a state laboratory.

I. SUBMISSION OF EVIDENCE TO LABORATORIES

1. PROPERTY AND EVIDENCE FUNCTION: It is the responsibility of the property and evidence function to ensure that evidence items are transported to the appropriate laboratory in a timely manner. [83.3.2(a)]
2. DOCUMENTATION [83.3.2(c)]
 - a. Officers submitting evidence for analysis shall complete a State Lab Evidence Submission Form (CL-1):
 - i. With the evidence when it is submitted to the evidence officer; or
 - ii. Prior to submission of the evidence to the lab, after having advised the evidence officer by e-mail or otherwise in writing.
 - b. A copy of the incident report is required for items submitted to the state lab.
 - i. If a report is not available, a note from the case officer shall be attached to the submission form advising lab personnel that a copy of the report will be forwarded as soon as it is available.
 - ii. It is the responsibility of the case officer to provide such reports to the lab.
3. FINGERPRINT EVIDENCE: The case officer shall provide elimination prints whenever possible in cases where evidence articles or fingerprint lifts are submitted as evidence.
4. FIREARMS
 - a. Firearms must be submitted to the state lab unloaded and packaged in a box or bag.
 - b. All firearms must be submitted to the State Police Ballistics Lab, regardless of what tests (ballistic, fingerprints, DNA) are to be conducted.
 - c. Firearms submitted for fingerprinting or DNA testing must be so marked prior to submitting.
5. CHAIN OF CUSTODY [83.3.2(d)]
 - a. Activity of all evidence items submitted to or received from labs shall be recorded in the evidence log.
 - b. State labs provide a receipt for all items submitted or returned.
6. TRANSPORTATION OF EVIDENCE [83.3.2(b)]
 - a. Evidence may be transported by the evidence officer for delivery to a laboratory.
 - b. The evidence officer may transfer custody of evidence to another person for transportation. Such person must be a state or local public safety employee and the activity documented to maintain chain of custody.
 - c. Evidence transported to local laboratories by department employees may be transported in the containers in which it is stored.
 - d. Drug evidence may be shipped to state laboratories by Registered U.S. Mail.¹
 - e. Other evidence items may be shipped to state or federal laboratories by Registered U.S. Mail.
 - f. Evidence mailed to labs shall be packaged in a sealed box or envelope to maintain the integrity of the evidence in the event that the container opens during shipping. The sealed envelope or box shall be packaged in a mailing container or box for shipping.

J. REPORTS [83.2.6]

¹ M.G.L. c. 94C, §47A

1. OFFICERS' REPORTS

- a. The officer who processes or supervises the processing of a crime, incident, or collision scene shall submit a detailed report of the investigation to his/her supervisor as soon as possible. The report shall include:
 - i. The date and time of arrival to the scene;
 - ii. The location of the crime;
 - iii. The names of the victims, if known;
 - iv. The name(s) of the suspect(s), if known;
 - v. The actions taken at the scene, including photographs, measurements, and a listing and disposition of physical evidence recovered;
 - vi. The name of the laboratory to which evidence was sent for analysis; and
 - vii. The department incident number.
- b. If personnel outside of the department are requested to participate in processing the scene, the officer shall include additional information in the report, such as:
 - i. Date and time of service request;
 - ii. The name of the person(s) responding; and
 - iii. The disposition of physical evidence, exposed negatives, images, and crime scene measurement information.

2. LABORATORY RESULTS: State and federal laboratories shall submit laboratory reports in writing as determined by their policies. **[83.3.2(e)]**