

Public Comment Deadline: July 18, 2022

ASB BPR 160, Best Practice Recommendation for Initial Response at Scenes by Law Enforcement Officers

#	Section	Type of Comment (E-Editorial, T-Technical)	Comments	Proposed Resolution	Final Resolution
2	all	T	An ASB "standard" must set "objectively verifiable requirements," reflects consensus "on what is required for a given activity, process, product, or result," and notes that "such requirements are measurable" and "expressed as imperative sentences or stated in 'shall' language." Members of the LTG on 1/31 sent numerous comments related to concerns we had about some of the requirements in 160 (then 22-N-0025). In declining to address these concerns about detailing procedures to preserve evidence and detailing the need to record everything at the scene whether recovered and tested or not, several members believe this standard fails to establish objectively verifiable requirements for preservation and documentation.		<p>Reject: No proposed resolution.</p> <p>As previously stated this document is written as a Best Practice Recommendation. The ASB Manual defines a BPR as: "A Best Practice Recommendation identifies and sets forth the optimal way to carry out an action or actions. A BPR may include choices and the variants between them as a means of demonstrating optimal choices in different circumstances."</p> <p>Clarification has been added to the Foreword to let the users of the document know that this document is not intended to provide comprehensive guidance for scene investigation, and that additional Standards are in the works to provide the requirements.</p>
3	3.2	T	1- The current definition limits contamination to the time frame of the scene investigation. 2-The current definition limits contamination to the addition or subtraction of something and leaves out altering something (e.g. breaking critical glass evidence after the incident but before documentation or collection).	The intended or unintended alteration of physical items that could be evidence during the course of an investigation.	Reject: Alteration is defined separately as they are intended to be separate terms/definitions. The note also covers transfer and cross-contamination.
4	3.5	E	1)Remove hyphen between body and fluids. 2) Insert hyphen between full & body	1) change "body-fluids" to "body fluids" 2) Change "full body" to "full-body"	Accept
5	3.5	T	The current definition fails to highlight the role of PPE in minimizing contamination.	Equipment worn to minimize exposure to a variety of hazards such as body fluids, irritants, or contaminants and minimize scene contamination . Examples of PPE: gloves, foot and eye protection, respirators, and full-body suits.	Accept with Modification: NOTE added to address the minimization of scene contamination and/or alteration.
6	3.6	E	The terms change and alteration are redundant. Remove one.	See below which incorporates editorial and technical comments	Accept: "change" removed.
7	3.6	T	Current definition limits preservation to the scene	The intentional act to prevent damage, contamination, alteration, or deterioration of evidence.	Reject: it is appropriate to retain the preservation to the scene for this document.

1	4.2; 4.5; 4.6		<p>I had suggested in person at a meeting and also wrote in earlier comments that there should be a recommendation for first responding LEO's to capture images of the scene and/or body prior to medical intervention if they have no duty or responsibility to perform life-saving activities. Also, prior to moving items as described, again if the circumstances allow.</p> <p>I have had cases where quick thinking first responders captured images that preserved evidence, in particular bloodstain evidence, that was lost during on-scene medical intervention, transportation of the body, and subsequent medical procedures at a hospital.</p> <p>4.2, talks about scene preservation, so it would be an appropriate recommendation in that section. It could also have been included in 4.5 or 4.6. The agency managers who develop response protocols should have that information for consideration.</p>		<p>Reject: it would be redundant to repeat the content from 4.2 in 4.5 and 4.6. Section 4 is intended to be utilized as an all-encompassing recommended procedure.</p>
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