

Evidence Collection

312.1 POLICY

The accurate documentation, collection, packaging, preservation, and submission of evidence to forensic laboratories are critical to the success of any investigation. The crime scene typically serves as the foundation of a criminal inquiry, where the analysis of recovered evidence may help identify or eliminate suspects, establish investigative leads, and confirm or refute theories of the crime. Personnel tasked with evidence collection must be prepared to properly identify, document, collect, package, and preserve all items of potential value to ensure their integrity upon transfer to the Property Unit. Furthermore, all individuals handling evidence are required to maintain an unbroken chain of custody, ensuring that evidence is presented in court with professionalism and in full compliance with legal standards.

312.2 SCOPE

This policy applies to all sworn officers, crime scene technicians, property personnel and any other personnel who handle evidence during criminal investigations. It covers evidence collected at crime scenes, received from external agencies, or submitted by members of the public.

312.3 DEFINITIONS

Chain of Custody - A chronological record of the handling and storage of an item from its point of collection to its final return or disposal.

Contamination - The undesirable introduction of a substance to an item at any point in the forensic process. This includes the undesirable transfer of a substance within or between items, also referred to as cross-contamination.

Personal protective equipment (PPE) - Equipment worn to minimize exposure to various hazards such as body fluids, irritants, or contaminants (e.g. gloves, foot and eye protection, respirators and full body suits).

Physical evidence - Any material, object, or substance that can be collected or documented to inform the understanding of a scene.

Scene - A place or object that is subject to and/or requires forensic examination. Note: a crime scene is a common description of a scene where a presumed crime has been committed. The scene can be the body of a person or an animal.

Scene investigation - A methodical approach to examining a scene to document, search for, identify, collect, and preserve items of evidentiary value to help in understanding the elements of an incident.

Scene investigator - A forensic science practitioner, however named, whose responsibility is to use the appropriate combination of knowledge, skills, training, and experience to undertake one or more of the following tasks in relation to a scene investigation: document, search for, identify, collect, interpret, and preserve evidence.

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312.4 EVIDENCE COLLECTION

Scene investigators shall communicate and cooperate with investigative personnel, if not the same, to ensure that the scene examination is thorough, and all evidence discovered is properly collected and/or documented. The method employed for collecting and preserving a particular item may vary based on scene context and anticipated analysis.

Physical evidence shall be collected and preserved in a manner intended to maximize evidence integrity and minimize contamination, tampering, alteration, or loss of evidence. If the collection or preservation of an item of physical evidence is beyond the technical skills, knowledge, or resources available to the scene investigator, then specialized personnel shall be contacted for consultation or assistance.

1. Training
 - (a) All personnel tasked with handling any evidence are required to receive training in crime scene processing. The training includes, but is not limited to:
 - i. Rules of evidence
 - ii. Identification of evidence
 - iii. Crime scene searches
 - iv. Preliminary investigations
 - v. Collection and preservation of evidence
 - vi. Chain of Custody
 - (b) Such training is mandated for sworn personnel by the Maryland Police and Corrections Training Commission (MPCTC) and is taught by all certified police academies in the state.
2. Personal Protective Equipment
 - (a) Scenes can be the source of various hazards, including biological, chemical, physical, and environmental hazards. Personal protective equipment (PPE) shall be utilized for both the wearer's safety and to protect the integrity of the evidence. PPE may consist of but is not limited to, gloves, protective clothing, masks, eye protection, and respiratory equipment. The scene should be continuously reevaluated to determine if alterations to the level of PPE are needed for adequate personal protection.
 - (b) When handling multiple items at a scene, PPE can be a source of cross-contamination. PPE should be changed when needed to prevent cross-contamination.
 - (c) A mask and unused disposable gloves should be worn to avoid contaminating an item subject to DNA analysis.
 - (d) If personnel need to handle an item of potential evidence without gloves, for example, due to scene security, personnel should indicate that in their report as well as where the item(s) was touched.

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3. Evidence Collection

- (a) Evidence collection will be performed in a systematic and logical manner and in accordance with agency policies and methods taught in training.
- (b) The process should start with the collection of fragile, easily lost evidence or objects which need to be moved immediately. An attempt will be made to collect as much physical evidence as possible, to include collecting materials from known sources (hairs, fibers, fabrics, glass, soil, etc.).
- (c) Collection of Latent Fingerprint Evidence
 - i. All non-moveable items at a scene should be processed using agency issued fingerprint supplies. Transportable items may be collected and submitted to the crime lab for processing.
- (d) Collection of DNA Evidence
 - i. All agency personnel are to treat all samples and possible samples of DNA as infectious.
 - ii. DNA evidence should only be collected by properly trained agency personnel.
 - iii. All DNA evidence collected will be packaged in breathable material such as paper.
- (e) Requests for Evidence Analysis
 - i. All evidence collected should be evaluated for the need to complete additional testing.
 - ii. Requests for analysis will be coordinated through the crime lab, except for suspected CDS cases, via the Evidence Request Form (Form 408 or Form 408a for digital evidence).

4. Chain of Custody

- (a) Chain of custody shall be established at the point of collection and maintained through final disposition.
- (b) The chain of custody shall be documented for all physical evidence collected. This documentation shall include the dates and times of any transfer, including the name of the person or location to which the evidence is transferred.

5. Evidence Packaging

- (a) Proper packaging is critical to preserve material physically as well as to preserve its evidentiary value.
- (b) If an item is too large to be placed in available packaging, areas of evidentiary value shall be protected. For example, the handlebars of a bicycle can be wrapped in paper.
- (c) Final, long-term packaging shall minimize degradation and preserve the evidentiary value of the item to the extent possible. Attempts should be made to utilize final packaging in the field, but conditions may exist where temporary

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packaging needs to be used for transport. For example, wet items may need to be transported in plastic and dried prior to final packaging for long-term storage. Original packaging shall be retained.

- (d) Packaging used to preserve evidence should be reasonably sized in relation to the item. Excessively large or tight packaging should be avoided.
- (e) Packaging shall be sturdy enough to avoid damage, damage to items within, or danger to personnel. Fragile and sharp evidence may need additional clean protective padding.
- (f) Packaging and packaging tools are either single-use or reusable. Prior to use, reusable packaging and packaging tools shall be contamination-free.
- (g) Individual items of evidence should be packaged and sealed separately to maintain their integrity and prevent cross-contamination. Commingled items (e.g., cigarettes in an ashtray) may be packaged together or separately, depending on the anticipated analysis.
- (h) Items and/or packages shall be marked to ensure that each item can be uniquely associated with its documentation. Packaging shall include warning labels for any potential hazards.

6. Special Evidence Considerations

(a) Wet Items

- i. Any item which may degrade due to prolonged exposure to moisture, such as whole or live plant evidence, clothes, or other organic material, shall be dried and packaged in breathable packaging or packaging with a moisture control mechanism to prevent the accumulation of moisture, mold, or mildew.
- ii. Wet items can be temporarily packaged to prevent leakage or seepage until the item can be drained and repackaged for storage.

(b) Greasy or Oily Items

- i. Greasy or oily items shall be packaged to prevent leakage or seepage.

(c) Gases and Liquids

- i. Gases and liquids shall be packaged in non-porous containers such as glass jars or lined paint cans to prevent evaporation or contamination.

7. Evidence Labeling

- (a) Packaging shall be appropriately labeled to uniquely identify the contents and to reflect any known hazards.

8. Evidence Security

(a) Sealing Evidence Packaging

- i. Prior to sealing, items not currently in the physical presence of the person's custody shall be temporarily placed in a secure storage location with restricted access.

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- ii. An evidence package is properly sealed only if the identity of the individual creating the seal is recorded by marking their initials, ID number, and date across or on the seal, its contents cannot escape, and breaching the package would result in obvious damage to the package or seal.
- (b) Opening a Sealed Evidence Package
 - i. Items of evidence should only be opened for processing or court purposes.
 - ii. If opened, personnel should ensure they do not disturb or tamper with existing evidence seals. Instead, personnel should open a package in a new location keeping the original seal intact.
- 9. Evidence Storage
 - (a) Evidence shall be maintained and stored in a secure manner that can prevent and detect tampering, alteration, loss, or contamination.
 - (b) Storage areas shall be secured and have restricted access, where all personnel with access to the area are trained to properly handle evidence.
 - (c) Evidence shall be stored in a manner in which its integrity is preserved and can be uniquely associated with its documentation.