



Investigation Process for Industrial Accident Scenes

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Abstract

Previously, I discussed the forensic gap in assessing civil industrial investigations. This gap could impede submission of company evidence into court proceedings.

Today I will present information to improve the presentation of information required to meet the standards required by civil, state, and federal courts. Today's training will provide guidance in training procedures and will outline simple steps to process the industrial accident scene. This session will assist industry in understanding the training needs and simple steps to assist the industrial investigators' in securing scenes and collecting physical evidence. You will increase your confidence and proficiency in presenting evidence in a court of law.

Outline

- First steps
- Introduction
- Step wise approach to industrial scenes (checklist)
- Training
- Collection methods
- Evidence custody control

First Step

- Stabilize The Process.
- Help The Injured.
- Until Above Complete, All Other Steps Will Wait!

Introduction

Scenes are chaotic.

- Scene organized around Emergency Response, only.
- No command structure for Scene Investigation.
- Little or no organization for item collection.
- No training for investigator, except RCA.
- CSB can charge you for not handling your scene properly.

Checklist

1. Remember the site as you approach.
2. Attend and/or transport the injured from area.
3. Ensure the process is safe to enter.
4. Secure location (if possible).
5. Secure the witnesses.

Keep Rubber Neckers And Media Away!

Checklist, cont.

8. Establish the investigation command post.
9. Perform the initial contact with witnesses.
10. Record the vital information.
11. Request necessary information from the unit.
11. Do an initial walk-through of the scene.
12. Interview witnesses.

Checklist, cont.

11. Determine photographs to be taken.
12. Take photographs in defined order
13. Define evidence to be analyzed.
14. Collect, package and document evidence.
15. Create photograph log with descriptions of evidence and location found.
16. Gather equipment and information and return scene control to operations.

Checklist, cont.

17. Properly store photographs, information and evidence collected.
18. Properly store photographs, information and evidence collected.
19. (Next day if not sooner) compile information, determine a crude timeline and send collected items to be analysis.
20. (Much later) finalize the timeline, determine root causes and file report.

Incident Worksheet

(COMPANY) (LOCATION)
INCIDENT WORKSHEET
(Working Notes NOT FOR SUBMITTAL)

Incident Site or # _____ Process Name _____ Unit Name: _____
Investigator Name and title: _____
Date: ____ / ____ /20 ____ Time: ____ : ____ AM <input type="checkbox"/> /PM <input type="checkbox"/>
Weather conditions: Temp: _____ Wind Speed: _____ Direction: _____
Weather Description: _____ _____

TYPE OF INCIDENT: <input type="checkbox"/> Unknown, <input type="checkbox"/> PSM, <input type="checkbox"/> Process, <input type="checkbox"/> EHS, <input type="checkbox"/> Other _____
Injury: <input type="checkbox"/> Unknown, <input type="checkbox"/> First Aid, <input type="checkbox"/> Recordable, <input type="checkbox"/> Lost Time, <input type="checkbox"/> Other _____
Area Breakdown: <input type="checkbox"/> Unit A, <input type="checkbox"/> Unit B, <input type="checkbox"/> Unit C, <input type="checkbox"/> Unit D, <input type="checkbox"/> Other _____
Contractor: <input type="checkbox"/> #1, <input type="checkbox"/> #2, <input type="checkbox"/> Other _____

Incident Scene Investigation Checklist

NOTE: REMEMBER THE SITE AS YOU APPROACH

NOTE: HELP AND/OR TRANSPORT THE INJURED FROM AREA

- Secure control of process to safe operational point
- Secure location (If Possible) by roping or taping off or placement of security at location
- Secure the witnesses (including emergency response personnel, when through with emergency) and separately to

Training

- Several training classes listed on the web
- Investigator needs
 - Crowd control
 - Interview (interrogation)
 - Photograph / drawing
 - Custody transfer plan
 - Evidence collection
 - Testimony / media training

Crowd Control

- Define limits of incident.
- Limit damage to scene – evidence and people.
- Limit the “Talking”.
- Understand the Chain of Command.
 - You are in charge until you are done.
 - Only your team in the area.
 - Limit open communication.

Interview (Interrogation)

- Protect the witnesses memory.
- Information can be more valuable than a piece of evidence.
- Understand the needs of the person.
 - They are not criminals.
 - If threatened, no free communication.
- You need to lead the communication.
- Remember ERT and EMT were there first.

Interview Suggestions

- Capture the spoken statement.
 - Tape recorder
 - Scribe
- Ask one question at a time.
- One questioner at a time.
- Ask for any clarifications to items.
- Complete events in chronological order and descriptions.
- Make sure that your question has been answered.

Interview Suggestions, cont.

- Avoid certain questions that can be just answered Yes or No.
- Avoid leading questions.
- Rephrase questions.
- Ask both specific and general questions.
- Try indirect questions.
- Be thorough in your questioning.
- Do not let witnesses to rewrite their statements.
- All witnesses must sign their statements.

Witness Can Supply

- Sounds/Odors/Tastes
- Colors of smoke and flame
- Placement of equipment or pieces
- How anything was moved
- What has been cleaned
- Document!

Collection Log

- Item Collection Sheet

(COMPANY) (LOCATION)
INCIDENT ITEM COLLECTION SHEET

Incident Site OR # _____ Incident Date: ___ / ___ / ___ PAGE ONE OF _____

Incident Leader _____ Incident Site Legal Location: _____

Subject: _____

Item Collection Personnel _____

Weather (Wind Speed & Direction) _____ (Temp) _____ (Conditions) _____ Time __ : __ AM/PM

NOTES:

LINE #	ITEM #	TIME	ITEM DESCRIPTION (USE MULTIPLE LINES IF NEEDED)	LOCATION COLLECTED	COLLECTED BY <i>(Print Name)</i>	NOTES
1						
2						
3						

Photograph / Drawing

“A photograph is worth a thousand words”

- Understanding of basic photograph
 - Numerous classes at camera stores (4/8 hrs.)
 - Framing / focus / light
 - Photo log
- Digital format vs. Film

Photograph / Drawing, cont.

- Draw the scene as a backup.
 - Good for court presentation
 - Good for testimony
- Use
 - Plot plans, NOT ERP, AEC, equipment plans
 - Satellite photos
- Locate Important Points
 - Photographs
 - Evidence
 - People

Photo Log

(COMPANY) (LOCATION)
PHOTOGRAPH LOG
(One per Photographer)

Photographer Name (Print): _____

Incident Site OR # _____

Incident Date: ___ / ___ / ___

Camera Model _____ Media Used _____ Image Size _____

LINE #	PHOTO #	IMAGE TIME & DATE	ITEM OR LOCATION # <i>(Use extra lines as needed)</i>	NOTES
1				
2				
3				
4				

Photo Log, cont.

- Photographer Incident Image Data Sheet - Example

(COMPANY) (LOCATION)	
<i>Photographer Incident Image Data Sheet</i> (EACH PHOTOGRAPHER SUBMITTS A DATA SHEET with PHOTOGRAPH LOG)	
Incident # or Description: _____	
Incident Date: ___ / ___ / ___	
Photographer Name & Initials: _____	
Image Custody Receiver Name & Initials: _____	
Image Archiver Name & Initials: _____	
<u>INITIAL MEDIA</u>	
Photographs by (Signature): _____	
Date: ___ / ___ / ___ Time Taken: _____ (AM) (PM) Camera Used: _____	
Weather Conditions: _____	

Custody Transfer Plan

- Need to define and train before any event.
- One item, one package
- One scene, one box
 - Use several boxes
 - Box according to analysis need
- Supplies
 - Biological – sterile!
 - Chemical – clean and unused
 - Physical – clean and unused
 - Packages – clean and unused
 - Available and ready
- Practice

Evidence Storage

- Limit personnel to control locker access
- Limit access
- Log sheet for any movement of items
- Remember storage could be for years.
- “Original” photograph images in locker.
- Personnel can testify to locker controls.

Custody Log

- Custody Transfer Sheet - Example

(COMPANY) (LOCATION)
INCIDENT ITEM CUSTODY TRANSFER SHEET

Incident # & Description _____ Incident Date ____/____/____ PAGE ONE OF _____

ITEM		STORAGE								
LINE #	#	DESCRIPTION	RECEIVED ON (Date)	SUBMITTED BY (Print Name AND Initial)	RECEIVED BY (Print Name AND Initial)	LOCATION	SECURED ON (Date)	SECURED BY (Print Name AND Initial)	REMOVED ON (Date)	REMOVED BY (Print Name AND Initial)
1										
2										
3										
4										
5										
6										
7										
8										
9										
0										
1										

Evidence Collection

- What do I need to collect?
- Talk to witnesses, first.
- Define the scene.
- Speculation of events
 - Understand what is important.
 - Understand what is not important.
 - Limit time at scene.

Evidence collection

- What to protect?
- One item, one package
- Biological
 - Needs to breathe, paper, loose
 - Label as biological
- Chemical
 - Seal as you would a sample of the process.
- Physical
 - Protect the surface.

Evidence Collection, cont.

- Ready to use
- Packaging
 - Loss
 - Protect from contamination
 - Sealing
 - Identifying
 - Initialing

Evidence Collection, cont.

- Documentations
- Statements
- Photographs
 - With or without labeled markers
 - Mark on drawings where photographs taken.
- Drawings
- Items of interest

Evidence collection, cont.

Biological (breathes or goes bad)

- My view is that biological evidence will not often be collected at industrial scenes.
- Blood tubes – EMT or medical staff only
- Sterile cotton thread, sterile cotton swabs
- Let stains dry.
- Paper package dried stains and seal container.
- Seal, label and document.

Evidence Collection, cont.

Chemical

- Sample as if a process sample.
- All items used to sample
 - Clean
 - Unused
- Seal, label and document.

Evidence Collection, cont.

Physical

- Edges
- Sides
- Protection for surfaces
- Soft and rigid
- Seal, label and document.

Testimony

- Final step
 - All OR Nothing
 - Preparation
- Concerns
 - Predicate questions
 - Voir dire
 - Direct
 - Cross

Predicate Questions

PREDICATE QUESTIONS

1. What is your name?
2. Where do you work?
3. How long?
4. What is your title within the company?
5. What are your functions within the company?
6. Have you had similar positions or functions with other companies or agencies?
7. Which one?
8. How long with each?
9. What does a _____ do?
10. What is your formal education?

Thanks

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Questions