

The Crime Scene Part II



Forensic Science

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Why Do We Process The Crime Scene?

- What is the purpose?
- Who are the people involved?
- What is the role of:
 - Investigator
 - Lawyer
 - Juror
 - Judge





Michigan v. Tyler

- In summation, we hold that an entry to fight a fire requires no warrant, and that once in the building, officials may remain there for a reasonable time to investigate the cause of the blaze.
- Thereafter, additional entries to investigate the cause of the fire must be made pursuant to the warrant procedures governing administrative searches.



Arson Investigations

- Evidence of arson discovered in the course of such investigations is admissible at trial, but if the investigating officials find probable cause to believe that arson has occurred and require further access to gather evidence for a possible prosecution, they may obtain a warrant.
- Only upon a traditional showing of probable cause applicable to searches for evidence of crime. *United States v. Ventresca*, [380 U.S. 102](#)

Once The Fire Is Out.....

- You can search, but if you leave, you need a warrant
 - May seize evidence in plain view
 - Imminent destruction
-



Mincey Vs. Arizona

- All unreasonable search and seizures
- Murder scene exception
- Ripping the place up
- Kept going back to the scene



Okay, So.....

- What if a fire breaks out in my classroom?
- Can the arson investigator search my room?
- Can he/she come back tomorrow to search my room?
- What can the investigator do while they are waiting for the warrant?

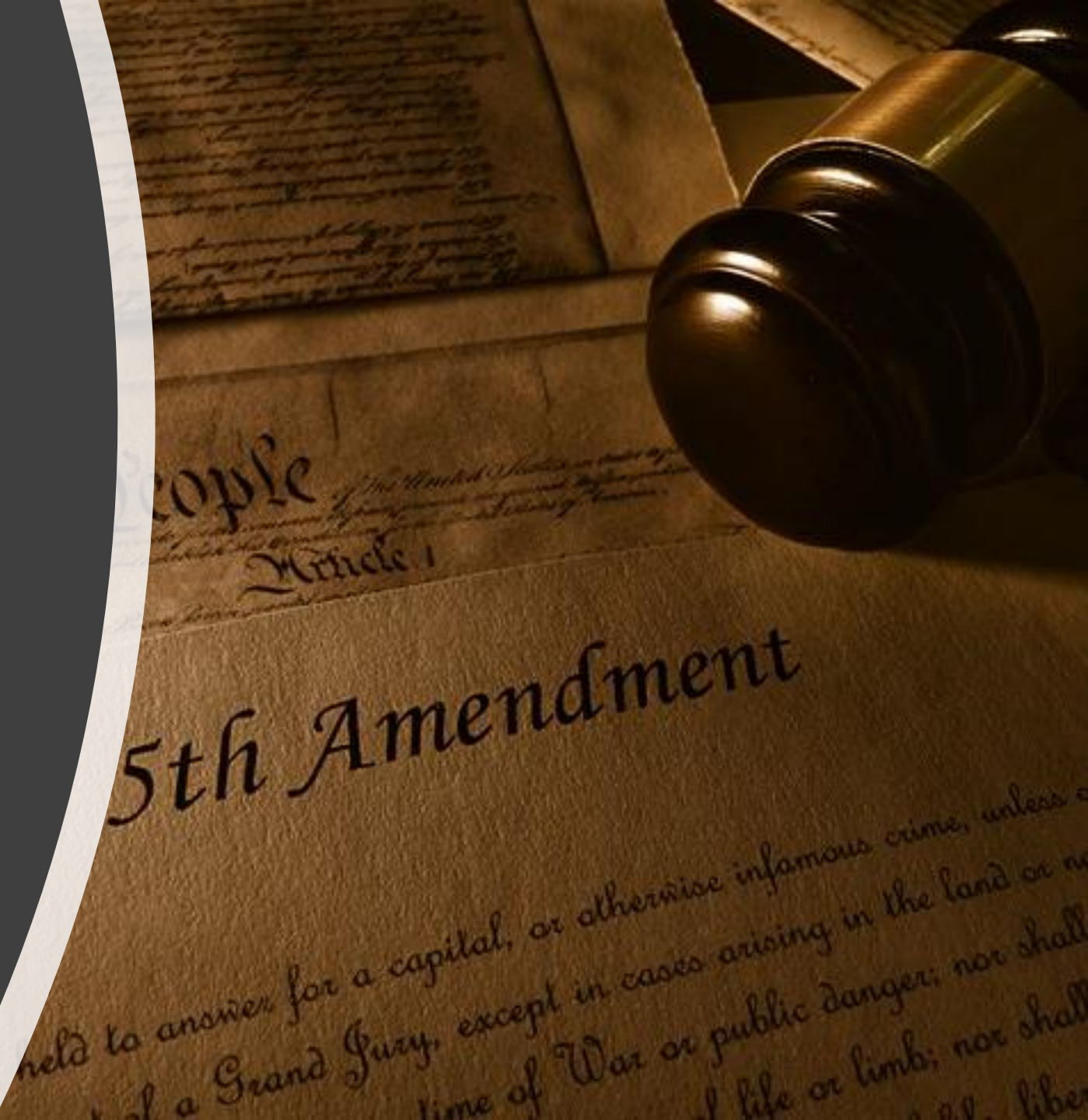
5th Amendment

- **Miranda Rights**
- 1. You have the right to remain silent and refuse to answer questions.
- 2. Anything you do say may be used against you in a court of law.
- 3. You have the right to consult an attorney before speaking to the police and to have an attorney present during questioning now or in the future.



5th Amendment Continued

- 4. If you cannot afford an attorney, one will be appointed for you before any questioning if you wish.
- 5. If you decide to answer questions now without an attorney present you will still have the right to stop answering at any time until you talk to an attorney
- 6. Knowing and understanding your rights as I have explained them to you



Rules of Evidence

- “Best Evidence Rule”
- Tests are NOT the means to the end
- Original writing must be made to support what the evidence says?
- Is the evidence relevant and reliable?
- What is its probative value?



EVIDENCE

Daubert Decision

- Can say characteristics are the same, but NOT that they came from them.
- Has the scientific theory been tested?
- Has it been peer reviewed?
- What is the rate of error?
- Are controls in existence and maintained?
- Is the theory generally accepted in the scientific. Community?



4 Components of Crime Scene Management

- 1. Information Management
- 2. Manpower Management
- 3. Technology Management
- 4. Logistics Management



CRIME SCENE DO NOT ENTER



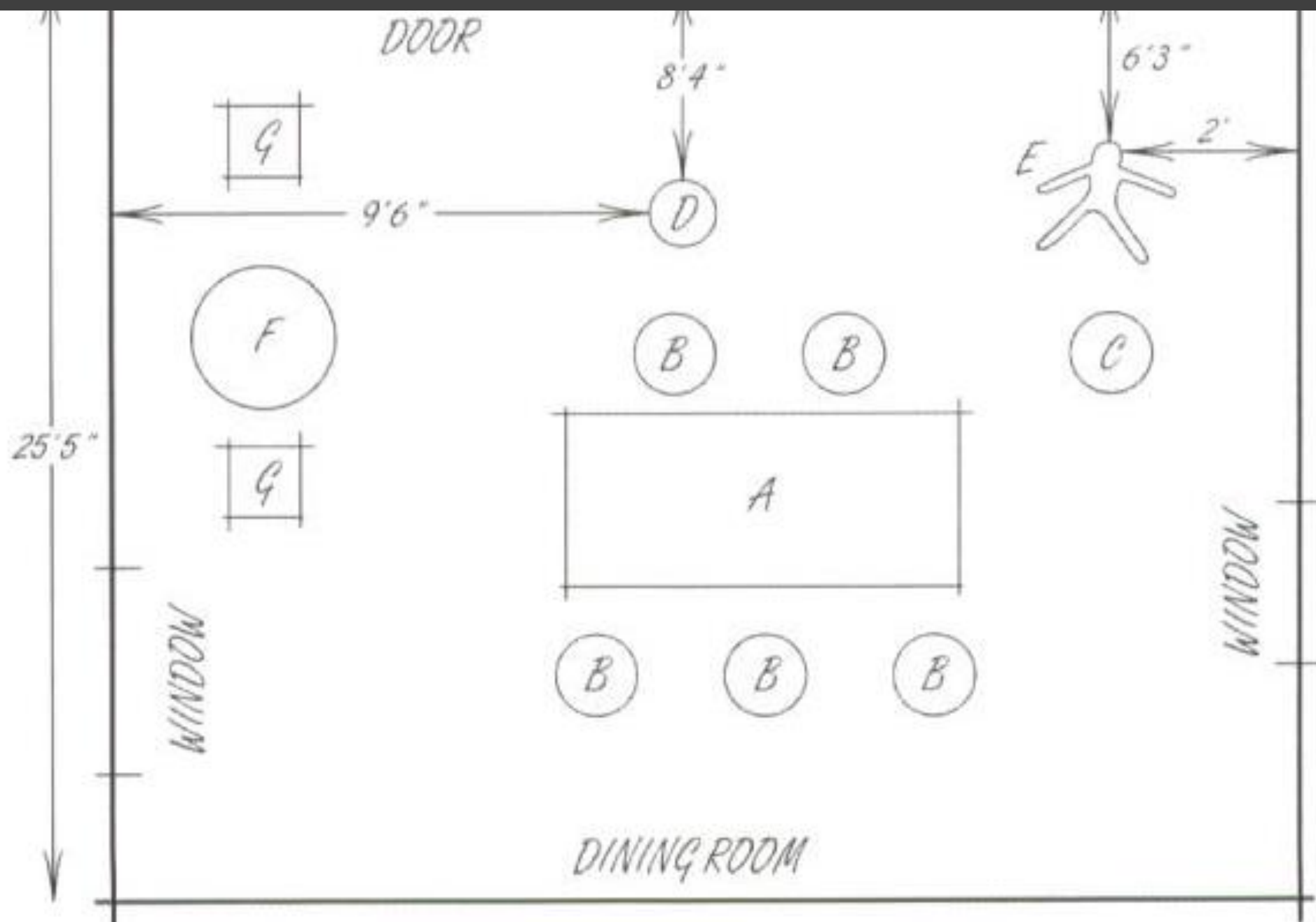
First Responders- Police/Fire/EMT

1. Assist victims
2. Search for/ arrest suspect
3. Detain witnesses- keep them separate- Why?
Preserve objectivity
4. Protect crime scene- record names of all who enter/leave
5. Record ALL movements and alterations to the crime scene

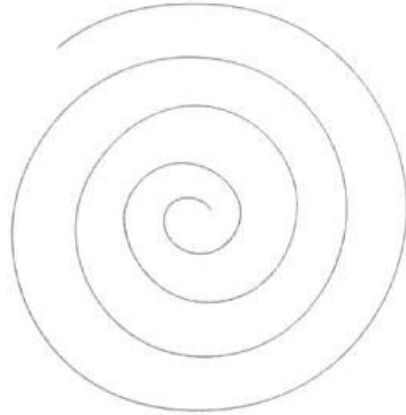
Crime Scene Survey

- 1. Preliminary walk through
 - Helps mental reconstruction
 - Any condition requiring immediate attention
 - Weather conditions- So what?
- 2. Document
 - Note taking
 - Video
 - Photo
 - Sketch

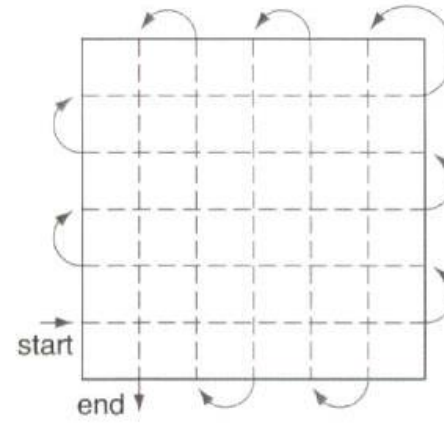




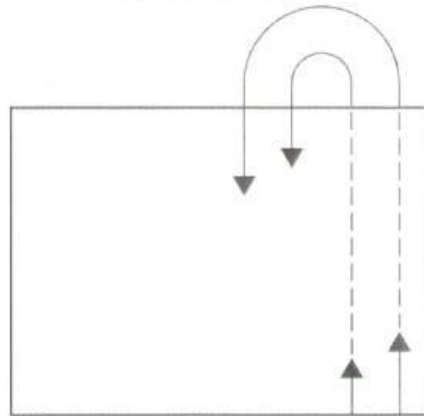
Spiral search method



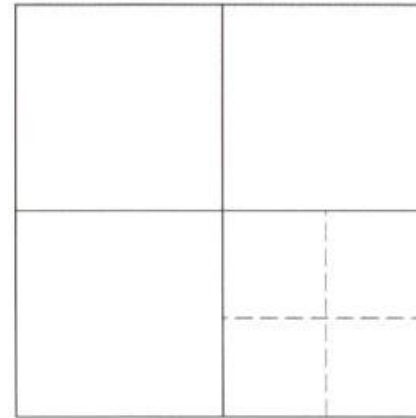
Grid method



Strip or line search



Quadrant or zone search



Chain of Possession

ALL evidence packed in a primary container, seal, then place in secondary container

Seal with tamper resistant tape

Mark items collected, who collected them, where they were collected, date, time, description

IF given to anyone else, they write down who they received it from and the date, time again.

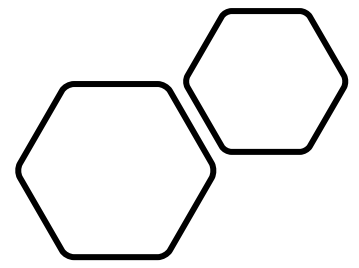
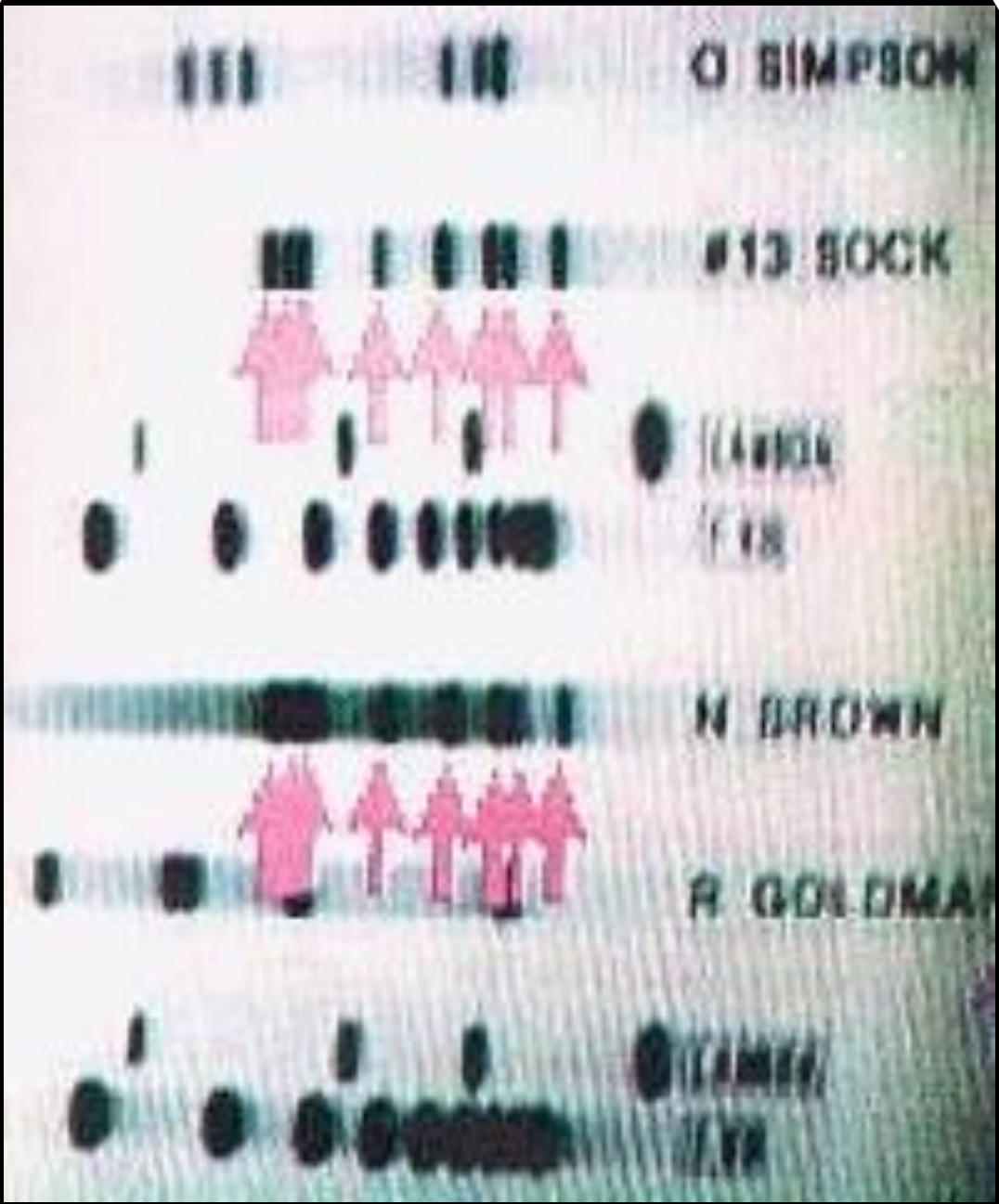


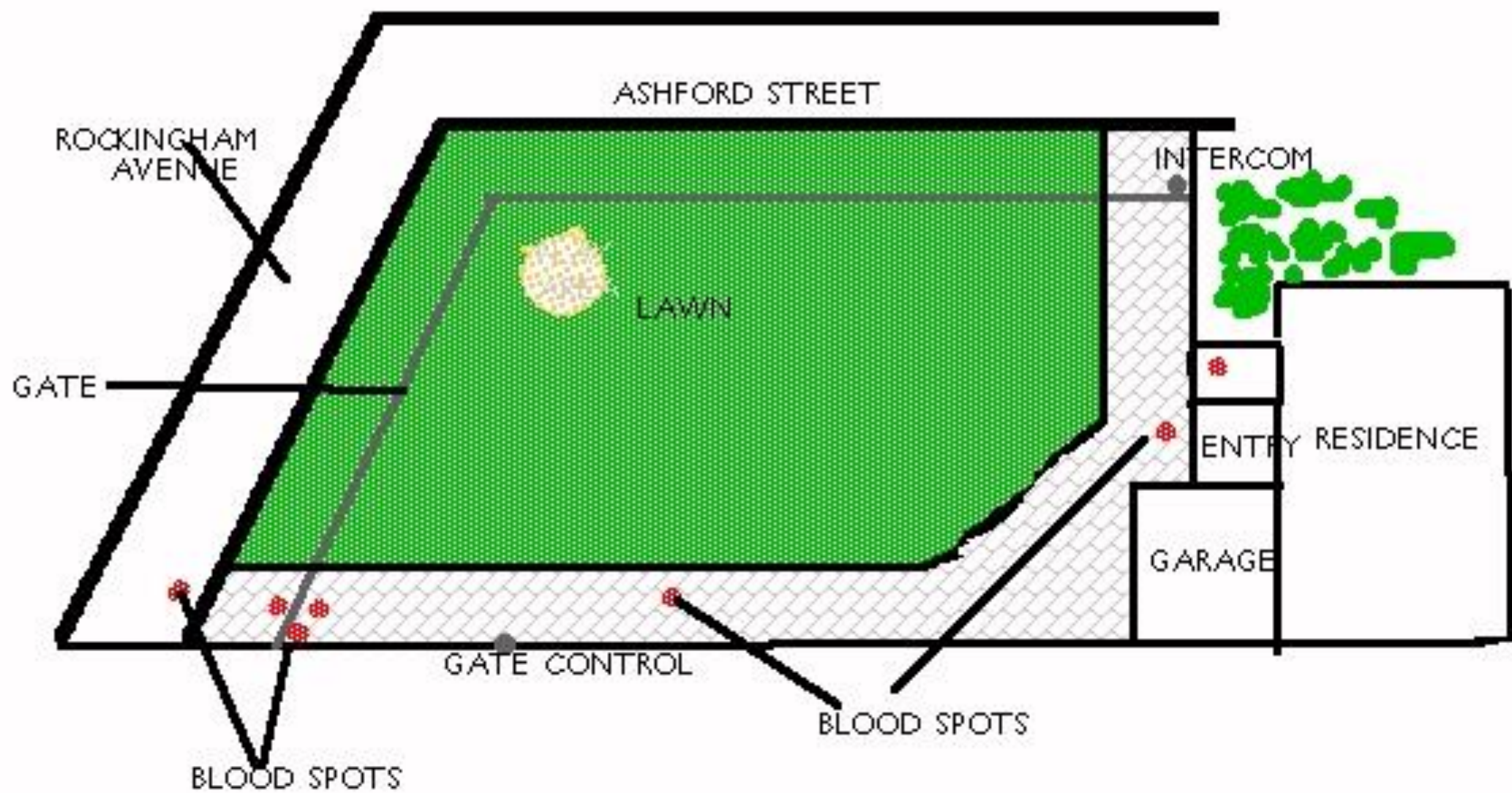
The Simpson Matter

- Why did he win?

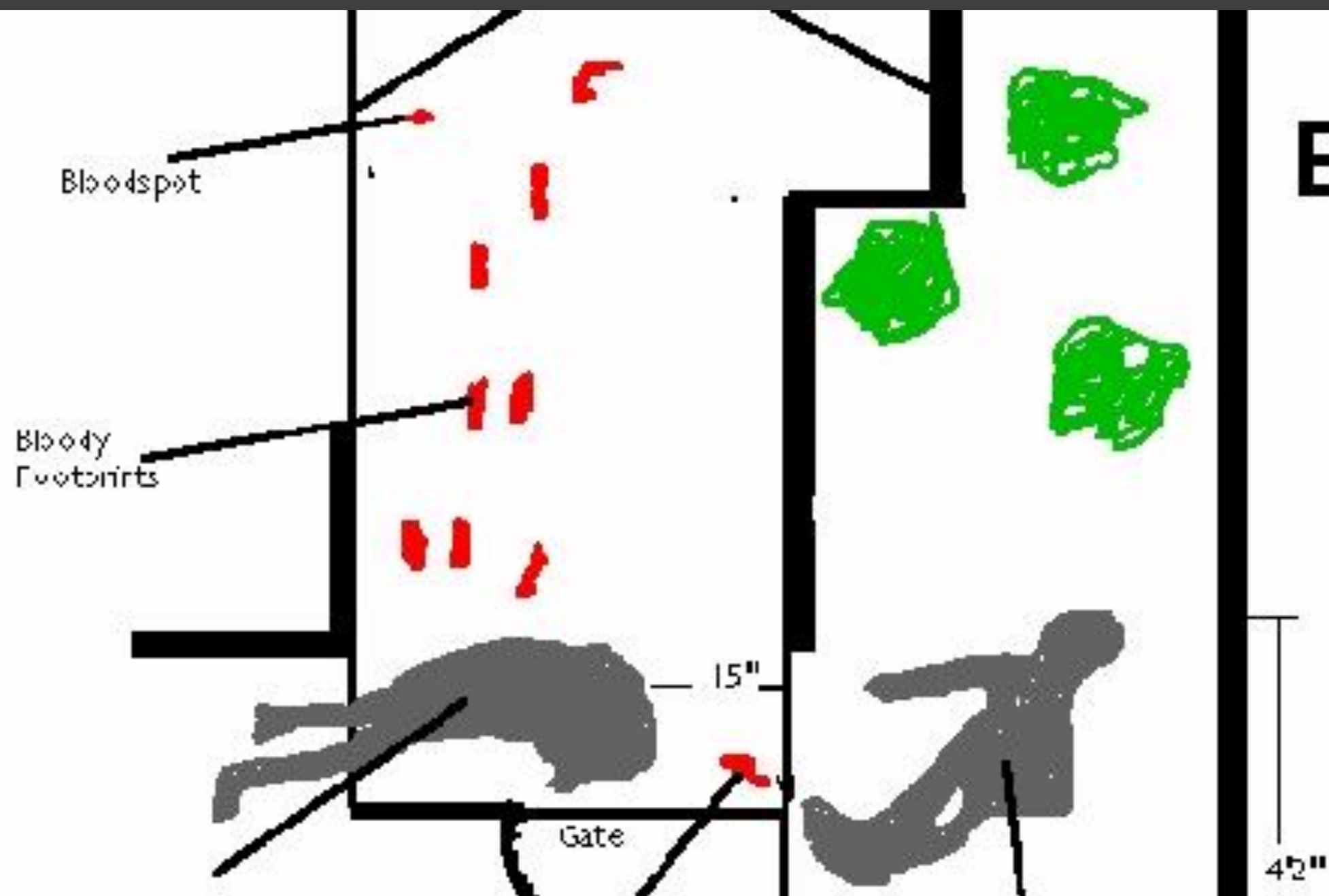
- No, he was not innocent
- Tactile and procedural issues
- Like what?
- They protested how things were collected
- Newbie was helping them collect
- Some evidence was over 3 weeks old when they collected it
- They claimed negligence in collection and handling
- They claimed testing and contamination problems
- They made big deals out of small issues
- The race card
- The rhyme- it stuck







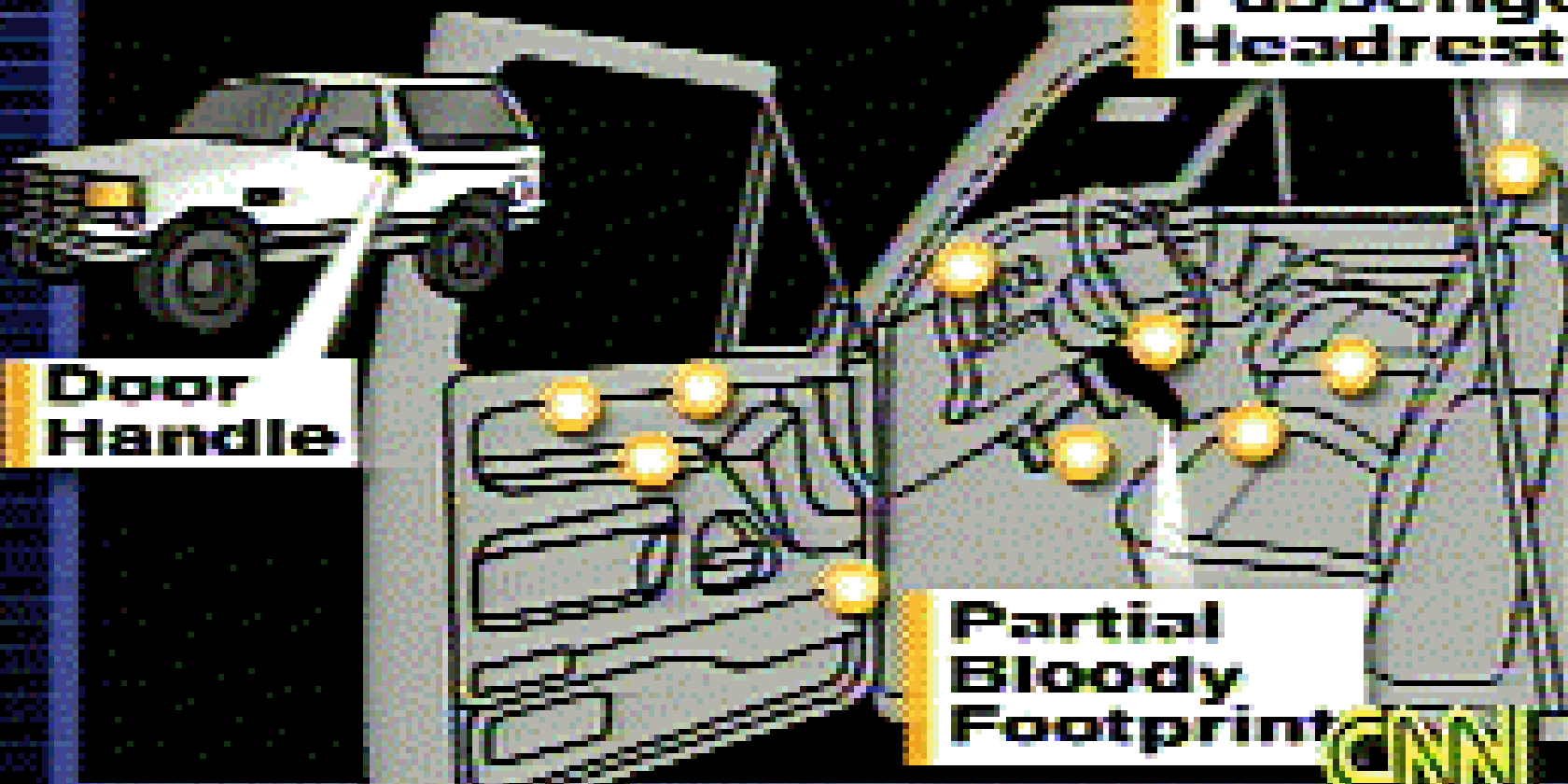
875 BUNDY



Inside Simpson's Vehicle

Blood stains

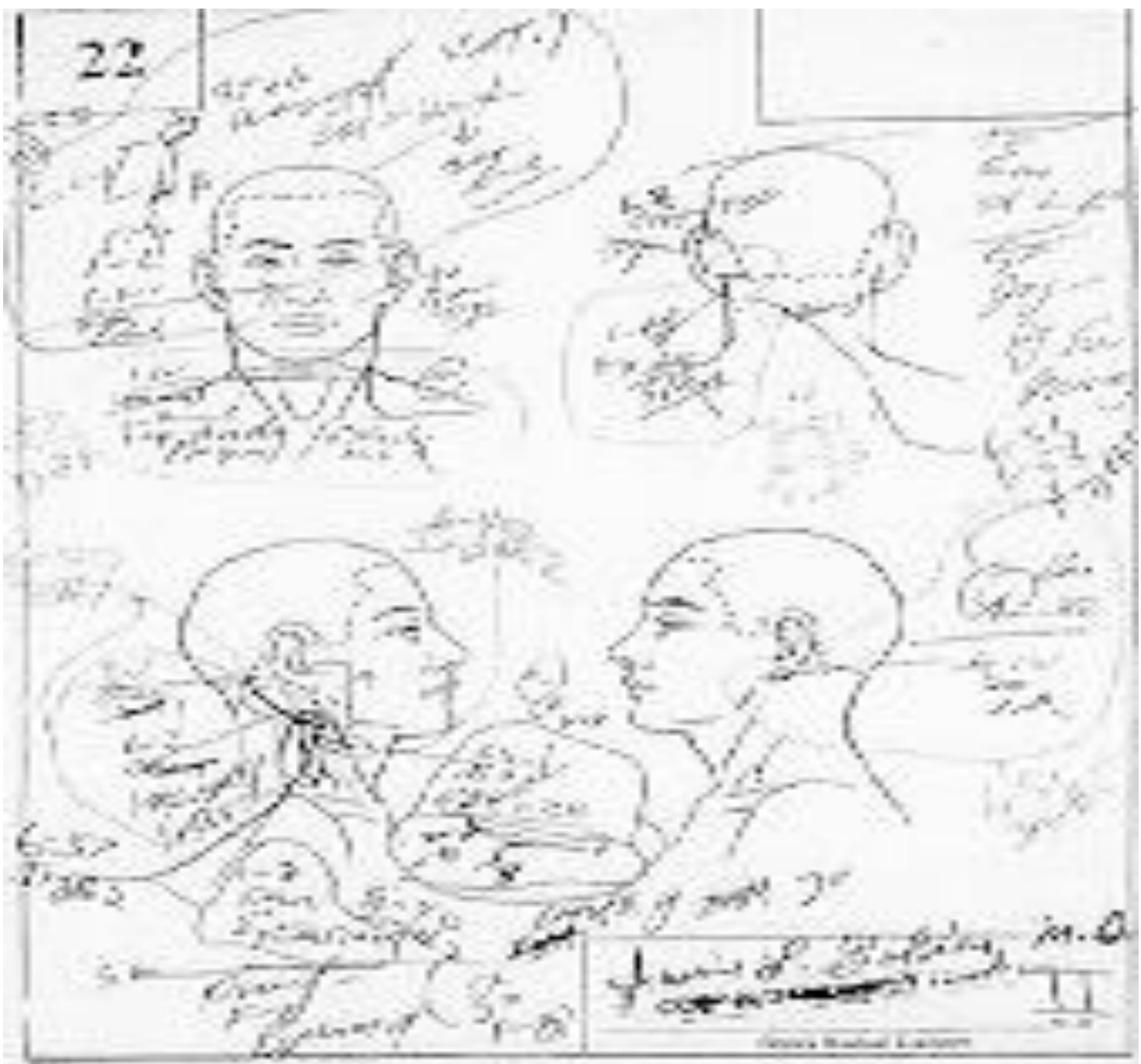
Passenger Headrest



Door Handle

Partial Bloody Footprint

CNN











Ron Goldman's butchered corpse
sprawls against the fence of
Nicole's condo, his tattered shirt
covering wounds to his upper torso
and blue jeans stained crimson with





B

FIGURE 1

