

# UW Whitewater Police



## *Evidence Processing*

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### I. Purpose

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

### II. Definitions

**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.

**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.

**Crime Scene:** A crime scene is a scene that 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 being more complex than their training to process the scene and collect evidence, must have an Evidence Technician respond to the scene. Crime scenes, which appear to be only forfeitures or lower level crimes, will normally be handled by responding officers.

**Evidence Technician:** Specially selected officers who have received specialized training, who shall respond to crime scenes.

**Complex Traffic Collision Scene:** A scene in which there is a fatality, or serious life-threatening injuries, or involving a commercial vehicle hauling hazardous material, or any other scene determined by a supervisor to require outside resources.

### III. 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 for Evidence Technicians. In general,

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the Wisconsin Department of Justice State Crime Laboratories Physical Evidence Handbook is followed unless otherwise stated.

## IV. Procedure

### A. Evaluation of the Crime Scene or Complex Traffic Collision 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 the complexity of the crime scene and evidence needing collected.
  - a. If that officer determines that the crime scene is a felony or complex scene a Supervisor must be notified and a decision will be made on calling in an Evidence Technician or Detective.
  - b. If the crime scene is less complex or lower level crime such as a forfeiture the assessing officer will normally process the crime scene. If additional staff or expertise is needed the on-call supervisor will be notified to make a determination of the resources to send to the scene.
3. If a Detective or Evidence Technician responds to the scene, the assessing officer shall brief the Detective or Evidence Technician. From this point on the crime scene becomes the responsibility of the Detective or Evidence Technician (Processing Officer).

### B. Accident and Crime Scene Specialist Availability (83.1.1)

1. The department has available Evidence Technicians and a Detective, 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, the Department's 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 the approval of the Chief of Police or their 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 Response Unit (CSRU) and/or other specialists from Federal Law Enforcement agencies. The Chief of Police or their designee, in consultation with the officer and/or

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Evidence Technician in charge of the case, shall make this determination. The Wisconsin State Crime Laboratory is authorized by the Wisconsin Statute to assist in a criminal investigation at the request of the Chief of Police.

- a. The Chief of Police or their designee will ensure that a search warrant for the scene is obtained prior to authorities from the Wisconsin State Crime Laboratory Crime Scene Response Unit and/or other specialists from Federal Law Enforcement agencies arriving on the scene.
3. UW-Whitewater Police Department trains all officers in how to handle traffic accidents, However, in the event of a complex traffic collision scene, the supervisor may request assistance from either a county traffic crash investigation team or the WI State Patrol. All of which are available 24/7.

## **C. Security and Preservation of the Crime Scene (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. A lieutenant and additional officers, including crime scene specialists or Detectives, may be required. The lieutenant, 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, lessen contamination or loss of physical evidence, and minimize the amount of personnel on the scene.
  - a. Only the minimum number of emergency medical 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, EMS, or uninvolved department personnel) should not enter the crime scene until scene processing has been completed.

## **D. Physical Evidence at the Crime Scene (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 have access to the handbook, or can access it online ([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.

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## E. Visual Documentation of the Scene

### 1. Sketches:

- 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. The seriousness of the crime and the 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 in crime scene sketches.
- d. In conjunction or replacement of a sketch, officers are able to use electronic technology to capture an image of the crime scene to include the use of a drone/UAV or specialized equipment that renders a 3D image of the scene.

### 2. Photography

- 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 tool 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.
- f. Although State Statutes do not require that you record specific data on photographs taken, you may be asked this information during court testimony.
- g. Officers may also request a drone/UAV be sent to the scene to capture images of the scene from above without contaminating the crime scene.

### 3. Video Recording

- a. The scene may be video recorded 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.

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- c. Recording of a residence prior to a search and upon completion of the search to protect the department from damage claims by the occupants.
- d. In no case shall a recording of a scene be a substitute for appropriate still photos of the scene.
- e. The processing officer who is recording 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 recording. The completed recording shall be packaged and submitted as evidence.

## **F. Collection of Evidence (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 that 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. This should be made to use a Sexual Assault Nurse Examiner (SANE).
  - b. The SANE or other medical professional will document the collection on the form contained in 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.
  - 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.
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.

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5. Fingerprints
  - 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 the 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 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, that 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.
  - e. Once evidence is collected, processed, and packaged it should be immediately transported to the UW-Whitewater Police Department. It will then be secured in a Temporary Evidence Locker.
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](#))
  - a. Evidence will be secured in a police vehicle and transported back to UW-Whitewater Police Department to be secured in the Temporary Evidence Lockers for storage.
  - b. Any items taken at the Rock County Campus will be secured in a safe until the end of their duty shift and then transported back to the UW-Whitewater Police Department unless approved by a supervisor.
  - c. If for some reason the officer who collected the evidence is different from the officer who is transporting or securing the evidence into temporary evidence storage this

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must be properly documented. The transfer of evidence must document the name(s) of the person taking custody of the evidence, the date, the time, and the reasons for the transfer. A report needs to include all of this information.

## 8. Crime Lab Evidence (83.3.2)

- a. Evidence that requires laboratory examination will be sent or taken to the laboratory by the Property Officer or their designee. Unless a unique piece of evidence, this shall be to the WI State Crime Laboratories.
- 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 [\(84.1.1\)](#). When a question arises on the proper packaging or transmitting of evidence the Property Office will contact them directly for advice.
- c. Any evidence that is transported to a WI State Crime Laboratory must be accompanied by a transmittal form that is completed.
- d. The laboratory sends a return receipt to the department for the evidence received.
- e. After testing, the crime laboratory results are submitted to the Department in writing.
- f. 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.

## G. Report Preparation (83.2.6)

1. The officer processing a crime scene or complex traffic accident shall include the following in their 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. All Evidence Technicians are issued their own evidence collection kits and there are extra kits and supplies available in the evidence processing room.

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- b. Evidence Technicians' kits all have items inside for the processing, collection, and recovery of latent fingerprints.
- c. Evidence Cameras, both photography and videography, are available in the Processing Room for all detectives, evidence technicians, and patrol officers to use. For minor items, such as a routine traffic accident, officers are all issued smartphones that can take lower-quality photographs.
- d. All evidence technicians are trained on how to complete a sketch of the scene and carry equipment in their evidence processing kits. In addition, the UW-Whitewater Police Department has trained Unmanned Aerial Vehicle (UAV) operators available that could assist in gathering a digital rendering of the scene. If other digital renderings are needed, mutual aid will be requested from either a county or the Wisconsin State Patrol.
- e. All evidence technician kits contain the basic information for the collection and preservation of physical evidence. If additional processing equipment is needed, it is stored in the Processing Room at UWW PD.

## **I. Training for Evidence Collection and Processing Duties.**

1. All officers assigned Evidence Collection and Processing duties will be trained in the proper procedures. This will be completed by sending them to an approved evidence technician training program run by a police department, training organization or the WI Department of Justice Crime Laboratory.

## **J. Exculpatory Evidence**

1. If during the course of an investigation, or evidence storage procedures, or other means an employee becomes aware of exculpatory evidence (evidence that could prove a person's innocence) that was previously unknown or unrecognized for which a person is charged, or convicted of a crime the matter should be referred to the appropriate District Attorney's Office without delay.
2. Arrangement will be made for the evidence to be immediately turned over to the District Attorney's Office and the employee should notify a supervisor.
3. If this agency does any post-conviction investigation involving claims of omitted exculpatory evidence it shall be documented in reports and include the information of how the information was received, who received it and when. These reports will then be shared to the District Attorney's Office.
4. Officers that investigated the initial crime should not be assigned to investigation for omitted exculpatory evidence.