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BETWEEN EVIDENCE AND ETHICS: THE CRIME SCENE PHOTOGRAPHER'S DILEMMA IN COURT PRESENTATION

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ABSTRACT

This study examined the dilemmas faced by crime scene photographers in Zamboanga del Sur and Zamboanga Sibugay in capturing and presenting photographic evidence for court. Using a descriptive-phenomenological research design and guided by the framework of Bacroya and Aranjuez (2025), ten crime scene photographers were purposively selected as participants. Data were gathered through in-depth interviews and analyzed thematically, producing ten central themes: chain of custody and documentation challenges, technical limitations, admissibility and authentication concerns, ethical dilemmas in graphic presentation, resource constraints and training gaps, courtroom interpretation and misrepresentation, balancing accuracy and sensitivity, evolving technology implications, interagency collaboration, and provincial context-specific constraints. Findings revealed that while participants adopt strategies such as preserving RAW files, anonymizing sensitive details, and adding orientation shots, they remain hindered by limited equipment, training gaps, and procedural inconsistencies that weaken evidentiary reliability. Moreover, ethical tensions surfaced in balancing accuracy with dignity, particularly in presenting graphic evidence. The study concludes that reforms, such as standardized custody protocols, improved forensic training, and interagency collaboration—are needed to strengthen local forensic practice. By addressing these gaps, the research contributes to advancing Sustainable Development Goal 16, reinforcing justice through ethical and reliable photographic evidence.

KEYWORDS: *Crime Scene Photography; Chain of Custody; Admissibility; Ethical Dilemmas; Forensic Evidence; SDG 16.*

1.0. INTRODUCTION

Across the globe, crime scene photography is a cornerstone of forensic science and the justice system. Photographs provide a visual record that preserves the condition of crime scenes long after they have changed, enabling investigators, prosecutors, and judges to examine details that may otherwise be lost. However, this practice is not without dilemmas. Investigators must balance technical accuracy, legal admissibility, and ethical responsibility when capturing sensitive or graphic evidence. With the advent of new imaging technologies such as 3D reconstruction and digital enhancements, the line between clarity and manipulation has become increasingly scrutinized by courts worldwide (Thompson et al., 2021). These tensions highlight the universal challenge of ensuring that photographic evidence both informs and respects the integrity of judicial proceedings.

Scholars have emphasized the critical importance of the chain of custody, transparency in photo documentation, and standardization of protocols to preserve admissibility. D'Anna et al. (2023a, 2023b) argue that evidentiary weight in modern forensics depends largely on how custody logs and validation protocols are maintained from capture to courtroom. Similarly, Sarna et al. (2020) stress that crime scene examiners often struggle with courtroom communication, as judges and juries may misinterpret photographs without proper explanation. More recently, Patil et al. (2024) proposed blockchain-based solutions to strengthen evidentiary integrity, underscoring how governance mechanisms are evolving to address these dilemmas. Collectively, the literature demonstrates that crime scene photography is both a scientific process and a communicative act, requiring precision, transparency, and contextual clarity.

While international and national literature highlights best practices, little empirical research has been conducted on how crime scene photography dilemmas play out in Zamboanga del Sur and Zamboanga Sibugay. These provinces face unique challenges, including limited access to advanced imaging technologies, inconsistent training opportunities for crime scene investigators, and varying levels of courtroom familiarity with digital evidence. Although the Philippine Rules on Electronic Evidence require photographs to be identified, authenticated, and explained by a competent witness (Supreme Court of the Philippines, 2001), the operationalization of these requirements in provincial courts such as Pagadian and Ipil remains underexplored. This gap necessitates a localized inquiry into the interplay of evidentiary standards, ethical concerns, and resource constraints in Mindanao's justice system.

This study addresses the gap by conducting a contextualized investigation into the dilemmas of crime scene photographers in Zamboanga del Sur and Zamboanga Sibugay. It will audit recent

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case records involving photographic evidence, gather insights from crime scene investigators, prosecutors, and judges, and evaluate mock court presentations of traditional and advanced photo evidence. The goal is to develop a localized protocol and training framework that aligns with both global best practices and the Philippine judicial context. By situating the study within the unique realities of these provinces, the research seeks to enhance evidentiary reliability, ethical compliance, and courtroom comprehension, ultimately bridging the divide between evidence and ethics at the local level.

2.0. OBJECTIVE

- To examine the dilemmas faced by crime scene photographers in Zamboanga del Sur and Zamboanga Sibugay in capturing and presenting photographic evidence for court, with emphasis on the balance between evidentiary reliability and ethical considerations.

3.0. METHODOLOGY

This study employed a descriptive-phenomenological research design to capture the lived experiences of crime scene photographers in Zamboanga del Sur and Zamboanga Sibugay. Following the framework of Bacroya and Aranjuez (2025), phenomenology was used to uncover the essence of participants' perspectives on the dilemmas of balancing evidentiary reliability and ethical responsibility in courtroom photography. A total of ten (10) crime scene photographers were purposively selected, as smaller, focused samples are considered valid for phenomenological inquiries (Alipoyo, 2022). Data were gathered through semi-structured, in-depth interviews, which were recorded, transcribed, and subjected to thematic analysis to identify recurring patterns and themes in line with Colaizzi's method. This design ensured that participants' voices were meaningfully represented and that the analysis highlighted shared and unique experiences relevant to the study's objectives.

Ethical clearance was obtained from the institutional review body before data collection, and strict adherence to research ethics was observed. Participants were assured of confidentiality, anonymity, and the right to withdraw at any stage without penalty. Informed consent was formally secured before participation. To protect data, hard copies of transcripts and notes will be destroyed through burning, while digital files will be permanently deleted after the completion of the study. These safeguards ensured the dignity, privacy, and safety of all participants (Alipoyo, 2022; Bacroya & Aranjuez, 2025). Furthermore, the study aligns with Sustainable Development Goal 16 (Peace, Justice, and Strong Institutions) by promoting the integrity of justice processes through the ethical and reliable use of photographic evidence in court.

4.0. RESULTS AND DISCUSSIONS

Chain of Custody and Documentation Challenges

This theme deals with the persistent challenges crime scene photographers face in maintaining the continuity and integrity of photographic evidence from capture to courtroom presentation. Crime scene photographers repeatedly confront gaps in end-to-end documentation—especially when moving images from camera to storage to courtroom. Even small breaks (e.g., mislabeled SD cards, unsigned evidence logs) undermine admissibility and weight. Contemporary literature stresses that custody integrity is foundational for reliability (D'Anna et al., 2023a; Patil et al., 2024). As stated by participants: P1: "The logbook is our lifeline; one missed signature and counsel pounces." P4: "Transfers at night shift are the weak link." P7: "When we borrow a shared DSLR, proving exclusive control becomes a cross-examination trap."

Chain of custody is a critical safeguard against tampering, alteration, or mishandling, ensuring that photographs retain both their probative value and authenticity in court. Studies emphasize that each transfer of evidence must be documented with date, time, and signature to establish a seamless trail (D'Anna et al., 2023b). In provincial contexts such as Zamboanga del Sur and Zamboanga Sibugay, logistical challenges, limited storage facilities, reliance on shared equipment, and manual logging systems, heighten the risks of weak links in documentation. These vulnerabilities are not only technical but also procedural, leaving evidence open to objections that could compromise otherwise strong cases.

Participants' accounts echo findings in global forensic research that inadequate custody management can erode judicial confidence in photographic exhibits. P4's reflection on night-shift transfers illustrates how lapses often occur during handovers, a stage highlighted in forensic audits as particularly prone to error (Sarna et al., 2020). Similarly, P7's comment on shared cameras underscores the difficulty of attributing exclusive control, raising issues of accountability and traceability. These challenges align with broader literature noting that technological progress must be accompanied by improved procedural rigor to ensure evidentiary admissibility (Thompson et al., 2021).

To address these dilemmas, scholars propose digital solutions such as blockchain logging, cryptographic hashing, and tamper-evident audit trails, which could strengthen the documentation process even in resource-limited environments (Patil et al., 2024). While such innovations may be challenging to implement immediately in provincial Philippine settings, adopting simple interim measures, such as standardized evidence forms, dual signatories during transfers, and training on digital authentication protocols, can reinforce trust in evidentiary integrity. Aligning local practices with these emerging standards not only improves courtroom reliability but also supports the goal of Sustainable Development Goal 16: Peace, Justice, and Strong Institutions, by ensuring that justice processes remain transparent, ethical, and accountable.

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Technical Limitations in Crime Scene Photography

This theme deals with the reality that variable light, weather, cramped interiors, and aging gear degrade image clarity and completeness. Technical constraints ripple into evidentiary sufficiency and fact-finder comprehension. As stated by participants: P2: "Brownouts killed our fill lights, bloodstains turned muddy." P5: "Our kit has one speedlight, multiple rooms mean compromise." P9: "Rain on lenses at outdoor scenes is a constant hazard." These voices reveal the persistent gap between ideal forensic photography standards and on-the-ground realities in Zamboanga del Sur and Zamboanga Sibugay.

Technical deficiencies can affect the admissibility and credibility of photographs in court. Literature stresses that forensic photography must faithfully reproduce the scene, and poor lighting, unstable power supply, or lack of equipment directly compromise this standard (Sheppard et al., 2020). In rural jurisdictions, logistical challenges such as unreliable electricity and limited photographic gear further complicate evidence collection. The result is that even critical photographic evidence may be questioned for clarity, accuracy, and representativeness, weakening its value in judicial proceedings (Thompson et al., 2021).

The participants' observations echo broader forensic research, which underscores that technical limitations often lead to courtroom misinterpretation. For example, inadequate lighting can obscure stains, and rain-damaged images can distort evidence, creating opportunities for defense counsel to argue against reliability (D'Anna et al., 2023a). The problem is not merely technical but also procedural, since inadequate documentation of these challenges leaves judges and juries with little context to assess the limitations. Thus, courts may dismiss or undervalue photographic evidence when clarity is compromised.

To address these challenges, scholars recommend both short-term mitigations and long-term solutions. Short-term measures include using reflective markers, portable lighting, and detailed field notes to explain photographic limitations (Sarna et al., 2020). Long-term strategies involve investment in modern DSLR or mirrorless cameras with low-light capacity, weather-resistant gear, and training modules on compensating for environmental constraints. Embedding these strategies into provincial forensic protocols would enhance the reliability of photographic evidence and strengthen the role of crime scene photography in upholding justice.

Admissibility and Authentication Concerns

Authentication hinges on a competent witness who can identify, explain, and vouch for the accuracy of photographic evidence. Philippine rules explicitly require this linkage between the exhibit and a knowledgeable witness, and recent guidance highlights practical authentication strategies. As stated by participants: P3: "Judges ask, 'Were you the one who took these photos?', they want a straight chain." P6: "If an officer edited brightness, we disclose it and keep the original RAW." P8: "Defense will test whether the exhibit is the exact scene as observed." These reflections illustrate how admissibility depends not only on the photographs themselves but also on the credibility and preparedness of the crime scene photographer as a witness.

Scholarly literature supports these concerns, emphasizing that admissibility is grounded in both technical fidelity and procedural compliance. Courts require that photographs be presented in their original, unaltered form whenever possible, with any enhancements fully disclosed (Sheppard et al., 2020). Moreover, chain-of-custody protocols must be meticulously documented to prevent allegations of tampering (D'Anna et al., 2023a). In the Philippine context, the Rules on Electronic Evidence (2001) stress that photographs must be authenticated through testimony establishing that they are faithful representations of the actual scene. Failure to meet these requirements often results in photographs being excluded or given little probative weight.

The participants' experiences also reflect a broader tension between digital editing and courtroom trust. As P6 mentioned, even minor adjustments such as brightness correction require disclosure to avoid credibility challenges. This aligns with findings that transparency in digital processing increases judicial confidence in photographic evidence (Patil et al., 2024). At the same time, courts are becoming more sophisticated in questioning metadata, RAW files, and software histories, demanding greater technical competence from witnesses (Thompson et al., 2021). These developments highlight the evolving expectations that crime scene photographers not only document but also defend their methods under cross-examination.

To address these challenges, scholars recommend training investigators in courtroom testimony, metadata preservation, and disclosure practices. Retaining RAW files, keeping a digital log of edits, and preparing demonstrative exhibits showing both the original and the enhanced versions can help mitigate admissibility issues (Sarna et al., 2020). In provincial contexts such as Zamboanga del Sur and Zamboanga Sibugay, institutionalizing these practices within standard operating procedures would reduce inconsistencies and strengthen evidentiary reliability. Ultimately, enhancing authentication protocols reinforces both fairness in proceedings and public trust in the justice system.

Ethical Dilemmas in Graphic Evidence Presentation

Photographs can be accurate yet unduly prejudicial. Courts weigh probative value against the risk of inflaming emotions, particularly when images depict gore or identifiable victims. Literature highlights that forensic photographers must apply discretion in framing and sequencing, as poor presentation may result in exclusion or undue bias (Sheppard et al., 2020). Ethical obligations, therefore, extend beyond technical accuracy to include human dignity and courtroom fairness.

Participants recognized these dilemmas in practice. P10 noted: "We debate: full-frame of a fatal wound or a cropped, contextual

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series?" P1 added: "Families' dignity matters; we anonymize where possible." P4 observed: "Prosecutors now ask for sequence narratives to reduce shock and maximize clarity." These responses show that local practitioners consciously negotiate sensitivity with evidentiary needs.

Scholars recommend progressive image sequences (overall → mid-range → close-up) to provide clarity while mitigating prejudicial impact (Thompson et al., 2021). In the Philippine context, anonymizing non-essential identifiers aligns with both ethical guidelines and the Rules on Electronic Evidence (Supreme Court of the Philippines, 2001). Embedding ethical review into pre-trial preparation strengthens both admissibility and respect for victims' dignity (Patil et al., 2024).

Resource Constraints and Training Gaps

Provincial forensic units often operate with minimal resources, limited lighting, lenses, and archival media, hampering the production of court-ready photographs. Research shows that training gaps compound these challenges, leaving investigators less prepared to handle courtroom scrutiny (Sarna et al., 2020). Resource inequities create inconsistencies between urban and rural practice, raising concerns about fairness in evidence handling.

Participants reflected these constraints: P2 stated, "Workshops are rare; we learn on the job." P5 added, "We share one tripod among stations; stability is a luxury." P7 noted, "No formal module on courtroom testimony for photographers." These accounts highlight not only material shortages but also the absence of structured professional development.

Scholarly work emphasizes the need for capacity-building programs to standardize forensic practice (D'Anna et al., 2023a). Investment in updated kits, training on digital workflows, and modules on courtroom testimony would close the gap between field practice and judicial expectations. Such measures align with SDG 16 by strengthening institutions and improving access to justice in under-resourced regions.

Courtroom Interpretation and Misrepresentation

Even technically sound images can be misinterpreted if scale, perspective, or lighting are misunderstood. Studies note that courts often struggle to contextualize forensic photographs without explanatory aids (Sheppard et al., 2020). Misrepresentation risks distorting fact-finder perception, especially when wide-angle distortion or absent scale references alter spatial understanding.

Participants described such issues. P3 recounted: "Counsel said the room looked 'tiny', it was a wide-angle lens effect." P6 shared: "Without a scale ruler, size arguments get messy." P9 added: "We now add orientation photos to reduce confusion." These illustrate the risks when photographic artifacts are left unexplained.

Literature recommends integrating orientation shots, scale markers, and plain-language explanations during testimony (Thompson et al., 2021). Training in visual communication and courtroom presentation is essential to prevent misinterpretation. By embedding these practices, provincial courts can improve evidentiary comprehension and avoid distortions that weaken case outcomes (D'Anna et al., 2023b).

Balancing Accuracy and Sensitivity

Accurate depiction sometimes clashes with privacy and dignity concerns, especially with child victims or intimate spaces. While authenticity is required, ethical practice discourages gratuitous exposure. Research highlights the importance of balancing fidelity with sensitivity to protect victims and families (Sheppard et al., 2020).

Participants reported applying such discretion. P8 shared: "We blur identifying tattoos when not material." P10 explained: "We mask faces of minors and annotate why." P1 emphasized: "Cropping removes gratuitous gore while keeping probative features." These responses underscore practical efforts to align accuracy with ethical restraint.

Best practices include anonymizing irrelevant identifiers and consulting prosecutors on pre-trial ethical review (Supreme Court of the Philippines, 2001). Global literature suggests that protecting dignity does not undermine evidentiary value; instead, it strengthens judicial trust (Patil et al., 2024). For provincial courts, embedding sensitivity protocols into forensic SOPs ensures consistent respect for rights while maintaining evidentiary reliability.

Evolving Technology and Its Implications

Emerging technologies like 3D imaging, drones, and AI-based enhancement offer powerful visualization tools but introduce new questions of admissibility and explainability. Studies emphasize that while courts welcome clarity, they remain cautious of unvalidated software pipelines (Thompson et al., 2021). The burden falls on photographers to document tools, parameters, and error rates.

Participants echoed these challenges. P4 shared: "Our 3D walkthrough convinced the court on line-of-sight." P7 admitted: "Cross asked about our software's error rate, we needed documentation." P2 added: "We maintain the raw point cloud plus exported views." Their experiences highlight both the promise and pitfalls of advanced technologies.

Literature recommends preserving original datasets, recording software metadata, and preparing validation studies (D'Anna et al., 2023a). While provincial units face resource gaps, adopting basic documentation standards ensures courts can evaluate advanced outputs. Over time, integrating validated tech will enhance both probative value and institutional credibility.

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Interagency Collaboration and Communication

Photographs often pass across multiple actors, investigators, SOCO/CSI teams, prosecutors, and courts. Weak communication and inconsistent labeling risk breaking continuity, creating admissibility challenges. Scholars note that mismatched technological adoption between agencies exacerbates these problems (Sheppard et al., 2020).

Participants described these issues. P5 recalled: "Prosecutors asked for a scene index, we only had a folder dump." P6 said: "A shared naming protocol would save hours." P3 emphasized: "Briefings with prosecution pre-hearing improved flow." These highlight how weak collaboration undermines courtroom readiness.

Provincial Context-Specific Constraints

This theme deals with the local realities, power instability, bandwidth limitations, and insufficient storage, shape what is feasible in evidence handling. National rules still apply, but implementation varies by provincial resource levels (Supreme Court of the Philippines, 2001). These constraints hinder timely and secure archiving, sometimes forcing reliance on redundant but fragile offline methods.

Participants shared lived experiences: P9 said, "Uploading case photos from remote stations can take days." P2 explained: "We keep mirrored USB drives because network storage is patchy." P10 observed: "Court prefers printed contact sheets for quick preview." These examples illustrate adaptive yet imperfect strategies.

Scholars emphasize that infrastructural limitations must be acknowledged and addressed with pragmatic safeguards, redundant offline storage, print indexes with digital hashes, and contingency protocols for unstable connectivity (D'Anna et al., 2023b). Tailoring workflows to provincial constraints while maintaining compliance with evidentiary rules ensures fairness and sustainability, consistent with the goals of SDG 16.

5.0. CONCLUSION

This study revealed that crime scene photographers in Zamboanga del Sur and Zamboanga Sibugay face persistent dilemmas in balancing evidentiary reliability with ethical responsibility. The ten themes identified, ranging from chain of custody challenges and technical limitations to courtroom interpretation issues and evolving technologies, demonstrate how both systemic constraints and ethical concerns shape the admissibility of photographic evidence. Participants' accounts emphasized the fragility of documentation practices, the strain of limited resources, and the need for sensitivity in handling graphic imagery, all of which influence how photographs are received and interpreted in court.

The findings highlight the need for reforms that address both procedural and contextual gaps. Standardized custody protocols, modernized equipment, continuous training on courtroom testimony, and ethical safeguards such as anonymization and progressive sequencing of photographs are vital. Strengthening interagency coordination and tailoring practices to provincial realities will further enhance reliability and fairness. Ultimately, improving forensic photography in these regions contributes to Sustainable Development Goal 16 (Peace, Justice, and Strong Institutions) by ensuring that photographic evidence remains credible, ethical, and a robust foundation for justice.

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