Forensic Principles in Clinical Practice
Can Nurses Make a Difference?

Forensics
- Pertaining to the law
- Forensic nursing is a formal nursing subspecialty (ANA 1996)
- Any case that potentially involves criminal or civil liability
- Forensic nurses apply nursing science to public or legal proceedings combining the forensic aspects of health care with the scientific investigation and treatment of victims and perpetrators

Locard’s Principle
- When a person or object comes into contact with another person or object, there exists a possibility that an exchange of material will take place.

Forensics is involved
- Domestic & sexual violence
- Child and elder abuse & neglect
- Physical/psychological abuse
- Drug & alcohol abuse
- Occult
- Environmental hazards
- Trauma
- Occupational injuries
- Epidemiological/public health issues
- Tissue & organ donation
- Accidents, homicide and suicide
- Food & drug tampering
- Death investigation
- Illegal abortion practices
- Supervised care injuries
- Firearms/weapons involvement

The Medical Record
- IS EVIDENCE

Medical Record
- Written versus electronic
- Safety issues
Document
- Completely, accurately and legibly
- Patient statements in quotes
- Treatment, response and final disposition
- Any contamination of clothing/specimens
- Using body diagrams and photographs/video
- Consents obtained/orders indicating necessity

Body Maps/Diagrams
- Descriptions must include size, shape, color, location and characteristic of mark
- Note the presence of any foreign material on or around
- Use quotations when verbal statements are made by the patient

Photographs as Evidence
- Scene photographs are taken by LE and become part of their evidence
- Medical/Forensic photographs should be taken by medical personnel, and become a permanent part of that patient's medical record
- LE may obtain a subpoena or an authorization from the patient to obtain these photographs for trial

Photographs/Video
- Require consent
- Patient name
- Patient DOB
- Patient MR Number
- Date and time photo taken
- Name of photographer
- Written description of injury
- Body map to accompany
- Standard (ABFO#2)- preferably with and without

Injury Documentation
- Be clear
Injury Documentation

- Do a description of wound characteristics
  - AVOID:
    - Appears to be hand slap
    - Appears to be bite mark
Injury Documentation

- **Location** *(structure)*
  - (genital; use of clock face)
- Measurement in centimeters
  - *(unit most commonly used by h/c)*
- Complete Description of Finding
  - *(i.e. color, healing stage)*

Medical/Forensic Evidence

- May include:
  - Hair
  - Blood
  - Debris
  - Clothing
  - Photographs
  - Other body fluids
  - From the victim or suspect

- Goes beyond identifying the perpetrator through DNA
- Corroborates or refutes the story given by the victim and/or the suspect
- May indicate the use of force

Physical Evidence

- Evidence Kits— in acute cases (within 5 days), no matter the age of the patient
- Suspect Kits— (within 72 hours)
- Evidence on Clothing
  - Clothing-related evidence
  - Firearms evidence
  - Other physical and trace evidence— glass, soil, hair, fiber
  - Arson evidence

Rules of Evidence Collection

<table>
<thead>
<tr>
<th>Use powder-free gloves &amp; change them frequently</th>
<th>Individually package each item, seal and label</th>
<th>Dry all evidence obtained prior to packaging</th>
<th>Never use plastic bags to collect evidence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handle foreign bodies as little as possible</td>
<td>Remove foreign bodies using gloves or rubber-tipped forceps</td>
<td>Do not mark on specimens</td>
<td>Seal and label all specimen containers</td>
</tr>
<tr>
<td>Bag patient hand if possible trace evidence and delay in collection</td>
<td>Collect each piece of clothing individually</td>
<td>Collect sheet patient was lying on during treatment (OR, ED, OR)</td>
<td>If you must cut clothing do it along seams or away from sites of injury</td>
</tr>
<tr>
<td>If clothing evidence cannot be properly dried, package as usual and put paper bag in plastic bag</td>
<td>Freeze all urine drug specimens not immediately sent to crime lab</td>
<td>Do not reach any part of the patient’s body**</td>
<td>If patient is pronounced dead, leave all clothing on body, leave in place all treatments at the time of death</td>
</tr>
</tbody>
</table>

DEATH

- Victims of crime who have died as a result should be in a room with **limited access**
- **Anyone** visiting should be identified and documented, through the nurse or the law enforcement official covering
- Body viewing should be avoided
- All items should remain with the body and go to the ME’s office

Chain of Custody

- The link formed between each person who handles a piece of evidence
- Written documentation of evidence transfer
- Paper trail that records where the evidence was, on what date, and who held responsibility for it...from the time of collection until presentation in court
Chain of Custody

Goal: To get you to think about it...