

# CHAPTER 2 NOTES



## THE CRIME SCENE





The goal of crime scene investigation is to recognize, document, and collect evidence at the scene of a crime. Solving the crime will depend on piecing together the evidence to form a picture of what happened at the crime scene.







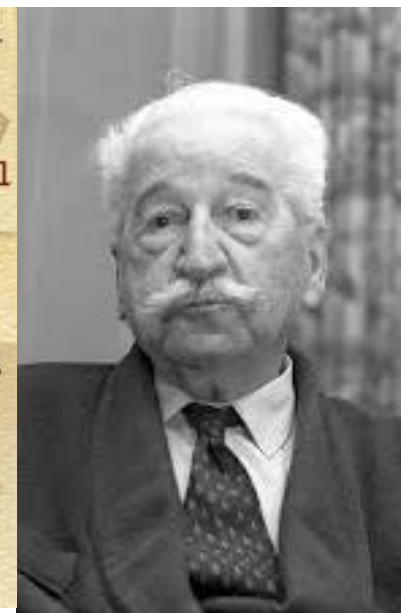
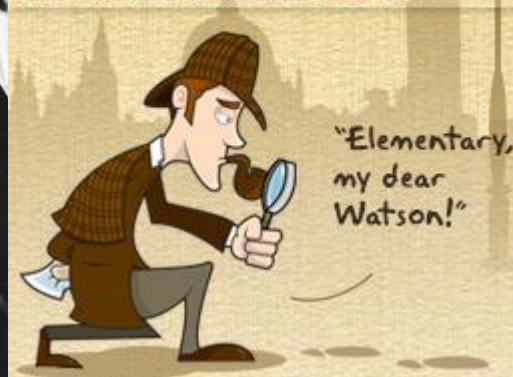
Dr. Edmond Locard:

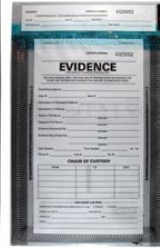
Every criminal can be connected to a crime by small particles carried from the scene.

- Whenever 2 objects come in contact with one another, a cross-transfer of physical evidence can occur.
- The intensity, duration, and nature of the materials in contact determine the extent of the transfer.

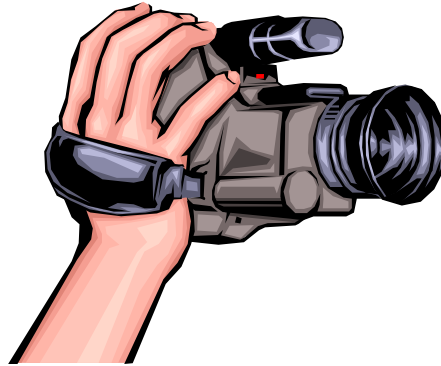
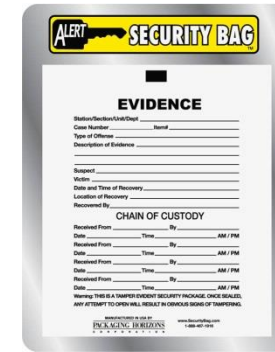


Edmond Locard, also known as the "Sherlock Holmes of France" came up with a principle that states that every contact by a criminal leaves behind a trace.





Evidence  
can be  
classified into  
two types:

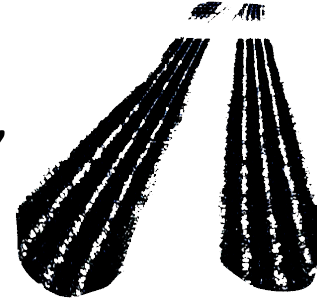


- Direct evidence- first hand observations (eyewitness account, videos, confessions)
- Circumstantial evidence- indirect evidence that can be used to imply a fact but does not directly prove it. Example: finding a suspect's gun at a crime scene is circumstantial evidence that the suspect was there.



# Types of circumstantial evidence:

a) **Physical** evidence: synthetic fibers, weapons, bullets, shell casings, paint chips, documents, imprints and prints (shoes, tires, etc.), tool marks, soil, drugs, etc.



b) **Biological** evidence: body or body parts, body fluids, hair, leaves or other plant parts, natural fibers, feathers, wood



c) **Trace** evidence: **Small** but measurable amounts of **physical or biological** material found at a crime scene. Examples: **strand** of hair, fingerprint, DNA, **drop** of blood, pollen, gunshot residue



## 2. The more circumstantial evidence there is, the greater weight it carries. (Probability and Statistics)



Circumstantial evidence must be closely examined and it must be looked at cumulatively. In other words, a court would be very slow to convict a defendant on the basis of one piece of circumstantial evidence alone.

For example, the fact that his or her fingerprints were found at the scene of the crime.

However, **if there are a number of different strands of circumstantial evidence, taken together, they have more weight.**



For example, in a theft case, if the defendant was seen in the area at the time of the theft, his or her fingerprints were found at the scene of the crime and if he or she was later found with a large sum of money that he or she could not explain, then the court would be more likely to convict the accused.

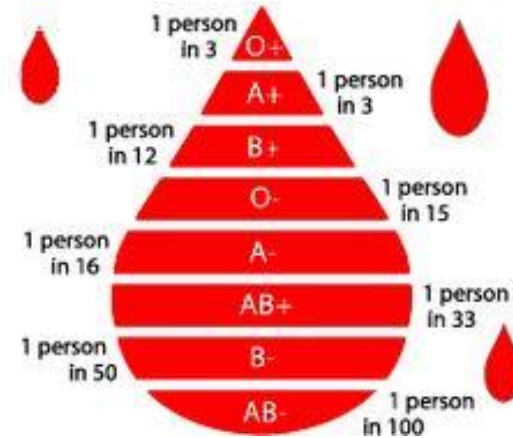
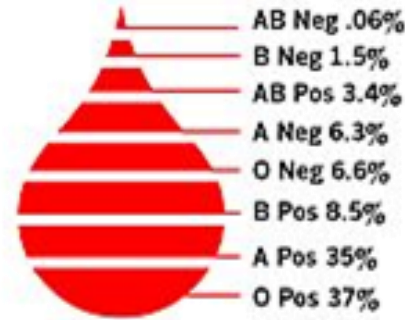
# Evidence can also be divided into:

**Class evidence**: narrows evidence to a **group** of persons or things



i. Example: **Blood** Type- can be A, B, AB, O. Finding one type at a crime scene narrows down the suspects to a smaller group.

Frequency of Blood Types



**Individual evidence**: narrows evidence down to a **single** person or thing.

i. Example: Fingerprints, handwriting, DNA, and sometimes physical matches.



Determine the 3 types of evidence for this example:



Types of Evidence:

- Direct or circumstantial?
- Physical or biological?
- Class or individual?



## Seven S's of Crime Scene Investigation:

1. Secure the scene
2. Separate the witnesses
3. Scan the scene
4. See the scene
5. Sketch the scene
6. Search for evidence
7. Secure and collect evidence



# Securing the Scene:

The first responding police officer must make sure the scene is secure by first making sure all individuals in the area are safe and second by preserving evidence.

1. Obtain medical assistance if needed

2. Arrest suspects

3. Isolate the area

- a. Exclude all unauthorized personnel
- b. Put up tape, ropes, barricades, or position guards so no one may enter/leave (keep a security log of all who visit scene)
- c. Prevent the loss of evidence

4. Request additional needs for investigations



# Separating the Witnesses:

Witnesses must not be allowed to talk to one another. This prevents them from working together to create a story (collusion).



ii. When questioning witnesses, the following should be asked:



1. When did the crime occur?
2. Who called in the crime?
3. Who is the victim?
4. Can the perpetrator be identified?
5. What did you see happen?
6. Where were you when you observed the crime?



- a. Example: An innocent bystander running from a crime scene in fear of being shot could be mistaken for the shooter fleeing the crime.
- b. Witnesses need to be carefully examined to describe what they saw, not what they thought happened.



# Scan the Scene:

i. Forensic examiners scan the scene to see where photos should be taken. The primary and secondary crime scenes must be determined.

1. The primary crime scene is where a crime actually occurred.
2. A secondary crime scene is in some way related to the crime but is not where the actual crime took place.



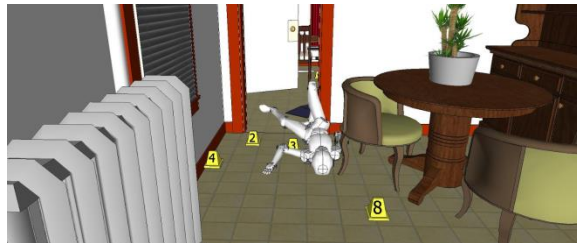
# See the Scene:

- i. A crime scene examiner looks at the scene. The Photography Unit takes photos of the overall area and close up photos with and without a measuring ruler.



# Sketching the Scene:

1. North should be labeled and a scale of distance should be included
2. All important objects (weapon and body) should be measured from two immovable landmarks
3. Any other objects in the vicinity of the crime should be included in the sketch (ex. Doors, windows, furniture, trees, vehicles, etc.)
4. Also include: Date, time, location, case number, and names  
(Sketched by and Verified by)

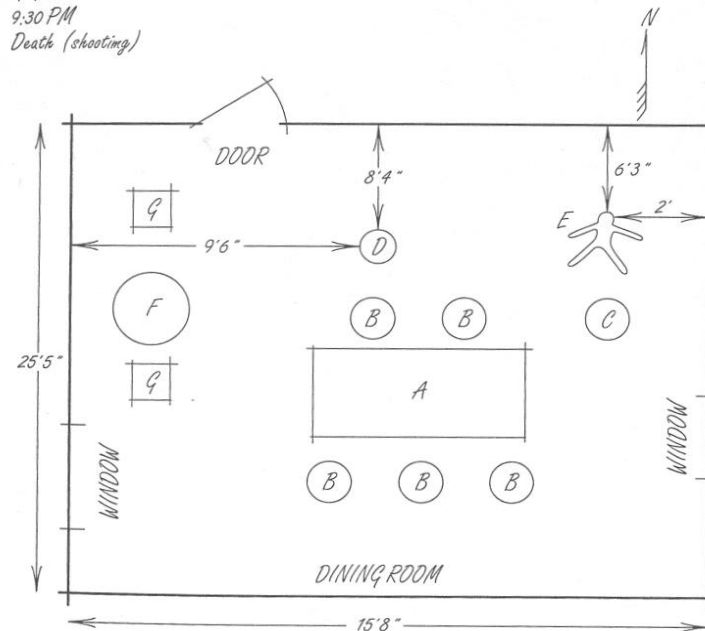


Later, a final copy (usually made on computer) will be made for presentation in court.

A – Dining room table  
B – Chair  
C – Overturned chair  
D – 0.38 Revolver  
E – Male body  
F – Table  
G – Chair

2741 Aragon St.  
6/7/81  
9:30 P.M.  
Death (shooting)

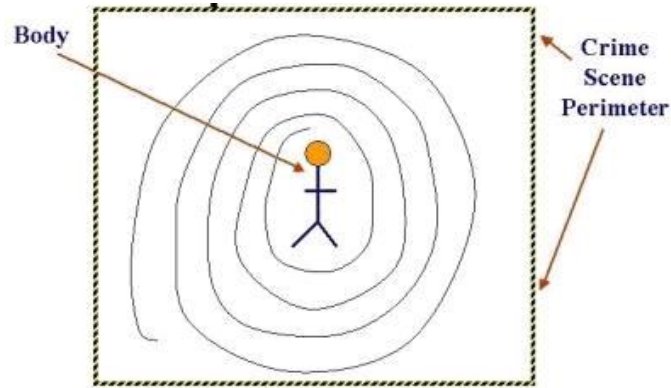
Sketch by Officer  
John Smith



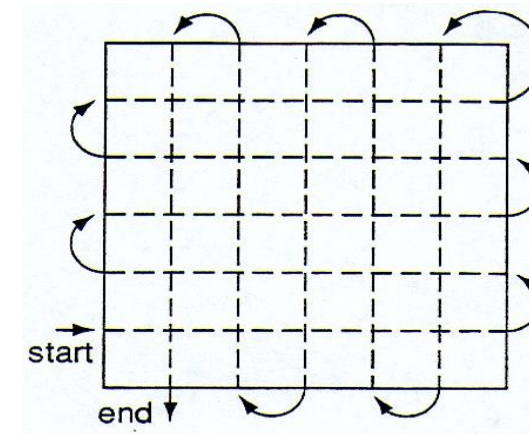


# Search for Evidence:

## Spiral:

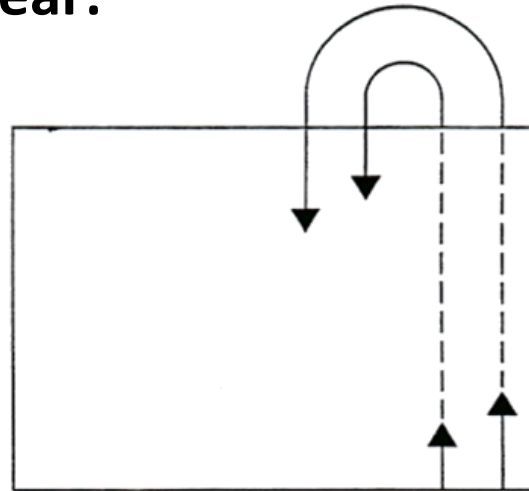


## Grid:

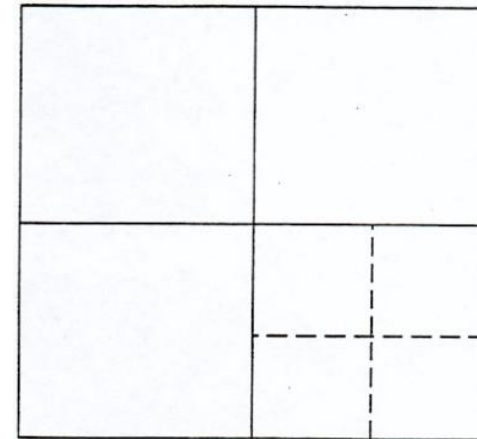


A pattern should be walked and location of evidence marked, photographed and sketched.

## Linear:



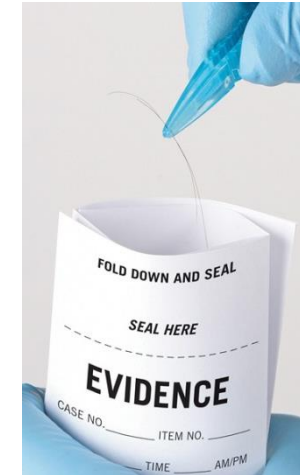
## Quadrant or Zone:



A flashlight or black light may be used to help find trace evidence.

# Securing and Collecting the Evidence:

- i. All evidence must be properly packaged, sealed and labeled using specific techniques and procedures.
- ii. Packaging Evidence
  1. Metal or plastic **forceps** may have to be used to pick up small items.
  2. Plastic **pill** bottles with lids are preferred containers for hairs, glass, fibers, and other kinds of **trace** evidence.
  3. Liquids and arson remains are stored in **airtight**, unbreakable containers.



a. Bloodstained materials must be packaged in wrapping paper, manila envelopes, or paper bags to prevent the growth of mold which can destroy the evidential value of the blood. Air must be able to flow around the evidence to prevent moisture buildup.

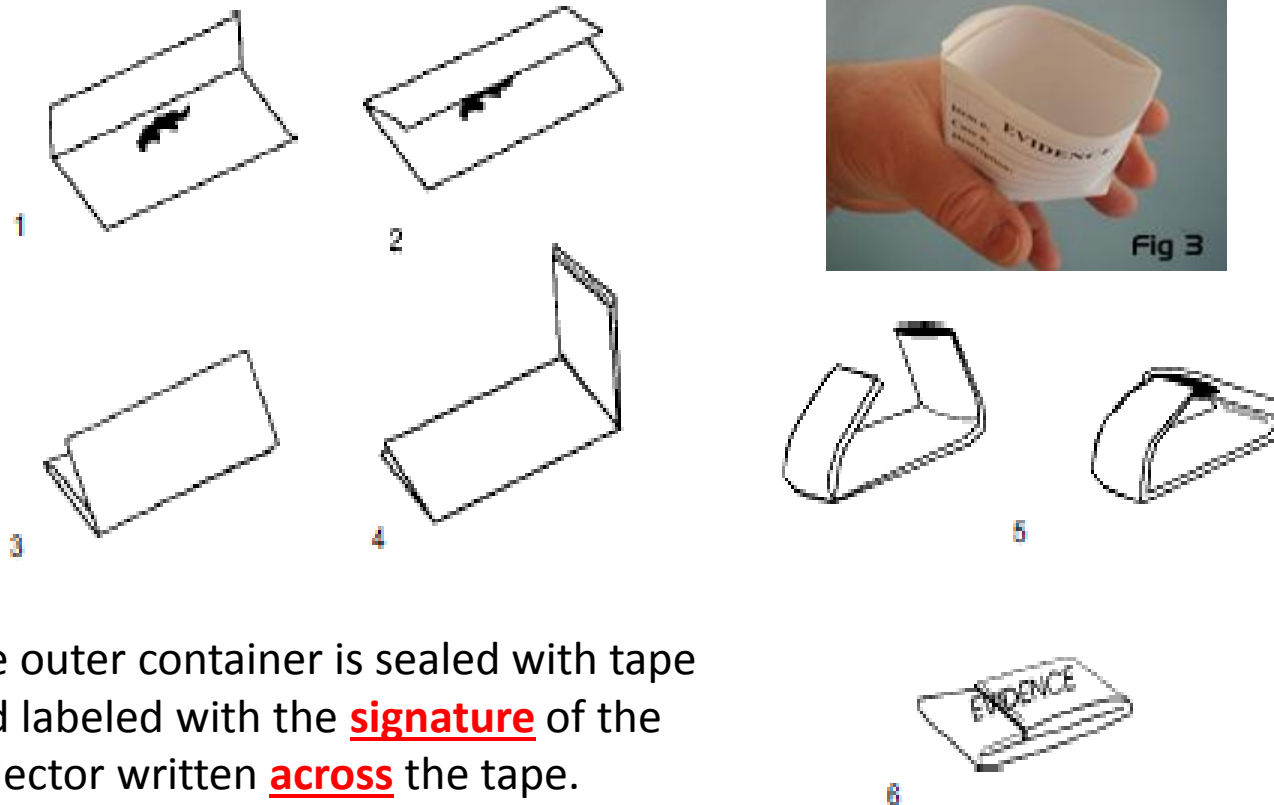


b. Charred debris from a fire must be sealed in an airtight container, such as new metal paint cans, to prevent any volatile petroleum residues from evaporating. This could be evidence of arson.



# Druggist's Fold for Evidence:

Most biological evidence is stored in breathable containers so the evidence can dry out, reducing the chances of mold contamination. After the evidence has air dried, it is packaged into a paper **bindle** (or druggist's fold) then placed in a paper or plastic container.



The outer container is sealed with tape and labeled with the **signature** of the collector written **across** the tape.



# Evidence Log & Chain of Custody

6. An evidence log and a chain of custody must be attached to the evidence container.
  - a. Includes description of evidence, name of suspect, name of victim, date and time of recovery, signature of person recovering the evidence, and signature of any witnesses present during collection.
  - b. Chain of Custody- A list of all persons who came into possession of an item of evidence.

EVIDENCE	
Submitting Agency _____	
Date Collected _____	Time _____
Item # _____	Case # _____
Collected By _____	
Description of Evidence _____	
_____	
Location Where Collected _____	
Type of Offense _____	
CHAIN OF CUSTODY	
Rec. From _____	By _____
Date _____	Time _____
Rec. From _____	By _____
Date _____	Time _____
Rec. From _____	By _____
Date _____	Time _____

# Evidence Log & Chain of Custody

- Each person who comes in contact with a piece of evidence must use proper procedure and protocol in order to maintain responsible handling of evidence from crime scene to courtroom in order for the evidence to be admissible in court.

EVIDENCE	
Submitting Agency	_____
Date Collected	_____ Time _____
Item #	_____ Case # _____
Collected By	_____
Description of Evidence	_____ _____
Location Where Collected	_____
Type of Offense	_____
CHAIN OF CUSTODY	
Rec. From	_____ By _____
Date	_____ Time _____
Rec. From	_____ By _____
Date	_____ Time _____
Rec. From	_____ By _____
Date	_____ Time _____

# Control Samples:

Control samples should also be taken from the victim for purposes of exclusion (blood, hair, etc.)

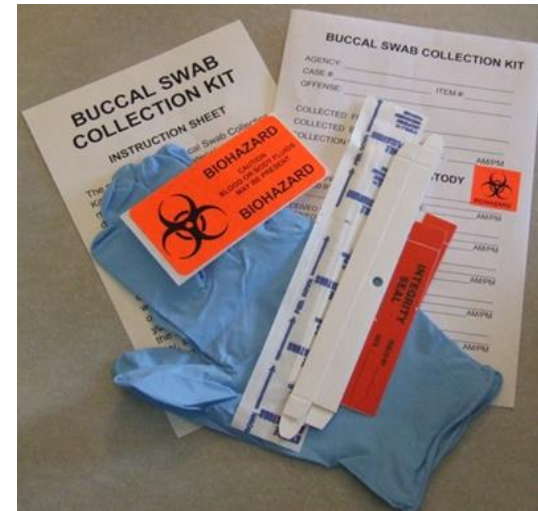
1. **Standard/Reference Sample**- Physical evidence whose origin is known, such as blood or hair from a suspect, that can be compared to crime-scene evidence.

## Trace evidence vs. Control samples

- **Control samples** – samples from a known origin; used for comparison purposes
- **Examples:**
  - For blood samples at a crime scene, collect control samples from victim and possible suspects
  - For paint, collect control samples from victim's vehicle, suspect's vehicle, bikes, etc.
  - For fibers, collect control samples from victim and suspect's clothing, carpet, vehicle



2. The standard/reference samples are obtained from the victim, family members, any paramedics/police officers who may have been in the crime scene, suspects, and other known sources.
3. When there is bloodstained evidence, a whole blood sample (withdrawn from a vein) or **buccal** (cheek) swab must be obtained from all crime scene participants.
4. Often crime scene investigators are unaware of the importance of including standard/reference samples and substrate samples, but these are crucial to the investigation. The evidence is often meaningless without them.





# Analyze the Evidence:

- a. A forensic lab processes all evidence the crime scene investigation team collected.
- b. Forensic lab technicians are specialized and process one type of evidence, unlike CSI TV shows where they may process many.



Lab results are sent to the lead detective.

# Crime Scene Reconstruction:

Crime scene reconstruction allows the detectives to form a **hypothesis** of the **sequence** of events from before the crime was committed through its commission.



- b. Evidence does not lie, but it can be staged. Staged crime scenes, such as a murder set up to look like a suicide, cause many problems because the evidence does not match the testimony of witnesses.
  - i. To determine whether a crime scene is staged, the following points should be considered:
    1. Initially treat all death investigations as homicides
    2. Do the type of wounds on the victim match the weapon?
    3. Could the wounds be easily self-inflicted?
    4. Establish a profile of the victim through interviews with friends and family.
    5. Evaluate the behavior (mood and actions) of the victim before the event.
    6. Evaluate the behavior (mood and actions) of any suspects before the event.
    7. Corroborate statements with evidential facts.
    8. Reconstruct the event.

# Legal Considerations:

- a. Any **removal** of **evidence** from a crime scene must be in accordance with the **Fourth** Amendment.

11/22/2006 01:00 NO. 194 202

POLICE DEPARTMENT  
CITY OF PHOENIX, ARIZONA  
**SEARCH WARRANT**  
COUNTY OF MARICOPA, STATE OF ARIZONA

DR. 2006-62243993

WARRANT NO.  
SV 2006-004692

TO ANY PEACE OFFICER IN THE STATE OF ARIZONA:

Proof by affidavit having been made this day to me by Officer Kurt Slpmann #7533.

I am satisfied that there is probable cause to believe that

[x] on person(s) of Suspect #1 Webster, Alan Neil B.M., DOB 11/28/1950, black hair, brown eyes, 6'0", 185 lbs., Suspect #2 Webster, Nina M. W.F., DOB 10/08/1965, brown hair, brown eyes, 5'05", 120 lbs. and Suspect #3 Campbell, Joseph L. B.M., DOB 04/13/59, black hair, brown eyes, 5'02", 300 lbs.

[x] on the premises described as 2501 E. Van Buren Street, The Flamingo Inn, #219. This being a multi unit motel complex constructed of masonry painted yellow with red trim. Apartment #219 is located in the south east corner of the building. The motel door faces west and is red in color with the number "219" on the door.

in the City of Phoenix, County of Maricopa, State of Arizona, there is now being possessed or concealed certain property, persons or things described as:

Drug Paraphernalia:  
A sizable amount of crack cocaine, a narcotic drug.

Firearms:  
Inadvisable of occupancy, residency, and/or ownership of the premises described above, including, but not limited to utility, telephone bills, and canceled mail;

“The right of the people to be secure in their persons, houses, papers, and effects, against **unreasonable** searches and **seizures**, shall not be violated, and no Warrants shall issue, but upon **probable cause**, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”





- b. Obtain a **search warrant** when time and circumstances permit. Do not investigate a scene or remove evidence without a warrant.

STATE OF CALIFORNIA - COUNTY OF LOS ANGELES SW No. 69351

**SEARCH WARRANT AND AFFIDAVIT  
(AFFIDAVIT)**

Peace Officer Donald Hrycyk swears under oath that the facts expressed by him/her in the attached and incorporated Affidavit are true and that based thereon he/she has probable cause to believe and does believe that the articles, property and persons described below are lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below, and are now located at the locations set forth below. Wherefore, Affiant requests that this Search Warrant be issued.

Donald Hrycyk  
(Signature of Peace Officer)

HOBBS SEALING REQUESTED: YES ☐ NO ☒  
NIGHT SEARCH REQUESTED: YES ☐ NO ☒

**(SEARCH WARRANT)**

THE PEOPLE OF THE STATE OF CALIFORNIA TO ANY PEACE OFFICER IN THE COUNTY OF LOS ANGELES: proof by affidavit having been made before me by Peace Officer Donald Hrycyk that there is probable cause to believe that the property or person described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code Section 1524 et seq., as indicated below by "X" (s) in that:

☐ property was stolen or embezzled;  
☐ property or things were used as the means of committing a felony;  
☐ property or things are in the possession of any person with the intent to use them as a means of committing a public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their being discovered;  
☒ property or things to be seized consist of any item or constitute any evidence that tends to show a felony has been committed, or tends to show that a particular person has committed a felony;  
☐ property or things to be seized consist of evidence that tends to show that sexual exploitation of a child, in violation of Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years, in violation of Section 311.11, has occurred or is occurring;  
☐ there is a warrant to arrest a person,  
☐ a provider of electronic communication service or remote computing service has records or evidence, as specified in Section 1524.3, showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in the possession of any person with the intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;  
☐ property or things to be seized include an item or any evidence that tends to show a violation of Section 3700.5 of the Labor Code, or tends to show that a particular person has violated Section 3700.5 of the Labor Code.

YOU ARE THEREFORE COMMANDED TO SEARCH: (premises, vehicles, persons)

See attached

FOR THE FOLLOWING PROPERTY OR PERSONS:

See attached

AND TO SEIZE IT / THEM IF FOUND and bring it / them forthwith before me at this court at the courthouse of this court. This Search Warrant and Affidavit and attached and incorporated Affidavit were sworn to as true and subscribed before me on this 18 day of Dec., 2014, at 9:35 A.M. in the County of Los Angeles, State of California. I find probable cause for the issuance of this Search Warrant and do issue it.

Samuel Mayerson  
(Signature of Magistrate)

HOBBS SEALING APPROVED: YES ☐ NO ☒  
NIGHT SEARCH APPROVED: YES ☐ NO ☒

Judge of the Superior Court of California, County of Los Angeles, Los Angeles Judicial District, Dept 41  
SAMUEL MAYERSON  
(Magistrate's Printed Name)

SW & A1

There are two parts to a search warrant request: 1) the actual warrant itself, and 2) the affidavit of the law enforcement officer which sets forth the facts as to why the search warrant should be granted.

A Hobbs Sealing request (checked box) means that the police agency conducting the search warrant wants to keep all or any part of search warrant affidavit from being revealed so as to protect an informant's identity.



The Supreme Court has defined circumstances under which a crime scene can be searched without a warrant. **A warrantless search can be conducted:**

- under emergency circumstances (danger to life or limb)
- if there is immediate danger of the loss or destruction of evidence
- if there is probable cause — the search of a person and their immediate property in conjunction with a lawful arrest
- with the consent of the involved parties

