TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS

TITLE: **DNA Evidence Collection**		NUMBER: 643A
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X New Amends Rescinds		
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01 Purpose: The purpose of this General Order is to establish clear guidelines pertinent to the collection and preservation of DNA evidence.

02 Policy: The development of deoxyribonucleic acid (DNA) matching has had a major impact on law enforcement and improvements in technology continue to advance this important means of identification. DNA evidence can be vital both in cases where the identity of the offender is not known and in cases where it is used to verify an offender's participation in a crime or his or her presence at the scene. It is Takoma Park Police Department policy to collect and preserve all relevant DNA evidence, including exculpatory DNA evidence, in a manner that ensures its integrity and suitability for presentation in court.

03 First Responder Responsibilities and Precautions:

A. Upon responding to a crime scene all personnel shall take appropriate action to render first aid as needed, secure and preserve the crime scene as prescribed in General Order 643, and protect any trace and DNA evidence until such time as the designated evidence collection officer can respond to take control of the scene and collect evidence. First responders should bear in mind that DNA can be found anywhere at a crime scene, and great care must be taken to avoid cross-contamination of DNA evidence, either by commingling evidence that may come from a DNA-rich crime scene or by contaminating evidence with an officer's own (or someone else's) DNA.

B. If not designated to personally process the crime scene, the first responder's responsibilities are to:

1. Recognize that there may be DNA evidence to be retrieved;

2. Identify potential sources of DNA evidence; and

3. Protect the evidence by limiting access to the crime scene, either by crime scene tape or by other means.

C. If emergency medical personnel (or others) are at the crime scene (e.g., attending to injured person), the first responder will observe and note where those responders have been in the crime scene and what they have done, including what they have touched or moved. When the designated evidence collection officer arrives, the first responder will brief him or her, identifying all of the areas that have been disturbed and the nature and extent of the disturbance.

D. In the case of an uncomplicated crime scene wherein the first responder will personally process the scene, the officer will approach evidence gathering slowly and methodically. The officer will always wear latex or nitrile gloves to prevent contamination of any DNA evidence with the officer's own DNA. The officer will be alert for any evidence (such as cigarette butts, tissues, or other items, which may contain DNA evidence).

04 Collection, Storage and Transportation of DNA Evidence: In most ways, the principles for collection, storage and transportation of DNA evidence are similar to those for other types of physical evidence. All procedures described elsewhere in these General Orders for identifying, marking, bagging, transporting, and placing evidence into property held apply to DNA evidence. However, some additional precautions or concerns apply to potential DNA evidence:

A. Universal precautions for handling bio hazardous materials are always followed in handling potential DNA evidence. That is, hand protection and, if necessary, face and clothing protection will be worn.

B. In processing a crime scene where DNA evidence may be of value, items of evidence should be collected in the smallest discrete units possible (e.g., separating individual pieces of clothing), in the event separate garments contain different individuals' DNA.

C. Items containing potential DNA evidence are almost always collected in paper bags, so that any body fluids will have the opportunity to air-dry.

D. If possible, the item on which the DNA may have been deposited should be taken into evidence: if it cannot be taken (e.g., evidence on a large piece of furniture), then the processing officer should request the services of a Technician from the Technical Services Section (TSS) of the Montgomery County Police (MCP).

E. Collection of DNA samples from known ounces for comparison with evidentiary material is always performed when possible. The officer/technician will obtain and document the written voluntary permission of the individual from whom the comparison sample is collected, unless the sample is collected under a court order.

05 Training: All officers receive training at the academy in the collection and preservation of evidence, including DNA evidence. Officers will receive periodic updates to that training through the in-service training process.

06 Submission of DNA Evidence For Analysis:

A. Evidence suspected of containing blood, semen, or other physiological fluids will be packaged, labeled, and submitted in appropriate containers or packaging that best preserves the substance for submission to the Montgomery County Crime Lab via the Montgomery County Police (MCP) Department's Third District.

B. The Montgomery County Crime Lab is accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB).

C. The lab, using accepted testing procedures to determine if blood, semen, saliva, or other physiological fluids are actually present, will screen the evidence submitted.

D. The lab is capable of performing Short Tandem Repeat (STR) DNA analysis. This kind of analysis requires that a known blood sample from all individuals involved be submitted for comparison purposes.

E. Whenever any of the above are collected and turned over to the MCP Silver Spring District for submission to the laboratory, submitting officers shall ensure that chain-of-custody is documented and all items submitted for examination and analysis are itemized and accounted for on the MCP Form 526 - *Receipt for Property*, which shall accompany the evidence.

F. Submitting officers shall also complete MCP Form 239 - *Request for Laboratory Examination* and submit it with the MCP Form 526.

G. Evidence requiring DNA analysis and/or hair and fiber examinations will be submitted with the MCP 526 to the Central Supply Section. The MCP 239, along with a copy of the MCP 526, will be submitted directly to the crime lab by the MCP Third District.

H. To assist in the tracking process, any assigned bar code numbers corresponding to each item of evidence submitted for examination and analysis should be written on either the MCP 526 or the MCP 239.

I. If exigent circumstances necessitate submission of evidence samples to the Maryland State Police (MSP) laboratory for DNA examination and analysis, submitting officers shall ensure that chain-of-custody is documented on MSP Form 67, which shall accompany the evidence.

J. The MSP Crime Laboratory is accredited by the ASCLD/LAB; uses accepted testing procedures to determine if blood, semen, saliva, or other physiological fluids are actually present in evidence submitted; and is capable of performing STR DNA analysis.