



## Scene of the Crime and Collection of Evidence

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### Abstract

A crime scene denotes the location where a crime has occurred, encompassing pertinent evidence and documentation. The examination and analysis of the crime scene are critical pillars of criminal investigations, essential for identifying and apprehending offenders. The process of evidence collection involves several stages, each demanding precision and specialized skills. Initially, the crime scene is secured to preserve evidence and prevent contamination or tampering, a task usually undertaken by law enforcement through the use of safety tapes and restricted access. Subsequently, thorough documentation of the scene is conducted via photography, videography, and detailed mapping, ensuring a comprehensive representation of the site and preventing the omission of critical details. Following documentation, physical evidence—such as fingerprints, DNA, footprints, weapons, biological remnants, and fibers—is meticulously collected and stored in appropriate containers to prevent contamination. Forensic experts then employ advanced technological tools, including electron microscopes, DNA analysis devices, and computerized systems for matching fingerprints and other forms of evidence, to conduct detailed analyses. The findings from these analyses are compiled into an exhaustive report, which serves as crucial evidence in judicial proceedings. This report must provide a full account of the crime scene, the methodologies used for evidence collection, and the outcomes of scientific testing. Such detailed documentation aids judges and juries in making informed decisions about the case.

The application of sophisticated scientific and technological methods in the examination of crime scenes significantly enhances the accuracy and reliability of investigations, mitigates the risk of judicial errors, and ensures the proper administration of justice. Consequently, the effective investigation of crime scenes and evidence collection is integral to solving criminal cases and safeguarding public security.

Keywords: Crime, Scene, Collection, Evidence, Types of Evidence

### Introduction

With the rapid advancement of science and technology since the late nineteenth century and the emergence of the Italian school of investigation, the use of new tools for crime detection alongside classical evidence of crime (confessions and testimonies) gradually became common in various countries. Criminal investigation, as a science in the detection, diagnosis, and understanding of criminal phenomena, as well as the preservation of crime scene evidence, not only increases the speed along with the accuracy of judicial outcomes but also prevents significant judicial errors and the undermining of the country's justice system.

Today, in developed countries worldwide, criminals are pursued through various techniques, and crime evidence is prepared with clear and precise measurements, allowing the court to easily issue judgments with full confidence. Scientific methods of crime detection, as utilized in this work, are mostly based on forensic sciences such as fingerprint analysis, photography, ballistics, and other experimental sciences. Because nowadays, the evidence and traces collected by the police from the crime scene, even if hidden and small, are revealed in specialized laboratories and serve as substantial evidence against the criminal. Thus, the actions and confessions of the accused have a significant impact on completing the case or court rulings.

Our beloved country Afghanistan, which has emerged from decades of war, during which all aspects of our society, such as health and the economy, especially the judicial system, have been largely devastated, now that relative stability has been achieved in our country and we have an government and it is the era of reconstruction, it is incumbent upon us, the youth of our nation, to rebuild our judicial institutions, to prevent such crimes and corruption that have reached their peak due to the lack of a healthy and just judicial system in our country, and to hold the perpetrators accountable under the law and strive to strengthen the rule of law.

#### **Related Works**

- 1- Banaghaz mohammadi, Ali, and Delirrad, Mohammad. (2018). "Crime scene" or "accident scene"
- 2- Nejad Sediq, Reza Hamid (2017), crime scene investigation,
- 3- Farjiha Mohammad, Handiani Abdullah, Fakhrez Rahim, Arbabi Najaf Hamidzadeh (2015), Intelligence and Criminal Research
- 4- Khatiri, Mezhgan(2021),Police use of new technology in the scientific detection of crimes,

#### **Research Methodology**

Regarding the research method and the process of collecting prepared and organized materials, it should be noted that the current research is of a descriptive type, utilizing library-based and research-oriented approaches to gather the necessary sources. In this research, reputable criminal technical books, Afghan penal and legal laws, international Articles ... have been consulted.

#### **Results and Discussion**

##### **Topic One: Definition of the Crime Scene**

The crime scene is a local area where the perpetrator has committed unlawful acts to perpetrate the crime. In other words, the scene of the incident is the place where the crime occurred. In some crimes, in addition to the primary crime scene, there may be complementary or secondary crime scenes. For example, in a murder case, if the victim's body is moved to another location and hidden, the scene of the murder is the primary crime scene, and the burial site becomes a complementary or secondary crime scene. However, because the primary purpose of investigating the crime scene is to obtain physical evidence related to the crime, the location of the incident remains crucial.

##### **Topic Two: Importance of the Crime Scene**

In fact, the crime scene is the source of information and facts related to the crime and the perpetrator. If properly and systematically investigated, it is a path that leads to the hiding place of the perpetrator. Principles such as the exchange theory, introduced by Edmond Lockard, the head of the Institute of Criminalistics at Lyon University in France in 1903, indicate that individuals who commit crimes leave traces of themselves at the crime scene. According to the aforementioned principles, if evidence and clues are not found or if it is not possible to link a crime to a suspect during the investigation of a crime scene, it may not be due to the absence of evidence, but rather due to violations of training, lack of technical detection capabilities, or lack of experience. Given the importance and effective role of physical evidence at the crime scene in proving the occurrence, identification, and exoneration of suspects, as well as the impossibility of denying and rejecting such evidence, the preservation and investigation of the crime scene and the collection of evidence and clues present therein are of special importance. Therefore, individuals involved in investigating the crime scene and collecting evidence and clues should gain necessary experience in this field.

##### **Topic Three: Initial Actions of the Investigating Officer after Being Informed of the Crime**

When an investigating officer within their jurisdiction becomes aware of the discovery of a body or the occurrence of a crime, the principle is that they must promptly proceed to the crime scene with the first available means. However, by taking this action, the investigating officer commits the first mistake in their investigation. This is because before moving to the crime scene, the investigating officer must take the following actions:

1. Record the date of the report.
2. Note the exact time of the incident.

3. Document the means of notification (telephone, note, etc.).
4. Record the name of the informant.

Recording these details in the notebook of the officer does not take more than a few moments of the officer's time, but as will be explained later, it holds significant importance. After completing this task, the officer, accompanied by a special kit containing all necessary tools and equipment, will proceed to the location of the crime scene for the purpose of discovering and collecting evidence and clues. Upon arrival at the scene, the officer should again record the following:

1. The exact time of arrival at the scene.
2. The correct address.

Some may wonder why such emphasis is placed on these preliminary notes, but the reason for writing these notes is essential. Firstly, in most murder trials, defense tactics often focus more on the issue of the suspect's inability to be present at the crime scene at the time of the murder. Therefore, if the investigating officer does not note the exact hours of notification and arrival at the crime scene, they will not be able to prove the suspect's presence during the trial, which usually takes place months after the crime occurred.

Secondly, when giving testimony and providing information in court, presenting the exact hours and minutes of the incident in an orderly and accurate manner based on one's own notes will increase the value of the officer's statements and gain the trust of the judges. Conversely, if these statements are disorderly, inconsistent, and mention vague or contradictory times, their reports and statements will be deemed worthless.

Upon arrival at the crime scene, if the officer is confronted with a body, their next duty is to inspect the body and ensure its state of death. Generally, a single observation is sufficient to determine this. However, there are occasions that require a more thorough examination, especially in cases of suffocation, drowning, electrocution, or poisoning due to sleeping pills. If the investigating officer has even the slightest doubt about the death or survival of the victim, they must assume the victim is alive and begin actions such as artificial respiration and calling for medical assistance.

#### **Topic Four: Preserving the Crime Scene**

The first action to be taken after being informed of crimes such as murder, theft, and others is to preserve the crime scene, with the methods varying depending on the type of crime, its location, and available resources. Generally, the preservation methods are as follows:

A. If the crime occurred in an enclosed area such as a shop, room, house, etc., the crime scene can be preserved effectively by closing the entrance door and stationing a guard. It goes without saying that in areas without a roof, such as yards, houses, etc., the guard must ensure that no one enters the crime scene illegally and does not tamper with evidence for reasons of injury.

B. If the crime scene is in open areas such as roads, public streets, and squares, the location must first be identified based on the circumstances and the nature of the crime. Then, by creating artificial barriers such as metal barriers and specific barriers, unauthorized access can be prevented. If metal barriers are not available, trees, electrical poles, and building columns that may be present in the area can be utilized, and if necessary, the area can be enclosed with tents and barriers, with guards stationed to prevent unauthorized access. If a body is present at the scene, it should be covered with a sheet or similar item to attract less attention from passersby. In such cases, speed is of the essence to quickly investigate the crime scene within legal parameters, collect evidence, and return pedestrian and vehicular traffic to normal.

C. If the crime occurs in larger areas such as highways and similar places, after determining the boundaries of the crime scene and marking areas where evidence such as blood, weapons, knives, etc., is found, guards should be stationed (either fixed or mobile by foot or vehicle) to preserve the crime scene. All persons present at the crime scene, except those authorized by law, should be removed from the scene. Such persons can be classified into five groups:

1. Relatives and acquaintances of the victim, who, while providing comfort, should be directed to another location to prevent interference with the crime scene and tampering with evidence.

2. The perpetrator, who, if present at the scene after committing the crime and not having fled, should be identified by experienced police officers or investigators, as they are often capable of recognizing such individuals based on their experience.
3. Opportunistic individuals seeking to take advantage of the crime scene for theft or other purposes, who, if observed, should be arrested and prosecuted.
4. Passersby and curious individuals who are only present at the crime scene out of curiosity and may obstruct the police. In some cases, they may inadvertently tamper with evidence due to their presence.
5. Eyewitnesses and bystanders, who should be quickly identified, their addresses, phone numbers, and essential initial information about how the crime occurred should be obtained. It should be noted that before conducting initial investigations, these individuals should not be kept together in one place, as experience has shown that if several witnesses are kept together before investigations, they may unintentionally exchange information, and during testimony, they may present information that they did not directly witness but rather heard from other witnesses. Here are a few points to mention regarding the crime scene:

1. If individuals appear to be deceased due to gunshot wounds, stabbing, or fire, the first individuals to arrive at the scene must initially assess them for signs of life to provide immediate assistance if they are alive.
2. Regarding murder cases, one of the greatest challenges in preserving the crime scene is the interference of commanders or police units providing assistance at the scene, it must be remembered that there are two types of police officers: one is the police officer who first receives the information about the crime and is responsible for ensuring security, usually in uniform, and the other is the investigative police officer who, after the uniformed police officer has secured the scene, goes to the crime scene and is responsible for discovering the nature of the crime, identifying the real perpetrator, and collecting evidence from the crime scene. These individuals are skilled and equipped with the necessary tools to identify the cause of the crime and arrest the real perpetrator.
3. It must be noted that the crime scene is not always at risk only from unauthorized individuals but also environmental factors such as snow, rain, sunlight, etc., and animals such as dogs, insects, etc., can sometimes destroy evidence, which must be prevented by taking appropriate measures in each case.

#### **Topic Five: Description and Depiction of the Crime Scene**

After conducting the preliminary actions previously explained, the next duty of the investigating officer, if the crime is a homicide, is to note the condition of the body and the crime scene in the protocol. This must be done before moving the body or making any changes.

The description of the body should include the gender, age, skin color, hair color, eye color, race, clothing color, and finally, any signs of injury. Additionally, if bloodstains are visible on the body and clothing, it should be noted in the protocol whether the bloodstains are fresh, dried, or old. Any torn clothing and traces of bullets or knives should also be described with utmost accuracy. Especially, the description of the condition and position of the hands is of great importance. For example, it must be described whether there is anything in the hands of the victim, and whether there are any signs of blood, injuries, or scratches on the hands.

After describing the condition of the body, the surroundings should also be described in detail. For example, the position of the body in relation to the furniture in the house and the description of the furniture and belongings, doors, etc., should be carefully noted in the crime scene protocol. Furthermore, if a weapon is seen near the body, its specifications should be noted in the protocol without touching it, including its distance from the body and surrounding objects.

Following this meticulous inspection of the indoor area and the surroundings of the body, a thorough examination of the crime scene should be conducted to identify the location and path of bullet penetration through doors, walls, furniture, as well as bullet casings, and other evidence. Investigating officers should never underestimate the importance of describing the crime scene, no matter how detailed it may be, for two reasons:

1. If the investigating officer meticulously notes all details in their memory, they will feel compelled to pay attention to all details, and as a result, they will not overlook anything. When they refer back to their notes later, they will be confident that what they read is what they saw with their own eyes, and they will also be certain that they did not miss anything important.
2. At this stage of the investigation, the investigating officer has not formed any assumptions or hypotheses about the murderer and their modus operandi. If they fail to record their observations at this stage and postpone it to later, they will naturally base their theory on their notes and confirm it accordingly. Anything that contradicts their theory and beliefs about the case will be discarded and forgotten. However, if they write their notes in the initial stage, they can construct their hypothesis later by referring to them and considering all facts.

#### **Topic Six: Consequences of Preserving the Crime Scene**

If the crime scene is preserved in a timely manner and with attention to technical points, the following consequences will ensue:

1. The investigating officer, in examining the crime scene and criminal photography, will observe and examine the scene as it was at the time of the crime or at least as it was when the police were informed, and they will note and photograph it, as well as prepare sketches.
2. Prevention of unauthorized individuals' access and interference in the crime scene, as such individuals, unaware, often disturb the crime scene, causing disarray and the loss or displacement of all or part of the evidence and documents of the crime.
3. Prevention of the potential entry of the perpetrator into the crime scene to deliberately eliminate evidence and documents that may lead to their identification (such as leaving fingerprints, footprints, etc. at the scene and later attempting to erase or remove those traces).
4. Prevention of premature disclosure of news and information related to the crime and actions taken.
5. Prevention of looting and exploitation by individuals who typically, in such cases, attempt theft and other exploitative actions using specific temporal opportunities.
6. Monitoring of suspects and individuals who may be attempting to approach the crime scene and may be related to the crime or have information in this regard, and if necessary, their arrest for further investigation.

#### **Topic Seven: Conditions of Crime Scene Investigation Specialists**

Investigating a crime scene is a completely technical and technical task, which is why it is entrusted to specialists in crime scene investigation who must meet the following conditions in order to perform their assigned duties satisfactorily:

##### **A. Integrity and Self-esteem:**

A crime scene investigation specialist is among the first to arrive at the crime scene, and if they are faced with valuable objects, assets, or other enticing attractions while performing their duties, they must be completely in control of themselves and not succumb to temptation or greed.

##### **B. Interest and Faith in the Work:**

Generally, interest and faith in the work are essential pillars of success in any task, and expertise and experience without interest and faith in the work do not yield the desired results. Similarly, in crime scene investigation, if someone engages in this work out of interest and belief in police work and crime detection, they will succeed in their work; otherwise, if it is done out of compulsion or solely for the purpose of enforcement, the desired result will not be achieved.

##### **C. Physical Health:**

A crime scene investigation specialist must be in complete physical health and not suffer from physical weakness, impaired vision, or lack of skill in recognizing objects and colors.

##### **D. Strong Mental State:**

Someone who investigates a crime scene must have a strong mental state and not be emotionally disturbed by witnessing criminal scenes, sometimes gruesome.

##### **E. Perseverance and Resilience:**

Having perseverance and resilience in tasks - resistance to adversities - is a necessity in crime scene investigation.

#### F. Accuracy and Alertness:

A crime scene investigation specialist must be alert and precise to be able to distinguish real evidence from misleading ones and avoid making mistakes.

#### G. Training and Experience:

A crime scene investigation specialist must have received the necessary training in understanding the legal and scientific value of material evidence, the method of crime scene investigation, the use of crime scene investigation tools, photography, fingerprint collection, sketching, and also assisting in laboratory work and even necessary medical first aid training.

#### **Topic Eight: Method of Crime Scene Investigation**

In the investigation of a crime scene and the collection of evidence and documents, it is strongly recommended to refrain from disturbing objects and evidence present at the scene or moving them before noting and including them in the crime scene protocol, preparing sketches, and taking photographs of the crime scene. This is because there is a possibility that, as a result of touching objects and evidence of the crime scene or moving them, some traces of the crime may be erased and lost, and it may be impossible to restore them to their original state. This recommendation has gained extraordinary importance due to its adherence to the "golden rule" or "golden standard."

However, there is one exception to this rule, and that is when saving lives or preventing incidents such as explosions, fires, etc., takes precedence. In such cases, saving lives or preventing incidents takes precedence over everything else. Nevertheless, even in such operations, efforts must be made to prevent the erasure of crime scene evidence or the unnecessary destruction of evidence and documents.

The goal of investigating a crime scene is to obtain evidence and documents of the crime in order to achieve the following objectives:

1. Determining whether a crime has actually occurred or not.
2. Investigating and examining the method used in committing the crime.
3. Reducing the number of suspects for the arrest of the actual criminal.
4. Identifying the criminal.

In investigating any crime scene, five key points must be observed, which are described below: One of the major responsibilities of the crime scene coordinator is to make necessary decisions regarding the determination of the boundaries that need to be investigated. Without a doubt, determining these boundaries in scenes located in confined spaces is easy, but attention must be paid to the entry and exit routes of suspects or criminals from the crime scene within the designated search area. The most significant challenge in this regard is determining how far the path of entry and exit of the criminal from the crime scene should be investigated. Determining the boundaries of crime scene investigations located in open areas (unconfined) requires precision, attention, and considerable thought. For example, the occurrence of a murder in a wide area such as a plain or the occurrence of the same crime inside a house will require different boundary determinations. As a general principle, it is better to have a broader range of investigation in an unconfined environment where it is likely that evidence of the crime will be discovered, identified, and investigated, although executing this may mean searching a vast space and wasting efforts and time. However, its implementation is essential because, in fact, this issue is a mutually beneficial deal. That is, spending extra time and effort will lead to the potential and unexpected discovery of very valuable and appropriate evidence. Usually, five methods are used in investigating a crime scene, and the investigating officer can choose and use them during the investigation.

Furthermore, the crime scene investigation specialist must be equipped with the necessary tools such as cameras, sketching tools, evidence collection tools, fingerprint collection tools, etc., and have sufficient time to perform the assigned task.

#### **A. Spiral Crime Scene Investigation**

The spiral method of crime scene investigation is usually employed by one person in crime scenes located in open spaces where there are no obstacles. The use of this method requires the investigator to walk in a spiral pattern from the farthest determined boundary gradually towards

the center in a consistent manner. In other words, this action should revolve around the axes of concentric circles until reaching the center of these circles. This method should not be done in reverse, starting from the central point and moving forward to the outermost boundary. Because by doing so, there is a possibility that some amounts of evidence may inadvertently disappear. When walking from the farthest point towards the center, investigators gradually encounter evidence and clues present at the scene.

### **B. Linear Crime Scene Investigation**

Linear crime scene investigation involves determining lines horizontally within the designated area for examination, along which one or more individuals can search the crime scene. Upon reaching the beginning of the line, the search must commence according to the predetermined search pattern previously set by the investigating officer, and upon reaching the end of the line, the return should also be done in the respective direction. This process continues until the complete investigation of the crime scene is completed. Usually, this method is used for re-investigations, where a previously investigated crime scene is utilized. Each investigation that successfully discovers evidence along its respective line should be reported to the coordinating officer, and all investigators must halt their activities under their command to ensure proper and accurate examination and collection of the mentioned evidence and documents at the relevant site. Therefore, the coordinating officer will be responsible for providing information about the discovered evidence or document, its significance in apprehending the criminal, to the investigators. Then the search operation will continue again in the same manner as previously described until the investigation is completed.

### **C. Grid Crime Scene Investigation**

Another method of crime scene investigation is the grid method. The procedure for using this method is that after examining and searching the scene in a linear manner, investigators again search the scene along lines perpendicular to the previous lines using the same linear method. Although implementing this method requires more time compared to other methods, it can be said that this method is the most systematic and accurate way to examine all points of the scene from two different angles and maximize the chances of obtaining the smallest pieces of evidence and clues present at the scene, which may be overlooked by other methods.

### **D. Area Crime Scene Investigation**

Another type of crime scene investigation is the use of the area method, which involves dividing the area or zone of the crime scene into four separate sections, each of which can be examined using the methods mentioned earlier. If each of the divided areas is extensive, they can also be subdivided into smaller units.

### **E. Circular Crime Scene Investigation**

In the circular crime scene investigation method, it is necessary to imagine the crime scene as a circle and divide it into several triangles. The number of these triangles is usually six. In fact, the scene is divided into six equal parts, each of which will be searched using the linear crime scene investigation method. This method is rarely used for crime scene investigation. Although utilizing this method may be very beneficial and useful in certain circumstances, it is usually used for examining scenes that are not very extensive.

### **Conclusion**

It is known that crime and criminality have existed since the dawn of humanity, albeit in primitive forms initially, endangering human societies. However, gradually over time and with the advancement of science and technology, it has taken on more sophisticated forms. Concurrently, the means of proving crimes, utilizing these technologies and sciences for detection, evidence collection, and apprehension of criminals, have also evolved. For example, fingerprint analysis from the crime scene significantly aids in the identification of perpetrators. Similarly, in murder cases, evidence such as knives, bullets, blood, fingerprints, footprints, and other traces left behind by the criminal are crucial in identifying the real perpetrator.

However, in our dear country Afghanistan, which has been devastated by decades of war, all aspects of our society have been affected, including judicial and law enforcement institutions. In this vacuum, criminals have taken advantage, leading to a peak in crime rates, hindering societal

progress and development. It is natural that law and order play a fundamental role in a nation's growth and advancement. When security exists within a society, all aspects of the country progress, as seen in neighboring countries equipped with the latest technology, even possessing nuclear capabilities, all of which stem from the blessing of security. Today, as the inheritors of a war-torn country, despite its abundant natural resources, we suffer from economic weakness due to the lack of law and order throughout the nation. People cannot continue their lives peacefully and confidently due to insecurity, and the youth, who are the driving force of society, cannot pursue their education.

Currently, our country lacks advanced facilities such as equipped laboratories for crime investigation. However, with the dedication and sense of responsibility of law enforcement officers towards their duty and homeland, crime rates can be reduced. It is hoped that one day, the law will be truly and effectively implemented in our society, ensuring security and equality for all citizens across Afghanistan.

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