

PLANNING AND DEPLOYMENT
TRANSMITTAL OF WRITTEN DIRECTIVE

FOR SIGNATURE OF: James E. Craig, Chief of Police

TYPE OF DIRECTIVE: Manual Directive 203.1

SUBJECT: CRIME SCENE INVESTIGATION

ORIGINATED OR REQUESTED BY: Planning and Deployment

APPROVALS OR COMMENTS:

The above referenced manual directive was reviewed by Crime Scene Investigation. Revisions are marked in strikethroughs, bold, and italics.

The recommended changes reflected in this policy are as follows:

1. "Officer" was changed to "member" throughout the directive to eliminate any possible misunderstandings of rank.
2. Verbiage and grammatical changes were made to provide a clear read for all members of this Department.
3. 203.1 – 2 – Policy (4) – Information was added to better explain the policy for requesting Crime Scene Services.
4. 203.1 – 5.3 – Document Actions and Observations (5-8) – This section was updated to reflect proper procedures for notifying TCR and entering vehicles into LEIN.
5. 203.1 – 5.4 – Collection of Evidence (4(d)) – Information was added to update proper notification procedures.

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OCT 30 2018

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OCT 25 2018

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OCT 19 2018

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OCT 08 2018

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POLICE LEGAL ADVISOR

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PLANNING AND DEPLOYMENT.**

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Series 200 Operations	Effective Date	Review Date <i>Three Years</i>	Directive Number 203.1
Chapter 203 – Criminal Investigations			
Reviewing Office Crime Scene Services			<input type="checkbox"/> New Directive <input checked="" type="checkbox"/> Revised <small>Revisions in <i>italics</i></small>
References			

CRIME SCENE INVESTIGATION

203.1 - 1 PURPOSE

The purpose of this directive is to provide Detroit Police Department (DPD) members with guidelines and procedures for responding to and dealing effectively with the operational demands of crime scenes.

203.1 - 2 POLICY

1. The actions taken by patrol and investigative *members* at crime scenes often determine the course and success of criminal investigations. Initial responding *members* play the lead role by protecting the crime scene and rendering emergency services. Initial responding *members* shall promptly, yet cautiously, approach and enter crime scenes, remaining observant of any persons, vehicles, events, potential evidence, and environmental conditions.
2. Qualified members are available on a twenty-four (24) hour basis to process a crime scene.
3. The evidence at all major crime scenes (e.g. homicide, non-fatal shooting, sexual assault, robbery, arson, kidnapping) shall be collected and processed by members of Crime Scene Services.
4. All other crime scenes (e.g. home invasions, breaking and entering businesses) shall be processed by forensic technicians of Crime Scene Services *on a priority, case by case basis. In the interest of time and efficiency, these scenes, when requiring minimal documentation and/or evidence recovery, may be processed by the responding on-scene units. These scenes can also be processed the following day on Platoon Two when a work request is submitted through established procedure by the officer in charge of the case.*
5. The initial responding *members* shall attempt to identify all witnesses to the crime, or those who possess information regarding the crime. In the absence of reasonable suspicion, which is necessary to detain a person, or probable cause, which is necessary to arrest a person, “citizen contacts” are consensual encounters, and the person is free to leave at any time and is not required to produce identification, answer any questions, or to cooperate with a *Department member.*

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203.1 - 3 Definitions

203.1 - 3.1 Crime Scene Boundaries

The perimeter or border surrounding potential physical evidence related to the crime. Crime scene boundaries should be defined to include all areas that may be reasonably searched for evidence.

203.1 - 3.2 Chain of Custody

A series of chronological and documented links from the time the evidence was obtained until presented in court. The links are members who handled the evidence and when, where, and for what purpose they did so.

203.1 - 3.3 Probable Cause

A reasonable belief that an individual has committed, is committing, or is about to commit an offense.¹

203.1 - 3.4 Witness

A person who personally sees or perceives anything regarding an incident under investigation.

203.1 - 4 Initial Response to Crime Scenes

203.1 - 4.1 General

1. Approach the scene in a manner designed to reduce potential harm to *members*, while maximizing the safety of victims, witnesses, and others in the area (e.g. do not park in front of location, etc.).
2. In transit to crime scenes, *members* should be aware of suspects and/or vehicles that may be leaving.
3. Remain alert and attentive. Assume the crime is ongoing until determined to be otherwise.

¹ It should be noted that the definition of probable cause includes a reasonable belief that a person is "about to commit" a crime. MCL 750.92 requires that "[a]ny person who shall attempt to commit an offense prohibited by law, and in such attempt shall do any act towards the commission of such offense" has committed an attempt crime. If a person has not taken any act towards the commission of a criminal offense, there is no probable cause for an arrest. However, an investigative detention (*Terry v. Ohio*, 392 U.S. 1, 1968) is permitted when there exists reasonable articulable suspicion. Reasonable articulable suspicion exists where the facts and reasonable inferences drawn from those facts convince an ordinarily prudent person that criminality is at hand."

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203.1 - 4.2 Safety Precautions

1. Ensure there is no immediate threat to other responders or to any citizens by scanning the area for sights, sounds, and smells (e.g. hazardous materials) that may present danger to responding personnel. If necessary, contact the appropriate personnel (e.g. Fire Department) prior to entering the scene.
2. Identify and control any dangerous situations or persons.
3. Request a supervisor and/or backup if necessary.

203.1 - 4.3 Emergency Care

1. Assess the scene for injuries to persons and render immediate medical attention (first aid) and request Emergency Medical Services (EMS), if necessary.
2. Guide EMS to the victim(s) to minimize contamination/alteration of the crime scene.
3. Instruct medical personnel not to "clean-up" the scene and to avoid removal or alteration of items originating from the scene.
4. Obtain the medic number and medical facility where the victim is to be taken.
5. If EMS has conveyed the victim(s) to a medical facility *prior to members making the location*, obtain the medic number and medical facility of which the victim(s) was conveyed *from Communications*.

203.1 - 5 Crime Scene Preservation

203.1 - 5.1 General

1. Responding *members* shall enter crime scenes only for the purposes of aiding the injured, apprehending perpetrators, or securing the area. Other entries shall be permitted only under the direction of a supervisor or investigator in charge of the scene. *Members* making entries for these purposes shall, where feasible, avoid touching, walking upon, moving objects, altering, or otherwise contaminating the crime scene.
2. Major crime scenes should be approached only as needed, and in a single defined line, to avoid destruction of footprints or the contamination of scent trails that may be useful in canine searches. The "place last seen" of kidnapped or missing persons should also be protected in a similar manner.
3. Preservation of the crime scene shall include restricting entry of non-police personnel, with the exception of the medical examiner, as well as police personnel not involved in the investigation of the crime. Vehicles involved in a crime shall be preserved intact as part of the scene.
4. Extreme care shall be taken to prevent the destruction of any item with evidentiary value. No search beyond that which is necessary to locate victims, perpetrators, or witnesses shall be conducted unless authorized by the patrol supervisor, the investigator in charge of the case, *or there is an executed search warrant*. Crime scenes shall not be abandoned unless directed by proper authority.

203.1 - 5.2 Crime Scene Boundaries

1. Considering the nature and seriousness of the crime, *members* should, as necessary:

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- a. Request backup to restrict areas to the crime scene and control any on-lookers;
 - b. Erect barricade tape or otherwise secure the immediate crime scene; and
 - c. Record any alterations made at the crime scene due to emergency assistance.
2. Boundaries should be established extending outward from the focal point of where the crime occurred and include the potential points and paths of exit and entry of suspects and witnesses.

203.1 - 5.3 Document Actions and Observations

1. The responding member(s) shall take notes of the important details of the crime scene, such as the description, location, and positions of any object in the vicinity of the crime (including vehicle license plate numbers). If the crime scene is outdoors, the weather conditions and terrain (e.g. pavement, vacant lot, etc.) shall be noted.
2. Initial responding *members* shall perform the following tasks unless otherwise directed by a ranking *member*, investigator, or other *Department members* specifically assigned to a crime scene:
 - a. In the event the perpetrator escapes just prior to the member's arrival, the member shall immediately broadcast the method and direction of the escape as well as any salient features of the perpetrators and their vehicle, if applicable. After the detailed description is obtained, the zone dispatcher will be informed so that a more complete description may be broadcast; and
 - b. If the responding *member* determines that the perpetrator may have left a scent at the scene of the crime (e.g. on a chair, desk, floor, or article left behind by the perpetrator), or the perpetrator may still be hidden within the confines of a large building, Canine should be contacted to provide a tracking dog. If a tracking dog is not on duty, the patrol supervisor shall determine if one (1) should be recalled. If a tracking dog is not utilized, normal crime scene procedures shall be followed.
3. When responding to major crime scenes, members shall gather the pertinent facts, and immediately notify the specialized command responsible for investigating the crime, the precinct *watch commander*, and Communications Operations.
4. If a vehicle is involved in a major crime, excluding *Motor Vehicle Theft*, the supervisor at the scene or the precinct *watch commander*, shall determine the necessity of entering the information into the L.E.I.N. system.
5. *Once a supervisor determines the vehicle shall be entered into LEIN, Telephone Crime Reporting (TCR) shall be notified. TCR will only accept reports of this type after review and authorization by the supervisor at scene or the precinct watch commander. Whenever a specialized command is responsible for the investigation, or if the crime occurred at a location outside the reporting member's precinct area, the watch commander of the precinct of occurrence must authorize entry of the wanted vehicle. The authorizing supervisor's name and badge number shall be supplied to TCR and*

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- recorded on the supplement report. TCR will enter these vehicles into the LEIN and NCIC systems as "wanted felony" vehicles.
6. Whenever a vehicle reported as wanted (via the LEIN system or Department teletype) is recovered or located, the recovering member shall prepare a supplement report to the original incident report. The vehicle shall be placed on evidence and impounded. The recovering member shall contact TCR and obtain the name and command of the supervisor that authorized the initial entry of the vehicle, and include the information in the supplement report. TCR shall prepare a supplement report for the recovery and remove the vehicle from LEIN.
 7. The officer in charge of the case is responsible for notifying the vehicle owner of the recovery. Further, the officer in charge of the case shall insure that all LEIN, NCIC, and Department teletypes concerning the wanted vehicle have been canceled.
 8. In cases of Motor Vehicle Thefts, recoveries, or Carjacking vehicle recoveries, TCR Auto Recovery will be responsible for notifying the registered owner of the recovery and the location of their vehicle.
 9. While awaiting arrival of assistance, investigators, or tracking dogs, at least one (1) responding member who is familiar with the crime scene and the circumstances of the crime, shall remain at the scene to assist any responding investigators, evidence technicians, or Canine and shall provide a detailed crime scene briefing to the investigator(s) in charge of the scene.
 10. All members entering the crime scene shall document their actions.

203.1 - 5.4 Collection of Evidence

1. Unless exigent circumstances exist, or authorized by a supervisor, initial responding members at serious crime scenes shall not collect evidence.
2. In the event evidence must be collected by responding members to prevent its loss or destruction, the evidence shall not be returned to the scene for collection by evidence technicians. The confiscating member is responsible for the proper recording and processing of any evidence that was removed from the scene.
3. If authorized, responding members shall only search the crime scene in a manner and method prescribed by a supervisor or the member in charge of the scene, for any items that may establish how the crime was committed or who committed the crime. This may include but is not limited to:
 - a. Weapons, firearms, tools, vehicles, parts of clothing, stains, blood spatters, fingerprints, impressions of footwear, tire or tool mark impressions, bite marks, broken glass, fibers, hair, soil, or other items or substances that may contain trace evidence or DNA evidence; and
 - b. Unusual objects or objects found in unusual or unexpected locations.
4. Vehicles present a unique situation. Special consideration must be given to motor vehicles involved in serious crimes to protect trace and DNA evidence:

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- a. *Members* should be mindful that steering wheels and door handles may contain critical evidence and shall not enter such vehicle absent exigent circumstances;
 - b. *Members* shall prohibit tow truck drivers from entering evidence vehicles involved in serious crimes. This would include touching doors, door handles, adjusting steering wheels, or writing on any surface of the vehicle;
 - c. To maintain the integrity of the chain of custody, a *member* shall escort the impounded vehicle to the DPD authorized storage facility. The escorting *member* shall document their actions on an *incident* report, including the tow truck company and driver's name, *TCR operator's name*, and *LEIN reference number given to the member by TCR*; and
 - d. All impounded vehicles shall be called into Telephone Crime Reporting (TCR) for the vehicle to be entered into LEIN, in compliance with Manual Directive 204.4, *Impounding Vehicles* and Manual Directive 201.6, *Stolen and Wanted Motor Vehicles*.
5. The chain of custody of all evidence shall be clearly and completely documented. *Members* shall comply with established DPD property procedures for purposes of preservation, documentation, labeling, and packaging of evidence.

203.1 - 5.5 Crime Scene Cleanup

1. The cleanup at crime scenes that occurs within private property (e.g. inside businesses or private dwellings, etc.) is the responsibility of the property owner. The officer in charge of the case shall provide the property owner with an informational sheet containing universal precautions.
2. The cleanup of crime scenes that occurs on public property (e.g. streets, sidewalks, etc.) or where the public has routine access (e.g. parking lots, porches) shall be the responsibility of the Detroit Fire Department (DFD).
3. No crime scene shall be cleaned, or in any other way disturbed, without the authorization of an evidence technician or the officer in charge of the case.
4. At the conclusion of the evidence collection process, the officer in charge of the case shall notify Communications Operations and request the DFD for a "scene cleanup."
5. Communications Operations shall notify DFD dispatch and request a unit for the cleanup.
6. Response units at the scene or the officer in charge of the case shall standby and continue to secure the scene until the DFD completes the cleanup.

203.1 - 6 Witnesses

1. Initial responding *members* shall attempt to identify witnesses at a crime scene and conduct preliminary interviews (to ascertain what occurred) as soon as possible. Although investigators may conduct the follow-up on information provided by responding members, the *members* who make the initial response must gather as much preliminary information as possible (crowds may disperse quickly, vehicles

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- may be removed from the area, etc.) before investigators arrive. Quick action by responding *members* may preserve information that would otherwise be lost.
2. Members shall request that witnesses remain present at or near the crime scene until they can be interviewed by a responding investigator. If witnesses agree to be interviewed, the witnesses, when possible, shall be asked to await interviewing by the appropriate command in an area where evidence will not be contaminated or destroyed.
 3. No individual shall be detained without reasonable suspicion or arrested without probable cause.
 4. No individual shall be conveyed to another location without the consent of the individual. Conveyance of a witness requires the conveying member to complete the Witness Conveyance Consent Form (DPD668). The DPD668 shall be reviewed and signed within twenty-four (24) hours by a supervisor at the conveying member's parent command. When a supervisor of that command is not available, the conveying member shall present the DPD668 to the precinct *watch commander* or a patrol supervisor for review.
 5. When interviewing a witness, the initial responding *member(s)* and/or subsequent investigator(s) shall ensure that their actions and requests could not be reasonably perceived by a citizen as a restraint on their freedom to leave the member's presence. As such member's should observe the following:
 - a. Establish rapport with the witness;
 - b. Inquire about the witness' condition;
 - c. Use open ended questions (e.g. "What can you tell me about the car?"); augment with closed ended questions (e.g. "What color was the car?"). Avoid leading questions (e.g. "Was the car red?");
 - d. Clarify the information received with the witness; and
 - e. Provide witnesses with the name of the command that will be investigating the incident and encourage them to contact investigators with any further information.
 6. As soon as possible, the neighborhood surrounding the crime scene should be canvassed in order to identify additional witnesses or others who may have some knowledge of the crime. The purpose and scope of these interviews is to gather as much basic information as possible about the crime scene at the earliest point possible in order to identify the perpetrator and establish the basis for the follow-up investigation.
 7. *Members* that identify and/or interview any witnesses shall document the content on a Statement Form (DPD103), and document the circumstances, time, and location of those interviews on their Activity Log (DPD250) during the shift of occurrence. All Activity Logs and Statement Forms shall be submitted to the member's supervisor prior to the end of the shift in which the witness was identified and/or interviewed.

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Related Procedures:

- Directive 202.1 – Arrests
- Directive 202.2 – Search and Seizure
- Directive 203.9 – Custodial Questioning
- Training Directive #04-01 – Confinement of Material Witness

Related Forms and Reports:

- Activity Log (DPD250)
- Statement Form (DPD103)
- Witness Conveyance Consent Form (DPD668)