

Processing Burglary Scenes for DNA, to Expensive for Many Agencies?

Many law enforcement agency chief executives and managers believe they are caught between a rock and a hard place. Most feel pressured to make tough choices on where to expend their limited resources. Too often in an effort to save money agencies are not processing burglaries due to the sheer volume of incidents and drain on manpower down time. Crime scene processing is a normal function of law enforcement agencies responsibility. A 2008 National Institute of Justice (NIJ) study report, "The DNA Field Experiment" has pointed out clearly the effective results of DNA recovered from burglary scenes. Every law enforcement chief executive and manager should read the study and analyze the results. The study should be an encouragement to all agencies to aggressively process burglary scenes, especially for DNA.

Some chief executives are quick to point out they simply cannot afford to use this new technology. This is an indefensible position for any agency to take and offer the community. This argument is heard from all size agencies and permeates all areas of law enforcement. What is actually occurring is a lack of interest and desire to enable an agency to effectively search crime scenes for DNA evidence. If the agency is setup to process routine burglaries then the next logical step is processing for DNA and requires a minimal amount of additional supplies. It will also require some additional specialized training in DNA recovery, obtaining control samples, storage and laboratory submissions. This training is neither lengthy nor expensive! There is a higher cost to be paid by small and medium size agencies that make little or no effort to aggressively process crime scenes for DNA, especially burglary.

An example: In May of 2010 on a trip to the Outer Banks, NC, this point was clearly evident. In an estimated \$8,000 burglary only a few digital photographs were taken....nothing else. The response, "oh this happens all the time"! It exudes a perception of in-effectiveness in the community, law enforcement and laboratories. Agencies must step up and face this issue head on.

As excitement of Crime Scene Investigators (CSI) shows and forensic hype begins to wane, many agencies have been quietly abandoning processing burglaries and some never began processing burglaries to begin with. Between 1999 and 2003, a mid size VA agency proved beyond all doubt it was possible to effectively and aggressively process crime scenes for DNA. At the time they were operating on limited resources. What they did have were crime scene investigators, officers, supervisors and managers that bought into the new program. Due to CSI television shows, some agencies honestly believe they need expensive forensic equipment and highly trained forensic specialist to recover DNA. In some cases that may be true however, the majority of the time that is not the case. The routine day to day cases small and mid size agencies generally face are larceny, burglary and auto theft.

The key elements are training, knowledge and aggressiveness in the approach to recovering DNA from crime scenes. Some managers have been heard to say “we’ll just call the state if we have one of those cases”. The problem with this line of rationalization is state and federal agencies are stretched to the financial breaking point. Smaller agencies can and should take more responsibility for processing their own routine day to day scenes for DNA.

Four basics are needed in most cases: 1). training 2). collection & packaging materials 3). desire 4). common sense. Assessing what suspect/s may have done at the scene can be very effective. Determinations such as how did he get in, what did he touch, eat, drink or leave behind can yield valuable DNA evidence. Teaching Crime Scene Investigators to work quickly and effectively can pay huge dividends in costs. However, as they discovered and the recent (2008) NIJ Study Report “The DNA Field Experiment” revealed, regular police officers can just as effectively collect DNA evidence as crime scene Investigators. The key is a basic 4 to 8 hour basic training class on identification, documentation and collection of suspected DNA evidence. All agency personnel, including supervisors and managers should receive the training. The steps are not complicated and the results can be tremendous.

Normally, agencies get one opportunity to process a scene or collect a vital piece of evidence. Equipping all vehicles with latex gloves, paper envelopes, paper bags, Q-Tips, Q-Tip boxes and perhaps small amounts of distilled water is all that is needed. A mid size VA agency had patrol officers, detectives, sergeants and lieutenants who collected items on their own initiative; which later proved critical because they knew what to do in those situations where the item/s with potential DNA could have been lost or destroyed.

Example: A female police patrol sergeant who had received training on potential DNA identification and collection responds to the foot pursuit of two armed robbery suspects in a heavily traveled downtown area. While traveling the escape route she spots a ski mask matching the description worn by one of the suspects. She immediately stops, obtains a clean paper bag and collects the ski mask. Later DNA analysis of the mask identifies two of the suspects involved in a string of armed robberies in the downtown area. Both suspects are later convicted and sentenced to lengthy prison terms. Supervisors and managers should not be expected to routinely process crime scenes however, as anyone with extensive street experience knows, those situations can and will occur in which it is critical that they act to prevent the loss of valuable evidence.

The DNA Data Banks available to agencies nationwide offer an opportunity to identify suspects previously unknown to law enforcement. A mid size agency was amazed at the number of suspects identified as the state DNA data base of known offenders continued to grow. The results of identifications in burglaries, sexual assaults, homicides, auto thefts, etc., convinced even the most skeptical in the agency. Granted, initially Virginia had the first and one of the largest DNA data banks in the country, but numerous states have steadily increased their data banks and many have passed Virginia’s volume. The increase of blind DNA Data Bank Hits has resulted from education of law enforcement management and personnel, improved training on DNA collection, states adding additional known/suspected felons, and laboratory improvements in DNA processing. These tough

financial times will improve in the future. Those agencies which have processed scenes for DNA will reap the results when state laboratories begin lifting current submission restrictions due to manpower cutbacks.

The cost of not aggressively processing burglary scenes for potential DNA is far greater than the cost of training and supplies. The citizens in many communities often display amazement and frustration with small agencies obvious lack of interest in processing crime scenes. Criminals in too many jurisdictions are getting a free pass from law enforcement agencies. The agency must put forth at least a limited effort if nothing else. The agency's personnel are admitting defeat in combating the continual problem of burglary. This is a major hurdle many small agency's face. The issue is psychological and until addressed will not improve. Officers and management share the responsibility of changing an agency's attitude toward processing burglaries.

The cost of not processing burglaries shows up in a continual higher rate of reported incidents. Often the arrest of one or more burglars will have an immediate impact. Many burglars ply their trade in strings and will often be responsible for numerous incidents. Through the use of state DNA Data Bases, surprisingly previous unknown burglars from other states, jurisdiction or areas have been identified. As more states enter juveniles into DNA Data Bases; agencies are surprised by the number involved in burglary, larceny and auto theft, particularly in the summer months. Through processing burglaries for DNA agencies will often inadvertently identify suspects involved in numerous and more violent crimes such as rape, robbery or murder.

Laboratories play a major role in cooperation with local law enforcement agencies in analysis of submitted potential DNA items of evidence. The items which laboratories can now recover DNA are almost limitless. Many laboratories have begun requiring agencies already effective in DNA collection to initially sift through items and submit those items of the highest probative value. This requires officers to become well versed and knowledgeable on the laboratories DNA effectiveness. It thus becomes critical for someone within the agency to communicate openly with laboratory examiners. That person then becomes essential to educate and train agency personnel on updates, new techniques, requirements, policy and procedural changes.

Many criminals get their start in burglary and often graduate to more serious crimes through opportunity occurring during an incident. Burglary is sometimes referred to as the training ground for criminals and crime scene investigators. Burglary provides the greatest scene and evidence diversity by offense and volume. An increase in drug use in a community will often show a dramatic increase in the number of reported burglaries. Law enforcement agencies often fail to realize the criminal element, are watching and aware of how much or how little processing is conducted. Agencies which neglect to utilize DNA and fingerprint processing of burglaries, larcenies and auto theft are actually helping the criminals. This can become a serious problem in resort and college communities. Simply relying on old investigative techniques is occurring in amazing volumes much too often in a period of improved forensic technology.

Those small and medium size agencies that currently process scenes for DNA must be commended. Communities have a right to expect their law enforcement agency to take the necessary steps enabling them to properly document, collect and submit physical evidence that could identify criminals and protect their citizens. The actual cost must be considered, no one disputes that. However, the cost of training, equipment and supplies is not excessive. It can be done without enlarging facilities, hiring additional personnel or purchasing expensive equipment. Agency size is not a deterrent to effectiveness. Current officers or civilians can be trained in the proper methods of DNA processing. The majority of law enforcement agencies in the United States are small; yet they, mid size and large agencies are reluctant to embrace this effective technology. There are some bright spots among law enforcement agencies however, much remains to be done. Contrary to what many in law enforcement management contend, the cost of not processing burglaries for DNA is far greater than the cost of conducting the processing.

ITEMS DNA EVIDENCE RECOVERED FROM

Candle – suspect spits on burning candle during Burglary/Attempted Rape

Socks – suspect steals dirty sock from victim #1 home leaves it at victim #2 home

Panty Hose – Robbery suspect tosses hose while the fleeing scene

Jacket Collar – DNA identified from drug dealers jacket found at scene

Ski Mask – multiple robbery suspects identified from DNA from skin cells

Latex Gloves – suspect leaves at scene attempting to avoid leaving fingerprints

Cigarette Butts – common form of suspect DNA Identification from scenes

Blood – another common form of suspect DNA Identification

Semen – very common form of DNA Identification in Sexual Assaults

Saliva – suspect licks victims face, neck or breast

Spit – suspect observed repeatedly spitting on ground at burglary

Sweat – suspect identified from sweat on multiple surfaces

Swabs – of areas and objects touched and handled by suspect/s

Hair Follicles – left at the scene by suspect

Fingernail Scrapings – victim scratches the suspect

Eyeglasses – from nose and ear pieces

Beer & Soda Bottles - cans, caps, drinking glasses, cups, straws

Food & Utensils – partially eaten food items & forks, spoons or knives

Weapons – fire arms, knives blunt objects handled by suspect