


MELROSE POLICE DEPARTMENT		Department Manual: Policy No. 6.01
Collection & Preservation of Evidence		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 42.2.1(c); 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; 84.1.1		GENERAL ORDER 83-001
Effective Date: July 1, 2022 Revised: January 11, 2024	Issuing Authority <i>Kevin Faller</i> Kevin Faller Chief of Police	

I. GENERAL CONSIDERATIONS AND GUIDELINES:

Physical evidence is extremely important to the prosecution of criminal cases. Therefore, it is important to have an understanding of what is, and what may potentially be, evidence. The identification, collection, and preservation of physical evidence is a critical function of law enforcement's efforts towards solving criminal acts. The ultimate success of this effort is closely related to the quality of the physical evidence which is identified, collected, and preserved. This is generally achieved through proper utilization of in-house identification and laboratory equipment (where available); investigative expertise and training; and utilization of services that are available from a wide range of laboratories, both government and private.

II. POLICY

It is the policy of the Melrose Police Department to:

- A. Ensure the admissibility of evidence recovered at a crime/incident scene in court.
- B. Protect and process the crime/incident scene as appropriate;
- C. Properly collect, record, and preserve items recovered of potential evidentiary value; and
- D. Maintain a precise chain of custody shall be maintained for potentially evidentiary items.

III. PROCEDURES

A. Initial Response to a Crime/Incident Scene [83.2.1: 83.2.7 a](#)

1. The first unit to arrive will be responsible for identifying, securing, and preserving physical evidence at the crime/incident scene as well as conducting the preliminary investigation in accordance with the departmental policy on *Preliminary Investigations*. Any contamination of the scene can greatly reduce the effectiveness of the department in successfully processing the scene.
 - a. The officer(s) shall ensure that the scene remains undisturbed by refusing access to unnecessary personnel;
 - b. No one should be allowed to pick up or place anything in the crime/incident scene area; and
 - c. Items of evidence shall not be handled or collected unless health or safety factors require the immediate security or removal of an item.
2. Upon the arrival of a supervisor, [s]he will assume command of the scene. [S]he will ensure that sufficient personnel are available to secure and protect the scene, deny access to unauthorized persons, and preserve evidence. [83.2.7](#)
3. The supervisor will evaluate the need for special units for search or investigative purposes, and notify the officer-in-charge of the station.

B. Processing Evidence at the Scene [83.2.1](#)

1. The nature and seriousness of the crime will determine the need and extent of processing required for a particular crime scene. Not all crime scenes require processing. Upon review of the circumstances of the crime, the supervisors and/or detectives at the scene will determine the specific requirements of the crime scene and who will be responsible for the appropriate crime scene processing.
2. A detective will be available 24 hours a day, seven days a week. If the services of a detective are needed when no detectives are on duty the OIC shall utilize the *on-call* Detective. If unable to contact the *on-call* detective, the OIC will contact the Detective Division Commander. Additionally, qualified personnel are available on a 24-hour basis through the Traffic Division to process serious bodily injury and fatal traffic collisions. If one is not available to the Traffic Unit, the Mass State Police Collision Analysis & Reconstruction Section (CARS) will be called. [83.1.1](#)
3. The crime scene will be processed by an investigator or detective.

- a. The investigator/detective will be responsible for recording, collecting, processing, and preserving physical evidence in the field. Additionally, this will include documenting the transfer of custody of physical evidence, while in the field. **83.2.1, 84.1.1 d**
- b. Depending upon the severity of the crime and investigation, [s]he shall also be responsible for assuring that the State Police CPAC Unit or any other appropriate investigative agency is notified. **83.2.4**
- 4. The department will maintain at least one Crime Scene Search Kit. Each kit will contain necessary equipment for securing and processing a crime scene. The kit will include equipment for, and to include, **83.2.4a, b, c, d**
 - a. Recovering latent fingerprints;
 - b. Photographing or video taping a crime scene;
 - c. Sketching the scene;
 - d. Collecting and preserving physical evidence in the field. **83.2.1**
 - e. A measuring tape;
 - f. protective gloves; and
 - g. ground markers
- 5. Whenever possible, one detective/investigator should be assigned as the collector of the evidence to be responsible for marking; tagging or labeling each piece of evidence located for identification. The reporting officer will ensure each piece of evidence is noted in his/her incident report. **84.1.1 d**
- 6. Evidence shall be collected, packaged, labeled and sealed in a manner so that it is not damaged, destroyed, altered, or contaminated. (The "Handbook of Forensic Science," Department of Justice, Federal Bureau of Investigations, should be consulted for the proper guidelines.) **84.1.1 d**
- 7. FINGERPRINTS: The most common form of physical evidence appears as articles bearing fingerprints. Fingerprints are most prevalent on non-porous surfaces (glass, bottles, windows, some metal surfaces). Prints may also be developed from firearms, knives, and tools. In addition, recent advances make the gathering of fingerprints from other items possible as well (e.g., dead bodies).
 - a. Fingerprints shall be photographed, lifted, developed, processed and labeled consistent with officer training. **83.2.1, 83.2.3**

- b. Latent fingerprint evidence will be obtained at the scene by the investigator assigned to the scene. If an investigator is not available, the officer on scene shall secure any traceable physical evidence that is likely to bear fingerprints and protect the item until it can be processed.
 - c. Only investigators trained in the processing/lifting of fingerprints are authorized to process/lift fingerprints.
- 8. SEIZURE OF COMPUTER(S)/EQUIPMENT OR RECORDING DEVICES: Computer equipment or recording devices can be severely damaged or data lost due to improper shutdown procedures. Recording devices are referred here to cellular telephones, PDA's digital, conventional or video cameras. **83.2.5**
 - a. Non-operating computer equipment, disks, and peripheral equipment shall be seized in the same manner as other evidence.
 - b. Operating computer equipment shall be correctly shut down by an officer familiar with the operation of computers before being transported.
 - c. Equipment should be examined by a person skilled in computer operation prior to start up in the event that the computer is programmed to erase or destroy data if certain procedures are not followed.
- 9. COLLECTING FROM KNOWN SOURCE: When evidence has been identified, every effort should be made to collect the entire object. If the entire object cannot be collected, the largest possible sample should be obtained for laboratory analysis. Materials and substances should be collected from a known source, whenever available, for submission to the crime laboratory or an accredited laboratory (DNA evidence) for comparison with physical evidence collected. Officers responsible for the collection of DNA evidence shall be trained for such collection and to the level that meets or exceeds acceptable standards of accredited DNA laboratory requirements. The FBI Forensic Handbook may also be consulted for the current best practices. **83.3.1: 83.2.7c**
- 10. When processing crime scenes that require photographs and/or sketches, evidence should only be collected after it has been photographed, identified on the crime scene sketch, and measured to other items of evidentiary value and fixed objects.
- 11. The detectives/investigators should summon the services of specialists (e.g., lab personnel, latent print specialists, etc.) when the collection of physical evidence requires greater expertise or special equipment.
- 12. For major/serious crimes scenes the State Police Crime Lab may be contacted to assist in processing the scene. The Commander or the Detective Division, or his designee, will make this determination.

C. Photographing or Video Taping the Crime/Incident Scene [83.2.2](#)

1. When a visual record is required as part of the processing of a crime scene, photographs or a videotape of the scene shall be taken by departmental personnel, preferably, but not exclusively, by personnel trained in photography.
2. A detective trained as a photographer will be assigned to photograph/video the crime scene. The entire scene should be photographed or videotaped prior to the collection of any evidence.
3. 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.
 - a. The same camera position, lighting, and camera settings will be used.
 - b. Alternatively, the dimensions of a fixed object in the scene can be taken to provide a scale of reference.
4. Digital photographs/video tapes of crime/incident scenes and/or evidence shall be maintained in the appropriate case file. Digital images will be down loaded to computer files and / or discs complete with time and date stamps. [83.2.2](#)

D. Sketching the Crime/Traffic Collision Incident Scene: [83.2.6](#)

1. Because photographs provide only a two-dimensional representation of the crime scene, a sketch will be necessary in serious cases.
2. The sketch shall contain the following:
 - a. Measurements;
 - b. Compass direction;
 - c. Scale or proportion;
 - d. Relation of the crime scene to other buildings;
 - e. Geographical features or roads;
 - f. Address, floor, or room number, as appropriate;
 - g. Location of significant features of the scene, including the victim, date, and time of preparation;
 - h. Names of persons preparing the sketch;
 - i. Location of items of physical evidence recovered; and
 - j. A legend.

E. Motor Vehicles, Oversize or Bulky Items

1. Any vehicle, oversize or bulky items recovered and/or seized as evidence that has been used, or is suspected of having been used in the commission of a felony, will be considered a crime scene or moved to the police garage and processed as such prior to the release of the vehicle to the owner. [84.1.1 e](#)

F. Laboratory Submission:

1. General Requirements:

- a. The Property/Evidence Officer, or the Lead Detective upon receipt of evidence, shall submit the forensic evidence including DNA evidence for analysis as soon as is practicable. When a doubt exists as to the proper disposition of evidence, the Property/Evidence Officer or the Lead Detective shall consult with a Lab technician and be guided by his/her advice. [83.3.2 a](#); [83.2.7 d](#)
- b. Forensic evidence including DNA evidence shall be packaged transmitted in a uniform manner consistent with the requirements of the receiving accredited DNA laboratory and the FBI Forensic Handbook. [83.3.2 b](#); [83.2.7 d](#)

2. Non-Perishable Evidence:

- a. Non-perishable evidence shall be tagged in accordance with departmental procedures and turned over directly to the Property/Evidence Officer. When the Property/Evidence Officer is not on duty, evidence shall be placed in a vacant evidence locker.

3. Submission of Perishable Evidence:

- a. When an item of evidence has been collected that by its very nature may deteriorate (for example, a liquid DNA sample of semen, saliva, blood, or a gasoline-soaked item, etc.), it should be transported to the crime laboratory or an accredited laboratory (DNA evidence) as soon as possible and in no case should transportation be delayed for more than several hours.
- b. Anytime a perishable item of evidence is to be transported to the crime laboratory or an accredited laboratory (DNA evidence) for analysis, the laboratory should be called first so that they will be prepared to receive the item of evidence.

- c. Officers shall submit all documentation received from the crime laboratory or an accredited laboratory in the case of DNA evidence and a copy of their report to the Property/Evidence Officer for proper storage.
- d. In those cases where immediate evidence transport to the crime laboratory or accredited laboratory (DNA) is not possible, items should be stored or preserved according to crime laboratory or accredited laboratory (DNA) procedures. These procedures shall be documented properly for court presentation.

4. Submission of Hazardous, Flammable Evidence

- a. Hazardous and/or flammable evidence shall be placed the fire resistant container and placed in the storage container located outside of the building in the cage in the garage.
- b. Officers placing items in the cage must note the location of the item in their report.
- c. The Evidence Officer shall consult with Fire Department officials and the Commanding Officer of the 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.

5. Submission of Evidence to be fingerprinted

- a. Officers submitting evidence that they believe may contain fingerprints of evidentiary value must note this on their report.
- b. The evidence shall be secured in a paper bag and marked fingerprint evidence.
- c. All fingerprint evidence shall be brought to the attention of the evidence officer before submission by the investigating officer to the state police.
- d. The evidence officer shall enter the recovery of fingerprint evidence into the evidence tracking system and date of submission to the state police.
- e. The detective assigned to pick up fingerprint evidence from the state police shall immediately turn same over to the evidence officer. Included with all fingerprint evidence shall be any search or lab results.
- f. Evidence officer shall update the evidence tracking system acknowledging the return of such fingerprint, search or lab results.
- g. All state police search or lab results shall be stored with the appropriate fingerprint evidence.

6. Documentation:

- a. Officers submitting forensic evidence for analysis shall specify in their report what is to be analyzed and what analysis is requested. They also should include why the victim believes the suspect handled the item.
- b. A receipt or transmittal documents shall accompany all items to the laboratory and chain of custody procedures shall be followed. **83.3.2 c, d**
- c. The results of all laboratory analysis shall be in writing, signed by the analyst, on notarized receipt when possible. **83.3.2 e**

G. Report **83.2.6**

1. The detective or investigator responsible for processing the crime/traffic collision incident scene, shall submit a detailed report of the investigation to his/her supervisor as soon as possible. The report shall include:
 - a. The date and time of arrival to the scene;
 - b. The location of the crime;
 - c. The names of the victims, if known;
 - d. The name of the suspect, if known;
 - e. The department incident number;
 - f. The actions taken at the scene, including photographs, measurements, and a listing and disposition of physical evidence recovered; and
 - g. Whether or not a an item was sent to a laboratory for processing.
2. In the event photographs are not taken, or physical evidence is not obtained at a crime scene of a serious nature, the reasons for this will be noted in the crime/traffic collision incident scene investigation report.

H. Evidence Inventory and Chain of Custody **83.3.1**

1. After properly packaging and marking all evidence recovered, the detective/investigating officer will be responsible for compiling a complete inventory list of these items. This list will include:

- a. A description of the items (including make, model number, and serial number, if any);
 - b. The source (from whom or which location items were obtained);
 - c. The name of the person collecting the item or items; and
 - d. The evidence control and/or incident number assigned.
2. In addition, this inventory list shall include a transfer record for chain of custody purposes. Each time evidence is transferred to the custody of another party, for whatever acceptable purpose, a record of each transfer shall be made to include:
- a. The date and time of transfer;
 - b. The receiving person's name and functional responsibility;
 - c. The reason for the transfer; and
 - d. The name and location of the laboratory, synopsis of the event, and examination desired, when transferred to a laboratory not within the department.