



<p style="text-align: center;">TEXAS FORENSIC NURSE EXAMINERS Forensic Center Excellence</p>	<p>Subject:</p> <p style="text-align: center;"><b>Forensic Photography</b></p>	<p>Policy #</p> <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 50%;"></td> <td style="width: 50%;"></td> </tr> </table>		

I. POLICY

It is the policy of TXFNE Forensic Center of Excellence to obtain forensic photographs in cases of reported or suspected sexual assault/abuse, physical assault/abuse, neglect or other miscellaneous forensic cases for the purpose of documenting findings associated with a forensic evaluation.

II. PROCEDURE

1. The decision to obtain forensic photographs is based on the clinical judgement of the responding forensic nurse, the specifics of the case and patient preference and consent.
2. Photographs should be taken before evidence collection.
3. Forensic nurse examiners shall be familiar with TXFNE photography equipment and educated in the matter of forensic photography prior to engaging in forensic photography as part of a forensic examination.
4. Forensic nurses will adhere to basic forensic photography principles which include:
  - a. Photographs obtained by a forensic nurse during the course of a forensic evaluation will demonstrate a true and accurate representation of the subject matter being photographed.
  - b. Photographic documentation will utilize the “Rule of Three”, including an overall orientation image, close-up image and close-up image with a ABFO ruler or scale.
  - c. Each forensic image will remain unaltered and be retained in its original format.
  - d. The forensic nurse will strive for undistorted photographs with good perspective. Photos taken solely for the purpose of identification should be done with the patients fully clothed or gowned, providing optimal modesty and privacy.
5. Forensic photographs may include non-genital and anogenital photography that may be digital and/or colposcopic photographs. The type of images obtained will be based on the type of forensic evaluation and the professional judgement of the forensic nurse.
6. To help reduce the chances of retraumatization, examiners can help patients understand the purpose of photography in forensic evidence collection, the extent to which photographs will be taken and procedures that will be used, potential uses of photographs during investigation and prosecution, as well as security and confidentiality measures.
7. Prior to obtaining forensic photographs, consent will be acquired in accordance with TXFNE policy and procedure. Consent may be obtained from the patient, parent/caregiver, next-of-kin, court order, search warrant or in accordance with Texas statute regarding suspected child abuse or neglect and incapacitated person. (See TXFNE Informed Consent Policy and Procedure)
8. Every effort shall be made to obtain forensic photographs in a manner that preserves patient privacy, comfort and tolerance.
9. Photographs shall be obtained in such a manner as to ensure only those areas necessary to obtain an accurate image of a finding are exposed.



10. Photographs shall be linked with the patients' identity and the date of the photograph through bookending images at the start and conclusion of all photographic images.
11. The forensic nurse should utilize Rule of Three concept when obtaining photography:
  - a. Photo document each injury separately, including a generalized orientation shot, close-up image, and a close-up image with a ruler or scale.
    - i. Try to capture subtleties in texture and color.
    - ii. Document pattern injuries caused by an object.
    - iii. Keen assessment and inspection should be completed, inspecting for
      - a) Transfer evidence, including biological and non-biological sources.
      - b) Possible restraint, bondage, or ligature marks.
  - b. Use a strategic approach in documenting injuries and be consistent in their practice.
  - c. Shield uninvolved breast or genital areas when possible to conserve patient's privacy and preservation of the investigation and prosecution.
  - d. In some cases, a full body photograph may be appropriate to show scope of injury or state of clothing.
12. Each patient's images are stored individually on the appropriate storage media.
13. All images are stored in a secure manner so as to maintain patient confidentiality in accordance with TXFNE policy and procedure and HIPAA requirements.
14. TXFNE will retain ownership rights to all photographic images obtained during the course of a forensic evaluation. Photographic images will be retained for the time period required by the State of Texas in accordance with TXFNE policy and procedure. (See TXFNE Record Retention Policy and Procedure)
15. Documentation in the patient's forensic medical record will include:
  - a. Written consent to obtain and release records (or court order/search warrant documentation);
  - b. Type of images obtained; and,
  - c. Disposition of each item.

### III. REFERENCES

Staggs, S.B. (2001). The admissibility of digital photographs in court. Retrieved from <http://www.crime-scene-investigator.net/admissibilityofdigital.html>

U.S. Department of Justice Office on Violence Against Women. (2013). A national protocol for sexual assault medical forensics examinations: adults/adolescents. 1-144.

### IV. REVIEW CYCLE

Every three years. 1/5/2019. Revised 7/15/2021.



V. APPROVAL

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Chief Executive Officer

7/15/2021  
Date