

# Incident Investigation: Evidence Collection Guidelines

Department: Risk Management and Response

Program: Incident Investigation

Owner: Program Manager

Authority: ES&H Manual, Chapter 28, Incident Investigation<sup>1</sup>

## ***Introduction***

Collecting and preserving evidence and documenting the particulars of an incident is essential for meeting a range of reporting requirements and gathering evidence that may be used in legal proceedings.

Evidence should be collected as soon as is reasonably possible and be preserved, documented, and/or tracked by

- Ensuring that the scene of the incident is secured and preserved
- Collecting physical evidence and observing a strict chain of custody protocol
- Conducting interviews
- Collecting any other documentation relevant to the incident

## ***Preserving the Scene***

SLAC Site Security and other qualified responders and subject matter experts are responsible for securing the scene of an incident if one or more persons require medical treatment beyond first aid or significant damage to the environment or property has occurred.

Securing and isolating the scene of an incident protects people from any remaining hazards, prevents the scene from being disturbed or altered, and prevents items from being removed from or relocated within the incident scene so that an accurate reconstruction of events is possible. A scene is generally secured by such means as

- Cordoning the area off with rope, tape, or barricades
- Locking doors and gates
- Posting warning signs
- Using a log to document who can enter the area and their justification for entry
- Posting guards to control and limit access

## ***Collecting Evidence***

### **Physical Evidence**

The following steps provide guidance for collecting physical evidence. To document the transfer of any evidence to another location or person, use the Incident Investigation: Chain of Custody Form.<sup>2</sup>

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1 *SLAC Environment, Safety, and Health Manual* (SLAC-I-720-0A29Z-001), Chapter 28, "Incident Investigation", <http://www-group.slac.stanford.edu/esh/general/incident/policies.htm>

## Incident Investigation: Evidence Collection Guidelines

The investigator / competent person should

1. Cordon off or otherwise secure the scene of the incident if it has not been secured to prevent unauthorized personnel from entering.
2. Prevent personnel from disturbing or removing evidence before it is inventoried, photographed, sampled, or otherwise documented; evidence may be moved only to facilitate rescue, provide immediate medical attention, or to mitigate other hazards.
3. If professional responders were dispatched, debrief responders to obtain any evidence and witness statements they may have already gathered.
4. Begin a more in-depth search for less obvious evidence. Examples include:
  - Blood on sharp edges
  - Oil leaking from machinery
  - Equipment that may be defective
  - Vehicle position footprints around the scene
5. Collect anything that may be useful as evidence; items are easily discarded if not needed, but it may be impossible to recover an item that was not initially preserved.
6. Identify each item and note where it was located prior to collection
7. Secure all evidence by locking it in a safe location and using a strict chain of custody protocol.
8. Document evidence by
  - Providing a written description
  - Photographing or videotaping
  - Sketching the scene

### Interviews

The investigator or competent person should begin interviewing involved parties and witnesses as soon as possible after the event to collect facts, construct a timeline, and clarify critical elements. For guidance, see Incident Investigation: Interview Guidelines.<sup>3</sup>

If any witnesses are injured or in distress, be sympathetic and do not cause additional distress to find out what happened. Instead, diplomatically collect names and contact information and conduct an interview as soon as reasonably possible.

### Documentation

The investigator or competent person should collect all relevant documentary evidence, including, as applicable:

- Any work planning and control documentation such as job hazard analysis and mitigation forms (JHAMS), job safety analysis (JSA), or equivalent

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2 Incident Investigation: Chain of Custody Form (SLAC-I-730-0A21J-013), <http://www-group.slac.stanford.edu/esh/eshmanual/references/incidentsFormCustody.pdf>

3 Incident Investigation: Interview Guidelines (SLAC-I-730-0A21T-004), <http://www-group.slac.stanford.edu/esh/eshmanual/references/incidentsGuideInterview.pdf>

## Incident Investigation: Evidence Collection Guidelines

- Area hazard analysis (AHAs)
- SLAC training assessments (STAs)
- Standard operating procedures (SOPs)
- Maps and drawings
- Inspection records
- Work plans (elevated work surface, hoisting and rigging, electrical, etc.)
- Permits (excavation, confined space, hot work, etc.)
- Tailgate and coordination meeting minutes