



Evidence Preservation and Chain of Custody Issues Training Guide





Evidence Preservation and Chain of Custody Issues Training Guide

Prepared in 2007 by:

Col. Darrell Lifford

Director of Law Enforcement, Office of Agricultural Law Enforcement
Florida Department of Agriculture and Consumer Services

Eric Hallman

Agricultural Safety Specialist

University of Florida, Gainesville

Charles M. Brown

Information and Publications Specialist

University of Florida, Gainesville

Carol J. Lehtola

Associate Professor

Agricultural and Biological Eng. Dept.

University of Florida, Gainesville, Florida

Updated in August 2018 by:

Ben Burns

Law Enforcement Major

Florida Department of Agriculture and Consumer Services

Copyright by Florida Department of Agriculture and Consumer Services

Published December 2007

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

Contents

About Florida SART	1
Specific Learning Objectives	2
Resources	3
Training Slides	Appendix A

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/>

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

<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

https://www.freshfromflorida.com/Divisions-Offices/Agricultural-Law-Enforcement?original_host=www.fl-aglaw.com/

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>

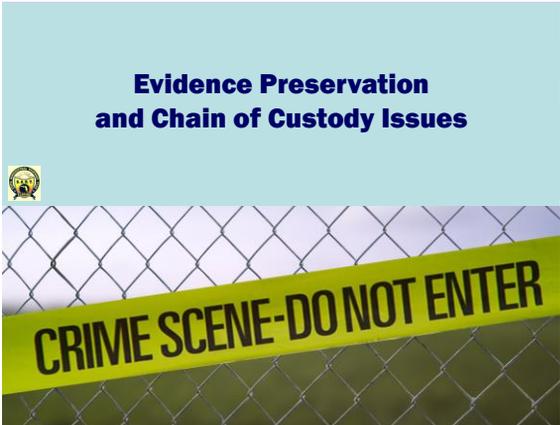


Evidence Preservation and Chain of Custody Issues

Appendix A - Training Slides







**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

Reviewed August 2018 by
Ben Burns
Law Enforcement Major
Office of Agricultural Law Enforcement
Florida Department of Agriculture and Consumer Sciences

 State Agricultural Response Team 3

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



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



Crime Scene Recognition

What Do You See?



Crime Scene Recognition

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



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:

- Foot prints – 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

- 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



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)
<https://www.apti-learn.net/LMS/EPAHomePage.aspx>
- Evidence Collection – “Crime Scene Investigation: A Guide for Law Enforcement January 2000”
<http://www.ojp.usdoj.gov/nij/pubs-sum/178280.htm>



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
https://www.freshfromflorida.com/Divisions-Offices/Agricultural-Law-Enforcement?original_host=www.fl-aglaw.com/
- 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.floridadisaster.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