

CHAPTER 42

EVIDENCE

42.1 Processing Evidence at the Scene

42.1.1 A written directive governs timing and conditions for submitting evidence to a forensic laboratory.

Comments: The written directive should specify procedures for submission of evidence to the forensic laboratory. (M M M)

42.1.2 A written directive governs procedures used for photography pursuant to the collection and preservation of evidence.

Comments: The intent of this standard is to ensure that the use of such measures in the investigative process does not bring the administration of justice into disrepute. (M M M)

42.1.3 A written directive governs procedures for processing recovered stolen vehicles.

Comments: The directive should ensure that the reporting department, owner, and other appropriate persons receive prompt notification of the recovery; that the vehicle and its contents be processed for items of evidentiary value; that the chain of evidence is maintained; that conditions for release are specified; and that accurate records are maintained. (M M M)

42.2 At-scene Evidence Records

42.2.1 A written directive governs the sealing, marking or labelling of physical evidence.

Comments: For physical evidence to be accepted by the court at time of trial, it is essential that continuity of possession be maintained. (M M M)

42.2.2 For all items of evidence, a list is prepared containing the following information:

- o description of the item (including make, model number, and serial number, if any);
- o source (from whom or location which obtained); and
- o name of person collecting the item or items.

Comments: An inventory of the items recovered during an investigation is essential to establish accountability. (M M M)

42.2.3 A written directive specifies the information to be recorded at the time evidentiary photographs or videography are taken.

Comments: The date, time, location, and case number should be recorded. Videography may supplement but should not replace still photography. (M M M)

42.2.4 A written directive requires a record be made each time transfer of custody of physical evidence takes place.

Comments: The record of transfer of physical evidence should include the following: (1) date and time of transfer; (2) receiving person's name and functional responsibility; (3) reason for the transfer. (M M M)

42.2.5 A written directive requires the record of physical evidence submitted to a laboratory for examination to include prior custody information as follows:

- o name of the officer last having custody of the item;
- o date and time of submission or mailing and method used for transmission;
- o date and time of receipt in the laboratory; and
- o name and signature of the person in the laboratory receiving the evidence.

Comments: The record serves to meet the requirements for maintaining continuity of possession. (M M M)