

PHOTO DOCUMENTATION OF INJURIES

Adapted from article written in Polaroid magazine and from helpful advice of Susan Breall, Esq., San Francisco District Attorney's Office

Rationale:

- ◆ Provide evidence that can greatly strengthen case even when victim does not participate
- ◆ May improve likelihood of conviction
- ◆ Can save costs related to prosecution (police and prosecuting attorneys report that batterer more likely to plead guilty when graphic photos exist and that number of police and others testifying can be reduced if there are graphic photos available)

Goals:

- ◆ Take photos that are as dramatic and graphic as possible (of injuries and of any torn clothes or other damage apparent)
- ◆ Document progression of injuries, especially highlighting permanent effects (If there are permanent effects of bodily injury possible penalties/legal consequences can be more severe)
- ◆ Document scars and old injuries

Advice regarding strategy/what to document:

- ◆ Take multiple pictures in a given visit (apparently judge can throw out pieces of evidence without giving explanation. If there are multiple photos it becomes less likely that photo evidence will be completely eliminated from case).
- ◆ Have patient undress fully (or undress and re-dress in stages if more comfortable) and take photos of any areas of visible injury
- ◆ Have patient come back repeatedly during course of healing for more photos.
 - ◆ Examples:
 - ◆ Batterer may say he hit victim only once. On day you see patient, right after assault, only one injury may be apparent. Three days later, victim may have multiple apparent bruises that have developed.
 - ◆ On day of assault patient has several injuries. You photograph them. Three days later, patient returns and injuries look far more dramatic and gruesome. These additional pictures may help strengthen case further. You are trying to get the most dramatic pictures possible.
- ◆ Take pictures documenting resolution of injuries or lack of resolution. (Permanent scarring or other effects strengthen case and can increase penalties)
- ◆ Take pictures of all old scars or other evidence of past abuse like missing teeth or surgical wounds as result of injuries inflicted. (Further strengthens case that violence has been ongoing. Multiple injuries in different stages of healing)

Specific advice regarding taking photographs: (from Family Violence Prevention Fund manual—adapted from San Diego police and Polaroid)

Recommended photographs:

Full body photo—for identification purposes

Mid-range photo—for isolating individual body parts that are injured

Close-up photos—for each separate injury by using 10 inch close up lens

Techniques:

1. Stay within camera's flash and focus range
2. Most common causes of poor image quality are:
 - ◆ Too close to subject—overexposed, washed out and out of focus
 - ◆ Too far away from subject (out of flash range)—too dark, underexposed
3. Best distance (without close up lens) is 2-15 ft.
4. To avoid glare, which hides detail, photograph highly reflective surfaces at a slight angle to allow camera flash to bounce away from lens
5. Do not wave photos (Can damage image and doesn't speed up development. Set down for 4-5 minutes and, then, check quality.
6. Do not touch the developing image (pressure and heat of fingers can cause red spots to appear on image)

Someone(s) needs to have responsibility to order film. Anyone taking pictures must notify the film orderer of amount used up. The camera won't help without film!

(My advice from our personal experience)