

# **Montana Department of Justice**

## **Sexual Assault Kit Initiative**

### **Course “Crime Scene Management”**

## Intro

**Slide 2:** Welcome to the course, Crime Scene Management.

**Slide 3:** Content Warning: We will be talking about sexual violence which may trigger personal feelings. Please remember to take care of yourself and do what you need to help yourself.

**Slide 4:** Disclaimer: This project was supported by Grant No. 2017-AK-BX-0022 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."

**Slide 5:** Objectives: In this course, you will learn about identifying crime scenes, and crime scene management and evaluation.

**Slide 6:** In any investigation, evidence identification and collection are keys to successful prosecution. Information gathered during the survivor interview will shape how you identify and collect evidence. Remember that process of evidence collection may be intimate and sensitive. You must know and follow proper protocol for obtaining and collecting evidence. Remember, there might be more than one crime scene.

**Slide 7:** Menu:

- [Identify Crime Scenes](#)
- [Secondary Crime Scenes](#)
- [Crime Scene Management](#)
- [Crime Scene Evaluation](#)
- [Documentation](#)

## Identify Crime Scenes

**Slide 8:** Be aware of the following concerns regarding the location of the crime and crime scene:

- Did the crime occur within your jurisdiction?
- Is the crime scene located within your jurisdiction?
- Could there be related crimes in other jurisdictions?
- Do you need to coordinate with agencies in other jurisdictions?
- Is a search warrant or written consent required?

**Slide 9:** In a sexual assault, there will be a minimum of three crime scenes: the survivor, the suspect, and the location where the assault took place.

**Slide 10:** Also consider other potential locations and bear in mind the following:

- The survivor will be your priority during the first phase of investigation.
- The suspect is a separate phase of your investigation and may require other investigative techniques.
- It is important to determine the actual location of the assault.
- Identify transfer locations, such as post-assault clothing change, post-assault hygiene, such as towels, toilet paper, or rags.
- Identify clothing worn during or immediately after the assault and check the laundry, garbage can, survivor's home, suspect's home, and other locations.
- Technology may be involved, so check smart phones, Fitbits, cameras, or computers.
- And also check social media, such as Facebook, YouTube, dating sites, or Instagram.

[Back to Menu](#)

## Secondary Crime Scenes

**Slide 11:** The secondary crime scenes will be defined by anything after the assault. For example, a survivor or suspect gets in a car and drive home. The contact areas after the assault can yield DNA, trace, or other evidence.

**Slide 12:** In another example, the survivor goes home after the assault, places clothing into a hamper, then goes to bed without changing any intimate apparel. The clothing worn at the time of the assault may be found in other locations.

[Back to Menu](#)

## Crime Scene Management

**Slide 13:** First and foremost, the crime scene security is critical during an investigation. To secure the crime scene of a survivor or suspect,

- Let the survivor know that showering or cleaning up may compromise potential areas of evidence.
- Encourage the survivor to seek medical attention and consent to a medical examination.
- Do not allow the suspect to shower or clean up.
- If a suspect tries to clean up after the sexual assault or tries to destroy items of evidence, such as a cell phone, an officer can consider these circumstances to be exigent and take appropriate measures which may include physically detaining a suspect to keep from destroying evidence.

Keep in mind, to limit challenges in court, you must document how a crime scene was secured.

**Slide 14:** Another concern is crime scene contamination.

- Don't touch, pick up, or move items of evidence until they are properly documented. Wear latex or nitrile gloves, or other appropriate personal protective equipment when handling evidence.
- Use shoe, face, and clothing coverings if the crime scene contains several biological samples.
- Document crime scene personnel and their roles.

Other sources of contamination you should consider

- Weather: To prevent weather contaminations, vehicles may need to be impounded and towed to a covered facility. Keep in mind, many impound lots may not have covered facilities. Other locations may require the use of covering, such as tarp, instant canopies, cardboard boxes, etc.
- Common property, such as vehicles, roommates, and public places. To prevent contamination of common property, locate other persons that have access to that common property for comparison samples.

You should also consider prior intimate encounters as possible crime scene contamination.

**Slide 15:** The legal basis for any investigation stems from following the laws, policies, and procedures within your jurisdiction and department. When managing crime scenes and collecting evidence, always establish a legal basis by

- a. Following department policy and procedure
- b. Following state law directives
- c. Following case law directives
- d. Obtaining consent
- e. Obtaining a search warrant

**Slide 16:** Keep in mind, obtaining consent means:

- Receiving consent from a survivor to complete a medical examination, including obtaining a Sexual Assault Evidence Kit.
- If the officer has built rapport with the suspect and there is no likelihood of losing evidence, an officer can ask for consent from the suspect for evidence. But it may be preferred to request a search warrant if there is going to be any difficulty obtaining suspect evidence.
- Obtaining written consent from a third party, such as those who have control over property where a sexual assault crime occurred.

**Slide 17:** Obtaining a search warrant means:

- Consulting with your local prosecutor.
- A search warrant is always preferred unless you have obtained written consent.
- To access information from social media or electronic service providers, a search warrant from a court of record will be required.
- Technology to search for information will require a search warrant unless appropriate written consent was obtained from the person who has controlled interest of the technology.
- A search warrant is the preferred procedure for the search of a suspect's body for DNA and other evidence.
- A search warrant is the preferred procedure for the search of a suspect's personal property for evidence.

**Slide 18:** In certain instances, you may be able to search for and seize evidence based on exigent circumstances, but you must:

- Document facts to show that searching or seizing was exigent, such as:
  - The suspect was attempting to shower or clean up after being informed of an investigation.
  - The suspect was trying to discard or destroy physical evidence.
  - Technology was being deleted, destroyed, or reset to factory conditions.
  - Social media information was being deleted.
  - Other situations in which you have reasonable belief that other identified evidence may be discarded or destroyed.
- The validity of your claim of exigent circumstances could be determined later by a judge or appropriate court.

[Back to Menu](#)

## Crime Scene Evaluation

**Slide 19:** Searching a crime scene is a critical process. Take into consideration:

- the manpower needed,
- scene safety,
- special equipment, such as
  - alternate light sources
  - Protective clothing
  - Swabs
  - Biological evidence containers
  - Unusual evidence collection tools
- How much time you will need to conduct a thorough search,
- The type and scope of items of evidence sought.

**Slide 20:** When searching the crime scene, you will need to identify and collect certain items. A “take everything” approach is not practical. Be focused on identifying and collecting evidence.

**Slide 21:** During a crime scene search, keep in mind the following: What is it? The evidence could be

- Clothing
- DNA
- Bedding
- Injury
- Other items identified during interviews.

Where is it? Where the evidence is located could change your approach of obtaining it.

- On a person
- At a place

- On the internet or digital format

Why is it important? Does the evidence

- Establish an element of the crime.
- Link the suspect to the survivor.
- Show injury.
- Corroborate the survivor.
- Disprove the suspect's alibi.
- Provide a better understanding of what happened.

What constitutes evidence may not always be obvious. Think about what may be considered evidence.

[Back to Menu](#)

## Documentation

**Slide 22:** Documenting evidence is one of the many critical phases of a sexual assault investigation. Once evidence is identified, you should document the evidence by taking photographs or video.

- 1) Photograph the evidence in its original state and location. It is important not to move evidence, because once moved, the item of evidence is no longer in its original state.
- 2) Identify each item of evidence in a sequential order, such as 1, 2, 3.
- 3) Take more than one photo of each piece of evidence.
- 4) Maintain a photo log by including:
  - a. Date and time
  - b. A description of what the item of evidence is
  - c. Where the item of evidence was located
    - i. "In north bedroom facing north in the residence."
    - ii. "On the front passenger floorboard of the suspect's vehicle."

## Interactive Scenarios

**Slide 23:** In this scenario, you will collect evidence.

A woman and man meet at a bar. A few hours and a few drinks later, they go outside to smoke. They take a walk, and, in the process, the man convinces the woman to get into a pickup truck in the parking lot.

Inside the truck, the woman said they began to get into it and started kissing. She said the male then began to grab her arms. She told him "No," but he continued ignoring her demands. He pinned her against the seat and, while on top of her, pulled down her pants and panties. He then grabbed and pulled her legs apart and forced sexual intercourse ejaculating inside of her and causing her to bleed from her vagina.

Afterwards, he pushed her out of the truck and drove off. The woman pulled up her pants, got into her vehicle, and drove home where she was still bleeding and noticed she was bruised.

**Slide 24:** This is an interactive scenario. After you've made sure that the crime occurred in your jurisdiction, as well as that the crime scene is located in your jurisdiction, you are getting ready to collect evidence. On the screen, first select the three main crime scenes.

**Slide 25:** Correct Answer: Good job! You correctly identified the survivor, the suspect, and the truck as the three main crime scenes.

**Slide 26:** Incorrect Answer: That's not quite right. You should have identified the survivor, the suspect, and the truck as the three main crime scenes.

**Slide 27:** Now, identify the secondary crime scenes.

**Slide 28:** Correct Answer: Nice job! You've correctly identified the survivor's home, her car, and the bar as secondary crime scenes.

**Slide 29:** Incorrect Answer: That's not quite right. You should have identified the survivor's home, her car, and the bar as secondary crime scenes.

**Slide 30:** Return to the main crime scene, the survivor, and the suspect to collect evidence.

**Slide 31:** What should you tell the victim about evidence?

- A) Showering or cleaning up may compromise areas of evidence.
- B) Encourage her to seek medical attention and consent to a sexual assault evidence kit.

**Slide 32:** What should you tell the suspect about evidence?

- A) Do not shower or clean up. If you do try to clean up or destroy evidence, I can consider these circumstances to be exigent and take appropriate measures, which may include physically detaining you to keep you from destroying evidence.
- B) I've obtained a search warrant to collect evidence.

**Slide 33:** This is where the sexual assault took place. What do you need to do?

- A) Don't touch, pick up, or move items of evidence until they are properly documented.
- B) Collect crime scene evidence.
- C) Use shoe, face, and clothing coverings if the crime scene contains biological samples.
- D) Document any other crime scene personnel and their roles.
- E) Make sure weather can't destroy evidence.
- F) Photograph evidence in it's original state and location.

[Back to Menu](#)

**Slide 34:** Blank slide.

**Slide 35:** Blank slide.

**Slide 36:** In this course, you have learned about identifying crime scenes, and crime scene management and evaluation.

**Slide 37:** Thank you for completing this course. Select “Close” to exit.

[Back to Menu](#)