



TRAINING BULLETIN

Los Angeles Police Department

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PRELIMINARY INVESTIGATION OF SEXUAL ASSAULT CRIMES - PART III GATHERING AND PRESERVING EVIDENCE

The collection and preservation of evidence is a critical part of sexual assault investigations. In order to prosecute successfully the offender, it is essential to collect a variety of evidence from the crime scene, including biological evidence from the victim and the suspect. Advances in forensics, such as Deoxyribonucleic Acid (DNA) testing, have made the collection and preservation of evidence even more important. This Training Bulletin describes the collection and packaging of evidence associated with sexual assault crimes.

COLLECTION OF EVIDENCE

The crime scene of a sexual assault should be protected to prevent contamination or destruction of evidence. Officers should secure the scene until detectives arrive and then follow their advice for crime scene processing. If detectives are not responding to the scene, officers should obtain a detailed account of the crime in order to proceed with some sense of organization. The facts and circumstances of each case will dictate the sequence in which evidence is collected.

The chain of custody must be maintained for each item of evidence. To ensure the admissibility of collected evidence, note the date, time and location where each item was found, who found it, who had contact with it and who booked it.

Care should be taken to prevent the inadvertent contamination or destruction of one type of evidence (e.g., hairs or fibers) by the collection of another type of evidence (e.g., latent fingerprints). Officers should wear latex gloves to prevent contamination and not touch areas where evidence may exist. Additionally, talking, sneezing or coughing over evidence should be avoided as well as the touching of your face, nose or mouth when collecting and packaging evidence.

If the victim was bound or tied up, do not untie or cut the knots. Binding ropes should be cut at a place away from the knot. Mark the cut to show where the pieces fit together. If tape was used to secure the victim, use care when handling and cutting the tape. The suspect may have left fingerprints on the exterior of the tape or embedded in the adhesive.

When unsure of the collection procedure for found evidence, contact a criminalist from Scientific Investigation Division (SID) or the detective responsible for the follow-up

investigation of the crime. It is not uncommon for these types of cases to have complex physical evidentiary issues that require the advice and/or response of a SID criminalist to the crime scene. All sexual assault crime scenes are to be fingerprinted by SID.

Check the entry and escape routes that may have been used by the suspect. Look for footprints, tool marks, discarded weapons, fingerprints and anything else left by the suspect. Items such as beverage containers, cigarette butts, and other evidence that may contain the suspect's saliva should be collected.

While searching the crime scene, be aware that the suspect might have used something to clean up any evidence. Collect all wet or dry items that may contain fluids from the suspect. Care must be taken as biological material may contain hazardous pathogens such as the human immunodeficiency virus (HIV) and the hepatitis B virus that can cause potentially lethal diseases.

When transporting and storing evidence that may contain DNA, it is important to keep the evidence dry and at room temperature. Direct sunlight and warm conditions are harmful to DNA, so avoid keeping evidence in places that may get warm. Sealed containers such as jars and plastic bags should not be used. Moisture in sealed containers may cause bacteria to develop and destroy the evidence.

Elimination Samples

As with fingerprints, the effective use of DNA may require the collection and analysis of elimination samples to determine whether the evidence came from the suspect or from someone else. While still at the crime scene, think ahead to the time of trial and possible defense strategies. For example, where the suspect may have drunk a glass of water at the crime scene, an officer should identify appropriate people, such as household members, for future elimination sample testing. These samples may be needed for comparison with the saliva found on the glass to determine whether the saliva is valuable evidence.

Photographs

Qualified medical personnel or a photographer from SID should take photographs of any bruises, wounds or marks found on the victim using a 35-mm or a digital camera. It is recommended that Polaroid photographs be taken to supplement, but not replace, the 35-mm or digital photographs to document injuries or other evidence that may dissipate before they can be captured on 35-mm film.

Photographs are important evidence and can corroborate the victim's testimony and refute a suspect's claim of consent. Some bruises become more visible after a 24-hour period. To obtain substantial photographic evidence, the victim may have to be photographed one to two days after the assault. This procedure can be completed at the original medical facility or SID.

Medical Evidence

Forensic evidence collected from the victim or the suspect as part of the medical examination is packaged in an analyzed evidence envelope and booked as a single item on the Property Report.

PACKAGING AND BOOKING EVIDENCE

All evidence must be labeled and numbered properly, and those numbers must be correctly recorded on laboratory request forms and on the Property Report.

Type of Evidence	Special Handling	Packaging	Report Reminders
Biological - Oral swabs, vaginal swabs, penis scrapings, other evidence collected by medical personnel	Requires freezer storage Place in SID temporary freezer within six hours	Placed in <i>Analyzed Evidence-To Be Frozen Envelope</i> by medical personnel	Evidence Envelope <ul style="list-style-type: none"> • List as one item on Property Report • Attach copy of OCJP Form 923, 925 or 950 PIR, Arrest Report <ul style="list-style-type: none"> • Attach original OCJP Form • Attach original Request for Confidentiality Form Property Report <ul style="list-style-type: none"> • Attach copy of Request for Confidentiality Form (copy not required if evidence is booked to arrestee) • Attach copy of PIR or Arrest Report
Dry Items - Bottles, cans, drinking glass, used cigarette	Avoid touching areas that suspect may have touched	<ul style="list-style-type: none"> • Place individually packaged items in <i>Analyzed Evidence-To Be Frozen Envelope</i>, or a paper bag for large items • Place in a carton and secure with adhesive tape; Attach copy of PIR or Arrest Report • Secure ends of tape with a red Analyzed Evidence Seal • Attach completed evidence tag or envelope and secure to outside of the carton 	
Clothing - Clothes worn during or immediately after assault	Air-dry any wet item at room temperature before packaging by medical personnel		
Wet Items - Bedding, towels, clothes			

CONCLUSION

Physical evidence is critical to the successful prosecution of sexual assault crimes and processing the crime scene may provide important forensic evidence. Careful handling and documentation of evidence will increase the number of successful prosecutions.

Field Training Services Unit
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