



## Illinois Department of Corrections

### Administrative Directive

Number: <b>01.12.112</b>	Title: <b>Preservation of Physical Evidence</b>	Effective: <b>1/1/2021</b>
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<b>Authorized by:</b>	<i>[Original Authorized Copy on File]</i> <b>Rob Jeffreys</b> Acting Director
<b>Supersedes:</b>	01.12.112 effective 12/1/2019

<b>Authority:</b> 730 ILCS 5/3-2-2	<b>Related ACA Standards:</b> 5-ACI-1D-10 – 17, 5-ACI-1F-08, 5-ACI-3A-01 and 42, 5-ACI-3C-06, 5-ACI-3D-17
<b>Referenced Policies:</b> 01.12.111, 05.01.112	<b>Referenced Forms:</b> DOC 0300 – Search Record/Confiscated Contraband DOC 0434 – Incident Report

#### I. POLICY

The Department shall collect, preserve and protect physical evidence in accordance with the procedures established herein.

#### II. PROCEDURE

##### A. Purpose

The purpose of this directive is to provide guidelines for staff in regard to the collection, preservation and protection of physical evidence.

##### B. Applicability

This directive is applicable to all correctional facilities, offices, programs and parole services within the Department.

##### C. Facility Reviews

A facility review of this directive shall be conducted at least annually.

##### D. Designees

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

##### E. Requirements

Prior to collection of evidence, the area or scene shall be secured with no entry of personnel allowed and shall be considered a crime scene when criminal action could exist.

1. The Chief of Investigations and Intelligence shall determine whether the Illinois State Police (ISP) Crime Scene Unit will be contacted.
2. If the ISP Crime Scene Unit will not be contacted, the collection, preservation and protection of physical evidence of a crime scene by facility investigators shall be as follows:
  - a. Evidence shall be:
    - (1) Collected subsequent to searches, sketches and photographs of the scene. An exception to this would be removing weapons used in the crime, as is necessary

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for security.

- (2) Handled as little as possible, using gloves as appropriate.
  - (3) Handled only by the collecting employee, who shall limit the chain-of-custody by transferring said evidence to the Major Contraband Custodian, or in his or her absence the Shift Supervisor, to be processed in accordance with Administrative Directive 05.01.112.
- b. If anyone touches a piece of evidence in a manner that leaves fingerprints, an Incident Report, DOC 0434, shall be generated and laboratory personnel shall be so advised.
  - c. The amount of evidence collected for analysis shall be determined by the type of evidence and the tests to be conducted. When necessary, a portion of a large piece of evidence may be detached for testing or evidentiary purposes, such as a piece of mattress that may be cut to obtain a sample of a blood-stained area.
  - d. The investigator shall mark each item of evidence with his or her initials and the date so that the evidence may be identified at a later date.
    - (1) Identifying marks shall be placed in an area least likely to affect the evidentiary value of the item.
    - (2) Evidence that cannot be marked shall be placed in a container that shall be sealed and marked.
    - (3) All evidence collected and marked shall be recorded as to location, type, serial numbers, trade names and unusual marks.
  - e. Evidence shall also be tagged using the Search Record/Confiscated Contraband, DOC 0300, to aid in identification, processing, storage and retrieval.
  - f. Evidence may be released only to authorized persons, such as property officer or laboratory officer, and shall be receipted.
- 3. The crime scene shall not be released until all processing has been completed.
    - a. Release shall be effected at the earliest practicable time, particularly in instances where the area is on lockdown.
    - b. The decision shall be made jointly by the investigator, the Chief Administrative Officer and, when appropriate, the ISP Crime Scene Technician.

#### **F. Training**

All employees of a correctional facility shall receive training on the procedures for the preservation of physical evidence in conjunction with the procedures for reporting of deaths in accordance with Administrative Directive 01.12.111. The training shall be provided through the Office of Staff Development and Training or by an institutional trainer using a curriculum approved by the Manager of Staff Development and Training.

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