



# DESCHUTES COUNTY SHERIFF'S OFFICE

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## I. PURPOSE

The purpose of this policy is to provide uniform standards and procedures for the collection and processing of evidence. The proper handling of evidence at the scene and through the chain of evidence is critical to successful prosecution. Refer to [Policy 4.10 Evidence Control](#).

## II. POLICY

It is the policy of the Deschutes County Sheriff's Office to handle evidence in a manner most likely to facilitate the proper collection and preservation of the evidence until the evidence is delivered into the control of a Property/Evidence Technician. All deputies of the Deschutes County Sheriff's Office are trained in the collection of evidence and are available 24 hours a day.

## III. DEFINITIONS

*Recording media* is anything that includes, but is not limited to, 35 mm or Polaroid film, videotape, media card, cassette tape, or digital media.

## IV. PROCEDURES

It is the responsibility of the primary investigating deputy to assure that once an item of evidence has been identified, steps are taken to assure that its value is not degraded. In general terms, this includes:

### A. Assess

*Assess the Evidence:* Determine its value to the case and stability in its location and position.

### B. Preserve

*Preserve the Evidence:* Prior to collection, the item must be protected from the elements (rain, freezing, desiccation, heat, or wind may degrade or destroy the item's evidentiary value). Additionally, traffic through the area, whether foot, vehicular, or animal, may obliterate or contaminate the evidence and must be controlled.

### C. Process

*Process the Evidence:* Prior to collection, the evidence may require processing such as photographing in place to establish position and condition, stabilization (as in casting footprints or tire marks), enhancing (as in dusting latent fingerprints with a suitable material), or similar process required to render the evidence stable, safe and collectible.

## **D. Collect the Evidence**

Collection of the evidence is accomplished when the evidence is removed from its original position or location and contained for transport. The deputy must take steps to preserve the value of the evidence which may be degraded or destroyed if not handled properly. Steps to preserve the value of the evidence may include, but are not limited to:

1. Guarding against contamination or cross-contamination by collecting evidence in separate containers. Containers shall be clean, sealed immediately, and not re-used. Critical evidence or evidence which may require detailed scientific analysis shall be collected using sterile latex gloves.
2. *Select the Proper Container:* An airtight container, for example, may cause blood on clothing to decay instead of dry; bio-hazards, such as syringes or fluids, should be packaged so as to prevent a danger to deputies; and objects to be processed for further evidence should be packaged or padded so as not to disturb or obliterate its evidentiary value.
3. *Preserve the Chain of Evidence:* Properly tag the container with the required information and document the custody of the evidence from the time it is collected until the evidence is received by the Property/Evidence Unit.

## **V. PHYSICAL EVIDENCE**

Physical evidence falls into general types or categories, each of which requires specific skill and care to preserve its value to the investigation. The most common types of evidence include:

### **A. Prints and Impressions**

Includes latent prints or impressions left at a crime scene or prints obtained for comparative or elimination purposes. Also includes prints or impressions from tires, footwear, and tool marks.

### **B. Photographic and Video Evidence**

Includes still photographs or video-type footage for purposes such as reconstructing a crime scene, establishing relative positions or conditions, or showing detail or evidence that cannot be preserved or adequately collected.

### **C. Objects**

Items as weapons or tools which show the method of the crime, stolen property which demonstrates the fruits of the crime, or items which establish specific criminal elements.

### **D. Documentation**

Documents such as checks, suicide notes, written threats of some type, or handwriting exemplars. Also includes tape and digitally recorded evidence.

### **E. Fibers and Particles**

Minute bits of evidence left at a crime scene, such as shards of glass, fibers from garments, or particulate residue, which establishes identity or a specific criminal element.

### **F. Organics, Fluids and Tissues**

Includes perishable items such as vegetable material, blood, urine, seminal fluid, hair and tissue.

### **G. Computer Equipment, Cell Phones and Digital Media**

Includes both hardware and software whether or not it is in operation at the time of seizure. Includes, but is not limited to, discs, files, physical and electronic networking logs, drives, media cards, cell phones, iPads, iPods and peripheral equipment.

## VI. PRINTS AND IMPRESSIONS AS EVIDENCE

### A. Generally

Latent prints and impressions may be left at a crime scene in many ways. Most latent prints consist of residual oil and moisture left on objects having been touched by the hands of the suspects. Impressions include those left from fingers or hands, tooth or bite marks, and marks left by tires, footwear, or tools which may have been left in dust, mud or other material, or in some cases, tissue.

Identification of this evidence during the investigation is most commonly accomplished by detailed observations of points of entry and exit, as well as areas and objects left, moved or touched by suspect actions.

### B. Procedure

Procedures utilized in the collection of prints and impressions should stress the fragile and transitory nature of this evidence:

1. *Assess the Evidence:* Prints which are exposed, either to the elements or traffic, may degrade rapidly as will some impressions, such as tire marks in mud or snow. The deputy shall collect prints or impressions with evidentiary value as quickly as possible.
2. *Preserve the Evidence:* Prints and impressions exposed to weather and traffic may require a waterproof cover, some form of temperature control, or diversion of traffic/access until collection. Control of access to indoor scenes should be strictly enforced.
3. *Process the Evidence:* Latent prints are most commonly processed by lightly dusting with fingerprint powder until the print is clearly defined, then protecting the processed print with clear tape.

Development of prints using chemicals or treatments may also be used by trained deputies or technicians to define or preserve prints which would not otherwise be observable or collectable.

If evidence will not be collected whole, such as a door casing with tool marks, then an impression can be made by casting with plaster or other suitable material.

Care should be taken not to degrade other types of evidentiary value, such as fluid evidence from a bloody print or fiber evidence from a tool mark or footprint.

Photography is often used to define the evidence, especially if the print or impression is particularly fragile.

4. *Collect the Evidence:* Prints and impressions are usually small in size and lend themselves well to collection. Latent prints are most commonly applied to a print card, the card information completed and the card submitted to the Property/Evidence Unit.

Evidence may be collected as a whole, such as a door casing or window frame with tool marks.

Impressions and casts of impressions should be packaged or padded against damage which would degrade evidentiary value. All pertinent information should be included in the deputy's case report, particularly if the print or impression includes more than one type of evidentiary value. The item should be sealed and tagged according to [Policy 4.10 Evidence Control](#).

5. *Follow-up:* Address post-collection concerns. With prints and impressions, the deputy should specify any comparisons or laboratory analysis. Collection of fingerprints for elimination or comparison purposes may be needed to narrow the field of suspects.

## VII. PHOTOGRAPHIC AND VIDEO EVIDENCE

The Sheriff's Office provides equipment for the photographic or video collection of evidence.

## **A. Procedure**

Procedures for the collection of photographic and video evidence are similar to other forms, although the deputy is “creating” the record instead of finding it:

1. *Assess the Evidence:* Photographic or video evidence may be of little or no value for further investigation or prosecution if the deputy did not first assess what the evidence was that needed to be portrayed. Countless photographs of vague objects or scenes serve less purpose than a single clear photograph establishing a specific criminal element.
2. *Preserve the Evidence:* Certain forms of evidence can neither be processed nor collected. Preserving evidence of a footprint in the snow, for instance, may only be accomplished photographically, coupled with detailed written observations.
3. *Process and Collect the Evidence:* After photographing or taking video of the evidence, the recording media becomes evidence. It should be labeled, packaged, and handled in such a manner as to maintain its evidentiary value and comply with property/evidence control function procedures.
4. *Follow-up:* Sometimes, injuries must be documented later with photographic or video evidence since they may not be readily apparent on a victim during the initial contact

## **VIII. OBJECTS OF EVIDENCE**

Objects of evidence constitute the most diverse and extensive area of physical evidence. The size and nature of the object may make maintaining the evidentiary value a major undertaking. Identification of objects of evidence during the investigation phase of the case is defined largely by the specific elements of the crime.

### **A. Procedure**

Procedures utilized in the collection of objects of physical evidence should stress the inter-related value of the evidence, since objects of evidence commonly represent the possibility of producing further evidence if handled correctly:

1. *Assess the Evidence:* Determine if the object is, in fact, evidence. Collection of material due to poor assessment is time consuming and confusing to the criminal prosecution of the case.
2. *Preserve the Evidence:* Once assessed as evidence, the deputy should take the necessary steps to preserve its evidentiary value prior to collection. At extensive crime scenes, evidence must often be left in place for considerable periods of time prior to collection. Marking and noting the location of the evidence so that it may be protected until processed and collected will prevent evidence from being overlooked later, and thus lost.
3. *Process the Evidence:* Objects of evidence which tend to prove specific elements of a crime often need to be included in a crime scene sketch and/or photographed in place prior to any further processing. Additional processing so that the evidence may be collected should take into consideration the possibility of latent prints or impressions, fibers or particles, or the presence of organic, fluid or tissue.
4. *Collect the Evidence:* If at all possible, an object of physical evidence should be bagged separately and shall be sealed to avoid contamination. Once evidence is sealed, the deputy submitting the evidence shall write his initials over the seal. As directed in 1, 2, and 3 above, objects of physical evidence must be collected and contained so as not to degrade the value of the evidence or obliterate another form of evidence which may be present.
5. *Follow-up:* An object of physical evidence may require specialized storage in the Property/Evidence Unit. It may be necessary to process it for additional evidence or send it to a specialized facility for additional examination. It is the duty of the primary deputy investigating the case to assure that this is accomplished in accordance with the procedures of the Property/Evidence Unit.

## IX. DOCUMENTS AS EVIDENCE

Documents that are evidence of a crime may constitute a decisive element of the case. Most commonly, this evidence is in the form of forged checks, threatening notes, or other written forms that are readily collectible.

### A. Procedure

Procedures should stress developing the documents as part of the case rather than relying solely on this evidence.

1. *Assess the Evidence:* Does the document indicate an actual criminal event as opposed to a civil problem, and if so, is further evidence needed?
2. *Preserve the Evidence:* Evidentiary value on a document may be compromised if the document is not properly protected. Evidence of latent prints, fiber or fluid may be obliterated or tainted if the only value perceived is that which is written or printed on the document.
3. *Process the Evidence:* If the position, location or condition of the document is critical, it may be necessary to sketch or photograph it prior to collection.
4. *Collect the Evidence:* Documents require careful handling and packaging to preserve other forms of evidence on it.
5. *Follow-up:* Handwriting exemplars may be required to narrow or eliminate suspects. The exemplars should be processed as evidence and turned in to property/evidence control. Examinations and comparisons are generally handled by the Oregon State Police Crime Laboratory.

## X. FIBER AND PARTICULATE EVIDENCE

### A. Generally

Fiber and particulate evidence are undoubtedly the most easily overlooked evidence. Larger forms of particulate evidence, such as broken glass or pieces of a larger object (trim pieces from a vehicle at a crash scene, for example), are readily identifiable. Smaller forms may be relatively microscopic (such as fibers from a garment).

Larger fragments of evidence may be readily collectible. Smaller particles and fibers may be beyond the capabilities of the agency and the services of the Oregon State Police Crime Laboratory on-site team may be required.

### B. Procedure

Procedures for collecting larger pieces of fiber and particulate evidence are generally straightforward and simple:

1. *Assess the Evidence:* Based on the distribution and pattern, visible fragments at a crime scene may show specific elements of the crime or reveal clues about the method or time of the crime. For example:
  - whether the fragments are wet or dry may indicate a time if coupled with the last known rain or dew;
  - glass fragments inside or outside a window may indicate entry or exit of the suspect; or
  - pattern may indicate force or direction.

Once the material is moved, the original evidentiary value is compromised, so careful initial assessment is crucial.

2. *Preserve the Evidence:* Particulate and fiber evidence may be extremely fragile or transitory. Wind or rain may obliterate or carry it away entirely, and traffic through the crime scene may taint or remove it. Strict control of the crime scene is the most effective way to preserve this evidence.

3. *Process the Evidence:* Processing of particulate or fiber evidence at the scene is generally limited to sketching, photographing, or video recording media, if warranted. Due to the size of the material, processing is generally done after the evidence is collected.
4. *Collect the Evidence:* Collection of fiber or particulate evidence should be done so as to limit or eliminate the amount of handling since this may degrade the evidence. Tweezers or latex gloves may aid in placing very small items of evidence into small, sterile containers.
5. *Follow-up:* Fragments of evidence, fibers or particles may produce crucial results if comparison to samples from a known source can be obtained. When collecting samples from a known source, extreme care should be taken to assure that the sample is not contaminated and that it is handled according to property/evidence control standards.

## **XI. ORGANIC, FLUID, AND TISSUE EVIDENCE**

### **A. Generally**

Organic, fluid, and tissue evidence is perishable and may pose serious health risks to the deputy collecting the evidence. Care should be exercised in safely handling the evidence while still preserving its value as evidence.

Deputies should utilize the resources available, such as the Oregon State Police Crime Laboratory, for information on how best to collect and preserve this type of evidence. In the event of a major incident which is beyond the capabilities of the agency to process, the Oregon State Police Crime Laboratory may be requested to respond.

### **B. Procedure**

*Assess the Evidence:* As with particulate and fiber evidence, position, location, pattern and condition of organic, fluid, or tissue evidence may yield clues to various aspects of the criminal event and should be carefully assessed. Once disturbed or collected, further deduction to be made from the evidence may be tainted.

1. *Preserve the Evidence:* Preservation prior to collection is best accomplished through early identification of the evidence and strict crime scene security.
2. Due to the perishable nature of some evidence and to prevent decay, the deputy should be aware that, further preservation after collection may be needed, such as drying or refrigeration.
3. *Process the Evidence:* Organic, fluid and tissue evidence is generally not processed at the scene. Detailed processing of the scene, including sketching, photographing, video recording and mapping, may be required to show the location, position, and condition of the evidence prior to collection.
4. *Collect the Evidence:* Proper collection of organic, fluid, and tissue evidence is absolutely critical to maintain its evidentiary value. Care should be taken to assure that the evidence is not contaminated or cross-contaminated. The evidence should not be touched and collection should be made using sterile utensils to transfer the evidence to a clean, sterile container designed for that purpose. The evidence container shall be labeled and, if applicable, a bio-hazard notation affixed.
5. *Follow-up:* Organic, fluid or tissue evidence, such as hair, semen, blood or urine, require specific scientific testing to develop the evidentiary value. The Oregon State Police Crime Laboratory provides the Sheriff's Office with scientific analysis conducted by trained crime technicians. Drug or toxin screening, blood typing, DNA analysis or other specialized scientific testing requests should be routed to the Oregon State Police Crime Laboratory according to property/evidence procedures.

## **XII. COMPUTER EQUIPMENT**

Computer equipment requires specialized training and handling to preserve its value as evidence. Deputies should be aware of the potential to destroy information through careless or improper handling and need to use the most knowledgeable personnel available.

#### **A. Procedure**

1. *Assess the Evidence:* Hardware, whether in operation or not, may present other evidence in addition to the possible electronic evidence. The deputy should consider fingerprint and fiber evidence as well.
2. *Preserve the Evidence:* Untrained deputies should not attempt to access any electronic databases or seize equipment until it has been evaluated by specially trained members. Evidence may best be preserved by maintaining it in place and obtaining specialized assistance for collecting it.
3. *Process the Evidence:* The Sheriff's Office has a trained digital forensics examiner available to assist in identifying, analyzing, seizing and collecting digital evidence from computers and related devices.
4. *The Forensic Analysis of Evidence:* Collection of computer evidence will be conducted by the Sheriff's Office's designated personnel, the Oregon State Police or other appropriate resource.
5. *Follow-up:* Computer evidence often extends far beyond the initial collection of evidence due to networking. Follow-up investigation is usually warranted to determine the scope and jurisdiction to which an electronic investigation may spread.

### **XIII. SUBMISSION OF EVIDENCE FOR FORENSIC ANALYSIS**

Once physical evidence has been collected and submitted to an Evidence Technician, it is the responsibility of the deputy in charge of the investigation or his designee to request the submission of the evidence for forensic testing.

1. The request must be submitted to an Evidence Technician on the proper form (for example, the O.S.P. Crime Lab Request for Examination Form).
2. Evidence must be packaged to meet or exceed the standard of the resource that it is being submitted to. This includes evidence tape to seal packaging with the deputy's initials over the seal, bio-hazard warning label, unloaded firearms in secure packaging unless otherwise authorized, and any other caution or precaution which must be taken to safeguard members and protect the evidence.
3. All required documentation will accompany the evidence being transported. This includes the specific testing requested, suspect or comparison requests, written warnings of hazards, specific instructions on packaging or handling, and "rush" requests.
4. Transportation to and from the testing facility will be arranged by an Evidence Technician. Transportation will always be by secure means in order to maintain the chain of evidence and appropriate receipts.
5. Deputies will be notified of the testing results as soon as possible.

### **XIV. RESOURCES**

Deputies should be aware of the resources available to them should they encounter incidents that they are not equipped to handle or are beyond the resources of the Sheriff's Office. These may include, but are not limited to:

#### **A. OSP Assistance**

*The Oregon State Police Crime Lab, Crime Scene Assistance:* Major crime scene investigations may require resources or personnel beyond the capabilities of the Sheriff's Office. The deputy in charge of such an investigation may request the assistance of the Oregon State Police Crime Lab, with watch or division commander approval. Crime scene technicians with specialized training and equipment are available 24

hours a day in major or critical situations. These personnel respond to the scene and coordinate with the deputy in charge of the investigation. The deputy in charge will retain overall control and responsibility.

## **B. OSP Crime Lab**

*Oregon State Police Crime Lab, Laboratory Facilities:* If our agency does not have the capability to process evidence, it may be submitted to the Oregon State Police Crime Lab for scientific analysis. and OSP Crime Lab personnel will provide test results.

*The State Identification (ID) Bureau:* The State ID Bureau is a division within the Oregon State Police Crime Lab that compiles fingerprints received from law enforcement agencies. The State ID Bureau processes, compares and classifies latent fingerprint evidence according to established priorities. Use of the Automated Fingerprint Identification System (AFIS) is a resource available through the State ID Bureau to speed up identification of suspects.

## **C. F.B.I.**

The Federal Bureau of Investigation (F.B.I.) may be utilized as a resource in nearly all aspects of an investigation if local resources are inadequate, the incident is of a major nature, or involves violation of federal law. F.B.I. resources include fingerprint processing, ballistics, crime profiling, fiber evidence, DNA and spectroscopy.

# **XV. CONCLUSION**

Every eventuality involving the collecting of evidence cannot be foreseen. Therefore, the Sheriff's Office relies heavily on the training, experience, knowledge and initiative of individual deputies when dealing with unusual forms of evidence.

There is generally only one opportunity to properly identify, assess, preserve, process and collect physical evidence. Any mistake may degrade, destroy, or taint evidentiary value of any item which may affect the prosecution of a case. The deputy must take special precautions when handling evidence and be aware of the resources available in this and other agencies.