



Designation: E 860 – 97 (Reapproved 2006)

Standard Practice for Examining And Preparing Items That Are Or May Become Involved In Criminal or Civil Litigation¹

This standard is issued under the fixed designation E 860; the number immediately following the designation indicates the year of original adoption or, in the case of revision, the year of last revision. A number in parentheses indicates the year of last reapproval. A superscript epsilon (ϵ) indicates an editorial change since the last revision or reapproval.

1. Scope

1.1 This practice sets forth guidelines for handling of items that may have been involved in a specific incident that is or is reasonably expected to be the subject of criminal or civil litigation.

1.2 The approach outlined is recommended as good professional practice even though the facts and issues of each situation require specific consideration, and may involve matters not expressly dealt with herein. Not every portion of this document may be applicable to every incident or investigation. It is up to the individual preparing the report to apply the appropriate recommended procedures in this guide to a particular incident or investigation. In addition, it is recognized that time and resource limitations or existing policies may limit the degree to which recommendations in this document will be applied in a given investigation. The responsibility of the individual preparing the report (or anyone who handles or examines evidence) for evidence preservation, and the scope of that responsibility varies based on such factors as the jurisdiction, the status of the individual as a public official or private sector investigator, indications of criminal conduct, and applicable laws and regulations.

1.2.1 If compliance with this standard is claimed, the justifications for any such deviations from this standard must be documented.

1.3 *This standard does not purport to address all of the safety concerns, if any, associated with its use. It is the responsibility of the user of this standard to establish appropriate safety and health practices and determine the applicability of regulatory limitations prior to use.*

2. Referenced Documents

2.1 *ASTM Standards:*²

E 1188 Practice for Collection and Preservation of Information and Physical Items by a Technical Investigator

E 1459 Guide for Physical Evidence Labeling and Related Documentation

E 1492 Practice for Receiving, Documenting, Storing, and Retrieving Evidence in a Forensic Science Laboratory

2.2 *Other Documents:*

NFPA 921 Guide for Fire and Explosion Investigations

3. Significance and Use

3.1 This practice sets forth the guidelines for the examination and testing of evidence that is, or may become involved in litigation. It outlines procedures to be followed to document the nature, state, or condition of evidence. It also describes specific actions that are required if planned testing, examination, re-examination, disassembly, or other action is likely to alter the nature, state, or condition of the evidence so as to preclude or adversely limit additional examination and testing.

4. Procedure

4.1 The person, firm, or corporation conducting examinations or tests of the evidence must document the nature, state, and condition of the evidence by descriptive, photographic, or other suitable methods prior to any test examination, re-examination, disassembly, or alteration. An attempt should be made to determine and document change(s), alteration(s) or contamination of the evidence subsequent to the incident.

4.2 If proposed tests, examinations, or other actions are likely to alter the nature, state, or condition of the evidence so as to preclude or limit additional examination and testing, the person, firm, or corporation planning to perform the proposed action shall:

¹ This practice is under the jurisdiction of Committee E30 on Forensic Sciences and is the direct responsibility of Subcommittee E30.05 on Forensic Engineering Sciences.

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² For referenced ASTM standards, visit the ASTM website, www.astm.org, or contact ASTM Customer Service at service@astm.org. For Annual Book of ASTM Standards volume information, refer to the standard's Document Summary page on the ASTM website.