

OSAC 2021-N-0016

Standard for Initial Response at Scenes by Law Enforcement

Crime Scene Investigation & Reconstruction Subcommittee
Scene Investigation Scientific Area Committee
Organization of Scientific Area Committees (OSAC) for Forensic Science



OSAC Proposed Standard

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Prepared by
Crime Scene Investigation & Reconstruction Subcommittee
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2.0	September 7, 2021	--	Added to the OSAC Registry and publicly announced.
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Foreword

This standard specifies best practices to be employed by law enforcement officers (LEO) when they arrive at an incident which could be expected to become the subject of criminal or civil litigation. This standard applies to instances where the responding person's primary responsibility is initial response and securing the scene and not scene examination and evidence collection. In instances where the responding LEO is also responsible for scene examination, documentation, and evidence recovery, they should refer to applicable additional standards. This document recommends generally accepted professional principles and practices. The details and issues of each situation and scene require consideration and will dictate the course of actions to be undertaken by the LEO. Deviations from this standard should be based on specific articulable circumstances. This standard cannot replace knowledge, skill, or ability acquired through appropriate education, training, and experience and should be used in conjunction with sound professional judgement. This standard provides guidance on some safety issues but is not exhaustive. It is the responsibility of the appropriate agency to develop a full health and safety plan.

This standard is not intended to make agency-specific protocols. This document is intended to inform individual agency protocols dictating how LEOs are to respond to, approach, and enter a scene with a focus on evidence integrity and consideration for safety, security, and medical intervention. This document is intended to provide investigators with a safer work environment and to limit alterations to a scene, witnesses, persons of interest, and evidence so that all aspects of the scene are in a substantially similar condition as they were found when law enforcement initially encountered them.

Keywords: *crime scene, reconstruction, chain of custody, ethics, bias, safety, contamination, validity, reconstructionist, scene investigation*

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Standard for Initial Response at Scenes by Law Enforcement

1 Scope

This standard describes the protocols required for the initial response by law enforcement to scenes. These protocols include: arrival procedure, safety considerations, medical intervention, assessing the scene, scene containment and control, evidence preservation, turning the scene over to investigators, and document actions and observations. It does not include protocols for a complete scene investigation.

2 Normative References

Guiding Principles for Scene Investigation and Reconstruction [OSAC Proposed Standard]

Standard Practice for Crime Scene Investigator Training, Continuing Education, Professional Development, Certification, and Accreditation [OSAC Proposed Standard]

3 Terms and Definitions

For purposes of this document, the following definitions apply.

3.1

crime scene investigation

CSI

A scene investigation that involves a potential criminal act.

3.2

crime scene investigator

CSI

An individual, however named, who is responsible for performing elements of a scene investigation that involves a potential criminal act.

3.3

crime scene preservation

See scene preservation.

3.4

contamination

The undesirable introduction of a substance to an item at any point in the forensic process. Note: This includes undesirable transfer of a substance within an item or between items, also referred to as cross-contamination. (ISO 21043-1)

3.5

law enforcement officer (LEO)

Any public employee whose duties primarily involve enforcement or investigation of laws.

3.6

personal protection equipment (PPE)

Equipment worn to minimize exposure to a variety of hazards such as body-fluids, irritants, or contaminants. Examples of PPE: gloves, foot and eye protection, respirators, and full body suits.

3.8

scene

A place or object that is subject to and/or requires forensic examination. (ISO/FDIS 21043-1:2018[E])

NOTE: A crime scene is a common description of a scene where a presumed crime has been committed. The scene can be a person or an animal.

3.9

scene investigation

An examination of a scene to locate, document, collect, and preserve items of potential evidentiary value. [Guiding Principles]

3.10

scene investigator

An individual, however named, who is responsible for performing elements of scene investigation. [Guiding Principles]

3.11

scene preservation

The intentional act of refraining from any activity that may alter a scene or anything contained within the scene. [Guiding Principles]

4 Requirements

4.1 Overview

4.1.1 Every scene has the potential to yield evidence that may aid in a criminal investigation. As such, the first responding LEO to a scene shall take all reasonable actions to preserve the scene in order to maintain evidence integrity until a designated scene investigator (CSI) is able to respond.

4.1.2 Scene investigation is the responsibility of the responding officer in some jurisdictions while in others a dedicated unit is deployed to a scene and the responding officer passes the management of the scene to CSI personnel upon arrival. In such instances, an exchange of information shall take place between the officer and the CSI personnel.

4.1.3 There are some instances where alteration to the scene prior to CSI response cannot be avoided, including actions for safety and security, or during medical intervention. Any actions taken and any known changes to the scene shall be documented and relayed to those responsible for the investigation.

4.2 Arrival Procedure

4.2.1 Upon arrival of the first responding LEO(s) to a scene, after reasonably assessing and addressing any threats or risks of harm to prevent additional injuries or loss of life to the public and other responders, shall:

- a) assume the scene is a crime scene, until determined otherwise.
- b) make initial observations.
- c) make a reasonable attempt to document the identity and contact information of any person(s) at or leaving the scene.
- d) make a reasonable attempt to document any vehicles leaving the scene.

4.3 Safety Considerations

4.3.1 LEO(s) shall take reasonable precautions to ensure the safety of all parties, while minimizing changes to the scene. Mitigating actions should include, but are not limited to:

- a) leaving adequate space for ingress/egress for additional emergency response, should additional emergencies arise.
- b) contacting appropriate personnel/agencies if hazards such as chemical, radiological, gas, biological, animal, physical, or electrical are suspected or discovered.
- c) directing additional responding units and personnel to minimize any impact to the scene.
- d) wearing personal protective equipment (PPE) at all times.
- e) moving a weapon only when necessary to eliminate the threat of harm.

4.4 Medical Intervention

4.4.1 The initial responding officer(s) shall ensure that medical attention is provided with minimal contamination of the scene and that appropriate PPE is worn while providing medical attention.

4.5 Assessing the Scene

4.5.1 Assessments shall be made to determine the need for additional resources based on the nature of and extent of the scene(s), including the approximate number of victims/decedents, and apparent injuries. This assessment is a continuous process until the scene is transferred to scene personnel.

4.5.2 The responding LEO is responsible for notifying additional units. This may include supervisors and supporting units.

4.6 Scene Containment and Control

Once an assessment of the scene has been made, responding LEO(s) shall establish boundaries in order to control crowds and / or to restrict access into areas which may have the potential of containing evidence. Movement throughout the scene should be limited to essential personnel only. Do not permit additional LEOs to traverse the scene unless absolutely necessary.

The initial responding LEO(s) shall make a reasonable effort to:

- a) Control all individuals at the scene—prevent individuals from altering/destroying physical evidence by restricting movement, location, and activity, while ensuring and maintaining safety at the scene.
- b) Identify and record all individuals at the scene, such as suspects, witnesses, bystanders, victims/family/friends, law enforcement, medical and other assisting personnel.
- c) Exclude unauthorized and nonessential personnel from the scene (e.g., law enforcement officials not working the case, politicians, media).
- d) Secure the scene. Set up physical barriers (e.g., ropes, cones, barrier tape, available vehicles, personnel, other equipment) or use existing boundaries (e.g., doors, walls, gates) provided that such actions are documented.
- e) Document the entry/exit of all people entering and leaving the scene once boundaries have been established.
- f) Protect the scene. Control the flow of personnel and animals entering and leaving the scene to maintain integrity of the scene.
- g) Institute measures to preserve/protect evidence that may be lost or compromised (e.g., protect from the elements (rain, snow, wind) and from footsteps, tire tracks, sprinklers).

- h) Consider search and seizure issues to determine the necessity of obtaining consent to search and/or obtaining a search warrant.

4.7 Evidence Preservation

4.7.1 Every item located within the scene should be considered as possibly evidentiary in nature.

4.7.2 Physical evidence and scene conditions shall be preserved and left undisturbed to allow a thorough investigation by scene investigators. Items should not be added (e.g., disposable gloves, food or drink, cigarette butts) or removed from the scene (e.g., weapons or drugs). Exigent circumstances (e.g., weather, perishable evidence) may necessitate early collection or additional preservation steps.

4.8 Turning Scene Over to Investigators

4.8.1 The initial responding LEO(s) at the scene shall provide a detailed scene briefing to the investigator(s) in charge of the scene. Once a determination has been made to turn the scene over to investigators, the initial responding LEO(s) should concentrate on scene and/or personnel security.

4.9 Document Actions and Observations

4.9.1 All activities conducted, and observations made at the scene shall be documented as soon as possible after the event to preserve information. The initial responding LEO(s) at the scene shall produce clear, concise, documented information. The following shall be documented:

- a) Observations of the scene, including the location of persons and items within the scene and the appearance and condition of the scene upon arrival.
- b) Conditions upon arrival (e.g., lights on/off; shades up/down, open/closed; doors and windows open/closed; smells; ice, liquids; movable furniture; weather; temperature; and personal items.)
- c) Personal information from witnesses, victims, suspects, and any statements or comments made.
- d) The LEO(s) actions and actions of others that alter the scene.
- e) Any known changes. If it is essential to move items, the original location and state of the item shall be recorded prior to movement as well as who moved the item, why, and to where.
- f) Any transfer of evidence, through departmental mechanisms for chain of custody.

Annex A
(informative)

Bibliography

- 1] National Forensic Science Technology Center. *Crime Scene Investigation: A Guide for Law Enforcement* [supported under cooperative agreements by BJA, NIJ, and NIST]. NFSTC, 2013.
- 2] ISO 21043-1:2018(E) Forensic sciences- Part 1: Terms and definitions.
- 3] ISO/FDIS 21043-2:2018(E) Forensic sciences- Part 2: Recognition, recording, recovery, transport and storage of material.