



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

**Subject: Handling, Processing, Storage & Disposition of
Evidence**

Number: 503-A

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Rescinds: 503 – Handling, Processing...

Dated: August 3, 2010

Approved By:

I. PURPOSE

The purpose of this Regulation is to:

- Ensure the integrity of evidence stored by the Myrtle Beach Police Department;
- Outline the responsibilities and methods to safeguard, collect and preserve evidence at a crime scene and ensure a proper chain of custody for courtroom presentation;
- Specify procedures for submitting evidence to a forensic laboratory for analysis;
- Ensure the storage of evidence complies and integrates with the overall departmental system – Records Management System (RMS) – for the storage and disposition of property and evidence.

II. POLICY

The investigation of crime and the prosecution of offenders require that information be obtained through the application of scientific knowledge and methods. To effectively use laboratory support services, physical evidence must be identified, collected, preserved, and transported to a laboratory. It is the policy of the Department to follow established forensic methods of obtaining and protecting evidence.

III. PROCEDURE

- A. The Department maintains specially trained personnel, equipment, and supplies used for the preservation, documentation, and collection of physical and digital evidence for the following purposes:
1. Recovery of latent prints;

2. Photography;
 3. Sketch of a scene;
 4. Collection and preservation of physical evidence; and
 5. Accident investigation.
- B. A Crime Scene Specialist trained in the preservation and collection of evidence will be available 24-hours a day to respond to a crime scene when requested by a supervisor.
- C. An Officer, specially trained in accident investigation as well as the preservation and collection of evidence, will be available 24-hours a day to respond to traffic collisions involving serious injury or death.
- D. Procedure for Preserving, Collecting and Processing Evidence in the Field
1. Officers involved in the evidence collection process will use discretion in collecting evidence items. Evidence storage space is critical; therefore, only items of sound evidentiary value will be collected.
 2. After the collection of any property, the Officer is required to complete and submit an incident report detailing the circumstances by which the property came into the Department's possession. Additionally, the Officer will list in the report each item of property and provide any available identifying marks, numbers, and/or description.
 3. An accurate record of events that transpire at the scene of a major crime or major traffic accident scene, in connection with the investigation, is required at the time of trial. It is the responsibility of the officer or investigator who processes the scene to submit detailed reports describing the sequence of events associated with a crime scene investigation as related to evidence. This information may be required in the narrative section of the SLED Forensic Crime Lab report.
 4. After processing major crime scenes and serious vehicle collisions, the investigating officer will complete an investigative narrative that shall contain the following information: location of incident; date and time of arrival at the scene; Incident Report Number; name of victim(s) (if known); name of suspect(s) (if known); and narrative of the investigator's actions at the scene.
 5. If a specialist is called to the scene (SLED or DPS Accident Reconstruction Team), a note of this and the results of their action will be included with the officer's report.

6. The following policy will be followed for evidence handling:

- a. Instructions for vouchering, packaging, and storing evidence can be found in MBPD Procedure 501.
- b. All evidence will be sealed by the collecting officer and marked with his/her name or initials.
- c. Each piece of evidence will be packaged in a separate container to prevent any form of contamination of the evidence.
- d. If more than one container is tagged as evidence, show ownership to each container in the property voucher and on the evidence itself. Each item will have a separate evidence label and separate bag.
- e. The officer processing a scene (Detective, CSS, Officer, etc.) is responsible for preparing a report that records the evidence collected, the officer's name, date, time, and case number.

E. EVIDENCE COLLECTED BY PERSONS OTHER THAN CRIME SCENE PERSONNEL

1. Request For Processing – The majority of the time, the Crime Scene Specialists (CSS) collect evidence that requires further processing in the MBPD CSU Lab. On occasion, however, other officers collect evidence that requires processing in the CSU Lab. Non-CSS officers may submit this evidence to the Property & Evidence Unit and complete a Request for Processing form. This form should be printed and placed with the evidence, or it may be forwarded via email to the CSU.
2. Wet BioHazardous Evidence - Because wet evidence can mold and result in the loss of DNA, CSS should be called whenever possible to collect wet, biohazardous evidence, such as a piece of bloody clothing, because the CSU Lab has evidence dryers specifically designed to dry such items. On the rare occasion where a non-CSS officer collects wet, biohazardous evidence, he/she must transport the evidence to the CSU for storage in order to both prevent a biohazardous exposure at the Property & Evidence Unit and to maintain the chain of custody.

F. EVIDENCE COLLECTED BY CRIME SCENE SPECIALISTS

1. Chain of Custody – A necessary part of crime scene work requires the collection of evidence for further processing at the CSU Lab. As such, CSS initiate the Chain of Custody, and must always document the seizure of any and all evidence immediately upon return to the CSU. CSS must use an RMS system that is the same as, or compatible with, the RMS system utilized by the Property & Evidence Unit in order to provide for continuity with respect to the Chain of Custody.

2. Due Diligence – The CSU Evidence Room is not a long-term storage area. CSS are expected to process all evidence with due diligence and then to transport the evidence to the main Property & Evidence Unit clerks from transporting evidence to non-departmental labs, court, etc.
3. Evidence Room Security – In order to maintain the Chain of Custody, access to the CSU Evidence Room shall be restricted to CSS, the CSU Supervisor, and the Chief or his/her designee, and only the aforementioned will be issued a key or pass code as appropriate, for entry into the Evidence Room. Access to the Evidence Room may be secured by the Chain of Command for inspection purposes, and by the Office of Professional Standards for investigative purposes.

G. MOTOR VEHICLES PROCESSED AT THE CSU LAB

1. Chain of Custody- A necessary part of crime scene work also requires the seizure of motor vehicles for further processing at the CSU Lab. CSS must indicate receipt of the vehicle on the Vehicle Tow Inventory and then initiate the Chain of Custody by entering the vehicle as evidence in the RMS. If an officer orders a vehicle to be towed to CSU for processing without the involvement of a crime scene officer, the officer is responsible for entering the vehicle in RMS on a voucher and submitting to CSU for processing.
2. Due Diligence – The CSU Lab is not a long-term storage area. CSS are expected to process all vehicles with due diligence, and then have the city's towing contractor tow the vehicle to their storage yard. CSS will complete a Towing Inventory Report, document the release of the vehicle in the RMS, and send a letter to the registered owner at the address on the registration indicating the release of the vehicle, where it can be picked up, and the possibility of the accrual of charges. A copy of the letter-the notice to the owner- will be maintained in the CSS Case File.

H. Sexual Assault/Abuse Kits

1. The SLED Sexual Assault Evidence Collection kit will be used during the investigation of sexual assaults and sexual abuse cases.
2. Using the kit to obtain necessary evidence and samples, a licensed physician or sexual assault nurse examiner (SANE) will conduct the sexual assault protocol of the victim.
3. The designated officer will take custody of the kit and place and secure it in an evidence refrigerator. On the next working day, the investigator or evidence technician will sign the kit out and take it directly to SLED.

I. Latent Prints

1. Officers who have received specialized training in the processing of latent prints may be utilized to process a scene for latent prints. The following general guidelines will be followed when processing a crime scene for latent prints:
 - a. The processing officer will use fingerprint powder to develop the fingerprint. Latent impressions developed with fingerprint powder may be photographed prior to lifting.
 - b. The lifted print is to be placed on a card with the following information: incident report number; event (type incident); time & date; location; officer (reporting officer); description of item processed; and signature of processing officer.
 - c. Normal procedure for print identification will be to submit lifts to the CSS. If latent prints are to be sent to SLED, a SLED lab request form will accompany the completed latent print cards. When requesting a comparison of latent prints with fingerprints of known suspect(s), the requesting officer will include inked fingerprint cards, if available.

J. Collection of Known Standards for Comparison

1. When the following types of physical/trace evidence are collected from a crime scene, a known standard sample must be collected for comparison by SLED:
 - a. Blood;
 - b. Hair;
 - c. Fibers;
 - d. Paint;
 - e. Glass;
 - f. Wood;
 - g. Metal;
 - h. Soil;
 - i. Tool marks; and
 - j. Footwear/prints.
2. The location from which the samples are taken is critical for the SLED Lab and shall be documented on the lab request report.
3. All standards for comparison will be collected by investigators and/or qualified medical personnel in accordance with procedures established by SLED.

K. Evidence Submission Procedures

1. All evidence collected will be reported on an Evidence Sheet/Chain of Custody. The Evidence Sheet will be completed and signed, as appropriate, by the officer taking the property/evidence. Evidence will then be secured in the temporary evidence lockers or secured in the evidence room by the Property Custodian. Evidence that must be refrigerated, (blood, fluids, etc.) will be placed in an evidence refrigerator.
2. Responsibility and Conditions for Submitting Evidence to SLED or other forensic labs
 - a. In the event the examination cannot be conducted by personnel of the Department, the Evidence Technician is primarily responsible for submitting items to SLED or another authorized laboratory for examination and processing.
 - b. The items to be transported to a lab will be signed out of the evidence room. The officer shall complete the SLED Forensics Lab Services Request and SLED/ Lab Evidence Sheet. A copy of the incident report will be attached to the form. Fluids, rape kits, refrigerated evidence, and other evidence requiring urgent testing will be transported to SLED as soon as possible after they are collected. Other items may be transported to SLED on a scheduled basis.
 - c. To ensure proper chain of custody, the transporting employee should request a signed receipt for any evidence relinquished to the forensics laboratory. The signed receipt will then be returned to the Evidence Custodian.
 - d. The forensic lab conducting testing will submit a written report detailing their findings to the requesting officer. This report will be filed with the case file.