

SECTION 8 - EVIDENCE

I. INTRODUCTION

The Shelby County Coroner's Office recommends that all evidence be collected by crime scene technicians or other law-enforcement authorities on the scene. However, from time to time the C/DC may need to collect evidence in cases where delay could result in loss of evidence or other extenuating factors. This section is meant as a guide in the collection of evidence.

II. EVIDENCE COLLECTION

Law enforcement shall collect and preserve all evidence not found on the body.

All evidence receipted to the Shelby County Coroner's Office or collected by the Shelby County Coroner's Office will be receipted back to the investigating law enforcement agency at the completion of the examination. Any special requests for evidence collection from the body at the scene must be discussed by both agencies and referred to the on-duty pathologist where questions exist. No evidence may be collected from the body if either party feels the evidence could be jeopardized.

The C/DC should assemble an evidence collection kit based on materials suggested for use in this section.

The following are some general steps which one should consider when attempting to identify and collect trace evidence:

1. Photograph the item where it is found, prior to any attempt to disturb it. Make the item stand out by the use of an arrow or some other marker but definitely include a measuring device such as a short ruler.
2. Select an appropriate means to package or preserve the evidence. Plastic bags should not be used for anything that might be subject to change or alteration by moisture. The most effective means of packaging most evidence is a paper bag or envelope. This allows air to pass freely and prevents moisture from forming on the inside of the bag or on the evidence.
3. Always wear gloves when handling evidence or the body. This is not only an effective means of protection from diseases that might be present; but it also inhibits anything being added to the evidence such as sweat from your skin.
4. All evidence collection containers shall be sealed with date and time of collection and the Deputy Coroner/Investigator initials on the seal.
5. Everything authorized to remove from the body prior to transport is to be documented.

III. TRACE FIBERS/HAIRS

When a loose hair or fiber has been identified, follow the steps outlined above. Use a gloved hand to recover the item and place it into a collection bag. Do not use forceps (tweezers) because the hair could become damaged. If some circumstance prevents directly picking it up, a clean piece of paper can be used as a scoop or cup to pick up the evidence or to catch it in. A hair or fiber can be placed in a plastic bag. Seal the bag, noting, directly on the evidence seal, the area of the body from which it was recovered.

IV. FLUID STAINS

Fluid stains will be primarily blood or seminal fluid. A cotton swab is the most effective item to use for the collection of fluid stains, preferably one with a wooden shaft. Wipe the stain with one side of the cotton swab, going slowly to allow for maximum absorption. Do not roll the swab; simply wipe with one side. This allows for a maximum concentration of the material and helps laboratory personnel process the material more easily.

The swab should then be allowed to air dry. This is accomplished by taking a Styrofoam cup and inverting it in such a way that you can poke holes through the bottom and prop the swabs up in a vertical position. Caution should be exercised to prevent the cotton portion of the swab from touching anything that might contaminate it.

If a wet substance is allowed to dry at room temperature, the process may take several hours. This can be speeded up by placing the material in front of a fan or some other forced air device. A hair dryer is not an acceptable device to use, unless it is the type that can be engaged without the heat being added. By placing the material under a non-heated breeze, not only is the drying time enhanced but the effectiveness of the evidence is enhanced by as much as 40%. After drying, the swabs should be placed into a paper envelope for preservation and sealed by an evidence seal noting the location on the body from which the sample was recovered.

V. DRIED STAINS

When dealing with a dried stain, such as a seminal stain, one has to carefully decide whether to collect it or not. If the stain is on the skin and in an area that is protected by clothing, no attempt should be made to collect it at the scene. Also, if the stain is dried on the clothing, no effort should be made to disturb it. However, if this stain is on an exposed area, steps should be taken to collect and preserve it. Once the body is placed into a transport covering, the condensation inside the covering may come into contact with the material and the evidence could be lost.

Two different methods are employed in this type of collection. One technique is to flake off the dried substance; the other is through the use of a moistened swab. The flake method, as described below, is the preferable method as nothing is added to the evidence in the collection process. The use of a moistened swab runs the risk of altering the potential findings, and this method should be used as a last resort.

To flake a dried substance, use a piece of clean paper (such as filter paper) and a sterile scalpel. Take the paper and fold it up into quarters, creating a pocket in the folds that can easily contain the material. Take a sterile scalpel and gently scrape the dried substance into the little pocket created in the paper. Fold over the edges and place the sample inside a paper bag or envelope, sealing the package with an evidence seal. Note the location from which it was recovered.

To collect a dried stain by the swab method, moisten a cotton swab with distilled water, shaking it firmly to remove any excess water. Then simply follow the steps outlined for collection of fluid stains, including the swabbing, drying, and packaging. When required, notify the Shelby County Coroner's Office what evidence was collected and from where.

Generally, the specimens collected can be turned over to the law enforcement agency at the scene by the use of an evidence receipt. Each item should be listed separately, clearly stating what it is, where it was obtained, who is releasing it and who is receiving it. Copies of the receipt should be given to the law enforcement official involved and at least one copy retained and sent with the remains for inclusion in the case file. When releasing this evidence directly at the scene, the officer should be reminded that in order to obtain optimum information from the evidence, it should be submitted to the laboratory in a timely manner for processing. Some material, such as evidence collected with a swab, is subject to deterioration and may not yield totally accurate information if not properly maintained (refrigerated) and tested within a one- to two-week period.

VI. ROPES/BINDINGS

Collect any ropes or other binding materials (twine, string, cordage).

Do not untie or cut any knots. Cut the binding away from knots and retie the two ends of the binding with string. Place the rope/binding in a plastic bag and seal. Complete chain of custody receipts.

VII. HAIRS

Collect hairs from clothing, furniture, and other objects with tweezers. Do not crush the hairs. Package loose hair(s) in a pillbox, glass vial, or pharmacy fold paper packet. Package unknown and control hairs in vials or pill boxes. Complete chain of custody receipts

VI. OTHER EVIDENCE NOT FOUND ON THE BODY BUT NECESSARY FOR THE DETERMINATION OF CAUSE AND MANNER OF DEATH

1. Illicit drugs and drug paraphernalia

Illicit drugs are not to be sent in with the body or with toxicology samples unless specifically requested. When requested, only a representative sample should be sent in a labeled and sealed specimen container. Drug paraphernalia found at the scene should remain in the custody of law enforcement. Illicit drug and drug paraphernalia should always be collected and removed by the local Law Enforcement Agency. The SCCO should never collect or receive this type of evidence.

2. Materials found should be made safe (especially unsheathed needles), labeled, and sealed in appropriate containers. This is especially important in pedestrian accidents and in any case where there is a question that a firearm might have been used. Documents found at the scene that might help in determining the identification of the decedent should be collected by law enforcement and shared with Shelby County Coroner's Office especially when there is some question that identification may be difficult, e.g., decomposed remains, skeletonized and/or mummified remains, etc.

3. Suicide notes

A copy of the note(s) should be setup with the body or with the report. Copies can be made with either a photo copy machine or a clear digital image.

4. Miscellaneous dangerous items

Missiles, bombs, firearms, and other dangerous implements, tools, etc., should never be sent to the Shelby County Coroner's Office with the body. Proper documentation and photography at the scene is all that may be required. Items embedded in the body should be secured and left in place. Any hazard must be brought to the attention of the transporting agency. In the event that a weapon or other implement is requested by the pathologist, the C/DC will work with the law enforcement agency of jurisdiction to have it brought into Shelby County Coroner's Office for examination.

5. Prescription Drugs

Prescription drugs should be collected by the SCCO and inventoried on Prescription Drug Log Form. The Coroner or C/DC should call the prescribing pharmacy to inform them of the death. Prescription Drugs should be taken to the SCCO Office and secured into the evidence locker. The drugs will remain in the locker for 3 weeks until they are destroyed.

6. Money

Money should be inventoried and collected only if the decedent is going to DFS Montgomery for a postmortem exam. If the decedent is going to a FH or the SCCO Morgue, the money is to be inventoried and sent with the decedent.

In cases where large sums of money are present: the money is inventoried and logged into SCCO evidence.

7. Arson Debris

Place one to two quarts of debris from each suspected point of origin into a sealed, airtight container. Metal cans or glass jars may be used. Place any absorbent materials; wood, fabric, cloth, or plastic seat cushions into a sealed, airtight metal or glass container. Collect control samples and place them into sealed, airtight metal or glass containers. Complete chain of custody receipts.

Caution: Never use plastic containers.

8. Personal Property

If there is no direct NOK on scene to release property to, wallet, money and keys should be collected by the C/DC and brought to evidence.

VII. Collecting Personal Belonging from Decedent

Personal effects or valuables that are on the decedent fall under the same jurisdiction as the body. Pictures of the body as found, including clear views of jewelry and other valuables, provide documentation that can protect coroner personnel, law enforcement, transport, funeral home personnel, and other family members if accusations of missing property arise. Property removed from the decedent, prior to transport to DFS or funeral home, and released to law enforcement, legal next of kin, or others, should be accompanied by a receipt of the transaction. This receipt will provide proof in case questions arise at a later date and should list the items released and be legibly signed by both parties. Personal property could include clothing of decedents not sent for autopsy, jewelry, currency, wallet, purse, and/or other papers and personal items. Personal property would not include illicit drugs, controlled substances, or drug paraphernalia. A chain of custody form would suffice for this transaction. Note in the ROD any property removed and released at the scene, especially if autopsy service is being requested.

1. POSTMORTOM **ORDERED**:

REMOVE all personal belonging and submit belongings into evidence locker at SCCO office.

If you aren't able to remove personal belongings, you must note each item on the ROD

2. POSTMORTEM **NOT** ORDERED:

It not necessary to remove any personal belongings. However, these must be photographed and documented on the ROD

VIII. Releasing evidence

Evidence collected at autopsy is generally returned to the investigating agency, submitted to a Forensic Discipline for analysis, or retained. Clothing and personal effects are released with the decedent if they are not deemed to be evidence.

Prior to release to the NOK, all property (including money and jewelry) must be documented on a SCCO Evidence Received Form.

Money should be itemized by denomination of bills and coins. It should always be a consideration to enlist a witness when documenting money and/or items that appear to be of value. Bank/credit cards must be listed a to the type of card.

Jewelry should be listed as yellow metal, silver colored metal , clear stone etc.

The SCCO Evidence Received Form should be signed by the NOK.