

# **A Standard Operating Procedure for the Use of Digital Imaging Cameras by the First Responding Officer**

This Model Standard Operating Procedure, prepared by the Division of Criminal Justice is intended to serve only as a guide for the law enforcement agency in formulating a written procedure regarding the use of digital imaging by the first responding officer.

- I. Purpose:** Photographic evidence can greatly enhance a criminal investigation by providing visual graphics of the scene, of evidence or of injured victims and can provide prosecutors with the evidence they need to successfully prosecute cases. In some cases, a crime scene photographer or specialist may not be available or requested to go to the scene to take photographs, such as domestic violence incidents, traffic accidents or minor incidents. While photography may not be the primary responsibility of the first responding officer, the responding officer may, under appropriate conditions, augment the investigation with the use of photographs to graphically document the case.
  
- II. Policy:** This agency recognizes that photographs and digital images can provide a vital piece of evidence in a criminal investigation and prosecution. To ensure the highest integrity in the use of digital imaging evidence in a court of law, this agency has adopted the following standard operating procedures which are based on recommendations by the Scientific Working Group on Imaging Technologies (SWGIT), the Institute for Forensic Imaging and the working draft of a guide for handling digital images prepared by the Federal Law Enforcement Training Center.
  
- III. Procedures:**
  1. Only departmentally approved and issued digital cameras will be used for official criminal investigation purposes. A departmentally approved camera should have a minimum of 3.0 megapixels (3.2 MP gross), on camera viewer, close up capability, flash and a removable image memory card or device of at least 8 to 16 MB.
  
  2. At the beginning of each tour of duty, it shall be the responsibility of the officer to ensure that

- a. the issued digital camera is in proper working order;
  - b. the camera has a clean image memory card or device and that the camera battery or batteries are fully charged. The officer should also have a 90-degree evidence ruler which gives white, grey and black vertical and horizontal planes to be used when taking close-up photographs of injuries;
  - c. the camera date stamp is correctly set and that the date stamp set so that it will not be printed on the digital images, and
  - d. the camera set at “automatic” for exposure, flash and focus. Compensation may be necessary because of the skin pigmentation of the individual being photographed. The storage control should be set at “best quality.”
3. In taking digital photographs, the officer should take a number of photographs. When taking photographs of injuries, the officer should have the camera at a 90-degree angle to the injury.
- a. The photographs should include the following:
    - (1) A photograph of the general scene or if an individual, a full frame photograph of the person;
    - (2) A photograph showing the relationship of the injury to the subject’s body, and
    - (3) A close-up photograph of the injury, with and without the evidence ruler in the photograph.
  - b. The officer taking digital photographs at the crime scene should view the photographs on the camera’s LCD view screen to determine if the photographs effectively document a victim’s injury or the crime scene.
  - c. The officer at the scene should not delete any digital images which are photographically faulty. Digital images that are relevant for investigative or trial purposes can be printed at a later time.
  - d. The digital photographs shall not be viewed with any device that would enable editing of the digital images, such as a memory card reader or a computer.
  - e. The officer should record the camera’s assigned numbers for the images taken for a particular crime scene or case.

- f. The officer should note in the officer's incident report that photographs had been taken of the victim and of the scene.
4. At the conclusion of the officer's tour of duty, the officer shall
  - a. turn in the camera's memory card to the appropriate officer or unit in headquarters by placing the memory card in an evidence envelope with identifying case information and sealed. This sealed envelope will then be delivered to the evidence specialist, or, depending upon departmentally approved standard operating procedures,
  - b. download the unaltered images into a sealed computer file, such as a CD-ROM or a computer file which has limited access. The CD writing software approved by the department should not permit re-writing or alteration of recorded images.
5. The evidence specialist, or the designated officer, will copy, without opening, the digital images onto a CD-ROM, which will become the "master negative."
  - a. The CD shall be write-once-read-many times (WORM) disks – CD-R. This master negative CD shall serve as the permanent record because it cannot be altered once written. This master negative CD should be placed in a secured location and not become part of the investigative case files.
  - b. The files on the master negative CD should be copied, without opening, onto another CD which becomes the working record, the "negative duplicate."
  - c. A separate CD should be created from the negative duplicate CD for each criminal case or investigation.
  - d. The officer should confirm that the digital images were correctly transferred to a blank CD by
    - (1) opening the digital images on the CD,
    - (2) comparing the images to those on the flash or memory card,
    - (3) attempting to write a file onto the CD. If the officer is able to write a file on the CD, the CD should be destroyed and a new CD created. If correctly transferred, the images on the camera memory cards may then be erased and the card returned for departmental use.
    - (4) printing out a contact sheet of the digital images which should be included in the case file.

- e. Once the master negative CD has been created, it shall not be removed from the custody of the appropriate department or officer. If a CD is to be reviewed beyond the custody of the appropriate agent, a new CD should be made from the negative duplicate CD, such as for the investigating officer, prosecutor, defense attorney, etc.
- f. Any enhancement of digital image files should be documented by the evidence specialist and recorded on a separate CD.