

Rules and Procedures

Rule 312

August 23, 2001

Rule 312 - CRIME LABORATORY - EVIDENCE AND CRIME SCENES

Rule 312, Crime Laboratory - Evidence and Crime Scenes, is hereby re-issued to establish Police Department policy and procedure for safeguarding, analyzing and disposing of physical evidence collected by Department personnel. This rule supersedes Rule 312, dated March 1, 1977, Special Order 98-18, issued June 9, 1998 and all previously issued orders, bulletins and other directives concerning crime laboratory procedures. All evidence that is to be submitted to the Crime Laboratory Unit and all scenes of crimes or suspected crimes, vehicles or accident scenes where the services of the Unit are required shall be dealt with according to this rule.

Sec. 1 GENERAL CONSIDERATIONS: Department personnel must be attentive to the procedural details involved in the handling of a crime scene and the evidence that may be present. Past court decisions have increased the importance of physical evidence as a means of identifying and prosecuting criminals. However, physical evidence must now meet higher standards and will be challenged or rejected if it is improperly handled. Police officers must quickly recognize articles of evidentiary value and collect, protect and preserve those articles in such a manner that their value as evidence is not comprised.

Physical evidence, to maintain its value in court, must be shown to have remained unaltered or untampered with, except as scientific examination, analysis, comparison, etc., required. To fulfill that requirement, the chain of custody must be maintained and it must be possible to establish the security of the evidence from the time that it was collected until it is presented in court.

Crime scenes, if they are to be examined by personnel of the Crime Laboratory Unit, must be subject to as little traffic, handling or disturbance as it is possible for officers at the scene to permit.

Sec. 2 BPD CRIME LABORATORY UNIT PURPOSE: The Boston Police Crime Laboratory Unit provides scientific expertise, forensic testing, and support services to the Boston Police Department. Crime scene processing, evidence collection and preservation, analysis of evidence, reporting of results and conclusions, are services performed daily by the crime lab personnel. The Crime Laboratory interacts with all units within the Boston Police Department and provides expert testimony in the prosecution of criminal cases. This unit maintains a professional relationship with the Suffolk County District Attorney's Office, medical, law enforcement, and correctional facilities throughout the Commonwealth of Massachusetts, FBI Crime Laboratory, as well as crime laboratories throughout the country.

Sec. 3 SERVICES PROVIDED BY BPD CRIME LABORATORY:

- A. Crime Scene Processing
- B. Evidence Collection
- C. Evidence Preservation
- D. Analysis of Evidence
 - 1. Examination of Evidence for Biological Fluids, Blood, Semen, etc. (Serology)
 - 2. DNA Analysis
 - 3. Microscopic Examination of Hairs and Fibers
 - 4. Firearms
 - a. Microscopic examination and chemical processing of physical evidence to determine distance of discharge of firearms
 - b. Restoration of obliterated serial numbers
 - c. Collection of trace evidence from firearms.
 - 5. Glass
 - a. Examination of bullet holes in glass.
 - b. Examination of glass fragments to determine possible origin.
 - c. Examination to determine optical properties.
 - 6. Paint
 - a. Physical matching of paint chips.
 - b. Chemical and/or instrumental analysis of paint to determine origin.
 - 7. Examination and Analysis of Liquids, Powders, and Solids (with the exception of drugs).
 - 8. Physical Matching and Photographic Documentation of physical evidence.
 - 9. Reproduction and Evaluation of Footwear Impressions.
 - 10. Examination of Hit and Run Scenes and Vehicles.
 - 11. Microscopic Examination and Comparison of Trace Evidence.
 - 12. Examination and Comparison of Tool Marks.

13. Restoration of Serial Numbers from Metal Surfaces such as Vehicles, Tools, Machines, etc.

- E. Reporting of Results
- F. Courtroom Testimony
- G. Providing Training and Education

Sec. 4 PROCEDURES: Evidence submitted to the Crime Laboratory must be submitted in a properly labeled and sealed container with a brief description of the item, name of collector, date, time and location of collection and any other appropriate chain of custody information, otherwise such evidence will not be accepted. It must be accompanied by an incident report and a request for analysis.

Physical evidence for examination may be collected by crime laboratory personnel or police officers at the crime scene. The evidence must be submitted to the Crime Laboratory Unit as soon as possible to maintain the integrity of the evidence and facilitate its analysis. Evidence collected from victims of a homicide are delivered to the laboratory by the Office of the Medical Examiner. If the examination of the physical evidence is beyond the capabilities of the Crime Laboratory, federal or other forensic agencies will be utilized.

Crime Laboratory Unit personnel should be utilized where it is necessary to strengthen a case by the examination of physical evidence. The physical evidence can be collected, properly packaged, labeled and taken by a police officer to the police area or unit concerned for bar-coding and temporary safekeeping until delivered to the Crime Laboratory. In all cases where the Crime Laboratory Unit is utilized, the area or unit concerned shall be responsible for forwarding a copy of the completed Department Incident Report.

Where physical evidence is submitted to the Crime Laboratory or collected by laboratory personnel at the request of investigating officers, the officer conducting the investigation will be given a Crime Laboratory Unit Evidence Receipt. It will be incumbent upon the officer to keep the Crime Laboratory Unit informed of the status of the case for the subsequent analysis and disposition of the physical evidence. This policy prevents the accumulation of evidence in the Crime Laboratory Evidence storage facilities.

In cases where vehicles need to be examined, the vehicles should be towed to the Crime Laboratory Examination Bay at Boston Police Headquarters, 1 Schroeder Plaza. Contact the Identification Unit to make arrangements for use of the Vehicle Examination Bay. Examination of vehicles may take place at an Area or District garage if the examination bay is unavailable. The examination of vehicles by crime laboratory personnel will be conducted during normal hours of operation.

Sec. 5 WEEKEND, NIGHT REQUESTS FOR CRIME LABORATORY SERVICES AND SUBMISSION OF EVIDENCE:

CRIME LABORATORY UNIT NORMAL OPERATING HOURS

Monday through Friday
9:00 am to 5:00 PM
Closed Holidays and Weekends

- A. Night or weekend services are not available except in extraordinary cases. Any area or unit requiring the services of the Crime Laboratory Unit on weekends and after duty hours, Monday - Friday, will make known their request through the Duty Supervisor, Operations Division.

There are many instances occurring, especially at night or during a weekend, when the services of the Crime Laboratory Unit personnel are requested. It shall be incumbent upon the area, unit supervisor or investigator at the scene to make the determination to request the services of crime laboratory personnel. Such a request should only occur where such a delay in rendering desired services would hamper the investigation of an incident. Otherwise, requests for the Crime Laboratory Unit services should be made during normal hours of operation.

PROCEDURE: The following procedure must be followed when evidence is submitted after business hours:

1. All personnel not assigned to BPD Headquarters submitting evidence after hours must report to the front Security desk to receive clearance to come to the Crime Laboratory Unit located on 2 South. The evidence lockers/cabinets are located to the left of S 244
2. All evidence must be enclosed in a properly labeled and sealed container (paper bag or box) and accompanied by a completed BPD Incident Report.
3. Complete a Crime Laboratory After Hours Sign-In Form, itemizing each piece of evidence submitted. Date, time, signature and ID# are required on this form.
4. After completing the After Hours Sign-In Form, place it along with the evidence and BPD Incident Report into an available locker/cabinet. Lock locker/cabinet and place key in key drop slot (located in locker # 4). Any items to be refrigerated (examples- sexual assault kits, blood, any items with body fluids) should be placed in the stainless steel refrigerator. Secure the door after placing evidence inside.

5. Wet items of evidence or wet clothing must NOT be placed in evidence lockers. All items of evidence must be dried, properly packed and sealed before placing in evidence lockers.
6. Do not use lockers for Ballistic Evidence. Firearm evidence is forwarded to the Ballistics Unit in accordance with Rule 311.
7. Evidence without proper documentation or improperly packaged will not be accepted by the Crime Laboratory Unit. The Crime Laboratory Unit will contact the submitting agency or individual to rectify or return improperly packaged or documented evidence.
8. Evidence is retrieved from lockers/cabinets and itemized on the next business day; subsequently, an itemized receipt is sent to the submitting officer by business mail.

Paul F. Evans
Police Commissioner