

## Crime Scene Awareness



Image: Body of Orlie Comeau, National Archives and Records Administration

### Unit 14: Crime Scene Awareness

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What is your first concern?

# Safety

- Some Hazards
  - Armed subject
  - Subject with altered mental status
  - Body Fluids (Blood-borne pathogens)
  - Perpetrator
  - Chemical Suicide
  - Clandestine Drug Labs
  - .....



What is your first concern?

Safety.

Your own safety.

Other responders safety.

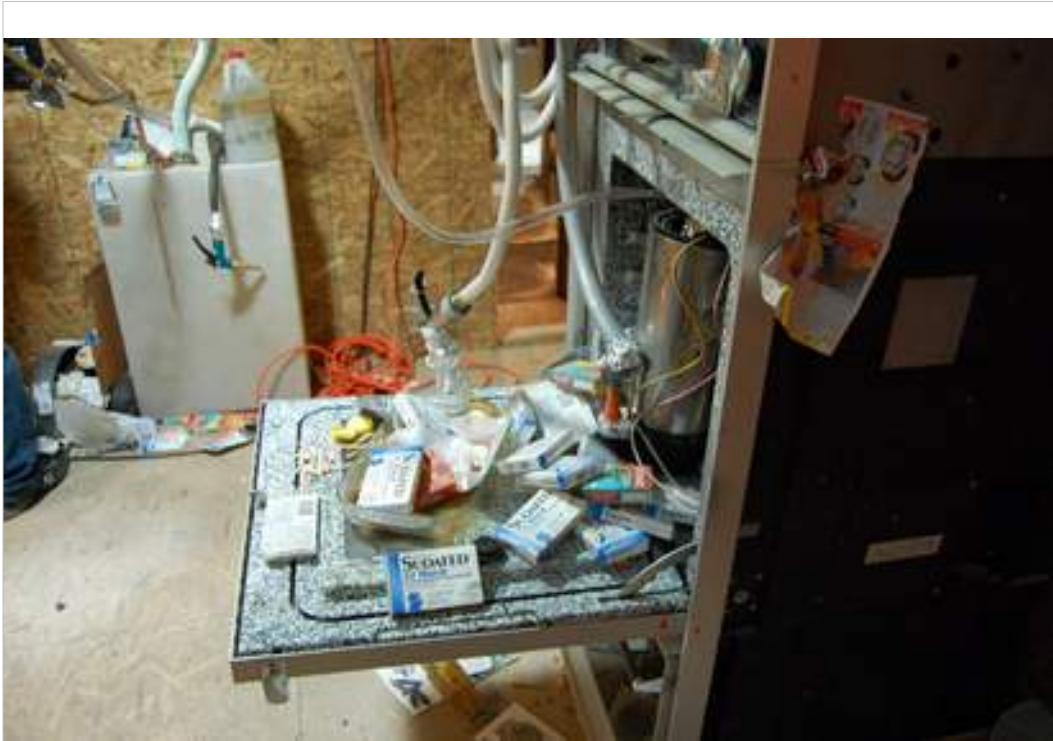


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What are some hazards around clandestine drug labs?



Key goals on encountering a crime scene:

Minimize disturbance.

Document what you saw and did.

Maintain a chain of custody – sign scene over to law enforcement.

## Situations

- Obvious crime scene
  - Clearly deceased subject
  - Subject possibly in need of medical care
- Potential Clue
  - Influencer of LKP



Two sorts of situation to consider:

Obvious crime scene.

Potential clue.

Something which might influence the last known position.

Something which might become a crime scene.



Public Domain: "Lady of The Dunes" Unidentified Deceased Female, 1974 Provincetown, MA

Obvious crime scene, deceased subject.

What are your concerns?

What are the threats, where are they?

Obviously deceased. Possibly deceased we'll come to later.

It is going to end up in court



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You know this is going to end up in court.



## Search Crucials

- Search is an Emergency
- Search is a classic mystery
- Search for clues not just the subject
- Know if the subject leaves the search area
- Close grid search as a last resort
- **Manage by objectives**
- Search management is information management



In a crime scene, legal considerations come to the forefront – whomever is in charge of the task that finds the crime scene will need to manage the situation – how do we do that? With objectives.

## Principles

- Contamination (limit and document)
- Containment
- Restraint
- Call



4 principles to apply to support the goals of minimal disturbance, documentation, and chain of custody, principles that let you frame concrete objectives for the situation.

Contamination, Containment, Restraint, Call.

Limit and document contamination of the crime scene.

Contain the scene – prevent others from contaminating it.

Exercise restraint.

Call in law enforcement to take custody of the scene.

Image: Backpack in Barstow CA, containing the severed head of an unidentified female.

## Defense needs to raise reasonable doubt



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Charles R. Gary in 1971 trial of Bobby Seale



- Uncertainty
- Untrained investigators
- Too many different observations/observers

Exercise restraint – if there is a perpetrator, the defense only needs to raise reasonable doubt. Anything the defense can point to that raises uncertainty can raise doubts.

Undocumented contamination can create uncertainty.

Many observations from many observers will conflict, this can create uncertainty.

## Actions To Take

- Limit and record contamination
  - Minimize disturbance of the scene
    - “Hold the Line”
  - Everyone flags their location and backs out
- Begin a log
- Establish an exclusion zone
- Quiet Notification – preferably via phone



Some actions help:

Minimize disturbance. “Hold the line” - everyone stops.

Record the contamination of the scene. If someone needs to check to see if a possibly deceased subject is in need of medical care one person goes in, checks, and comes back out on the path they went in on.

Everyone flags their location and backs out on the route that they came in on.

Begin a log.

Containment: Establish an exclusion zone.

Call: Quiet notification.

## Quiet Notification

- Preferably via phone
  - Radio can be and is legally monitored
  - Radio may be overheard at ICP
  - Cell phones can be illegally monitored
- Call to appropriate jurisdictional Law Enforcement authority
- Pre-planned code may be appropriate to communicate with IC.
- Minimum information necessary
  - Location and time of find. Do not elaborate



Quiet notification – minimum information necessary, don't elaborate. Preferably use a communication channel that can't be legally monitored – cell phone.

Call to IC. IC can notify appropriate jurisdictional law enforcement authority.

A pre-planned code for use on the radio may be provided in briefing – an exception to the ICS use plain language rule.

Radio frequencies will be monitored in the search.

Radio communications may be overheard by family members, press, etc.

## Things not to do (Restraint)

- No picture taking
- No discussion of the crime scene with each other
- Absolutely no deploying canines as a “training opportunity”
- No social media activity



Exercise restraint. Not doing so will open up opportunities for the defense to exploit in raising reasonable doubt.

Take no pictures.

No discussion of the crime scene. Members of the task that make the find must not talk among themselves while containing the scene, or later, or with others (critical incident stress debriefing being a contained exception).

No doing anything stupid.



You aren't there to investigate. Don't.

Your job is: Contamination, Containment, Restraint,  
Call.

## Chain of Custody

- The **written** record of **all individuals** who maintained **unbroken control** over evidence.
  - Who had contact with the evidence
  - When was the evidence handled (dates and times)
  - Why was evidence being handled
  - What changes were made to the evidence

Maintain Chain of Custody

Written Record.

Who was involved.

When was the evidence transferred from one person to another – documenting a continuous chain of custody from original collection of the evidence to the courtroom.



# Handover

- Only relinquish the scene to a properly identified LE officer (uniform, badge)
- Log the time, log your handover of the scene.
- You retain a log with one entry – time you handed crime scene and everything else over to LE.
- LE gets all materials, with a log with a last entry of your handover of the scene and documentation.
- Relinquish all materials to the LE officer.
- Remove yourself and all other SAR personnel to an identified location for debriefing by investigative LE.
- Discuss nothing about the matter to anyone, including each other.
- Investigative authorities need just the facts, as immediately observed, without your inferences



Maintain chain of custody in the handover.

Restraint: Discuss nothing with anyone, including each other.

Restraint: Just the facts that you observed. No investigation, no inferences.

Possibly Deceased Subject



Suppose you've got a subject who might be deceased? What then?

## Possibly Deceased Find

- Emergency medical care takes priority, preservation of evidence is an additional concern.
- If medical care is not necessary (per local medical protocol, e.g. decapitation, extreme dependent lividity, rigor mortis), preservation of evidence becomes primary concern.
- Critical incident stress mitigation
  - If you don't need to see it, don't go look.



Emergency medical care has priority.

Preservation of evidence remains an additional concern.

Someone goes in to check the subject. Enter and exit by the same route. Minimize disturbance.

## Clues can be

- Seen
- Heard
- Elicited in investigation
- Felt
- Smelled

In clue detection, we thought about clues as being seen, heard (including from investigation), felt, or smelled.

In thinking about crime scenes, we think about these as evidence.

## Evidence

- Physical
- Incorporeal
  - Document it to make it physical.



Evidence can be physical or incorporeal.

You are searching the woods and you find a coat – what sort of evidence is that?

You are walking in the woods and you hear a whistle – what sort of evidence is that?

How can you make hearing the whistle into physical evidence? (you write it down).

What do you want to write down?

## Interactions with people encountered on the search

- Ask if they saw the missing person
- Downplay the situation
  - e.g. comment about it being nice day
- Observe their behavior – go with your gut instinct, if something feels wrong...
- Get a name and a callback number
- Document the interaction



People can see things – they can provide clues.

They might be the perpetrator.

They might be the missing person.

They might have talked with the missing person.

Turn the incorporeal evidence that you encountered someone and spoke with them into physical evidence – write it down.

Document a means for the investigation unit to follow up, ask for a name and a contact number.



Call out **“Hold the Line”**

Everyone stops.

Team leader comes over to see what you've found.

Everyone else stays where they were – don't converge on the potential clue.

## Actions to take on finding a potential clue in the absence of LE interest or present involvement

- Call it in, get instructions
- Record the location.
- Mark the location with flagging tape
- **If** the authority having jurisdiction has approved it: Take a photo with a disposable camera (which will be handed over to search management).



### What are your priorities on finding a potential clue?

Pass the responsibility for deciding what to do up back to the command post.

Record the location, flag the location.

You may get additional instructions, they might include collecting the clue, taking a picture of it, or just leaving it in place.

Images of potential clues can be valuable, but, **if you take an image with your own camera or phone then that camera or phone becomes discoverable.** LE may want it now, the DA may want it, the defense may want it.

Consider obtaining burner phones to use on searches and then surrender. **But only use with approval of AHJ. Policy varies, some AHJs discourage images for any reason.**





Don't flag with a little piece of flagging tape – there's plenty of random bits of flagging tape around the woods.

Make it obvious.



Flagging – not on the clue. Nearby and obvious.  
Three long streamers of flagging tape.

## Principles

- Contamination (limit and document)
- Containment
- Restraint
- Call



Remember the principles:

Contamination, Containment, Restraint, Call.

Limit and document contamination of the crime scene.

Contain the scene – prevent others from contaminating it.

Exercise restraint.

Call in law enforcement to take custody of the scene.



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