

CHAPTER 3
CRIME SCENE INVESTIGATION AND MANAGEMENT

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CHAPTER 3

CRIME SCENE INVESTIGATION AND MANAGEMENT

1. PURPOSE. The purpose of this chapter is to provide general principles and a framework for conducting an investigation and management of a crime scene. The implementation of the following principles occurs after a scene is declared safe for the purpose of conducting an investigation into an incident.

2. OBJECTIVES OF INVESTIGATIONS/INVESTIGATORS. An investigation is a step-by-step inquiry into the circumstances of an incident to establish facts.
 - a. Objectives of Investigations. The objectives of law enforcement investigations are to:
 - (1) Determine if a crime has been committed, and if so, what crime.
 - (2) Identify and secure evidence of a crime.
 - (3) Identify, locate, and apprehend the offender.

 - b. Objectives of the Investigators. The objectives of the investigators are to:
 - (1) Gather and preserve all **relevant** evidence for successful prosecution of guilty parties and/or exoneration of innocent parties.
 - (2) Operate within established procedures and follow a system of rules for every case to ensure a thorough investigation and effective prosecution.
 - (3) Use a scientific and logical system for the gathering and preservation of physical evidence.

3. ESTABLISH A LIST OF RESOURCES.
 - a. Local Level. Commands should establish a roster of local departmental personnel with specialized skills. For example:
 - (1) Traffic accident reconstruction.
 - (2) Photography (still or video).
 - (3) Lifting latent fingerprints.

- (4) Drafting.
- (5) Surveying.
- (6) Interrogation/interviewing.
- (7) Vehicle mechanical inspection.
- (8) Writing search warrants.

b. Division and Allied Agency. Commands should establish a list of resources available from Division and allied agencies. All supervisors and officers-in-charge should be familiar with, and have access to, the list. Examples are:

- (1) Crime lab personnel for evidence collection.
- (2) Canine units for searches.
- (3) Federal Bureau of Investigation for specialized analysis of evidence.
- (4) California Department of Justice for evidence analysis.
- (5) Bureau of Alcohol, Tobacco, Firearms and Explosives for firearm analysis.
- (6) Hazardous Materials Response.
- (7) Investigative Services Unit.
- (8) Multidisciplinary Accident Investigation Team (MAIT).
- (9) Specialized Task Forces.

4. INITIAL PHASE OF AN INVESTIGATION. The following are immediate responsibilities that should be considered:

a. Preservation of Life.

- (1) Render or obtain medical aid as needed.
- (2) Provide necessary protection for all persons at/or responding to the scene.

b. Evaluate the Situation. Determine if a crime has been committed. If so, what specific crime? Record first observations such as location of victims, suspects, and witnesses; number of persons at the scene; time of day; lighting and weather conditions; general location of evidence; and any handling of evidence. A

chronological account of actions taken should be initiated and statements obtained. If the investigation is to be handled by another officer or agency, this information should be provided to the primary investigator.

c. Crime Broadcast. If necessary, initiate a crime broadcast giving the suspect's description, vehicle description (if used), and direction of flight. Speed in broadcasting the data is essential. Consider the possible distance the suspect could have traveled. If not initially provided, a supplemental broadcast should include additional information such as a detailed description of the suspect, clothing, and vehicle. The following identifying data, if known, should also be broadcast expeditiously:

- (1) Type of crime.
- (2) Type of business, if applicable.
- (3) Location of occurrence.
- (4) Time of occurrence.
- (5) Number and description of suspects.
- (6) Whether the suspect(s) was on foot or in a vehicle.
- (7) Whether the suspect(s) is armed and dangerous.
- (8) Description of weapon(s) used.
- (9) Description of property taken.

5. SECURE THE SCENE.

a. Protect the Crime Scene. Probably the most important phase of the investigation of any criminal offense is the proper protection of the crime scene so that all evidence is preserved in its original state. This is generally the primary duty of the first officer to arrive. The crime scene includes the location at which an offense was committed, any area adjacent to the actual scene, any area over which the suspect or victim might have passed, and anywhere else evidence might be located.

- (1) Allow only authorized persons (e.g., investigators, coroner) to enter the crime scene. Maintain a log of persons who enter and leave the scene. Where possible, establish a single route of ingress and egress from the crime scene to be used by all personnel.

(2) The boundaries of the crime scene are difficult to define. An entire building may be identified as the crime scene, even if the crime occurred in an isolated corner. If outdoors or large interiors are involved, **the scene should initially be identified as twice the distance from the center of the scene to the farthest known piece of evidence.**

(3) When practical, scene securement tape should be used for establishing the actual crime scene boundaries.

(4) Witnesses. Identify, locate, and retain witnesses. Move these parties to a location outside of the crime scene. Determine who discovered the crime, who reported the crime, and witnesses who may have information. Hearsay information can be of assistance. Separate and interview witnesses and victims individually, so their statements reflect their own observations and are not influenced by others. If possible, prevent anyone from leaving the scene until you have determined they have no connection with the crime or are not a witness to the crime. No one should be permitted to leave the scene until they have been identified and interviewed.

b. Determine Investigative and Support Roles. Determine who will be the primary investigator and who will assist the investigator in documenting and processing the scene.

(1) If a departmental MAIT or Critical Incident Investigation Team is used, the team leader or lead person will normally assume functional responsibility for crime scene coordination and collection of evidence under the overall direction of the incident commander. Unless directed otherwise by a supervisor, the primary investigating officer will act as the custodian of evidence and assume security responsibilities.

6. LEGAL CONSIDERATIONS.

a. Search and Seizure Laws. Evidence collected in support of any case must be collected within the legal requirements set forth by applicable search and seizure laws. Evidence collected in violation of applicable laws are potentially subject to the exclusionary rule and risk not being admissible in the court process. If necessary, secure a warrant before collecting any further items of evidence from the scene. Beware of the "fruit of the poisonous tree." These are items collected in violation of applicable laws and are subject to being excluded from the court process. Additionally, any items collected as a result of an item collected in violation of applicable laws are also subject to being excluded.

b. Chain of Possession. An important legal requirement for upholding the integrity of physical evidence is to accurately maintain a chain of possession for the item. Physical evidence may go through analysis and testing which can alter an item with regard to its weight or appearance from its original condition when it was collected. The chain of possession is important in documenting who effected the change so they may testify in court how and why the item was altered. It is equally important to document those individuals that do not perform any testing or analysis of the item and simply transport or secure the item. Any time an item of evidence changes custody from one person to another it shall be documented on a chain of possession. The chain of possession is documented in the records management system and/or on a CHP 36, Property Receipt.

c. Arrest and Miranda. If a suspect is arrested, only the investigating officer should interrogate or advise of Miranda warnings. (Write down any voluntary statement made by the suspect before and after they have been advised of Miranda.)

EXCEPTION: Juveniles who are arrested must be advised of their rights regardless of questioning (Section 625 Welfare and Institutions Code).

d. Retention of Field Notes.

(1) Conditions. It is not necessary to retain field notes if all of the following conditions are met:

(a) They are incorporated into a formal report.

(b) The formal report accurately reflects the contents of the notes.

(c) The prosecutor turns over a copy of the formal report to the defense counsel before trial.

(d) Investigator's Discretion. Beyond the aforementioned conditions, the decision to retain field notes is at the discretion of the individual investigator after considering the severity of the incident and the potential value of the notes for trial.

e. Audio Recorded Interviews and Interrogations. Audio-recorded interviews and interrogations differ from handwritten field notes. Case law requires all recordings to be preserved for trial. If possible, have the recording transcribed and certify the transcription for accuracy.

f. Exculpatory Evidence. Exculpatory evidence is evidence in favor of the defendant, tending to establish a criminal defendant's innocence. In the event the investigator or Department locates, identifies, or becomes aware of previously

unknown or unrecognized exculpatory evidence, the evidence shall be processed according to policy in HPM 70.1, documented in a supplemental report, submitted to the current record management system, and be provided to the prosecuting authority. Areas shall consult with their local district or city attorney on the issue of exculpatory evidence. Areas shall ensure the command's Standard Operating Procedure addresses coordination with their local district or city attorney upon the discovery of any exculpatory evidence and develop a method to ensure delivery. It is the responsibility of the investigator to inform and provide all discovered exculpatory evidence through channels to the local district or city attorney's office.

7. CRIME SCENE SEARCH.

a. Definition and Purpose. A crime scene search is a planned and coordinated legal search of a crime scene to locate physical evidence, suspects, or witnesses to the crime under investigation.

(1) Because the scene of an offense can never be reproduced in its original state, the investigator should make a concerted effort to thoroughly document the scene and all of the evidence as accurately as possible. Successful disposition of criminal cases will often depend upon the thoroughness of the preliminary investigation, the quality of the information recorded, and the discovery and proper collection of physical evidence. The search of the crime scene is, in certain types of offenses, the most important part of the investigation.

(2) At most scenes, the criminal is in physical contact with the surroundings in a forceful manner. Traces may be left in the form of clothing, shoe impressions, fingerprints, blood stains, DNA, overturned furniture, disturbed articles, and tool marks. A search of the scene includes a search for objects of evidence, impressions, transfer particles, signs, or physical indications of what took place, or the manner in which it happened. It also includes items which may connect participants or suspects with the scene.

(3) The investigator must consider not only the effect of the criminal on the scene, but also the manner in which the scene may have imparted traces to the criminal. The investigator must visualize the way in which the perpetrator may have carried with them the available evidentiary material which may link them to the scene. Glass fragments, paint chips, soil, vegetation, and other traces may later be discovered on the clothing or effects of the suspect. Samples of the trace material should also be gathered at the time of the search in anticipation of finding trace evidence on a suspect.

(4) Offenses such as forgery, identity theft, computer crimes, and embezzlement may not have a "scene" in the sense of an area where traces

are usually found. There is no vigorous or exceptional physical activity during the commission of such crimes. There is no impact of the criminal on their surroundings. However, there are scenes where items from some of these offenses are found. Printing devices for manufacturing identification cards or credit cards, and digital evidence secured from computers and cloud services as a result of a search warrant are vital to the successful outcome of an investigation. Therefore, documenting the scene where the warrant is served is just as important as the scene of a violent crime.

8. PREPARATION FOR A CRIME SCENE SEARCH.

a. Initial Survey of a Scene. An initial survey should be performed and notes taken of observations and possible evidence to be collected. Note any evidence that may have already been removed and who removed it. It is crucial to the investigation that nothing be disturbed before the scene can be photographed and sketched in its condition as found. If items have already been removed prior to this point, do not attempt to replace the items; instead, document who removed the evidence and for what reason.

b. Environmental Concerns. Steps should be taken to preserve evidence which may be destroyed by weather such as rain or wind. If available, pop-up tents, cardboard boxes, and similar items should be used to protect evidence from being destroyed by inclement weather. Keep in mind to not destroy other evidence while deploying these protections.

c. Investigator's Role. The investigator responsible for the search or investigation should mentally reconstruct the crime based on:

(1) Information from witnesses, victims, suspects, and other investigators.

(2) Physical objects found at the scene.

(3) Based on the mental reconstruction, determine:

(a) Areas to search.

(b) Objects of the search.

1 Consider the legality of the search. Obtain a search warrant if necessary. If in doubt, call the appropriate prosecutor, supervisor, or Division Investigative Services Unit for guidance.

2 Initially, it may be difficult to determine the relevancy of evidence. All possible items of evidence should be collected. Items that appear

irrelevant or unimportant at the time of the search may prove to be important later in the investigation.

9. DETERMINE THE SEARCH METHOD.

a. Determine the Search Method. Considerations in determining the search method and degree of thoroughness:

- (1) Seriousness and type of crime committed.
- (2) The size and type of area to be covered.
- (3) Purpose of the search (i.e., to determine elements of the crime, method of operation, identity or location of the perpetrator, nature of evidence).
- (4) The personnel and equipment available.
- (5) Elapsed time since the commission of the crime.

b. Limit the Number of Searchers. The number of searchers should usually be limited to prevent the destruction of evidence and complication of future court proceedings.

c. Suggested Search Methods. Suggested search methods are detailed below:

(1) Strip Method. The area to be searched is blocked out in the form of a rectangle and lanes or strips marked. The lanes should be as narrow as possible, approximately arm's length on either side, so the searcher can adequately scan for evidence. The searchers proceed slowly at the same pace along paths parallel to one side of the rectangle. When a piece of evidence is found, the finder announces the discovery and all halt while the evidence is documented and collected. After the evidence has been documented, collected, and tagged, the search proceeds. At the end of the rectangle, the searchers turn and proceed back along new lanes (refer to Figure 3-1).

(a) Advantages. This method and the grid search method below are among the most effective for outside searches. It allows for complete and thorough searches of both large and small areas.

(b) Disadvantages. To conduct a proper search, this method requires multiple personnel to act in a coordinated effort, maintaining constant communication.

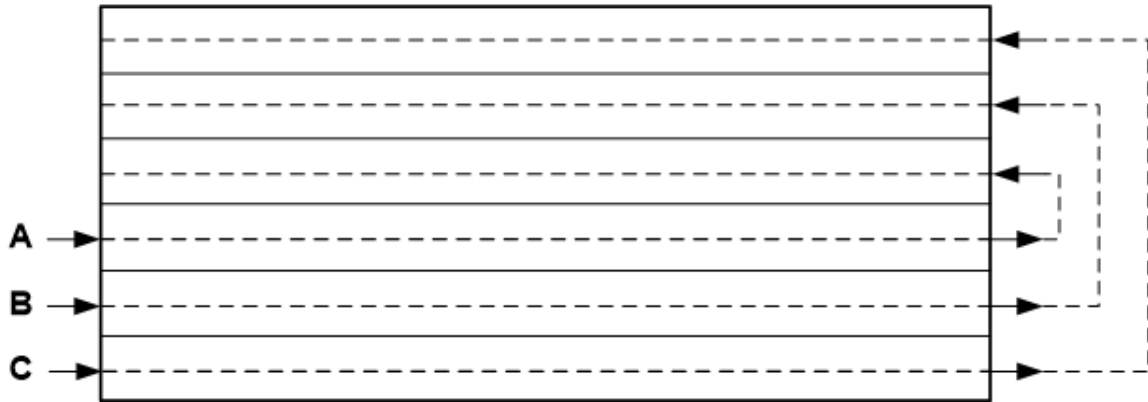


Figure 3-1. Example of strip method.

(2) Grid Method. The grid method is a modification of the strip method. Here, the rectangle is traversed parallel to the base and then parallel to a side (refer to Figure 3-2). Stakes and lines are useful in setting up lanes. Additionally, natural landmarks may be used as boundaries or land markers. Remember to start in one direction and continue through the scene lane by lane. The advantage over the strip method is the increased thoroughness of the search.

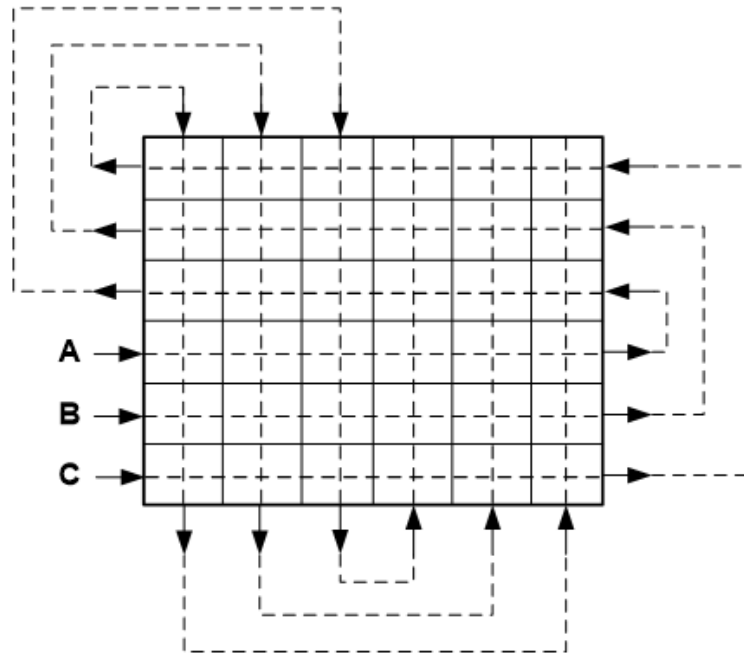


Figure 3-2. Example of grid method

(3) Zone Method. One searcher is assigned to each subdivision of a quadrant. Depending on the size of the area to be searched, it is divided into

quadrants or zones, and then each of those sectors is divided into additional quadrants or zones. This process continues until sectors that are small enough for an individual to search are created. Subdivide the scene into areas or sectors, such as dividing a building into rooms or a field into zones (refer to Figure 3-3).

(a) Advantages. This type of search is effective for indoor and outdoor scenes that have regular patterns or defined borders. The quadrant search also permits the use of different types of searches within each sector (e.g., strip search).

(b) Disadvantages. This type of search is difficult to conduct in an area which has irregular or poorly defined borders.

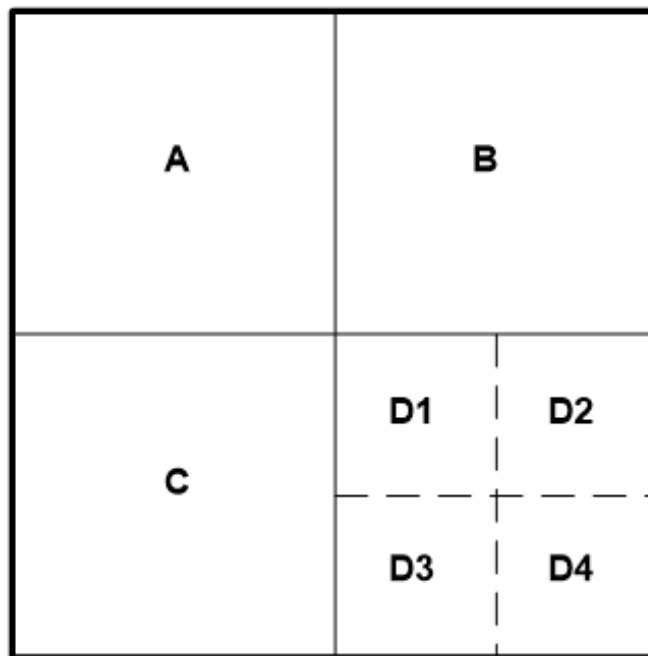


Figure 3-3. Example of zone method.

(4) Spiral Method. Searchers follow each other in the path of a spiral starting at the center of a scene and moving outward until reaching the perimeter of the scene (refer to Figure 3-4).

(a) Advantages. This type of search is useful when an item is missing and the search must be conducted rapidly (e.g., a crime scene where a gunshot was fired). This method is more effective in outdoor scenes.

(b) Disadvantages. It is difficult to maintain order with this type of search. Searchers may become disoriented in large areas.

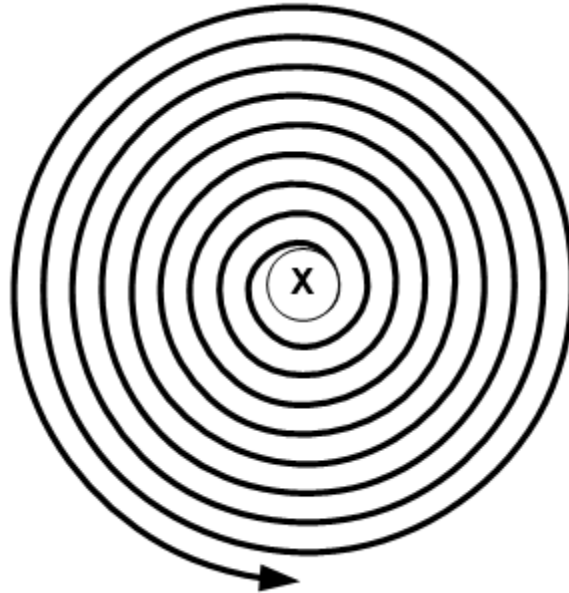


Figure 3-4. Example of spiral method.

(5) Aerial Method. This type of search employs the use of aircraft.

(a) Advantages. Allows for a fast search of large areas with varying terrain. Patterns not visible from ground level may be visible from the air. Aircraft with infrared capability can locate suspects, victims, and witnesses in the dark.

(b) Disadvantages. Can be restricted by daylight, weather conditions, and distance from the aircraft to the ground. Only large, obvious objects can be located.

10. CONDUCTING THE SEARCH.

a. Evaluate the Scene. First evaluate the scene and consider:

(1) Obvious signs and traces of activity.

- (2) The probable entry and exit points used by the participants or offenders.
 - (3) Items immediately apparent to have evidentiary value.
 - (4) The size and shape of the scene.
- b. Starting Point. Determine the starting point of the search.
- (1) Usually, the search will start at one end of the crime scene and progress toward the other end.
 - (2) The starting point may vary depending on priorities, terrain, etc.
- c. Assemble and Brief the Searchers. Assemble and brief the searchers in a location outside the area to be searched.
- (1) Provide information about the crime and the evidence sought.
 - (2) Discuss the speed of the search, potential or actual inclement weather which could damage evidence, or approaching darkness that may affect the speed of the search. A search for trace evidence may require a slower speed.
 - (3) Assign responsibilities. Where possible, the primary investigator should also be the person to collect the evidence. This will result in a shorter, less complicated chain of possession and will aid the investigation.
 - (4) Assign a person or persons, depending on the number of searchers, to be responsible for documenting the evidence. Record who found the evidence, where it was found, when it was found, and who transported it for storage. Locate the evidence on a sketch, photograph the item, and assign a number to the item.
 - (5) Designate an individual to sketch the scene and the location of the evidence.
 - (6) Designate an individual to photograph the evidence.
 - (7) A log shall be kept of all personnel who enter and leave the crime scene in major crime cases.
 - (8) All searchers should be reminded of the need for a careful and thorough search and coordinated movements, so evidence is not missed, disturbed, or destroyed.
- d. Crime Scene Search Debriefing. Following the search, a debriefing should be held with those involved to discuss what was discovered, allow suggestions for

further follow-up investigation, and determine if any areas need to be searched again to locate any previously overlooked evidence.

e. Final Survey of the Scene. Prior to releasing the scene, a survey should be completed to ensure that all items of evidence have been documented and collected and any equipment used in the collection process has been secured.

11. PHOTOGRAPHY AND VIDEOGRAPHY. The purpose of crime scene photography and videography is to record the condition of the scene before the scene is altered by the collection of evidence. Used in conjunction with detailed notes and sketches, it assists in recording the location and position of items to be collected and records the items spatial relationship to the rest of the scene. It assists in reconstruction as well as “painting” the scene during courtroom testimony.

a. Principles. The following are some general principles to be considered when obtaining photographs and video of a scene.

(1) Photograph Log. No two scenes will be identical. Conditions such as lighting, weather, size, and security of a scene will vary. When taking a photograph at a scene, be sure to take detailed notes along with the photograph to be able to identify the photograph later and explain what the photograph depicts.

(2) Number of Photographs. It’s better to have too many photographs of a scene than too few. Unless the scene is able to remain secured for a lengthy period of time, the investigator may only have one chance to obtain photographs of a scene before the scene is released.

(3) Video of a Scene. Video of a scene, if possible, should be taken as a supplement to photographs. It is another tool to assist in the reconstruction of a scene and can provide additional perspective when taken from the vantage point of a victim, suspect, or witness.

(4) Systematic Approach. Photographs should be taken using a systematic approach by starting from the perimeter of the scene and working towards the center.

(a) Long-Range Photographs. Long-range photographs should be taken from the perimeter of the scene. They provide a reference point for orientation of the medium and close-range photographs that will follow. This would include the use of aerial photographs to depict large scenes.

(b) Medium-Range Photographs. Medium-range photographs depict a smaller area of a scene. They help to show the relationship between

items of evidence to be collected. When taking medium-range photographs of an area, it is recommended to overlap the areas photographed so the photographs may be merged later to display a larger photograph of the scene. After taking medium-range photographs, place evidence markers near items to be collected and get another set of medium-range photographs. The use of evidence markers will assist in showing the spatial relationship of the items.

(c) Close-Up Photographs. Close-up photographs provide greater detail for items of evidence where the size of the item is important. The item being photographed should be in the center of the photograph. The accurate documentation should include being photographed with a measurement scale placed as near as possible to the item without disturbing the item. Close-up photographs of an item should first be taken without any evidence markers or measurement scales in place to prove that other evidence was not covered by the markers or scales. Subsequent close-up photographs should then be taken with the measurement scales and evidence markers in place. When taking photographs with the measurement scale in place, the camera must be parallel to the plane of the surface where the scale and item are located. The use of a tripod is highly recommended when taking close-up photographs to eliminate blurred images and assist in getting the camera parallel to the surface being photographed.

(5) Taking Photographs at Night. It is best to take photographs of scenes during daylight hours. This will ensure as many items of evidence are discovered as possible. However, it may not always be possible to secure a scene until daylight hours. If it is not possible to wait until daylight hours, request the assistance of a local fire department or public works department to set up lighting equipment so the scene may be photographed. It is important to ensure that evidence is not disturbed during the set-up of the lighting equipment. After taking photographs of a scene at night, consider returning to the scene during daylight hours to take additional photographs.

NOTE: To avoid contamination of a scene, evidence markers should be thoroughly cleaned before and after use.

12. SKETCHES. Sketches are a pictorial representation of the conditions at a crime scene and are an essential supplement to an investigator's notes and photographs. Sketches help an investigator refresh a memory and assist a judge and juror to visualize a crime scene. Sketches provide a greater level of detail with regard to the spatial relationship of items that photographs are unable to accomplish. Distances are difficult to determine with photographs but sketches are able to show true and accurate

distances. Sketches aid in reconstructing by providing factual data from the measurements collected.

a. Key Considerations. The following are important considerations and best practices that should be followed.

- (1) Indicate compass direction by placing the north arrow on the sketch.
- (2) Indicate "NOT TO SCALE" on the sketch when sketches are not drawn to scale.
- (3) Record all measurements.
- (4) Make accurate measurements for all evidence items and all objects depicted on a sketch. Accurate measurements should be taken to the nearest one-half inch or one-quarter inch, however, be consistent when obtaining all measurements, no matter which level of accuracy is chosen throughout the sketch.
- (5) Ensure measurement tapes are straight and taut when the tape is suspended.
- (6) It is recommended to have three individuals when taking measurements. One person to notate the measurements and make the sketch, and two individuals to obtain and verify the measurements under the direction of the sketcher.

b. Types of Sketches.

(1) Overview Sketch. An overview sketch, or general area layout sketch, is a rough sketch designed to provide an overview of the crime scene and serves to orient other subsequent sketches. It generally encompasses a larger area. It is drawn from a "bird's-eye view" without any measurements and approximates the relative size of an area. An example would be the overview of an apartment complex indicating various buildings and driveways. Overview sketches can be made of smaller areas as well to illustrate the spatial relationships of more detailed sketches. An example of an overview sketch of a smaller area would be the floor plan of a single apartment and the furniture located within. This type of sketch is similar in detail to a sketch drawn for traffic collisions.

(2) Detailed Sketch. A detailed sketch contains measurements for all evidence item locations and other relevant objects such as guardrail, street signs, or furniture within a room. The sketches are not necessarily drawn to scale but are typically drawn proportional to the scene. If the sketch is drawn

to scale, be sure it is indicated on the sketch. This type of sketch is similar in detail to a factual drawing made for traffic collisions.

(3) Blowup Sketch. A blowup sketch is a highly detailed sketch with a higher accuracy of measurements of small areas within a larger sketch. A blowup sketch is used when there is a lot of evidence within a small area where its detail would otherwise be lost on a larger sketch. Examples include drawing a sketch of blood spatter patterns located on a wall or floor, or multiple bullet holes in an area (refer to Figure 3-5).

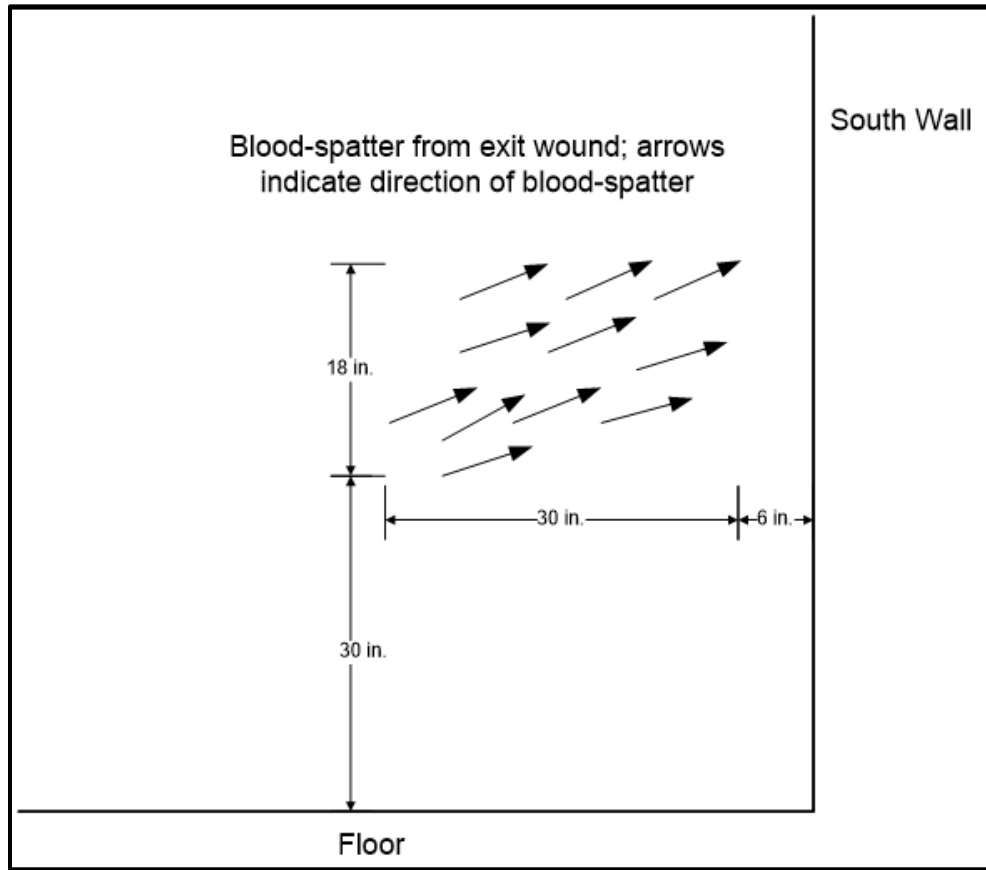


Figure 3-5. Example of blowup sketch.

(4) Exploded View Sketch. When sketching a room or a building, an exploded view sketch is helpful in displaying the relationship between the floor (possibly the ceiling) and wall(s) with regard to the trajectories of items such as bullet holes and blood spatter. The sketch shows the walls lying flat, as though an explosion had knocked down the walls (refer to Figure 3-6).

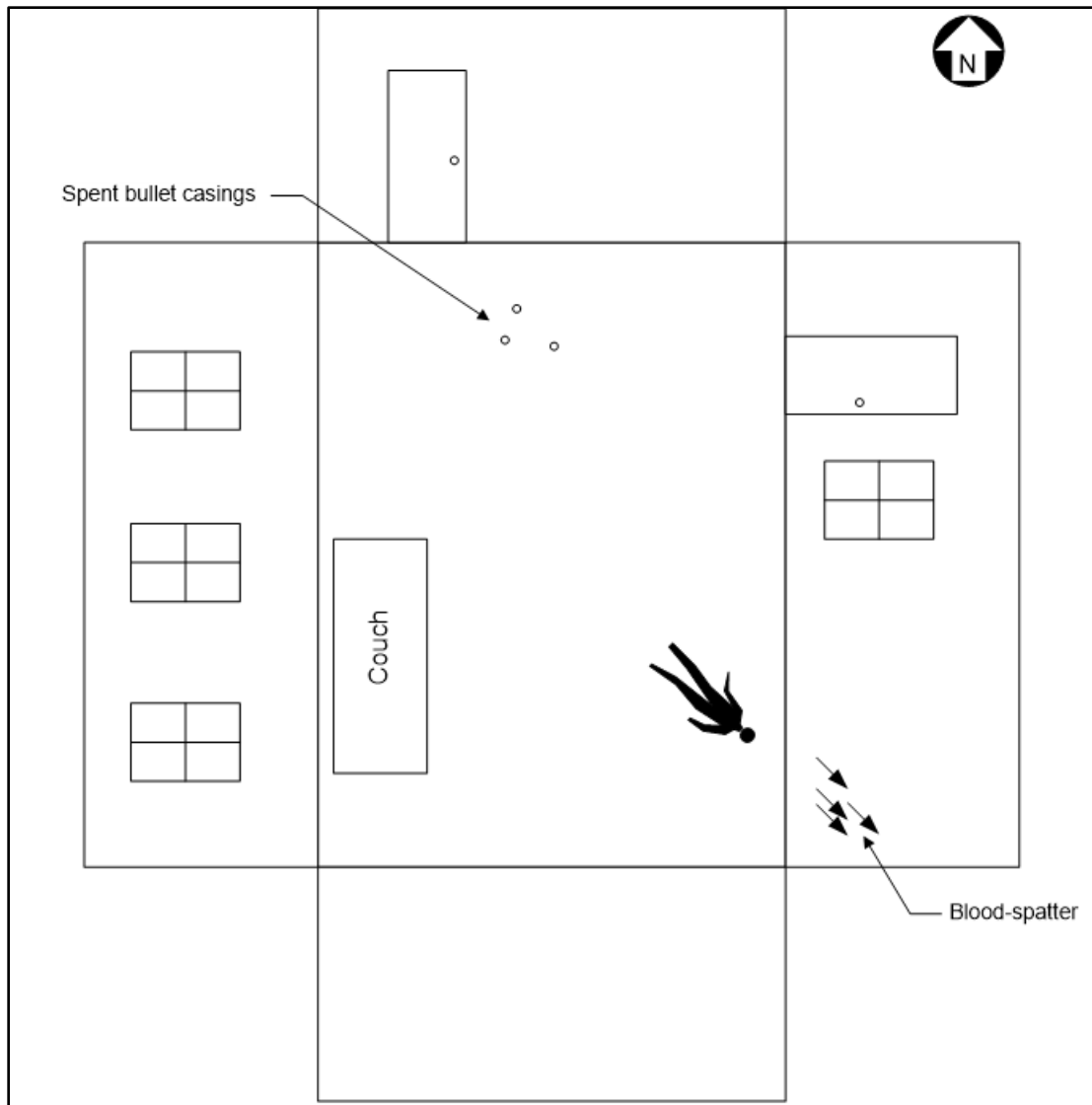


Figure 3-6. Example of exploded view sketch.

(5) Elevation Sketch. An elevation sketch is used for outdoor scenes to indicate slopes or changes in elevation of terrain (refer to Figure 3-7).

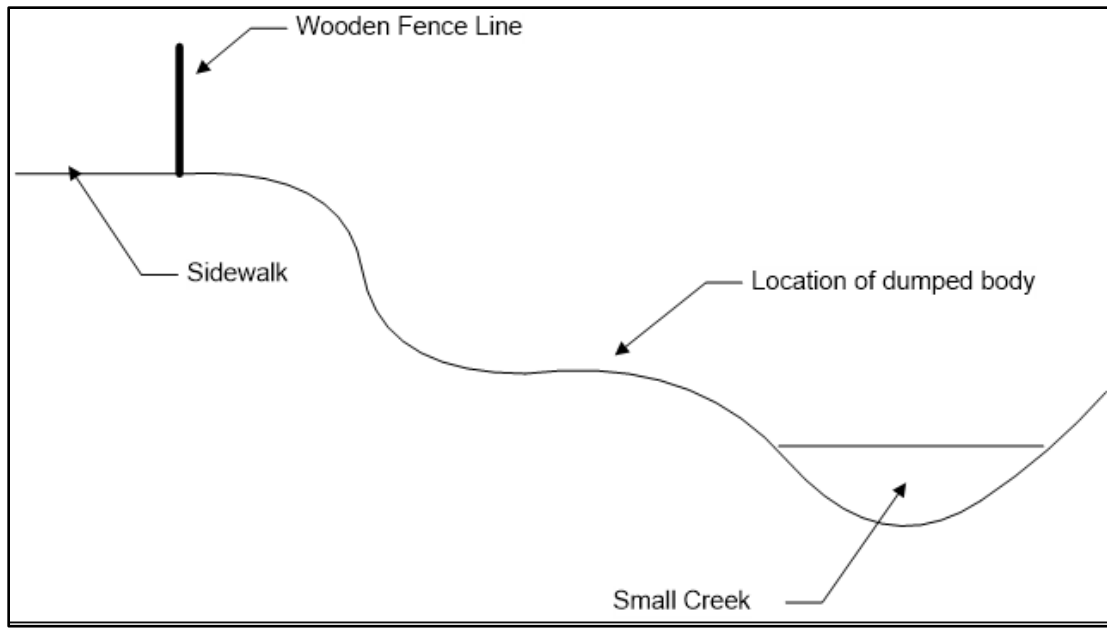


Figure 3-7. Example of elevation sketch.

c. Measurement Techniques. The following two methods are the primary methods to use for obtaining measurements. They are the most versatile and do not require the use of special equipment. If circumstances require the use of precise measuring equipment, contact the appropriate MAIT for assistance.

(1) Station Line. This method, also called transecting baseline, uses a measuring tape to create a straight line between two fixed points. Measurements to each item are taken at 90 degrees from the measuring tape.

(2) Triangulation. Measurements from each item are taken from two fixed reference points. This method can be used both indoors and outdoors.