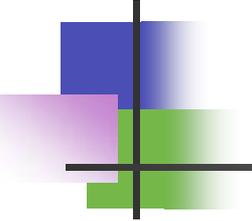


LAW ENFORCEMENT INVESTIGATION PRINCIPLES

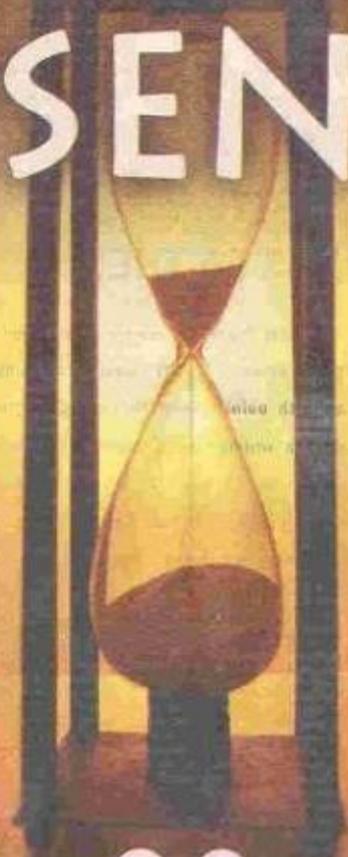
Frank Kuncir

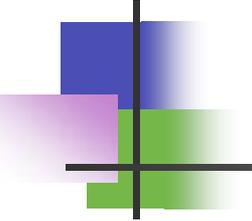


Treat Every Case as a Legal Case

- Sufficiency of Evidence
- Admissibility of Evidence

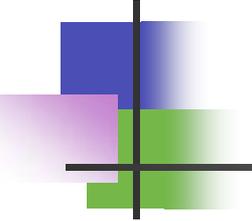
TIME IS OF THE ESSENCE





“Time is of the Essence”

- 24 HOUR RULE, in general as it relates to evidence submission..
- AND Field response - the benefit of this training
- Ward Stone, New York Department of Environmental Protection “*Poisoning of Birds by Cholinesterase Inhibitor Pesticides*” 3/97 PG 13



Handling Evidence

- Accountability
- Contamination
- Alteration
- Real VS. Circumstantial Evidence

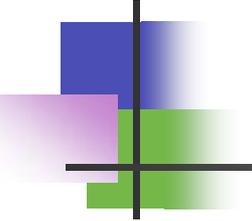
Evidence Submissions

- Within 24 Hour
- Vs.
- Freezing (Dry Ice Declaration) Blue Ice
- COC's SEE >>

| DEPARTMENT OF THE INTERIOR U. S. FISH AND WILDLIFE SERVICE DIVISION OF LAW ENFORCEMENT | | | | CHAIN OF CUSTODY RECORD | | FILE NO. INV. |
|--|--|--------------------|------------------------------|---|--|------------------|
| DATE AND TIME OF SEIZURE: | | DISTRICT: | EVIDENCE/PROPERTY SEIZED BY: | | | |
| SOURCE OF EVIDENCE/PROPERTY (person and/or location): <input type="checkbox"/> TAKEN FROM: <input type="checkbox"/> RECEIVED FROM: <input type="checkbox"/> FOUND AT: | | | | CASE TITLE AND REMARKS: | | |
| ITEM NO. | DESCRIPTION OF EVIDENCE/PROPERTY (include Seizure Tag Numbers and any serial numbers): | | | | | |
| ITEM NO. | FROM: (PRINT NAME, AGENCY) | RELEASE SIGNATURE: | RELEASE DATE | DELIVERED VIA: <input type="checkbox"/> U.S. MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER: | | |
| | TO: (PRINT NAME, AGENCY) | RECEIPT SIGNATURE: | RECEIPT DATE | | | |
| ITEM NO. | FROM: (PRINT NAME, AGENCY) | RELEASE SIGNATURE: | RELEASE DATE | DELIVERED VIA: <input type="checkbox"/> U.S. MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER: | | |
| | TO: (PRINT NAME, AGENCY) | RECEIPT SIGNATURE: | RECEIPT DATE | | | |
| ITEM NO. | FROM: (PRINT NAME, AGENCY) | RELEASE SIGNATURE: | RELEASE DATE | DELIVERED VIA: <input type="checkbox"/> U.S. MAIL <input type="checkbox"/> IN PERSON <input type="checkbox"/> OTHER: | | |
| | TO: (PRINT NAME, AGENCY) | RECEIPT SIGNATURE: | RECEIPT DATE | | | |

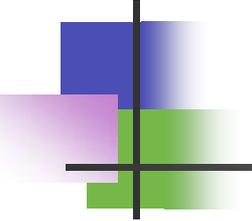
ADDITIONAL TRANSFERS ON REVERSE SIDE

FORM 1-2007 (5/07)



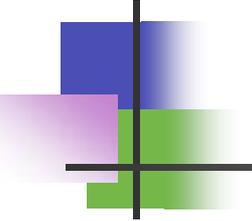
What is Chain of Custody?

- The witnessed, written record of all individuals who have maintained control over (custody) of evidence since its acquisition by the agency which begins when collected & maintained until final disposition is made.
- “KISS” example **Exxon Valdez**



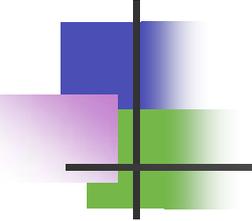
What is Chain of Custody?

- Assures continuous accountability and if it not properly maintained, that item may be inadmissible in court.
- Each individual in the chain of custody is responsible for an item to include its care, safekeeping and preservation while it is under his/her control



Collecting & Submitting Wildlife Specimens

- **GET THE BEST SPECIMEN POSSIBLE!**
- Rotten or scavenged carcasses are usually of little evidentiary value
- Preferred (and safest) specimen is a whole carcass.
- Collect as many specimens as you can
 - diagnosis
 - secondary poisoning
- If specimens can't be submitted to a laboratory in 24 hours, **FREEZE THEM!**



Homicide Investigative Tips!

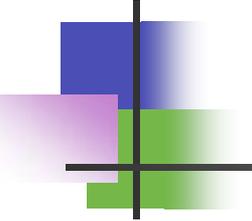
- Notes related to larvae, puparia, maggots and beetles.
- Maggots Concentrate in head or Open Wounds First.
- Beetles concentrate at Ground Line.
- Gather and preserve in 70% Ethyl or Isopropyl Alcohol

Evidence submissions cont.

- "Toxic Soups"



Evidence Seized "Bucky & The Beagles"



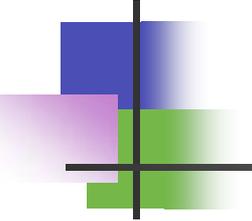
Evidence Collection and Field Investigations

- A two person team of Multiple Disciplines is a good rule. It protects you in the event of an accidental acute exposure which might require medical attention
- AND... assists in with the collection process

Officers Depositing Magpie, Evidence Collection

- To Thine Own Self Be True!!!!





Collecting & Submitting Wildlife Specimens

- **HOW YOU HANDLE THE SPECIMEN & ITS CONDITION LIMIT WHAT THE LABORATORY CAN DO WITH IT!**
- Place bagged specimens in a cooler
- Surround the specimens with 'Blue Ice' or wet ice.
- **KEEP THE SPECIMENS COLD**

Safety Related Issues as to Evidence

- First Rule: Protect yourselves and others! You may be dealing with highly toxic or infectious materials.
- Shipping considerations re: DOT regs 49 CFR 173.4- Mishipment Penalties \$\$\$\$YOU!

Bucky & the Beagles Bait



Pesticide Misuse "Tool of the Trade"



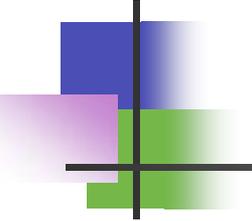


Photo Documentation

- BENEFITS & DRAWBACKS
 - Gives Court & Jury Frame of Reference
 - “Blood & Gore” factor
 - Digital Manipulation-Defense Concerns
 - Photo vs. Video
 - Identification (Seizure Tag)
 - Placement (Badge/Ruler)

Misuse: Injected Eggs

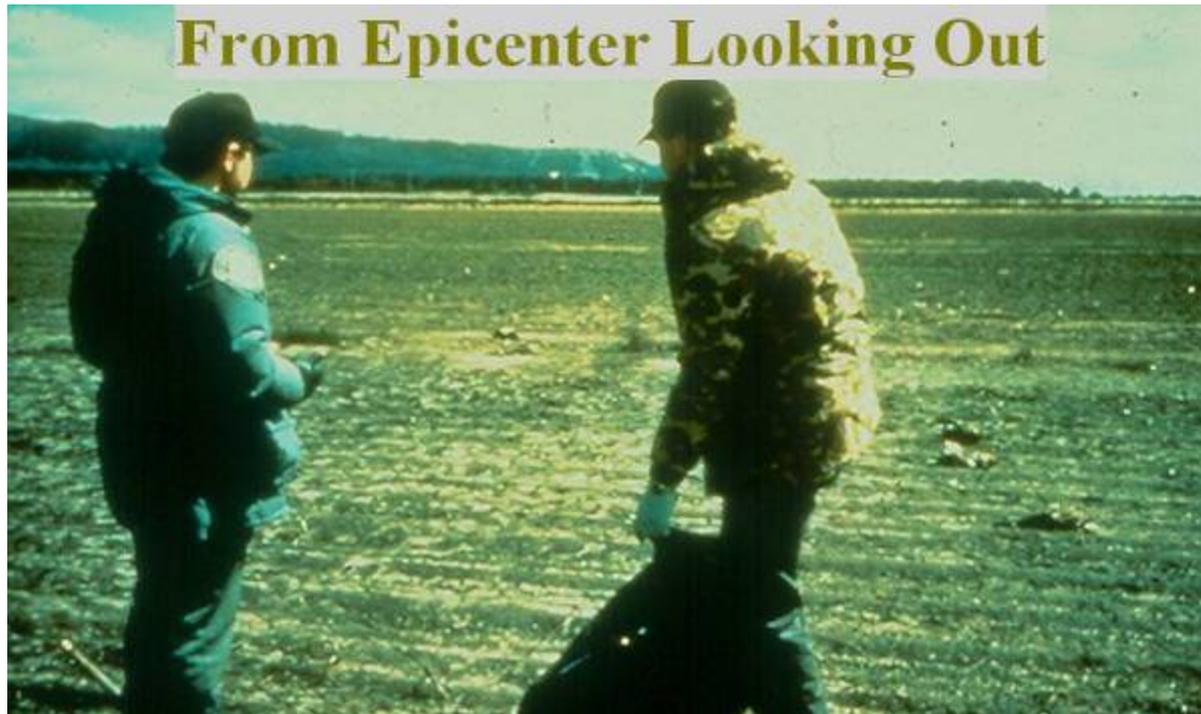


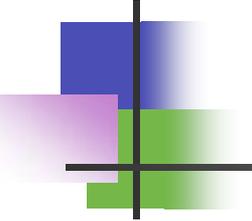
Reptile Victim of Legal Application of Carbamate



As you look to the horizon, note
the numerous victim carcasses

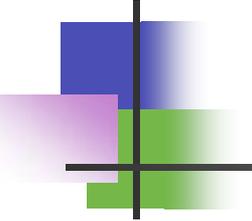
- Reminder that is just one slice of the 360 degree field of view! (Panorama Capability)





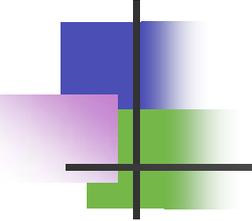
Time Considerations

- P P P P P P! Allows for Quick On Scene
Time remembering again that "Time is
of the Essence"
- Turn Around Times as to Labs
- Quicker response from INV standpoint
focuses efforts



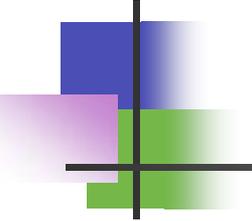
Prior Planning-Useful Supplies

- String tags (FWS:Blue or White Evidence Tags)
- Indelible Marker
- Plastic Bags
- Gloves (PPE)
- Styrofoam Cooler (Not to be utilized again!)
- "Blue Ice"



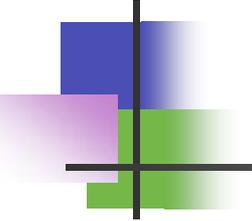
Documenting a Pesticide Related Wildlife Incident

- Population at risk
- Population movement
- Suspected toxic agents
- Persons involved
- Persons notified



Identifying and Interviewing People

- WITNESSES/POTENTIAL DEFENDANTS
(remembering first impressions, preconceptions, biases i.e. "40 geese die")
- Basics
 - Who
 - What
 - When
 - Where
 - Why



Pesticide Related Wildlife Kill Investigations-Review

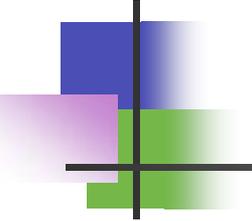
- Be on the watch for and report *ALL* wildlife mortality, not only the dead but the sick
- Get a *complete* case history
- Obtain good specimens

Search Efficacy

- Acute
- Chronic



Easily Located Victim

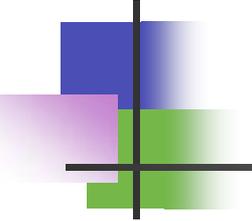


Site More Easily Searched

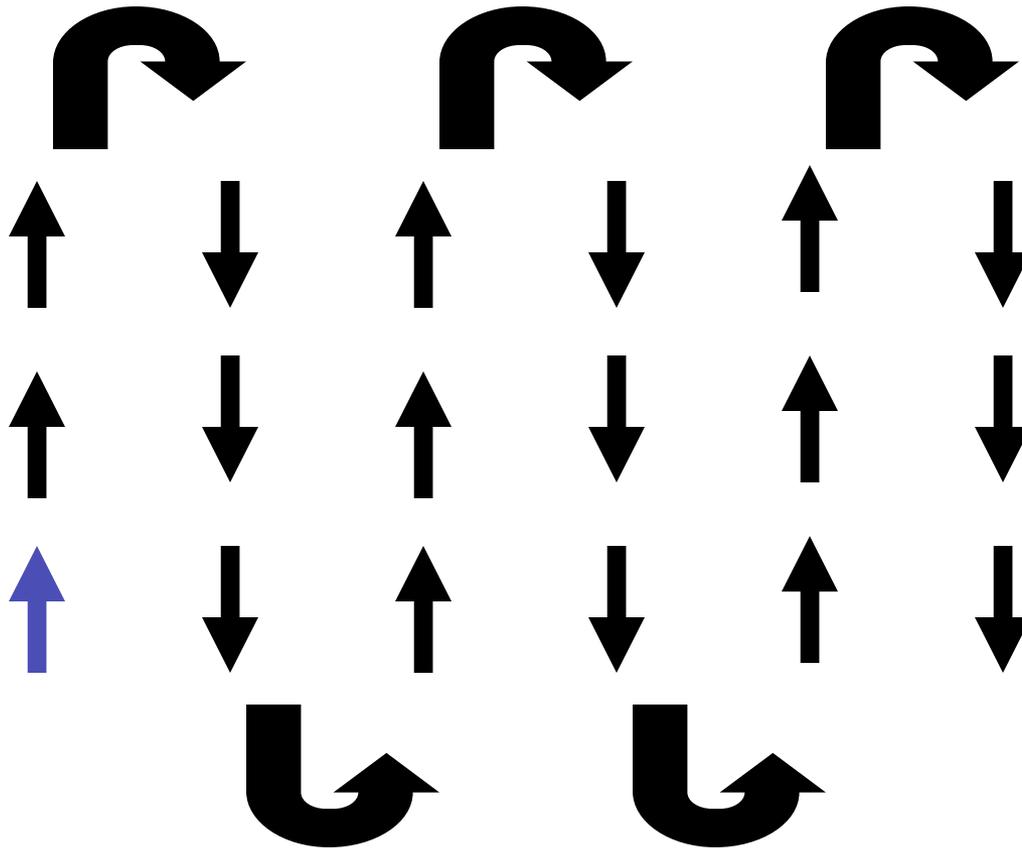


Natural Coloration





Search Methodologies



More Difficult-Eastern Deciduous Hardwood Site with Uneven Terrain

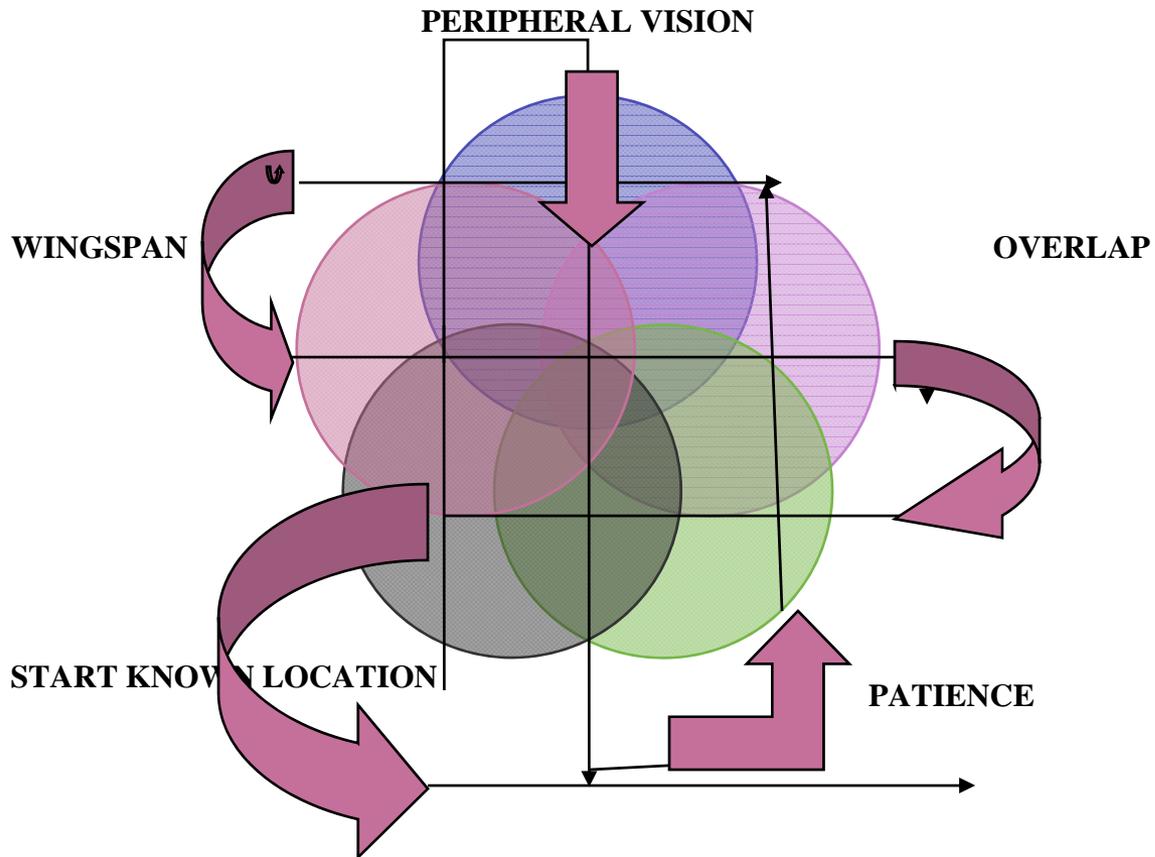


Certain Habitats Require More Intensive Search Mechanics

RT Natural Coloration

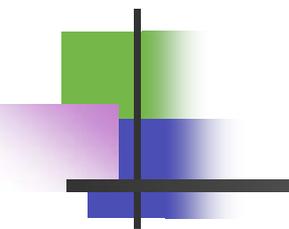


Double Reverse



FMC- Knuckle Dragger Video





BRAKE er, BREAK!

**NOW! The Beatings Will Continue
Until Morale Improves...**

15 MINUTES