
EVIDENCE & FOUND PROPERTY PROCEDURE (POL-P005)

DCSS – Police Department

1.0 SCOPE:

- 1.1 To provide guidelines and procedures for the handling and control of evidence.

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2.0 RESPONSIBILITY:

- 2.1 Chief of Police
- 2.2 Police Officers

3.0 APPROVAL AUTHORITY:

- 3.1 Deputy Superintendent
- 3.2 Chief of Police

4.0 DEFINITIONS:

- 4.1 None

5.0 PROCEDURE:

- 5.1 The police department secretary is responsible for properly recording, safeguarding, and storing all property that comes into the police department. Evidence and found property will be handled in the same manner.
- 5.2 Officers are responsible for turning in all evidence and found property before or at the end of their workday. Officers will complete the necessary paperwork, properly package and mark all items of evidence and found property consistent with the guidelines established in this policy.
- 5.3 Locked containers, such as briefcases must be opened and an inventory made of the contents before being placed in the evidence/property cabinet. This is required to avoid placing items that may be hazardous to the health or safety of the employees and to properly ensure that valuables such as cash and jewelry are secured.
- 5.4 Any discrepancies and/or questions concerning evidence or property will be brought to the attention of the Chief of Police immediately.
- 5.5 PACKAGING AND MARKING PROPERTY
 - 5.5.1 Once an officer of this department secures property the following guidelines will be followed:
 - 5.5.1.1 Items of evidence will be properly marked and placed into an appropriate sized evidence bag. The evidence bag requires certain information to be written in the designated spaces such as case number, officer's name, etc. and this information will be provided in as much detail as possible. All supplies needed for property storage will be in the possession of the officer or in the police department office.
 - 5.5.1.2 More than one (1) item may be placed into an evidence bag. If the possibility exists that an item may contaminate another item, then each item will be placed in a separate evidence bag. Items such as money, jewelry, and drugs must be bagged and kept separately from other items.

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- 5.5.1.3 Items of evidence, which have blood and/or body fluids on them, such as hypodermic needles or knives, will be considered as contaminated. All sharp objects will be secured in a cardboard evidence box so that the object cannot protrude and cause injury. The officers will use cardboard evidence boxes on an as needed basis. Items secured in this manner will be protected against the destruction of any physical evidence present on the object.
- 5.5.1.4 All drugs must be weighed or counted, as would be the case with pills. Scales are available in the police department office.
- 5.5.1.5 When the evidence bag or cardboard box has been properly marked and the items secured in the bag or box, the bag or box will be secured and sealed with evidence tape if not a self-sealing evidence bag. Found property will be secured in the same manner. Staples will not be used to seal a bag containing evidence or property. Staples may be used to attach any paperwork to an evidence bag or box.
- 5.5.1.6 Officers will record the serial numbers and model numbers of all evidence and/or property on the property sheet prior to turning them over to the police department secretary. The secretary will inspect and verify the serial numbers on all property and property sheets to ensure accuracy.
- 5.5.1.7 Firearms will not be placed in evidence bags unless they need to be examined for latent prints. Firearms must be tagged in a manner similar to other large items. Loaded guns will not be placed in the evidence cabinet. If a firearm is jammed, and cannot be unloaded, the firearms instructor will be contacted to make the weapon safe prior to it being placed in the evidence cabinet.
- 5.5.1.8 Prior to placing evidence or property into the evidence cabinet, all batteries will be removed.
- 5.5.1.9 All drug evidence must be submitted to the crime laboratory in a sealed outer plastic bag that is 8x10 and a secured inner plastic bag.
 - 5.5.1.9.1 Sealed outer plastic bag – the outer plastic bag must be clear on at least one side and must be sealed with tamper proof evidence tape, a tamper proof seal, or heated seal. The initials of the officer must be written on/under the seal. The name of the suspect(s), officer(s) on the case, the police agency, the prosecuting agency, and an inventory of the items contained within the clear plastic bag must be clearly written on the outer plastic bag or on an inventory sheet that is clearly visible from within the outer plastic bag. Sandwich bags are not acceptable because of the thin material used in construction. Heavy construction zip-lock type bags of a similar weight plastic are acceptable. No loose materials such as powders, tablets, capsules, crack cocaine chunks, or marijuana will be placed in the outer bag unless secured in an inner plastic bag. DO NOT include any evidence receipts inside the outer plastic bag that need to be signed by crime lab personnel.
 - 5.5.1.9.2 Secured inner plastic bag – the inner plastic bag must be zip locked, or taped so that the contents will not fall out of the inner bag. The inner bag must be clear on both sides. Items that are

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the same should be grouped and placed in one inner plastic bag. Different types of evidence must be packaged so that cross-contamination does not occur; for example, do not place a marijuana pipe in a plastic bag with loose marijuana leaves.

5.5.1.9.3 Exceptions:

5.5.1.9.3.1 Liquids must be submitted in a leak proof, screw capped bottle placed in an outer sealed plastic bag.

5.5.1.9.3.2 LSD is light sensitive. When submitting possible LSD samples, package the samples in a manila envelope or small paper bag before placing in the outer sealed plastic bag.

5.5.1.9.4 Non-acceptable Items:

5.5.1.9.4.1 Razor blades or straight edged weapons.

5.5.1.9.4.2 Syringes or the contents from syringes.

5.5.1.9.5 Additional Instructions:

5.5.1.9.5.1 Do not overfill the outer plastic bag. Use additional plastic bags if necessary. Crime Lab personnel must be able to reseal the outer plastic bag upon completion of scientific analysis.

5.5.1.9.5.2 Evidence should be separated for individual cases prior to entering the laboratory according to the suspect and date/time of seizure.

5.5.1.9.5.3 If submitting five or more drug cases, the crime lab personnel must prepare the Multiple Drug Entry Log form prior to entering the laboratory. Only one agency may be represented on the form. The name on the form must agree with the name on the outer plastic bag.

5.5.1.9.5.4 Label if evidence was obtained from any area of possible contamination such as toilets, mouths, etc.

5.6 PROPERTY RECORD

5.6.1 The "property sheet" form must be completed when found property and/or evidence is secured. It is the officer's responsibility to properly complete the form. Procedures for completing this form are as follows:

5.6.1.1 Before turning property over to the police department secretary, the officer will obtain a case number. This number will be written on the property sheet and all other paperwork associated with the case.

5.6.1.2 Before placing any property in the evidence cabinet, the officer will run all serial numbers associated with the property through GCIC/NCIC. If any item is stolen, the office will attach a copy of the computer printout to the property sheet.

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- 5.6.1.3 If an item was collected from a victim or from an incident scene where the suspect is unknown, the evidence will be listed under the victim's name regardless of ownership. If the evidence was taken from a suspect, regardless of ownership, then the evidence will be listed under the suspect's name. The address will be listed as to where the evidence was obtained. If taken from a vehicle, then the address will be that of the suspect if known.
- 5.6.1.4 The description of the property including all serial numbers will be entered on the appropriate numbered lines. Items must be described as completely as possible using color, brand names, sizes, etc. Serial numbers must be entered in the proper space. If an item should have a serial number, and it cannot be located, the words "unable to locate" will be entered on the property sheet. Only one (1) item per line will be accepted. The police department secretary will complete the column marked "property location".
- 5.6.1.5 The "chain of custody" section on the property sheet is used when property/evidence is checked out for any reason. Items checked out by officers for court will be returned promptly to the evidence cabinet. If for any reason property is checked out by an officer and released to another "third party" the officer will have the person sign a copy of the property sheet form in the "chain of custody" section and that copy will be given to the police department secretary. The secretary will staple the signed copy to the original property sheet and the copy will become a part of the original document. A notation will be made on the original property sheet in the "chain of custody" section with the words "see attachment" beside the notation. Items checked out and not returned will be spot audited. The only exception will be when property/evidence is checked out for transportation to the crime lab. The crime lab request form will be used for this chain of custody.
- 5.6.1.6 For each evidence bag, there must be a corresponding property sheet itemizing all property in the bag. Only seven (7) items may be entered on a property sheet. If there is more than one bag, the total number of bags will be listed on the property sheets; for example 1/3. For property/evidence that is to be transported to the Crime Lab, a complete property sheet and a completed Crime Lab Request form are required for each evidence bag.
- 5.6.1.7 The police department secretary will complete the sections of the property sheet marked "date placed in evidence cabinet," "time," and "by whom."

5.7 PROCEDURES FOR SECURING PROPERTY/EVIDENCE

- 5.7.1 When property is obtained during times when the police department secretary is available, the officer will complete all necessary forms and have all evidence/property properly bagged and sealed. The officer will turn over the property/evidence to the police department secretary who will ensure that the property/evidence listed on the property sheet is identified within the sealed evidence bag. The police department secretary will complete the sections required and give the officer's copy to the officer for attachment to the incident report.
- 5.7.2 When an officer determined that the property/evidence can be released, an "authorization for the release of property" form will be completed and given to the police department secretary. This authorizes the secretary to release the property/evidence. The officer will specify the person(s) who are to receive the property by placing the name and address on the form. **Property shall be released to the legal owner or his or her designee. In all**

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cases the department reserves the right to require proof of identity before releasing property to any individual claiming ownership. The officer will not indicate release “to owner” or “to family” on the form.

- 5.7.3 At the end of each school semester, the secretary will send a letter to the court having jurisdiction over the pending charges and each officer who has placed evidence/property in the evidence cabinet. This letter will request a disposition for the property. The letter will be returned to the secretary within ten (10) business days indicating, either, a disposition or if the evidence is still needed for trial or appeal. Officers who have placed property/evidence in the evidence cabinet for court purposes will check with the appropriate court to determine if the evidence is still needed prior to completing the disposition.
- 5.7.4 Once property/evidence is placed into the evidence cabinet, it can only be released during regular working hours of the secretary.
- 5.7.5 To avoid unnecessary handling of evidence, all evidentiary items (if required) must be shown by the investigating officer. If this occurs, it is the responsibility of the officer to re-bag the evidence and prepare the necessary paperwork.
- 5.7.6 In the event that property is found by a third party and turned over to an officer, after ninety (90) days the property can be released to the individual who originally found the property. Attempts must have been made to locate the property owner and if there exists no evidence or other information, then the Chief of Police may authorize the release of the property using the “Property Form”. If the found property is determined to be evidence of a crime, then the property will not be released. Under no circumstances will employees of the police department be allowed to receive found property. This regulation applies to property found by the employee on or off duty.
- 5.7.7 If a problem arises either with the property/evidence or the paperwork that the officer has completed, it is the officer’s responsibility to correct the problem.

5.8 CASSETTES – VIDEO AND AUDIO

- 5.8.1 All video and audiotapes will be handled as follows:
 - 5.8.1.1 The tab on all tapes will be removed prior to placing it in evidence to prevent the accidental taping over of the information needed and/or secured as evidence.
 - 5.8.1.2 The property sheet will indicate that the tape is either the original or a copy.
 - 5.8.1.3 Video and/or audiotapes will be submitted in their case and sealed with a piece of evidence tape to prevent it from opening or sliding out. Both the tape and the case should contain information concerning the case, such as the case number, bus number, etc.
 - 5.8.1.4 It is not necessary to place these items in evidence bags.
 - 5.8.1.5 Property sheets will be completed as with any other property/evidence and processed.

5.9 PROPERTY ROOM INSPECTIONS, INVENTORIES AND AUDITS

- 5.9.1 Semi-annual Inspections Required.

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5.9.2 The evidence secretary shall conduct documented inspections of the Property Room and its contents semi-annually to ensure that all property is stored and accounted for in accordance with these procedures. The focus of these inspections shall be to ensure that:

5.9.2.1 The Property Room is being maintained in a clean and orderly fashion (cleanliness);

5.9.2.2 The integrity of the property is being maintained (security);

5.9.2.3 The documentary procedures set forth in the policy are adhered to (status and chain-of-custody); and

5.9.2.4 That property having no further evidentiary value is being disposed of promptly (final disposition).

5.9.3 Results of these semi-annual inspections are returnable to the Chief of Police or his designee.

5.9.4 Inventory Required Upon Change of Evidence Secretary

5.9.4.1 Whenever a new Evidence Secretary is designated, she and the outgoing secretary will conduct a documented inventory of the Property Room. The purpose of the inventory is to ensure the continuity of custody, and not to require the accounting of every single item of property. During the joint inventory, a sufficient number of property records shall be carefully reviewed to provide an overall picture of the integrity of the system with respect to proper documentation and accountability.

5.9.5 Annual Audits Required

5.9.5.1 The Chief of Police or his designee shall conduct a documented audit of the Property Room and its contents annually during the month of July. This audit shall consist of a random sampling of property held by the Department sufficient to satisfy the Chief of Police or his designee that established policies and procedures relating to Evidence and Property Control are being adhered to.

5.9.6 Periodic Unannounced Inspections Required

5.9.6.1 The Chief of Police or his designee shall make unannounced inspections of the Property Room and its contents at least annually to ensure that all property is stored and accounted for in accordance with these procedures.

6.0 ASSOCIATED DOCUMENTS:

6.1 Property Form

7.0 RECORD RETENTION TABLE:

Identification	Storage	Retention	Protection	Disposition
Property Form	DCSS Police Dept.	Indefinitely	Locked Storage	None

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Evidence	DCSS Police Dept.	Indefinitely	Locked Storage	None
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8.0 REVISION HISTORY:

Date:	Rev.	Description of Revision:
09-May-07	A	Initial Release

***** End of Procedure *****