

*"Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods."*

## ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE

### 1124.6, RESPONSIBILITIES AT INCIDENT SCENES

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#### 1. PURPOSE

This directive establishes procedures for both sworn civilian personnel when responding to scenes to ensure the preservation of evidence and the crime scene, and the safety of the community.

#### 2. POLICY

It shall be the policy of this Department to provide guidelines to establish responsibility and procedures for actions of initial response units, field supervisors, detectives, and crime scene investigators in regard to crime scenes.

#### 3. DEFINITIONS

N/A

## 4. PROCEDURES

### 4.1 GENERAL CRIME SCENE RULES

The following rules should be observed at all crime scenes:

- a. Maintain the scene as close as possible as it was found. Do not touch, move, or disturb any objects.
- b. Weapons should only be handled if absolutely necessary to ensure the safety and well-being of persons at the scene.
- c. Do not smoke or chew tobacco, or allow others to do so, within the crime scene.
- d. Do not use the telephone, bathroom, or any other appliances within the crime scene.
- e. Do not adjust the thermostat, turn lights or appliances on or off, or open windows or doors.
- f. Do not leave any items or litter within the crime scene.
- g. Do not touch or inventory any prescription medicine bottles or loose medication at the scene of an Unattended Death Investigation. The Investigator for the Medical Examiner's Office will be the ONLY person to collect prescription medical bottles or loose medication.

### 4.2 INITIAL RESPONDING OFFICER

The initial responding officer shall be in charge of the scene until properly relieved by the reporting officer, a supervisor, or detective.

In a major case, the initial responding officer shall not be released from the scene prior to the detective's arrival unless properly authorized by the detective or a command officer.

If the initial responding officer writes the Incident Report, it should be documented fully and accurately, as required in the current issue of P&P 1113, Initial Police Reports. In a major case, he or she shall confer with the assigned detective prior to completing any Incident Report to ensure that sensitive investigative information is protected. (18.04h)

#### 4.2.1 RESPONDING OFFICER'S RESPONSIBILITIES

- a. Approach the scene cautiously, remaining alert for signs of criminal activity or persons or vehicles leaving the scene.
- b. Ensure there is no immediate threat to other responding personnel and control any dangerous situations or persons.
- c. Render aid to the victims.
- d. Attempt to identify, locate, and isolate potential witnesses according to the circumstances.
- e. Ensure the complainant and all witnesses are interviewed, and pertinent statements are obtained.
- f. Notify Communications of any and all information concerning suspects or other persons who have fled the scene.
- g. Secure the scene.
  1. Control all persons present at the scene.
    - i. Prevent all persons from altering/destroying evidence.
    - ii. Remove all persons to an area away from the crime scene while still maintaining control over him or her.
    - iii. Attempt to ascertain the identities and contact information of everyone present.
  2. Establish clearly defined boundaries using physical barriers such as "Police Line" tape, vehicles, barricades, etc. Ensure the perimeter is large enough to encompass all possible evidence, any potential points of entry and exit, path of flight, etc.
  3. Prevent all unauthorized persons from entering the scene (e.g., officers not assigned to the case, media, politicians, bystanders, etc.). Also attempt to prevent any animals from entering the scene.

4. Protect and preserve short-lived evidence and any potential evidence that could be damaged or destroyed by the wind or rain, or by foot, or vehicle traffic.
5. Initiate a Crime Scene Entry List (Attachment A)
6. Initiate a Crime Scene Security Log (Attachment B)
- h. In incidents that necessitate CID response, a Canvass Sheet (Attachment C) shall be completed for each witness contacted. Completed Canvass Sheets shall be turned over to the responding detective.
- i. Make note of conditions and events at the scene. Document any statements/comments made by victims, suspects, or witnesses.
- j. Brief the assigned crime scene investigator(s) and detective(s) on the specifics of the incident.
- k. Ensure the protection of personnel involved in processing the crime scene.

### 4.2.1.1 IF THE VICTIM APPEARS TO BE ALIVE

- a. Assess the victim for signs of life and medical needs.
- b. Call for medical personnel.
- c. Attempt to render aid.
- d. Accompany fire department and medical personnel at all times and warn them of any potential evidence that might be damaged.
- e. Obtain the names and unit numbers of attending personnel and the location to which the victim will be transported.
- f. If the victim is transported, ensure that an officer accompanies the victim or is dispatched to the hospital to take statements and safeguard evidence as necessary.

### 4.2.1.2 SUSPICIOUS DEATH OR SUICIDE

If the victim is obviously deceased (e.g., the body is putrefied, decapitated, dismembered, or destroyed, cold and stiff due to rigor mortis) and death does not appear to be from natural causes or if there are suspicious circumstances, the following steps shall be taken:

- a. Exit the scene. Follow the same route used to enter the scene, if possible. Take care not to damage any potential evidence.
- b. Advise Communications that additional personnel will be needed.
- c. Be careful not to broadcast specific details about the incident over the radio because the media and some citizens routinely monitor police transmissions.
- d. Advise the field supervisor of the situation so he or she can begin proper notifications.
- e. Contact OFD and request the number of personnel at the scene be minimized, if possible.
- f. DO NOT touch or disturb the body in any way unless directed by the Medical Examiner.

### 4.2.1.3 APPARENT NATURAL DEATH

If there are no indications of foul play, trauma, suspicion of suicide, or other suspicious circumstances, CID does not need to be notified and a CSI does not need to respond. The Medical Examiner's office will be contacted to report the death and determine who will recover the body.

Any expected apparent natural death involving a Hospice program, VITAS, ORMC Home Health Care, Advent Health Home Health Care, or other licensed home health care agency can be treated as a medically attended death and resources other than the Medical Examiner may remove the body. However, the Medical Examiner should be contacted in order to make certain they do not have jurisdiction over the deceased before the body is removed. The following conditions must exist before resources other than the Medical Examiner's Office can remove the deceased.

- a. A licensed home health care nurse, attending physician, paramedic/EMT, or law enforcement officer must be present at the scene after the patient's death.

- b. A physician's statement or a signed DNR order must be readily available at the patient's house indicating he or she will sign the death certificate. Verbal confirmation by the family that the patient was under the care of a hospice organization is also sufficient. If the officer has any questions as to the status of the patient, he or she shall notify the Medical Examiner's office.

When all conditions are met, and the death is deemed to be the result of the terminal illness, the funeral home may be contacted to make the removal.

If there are no family members or persons with authority to make arrangement for disposition of the deceased, the responding officer will attempt to locate and notify next of kin in the following order:

- a. The decedent's surviving spouse.
- b. Any of the decedent's surviving adult children.
- c. Either of the decedent's surviving parents.
- d. Any of the decedent's surviving adult siblings.
- e. Any adult person in the next degree of kinship (grandparents, uncles, aunts, cousins).

Next of kin information can be obtained by searching through cell phones, mail correspondence, notes on bulletin boards or the refrigerator, speaking with neighbors, etc. Once identified, the next of kin will be notified according to policy.

If, after reasonable efforts to make contact with the next of kin are made, the next of kin cannot be located, the Medical Examiner's Office will be contacted so they can notify a contracted funeral home and have them respond to recover the body.

### 4.3 FIELD SUPERVISOR

The field supervisor shall:

- a. Determine if CID investigation is needed and follow the criteria set forth in the current issue of P&P 1103, Call-Out Procedures. If a detective is responding, CSIs will not begin processing the scene until the detective arrives and takes charge. Exterior scene photography may occur prior to the detective's arrival with permission from the investigative supervisor.
- b. Determine if a CSI is needed and follow the criteria set forth in Attachment D, Crime Scene Investigator Response Guidelines. The supervisor will, if at all possible, make an on-scene assessment prior to approving a request for CSI assistance. A sworn officer shall remain with a CSI at all times while the scene is being processed.
- c. Ensure protection of the crime scene by:
  - 1. Ensuring adequate security for the scene and the personnel involved in processing the scene. Coordinate with oncoming supervisors to ensure that security is provided as long as needed.
  - 2. Ensuring adequate personnel and resources are provided for crowd control.
  - 3. Providing assistance for CSIs, as requested.
  - 4. Providing assistance to the assigned detectives, as requested.

### 4.4 SCENE PROCESSING

#### 4.4.1 RESPONSIBILITIES OF OFFICERS AND CSOs

The responding officer or CSO will be responsible for processing the scene for latent prints and collecting and submitting all pertinent evidence unless a CSI responds. Patrol officers and CSOs are responsible for properly maintaining the latent print kit in their assigned vehicles.

### 4.4.2 REQUESTING A CSI

Qualified personnel are available on a 24-hour basis to process a crime scene/traffic crash. A CSI will be requested only if there is firearm related evidence (fired cartridge cases or firearms only), or evidence that requires specialized processing that can only be accomplished by a CSI or if the scene presents exceptional difficulties beyond the capabilities of the officer or CSO. See Attachment D for specific criteria.

Officers/investigators will determine how best to process the scene, including which items will be collected as evidence. Conflicts will be resolved by a sworn supervisor. Officers or CSOs who move, handle, or recover evidence prior to the CSI's arrival shall be responsible for submitting those items to Property and Evidence.

Officers and CSOs are required to remain at the scene and provide security unless relieved or no longer needed by the CSI.

### 4.5 CID DETECTIVE

If a CID detective responds to the scene, the detective will:

- a. Assume responsibility for the scene.
- b. Request a CSI to respond, if necessary.
- c. Provide direction and guidance to CSIs as necessary for the duration of scene processing.
- d. Notify the Medical Examiner if the scene involves a suspicious death.
- e. Release the scene once all evidence collection and scene processing is completed.
- f. Request, through the watch commander, 24-hour scene security, if necessary.

### 4.6 SUSPECT INTERVIEW AND ARREST

#### 4.6.1 INVESTIGATION BY FIELD OFFICER

When a suspect has been identified and the responding officer will be investigating the case, the officer should determine whether or not conducting an interview at that time is in the best interest of the case.

If the suspect is in custody, the suspect will be advised of his or her Constitutional rights (i.e., Miranda) prior to any questioning. Noncustodial interviews do not require advising the suspect of Constitutional rights.

Follow current Department policy on transporting and interviewing suspects. Refer to the current issue of P&P 1204, Juvenile Procedures, and the current issue of P&P 1201, Adult Booking Procedures.

#### 4.6.2 INVESTIGATION BY CID

When it has been determined that CID will be investigating the case, the field officer will not interview the suspect, and the suspect will not be advised of his or her Constitutional rights. The officers will complete a sworn report or statement as to any spontaneous statements made by the suspect.

In exigent circumstances the field officer may be asked by a CID supervisor to advise the suspect of his or her Constitutional rights (if in custody) and conduct an interview.

#### 4.6.3 ARREST OF SUSPECT

When the perpetrator of a criminal offense is present or can be readily located by officers at the scene, an arrest should be made whenever it is appropriate according to Department policy and Florida Statutes. A decision not to arrest should be made when it is within the context of Department policy and Florida Statutes and serves the best interests of the general public and the Department.

### 4.7 EVIDENCE COLLECTION

It is the responsibility of officers, detectives, CSOs, and CSIs to ensure evidence from incident scenes is collected in the proper manner.

When collecting evidence, the following shall apply:

- a. Clear all nonessential persons from the crime scene.
- b. Wear appropriate personal protective equipment when entering a scene where blood and body fluids are present or are likely to be encountered.
- c. Limit the number of persons collecting and controlling evidence. Keep the chain of custody as clear and short as possible.
- d. Ensure that all necessary authorizations and approvals have been obtained prior to conducting the search.
- e. Use a systematic approach when searching for evidence.
- f. Protect all evidence items, especially those that may contain latent prints.
- g. Wear gloves or use forceps or a similar instrument at all times when handling evidence. Do not touch evidence with bare hands.
- h. Place evidence items in new, unused bags or similar containers. Individual items should generally be kept in separate bags. Similar items collected from the same immediate area (e.g., several paper items collected from a car's glove compartment) could be placed in one container for transport back to the station. Care must be taken to prevent cross-contamination and/or damage to the evidence.
- i. Perishable evidence must be protected from destruction or damage. Outdoor evidence that could be damaged or destroyed by the elements (e.g., footwear impression or bloodstain) should be covered until it can be documented and/or collected. Ensure that the covering does not come in contact with the evidence being protected.
- j. Vials of liquid blood or other body fluids should be transported to the Department without undue delay and placed in refrigerated storage in Property and Evidence. One must be cognizant that exposure to high temperatures will cause the sample to degrade.
- k. Whole tissue samples are particularly susceptible to degrading and must be kept in frozen storage. If a whole tissue sample is collected at a crime scene, it should be transported directly to Property and Evidence for storage in the freezer. If a frozen tissue sample is collected from another source (e.g., Medical Examiner), it should be transported in a cooler and taken directly to Property and Evidence for storage in the freezer.
- l. Wet evidence should be transported in a leak-proof container, such as an unsealed plastic bag. Wet evidence that is contaminated with blood or other body fluids must be transported in a properly labeled plastic biohazard bag, and also must be left unsealed. All wet evidence must be thoroughly dried before being packaged in accordance with the current issue of P&P 1123, Property and Evidence. There is no specific time requirement for getting evidence to the designated drying area, but it should be done as soon as practical.
- m. Liquid evidence and samples must be placed in leak-proof containers and sealed inside a zippered plastic bag.
- n. Safeguard the evidence at all times to prevent unauthorized access and tampering.

- o. All requests to review reports and other documents related to the above investigations shall be handled according to procedures covered in the current issue of P&P 2302, Public Records Requests.

## **5. FORMS AND APPENDICES**

**ATTACHMENT A-Crime Scene Entry List**

**ATTACHMENT B-Crime Scene Security Log**

**ATTACHMENT C-Canvass Sheet**

**ATTACHMENT D-CSI Response Guideline**