

**Introduced by: Council Present**

**AN ORDINANCE FOR THE BERKELEY POLICE DEPARTMENT GENERAL ORDER #56 "CRIME SCENE REPORTING PROCEDURES" POLICY**

**WHEREAS,** The City of Berkeley hereby finds and declares this ordinance is necessary, appropriate, and in the best interest of the City of Berkeley, Missouri, in accordance to the CALEA standards.

**Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri,** as follows:

**Section 1** The City of Berkeley, Missouri, Council hereby adopts the attached Crime Scene Reporting Procedures Policy in compliance the CALEA standards.

**Section 2** The attached agreement is hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

**Section 3** This Ordinance shall be in full force and effect from and after its passage.

1st Reading this 06<sup>th</sup> day of November 2017

2nd Reading this \_\_\_\_\_ day of \_\_\_\_\_ 2017

3rd Reading, PASSED and APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_ 2017

\_\_\_\_\_  
Theodore Hoskins, Mayor


ATTEST:

\_\_\_\_\_  
Deanna L. Jones, City Clerk

\_\_\_\_\_  
Approved As To Form:  
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Kirkland	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mathison	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman-at-Large McDaniel	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mitchell	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___

	<b>BERKELEY POLICE DEPARTMENT GENERAL ORDER</b>	<b>GENERAL ORDERS: 56</b>
<b>CRIME SCENE REPORTING PROCEDURES</b>		
ISSUE DATE: 10/27/17	EFFECTIVE DATE: 11/20/2017	DISTRIBUTION: ALL PERSONNEL
		RESCINDS: ALL PREVIOUS VERSIONS
ACCREDITATION STANDARDS: CALEA 83.1.1, 83.2.1, 83.2.4, 83.2.6, 83.3.1, 83.3.2		NUMBER OF PAGES: 9

**PURPOSE:** The purpose of this directive is to: (1) establish a procedure for protecting the crime scene and conducting crime scene investigations; (2) outline the basic procedures in conducting a preliminary investigation at a crime scene; and (3) define crime scene supervision and investigation responsibilities.

**POLICY:** It is the policy of the Berkeley Police Department to establish procedures for protecting the crime scene and conducting crime scene investigations. The intent of this directive is to outline the basic procedures in conducting preliminary investigations at crime scenes and to define crime scene supervision and investigation duties.

**DEFINITIONS:**

*Crime Scene* - The physical area which either influenced the crime which has been committed or the physical area which has been altered by the crime which has been committed.

*Crime Scene Investigator (CSI)* - A sworn or non-sworn member assigned to the Laboratory and Evidence Room who possesses considerable knowledge about crime scene examination and evidence processing. Crime Scene Investigators are charged with the responsibility of recording the crime scene and collecting, preserving, evaluating and analyzing physical evidence.

*Uniform Crime Scene Specialist (UCSS)* - A sworn member in a Uniform Patrol Division (UPD) who has received specialized training in crime scene examination and evidence processing.

**Appendices:**

- A. Berkeley Police Department Evidence Packaging Guidebook

**RULES AND PROCEDURES:**

**CRIME SCENE TECHNICIANS**

- A. Crime Scene Investigator (CSI) will be available for call twenty-four hours a day. When the immediate services of a CSI are required, the CSI should be notified within one hour by the Detective Sergeant. Further, the Detective Sergeant will exchange information with the CSI on how to proceed until his/her arrival. [CALEA 83.1.1]

- B. Uniform Crime Scene Specialists (UCSS) may be requested by a supervisor to respond to a crime scene. The CSI will only be called to scenes of first and second degree felonies. However, circumstances may dictate the need for a CSI for other types of cases at the discretion of the Detective Sergeant.
- C. During the investigative process, the role of the CSI will be the evaluation and collection of physical evidence.

## **TRAINING**

- A. Specialized training for CSIs and UCSS will be provided in at least the following areas:
  - 1. Recovery of latent finger and palm prints;
  - 2. Recovery of foot, tool and tire impressions;
  - 3. Photographing crime scene;
  - 4. Preparing crime scene sketches;
  - 5. Collecting, preserving, physical evidence.
- B. Crime scene refresher training for investigative members is available through the police academy continuance education program.

## **EQUIPMENT**

- A. Vehicles assigned to the CSI and UCSS members will be equipped with supplies necessary for processing crime scenes. Such supplies will include, but not limited to, the following:
  - 1. Supplies for recovery of latent lifts; [CALEA 83.2.4 a]
  - 2. Photographic and videography supplies and equipment; [CALEA 83.2.4 b]
  - 3. Supplies and equipment necessary for taking measurements and making crime scene sketches; [CALEA 83.2.4 c]
  - 4. Supplies and equipment for the collection, marking, and preservation of physical evidence. [CALEA 83.2.4 d]
- B. CSIs will be responsible for insuring supplies and equipment are carried and replenished.
- C. The CSI assigned to an investigation will make arrangements for transport of special equipment when needed. Such equipment may include, but not be limited to an emergency generator, an emergency outdoor lighting; and/or video recording equipment.
- D. Each patrol officer and investigator will have supplies for recovery of latent prints, and will be responsible for maintaining such supplies.
- E. The CSI and/or UCSS may be requested to assist in the processing of a crash investigation, usually with photographs. The remaining equipment necessary to process a crash scene is maintained by the traffic crash investigators.
- F. If the magnitude of the crime scene exceeds the personnel on duty, presents a conflict of interest, or special equipment is needed, the Detective Sergeant shall

request the crime scene services of the St. Louis County Police Department. These services are available 24 hours a day.

### **ON-SCENE RESPONSIBILITIES**

- A. Rendering aid to victim and identifying the signs of death
  - 1. The first duty of the first member to arrive at a crime scene is to verify that the scene is safe. This is accomplished by verifying that an armed and dangerous suspect is not present, possibly re-routing or blocking traffic, and identifying any other hazardous situations.
  - 2. As soon as the scene is made safe, then the victim can be tended to if one is present. The victim will receive the required aid or medical assistance.
  - 3. If possible, the victim's position should be recorded prior to being moved.
  - 4. Members are to direct the movement of any medical personnel or others assisting while they are within the crime scene. This direction will be solely for the purpose of preserving evidence.
  
- B. Identification of the victim
  - 1. If a victim is pronounced dead by EMT personnel, the medical examiner will take full possession of the deceased. The crime scene will be secured and will not be disturbed until CSI's arrive at the crime scene.
  - 2. Once a living victim is stabilized or turned over to medical personnel, an attempt will be made to identify the victim by:
    - a. A search of the victims clothing
    - b. Contact with witnesses or others at the scene
  
- C. Requesting assistance and notification of the Medical Examiner. The member or supervisor in charge of a crime scene will be responsible for notifying the Medical Examiner. If CSIs are examining the scene, the notification should be made on their advice. Members should advise the Communications Center of any needed assistance.
  
- D. Critical victims and dying declarations
  - 1. It is important that a member accompany a critical victim to the hospital. A seriously injured person, regaining consciousness for even a brief period of time, can often provide valuable information. Accusations made by a person may qualify as a dying declaration.
  - 2. Under state law, a dying declaration has the sanctity of an oath, since it is reasoned that a person realizing he is about to die will state the truth. However, only those statements relating to the cause of death are admissible in evidence.

- E. Determine if a crime was committed. This may require a rapid evaluation based on a visual inspection of the scene and/or interviewing the victim or witnesses. This enables a conclusion of whether the incident is civil or criminal in nature.
- F. Determine the severity of the scene
  - 1. If the scene is of a nature which requires only simple examination (i.e., simple fingerprint powdering and evidence collection) and is a minor category crime, then the responding member may examine the scene.
  - 2. In circumstances where the scene is too extensive for the initial responding member to handle, a supervisor may request a UCSS.
  - 3. If the scene is of a serious nature, or if it requires an involved examination and processing, the Detective Sergeant will be notified. The Detective Sergeant will notify additional UCSS to respond as needed.
- G. Record the preliminary data. Notes must be prepared at the crime scene and will be retained for possible introduction as evidence during a subsequent criminal trial.
- H. Crime scene log. A log of all persons visiting the crime scene will be started by the first member arriving and, if necessary, transferred to any relief member. The log will include the person's name, DSN#, and time of arrival and departure.
- I. Isolating and preserving the crime scene
  - 1. As soon as possible, the responding member will determine the extent of the crime scene and initiate protective measures.
  - 2. Once protective measures are in place, all persons will be removed from the scene and no one will be allowed to enter unless authorized.
- J. Authorized entry into a crime scene
  - 1. One of the first decisions to be made concerning a crime scene is "at what level will the crime scene be worked." Once this decision is made, the persons authorized to enter the scene are established.
  - 2. If the scene does not require extensive investigation, UPD will provide the crime scene examination services via UCSS. UPD will also determine who is authorized to enter the scene.
  - 3. If the scene requires extensive examination, no one will enter the scene until the assigned CSI has made a prior examination of the scene. The CSI will advise the OIC of the scene of his/her findings.
  - 4. The crime scene should not be entered by anyone other than a CSI until it has been recorded, and the location of evidence has been established. This is necessary to record the scene as it is found and to prevent damage to evidence.
  - 5. Entering any scene will be at the direction of the CSI conducting the crime scene examination.

6. The following persons may have a need to view the scene and are authorized to enter the scene under controlled conditions:
    - a. Crime Scene Investigators;
    - b. Medical Examiner;
    - c. Others, while assisting the CSIs in examination of the scene.
    - d. State Attorney Investigators;
    - e. Prosecutors;
  7. Members assigned to protect the perimeter of the scene will remain at their posts until relieved. They will refer anyone requesting access or information to the Command Post.
  8. A Command Post will be established at the most convenient location for ingress and egress from the scene. This area will be marked as an enclosure by barrier tape or some other identifiable means.
  9. All members involved to any degree in the protection of the crime scene will complete a written report on his/her involvement. [CALEA 83.2.6]
  10. CSIs will use proper, commonly accepted procedures in completing the crime scene examination. They will report all findings to the OIC of the scene and make all requests for assistance to same.
- K. Identification and apprehension of suspect
1. Members will attempt to locate and interview suspects at all crime scenes and arrest them when probable cause has been established.
  2. If the suspect has fled the crime scene, members will attempt to secure a suspect description, a description of any vehicle used by the suspect, direction taken upon leaving the crime scene or any location where the suspect may be going or any other information which may assist in locating the suspect. This information may be relayed to other responding members, as well as other law enforcement agencies.
- L. Identification and interview of witnesses
1. Members are responsible for conducting initial interviews of the victim and/or witnesses. Witnesses must be isolated from one another and advised not to discuss the event with others.
  2. Any witness found to have vital information concerning the crime will be brought to the attention of investigators immediately.
- M. Identifying, Collecting, Processing, and Packaging Evidence [CALEA 83.2.1 a]
1. All recovered evidence must be properly marked or labeled in accordance with current procedures. If evidentiary items are too large or heavy to be transported to department facilities, they will be processed at the scene, if practicable. Special arrangements for transportation and storage will be made by members assigned to the Detective Bureau, if they respond to the crime scene. If not, the investigating member is responsible for arranging the transportation to department facilities.

2. Each item of evidence must be marked by the member recovering it from its original position. Members are instructed to use identifiable mark to mark evidence or the evidence container. When possible, the date of recovery, case number and other similar identifying information should be affixed to the exhibit. Due care must be exercised when marking items to avoid destruction or contamination of possible physical evidence. If the item of evidence cannot be marked it can be placed in a container which is then sealed and the container is marked.
3. When packaging evidence, members should consider the capability of containers for protecting evidence from damage (i.e., bullets should be placed in hard containers with soft packing to prevent the surface from being marred).
4. When it is necessary to mark an item to identify it, the mark must be as small and unobtrusive as possible. It should be distinctive and not easily capable of duplication and placed so as to prevent contamination, destruction, or lessen its value.
5. Evidence will be packaged and transported in a manner which will preserve its integrity. Different types of evidence will be prevented from coming into contact with each other or from being broken.
6. When available, materials and substances from a known source are to be collected for submission to the laboratory for comparison with the physical evidence collected. [CALEA 83.3.1]
7. Wet or bloody evidence will be dried prior to packaging as evidence. A special drying room is located within the Property and Evidence Room.
8. Body-fluid stained items of evidence will be packaged in paper bags, with double bagging, only after they have been dried. Further, the packaging will be clearly marked BIO-HAZARDOUS MATERIALS.

## **ACCOUNTABILITY**

- A. Supervision and Investigative responsibility.
  1. After evaluating a major crime scene, the member will request his/her immediate supervisor to respond and be briefed on the aspects of the case. The supervisor will be responsible for evaluating the crime scene and advising the OIC/UPD of his/her recommendation.
  2. Only one person can be in charge of a crime scene investigation. At any crime scene, there must be a clear understanding of who will assume supervisory responsibility. Crime scene authority is assigned in the following manner and order:
    - a. The first member on the scene is in charge until duly relieved by a supervisory member who then assumes such responsibility, under the provisions specified by the approved chain of command.

- b. When an investigator is assigned to the crime scene, that member assumes complete charge of the scene and of all manpower present upon his/her arrival. No department members will be relieved until authorized by the investigator.
  3. When called to process a crime scene, CSIs will only act in an advisory capacity and offer technical assistance. They will not assume complete charge of an investigation.
  4. In order to prevent the chance of overlooking evidence, members must properly plan in preparation for searching the crime scene. Work must be detailed and manpower assignments correctly recorded.
  5. Only one member will be in charge of a crime scene search. If only UPD or the CSI are present, the ranking member will designate the person responsible for controlling the search. However, if a CSI is working a crime scene, they are in charge of the crime scene search. All other personnel will report to the person in charge for assignment. The CSI will handle all the recovered evidence if available.
- B. Preserving the Chain of Custody of Evidence. [CALEA 83.2.1 d, 83.3.2]
  1. It is of vital importance that members positively identify all persons pointing out, discovering and handling physical evidence. It is equally important to identify every person through whose hands evidence passes and to properly record any transfer from one to another.
  2. In order to ensure the chain of custody, the following procedures must be followed:
    - a. The number of individuals handling evidence from the time of discovery must be strictly limited.
    - b. Members must note where evidence was found, the manner in which it was collected, and the precise route of travel the evidence followed.
  3. If it is necessary for evidence to leave a member's possession and to be transferred, the following information must be recorded on the Evidence Control Log.
    - a. The name and DSN number of the transferring person; the date and time of the transfer of custody; and, the name and DSN number of the receiving person. [CALEA 83.2.1 d]
    - b. The reason for the transfer, the synopsis of the event and evidence, and any other pertinent information about the evidence shall be documented in a written report. [CALEA 83.2.6]
- C. Written documentation [CALEA 83.2.6]
  1. All members involved to any degree in the investigation or protection of the crime scene will complete a written report on his/her involvement.



2. Members who process a scene will include in their report: the report number; event location; date and time of arrival; name of suspect and/or victim if known; specific activities completed, and a listing of evidence recovered.

It is the duty of the immediate supervisor to verify if members assigned to his/her command, have completed required reports thoroughly and promptly. All required reports must be completed before members are relieved from their tour of duty.

#### **LABORATORY SUBMISSIONS** [CALEA 83.3.2]

- A. BPD utilizes its own forensic laboratory, in addition to the laboratory of the St. Louis County Crime Lab. All requests for laboratory processing of evidence will be in accordance with BPD's/St. Louis County's submission manual, respectively. A manual is located at the packaging locations in the Report Writing Rooms. [CALEA 83.2.1 c, 83.3.2 b] All requests for lab work will be submitted on the "St. Louis County Evidence Receipt" Form for any lab work that will be sent outside of BPD's Lab. The Property & Evidence Clerk will complete the additional paperwork required. [CALEA 83.2.1 c, 83.3.2 c, d]
- B. When submitting evidence, the submitting officer must include their name and DSN number on all evidence receipts and documentation. [CALEA 83.3.2 a]
- C. The Traffic Unit will be responsible for all blood evidence from serious or fatal traffic crashes. The Traffic Unit officer will complete the required forms and transport the blood evidence to the appropriate lab facility. [CALEA 83.3.2 c]
- D. All physical evidence submitted to the Property and Evidence Room for examination will be placed in the Property and Evidence storage lockers through the current procedures and will have a completed Evidence Receipt attached to it. [CALEA 83.3.2 c, d]
- E. The Property and Evidence Clerk or CSI will log in the date and time of receipt in the laboratory and the name and signature of the person in the laboratory receiving the evidence.
- F. The Department, via the submitting member, will request a written result of the laboratory analysis from the laboratory. [CALEA 83.3.2 e] Laboratory analysis and updated chain of custody must be sent to the State Attorney's Office.
- G. It will be the responsibility of the case agent to ensure that laboratory examinations have been requested, and that proper submission forms have completed. Such requests will be forwarded to the Property and Evidence Room for processing. [CALEA 83.3.2 c]
- H. All personnel responsible for the collection and handling of evidence are required to attend departmental approved training. [CALEA 83.2.1 b]

#### **RECOVERED STOLEN VEHICLES** [CALEA 83.2.1]

- A. Upon recovery of a stolen vehicle, both the reporting agency and vehicle owner are to be notified promptly. When BPD is the initial reporting agency, the duty of notifying the victim will be with UPD. When the initial reporting agency is other than

BPD, the Communications Center will notify that agency of the recovery, and request that they contact the victim.

- B. The vehicle and its contents are to be processed for any evidentiary value.
- C. The chain of evidence is to be maintained.
- D. The conditions for release are obtained and specified.
- E. Accurate records are maintained.
- F. The vehicle is stored at a safe location, until returned to the owner.

<b>DRAFTED BY:</b> Eye-Liza Conner	DATE: 10/19/17
<b>BY ORDER OF:</b> <b>ART JACKSON</b> <b>MAJOR</b>	DATE: 10/20/17
<b>APPROVED BY:</b> Public Safety Committee	DATE: 10/27/17
<b>APPROVED BY:</b> Berkeley City Council	DATE: 11/20/17