Evidence Preservation and Chain of Custody Issues
Training Guide

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About Florida SART

- SART is a multi-agency coordination group.
- SART is made up of over 25 partner agencies (state, federal and non-governmental organizations).
- SART provides preparedness and response resources for Emergency Support Function 17 [(ESF 17) Animal and Agricultural Issues].
- SART statutory authority
  - State Emergency Management Act (Section 252.3569, Florida Statutes)

SART Mission

Empower Floridians through training and resource coordination to enhance all-hazard disaster planning and response for animal and agricultural issues.

SART Goals

- Support the county, regional and state emergency management efforts and incident management teams.
- Identify county resources available for animal and/or agricultural issues.
- Promote the cooperation and exchange of information of interested state, county and civic agencies.
Specific Learning Objectives

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

- 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
Resources

The following are sources of additional information about the subjects mentioned in this introduction.

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/

https://www.apti-learn.net/LMS/EPAHomePage.aspx

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

Florida Dept. of Agriculture and Consumer Services (FDACS)
https://www.freshfromflorida.com/

U.S. Dept. of Homeland Security
http://www.dhs.gov/index.shtm

National Agricultural Safety Database (NASD)
http://nasdonline.org/

Florida Animal Disease Control
https://www.freshfromflorida.com/Consumer-Resources/Animals/Animal-Disease-Information/Reportable-Animal-Diseases

Florida Division of Emergency Management
http://www.floridadisaster.org
Evidence Preservation and Chain of Custody Issues
Appendix A - Training Slides

SART Training Media
Evidence Preservation and Chain of Custody Issues

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Appendix A: Slides 1-3
Learning Objectives

• Discuss the role of producers and responders in preserving evidence
• Recognize crime scene indicators
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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

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?
- 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

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?
  – 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?
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

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

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

Appendix A: Slides 13-15
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!

Evidence Collection and Chain of Custody

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

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
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

Evidence Can Include:
- Footprints
- Fingerprints
- Tire tracks
- Objects
- Bite marks
- DNA
- Eyewitness testimony
- Records
- Documents
- Photographs/Video images

- Can also include what is not there

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
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

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

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
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.

5. Maintain a chain of custody

A. Keep it as short as possible
   i. The chain starts with the person(s) who find it, collect it and identify it
   ii. 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

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 (60-minute, self-instructional course)
  https://www.apti-learn.net/LMS/EPAHomePage.aspx

  http://www.ojp.usdoj.gov/nij/pubs-sum/378280.htm
Resources

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  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

- Florida Dept. of Agriculture and Consumer Services (FDACS)
  https://www.freshfromflorida.com/

Resources

- U.S. Dept. of Homeland Security
  http://www.dhs.gov/index.shtm

- National Agricultural Safety Database (NASD)
  http://nasdonline.org/

- Florida Animal Disease Control
  https://www.freshfromflorida.com/Consumer-Resources/Animals/Animal-Disease-Information/Reportable-Animal-Diseases

- Florida Division of Emergency Management
  http://www.floridaemergency.org

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
Thank You!

SART Training Media

CRIME SCENE - DO NOT ENTER