

Workbook



Evidence Preservation and Chain of Custody Issues



SART Training Media



Evidence Collection and Chain of Custody Issues

Workbook

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SART Training Media are available for download from the Florida SART Web site <www.flisart.org>.

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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.

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
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Total	55 minutes

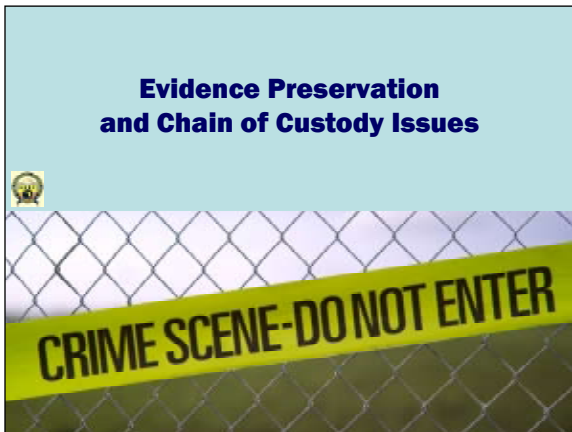
Learning Objectives

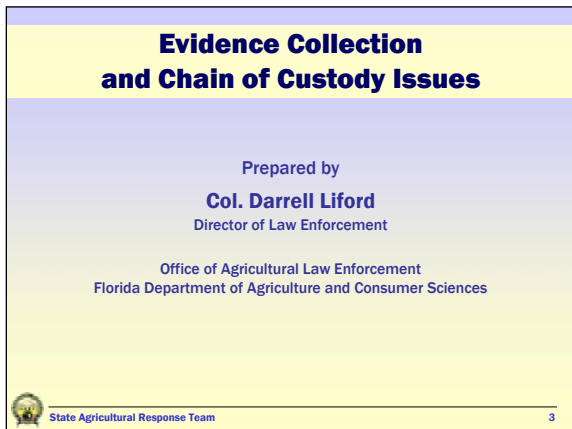
At the end of this unit, participants will be able to:

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.
-

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

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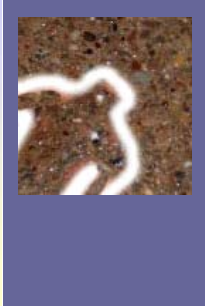
Audience and Topics

- 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

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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




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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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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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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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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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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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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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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

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Resources

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>

Resources

Resources