

# Rhino Crime Scene Management



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## RHINO CRIME SCENE MANAGEMENT

### 1.1 Introduction

Rhino poaching is no longer only prevalent in provincial or national parks, but is taking place anywhere rhinos are found. Any person in the field could discover a crime scene involving rhino (or other wildlife) in the field at any time, and all field personnel should be familiar with a few basic rules about what to do in such an eventuality. In the interest of justice it is imperative that rhino owners give basic training to all personnel on the property to ensure that crime scenes involving rhino (or other wildlife) are handled in accordance with Standard Operating Procedures (SOPs). This will help the investigating authorities to maximise their ability to get the perpetrators of the crime to court and prosecuted successfully.

#### **What the SOPs are intended to achieve:**

The following actions are generic to every suspected rhino crime scene. The implementation of these actions will:

- provide for the best possible protection of the crime scene (and thus more likely detection of possible clues for investigators); and
- enable the provision of all the necessary initial information required by the officials who will attend to the scene in detail.

#### **What the SOP is not:**

The list of actions is not intended to be exhaustive or to turn the person carrying out these actions into an instant crime scene expert. However, a suspected crime scene should be approached in a systematic way, whether by a novice or an expert, so as not to destroy evidence and preserve its integrity.

#### **Why the crime scene needs to be approached with care:**

The basic purpose of crime scene investigation is to collect evidence to prove the participation of an accused in a crime. The collection of such evidence involves a systematic search for and appropriate identification of information, objects or people as:

- clues;
- exhibits; or
- witnesses or suspects associated with the crime.

Clues or evidence which is damaged or destroyed can never be replaced. A court can only base its findings on proof beyond a reasonable doubt, and cannot reconstruct a true picture of events as they occurred from defective evidence. It is therefore essential for the first person who arrives at the scene of the crime to secure the area to prevent the loss of clues or exhibits.

## 1.2 How to preserve a suspected crime scene

The following principles should at all times be adhered to when a possible crime scene has been detected no matter how old it seems to be:

- The person who arrives at the scene must take control through orderly, objective and rational conduct.
- All unauthorised persons/inquisitive onlookers/bystanders/family members must be kept away from the scene. They can destroy valuable evidence and prevent successful prosecution of the criminal.
- The area should be secured and nothing should be handled, moved or removed until the appropriate official has arrived at the scene to begin the investigation.
- The scene should be preserved in its original state for further investigation thereof.

In essence this means that the person is trying to establish:

- if the animal died of unnatural causes; and/or
- if the horns have been taken.

The answer to these two questions will indicate if a crime has been committed and what further drills to implement.

## 1.3 How to approach a rhino carcass

- A maximum of two people should approach the scene in single file.
- Tread carefully so as not to destroy possible evidence.
- Approach the scene only as close as is necessary to determine the situation.
- Try and establish whether the rhino was shot and if the horns remain on the carcass.
- Mark your approach route and leave by the same route.
- Do not touch anything which you may find at or near the scene.
- Leave two persons to guard the scene from a distance,
- Contact your supervisor as soon as possible and get further instructions from him.
- On instruction from the supervisor, the person or patrol who Hands the crime scene can walk in a circle, at a distance of at least 50 m around the crime scene in order to establish the approach and departure routes of the perpetrators.

Exhibits found along the way should not be touched

- The perpetrators' point of entry and exit to the property and their approach and departure routes are considered part of the crime scene and clear footprints of the perpetrators should be covered with suitable "spooof boxes" or similar items which can cover and protect them from being destroyed by people or the weather:
- Be sure not to step onto any visible footprints.
- Make notes on all observations immediately and take photos of the scene from a distance only.
- Do not begin your own inspection of the scene.

Observations to include in the initial report to the supervisor

- Are there still perpetrators at the scene?
- Has an animal been killed?
- Have the horns been removed?
- How old is the carcass?
- In which direction did the perpetrators leave the scene?
- Where is the crime scene?
- When did you find the scene?

#### 1.4 What to do when a crime is in progress

If the patrol happens to stumble upon a crime in progress, it is very important to pause for long enough to make accurate observations about the activities of the individuals at the scene. These observations may only take seconds, but will be of critical importance should an arrest be made, Keep your safety and that of your patrol in mind at all times while you make observations and in making your decision as to what to do next.

Every attempt should then be made to arrest the perpetrators with minimum force at the scene, or give chase should they flee the scene. If there is any danger for the patrol, especially if the perpetrators are armed and the patrol is unarmed and not trained, patrol members should not attempt to affect an arrest but should rather retract from the scene and notify the supervisor of the situation so that he can get the SAPS and the conservation authority to assist in follow-up and arrest.

Should an exhibit be noticed along the way in the pursuit of the perpetrators and this item cannot be guarded or reasonably safely left to be collected later; for example a firearm, then the position must be marked, the firearm made safe and removed by one of the patrol members. This will result in a reduction of the evidential value of the item, The best practice is not to touch anything at the scene, not even a firearm.

#### 1.5 What to do when a staff member has shot a suspect

In the event that a staff member has shot a suspect, the following steps should be followed immediately:

- The SAPS should immediately be notified of the incident and called to the scene as soon as possible.
- The scene should not be tampered with in any way. This provides vital evidence of the events and may be crucial to the staff member's defence.
- In the event of a staff member being arrested, the farm owner or manager should accompany the staff member to the police station and arrange for release on bail or warning.
- Seek legal advice immediately.
- Provide spiritual and/or psychological support to the person who shot the poacher to alleviate trauma.

It is essential that your legal representative be advised of the incident immediately in order to:

- Assist with making a statement to the SAPS.
- Notify insurers in anticipation of a possible claim.
- Arrange for representation for the staff member at a formal ball hearing or formal inquest should this be necessary.

If injuries have been sustained in a possible fire-fight for example, first aid should be given to the injured persons on site and assistance called as soon as possible. In the case of serious injury where the person has to be moved from where he was injured, mark the place by drawing around the person with a stick on the ground.

#### 1.6 What to do if an arrest is made at or near the scene

- In the event of an arrest being made, remove the alleged perpetrator from the scene immediately,
- leaving two people behind to guard the scene.
- If the person is arrested away from the scene, do not bring him back to the scene.
- If more than one person is arrested, keep them apart from each other and do not allow communication between them.
- It is also important that the people guarding the arrested perpetrators do not discuss the crime scene with or near, any of the arrested persons.
- Call law enforcement officials as soon as possible.

#### 1.7 Official investigation at the crime scene

This can only be done by a police official or an Environmental Management Inspector (EMI) and in accordance with standard operating procedures as set out by the authorities. It is critically important that landowners, managers and or any employees on the property where the crime was committed do not attempt to do their own investigations on the crime scene other than the preliminary observations described above. Investigating a crime scene is about collecting all the available evidence in such a manner that the integrity of the exhibit is not compromised so that it can be presented to a court of law with the aim of convicting suspects linked to the crime scene. Any contamination of evidence can result in an unsuccessful outcome in subsequent criminal proceedings.

Any tampering with the evidence for whatever reason can be construed as obstruction of justice and can lead to criminal prosecution of the person found tampering.

It is in the interest of the landowner that this process is adhered to in the strictest manner. Uncontaminated evidence can lead to the successful conviction of the perpetrators and might also afford the landowner an opportunity to take civil action against those who were convicted to recover the cost of his losses.