

SAN DIEGO COUNTY SHERIFF'S DEPARTMENT
COURT SERVICES BUREAU
POLICIES AND PROCEDURES MANUAL

DATE	DISSEMINATION	CATEGORY	NUMBER
May 30, 2003	BUREAU-WIDE	NORMAL OPERATIONS	F.27
SUBJECT: COURTROOM CRIME SCENES			PAGE 1 of 2

Purpose:

To establish standardized procedures for handling crime scenes in courtrooms staffed by the Court Services Bureau (CSB).

Policy:

CSB personnel will take all necessary steps to preserve evidence from crimes occurring in a courtroom. They will weigh the needs of a criminal investigation against the desires of the Court to continue with their proceedings and request assistance from a supervisor if they believe the criminal investigation may be compromised.

Procedure:

- I. If a crime is committed in a courtroom and physical evidence is present that cannot be readily collected and preserved:
 - A. The primary bailiff for that courtroom will be considered the investigating deputy unless relieved of his or her responsibilities by another deputy or a supervisor;
 - B. The investigating deputy will recommend to the Court that the case be continued in an available courtroom to avoid contamination of the evidence and ensure proper collection;
 - C. If no other courtroom is available, the investigating deputy shall recommend to the Court that a recess be taken to allow for evidence collection;
 - D. Prior to any such recess, or movement to another courtroom, the investigating deputy will request that the Court instruct witnesses, if they are members of the jury, not to discuss what they saw when the crime was committed. This is meant to ensure clear recollection of the events and unaffected witness statements;
 - E. Other witnesses, including the judge, court staff, other parties involved in the case and members of the public shall be interviewed in as timely a manner as possible and consistent with other criminal investigations;

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- F. Recognizing the desire of the Court to continue its proceedings, the case will continue at the discretion of the Court. This will delay the taking of witness statements from members of the jury or other courtroom participants. In any event, witness statements shall be taken by Sheriff's personnel prior to the witnesses leaving the courthouse for the day;
 - G. A courtroom with evidence is a crime scene and should be treated in the same manner as any other high-profile crime scene.
 - H. If the Court is not willing to grant any of the requests above, the investigating deputy shall notify a supervisor.
- II. If a criminal act occurs in a courtroom and no physical evidence is present:
- A. The primary bailiff for that courtroom will be considered the investigating deputy unless relieved of his or her responsibilities by another deputy or a supervisor;
 - B. Prior to any recess or movement to another courtroom, the investigating deputy will request that the Court instruct witnesses, if they are members of the jury, not to discuss what they saw when the crime was committed. This is meant to ensure clear recollection of the events and unaffected witness statements;
 - C. Recognizing the desire of the Court to continue its proceedings, the case will continue at the discretion of the Court. This will delay the taking of witness statements from members of the jury or other courtroom participants. In any event, witness statements shall be taken by Sheriff's personnel prior to the witnesses leaving the courthouse for the day;
 - D. Other witnesses, including the judge, court staff, other parties involved in the case and members of the public shall be interviewed in as timely a manner as possible and in a manner consistent with other criminal investigations;
 - E. If the Court is not willing to grant any of the requests above, the investigating deputy shall notify a supervisor.