CONDUCT OF CRIME SCENE INVESTIGATION

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1. REFERENCES:

a. Instruction of the C, PNP;
b. Revised PNP Criminal Investigation Manual 2010;
c. PNP Field Manual on Investigation of Crimes of Violence and other Crimes (2011);
d. CLC-ADO-01 re Scene of the Crime Operation;
e. Primer on Protocol for Explosives Related Incidents Investigation 2010; and
f. European Union-Philippine Justice Support (EPJUST) Program/TF USIG Case Review Results.

II. PURPOSE:

Crime Scene Investigation (CSI) is one of the most critical stages of any criminal investigation. The initial actions taken at the crime scene by the First Responders, Investigators and SOCO Team members at the outset of the investigation are of such vital importance that oftentimes their actions would determine the outcome of the investigation. However, while CSI is the most important stage of the investigation in terms of collecting vital forensic evidence and information, this initial stage is also often the most chaotic and therefore prone to errors.

Case Reviews of major cases conducted by the DIDM through the EPJUST Program have revealed that one of the major sources of confusion at the crime scene is the unclear delineation of functions of the First Responder (FR), Investigator-on-Case (IOC) and the Scene of the Crime Operation (SOCO) Team of the PNP Crime Laboratory. While the PNP mandated the PNP Crime Laboratory to conduct SOCO as early as 1996, this relatively new doctrine of utilizing the SOCO team in the collection of forensic evidence at the crime scene necessitates the issuance of a protocol if only to lay down the functions, responsibilities and accountabilities of each member of the CSI team.

It is imperative to remember, however, that the IOC has the primary responsibility over the crime scene and takes control and supervision in the overall crime scene investigation. A systematic and organized procedure on crime scene investigation is therefore the key to ensuring that all potential physical evidence are properly preserved and collected, all possible witnesses are identified and documented, and all the necessary basic procedures are undertaken properly.

For the purpose of this SOP, Crime Scene Investigation (CSI) shall refer to all the investigative procedures undertaken at the crime scene commencing from the arrival of the PNP First Responders (FRs) to the arrival of the Duty Investigator/IOC and the SOCO Team until the lifting of the security cordon and release of the crime scene. The following are the intents and purposes of this SOP:

a. To define and delineate the functions and responsibilities of the FRs, the IOC, and the SOCO Team in the conduct of crime scene investigation;
b. To establish and harmonize the sequence of activities that shall be conducted at the crime scene and identify the accountabilities of each responsible PNP personnel/team;
c. To set the standard forms that shall be required to be accomplished by the FR, the SOCO Team and the IOC, which shall henceforth become an integral part of the case folder;
d. To minimize the most common mistakes committed by the investigators and ensure that potential physical

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evidence is not contaminated or destroyed and potential witness are not overlooked;
e. To ensure that lives are saved and that the security and safety of the PNP CSI personnel (FR/IOC/SOCO) are enhanced;
f. To ensure that the CSI procedures are conducted properly, efficiently and effectively to ensure the admissibility of collected evidence in court; and
g. To address and mitigate the investigation procedural weaknesses identified during the conduct of case reviews.

III. SCOPE OF APPLICATION:

This SOP applies to all crime scene investigation undertaken by the PNP and provides the procedures to be observed by the FRs, IOC, and SOCO Teams as well as the reports formats that they shall be required to prepare. This procedure shall likewise be observed by the Special Investigation Task Groups (SITG).

IV. DEFINITION OF TERMS:

The following terms are operationally defined as used for a better understanding of this SOP:

a. Crime Scene – A venue or place where the alleged crime/incident/event has been committed;
b. Crime Scene Investigation (CSI) – Is a comprehensive inquiry of a crime by conducting systematic procedure of various investigative methodologies which involves recovery of physical and testimonial evidence for the purpose of identifying the witnesses, and arrest of perpetrators(s) for prosecution. CSI shall technically commence upon the arrival of the FRs and conclude with the lifting of the security cordon and release of the crime scene by the IOC;
c. First Responder (FR) – Are members of the PNP or other law enforcement agencies who are mandated and expected to be the first to respond to calls for assistance in cases of incidents of crime. They generally refer to police officers who have jurisdiction of the area where the incident or crime has taken place and will proceed to the crime scence to render assistance to the victim and to protect and secure the incident scene;
d. Criminal Investigator – A Police Officer who is tasked to conduct the investigation of all criminal cases as provided for and embodied under the Revised Penal Code/Criminal Laws and Special Laws. A well-trained, discipline and experienced professional in the field of criminal investigation duties and responsibilities;
e. Investigator-on-Case (IOC)/Duty Investigator – Shall refer to any PNP personnel who is duly designated or assigned to conduct the inquiry of the crime by following a systematic set of procedures and methodologies for the purpose of identifying witnesses, recovering evidence and arresting and prosecuting the perpetrators. The IOC shall assume full responsibility over the crime scene during the conduct of CSI;
f. Scene of the Crime Operation (SOCO) – A forensic procedure performed by the trained personnel of the PNP Crime Laboratory SOCO Team through scientific methods of investigation for the purpose of preserving the crime scene, gathering information, documentation, collection, and examination of all physical and other forensic evidence;
g. After SOCO Report – It is a report rendered and prepared by the Team Leader of the PNP Crime Laboratory SOCO which conducted the scene of the crime operations;
h. Crime Scene Search – Is a systematic method employed by the SOCO Team, if the nature of the case is sensational or sensitive, and the IOC in the conduct of search in the crime scene and in the surrounding areas where the alleged crime/incident/event has taken place for the purpose of finding and recovering evidence. There are several methods of crime scene search which can be employed such as strip search, double strip search, spiral search, zone or quadrant search, wheel method, etc;
i. Evidence – The means sanctioned by the Rules of Court, of ascertaining in a judicial proceeding the truth respecting a matter of fact. These include but are not limited to documentary, testimonial, electronic and object evidence, gathered in the course of the investigation;
j. Physical Evidence – Evidence addressed to the senses of the court that are capable of being exhibited, examined, or viewed by the court. This includes but not limited to fingerprints, body fluids, explosives,

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hazardous chemicals, soil/burned debris, bombs, electronic parts used in the commission of the crime;
k. Forensic Evidence – a form of legal evidence that can be used in a court of law to convict a person of a crime and as a category of public presentation; and
l. Jurisdiction – The word "jurisdiction" as used in the Constitution and statutes means jurisdiction over the subject matter only, unless an exception arises by reasons of its employment in a broader sense.

V. POLICIES AND GUIDELINES:

General Policy:

Crime Scene Investigation (CSI) shall refer to the post-incident police operational procedures undertaken at the crime scene. It presupposes that the crime has been consummated and therefore investigation is to be commenced with the securing and processing of the place of occurrence.

The CSI starts with the arrival of the PNP First Responders (FRs) to the arrival of the Duty Investigator/IOC and the SOCO Team until the lifting of the security cordon and release of the crime scene.

Specific Functions, Responsibilities and Procedures:

The following are the functions and responsibilities of the different players during the crime scene investigation as well as procedures to be observed:

1. First Responder:

a. The first Police Officers to arrive at the crime scene are the FRs who were dispatched by the local police station/unit concerned after receipt of incident/flash/alarm report;

b. Immediately, the FR shall conduct a preliminary evaluation of the crime scene. This evaluation should include the scope of the incident, emergency services required, scene safety concerns, administration of life saving measures, and establishment of security and control of the scene;

c. The FR is mandated to save and preserve life by giving the necessary first aid measures to the injured and their medical evacuation as necessary. The FR shall likewise secure and preserve the crime scene by cordoning the area to prevent unauthorized entry of persons;

d. The FR shall take the dying declaration of severely injured person/s, if any. The FR shall make the initial assessment on whether a crime has actually been committed and shall conduct the preliminary interview of witnesses to determine what and how the crime was committed;

e. If and when there is a suspect present in the area, the first responder shall arrest, detain and remove the suspect from the area; and

f. The FR, upon the arrival of IOC, shall turn-over the crime scene to the duty investigator/ IOC after the former has briefed the investigator of the situation. The FR shall prepare and submit the CSI Form "1" – First Responders Report to the IOC and be prepared to assist the IOC in the investigation.

2. Investigator-on-Case (IOC) /Duty Investigator:

a. Upon arrival at the crime scene, the IOC shall request for a briefing from the FR and make a quick assessment of the crime;

b. At this stage, the IOC shall assume full responsibility over the crime scene and shall conduct a thorough assessment of the scene and inquiry into incident. If necessary the IOC may conduct crime scene search outside the area where the incident happened employing any of the various search methods;

c. Based on the assessment, if the IOC determines that SOCO team is required, he shall report the matter to his

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COP and request for a SOCO, otherwise, the IOC shall proceed with the CSI without the SOCO team and shall utilize CSI Form "4" – SOCO Report Forms in the conduct of the CSI;

d. The IOC may by himself if the situation so demands, conduct CSI if, there is no Provincial Crime Laboratory Office/Regional Crime Laboratory Office in the province. The IOC must, however, ensure that the correct procedures in the collection of evidence are observed to ensure the admissibility of the evidence:

e. The Police Station Operation Center, upon directive of the COP, shall make the request for the SOCO team through the Provincial/City Operations Center;

f. It shall be the responsibility of the Provincial/City Operation Center to facilitate the request for the SOCO team;

g. Upon the arrival of the SOCO team, the IOC shall accomplish the CSI Form "2" Request for the Conduct of SOCO and submit the same to the SOCO Team Leader. The SOCO team shall not enter the crime scene unless the IOC makes the official written request wherein he assures the SOCO team of his presence and support; and

h. The IOC shall brief the SOCO Team upon their arrival at the crime scene and shall jointly conduct the preliminary crime scene survey.

3. SOCO Team:

a. The SOCO Team shall not join any operations conducted by the local police or accompany the FRs or the IOC in going to the crime scene. They will only respond upon request through the Operation Center and after the IOC has already made proper assessment of the crime scene;

b. Upon receipt of the Request for Conduct of SOCO, the SOCO team shall then conduct the scene of the crime operations which include among others the narrative description of the crime scene, photography, videography, crime scene search, crime scene sketch, crime scene location sketch, physical evidence recording and collection, and other procedures necessary.

c. In case the SOCO Team needs to temporarily suspend the processing, the Chief of Police shall be primarily responsible and accountable for securing the crime scene and ensuring its integrity the return of SOCO Team and the conclusion of the CSI;

d. After the termination of the SOCO, the SOCO Team leader shall brief the IOC on the initial results and thereafter conduct the final crime scene survey together with the IOC; and

e. The SOCO Team shall accomplish the CSI Form "4" – SOCO Report Forms and furnish the IOC of copies of the same before leaving the crime scene.

4. Release of the Crime Scene

a. The IOC shall decide on the lifting of the security cordon and the release of the crime scene upon consultation with the SOCO Team Leader and he shall be responsible in ensuring that all pieces of potential evidence were collected by the SOCO Team as any re-entry into crime scene after its release to the owner will require a Search Warrant issued by the Court.

b. The IOC shall accomplish the CSI Form "6" – IOC/Investigator's CSI Form before the cordon shall be lifted;

c. The IOC shall ensure that appropriate inventory has been provided by the SOCO Team and shall only lift the security cordon and release the crime scene only after completion of the documentation process;

d. The IOC or the COP shall turn-over the crime scene to the owner of the property or where the crime scene is

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a public place, to any local person in authority;

e. The IOC as well as the SOCO Team shall completely fill-up the forms specified in this SOP. The IOC shall accomplish and submit the Investigator's Report with all the required attachments to the COP within two (2) working days from the date of incidence (See Annex H); and

f. The CSI report shall be the first entry in the Case Folder for the investigation of the incident.

VI. STANDARD CSI FORMS:

a. CSI Form "1" – (First Responder's Report Form) To be accomplished by the FR detailing among other things, his rank, name, initial information gathered and anything that was moved in the crime scene prior to the arrival of the investigator. Further, Form 1 should be signed by witness. Form 1 should always be included as part of the FR's Kit (See Annex B[*])

b. CSI Form "2" – (Request for the Conduct of SOCO) to be accomplished by the IOC and submitted to the SOCO Team Leader at the crime scene. (See Annex C[*])

c. CSI Form "3" (Turn-over of Collected Evidence from IOC to SOCO Team) To be accomplished by the IOC certifying that the items/physical evidence found, collected and initially marked and inventoried by the investigator at the crime scene were properly turned-over to SOCO Team Evidence Custodian (See Annex D)

d. CSI Form "4" – SOCO Report Forms 1-4) The initial findings of the SOCO Team shall be contained in the SOCO Report Forms 1 to 4 which shall be accomplished immediately after completion of the SOCO. A copy of the said reports shall be provided to the IOC within 24-hour after the release of the crime scene. The IOC may also use those forms in the absence of a SOCO Team (See Annex E[*])

e. CSI Form "5" – (Release of Crime Scene Form) This shall be accomplished by the IOC or the COP and witnessed by the SOCO Team Leader and confirmed by the Owner of the property or representative of the local authority A copy of the crime scene release form shall be provided to the owner (See Annex F[*])

f. CSI Form "6" – (IOC/Investigator's CSI Form) This shall be accomplished by the IOC at the OSCP prior to the lifting of the security cordon (See Annex G[*])

VII. FLOW CHART

See Annex "A[*]" for the Crime Scene Investigation Flow Chart

VIII. PENAL CLAUSE

Any violation of this SOP shall be dealt with administratively. All Unit Commanders shall be investigated under the principle command responsibility. If evidence further warrants, criminal complaints shall also be filed against those who may have committed acts or omissions in violation of the Revised Penal Code or any special law.

IX. REPEALING CLAUSE:

Any issuance, memoranda, rules and regulations issued by the PNP inconsistent herewith are deemed repealed or amended accordingly.

X. EFFECTIVITY:

This SOP shall take effect fifteen days (15) from filing a copy thereof at the University of the Philippines Law Center in consonance with Sections 3 and 4, Chapter 2, Book VII of Executive Order No. 292, otherwise known as "The Revised Administrative Code of 1987".

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Adopted: 07 April 2011

(SGD.) ATTY. RAUL M. BACALZO, Ph.D.
Police Director General
Chief, PNP

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[*] Text Available at Office of the National Administrative Register, U.P. Law Complex, Diliman, Quezon City.

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