

Basic Do's Don'ts for Seizing Evidence

- ✚ If the computer is "OFF" do not turn it "ON" immediately follow the right instructions
- ✚ If the computer is "ON", photograph, record, note the screen contents of the screen prior to proceeding further
- ✚ Do not "Shut Down" the computer-Pull the power chord out directly
- ✚ Keep persons away from the computer system, specially the suspect
- ✚ For seizing a laptop, remove its battery and power chord (if any)
- ✚ Before removing the system from the premises, if required, make a freehand sketch of all the connections and label the different components/peripherals
- ✚ Treat all components as "fragile" when transporting
- ✚ Do keep the magnetic storage media such as Floppies/HDDs in Anti-static boxes or envelopes.

Basic Do's Don'ts for Seizing Evidence

- ✚ Do not keep the magnetic storage media in the vicinity of magnetic field- such as audio-speakers, TV sets etc.
- ✚ Do sign the seizure memo and get it signed by suspect and independent witness(es)
- ✚ Prevent optical storage media from any scratches/abrasions

Procurement of specimens of Hand writings

Do's

- Do obtain the writings through dictation.
- Do procure the repeatedly written texts of the entire contents of the disputed text(s).
- Do see and ensure to have all the similar letters and combinations as occurring in the disputed text.
- Do attempt at recreating all the possible circumstances in which the disputed document would have been prepared, viz. similar sized papers/blank forms, similar writing instrument, writing surface etc.,
- Do try to get the writings and signatures written speedily and carelessly, as far as possible.
- Do get the authentication of the writings, through signatures of the writer as well as witnesses.

Don't's

- Do not hand over or show the disputed document to the suspect for giving the sample writings.
- Do not allow long times, over-writings, score-offs etc.,

General Guidelines

No two investigations are exactly alike and therefore, no set of instructions/guidelines can be laid down to suit all investigations. No hard and fast rule can be applied to conduct of an investigation to include the collection of known writings.

To this ticker-tape world of documents-handwritten and typewritten, important and inconsequential, genuine and spurious, we have arrived in a relatively short span due to their spreading use in almost all walks of life. Spurious documents are produced for perpetrating crimes of cheating, fraud, misappropriation or criminal misconduct, embezzlement, extortion, forgery as also for defamatory, seditious or anonymous communication. Documents are mute witnesses and many a times they become vital links in a chain of evidence in serious crimes like kidnapping, arson, murder etc.

CARE TO BE TAKEN:

At the earliest stage of investigation when the document comes under suspicion and is taken charge by the Investigation Officers, keeping in a transparent plastic envelope should protect it so that its evidentiary value is not impaired in the slightest degree. The investigator should take scrupulous care of the document because improper and careless handling of a questioned document can lead to serious curtailment of certain technical examinations.

Don'ts:

- i. Documents should not be subjected to frequent and careless handling.
- ii. All parts of the document are of potential importance, therefore, it should not be cut, torn or trimmed or in any manner mutilated in the slightest degree.
- iii. Documents should not be exposed to moisture of any kind or to strong sunlight.
- iv. Documents should not be folded or unfolded unnecessarily and new folds should never be introduced.

- v. Documents should not be touched with an eraser of any kind or rubbed with fingertips nor should any labels be applied with gum or adhesive.
- vi. Documents should not be punched or pinned together. Paper clips should be used if necessary.
- vii. No additions, such as underlining of features thought to be significant, should ever be made in the documents.

PRELIMINARY SCRUTINY:

The investigating officer should thoroughly scrutinize both the front and reverse of the document, from top to bottom, bottom to top, left to right, right to left to assess the physical condition of the document and he should then carefully study all writing, typewriting, printing and seal impressions in the document.

STANDARD MATERIALS FOR COMPARISON:

QUALITY AND QUANTITY

The quality of the standard writings submitted for comparison has a great influence on the result of examination; without suitable standards the Examiner is unable to express and certify any worthwhile opinion as to the authorship of a questioned writing. As to what constitutes the most satisfactory standard, the answer is very simple. In every case the aim should be to provide an opportunity for examiner to compare "LIKE WITH LIKE".

As regards the quantity of standard writing to be submitted it must be borne in mind that while no document examination has ever been prejudiced by too much standard materials the reverse has often been the case. The majority of the failure on the part of the examiner to furnish definite opinion is due to the standard being either too scanty or unsuitable for the purpose. Therefore, sufficient standard materials in quantity and suitable in quality should be placed at his disposal.

There are two categories of the standard materials:-

- (a) The specimen writings obtained with reference to the questioned writings, especially for the purpose of comparison, and
- (b) The contemporaneous writings, which are also referred to as “Natural writings”, “Admitted writings” or “Existing writings”.

PROCEDURE FOR OBTAINING SPECIMEN OF WRITING:

If the suspect is willing to give specimens of his handwriting the following procedure should be adopted after carefully planning and keeping handy all the materials that will be needed for obtaining the specimen:-

- (a) Before the suspect is asked to write it is essential to ensure that he is quite comfortable in posture and has everything to his satisfaction.
- (b) The suspect should be supplied paper similar in size and general quality to that of the questioned document.
- (c) The suspect should be provided with writing instrument similar to that used for writing the questioned document.
- (d) The style in which the suspect is to furnish his specimens of writings is to be made clear to him.
- (e) When the first dictation has been completed, the specimen writing should be persuaded to give a second specimen.
- (f) The procedure outlined in sub-para (a) and (e) above should be repeated with different pens and if possible on two different dates.
- (g) The time taken to write each sheet of the specimen writing, the age of the writer, use of unaccustomed hand and any abnormal physical condition like extreme illness, infirmity or injury to his hand should be endorsed by the I.O. who should sign each in token thereof.

TYPEWRITTEN MATERIAL AND MECHANICAL IMPRESSIONS:

As outlined in the case of handwriting, standard materials for comparison with questioned typewriting also fall in two categories. The first comprises specimen of typewriting obtained with reference to the questioned typewriting in the case and the second category includes

contemporaneous typewriting typed on the suspected machine in ordinary course of business. The second category of standards become indispensable in cases where there is wide interval between the preparation of the specimens and the production of the questioned documents on the suspected typewriter.

PROCEDURE FOR PREPARING SPECIMENS OF TYPEWRITING:

The guidelines for preparing specimens of typewriting are listed below:

- (a) The best specimen of typewriting is a copy of the entire text of the questioned typewriting prepared on similar paper.
- (b) Three copies of the questioned typewriting using carbon paper if the questioned writing is a carbon copy should be made with a light, medium and heavy touch respectively.
- (c) While preparing the specimens of typewriting a backing sheet should normally be used.
- (d) Specimens from lightly inked ribbon are suitable for discerning the outlines of the impressions and hence as rule specimens should be obtained from lightly inked ribbon.
- (e) In some cases the suspected typewriter might have remained unused for a long period and as such either the type may be found to be clogged or the ribbons may be found to be in very bad condition.
- (f) The name of the typist, date, number and make of the machine, the fact of cleaning or changing the ribbon or typing without a backing sheet should be incorporated in the endorsement to be given by the I. O. on such sheet.

GUIDELINES FOR MARKING DOCUMENTS:

The documents, which are required to be subjected to scientific examination, should be clearly specified and marked before they are sent to the laboratory.

(a) QUESTIONED WRITINGS:

The questioned writings should be carefully enclosed with a coloured pencil with out touching or crossing any part of the writings or signatures. Identifying marks such as Q1, Q2, Q3 etc. should be put for each of the enclosed questioned item. In case a questioned item consists of body writing followed by signatures, which is alleged to be of one person, it is advisable that separate identifying marks be put for the body writing and the signature.

(b) SPECIMEN WRITINGS:

The specimen writings supplied for comparison should also be similarly enclosed with a coloured pencil and identifying marks as S1, S2, S3, etc. be put. It will facilitate the reference if specimen writings pertaining to one person are allotted identifying marks in seriate i. e. S1 to S20 for one writer; S21 to S40 for another writer.

(c) ADMITTED WRITINGS:

The admitted genuine writings supplied for comparison should also be similarly enclosed with a coloured pencil and identifying marks such as A1, A2, A3 etc. be put in seriate as outlines for specimen writing above.

PROCEDURE FOR FORWARDING THE DOCUMENTS FOR EXAMN.

Documents intended for laboratory examination should be sent either through special messenger after properly packing and sealing them in cloth bound covers or in packages of convenient size capable of withstanding rough handling during transit.