Deadline of Submission of Comments: **16-Feb-24**

Document **ANSI/ASB Std 195**

Document **Standard for Scene Response: Initial Response by Scene Investigators**

Comment #	Text Line # (s)	Document Section	Type of Comment E-Editorial T-Technical	Current Document Wording	Proposed Revision	Revision Justification	*For Working Group and Consensus Body use only, not to be completed by commenter.* Final Resolutions
40				The document does not seem to have been coordinated with the Medicolegal Death Investigation Consensus Body (or OSAC MDI Subcommittee if it originated there). There is no discussion for times when the crime scene is also a death scene.		Reject with modification. This document applies to any scene. This is an overarching document for scene investigation. For clarification the following paragraph was added to the Foreword: "While there are overlapping requirements at a scene from different disciplines, this document is not intended for detailed specifics of specialized types of scene investigations."	Reject with modification. This document applies to any scene. This is an overarching document for scene investigation. For clarification the following paragraph was added to the Foreword: "While it is recognized that additional actions and expertise may be required at specialized scene types, this document is not intended to detail specific additional requirements for those situations."
9	All	All	T	All	Good plan overall for large, major, or complex scenes, but not applicable to your run of the mill armed robbery, residential burglary, commercial burglary.		Reject with modification. This document applies to any scene. This is an overarching document for scene investigation. For clarification the following paragraph was added to the Foreword: "While it is recognized that additional actions and expertise may be required at specialized scene types, this document is not intended to detail specific additional requirements for those situations."
19		scope	T	This document provides requirements for the activities and actions of an individual, however named, who is responsible for performing elements of a scene investigation, when responding to a scene, and the steps to be completed prior to conducting a scene search.	This document provides requirements for the activities and actions of an individual, however named, who is responsible for performing elements of a scene investigation, when responding to a scene to support law enforcement functions, and the steps to be completed prior to conducting a scene search. Whilere there are overlaping requirements, this document is not intended for the specialized functions of a medicolegal death investigator and the specialized type of scene investigatigation they do for purposes specifically focused on a medicolegal death investigaiton .	Without clarification this standard would be unclear if these scene investigations "qualify" under it	Reject with modification. This document applies to any scene. This is an overarching document for scene investigation. For clarification the following paragraph was added to the Foreword: "While it is recognized that additional actions and expertise may be required at specialized scene types, this document is not intended to detail specific additional requirements for those situations."
15		1	E	"This document provides requirements for the activities and actions of an individual, however named, who is responsible for performing elements of a scene investigation, when responding to a scene, and the steps to be completed prior to conducting a scene search."	"This document provides requirements for the activities and actions of an individual, however named, who is responsible when responding to a scene, the steps to be completed prior to conducting a scene search, and for performing elements of a scene investigation."	The order of the phrases is not logical	Reject: Scope has been approved by the consensus body and the ASB Board, both groups feel it is appropriately written.
16		1	E	"This document provides requirements for the activities and actions of an individual…"	"This document provides recommendations for the activities and actions of an individual…"	Crime scene work is dynamic and each scene is unique. Although there are best practices and guiding principles, *requiring* activities may not be reasonable for every scene. For instance, inclement weather or crime scenes that occur in hazardous locations (structurally unstable buildings after arsons, highway locations with busy traffic) may not permit each step of the standard scene response to occur. This does not mean the scene response was inadequate. If we have monsoon rains coming through, some activities (collecting evidence) may be done out of order in order to preserve evidence.	Reject. The basis of this document is to provide requirements to follow in the general sense. Issues which you have addressed are not encountered with the same frequency as typical scenarios. Such situations were considered, but not all scenarios can be addressed. Recommendations ("should") were used where appropriate. See 4.1, 4.2, 4.3-a, 4.4.1, 4.4.2, 4.4.4, 4.6.2, 4.6.3 for examples.
27		1 - Scope	T	The scope is quite vague: "An individual . . . performing elements of a scene investigation"	Define the elements of a scene investigation that this standard applies to, and/or define the elements of a scene investigation that are excluded from this standard.		Reject. Scope is written with standard ASB language and upon review, the consensus body did not find it to be vague. The scope details for whom and when/where this document applies. It also covers what this document will cover. For clarification the following paragraph was added to the Foreword: "While it is recognized that additional actions and expertise may be required at specialized scene types, this document is not intended to detail specific additional requirements for those situations."
41		2	E	The text stops at "Annex A" but doesn't finish	Annex A, Bibliography, contains informative references	text should read whats I have in the proposed revision	Accept
34		3.1	T	Definition of contamination: "undesirable introduction of a substance to an item". This is ISO definition seems more applicable to some kinds of potential evidence than others. E.g., an investigator leaving his fingerprint -- okay, maybe involves a "substance". But erasing one by brushing past it? Also, here, isn't the SCENE the unit rather than individual pieces of evidence.	Add something like: undesireable modification of an item of potential evidence by introducing, modifying, or erasing...		Rejected. "Modification" is not contamination. If someone were to wear PPE and use sterile tools to remove a apart of a piece of evidence, or to make changes to the evidence or documents, modifications would have taken place, but not contamination. Mixing DNA from one item of evidence to another would be classic contamination.
1	1	3.3	E	personal protection equipment	Change the word "protection" to "protective"	common phrasing for PPE has the second "P" stand for protective	Accept
28		3.4	E	Can a "scene" as defined be digital or virtual?	If the answer to the question in the comments is "yes," should the paragraph be modified in some way to reflect that and are there other changes useful to the standard?		Reject. In this document, "scene" has been defined as a place, person, or animal.
29		3.5 note	E	In the note to 3.4, we call the crime scene an investigation of a scene where a presumed crime was committed; we don't use "presumed" in the note to 3.5.	Add "presumed" before "criminal acts" in the second sentence of the note after 3.5.		Accept
20		3.6	T	scene investigator definition	add to note: this excludes medicolegal death investigators who perform a specialized scene investigation.	Without clarification this standard would be unclear if these scene investigations "qualify" under it	Reject. This definition is intended to be overarching and includes any individual who is performing elements of the scene investigation.

38		3.6	E	singular vs plural in the NOTE	Add an "s" to the final word "investigator".		Accept
2	2	3.7	T	the intentional act of preventing and refraining from any activity that may alter a scene or anything contained within the scene	add phrasing and definition for "in situ"	"in situ" is a shorter industry verbage which encompasses the state of a scene/its contents without being altered from its original state	Reject with modification. Modifying the definition would not enhance the definition. In situ is commonly used to describe the act of leaving an item as it were found, i.e. not moved. We added a parenthetical example for the term in 4.6.2
30		3.8	T	Is a staging area by definition outside of the crime scene?	If a staging area must by definition be outside of the crime scene, so state.		Accept: Definition revised for clarification to: An area designated to contain and deploy resources and conduct briefings, situated outside the boundaries of where evidence is likely to be located.
3	2	3.9	T	An initial visual inspection of a scene.	Do not use the word "initial" and/or switch the phrasing to "initial and final" and "inspections" instead of singular "inspection"	The wording should encompass both initial and final walkthroughs which are recommended to be conducted on all scenes	Reject with modification. We remove the definition because the term is used in the body (4.6.2) as an AKA. Its being defined in a very specific way in the body and there is no need to have a definition of something already defined in the body.
4	5	4.1	T	The scene investigator shall seek information regarding any actions taken and any known changes to the scene prior to the arrival of the scene investigators.	Rephrase to acknowledge that this information is still hearsay. Prioritize identifying the sources of information and using them as sources versus putting the CSI as the accountable source of information.	While it is valuable information to know what portions of the scene have been altered prior to scene response, this information is not directly verifiable by the scene investigator. These actions would have been taken prior to arrival and documentation is equal to some of these actions is documenting hearsay.	Reject. Documenting the information that an investigator uses to make decisions is critical. The information receive is not hearsay because the information is not being used to prove the truth of the matter asserted in the statement. Rather, the information is being used by the investigator as a guide to how they should conduct their investigation. For instance, an investigator uses information by a 1st responder: "the suspect hid the weapon in the 3rd garbage can on the right". The investigator opens that garbage can and collects a broken hammer. It may be inaccurate, and the suspect actualy fled in the opposite direction and hid the weapon around the corner in someone's yard. The information received from the 1st responder could be used in court to explain why the scene investigators did what they did...not to prove the information in in itself was true or false.
21		4.1	T	ASB BPR 160, Best Practice Recommendation for Initial Response at Scenes by Law Enforcement Officers details the responsibilities of the initial responding law enforcement officers (LEO). The first responding scene investigator(s) shall ascertain what steps were taken by the responding LEO to preserve and maintain the integrity of the scene prior to the arrival of the scene investigator(s). The scene investigator shall seek information regarding any actions taken and any known changes to the scene prior to the arrival of the scene investigators. If prior to arrival, personnel on-scene notify a responding scene investigator of existing conditions that could compromise the integrity or value of evidence, the scene investigator shall advise the personnel on-scene what risk mitigation, if any, should be performed. The scene investigator shall participate in a briefing with the responding LEO upon their arrival to the scene.	Add : For investigations involving a deceased person, collaboration with medicolegal death investigation professionals will need to be coordinated as related to the decedent and evidence supporting the medicolegall death investigation functions.	There can be overlapping priorities in a death investgiaiton and close colaboration is necessary and needs to be considered.	Reject. 4.6; 4.6.4 talks about assesing the need for additional resources. MDI is an additional resource. Additional resources can involve federal agencies for airplane crashes, NTSB and FRA for train accidents, FHWA and DOT for bridge collapes, and so on. It's not practical to list all collaborative coordination needs. Agencies, if not cojoined with a Coroner's or Medical Examiner's Office, will have policies in place that dictate procedures for coordinating investigative efforts with those co-investigative agencies.
31		4.1	E	Misplaced modifier in last sentence	Change last sentence to "The scene investigator shall participate in a briefing with the responding LEO(s) upon THE SCENE INVESTIGATOR'S arrival to the scene.		Accept
35		4.2e	T	The investigator should NOT assume that what the LEO thinks is definitely true -- and should not be limited by what they are told. E.g., the initial assumed size, shape of the scene.	Add "presumed": e) The PRESUMED size and extent of the scene... 4.4.1 should indicate that the investigator should check the appropriateness of the scene boundaries (not just "review").		Accept with modification. The commentor left two comments relating to a separate section. We accept the comment pertaining to this section. The 2nd comment is addressed separately on comment 36.
32		4.2f	T	Info sought is only prior to the scene being controlled	For completeness, perfection of control should not be assumed, and info sought should be any available information about access or interference with the scene after the presumed crime was committed, not just prior to it being controlled. Even with control there is risk of access or interference.		Reject with modification. The comment makes a circle reference. There is general agreement with the commentor that information about access or interference with the scene "after the presumed crime was committed". However, the time period "after a presumed crime was committed" and the time period "just prior to it being controlled" is the same time period. The time period just prior to control includes the time period after the presumed crime was committed. It's beleived that the commentor may have meant that its important to have infomration about access or interference with the scene after the presumed crime occurred, just prior to its control, and after its been controled. Basically, if someone ran into a "controlled" scene and poured gasoline onto evidence, we would need to have that information. Section was modified for clarifiation to read: "How long the scene has been controlled and any available information about access or interference with the scene"
10		4.2 i)	T	..executing scene examination	...executing scene investigation	Consistent language throughout document	Accept with modification. We agree with ensuring consistency. The word selected was "investigation". While reviewing the sentence, it was decided to reword the sentence at that time.
22		4.2 i	T	Information from the LEO pertinent to executing the scene examination	??	What does this mean?? That it was a black drug dealer who did the shooting?	Reject. No sugestion given. Comment phrased as a question. Section modified based on comment 10

11		4.3 a)	T	Ensuring the provision of designated personnel…	Change the wording of provision so that the sentence reads that security should be present for the CSIs safety	Provision means to supply or provide; the way it is written it almost sounds as if the scene investigator(s) are responsible for supplying or providing the scene security when I think it is meant to convey that scene security should be present, not that investigators need to provide or supply the security	Accept.
36		4.4.1	T	See note for 4.2e			Accept. Review modified to Verify
12		4.4.2	T	the scene investigator *shall* cause the process to being	Change shall to should or may	The current way it is written implies that the scene investigator is responsible and required to have someone start the log if it is not already started; however other language in 4.4.2 states twice that it is not the investigators responsibility to keep the log	Accept with modification. Section modified based on comment 17.
5	3	4.4.2	T	Upon arrival, if such documentation has not been started, the scene investigator shall cause the process to begin.	Removal of this text.	This responsibility falls under scene security. While it is somewhat up to the investigator to remain aware of their safety on scene, the integrity of the evidence is their priority. A crime scene log is ultimately the responsibility of a LEO.	Accept with modification. Section modified based on comment 17.
17		4.4.2	E	"The agency controlling the scene shall establish documentation of all personnel entering or exiting the scene including the time of their arrival and departure and their reason for entry."	"For major scenes, the agency controlling the scene shall establish documentation of all personnel entering or exiting the scene including the time of their arrival and departure and their reason for entry."	This standard completely appropriate for major scenes (homicide, sexual assault, aggravated assault). However, if there is a minor theft or vehicle burglary, it is typically not appropriate to require personnel to log entry and exit AND reason for entry. Dispatch will have entry and exit times, but if a single officer is investigating a theft from an unlocked vehicle, the current verbiage would require that the officer have a log listing him / herself, arrival time, deparature time, and reason for entry. This seems silly and an unnecessary increase in paperwork - and could threaten the presentation in court of minor scenes that do not include this documentation.	Accept with modification. Section modified for clarification and to separate out requirements.
23		4.4.2	T	The agency controlling the scene shall establish documentation of all personnel entering or exiting the scene i	If not already established by the agency controlling the scene, they shall be requested to establish documentation of all…	If this is for a scene investigator, do you get to tell others what to do?	Accept with modification. Section modified based on comment 17.
25		4.4.2	T	The scene investigator (tech, photographer, etc) is not responsible for logging entry/exit and therefore can not "cause the process to begin", the most a scene responder can do is suggest it be done	remove "Upon arrival, if such documentation has not been started, the scene investigator shall cause the process to begin." OR change "shall cause the process to begin" to "shall recommend the process to begin" since that is all we are capable of doing.		Accept with modification. Section modified based on comment 17.
33		4.4.5	T	Assumes that biohazards or "other hazardous materials" should be discarded	How should investigators handle a scene where we need to test materials to determine whether they are hazardous, whether they are contraband, and/or where such materials are themselves potential evidence?		Accept with modification. It isnt believed that an investigator would through out evidentiary biohazards due after reading this section. However, the section was revistied and reworded. As part of the restructuring, we did add language to make sure everyone understands what types of waste would be discarded.
18		4.5	E	"The scene investigator(s) shall conduct themselves with the expectation that their work may be used in every step of the legal process, and therefore shall ensure that they comply with applicable legal standards including those of search and seizure."	"The scene investigator(s) shall conduct themselves with the expectation that their work may be used in every step of the legal process, and therefore shall ensure that they comply with department policies regarding processing scenes where warrants may be required."	My job is not to be a legal expert. I receive legal briefings about search and seizure, but the current wording would require I review the support for the warrant prior to processing the scene. If there is a warrant, it is not my job to evaluate if it meets legal standards.	Reject with modification. The section was revised to match the "Leagal Consideration" section of the published ANSI/ASB Standard 159. "including those of search and seizure" was removed to conform to the previously approved language.
6	3	4.5	T	The scene investigator(s) shall conduct themselves with the expectation that their work may be used in every step of the legal process, and therefore shall ensure that they comply with applicable legal standards including those of search and seizure.	Rephrasing of text	Legal standards is vague. Does this imply that the legality of the search/seizure of evidence should be determined by scene investigators? Where I work is built around good faith in the officers, who ultimately determine which items can be collected under legal standards after suggestions of what to collect/process are made.	Reject with modification. The section was revised to match the "Leagal Consideration" section of the published ANSI/ASB Standard 159. "including those of search and seizure" was removed to conform to the previously approved language.
42		4.5	T	additional text needed	4.5.1 The scene investigator conducting the search shall review any documents (e.g., search warrant or consent forms) to be used as guidance of the search parameters and limitations.Any errors or omissions (e.g., incorrect address or the exclusion of pertinent evidence) shall be documented. Any known errors or omissions shall be brought to the attention of the appropriate individual, and corrected prior to the commencement of the search.	I'm on a task group within OSAC's Crime Scene Sub working on a document intended to reach ASB. It's titled Standard for Scene Search. Within the proposed document, we have the statement which I copied into the proposed revision section here. I'm proposing to my OSAC task group that this paragraph is removed from the OSAC Search document since its scope is limited to the search phase of the investigation. The review of documents should have been handled before the search phase. I think the statement is important to have in a document however. I think this statement fits well in ASB 195, since the horse should be infront of the cart (the search phase comes after the initial response phase). The CSI should be concerned about the legality of their presence on scene before reaching the search phase. Prior to taking photographs, the CSI should have inquired about search warrants or consent. There is a short statement in 4.5 which could be expanded as 4.5.1	Comment submitted by, and withdrawn by Chair of Working Group
13		4.5	T	used in every step of the legal process, and therefore shall ensure they comply with applicable legal standards including those of search and seizure	Remove including those of search and seizure. End sentence at comply with applicable legal standards.	The statement makes it seem as if it is the investigators responsibility to interpret the search warrant or ensure there is a search warrant present. Would this not be the patrol/detective/person with knowledge of the law's responsibility. If the document intends to say that the investigator should comply with the warrant that was obtained the language should be more clear or no example should be given.	Reject with modification. The section was revised to match the "Leagal Consideration" section of the published ANSI/ASB Standard 159. "including those of search and seizure" was removed to conform to the previously approved language.
14		4.6.3	E	assessment. t.		second sentence to the end of 4.6.3	Accept

7	8	4.6.3	T	If, during the scene assessment phase, it becomes apparent that evidence could become contaminated, altered, or lost, immediate documentation and collection of the at-risk evidence shall occur prior to the completion of the scene assessment.t.	More specific definition of documentation needed.	Documentation may include photographs. If a scene is outdoors and it is best to move an item prior to placarding/photographing it due to environmental factors, this would go against this practice with "shall" verbage.	Accept with modification. Used "e.g." and added examples
26	9	4.6.3	E	If, during the scene assessment phase, it becomes apparent that evidence could become contaminated, altered, or lost, immediate documentation and collection of the at-risk evidence shall occur prior to the completion of the scene assessment.t.	If, during the scene assessment phase, it becomes apparent that evidence could become contaminated, altered, or lost, immediate documentation and collection of the at-risk evidence shall occur prior to the completion of the scene assessment.	Typo - extra t.	Accept
8	9	4.6.3	E	If, during the scene assessment phase, it becomes apparent that evidence could become contaminated, altered, or lost, immediate documentation and collection of the at-risk evidence shall occur prior to the completion of the scene assessment.t.	Rewrite "assessment.t." without extra "t.".	Extra t at end of word.	Accept
39		4.6.3	E	there is a stray "t." in the penultimate line	delete "t."		Accept
37		4.6.3 and 4.8	T	The point that the investigator should be "reassessing" the plan is buried in these two paragraphs. There should be a more visible place -- it's own section or, at a minimum, the first sentence in a section -- that the investigator should be continuously updating, or reassessing (or that it's "cyclical"?)			Reject with modification. The comment is conflicting because it was stated that the information about reassessing the plan is "buried" and should be "placed into its own section, or the 1st sentence of a section." However, this is infact in its own section (4.8), found in the 2nd sentence of a 2 sentence section.However, after it was discussed, it was decided that it could be stressed more. Therefore, the sentence in 4.6.3 now reads "continuously reassessed".
24		4.7	T	Scene documentation may take the form of notes, reports, photographs, video, sketches, and diagrams, but is not limited to these modalities.	Scene documentation may take the form of written or dictated notes, photographs, video, sketches, and diagrams, but is not limited to these modalities.	just notes is OK, not reqruiring at least some photos/videos? What's the difference between a report on scene and notes? I think notes lead to production of a report	Reject. The commentor's justification for suggestion was a series of questions. The suggestion to add "written or dictated" to clarify "notes" is unnecessary as both additions are still notes.

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1		4.3 a)	Ballot Comment	4.3 a) ...provisioning of safety measures had not been provided	Change had to have		Accept