



Evidence Preservation and Chain of Custody Issues





Evidence Collection and Chain of Custody Issues

Lesson Plan

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About Florida SART

SART is a multiagency coordination group consisting of governmental and private entities dedicated to all-hazard disaster preparedness, planning, response, and recovery for the animal and agriculture sectors in the state of Florida.

SART operates at the local level through county SART organizations.

SART utilizes the skills and resources of many agencies, organizations and individuals with its multiagency coordination group structure.

SART supports the county, regional, and state emergency management efforts and incident management teams.

SART Mission

Empower Floridians through training and resource coordination to enhance all-hazard disaster planning and response for animals and agriculture.

SART Goals

- Promote the active engagement of each county coordinator who is responsible for animal and agricultural issues
 - Provide assistance in the development and writing of county ESF-17 plans
 - Promote the establishment of a county SART to work as a multiagency coordination group to support emergency management and incident management teams
 - Provide training for all SART and animal and agriculture personnel
 - Identify county resources available for an emergency or disaster
 - Work to comply with the National Incident Management System (NIMS) document
-

Subject: The purpose of this unit is to introduce basic concepts about identification and preservation of crime scenes, evidence collection, and chain of custody issues to individuals not directly involved in law enforcement or crime investigation.

Introduction

This lesson plan, together with a workbook and PowerPoint presentation, form a unit in the SART training series entitled *Evidence Collection and Chain of Custody Issues*. This lesson plan guides the instructor in delivering the educational portion of the workshop. For information on planning, organizing and publicizing the entire training event, consult the *Creating a County SART Toolkit*. The toolkit and other SART training materials are available on the Florida SART Web site: <www.flisart.org>.

The content of the lesson plan is outlined in the learning objectives outlined on the next page.

Throughout the lesson plan, symbols in the margin indicate that a slide in the PowerPoint presentation is available for that section.

Approximately 55-60 minutes should be allocated for this program.

Session Outline

| | |
|--|------------|
| Part 1—Beginning the Workshop | 5 minutes |
| Part 2—Learning Objectives and Importance | 5 minutes |
| Part 3—Crime Scene Recognition | 5 minutes |
| Part 4—The Need for Good Witnesses | 5 minutes |
| Part 5—Management of the Crime Scene | 10 minutes |
| Part 6—Understanding Evidence Collection and Chain of Custody | 15 minutes |
| Part 7—Highlight Key Resources | 5 minutes |
| Part 8—Summary and Wrap-Up | 5 minutes |
| <hr/> | |
| Total | 55 minutes |

Learning Objectives

At the end of this unit, participants will be able to:

1. Discuss the role of producers and responders in preserving evidence.
2. Recognize crime scene indicators.
3. Support law enforcement through good witness practices.
4. Be aware of crime scene management issues.
5. Explain procedures for maintaining crime scene integrity.
6. Explain the basics of evidence collection and preservation.
7. Describe chain of custody.

Learning Environment/Aids

To complete this lesson plan, you will need:

- The PowerPoint presentation *Evidence Collection and Chain of Custody Issues*.
- Optional: a companion publication, *Evidence Collection and Chain of Custody Issues: Participant Workbook*, is available. It contains copies of the PowerPoint slides and resource information

To conduct this training unit, you will need:

- A means to show the PowerPoint presentation: a computer with a projector. (Note: Master black and white copies of the slides are included at the end of this manual for use as a flipbook or, if you prefer, to make transparencies for use with an overhead projector.)
- Sufficient space and seating for all participants
- Optional: Since this unit deals with evidence and chain of custody issues, you may want to include a police officer or attorney as part of your teaching team. This resource person may be helpful in answering some questions that arise during or after the program. You might ask them to co-teach part of the unit, depending on their comfort level and content interests.

Each participant will need:

- A pen or pencil
 - Participant workbook or paper for notes
-

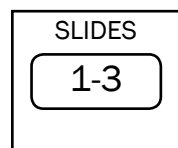
Before the Workshop

On the day of the workshop, check that all equipment needed is in place. Double-check that electronic media works on the equipment you have. Also, make certain that any materials for participants, such as paper, workbooks and pens/pencils, are available in sufficient numbers.

Part 1: Beginning the Workshop

Time: 5 minutes

Focus: Introducing participants to the concept of evidence and chain of custody



Once all participants have taken their seats and have settled down, welcome them to the Evidence Collection and Chain of Custody Issues workshop. Thank them for attending and congratulate them on taking the time to learn about this important issue regarding emergencies on farms and ranches. Remind them that the best way to respond to an agricultural emergency situation is to have a foundation of knowledge on which to build.

During this introduction, you may choose to distribute the pre-test included in the manual. Make sure to explain to the participants that the pre-test is only meant to guide them; they will not be graded. Use of pre- and post-tests can help to evaluate how much knowledge participants gain during the session.

Depending on the size of the group, you may also choose for participants to introduce themselves, state their background, and why they are interested in this topic.

LEARNING ACTIVITY

This activity may be a great way to start this unit. The group can do this together, and it will help to orient their thinking towards the topic. It will also allow them to connect concepts taught in this unit to actions that occurred during this preliminary exercise.

Prepare a separate room (or building, space, farm area, etc) ahead of time and before any of the participants arrive. Give the participants a brief description of what the activity is and what you would like for them to do. Then

after the exercise come back into the main educational area and discuss the activity.

Explain that the room you want them to look at is part of a packaging room for SouthLand Orchards*, a well established grower. This is just a small part of the packaging area, and it is where a desk is located for one of the workers. A worker is not always at the desk, but sits down occasionally throughout the day. Some mail orders are also opened at this location, while others are opened in the main office and brought to this room. They are then sorted into the order trays for that day/week's order activity.

(As you set up the demo room, place some letters and envelopes on the desk. Also place 2 one-dollar bills on the desk near the edge. Place another dollar bill somewhere near the entrance to the room or where participants are likely to find it. You want to place them where people are likely to pick them up and joke about whether they get to keep them. You may also want to have a door that closes automatically from the room, so that participants have to touch the door knob on entry and exit. Also place some fruit in the room, a toy tractor, or other items that participants would touch just out of interest.) You are free to improvise based on the participant background, such as the type of agriculture in the area, local news, or attractions.

Tell the students to go into the room and just look around and see if anything looks unusual. Tell them that there was a problem at this location and that you don't yet know if there was anything wrong or not. They are being sent there to check things out.

Get the students to return to the main classroom and then ask them:

1. Did they notice anything unusual?
2. Was there "evidence" in the room?
3. What did each of them touch?

Then explain to them that you have just been contacted with more information. It seems that people that have worked at the facility and come in contact with their fruit shipments have been getting sick. Authorities suspect that contamination was introduced through the mail. Remember the anthrax mailings a few years ago? This is believed to be a different organism, but one that could be transmitted through touching items in the mail and then infecting others in the area, including contamination of the fruit shipments. The packaging manager remembers receiving an odd letter that had three one-dollar bills inside.

Ask the students:

1. Did anyone notice any cash lying around?
2. Who touched the bills? They are probably infected by this agent.
3. Who touched some of the other common items in the room?
4. Did anyone see an odd envelope?
5. How did people open the door? Did they touch the knob?

If intentional contamination through a mailing was made, and people have become sick/died then the office would be considered a crime scene. Discuss this concept briefly with the group.

The purpose of this unit is to learn more about these issues and how to be better prepared.

*SouthLand Orchards is a fictional company.

Part 2: Learning Objectives and Importance

Time: 5 minutes

Focus: Identify the learning objectives relating to evidence preservation and chain of custody issues for producers and responders.

SLIDES

4-5

This lesson plan can be used with agricultural and non-agricultural audiences. Review the learning objectives with the participants. At the end of this training session, participants will be able to:

- Discuss the role of producers and responders in relation to evidence preservation
- Recognize crime scene indicators
- Support Law Enforcement through proper witness understanding
- Identify potential crime scene management issues
- Explain procedures to maintain integrity of a crime scene
- Explain the basics of evidence collection
- Describe the chain of custody

It is important to learn about evidence collection and chain of custody as it relates specifically to agriculture. Obviously, evidence collection is practiced by police authorities on a routine basis, but this unit will specifically focus on issues that may face producers or emergency responders in agricultural settings. The agricultural industry faces increasing challenges ranging from animal/plant activists to foreign bioterrorist activity. In order to both prevent and better respond to these emergencies, producers, others involved with agriculture, and anyone who might respond to an agricultural emergency should become familiar with the aspects of law enforcement covered in this unit.

SLIDE

6

This unit is a very basic overview of evidence collection and chain of custody. It provides basic knowledge and can help if the site of an agricultural emergency turns out to be a crime scene. It is important for producers and responders to recognize a crime scene, be able to be a good witness, preserve the crime scene, and understand what is involved with evidence collection and chain of custody. This unit is intended as an awareness training unit in an effort to have “first detectors” better prepared for crime scene issues. It is not intended to be the sole training for those involved with professional evi-

dence collection. For those in law enforcement who are participating in the class, please explain that this presentation is designed for participants who have little knowledge of evidence collection procedures. This unit is designed for agricultural producers and emergency responders. Agricultural producers could include owners, managers, workers, and family members. Informed citizens are often an important resource for law enforcement professionals.

Remind participants that the reason they are attending the workshop is because they realize the value of being prepared by learning about evidence and chain of custody issues. Part of disaster planning is learning about appropriate issues in order to be able to successfully address them during emergencies. The information that they gain in this workshop will enhance their professional performance.

Part 3: Crime Scene Recognition

Time: 5 minutes

Focus: Recognize crime scene indicators in order to identify when the authorities should be contacted

It is critically important to be able to recognize a crime scene. You are the expert in your daily environment, meaning that you are the most familiar with your farm, business, and daily surroundings. When something is out of order, different, changed, or wrong, you will be the first to notice it. You are considered the “first detector” or early warning system. It is up to you to determine if this change is intentional or unintentional. If it is intentional, then you need to determine if it was done in a malicious manner. Did someone try to do something criminal? Did they want to destroy something? Did they want to cause damage to your business operation?

You may be the first person to discover the scene. How will you decide whether law enforcement should be contacted?

LEARNING ACTIVITY

Take a minute to describe the following scenario to your audience.

You have been busy working at a distant location on your farm. After 10 hours of hard work, you experience an equipment breakdown. You return to the shop to get a few tools that you will need to repair the breakdown. When you walk in, you immediately recognize that something is different. The rolling tool chest has three drawers open that were not open in the morning. When you look for the portable power tools, they are missing from the cabinet. Additionally, you can smell something hot/smoky coming from the back corner office of the shop. When you investigate, you discover that a small fire is burning, and you immediately retrieve the shop’s fire extinguisher and put out the fire.

Let the participants decide what has occurred in the case study. If needed, get them started with these questions:

- Was anything missing?
 - Could another worker have taken the tools?
-

- Were these tools valuable?
- How did the fire start?
- Should you call the police?

Follow-up: This scenario is based on an actual event that occurred on a crop farm. The shop had been burglarized, and a fire had been started to help destroy the scene. If the farm owner had not returned to the shop and discovered the recently set fire when he did, the entire shop would have been destroyed.

SLIDE

7

Crime scene recognition is the ability to perceive or identify that something has been intentionally done that is against the law. Good observation techniques must be followed. Attention to detail is important, especially when making daily inspections. Storage areas should be closed and all items properly labeled. Buildings, rooms, or cabinets that contain controlled and/or valuable items should be kept in a secured, locked condition. Maintain inventories of items that are too numerous to track by memory alone. Items that should be inventoried include chemicals, medicines, explosives, and high value tools.

When a suspicious area is discovered, the first question should be whether the scenario was the result of intentional or unintentional conditions. If unintentional, what contributed to the incident? Who was involved? If intentional, was it a criminal act? If so, contact the authorities immediately. Do not destroy the scene -- maintain the scene so as to preserve any evidence that will help in solving the crime.

SLIDE

8

This slide illustrates the valve routing room for a manure digester that produces methane. The methane is pumped from this room to the generator to produce electricity. This room is a critical control point for this operation. The sequence of valves is important to maintaining the system both for environmental and safety concerns. There had previously been a fire in this room and much of the piping/valving had to be replaced. The cause of the fire had been undetermined, but there was concern that “anti-animal use” protestors had been involved. Since that event, employees check the valve room to insure that all valves are in their designated position.

SLIDE

9

This slide illustrates the damage done to a farm tractor. The damage was caused by an overturn incident. This was determined by looking at the scene and talking with those who witnessed the event. Could similar damage have been done intentionally? How would this have been done, and who might want to damage farm machinery?

Part 4: Are You a Good Witness?

Time: 5 minutes

Focus: Understand the importance of being a good witness and how this aids investigators

SLIDE

10

Ask the audience: “Do you consider yourself a good witness?”

The investigation of every crime scene depends heavily upon the evidence collected, including witness testimony (called Direct Evidence, which will be covered shortly). The information that can be supplied by those who are first on the scene is an invaluable tool to law enforcement. This information might include important facts such as:

- What was the normal condition of the area?
- What was changed?
- What was discovered?
- Time frame of events, discovery, evidence
- Was anything heard, seen, smelled, felt, or tasted?

Being observant of details can make the difference between solving a crime and not knowing what happened. Details usually can be provided by good witnesses. Good witnesses are objective and do not read into a scene more than is realistic. They only give factual observations. They pay attention to detail and compare against known facts.

Eye witness evidence is critical to an investigation and may be the most important component. It is an important job and is entrusted to the person who discovers the scene. In an agricultural setting, a producer or responder are likely to play this critical role.

Part 5: Management of the Scene

Time: 10 minutes

Focus: Examine scene management issues including assessing the event, scene preservation, evidence collection, and maintaining the chain of custody

SLIDE

11

This section, including the next 6 slides, will cover issues related to scene management. It will take the participant through the thought process of coming upon a scene, what questions should be used to assess the event, calling for assistance, preserving the scene, assessing the scene, and maintaining the chain of custody.

Coming upon an agricultural scene where you need to consider evidence collection can be shocking. A potential crime scene would cause most individuals to react with nervousness and confusion – this is human nature. Education and training can help in overcoming these reactions and allow individuals to focus on the important tasks of assessing the scene. Preparation and knowledge will go a long way in helping producers and responders to take the right first steps.

SLIDE

12

What if you are the first person to arrive at the scene? What should you do?

Remember to stay calm and take a moment to ask yourself a few questions that can help to assess the event. These questions should include the following:

- What am I getting into?
- Is there a danger to me if I take action?
- Will evidence be lost or destroyed if I don't take action?
- Do I have the tools necessary to properly do the job?
- Do I have the time necessary to complete the job?
- Who can I call to help me?
- Where is my supervisor when I need them?

Firefighters and Hazmat responders often refer to the police as their “canaries.” This means that if someone enters an area first and lives, the environment was probably safe to enter. However, if they were overcome or collapsed, then no one else needs to go in. Don't be a canary. Take your time and assess the situation before acting.

SLIDES

13-16

Scene management will include many important decisions that must be made depending on the nature of the incident. The type of decisions made and the order in which they are made can have a tremendous impact on the outcome of any investigation.

The following recommendations build a solid foundation:

1. Call for Assistance

If agroterrorism, a biohazard, or a crime, call 9-1-1. It is important to make others aware of the event and to get other responders enroute as quickly as possible.

2. Preserve the Scene

Prevent contamination through the following steps:

- Keep people out of the area
- Don't touch, move, or pickup items
- Don't walk into the area or disturb anything
- If you have to enter, be alert and cautious about where you step

If you have time at the scene practice the following:

- Rope off the area and keep it secure – For example, use flagging tape or something similar to mark the area unsafe, or use your vehicle to block a road.
- Make notes of anyone entering or exiting the area – Who knows, the bad guy may still be there and your notes will document it.
- Take photos of what and who is seen – Fire departments usually have a camera on their trucks. The driver will usually be responsible for taking a quick panoramic view of people in the area. This is a good habit to get into for anyone responding to an event. Again, sometimes the bad guy is still there.
- Be a good witness – Make notes, if necessary, of important information.

3. If you have to take Evidence

Assess the scene and think about each of the following:

- Plan your course of action: Don't Rush It.
 - Plan for safety (yours and others!): Use protective gear and gloves
-

LEARNING ACTIVITY

Have props such as rubber gloves, mask, camera, ruler, tape measure, index cards, marking pen, evidence containers to use as demonstrations to emphasize what you are talking about. It may be helpful to demonstrate collecting an evidence item prop in front of the class. Show how to use PPE to help protect yourself and the evidence during collection. You can also demonstrate how to document the location, item, and chain of custody.

- Photograph items before you secure them. At least one photo of the item as you found it, and one photo with a measuring device and identification card.
- Measure the item before you move it, so that you put it back in the same exact spot you are taking it from. (Triangulate with fixed locations or markers). GPS is good, but most GPS devices will get you to within a few feet, and are not precise pinpoint locations.
- Put the item in a proper container, and make sure the container is properly sealed and marked.

4. Maintain the Chain of Custody

- If you took an item as evidence, then you are responsible for it.
- If you have to relinquish it to someone else, make sure the receiving person signs for the item, and that you get a receipt. They must sign regardless of whether they are a co-worker, supervisor, police officer, evidence technician, evidence custodian, laboratory drop-off, etc.
- If they don't want to sign for it, then they don't get it!

It is important to stress to the class the importance of responsibility for evidence and chain of custody.

Part 6: Understanding Evidence Collection and Chain of Custody

Time: 15 minutes

Focus: Examine the issues of evidence and chain of custody in the agricultural industry, including the general definition of evidence, types of evidence, and collection of physical evidence, and integrity of evidence.

The next 9 slides will cover evidence collection issues and concepts that are important basics. These concepts will help the audience understand why evidence collection and chain of custody for agricultural producers are important topics that have direct implications in any criminal or terrorist event. Keep in mind that while you as a producer may never have to personally collect evidence, it is helpful to understand what is involved in proper evidence collection.

SLIDE

17

Evidence is defined in a basic sense as all the means by which any alleged matter of fact is established or disproved. In other words, evidence is anything that can prove or disprove a case.

SLIDES

18-20

Many individuals are unsure about what constitutes evidence. The following should be considered evidence:

- Anything that a person leaves at a crime scene or takes from a crime scene.
- Anything that may otherwise be connected with the crime.
- Anything that can be legally presented at a trial for the purpose of inducing a belief in the minds of the court and jury as to the truth of the issue involved.

There are three different types of evidence that should be considered.

1. **Direct Evidence** tends to show the existence of facts through one or more of the five senses; Sight, Sound, Smell, Taste, Touch.

Example: In an effort to illustrate the differences between evidence types

let us consider a hypothetical event where a small bomb is used to damage a barn. Direct evidence would include a witness to the event who states “I saw Mr. Brown light the fuse and run away from the bomb before it exploded”.

2. **Indirect Evidence (Circumstantial Evidence)** does not directly in itself prove a fact, but helps to establish facts which tend to prove certain elements.

Example: The Fireworks store attendant who testifies that he sold a 20-foot length of cannon/bomb fuse to Mr. Brown one week prior to the incident.

3. **Physical Evidence (Real Evidence)** are items that speak for themselves and require no explanation, merely identification.

Example: Upon examining the crime scene, the bomb squad detective discovers part of the bomb casing and part of the fuse that was used in the bomb detonation.

Examples of evidence include the following:

- Foot prints
- Fingerprints
- Tire tracks
- Tool marks
- Objects
- Bite marks
- DNA
- Eyewitness testimony
- Records
- Documents
- Photographs
- Video images

Evidence can also include items that are not there – things that are missing. You may want to ask the class if they can think of other examples of evidence. When does something go from being an “item” to “evidence”?

The next 6 slides specifically address Physical Evidence. Most people can relate to the Direct Evidence through one or more of the five senses: Sight, Sound, Smell, Taste, Touch. Likewise Circumstantial Evidence is often thought of after the incident has occurred and can be helpful to authorities in reconstructing the incident. These are relatively easy to understand and will not be covered in depth during this presentation. However, many individuals have questions and want to learn more on how to deal with Physical Evidence.

SLIDE

21

Remember that there are three different kinds of evidence, with Physical Evidence (Real Evidence) being items that speak for themselves and require no explanation, merely identification. SART audience members may one day find themselves in a situation where they could be in contact with physical evidence. Agricultural producers may discover evidence of someone tampering with their production facility, causing trouble, or trying to intentionally infect animals, plants, or workers. Responders may discover that they have responded to a scene that suddenly contains important evidence.

It is an important first step to realize that something seems wrong and then that evidence will play a critical role. The participants should learn even more about what is involved with the collection of physical evidence, whether they themselves ever have to collect it, or whether they just need to be informed regarding these issues. Remember that, at the very least, producers and responders can play an important part as resource persons for law enforcement. Even if someone is not responsible for collecting evidence, it is helpful to understand the process and control.

During the course of most crime scene investigations, law enforcement personnel will be collecting and/or documenting any evidence related to the incident. This could include local, county, state, or federal officers, fire officials, agricultural law enforcement, environmental enforcement, Homeland Security, FBI, USDA APHIS, etc. The following six slides explain the evidence collection process that professionals follow when performing their investigation. It is helpful to understand this process so that producers and responders can help to insure that evidence is properly preserved at the sight, and that they can better assist in the process.

There are five important components to keep in mind regarding the collection of evidence:

1. Obtain it legally
2. Describe the evidence in notes
3. Identify it properly
4. Package it properly
5. Maintain a chain of custody

We will cover each of these five items in more depth in the next five slides.

SLIDE

22

It is important to understand that obtaining physical evidence must be done in a legal manner. To obtain evidence legally means that you had a right to take the item into custody. Items that give you that right can include any of the fol-

lowing:

1. You had consent to take it.

This could be as simple as asking the farm owner if you can collect the empty gasoline can as evidence. He/She can give you written or verbal confirmation that you may take the item.

2. You had a warrant authorizing seizure.

A warrant is a legal document that would be issued from a legal entity that has jurisdiction in the respective locality.

3. The item was seized incidental to an arrest.

Again an arrest would be carried out by a law enforcement agency that then would be able to collect evidence related to that arrest.

SLIDE

23

Describing the evidence in note form will help to document the evidence (this is also the beginning of the Chain of Custody documentation). Describing the evidence means that you can tell someone the following items:

1. What the item of evidence is.

An example would be “A single latex disposable glove with a suspicious white powder on the fingers”.

2. The location at which you discovered the evidence.

The glove was discovered inside of the door to the packaging room, lying on the floor. It was located 4 feet east of the door jam.

3. How you obtained it.

I obtained the glove when responding to the farm location. The farm owner met me and told me that he noticed a suspicious latex glove that was different from any used on the farm.

4. Date and Time found.

The glove was collected on Wednesday June 6, 2007 at 11:28am EST.

5. How it was identified.

A picture was taken of the glove before it was collected, and while it was still lying on the floor. It was placed in a plastic bag, sealed and then labeled

on the bag. It was noted that the glove had the initials “C.B.” written on the cuff. The picture clearly shows the initials “C.B.” on the cuff, written in a very distinctive, personal style.

6. The Chain of Custody.

Write in your notes the above information, and the date, time, and who the evidence was given to. Have them sign for it when given. Make sure that you can read their name, official capacity, and contact information.

SLIDE

24

As mentioned in the previous slide, it is crucial to identify the item properly. If the evidence is not identified properly, later court actions could be jeopardized due to concern over originality.

LEARNING ACTIVITY

REAL LIFE STORY – You may want to illustrate this point with real-life examples of this concept. Recent famous cases include the O.J. Simpson trial where certain pieces of evidence were not allowed to be used during the trial due to lack of proper collection and identification. Was the bloody glove actually the one found at the crime scene or was it substituted? Did the police follow the correct evidence collection techniques? Are there other local cases that you can use to illustrate this with the class?

Some steps that will help you to properly identify evidence include:

- You must be able to show that the item you initially took is the same item at a later date.

Example: A good way to do this would be by photographing the item in the original location, including if possible, any unique characteristics.

- For actual physical items, it is preferred to mark the item with your initials, date, case or incident number.

Example: It is recommended to tag the item or place the item (if small enough) into a resealable plastic bag. The bag can then be marked. Avoid altering the item by marking the item directly.

- For items such as liquids, soil, tiny fragments, and the like, the evidence should be placed in a container which is then sealed and marked. Obviously a clean container should be used so that the evidence itself is not contaminated.
-

SLIDE

25

Packaging the evidence properly is also crucial to the proper collection of physical evidence. The following guidelines should be used when considering evidence packaging:

- Use Suitable Containers — Examples would include clean Plastic Bags, Pill Boxes, Plastic Vials, Glass or Plastic Containers, Strong Cardboard Boxes, etc.
- Seal Securely against Leakage — It is important to protect the evidence from “leaking away”, but it is also important to protect yourself and others from potentially harmful substances.
- Package Each Item Separately — Avoid the possibility of cross contamination.
- If Wet or Bearing Blood, Dry before Packaging — Exceptions would be samples collected for the presence of chemicals, hydrocarbons, blood samples taken, biological samples taken, etc.

“Chain of Custody” is a legal term that refers to the ability to guarantee the identity and the integrity of the sample (or data) from collection through reporting of the test results.

SLIDE

26

For purposes of litigation, regulatory agencies must be able to prove the legal integrity of all samples and data introduced as evidence. This means it is necessary to have an accurate written record to track the possession, handling, and location of samples and data from collection through reporting. Verification of who has possessed the samples and data and where the samples have been is easier if you follow chain-of-custody procedures. Since there is no way to know in advance which samples and data may be involved in litigation, you should always follow chain-of-custody procedures whenever samples and data are collected, transferred, stored, analyzed, or destroyed. Besides, it is good scientific practice to do so. A secure chain of custody, combined with the use of proper analytical methods and techniques, is necessary for a legally defensible reporting of the sample.

The following guidelines help to simplify the Chain of Custody process:

- Keep it as short as possible.
 1. The chain starts with the person(s) who find it, collect it and identify it.
 2. Each time another person takes possession it must be signed for.
- Maintain the evidence in a locked vault, cabinet, or room.
- If evidence requires laboratory analysis, get it to the lab ASAP.

LEARNING ACTIVITY

The EPA offers an online Chain of Custody certification course that requires no prerequisite knowledge on chain of custody. SART instructors may wish to use this course as an avenue to build more knowledge prior to teaching this unit, or you may want to have class participants go through the course as part of an extended SART activity. At the completion of the online course, participants will receive a certificate of completion.

This approximately 50-minute, self-instructional course introduces you to what chain of custody is, why it is relevant to environmental professionals, and how to correctly perform chain-of-custody procedures for samples and data. The model chain-of-custody procedure, presented in the final lesson, allows you to track the movement of samples and chain-of-custody forms from start to finish as they exchange hands.

Learning Goals – The course goals are to provide students with the ability to:

1. Perform the proper procedures for documenting the possession or custody of samples and data, and
2. Recognize the importance of establishing and maintaining correct chain-of-custody procedures when handling samples and data.

The course can be found online at the following URL:
<http://www.epa.gov/apti/coc/>

Stress the chain of custody. Nobody takes possession of the evidence, holds it, looks at it, squeezes it or smells it unless they sign for it. If anyone does handle your evidence, they have now become part of the chain that you have to document. They may have to appear in court to explain their contact with the evidence. So again, keep the chain short. Only let those who have a need to be in contact with your evidence have possession of it, even if only momentarily.

Part 7: Highlight Resources

Time: 5 minutes

Focus: Identify key resources that participants can easily access for additional information.

SLIDES

27-28

You may want to provide the following list of resources and hand them out to the SART unit participants in addition to discussing these during the PowerPoint presentation. The following are sources of information, including agencies that may be helpful.

CDC-MMWR. Medical Examiners, Coroners, and Biologic Terrorism: A Guidebook for Surveillance and Case Management

Includes information regarding evidence collection for health professionals involved in BioTerrorism events.

<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5308a1.htm>

Chain of Custody information, including a Self-Certification course on Chain of Custody.

This 50-minute, self-instructional course introduces you to what chain of custody is, why it is relevant to environmental professionals, and how to correctly perform chain-of-custody procedures for samples and data. The model chain-of-custody procedure, presented in the final lesson, allows you to track the movement of samples and chain-of-custody forms from start to finish as they exchange hands.

<http://www.epa.gov/apti/coc/>

Evidence Collection - "Crime Scene Investigation: A Guide for Law Enforcement January 2000"

Physical evidence has the potential to play a critical role in the overall investigation and resolution of a suspected criminal act. Crime Scene Investigation: A Guide for Law Enforcement discusses the fundamental principles of investigating a crime scene and preserving evidence that need to be practiced in order to yield reliable information. This research report is intended for use by law enforcement and other responders who have responsibilities for protecting crime scenes, preserving physical evidence, and collecting and submitting the evidence for scientific examination.

<http://www.ojp.usdoj.gov/nij/pubs-sum/178280.htm>

Extension Disaster Education Network (EDEN)

A collaborative multi-state effort by Extension Services across the country to improve the delivery of services to citizens affected by disasters. This site serves primarily Extension agents and educators by providing them access to resources on disaster mitigation, preparedness, response, and recovery that will enhance their short- and long-term programming efforts.

<http://www.eden.lsu.edu>

Fire and Arson Scene Evidence: A Guide for Public Safety Personnel

Outlines basic procedures for fire scene documentation and evidence collection. This Research Report is aimed at public safety personnel who may not be trained in the specialized aspects of fire scene investigation but may be in the position of having to respond to a fire/arson scene. Specific areas discussed include establishing the role of first responders, evaluating the scene, documenting the scene, processing evidence at the scene, and completing the scene investigation. Appendixes provide sample forms used in fire investigations, additional reading, and sources for further information.

<http://www.ojp.usdoj.gov/nij/pubs-sum/181584.htm>

Florida Agricultural Law Enforcement

The Office of Agricultural Law Enforcement is dedicated to protecting Florida's agriculture and its consumers through professional law enforcement.

<http://www.fl-aglaw.com/>

Florida Dept. of Agriculture and Consumer Services (FDACS)

<http://www.doacs.state.fl.us>

U.S. Department of Homeland Security

<http://www.dhs.gov/index.shtm>

National Agricultural Safety Database (NASD)

The information contained in NASD was contributed by safety professionals and organizations from across the nation and provides a national resource for the dissemination of information.

<http://www.cdc.gov/nasd/>

Florida Animal Disease Control

http://www.doacs.state.fl.us/ai/adc/adc_main.shtml

Florida Dept. of Community Affairs, Div. of Emergency Management

<http://www.floridadisaster.org>

FL Reportable Animal Diseases: http://www.doacs.state.fl.us/ai/main/ani_diseases_main.shtml

Preparing for an AgroTerrorism Event http://www.eden.lsu.edu/Issues_View.aspx?IssueID=711D4FD3-3B98-47A4-BAD4-C6E64F1F280B

Protecting Farms – AgroSecurity Principles

http://www.eden.lsu.edu/Issues_View.aspx?IssueID=038F281B-5226-4A02-9E62-C0E4DC3AF226

State Veterinarian Offices

Contact information for each state.

<http://www.aphis.usda.gov/vs/sregs/official.html>

United States Dept. of Agriculture (USDA)

<http://www.usda.gov>

University of Florida Institute for Food and Agricultural Sciences Extension Publication Resource (EDIS)

Offers many fact sheets for various veterinary and animal health issues.

<http://edis.ifas.ufl.edu/index.html>

University of Florida IFAS Extension Disaster Handbook

<http://disaster.ifas.ufl.edu>

USDA Animal and Plant Health Inspection Service (APHIS)

APHIS serves to facilitate safe international trade, monitor the health of animals presented at the border, and regulate the import and export of animals, animal products, and biologicals.

http://www.aphis.usda.gov/import_export/index.shtml

World Organization for Animal Health (OIE)

<http://oie.int>

Part 8: Summary and Wrap-Up

Time: 5 minutes

Focus: Review the learning objectives that have been accomplished and encourage a commitment to SART

SLIDES

29-30

You and your audience have had a busy and educational hour, but it is almost over. Prior to answering general questions, provide a summary to the participants of what they have just learned. It is recommended that you summarize the 7 learning objectives that were covered during the unit. Go over each and make sure that the participants understand each of the objectives. If not, briefly cover the important points for that objective.

1. Discuss the role of producers and responders in preserving evidence.
2. Recognize crime scene indicators.
3. Support law enforcement through good witness practices.
4. Be aware of crime scene management issues.
5. Explain procedures for maintaining crime scene integrity.
6. Explain the basics of evidence collection and preservation.
7. Describe chain of custody.

Thank the audience for their attention and participation. Congratulate them for their commitment to the SART endeavor and on their desire to be part of the solution.

At this point in the program, you may choose to have the participants take the Post-Test provided in the resources section of this Lesson Plan. Remember to review the answers to the test questions after all participants have completed the test. It may be most beneficial to review these as a group in order to maximize the educational component.

A content-specific evaluation is provided in the Resources section of this lesson plan. The generic evaluation available in the *Creating a County SART* unit (available on the FLorida SART Web site, <<http://www.flrsart.org>>) can be uti-

lized as well. As the presenter, you should decide which evaluation best meets the needs of your program. Please ask the participants to complete an evaluation at the conclusion of this unit. Encourage participants to be as honest and forthright as possible as it helps you, the presenter, make adjustments to future presentations.

NOTE: As a unit follow-up you may want to offer an opportunity for participants to do the on-line chain of custody certification course. This 50-minute self-instructional course introduces what chain of custody is, why it is relevant, and how to correctly perform chain-of-custody procedures for samples. It allows participants to track the movement of samples and chain-of-custody forms from start to finish. A full description can be found in Section 6: Understanding Evidence Collection & Chain of Custody, and in the “Resources” section of this unit.

Participant's Evaluation of *Evidence Collection and Chain of Custody Issues*

Please circle the number that best expresses your opinions about the following statements.

| | | FULLY DISAGREE | DISAGREE | NEUTRAL | AGREE | FULLY AGREE |
|-----|--|-------------------|----------|---------|-------|----------------|
| 1. | The training unit's format was appropriate. | 1 | 2 | 3 | 4 | 5 |
| 2. | The information presented was useful to me. | 1 | 2 | 3 | 4 | 5 |
| 3. | The time it took to complete this unit was acceptable. | 1 | 2 | 3 | 4 | 5 |
| 4. | The PowerPoint slides accurately presented the information. | 1 | 2 | 3 | 4 | 5 |
| 5. | I can explain the role of producers and responders in relation to evidence preservation. | 1 | 2 | 3 | 4 | 5 |
| 6. | I can define evidence. | 1 | 2 | 3 | 4 | 5 |
| 7. | I can discuss different types of evidence. | 1 | 2 | 3 | 4 | 5 |
| 8. | I can explain the basics of evidence collection. | 1 | 2 | 3 | 4 | 5 |
| 9. | I can describe the chain of custody. | 1 | 2 | 3 | 4 | 5 |
| 10. | I can procedures to maintain the integrity of a crime scene. | 1 | 2 | 3 | 4 | 5 |
| 11. | We welcome your comments about this program: | | | | | |

Please use the back of this sheet for any further comments.

Evidence Collection and Chain of Custody Issues Participant Pre-Test

This pre-test is intended to gauge the level of knowledge that you have before participating in the *Evidence Collection and Chain of Custody Issues* training. Please answer all of the following questions to the best of your ability.

1. Agricultural producers or emergency responders who first arrive at the scene of an incident are critical in identifying a problem/bioterrorism/outbreak, and are a first line of defense in preventing and minimizing these events. Circle one: True or False
 2. _____ is defined in a basic sense as “all the means by which any alleged matter of fact is established or disproved,” or in other words, all the means available to prove a case or disprove it.
 3. Name the three different types, or categories, of evidence:

 4. When packaging physical evidence, it is important to use suitable containers. Circle three proper evidence containers in following list of items:

| | | | | | |
|----------------|-----------------|----------------------------|----------------------------|-----------------|---------------|
| Plastic bag | Plastic vial | Sealable soda bottle | Sturdy cardboard box | Doughnut box | Milk crate |
|----------------|-----------------|----------------------------|----------------------------|-----------------|---------------|
 5. _____ is a legal term that refers to the ability to guarantee the identity and the integrity of the sample (or data) from collection through reporting of the test results.
 6. What should you do if you discover an unusual event and do not know what happened?
 7. What should you do immediately if you are the first person to arrive at a scene that you believe may be the result of a bioterrorist or criminal act?
-

8. Scene management includes effectively preserving the scene. You will need to prevent contamination of the scene through a number of steps. Name at least four actions that you can do to preserve the scene:

9. If you have to take evidence at the location, assess the scene and think about some of the important steps you should take before and during evidence collection. Fill in the two missing steps during evidence collection.

1) Plan your course of action: Don't Rush It.

2) Plan for your own safety and safety of others: Use Personal Protective Equipment (PPE) to protect yourself from the evidence and the evidence from you.

3)

4) Measure the item before you move it, so that you put it back in the same exact spot you are taking it from. (Triangulate with fixed locations or markers).

5)

10. In order to maintain the Chain of Custody, when you relinquish the evidence to someone else you need to have them sign for it. Circle those who need to sign for evidence in the chain of custody:

Co-worker

Police Officer

Evidence technician

Laboratory

Evidence Collection and Chain of Custody Issues Participant Post-Test

This post-test is intended to gauge the level of knowledge that you have after participating in the *Evidence Collection and Chain of Custody Issues* training. Please answer all of the following questions to the best of your ability.

1. Agricultural producers or emergency responders who first arrive at the scene of an incident are critical in identifying a problem/bioterrorism/outbreak, and are a first line of defense in preventing and minimizing these events. Circle one: True or False
2. _____ is defined in a basic sense as “all the means by which any alleged matter of fact is established or disproved,” or in other words, all the means available to prove a case or disprove it.
3. Name the three different types, or categories, of evidence:

4. When packaging physical evidence, it is important to use suitable containers. Circle three proper evidence containers in following list of items:
5. _____ is a legal term that refers to the ability to guarantee the identity and the integrity of the sample (or data) from collection through reporting of the test results.
6. What should you do if you discover an unusual event and do not know what happened?
7. What should you do immediately if you are the first person to arrive at a scene that you believe may be the result of a bioterrorist or criminal act?

8. Scene management includes effectively preserving the scene. You will need to prevent contamination of the scene through a number of steps. Name at least four actions that you can do to preserve the scene:

9. If you have to take evidence at the location, assess the scene and think about some of the important steps you should take before and during evidence collection. Fill in the two missing steps during evidence collection.

1) Plan your course of action: Don't Rush It.

2) Plan for your own safety and safety of others: Use Personal Protective Equipment (PPE) to protect yourself from the evidence and the evidence from you.

3)

4) Measure the item before you move it, so that you put it back in the same exact spot you are taking it from. (Triangulate with fixed locations or markers).

5)

10. In order to maintain the Chain of Custody, when you relinquish the evidence to someone else you need to have them sign for it. Circle those who need to sign for evidence in the chain of custody:

Co-worker

Police Officer

Evidence technician

Laboratory

Answer Key to *Evidence Collection and Chain of Custody Issues* Pre- and Post-Tests

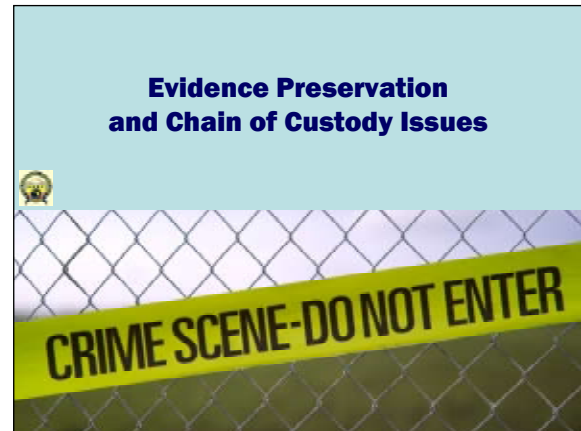
1. **True.** Agricultural producers and the responders who may arrive at agricultural locations are the vital first link in identifying a potential problem/bioterrorism/outbreak, and therefore are the first line of defense in preventing and minimizing these events.
 2. **Evidence** is defined in a basic sense as all the means by which any alleged matter of fact is established or disproved. Another way in which to term this is all of the means available to prove a case, or disprove it.
 3. There are three different types of evidence that should be considered.
 - **Direct Evidence** tends to show the existence of facts through one or more of the five senses; Sight, Sound, Smell, Taste, Touch.
 - **Indirect Evidence (Circumstantial Evidence)** does not directly in itself prove a fact, but helps to establish facts which tend to prove certain elements.
 - **Physical Evidence (Real Evidence)** are items that speak for themselves and require no explanation, merely identification.
 4. Packaging the evidence properly is crucial to the proper collection of physical evidence. Selecting a suitable container when considering evidence packaging can help to insure that evidence will not be degraded or contaminated. Examples would include clean Plastic Bags, Pill Boxes, Plastic Vials, Glass or Plastic Containers, Strong Cardboard Boxes, etc. The example of a milk crate illustrates that while it may be acceptable for certain solid heavy items, it is not sealed and can allow evidence to escape out and for foreign material to contaminate the evidence.
 5. Chain of Custody is a legal term that refers to the ability to guarantee the identity and the integrity of the sample (or data) from collection through reporting of the test results.
 6. Assess the Event. If you are the first person to arrive at the scene remember to stay calm and take a moment to ask yourself a few questions that can help to assess the event. These questions should include the following:
 - What am I getting into?
 - Is there a danger to me if I take action?
 - Will evidence be lost or destroyed if I don't take action?
 - Do I have the tools necessary to properly do the job?
 - Do I have the time necessary to complete the job?
 - Who can I call to help me?
-

7. When one discovers a scene that appears to be an AgroTerrorist, BioHazard, or Crime scene, **call for assistance**. In many locations the number to call is 911. Check in your area to make sure that this is the correct number to call since some locales do not have 911 service. It is important to make others aware of the event and to get other responders enroute as quickly as possible.
 8. Scene management includes effectively preserving the scene. You will need to prevent contamination of the scene through a number of steps. Allow participants to list at least four of the following items:
 - Keep people out of area
 - Don't touch, move, or pickup items
 - Don't walk into the area or disturb anything
 - If you have to enter, be alert and cautious as to where to step
 - Rope off the area and keep it secure — Using items such as flagging tape to mark the area unsafe, or your vehicle to block a road are prime examples.
 - Make notes of anyone entering or exiting the area — Who knows, the bad guy may still be there and your notes will document it.
 - Take photos of what and who is seen — Fire departments usually have a camera on their trucks. The driver will usually be responsible for taking a quick panoramic view of people in the area. This is a good habit to get into for anyone responding to an event. Again, sometimes the bad guy is still there.
 - Be a good witness — Make notes of things if necessary to the event.
 9. If you have to take Evidence at the location assess the scene and think about each of the following:
 - Plan your course of action: **Don't Rush It**.
 - Plan for your own **safety** and safety of others: Use Personal Protective Equipment (PPE) to protect yourself from the evidence and the evidence from you.
 - **Photograph items** before you secure them. At least one photo of the item as you found it, and one photo with a measuring device and identification card.
 - **Measure the item** before you move it, so that you put it back in the same exact spot you are taking it from. (Triangulate with fixed locations or markers). GPS is good, but most GPS's will get you to within a few feet, and are not precise pinpoint locations.
 - Put the item in a **proper container**, and make sure the container is properly sealed and marked.
-

10. **All of the choices should be circled.** In order to maintain the chain of custody, when you relinquish the evidence to someone else you need to have them sign for it. If you took an item as evidence, then you are responsible for it. If you have to relinquish it to someone else, make sure the receiving person signs for the item, and that you get a receipt. They must sign regardless of whether it is a co-worker, supervisor, police officer, evidence technician, evidence custodian, laboratory drop off, etc. If they don't want to sign for it, then they don't get it!
-

PowerPoint Slides

Slides 1-6



Evidence Collection and Chain of Custody Issues

Prepared by
Col. Darrell Liford
Director of Law Enforcement

Office of Agricultural Law Enforcement
Florida Department of Agriculture and Consumer Sciences

State Agricultural Response Team

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Learning Objectives

- Discuss the role of producers and responders in preserving evidence
- Recognize crime scene indicators
- Support law enforcement through good witness practices
- Be aware of crime scene management issues
- Explain procedures for maintaining crime scene integrity
- Explain the basics of evidence collection and preservation
- Describe chain of custody

State Agricultural Response Team

4

Audience and Topics

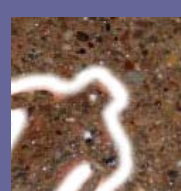
- This unit is intended for:
 - Agricultural producers: Owners, managers, workers, etc.
 - Emergency responders
- This unit provides basic knowledge
 - Can help if emergency turns out to be a crime scene
 - Assist as expert resource to other agencies

State Agricultural Response Team

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Unit Topics

- Crime scene recognition
- Are you a good witness?
- Management of a crime scene
- Understanding evidence collection and chain of custody
- Summary



State Agricultural Response Team


6

PowerPoint Slides

Slides 7-12

Crime Scene Recognition


- Ability to recognize a crime scene
- Need to be observant
 - Is something wrong here?
- Decide whether intentional or unintentional
- Study the next 2 slides – What do you see?
 - Has anyone closed a valve? unintentionally?
 - Sometimes it is difficult to determine

 State Agricultural Response Team 7

Crime Scene Recognition

What Do You See?



 State Agricultural Response Team 8

Crime Scene Recognition


Intentional?



 State Agricultural Response Team 9

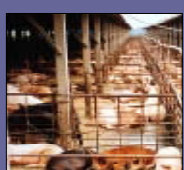
Are You a Good Witness?

- Need to be a good witness
 - All investigations rely on witness facts
- Often first person on the scene
- Recognize the nature of the scene
- Observations critical to investigators

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Management of the Scene


- Assess event
- Scene Preservation
- Evidence Collection
- Maintaining Chain of Custody



 State Agricultural Response Team 11

You're the First One There: Now What?

- Questions to assess the event:
 - What am I getting into?
 - Is there danger to me if I take action?
 - Is there a possibility that evidence will be lost or destroyed if I don't take action?
 - Do I have the tools necessary to do the job properly?
 - Who can I call to help me?
 - Where is my supervisor when I need them?


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PowerPoint Slides

Slides 13-18

Scene Management Decision Recommendations

1. Call for assistance
If Agroterrorism, biohazard or crime, call 9-1-1
2. Preserve the Scene
Prevent contamination by:
 - A. Keep people out of area
 - B. Don't touch, move, or pick up items
 - C. Don't walk into the area or disturb anything
 - D. If you have to enter, be alert about where you step




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Scene Management Decision Recommendations

Preserve the Scene (continued)

If you have time at the scene:


- A. Rope off area and keep it secure
- B. Make notes of anyone entering/exiting area
- C. Take photos of what/who is seen
- D. Be a good witness



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Scene Management Decision Recommendations


3. If You Have to Take Evidence...
Assess the scene:
 - A. Plan – Don't rush
 - B. Safety is important for yourself and others
 - Use appropriate protective gear, especially gloves
 - C. Photograph items where they lie before removing them
 - D. Measure the item and its location
 - E. Place in a proper container, then seal and mark



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Scene Management Decision Recommendations


4. Maintain the Chain of Custody
 - A. If you took an item as evidence, then you are responsible for it
 - B. If you have to relinquish evidence to someone else, make sure the receiving person signs for the item and that you get a receipt
 - C. If they don't want to sign for it, then they don't get it!



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Evidence Collection and Chain of Custody


Evidence = All the means by which any alleged matter of fact is established or disproved



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What Should Be Considered Evidence

- Anything that a person leaves at a crime scene or takes from a crime scene, or
- Anything that may otherwise be connected with the crime, or
- Anything that can be legally presented at a trial for the purpose of inducing a belief in the minds of the court and jury as to the truth of the issue involved



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PowerPoint Slides

Slides 19-24

Three Types of Evidence

Direct Evidence


- Tends to show the existence of facts through one or more of the five senses – what you saw, heard, smelled, felt, or tasted

Indirect or Circumstantial Evidence

- Evidence that does not directly in itself prove a fact, but helps to establish facts which tend to prove certain elements

Real or Physical Evidence

- Evidence items that speak for themselves and require no explanation, merely identification




State Agricultural Response Team

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Evidence Can Include:

- Foot prints – Fingerprints – Tire tracks – Objects – Bite marks – DNA – Eyewitness testimony – Records – Documents – Photographs/Video images
- Can also include what is not there




State Agricultural Response Team

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Collection of Physical Evidence

Things to keep in mind:

1. Obtain it legally
2. Describe it in notes
3. Identify it properly
4. Package it properly
5. Maintain a chain of custody



State Agricultural Response Team


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Collection of Physical Evidence

1. Obtain it legally

To obtain evidence legally means that you had a right to take the item into custody

- A. You had consent to take it
- B. You had a warrant authorizing seizure
- C. The item was seized incidental to an arrest



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Collection of Physical Evidence

2. Describe it in notes

“Describing” mean that you can tell someone:

1. What the item is
2. The location that you found it
3. How you obtained it
4. Date and time the item was found
5. How it was identified
6. The chain of custody




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Collection of Physical Evidence

3. Identify it properly

- A. You must be able to show that the item you initially took is the same item at a later date
- B. For actual physical items, it is preferred to mark the item with your initials, date, case, or incident number
- C. For items such as liquids, soil, or tiny fragments, the container itself should be sealed and marked



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PowerPoint Slides

Slides 25-30

Collection of Physical Evidence

4. Package it properly


- Use suitable containers
 - Plastic bags, pill boxes, plastic vials, glass or plastic containers, strong cardboard boxes, etc.
- Seal securely against leakage
- Package each item separately
 - Avoid the possibility of contamination
- If wet or bearing blood, dry before packaging
 - Exceptions would be samples collected for the presence of chemicals, hydrocarbons, blood samples taken, bio samples taken, etc.

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Collection of Physical Evidence


5. Maintain a chain of custody

- Keep it as short as possible
 - The chain starts with the person(s) who find it, collect it and identify it
 - Each time another person takes possession, it must be signed for
- Maintain the evidence in a locked vault, cabinet or room
- If evidence requires laboratory analysis, get it to the lab ASAP

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Resources

- CDC-MMWR. *Medical Examiners, Coroners, and Biologic Terrorism: A Guidebook for Surveillance and Case Management*
<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5308a1.htm>
- Chain of Custody information, including a Self-Certification course on Chain of Custody (50-minute, self-instructional course)
<http://www.epa.gov/apti/coc/>
- Evidence Collection – “Crime Scene Investigation: A Guide for Law Enforcement January 2000”
<http://www.ojp.usdoj.gov/nij/pubs-sum/178280.htm>

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Resources

- Extension Disaster Education Network (EDEN)
<http://www.eden.lsu.edu>
- Fire and Arson Scene Evidence: A Guide for Public Safety Personnel*
<http://www.ojp.usdoj.gov/nij/pubs-sum/181584.htm>
- Florida Agricultural Law Enforcement
<http://www.fl-aglaw.com/>
- Florida Dept. of Agriculture and Consumer Services (FDACS)
<http://www.doacs.state.fl.us>

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Resources

- U.S. Dept. of Homeland Security
<http://www.dhs.gov/index.shtml>
- National Agricultural Safety Database (NASD)
<http://www.cdc.gov/nasd/>
- Florida Animal Disease Control
http://www.doacs.state.fl.us/ai/adc/adc_main.shtml
- Florida Dept. of Community Affairs, Div. of Emergency Management
<http://www.floridadisaster.org>
- More Resources can be found in the workbook

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Review Objectives

- Discuss the role of producers and responders in preserving evidence
- Recognize crime scene indicators
- Support law enforcement through good witness practices
- Be aware of crime scene management issues
- Explain procedures for maintaining crime scene integrity
- Explain the basics of evidence collection and preservation
- Describe chain of custody

 State Agricultural Response Team 30

PowerPoint Slides

Slide 31



Notes

PowerPoint Slides — Handout Pages

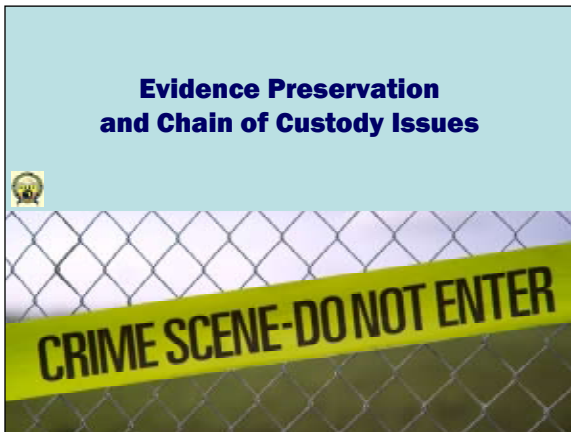
The *Evidence Collection and Chain of Custody Issues* PowerPoint slides are reproduced on the following pages at reduced size with space for participant notes.

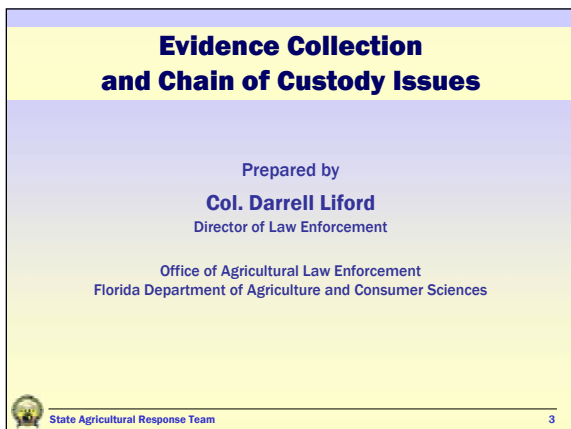
(Also included in the participant workbook for *Evidence Collection and Chain of Custody Issues*, available on the SART Web site:

<www.flisart.org>

Slides 1-3










Slides 4-6

Learning Objectives


- Discuss the role of producers and responders in preserving evidence
- Recognize crime scene indicators
- Support law enforcement through good witness practices
- Be aware of crime scene management issues
- Explain procedures for maintaining crime scene integrity
- Explain the basics of evidence collection and preservation
- Describe chain of custody

State Agricultural Response Team

4

Audience and Topics

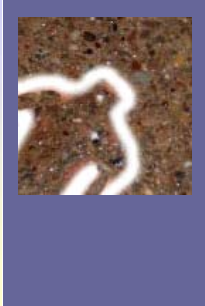
- This unit is intended for:
 - Agricultural producers: Owners, managers, workers, etc.
 - Emergency responders
- This unit provides basic knowledge
 - Can help if emergency turns out to be a crime scene
 - Assist as expert resource to other agencies


State Agricultural Response Team

5

Unit Topics

- Crime scene recognition
- Are you a good witness?
- Management of a crime scene
- Understanding evidence collection and chain of custody
- Summary




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Slides 7-9

Crime Scene Recognition

- Ability to recognize a crime scene
- Need to be observant
 - Is something wrong here?
- Decide whether intentional or unintentional
- Study the next 2 slides – What do you see?
 - Has anyone closed a valve? unintentionally?
 - Sometimes it is difficult to determine

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Crime Scene Recognition

What Do You See?



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Crime Scene Recognition

Intentional?




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Slides 10-12

Are You a Good Witness?

- Need to be a good witness
 - All investigations rely on witness facts
- Often first person on the scene
- Recognize the nature of the scene
- Observations critical to investigators




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Management of the Scene

- Assess event
- Scene Preservation
- Evidence Collection
- Maintaining Chain of Custody






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**You're the First One There:
Now What?**

- Questions to assess the event:
 - What am I getting into?
 - Is there danger to me if I take action?
 - Is there a possibility that evidence will be lost or destroyed if I don't take action?
 - Do I have the tools necessary to do the job properly?
 - Who can I call to help me?
 - Where is my supervisor when I need them?



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Slides 13-15

Scene Management Decision Recommendations

1. Call for assistance
If Agroterrorism, biohazard or crime, call 9-1-1

2. Preserve the Scene
Prevent contamination by:
A. Keep people out of area
B. Don't touch, move, or pick up items
C. Don't walk into the area or disturb anything
D. If you have to enter, be alert about where you step

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Scene Management Decision Recommendations


Preserve the Scene (continued)

If you have time at the scene:
A. Rope off area and keep it secure
B. Make notes of anyone entering/exiting area
C. Take photos of what/who is seen
D. Be a good witness

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Scene Management Decision Recommendations

3. If You Have to Take Evidence...
Assess the scene:
A. Plan – Don't rush
B. Safety is important for yourself and others
• Use appropriate protective gear, especially gloves
C. Photograph items where they lie before removing them
D. Measure the item and its location
E. Place in a proper container, then seal and mark

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Slides 16-18


Scene Management Decision Recommendations

4. Maintain the Chain of Custody

A. If you took an item as evidence, then you are responsible for it

B. If you have to relinquish evidence to someone else, make sure the receiving person signs for the item and that you get a receipt

C. If they don't want to sign for it, then they don't get it!




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Evidence Collection and Chain of Custody

Evidence = All the means by which any alleged matter of fact is established or disproved



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What Should Be Considered Evidence

• Anything that a person leaves at a crime scene or takes from a crime scene, or

• Anything that may otherwise be connected with the crime, or

• Anything that can be legally presented at a trial for the purpose of inducing a belief in the minds of the court and jury as to the truth of the issue involved



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Slides 19-21

Three Types of Evidence

Direct Evidence


- Tends to show the existence of facts through one or more of the five senses – what you saw, heard, smelled, felt, or tasted

Indirect or Circumstantial Evidence

- Evidence that does not directly in itself prove a fact, but helps to establish facts which tend to prove certain elements

Real or Physical Evidence

- Evidence items that speak for themselves and require no explanation, merely identification




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Evidence Can Include:

- Foot prints – Fingerprints – Tire tracks – Objects – Bite marks – DNA – Eyewitness testimony – Records – Documents – Photographs/Video images
- Can also include what is not there




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Collection of Physical Evidence

Things to keep in mind:

1. Obtain it legally
2. Describe it in notes
3. Identify it properly
4. Package it properly
5. Maintain a chain of custody



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Slides 22-24

Collection of Physical Evidence

1. Obtain it legally

To obtain evidence legally means that you had a right to take the item into custody

- A. You had consent to take it
- B. You had a warrant authorizing seizure
- C. The item was seized incidental to an arrest



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Collection of Physical Evidence

2. Describe it in notes

“Describing” mean that you can tell someone:

- 1. What the item is
- 2. The location that you found it
- 3. How you obtained it
- 4. Date and time the item was found
- 5. How it was identified
- 6. The chain of custody




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Collection of Physical Evidence

3. Identify it properly

- A. You must be able to show that the item you initially took is the same item at a later date
- B. For actual physical items, it is preferred to mark the item with your initials, date, case, or incident number
- C. For items such as liquids, soil, or tiny fragments, the container itself should be sealed and marked



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Slides 25-27

Collection of Physical Evidence

4. Package it properly

A. Use suitable containers

- Plastic bags, pill boxes, plastic vials, glass or plastic containers, strong cardboard boxes, etc.


B. Seal securely against leakage

C. Package each item separately

- Avoid the possibility of contamination

D. If wet or bearing blood, dry before packaging

- Exceptions would be samples collected for the presence of chemicals, hydrocarbons, blood samples taken, bio samples taken, etc.

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Collection of Physical Evidence


5. Maintain a chain of custody

A. Keep it as short as possible

- The chain starts with the person(s) who find it, collect it and identify it
- Each time another person takes possession, it must be signed for


B. Maintain the evidence in a locked vault, cabinet or room

C. If evidence requires laboratory analysis, get it to the lab ASAP

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Resources


- CDC-MMWR. *Medical Examiners, Coroners, and Biologic Terrorism: A Guidebook for Surveillance and Case Management*
<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5308a1.htm>
- Chain of Custody information, including a Self-Certification course on Chain of Custody (50-minute, self-instructional course)
<http://www.epa.gov/apti/coc/>
- Evidence Collection – “Crime Scene Investigation: A Guide for Law Enforcement January 2000”
<http://www.ojp.usdoj.gov/nij/pubs-sum/178280.htm>

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Slides 28-30

Resources

- Extension Disaster Education Network (EDEN)
<http://www.eden.lsu.edu>
- Fire and Arson Scene Evidence: A Guide for Public Safety Personnel
<http://www.ojp.usdoj.gov/nij/pubs-sum/181584.htm>
- Florida Agricultural Law Enforcement
<http://www.fl-aglaw.com/>
- Florida Dept. of Agriculture and Consumer Services (FDACS)
<http://www.doacs.state.fl.us>




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Resources

- U.S. Dept. of Homeland Security
<http://www.dhs.gov/index.shtm>
- National Agricultural Safety Database (NASD)
<http://www.cdc.gov/nasd/>
- Florida Animal Disease Control
http://www.doacs.state.fl.us/ai/adc/adc_main.shtml
- Florida Dept. of Community Affairs, Div. of Emergency Management
<http://www.floridadisaster.org>
- More Resources can be found in the workbook



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Review Objectives

- Discuss the role of producers and responders in preserving evidence
- Recognize crime scene indicators
- Support law enforcement through good witness practices
- Be aware of crime scene management issues
- Explain procedures for maintaining crime scene integrity
- Explain the basics of evidence collection and preservation
- Describe chain of custody



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Slide 31



PowerPoint Slides

The Evidence Collection and Chain of Custody Issues PowerPoint slides are reproduced full-size on the following pages. You can use these pages as a display or photocopy them onto plastic overhead sheets for use with an overhead projector.

Color versions of these slides can be downloaded at the SART Web site:

<www.flisart.org>.



Evidence Preservation and Chain of Custody Issues



Evidence Collection and Chain of Custody Issues

Prepared by

Col. Darrell Liford

Director of Law Enforcement

Office of Agricultural Law Enforcement
Florida Department of Agriculture and Consumer Sciences



Learning Objectives

- Discuss the role of producers and responders in preserving evidence
- Recognize crime scene indicators
- Support law enforcement through good witness practices
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- Explain procedures for maintaining crime scene integrity
- Explain the basics of evidence collection and preservation
- Describe chain of custody



Audience and Topics

- This unit is intended for:
 - Agricultural producers: Owners, managers, workers, etc.
 - Emergency responders
- This unit provides basic knowledge
 - Can help if emergency turns out to be a crime scene
 - Assist as expert resource to other agencies



Unit Topics

- Crime scene recognition
- Are you a good witness?
- Management of a crime scene
- Understanding evidence collection and chain of custody
- Summary



Crime Scene Recognition

- Ability to recognize a crime scene
- Need to be observant
 - Is something wrong here?
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- Study the next 2 slides – What do you see?
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What Do You See?



Intentional?



Are You a Good Witness?

- **Need to be a good witness**
 - All investigations rely on witness facts
- **Often first person on the scene**
- **Recognize the nature of the scene**
- **Observations critical to investigators**



Management of the Scene

- Assess event
- Scene Preservation
- Evidence Collection
- Maintaining Chain of Custody



You're the First One There: Now What?

- Questions to assess the event:
 - What am I getting into?
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Scene Management Decision Recommendations

Preserve the Scene (continued)

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Scene Management Decision Recommendations

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Scene Management Decision Recommendations

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Evidence Collection and Chain of Custody

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Collection of Physical Evidence

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2. Describe it in notes
3. Identify it properly
4. Package it properly
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- i. The chain starts with the person(s) who find it, collect it and identify it
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Thank You!

SART Training Media

CRIME SCENE-DO NOT ENTER

