

Evidence

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Purpose

To identify the need for proper collecting, handling and transferring of evidence to ensure the chain of custody. Additional evidence collection and handling instructions can be found in the Investigations standard operating procedure.

Policy

It is the policy of the [REDACTED] to adhere to best-practices when collecting, and handling evidence related to certifying the cause and manner of death. The [REDACTED] will work closely with the investigating law enforcement agency, specifically the detective in charge of the case, to determine what evidence that falls under the jurisdiction of the coroner's office should be retained. Individual law enforcement agencies must supply needed materials for evidence collected at their discretion (i.e., sexual assault kits, evidence bags, etc.).

Procedures

Evidence Recovery

Evidence Turned Over to Law Enforcement

Any coroner personnel who turn over evidence to law enforcement at any time before, during, or following the autopsy, will be required to complete an evidence release form. This form will list item(s) being released, the date and time of release, and the signatures of the individuals who released and received the evidence. A copy will be retained by both agencies. The digital case management system will be updated with this information. It is preferred that the law enforcement agency of jurisdiction retains all evidence.

Evidence Retained by [REDACTED]

When not collected by law enforcement at the scene or at the time of autopsy, all evidence collected by coroner staff will be appropriately labeled and placed into the secure intake bin of the evidence storage cabinets. The evidence will also be entered into the digital case management system by the death investigator or autopsy technician. At the direction of the coroner or forensic pathologist, the [REDACTED] staff member will determine whether or not the item is to be retained or turned over to law enforcement. Any evidence that is retained will be held for one year at which time it will either be turned over to law enforcement or destroyed with written confirmation from the original law enforcement agency of jurisdiction. Exceptions may occur when an evidentiary item will be retained longer term at the discretion of the coroner or forensic pathologist. Evidence forms and the digital case management system will be updated accordingly.

Destruction of Evidence

Prior to destroying any evidence the designated [REDACTED] evidence technician will contact the law enforcement agency who investigated the death. If they wish to retain the item it will be released to their agency representative with chain of custody forms updated to reflect the transfer of evidence. If they no longer need the evidence they will be required to provide a destruction release form or letter (either written or electronically). Once the destruction release has been signed by law enforcement the [REDACTED] evidence technician

[REDACTED]

will have the forensic pathologist approve the destruction and sign the release as well. The destruction release form will be downloaded into the digital case management system and a copy will be retained in the paper file. The [REDACTED] evidence technician will then place the item in a medical biohazard bin for incineration and update the digital case management system with the date, time, and name of who put the item in the bin. In instances where the item can not be disposed of using the biohazard bins it will be documented how the item was disposed.

Retention of Projectiles as Evidence

All bullet fragments will be turned over to the law enforcement agency who investigated the death.

If the law enforcement personnel are present at the autopsy the item will be released to that individual. An evidence release form will be completed and signed by coroner personnel and signed by the receiving law enforcement representative. A copy will be retained by both agencies. The digital case management system will be updated with the name, date, and time of the item released as well as the individual's names who signed the release form.

Any bullet fragment that is recovered at the autopsy when no law enforcement personnel is present will be retained in evidence until the law enforcement agency is able to retrieve the item from the coroner's office or until coroner personnel can transfer said item to them. The item is to be labeled and placed into the secure intake bin of the evidence storage cabinet. Upon the item's release an evidence release form will be completed by the coroner personnel and signed by both parties. A copy will be retained by both agencies and the digital case management system will be updated with the name, date, and time the item was released as well as the individual's names who signed the release form.

Retention of Ligatures as Evidence

Ligatures in Cases of Suicide or Accident

Ligatures that are examined and then subsequently retained by [REDACTED] will be held in evidence storage for one year. After that time the ligature will either be turned over to the law enforcement agency investigating the death or destroyed at the discretion of the forensic pathologist and with written documentation from the law enforcement agency.

When destroying the ligature, the item will be placed into a biohazard bin for incineration as medical waste. The digital case management system will be updated with the date that the item was destroyed and the name of the individual who placed the evidence into the bin. If the ligature is turned over to law enforcement, an evidence form will be completed by the coroner personnel and signed by the receiving agency. A copy will be retained by both agencies. The digital case management system will be updated with the date and time of release as well as who released the evidence. The name of the receiving law enforcement representative will also be recorded.

Ligatures in Cases of Homicide

Ligatures that are examined and collected in cases of homicide will be turned over to law enforcement at the time of the autopsy. An evidence form will be completed by the coroner personnel who release the ligature over to law enforcement. A signature of both parties will be on the evidence form and each agency will retain a copy. The digital case

[REDACTED]

management system will be updated with the name, date, and time of who released the evidence and which law enforcement agency/representative retained the item.

Collection of Biological Specimens

In cases where biological specimens are requested by law enforcement or by the forensic pathologist handling the case, best-practices shall be followed in the collection, storage and transportation of the specimen to the appropriate laboratory. Cases where this may be warranted include suspected homicides or where a physical or sexual assault may have occurred.

Fingernail Clippings

Fingernails shall be collected by the autopsy assistant with a new, clean pair of gloves. Each hand's fingernails shall be clipped with a new fingernail clipper, and a clean white paper shall be used, one for each hand, to collect the clippings. Each paper for a specific hand shall be folded to help retain the clippings and placed in a clean manila envelope. This envelope shall be labeled with the decedent's name, case number, hand the clippings were collected from and the date collected. The envelope shall be sealed with evidence tape. Across the evidence tape shall be initialed by the individual who is sealing the envelope, along with the date sealed.

Sexual Assault Kits

In cases where the manner of death is suspected to be a homicide or where a sexual assault may have occurred, all or part of a sexual assault kit shall be completed by the forensic pathologist handling the case. The items collected may include but are not limited to combings of the pubic area, hair pulled from the scalp and pubic area, and any swabs of oral, anal and/or vaginal orifices to examine for the presence of spermatozoa, seminal fluid, and for DNA and/or serologic markers. Each combing and location of hairs collected must be placed on separate clean white papers. Each paper shall be folded to help retain the contents and placed in a clean manila envelope. This envelope shall be labeled with the decedent's name, case number, what was collected and the date collected. The envelope shall be sealed with evidence tape. Across the evidence tape shall be initialed by the individual who is sealing the envelope, along with the date sealed.



When using swabs to collect evidence, the swabs shall be dried in a clean location safely away from other specimens to eliminate the possibility of cross-contamination. Once dried, they shall be placed in a clean paper box which is included in the sexual assault kits provided by the law enforcement agency handling the case. These boxes shall be sealed with evidence tape. Across the evidence tape shall be initialed by the individual who is sealing the envelope, along with the date sealed.

Swabbing Dry Specimens

In the event that a dry specimen is requested to be collected from a decedent by the forensic pathologist or autopsy assistant a clean swab shall be utilized. Prior to swabbing the requested specimen or area, the collector shall place a sufficient number of drops of sterilized water on the swab to moisten it. Once collection is complete for a specific area, the swabs shall be dried in a clean location safely away from other specimens to eliminate the possibility of cross-contamination. Once dried, they shall be placed in a clean paper box which is included in the sexual assault kits provided by the law enforcement agency handling the case. These boxes shall be sealed with evidence tape. Across the evidence tape shall be initialed by the individual who is sealing the envelope, along with the date sealed.



Release of DNA evidence

When blood is available, blood spot cards for DNA preservation will be collected and retained on every case autopsied or otherwise examined under  jurisdiction. Separate blood spot cards will be collected in tandem for transfer to law enforcement agencies, when requested or in conjunction with collection of a sexual assault kit. When authorized by the legal next-of-kin, single blood spots from the  retained spot card can be released for private DNA testing (paternity, genetic disease determination, etc.), with transfer of the specimen directly to the selected laboratory with chain of custody preservation.

Policy/Procedure Violations

Violations of this policy are grounds for disciplinary action, up to and including termination.

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Approved by:

