

Lesson 3.4 – How to conduct a search




The Lesson

Slide 1



Lesson 3.4 How to Conduct a Search

 **Note** to instructor – recommend that lesson 3.4 be presented by an instructor who has professional experience as an investigator and who has a good knowledge of undertaking searches. The instructor should also encourage questions from the trainees and aim for an interactive discussion. All trainees should be encouraged to contribute to the group discussions and learning activities.

Key Message: As an NIO you are responsible for investigating allegations of SEA within your contingent. You must be competent in performing limited searches to obtain evidence as part of your investigation processes. These searches must be undertaken in a professional manner, in accordance with good investigatory practices, so as not to miss or destroy evidence, and in compliance with national and international laws, including those laws aimed at protecting human rights and dignity.

Slide 2

Lesson 3.4 Content

- NIO searches and limitations
- Search stages
- Search patterns
- Searching vehicles
- Searching personnel

As with any investigation the NIO must be able to document and collect evidence by undertaking searches. Here are the subject areas we will be covering:

- * NIO searches and limitations.
- * Preparing to undertake searches.
- * Specialised search patterns.
- * Searching a vehicle.
- * Safety when searching.
- * Human rights safeguards.

Key Message: It is important to understand up front that in performing limited searches NIO do not operate in isolation but work in close coordination with their chain of command and other UN stakeholders.

Slide 3

Lesson 3.4 Learning Outcomes

- Explain what defines and limits NIO searches, including human rights safeguards
- List and explain search stages
- Describe search patterns
- Describe considerations for searching vehicles
- Describe considerations for searching personnel

As is good training practice, let's review the learning outcomes.

At the end of the lesson our aim is for you to be able to:

- * Explain what defines and limits NIO searches, including human rights protections.
- * List and explain search stages.
- * Describe search patterns.
- * Describe searching a vehicle.
- * Describe conditions for searching personnel.

Slide 4



NIO Searches



Ask the class what types of searches they think NIO commonly undertake? Record between 4-5 answers on butcher chart or white board so the class can view the progress. Answers could include searches of UN office spaces, TCC barrack rooms, UN/TCC vehicles, UN warehouses, UN/TCC personnel, both UN and personal electronic devices or other locations commonly found on UN bases.

This discussion should take no more than 5 minutes.

Slide 5

NIO Searches

- Searches are limited to those necessary to support an administrative investigation, but evidence collected must be managed the same as a criminal investigation
- Searches are restricted to UN bases, UN/TCC property (e.g. vehicles, barracks, facilities and electronic devices) and UN/TCC personnel
- Authority for searches of TCC property and personnel resides with the CO of the TCC
- Searches of UN property or personnel not under the authority of the TCC must be coordinated with OIOS
- Human rights safeguards, including respect for human dignity

NIO must be aware of the following key considerations that define and limit NIO searches:

- * Searches are limited to those necessary to support an administrative investigation, but evidence collected must be managed the same as a criminal investigation so as not to prejudice any potential future criminal proceedings.
- * Searches are restricted to UN bases, UN/TCC property (e.g. vehicles, barracks, facilities and electronic devices) and UN/TCC personnel.
- * Authority for searches of TCC property and personnel resides with the CO of the TCC.
- * Searches of UN property or personnel not under the authority of the TCC must be coordinated with OIOS.
- * Human rights safeguards must be applied in undertaking searches, including respecting human dignity of those being searched or having their property searched. When undertaking searches NIO must adhere to the core principles of investigation as outlined in Lesson 3.1, including the concepts of do no harm, transparency, due process and professionalism.

Slide 6

Stages of a Search

1. Obtain approval(s)
2. Approach and secure
3. Initiate preliminary survey
4. Evaluate physical evidence possibilities
5. Narrative description
6. Photograph or video (as appropriate)
7. Prepare diagram/sketch
8. Conduct detailed search
9. Record and collect evidence
10. Conduct final survey and depart

Stages of a Search:

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Slide 7

Obtaining Approvals

- First consider whether evidence can be obtained through less intrusive methods, such as voluntary disclosure or consent
- Human rights safeguards:
 - Reasonable grounds
 - Necessity and proportionality
 - Lawfulness
 - Accountable
- Delineate extent of the search
- Obtain approval from relevant competent authority

The first step in obtaining the approval to undertake a search is to consider whether the potential evidence that might be obtained through a search can be obtained through less intrusive methods, such as voluntary disclosure or consent.

The following human rights safeguards must be applied:

- * Reasonable grounds
- * Necessity and proportionality
- * Lawfulness
- * Accountable

Any request for approval to undertake a search should be specific so as to delineate the extent of the search to be undertaken. Finally, the NIO must obtain approval from the relevant competent authority to undertake the search. Usually this will be from the CO of the TCC. Searches of UN property or personnel not under the authority of the TCC must be coordinated with OIOS in order to obtain the necessary approvals from the relevant authority.

Slide 8

Approach and Secure

- Be alert for discarded evidence
- Take control on arrival
- Brief safety requirements for searching to personnel
- Take extensive notes
- Keep out unauthorised personnel

In approaching and securing a location or object to be searched the NIO must:

- * Be alert for discarded evidence.
- * Take control on arrival.
- * Brief safety requirements for searching to personnel.
- * Take extensive notes.
- * Keep out unauthorised personnel.

Slide 9

Safety when Searching

- PPE gloves
- Anticipate sharp objects and take special care to avoid injuries from concealed objects
- Sharp objects should be placed in a rigid puncture resistant container
- When searching bags, drawers etc, the contents should be tipped out on a flat surface for examination
- Fingers should not be run along or under flat surfaces

Safety procedures to be considered when undertaking searches include:

- * PPE gloves (if issued) or other suitable latex gloves are to be worn to avoid contaminating evidence and to protect the searcher.
- * Situations in which sharp objects, such as needles and syringes or knives, may be concealed should be anticipated whenever possible.
- * Sharp objects, which may be used as evidence, should be placed in a rigid, puncture resistant sharps container; a clear sharps container is ideal. All samples should be clearly labelled.
- * When searching bags, drawers etc, the contents should be tipped out onto a flat surface for examination.
- * Fingers should not be run along flat surfaces such as under tables, beds, seats etc. Where possible these items should be turned over to provide maximum viewing to the searcher. In other cases, torches could be used to illuminate dark areas.

Slide 10

Initiate Preliminary Survey

- Cautious walk-through
- Determine search personnel and equipment needs
- Identify and protect physical evidence
- Take notes

The survey is an organisational stage to plan for the entire search. It involves:

- * A cautious walk-through of the scene.
- * Determine search personnel and equipment needs and make specific assignments.
- * Identify and protect physical evidence.
- * Take extensive notes to document the physical and environmental conditions, assignments, movement of personnel, etc.

Slide 11

Evaluate Physical Evidence Possibilities

- Determine what evidence is likely to be present
- Work from most obvious evidence to the least obvious evidence
- Focus first on the easily accessible areas in open view
- Progress eventually to possible out-of-view areas
- Consider whether evidence appears to have been moved or tampered with

Based upon the preliminary survey the NIO must determine what evidence is likely to be present. It is recommended that NIO work from the most obvious evidence and to the least obvious, focusing first on the easily accessible areas in open view and progressing eventually to possible out-of-view locations — looking for purposely hidden items. NIO should also consider whether the evidence appears to have been moved inadvertently or tampered with.

Slide 12

Narrative Description

- Running narrative of the conditions at the scene
- Represent scene in a 'general to specific' way
- Do not permit narrative effort to become sporadic or disorganised
- Methods of narrative — written, audio, video

The purpose of this step is to provide a running narrative of the conditions at the scene. This step also requires that the NIO consider what should be present at a scene and is not observed and what seems out of place. For example, a bra designed to provide support to a woman's breasts that is found during a search of a man's barracks room might seem to be out of place.

The narrative description should represent/describe the scene in a 'general to specific' scheme. It should consider situational factors, e.g. lights on/off, heat on/off, door open/shut etc. The NO must be careful to not permit the narrative to become sporadic and disorganised. It is also recommended that evidence not be collected at this point under normal circumstances.

There are various methods for the narrative, these include a written, audio or video methodology or a combination thereof.

Slide 13

Photograph or Video

- Plan before photographing or videoing, but begin as soon as possible
- Obtain permission as required
- Photographic/video log
- Establishing photographs/video first, close-up photographs/video second
- Photograph/video evidence in place before collecting and packaging

NIO should have a general plan before photographing or videoing during a search, but it is also recommended that when searching photography or videoing commences as soon as possible in order to capture an accurate record of the search area. NIO should not take photographs or video without obtaining permission, either via informed consent or authorisation from the relevant authority. Photos or video of places, other people (not victims or children) and items should only be taken if they add value as evidence. During SEA investigations photographs or videos of victims, their children/babies or any other child victim are not taken.

It is recommended that a photographic/video log is used. Photography/videoing should establish an overall view of the scene prior to close-up views. A recognised scale device, such as a ruler from the investigations kit, should be used for size determination of items (when applicable). When a scale device is used, first take a photograph or record video without the inclusion of this scale device and then place the device carefully next to the item of evidence.

Evidence should be photographed/videoed in place before it is collected and packaged. Be observant of and photograph areas adjacent to the scene — points of entry, exits, windows etc. Take photographs/video from eye-level, when feasible, to represent the search area as it would be observed by normal view. Film is relatively cheap compared to the rewards obtained — do not hesitate to photograph/video something which has no apparent significance at that time but does seem out of place in comparison to the other items in that search area — it may later prove to be a key element in the investigation.

Slide 14

Prepare Diagram/Sketch

- Typical material on rough sketch:
 - Location
 - DTG
 - Authorship
 - Orientation
 - Scale or scale disclaimer
 - Key or legend
- General progression of sketches:
 - Perimeter
 - Record fixed objects, furniture etc.
 - Record position of evidence as it is collected
 - Record appropriate measurements

The diagram/sketch of a search area establishes a permanent record of the items, conditions, and distance/size relationships, supplementing photography/videos. A rough sketch is usually drawn at scene (normally not drawn to scale) and is used as a model for finished sketch.

Typical material on a rough sketch can include:

- * Location.
- * DTG.
- * Authorship.
- * Compass orientation.
- * Scale or scale disclaimer.
- * Key or legend.

Number designations on the sketch can be coordinated with same number designations on evidence log in many instances. As one progresses through the conduct of a search progressively more detail will be added to it, such as:

- * Perimeter.
- * Fixed objects, furniture, etc.
- * Position of evidence.
- * Appropriate measurements.

Slide 15

Conduct Detailed Search

- The best search options are typically the most difficult and time consuming
- You cannot 'over-document' evidence
- First search visible areas
- Then search for hidden/concealed areas
- Search in a specialised search pattern

Four basic premises:

- * The best search options are typically the most difficult and time consuming
- * You cannot 'over-document' the evidence.
- * First search visible areas
- * The search for hidden/concealed areas
- * Search in a specialised search pattern

Go over every square inch of the area in an attempt to locate every piece of evidence. As potential evidence is located it should be recorded on the sketch as well as in photographs/video. Evidence is useless unless it is properly marked and packaged, and a chain of evidence is begun from the time it is collected. Label and identify all evidence collected.

Slide 16

Specialised search patterns

- Lane/Strip Search
- Line Search
- Grid Search
- Zone Search
- Circle/Spiral Search

A variety of specialist search patterns can be employed based upon the area or location to be searched. Regardless of the search pattern chosen, the NIO must be sure that the search is conducted in a systematic and thorough manner. This will ensure that all evidence is properly located, documented and collected.

Lane/Strip Search

This type of search pattern breaks the scene up into manageable lanes in which the searcher(s) proceed back and forth, in a slightly overlapping fashion. This is similar to mowing one's lawn. This method is typically conducted by only one person.

Line Search

This method is incorporated when there is a large number of personnel available. In this method, searchers assemble in a line that runs along a chosen edge of the area to be searched. Searchers stand side by side and spread apart, incorporating a manageable distance between each person. A search coordinator should place themselves in the middle of this line to make certain that everyone walks forward in as straight a line as possible. If one end begins to lag, then the other end is requested to slow up. At no point should anyone be encouraged to search faster! Keeping all searchers in a straight line reduces the possibility of missing an area and thus not discovering potential evidence. This method is the most commonly employed type during an exigent search for an item or person, especially when a large number of people are available.

Grid Search

This sometimes is referred to as a double strip or double lane method. In this method, a lane is searched in one direction, similar to the line search method. However, at the lane's terminate, a 90-degree direction change is made, and another lane is searched. This can either occur through the use of two searchers (one responsible for one direction, and the other for the perpendicular direction), or else it can utilise a large number of searchers incorporating the line method as described earlier, and then turning 90-degrees and performing a second line search perpendicular to the original lane. While quite time-consuming, this method allows the same area to be searched two separate times, and at

different angles. This redundancy will reduce searcher boredom, and will change the lighting and obstruction conditions present, thus increasing the ability of the searcher to locate evidence

Zone Search

This method is typically used in an area that is already broken up into defined or manageable zones (e.g. a house or car). It is typically used indoors but may be used outdoors if the areas are broken down into defined zones. Zones can be searched independently and later re-searched by different search personnel to ensure that no evidence has been overlooked. This method also can be used as a way to break up a larger area.

Circle/Spiral Search

This is a very specialised search pattern method that is seldom utilised; however, it does have its usefulness and merit. In this method, searchers can either start at a defined outer boundary and circle or spiral in towards the defined critical point, or else they can begin at the critical point and circle or spiral outward towards the crime scene perimeter. Physical obstructions and barriers within the scene will present problems with this method.

Slide 17

Record and Collect Evidence

- Decide what to collect
- Photograph/video all items in their original location
- Mark items on diagram/sketch
- PPE to avoid contamination
- Complete evidence log with appropriate notations
- Do not handle evidence excessively after recovery
- Seal all evidence containers
- Do not forget entrance and exit areas for potential evidence
- Constantly check paperwork, packaging notations, and other recordings for possible errors

It is important to remember when conducting a search that all items to be seized as evidence must be documented before they can be moved or collected. In addition to the points above the NIO should consider the nature of the alleged misconduct and the circumstances put forward in the allegation when deciding what evidence to collect.

Slide 18

Conduct Final Sweep and Depart

- Make sure possible difficult to access areas have not been overlooked
- Double check documentation to detect errors
- Provide receipts for seized evidence (as necessary)
- Check to ensure all evidence is accounted for before departing
- Ensure all search equipment is gathered

This final sweep is a critical review of all aspects of the search. NIO must be certain that every piece of evidence is collected – leave nothing behind. The NIO is responsible for making a final walk-through to be certain that all potential evidence is documented correctly. Documentation should be double checked to detect inadvertent errors and accounted for before departing. All equipment used in the search is should also be gathered and removed. The NIO must satisfy themselves that they have documented all evidence and made no assumptions which may prove to be incorrect or hasty in the future.

Slide 19

Stages of a Search

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4. Evaluate physical evidence possibilities
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Revise the stages of a search again:

1. Obtain approval(s).
2. Approach and secure.
3. Initiate preliminary survey.
4. Evaluate physical evidence possibilities.
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6. Photograph or video (as appropriate).
7. Prepare diagram/sketch.
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Slide 20

Searching Vehicles

- Thoroughly document the vehicle by taking photographs, including VIN, number plate, odometer reading etc.
- Organised and systematic search pattern, such as a zone search
- Common types of evidence in vehicles
 - Documentary evidence
 - Physical evidence
 - Forensic evidence

The NIO should thoroughly document the vehicle as it is seen. This can be done by a series of photographs or recording video. The NIO should start with the exterior and be sure to capture each side, each corner, front, rear, VIN, number plate, and odometer. The interior of the vehicle should be photographed/videoed from each side with the doors open, the ignition/steering wheel area, the dash, the glove box, the instrument panel, the front and rear seat areas, and the trunk area.

Vehicles can be divided into sections (zone search pattern) for searching. It should make no difference what area of the vehicle the NIO chooses to start with, only that the search is thorough and consistent across all zones. The NIO needs to practice on the side of caution when searching under seats and hard to see areas, due to risk of being injured by a sharp object or destroying evidence. The small mirror and flashlight from the investigation kit will allow the NIO to check these areas whilst mitigating risk. An organised system in place allows a tedious task to be simpler and mistake free.

Note that trace material such as fibres, unknown substances, hair, fluids and fingerprints are generally not collected during NIO investigations. However, where this type of forensic evidence might be relevant to an eventual criminal investigation, OIOS should be contacted to assist.

Slide 21

Searching Personnel

- Only for the purpose of obtaining evidence or prohibited items
- Searches by investigators of the same sex
- Ensure respect for human rights and dignity of personnel being searched
- Organised and systematic search pattern, i.e head to toe, front to back etc.
- Common types of evidence on persons
 - Documentary evidence
 - Physical evidence
 - Forensic evidence

Personnel should only be searched to find evidence or prohibited items and should be searched by someone of the same sex only. NIO need to take active measure to respect the human rights and dignity of those being searched and must always have the authorisation to undertake the search.

When searching a person, special care should be taken to avoid injuries from concealed sharp objects. The person being searched could be asked to:

- * Empty out their own pockets.
- * Remove and tip out their own shoes.
- * Run their hands through their own hair.
- * Turn down their collar, cuffs and sleeves or other parts of their clothing where sharp objects may be concealed. If this is not possible, a gentle pat down technique or an object such as a pen could be used to search clothing.

DNA will usually only be obtained during NIO investigations for the purpose of confirming paternity for a child, and will involve coordination across a number of UN offices and services (OIOS, CDS, OVRA etc.) as well as with the TCC.

Slide 22

Lesson Takeaway

- Always be mindful of what defines and limits an NIO search
- Breaking down searches into stages ensures that the search is systematic, and that evidence is not missed or mishandled
- Use the most relevant/appropriate search pattern based on the situation

NIO should be aware of the following:

- * Always be mindful of what defines and limits an NIO search.
- * Breaking down searches into stages ensures that the search is systematic, and that evidence is not missed or mishandled.
- * Use the most relevant/appropriate search pattern based on the situation.


Slide 23





Encourage questions and open debate of the issues amongst trainees. Allow 10-15 minutes.

Slide 24



 **Purpose:** The following TTX is a learning activity designed to enable NIO trainees to consider an SEA scenario and work through various commonly encountered issues in SEA investigations. TTX are built into the end of all Lessons in Modules 3 and 4 to consolidate and reinforce NIO learning through explanation, demonstration, imitation and practice.

 **Definition:** TTXs are set in an informal setting designed for trainees to discuss the principles and concepts of undertaking NIO investigations in a UN mission, using hypothetical but realistic scenarios. Importantly, this TTX helps trainees to better understand the challenges they will encounter as an NIO. The effectiveness of this TTX will be derived from the enthusiastic and active involvement of trainees.

 **Methodology:** NIO trainees are encouraged to discuss issues in depth, using a problem-solving methodology. NIO instructors are encouraged to act as a guide and oversee knowledge sharing, encouraging contributions from all trainees to generate solutions.



Divide the trainees up into groups of 2-3 individuals for the TTX.

Slide 25

Scenario

Josephine is a 28-year old female who owns a small bar in Bouba town. Peacekeepers from the nearby camp visit the bar, especially over weekends. Some of them get drunk, but they generally behave well and are good for business as they buy drinks for the local girls. One evening, Josephine meets Private (Pte.) Jefferey. They like each other and start a consensual sexual relationship that lasts for about 1 year. Pte. Jefferey often visits Josephine at her house, dressed in civilian clothes, and sometimes stays overnight. He brings her some juice from the camp but does not give her any money. Three months before Jefferey's rotation, Josephine discovers that she is pregnant. Pte. Jefferey asks her to keep the baby and gives her USD 50 to buy clothes for the baby. After Pte. Jefferey leaves the mission, they often speak on the phone and he promises to send more money for the baby. When the baby is born, Pte. Jefferey is disappointed that it is a girl and stops contact with Josephine. In the 8 months since the birth, Pte. Jefferey has not called Josephine or sent her any money, and his telephone number in his home country does not work anymore.



Allow the trainees 5 minutes to read the scenario and record the salient facts of the case in their notebook. This has the dual purpose of training the NIO to become competent in notetaking and identifying key facts under simulated pressure.

Slide 26

Discussion Points

- As your contingents NIO you have been assigned to investigate this incident
- Based on the information in the scenario:
 - Identify the SEA related misconduct
 - Identify the key elements to address during your investigation
 - Identify the lines of enquiry and sources of evidence
 - Identify specific challenges you may encounter during your investigation
 - Identify any other forms of possible misconduct



Allow trainees 10-15 minutes to discuss the following questions in their small groups of 2-3. Once trainees have had the opportunity to discuss these issues in their small groups the instructor should aim to facilitate a class discussion on the questions raised for between 15-20 minutes.



Instructors should circulate themselves around the classroom during the small group discussions. Instructors should also establish the following code of conduct for group discussions:

- * Be good listeners, do not interrupt others.
- * Be enthusiastic and actively involved.
- * Maintain mutual respect.
- * Apply your knowledge as an investigator to the issues raised.