

CHAPTER 1

ORGANIZATIONAL PLACEMENT

STANDARD

Organizational Placement refers to authority lines and reporting relationships affecting the property unit. It recognizes the fact that managers hold some elements of formal and informal control over the supervisors reporting to them. The supervisors, in turn, have the same influences over their subordinates. The property unit's organizational placement can greatly impact its independence and credibility.

The size of a law enforcement agency ordinarily influences the organizational placement of its property and evidence function. There are however, compelling reasons – which apply to all departments – that the responsibility for safeguarding and processing property be assigned to a specific organizational unit which functions primarily for that purpose. The unit usually is placed organizationally in the Support Services or Administrative Division.

Separation of Duties is paramount to maintaining organizational independence and integrity of the property unit. Centralizing the control and storage of property, and staffing the property function with personnel who are not involved in the collection or disposition of property or evidence, are precautions that will simplify control procedures and enhance the integrity of a property room.

When two or more persons or departments are involved in a transaction, the work of one serves as a check on the accuracy of the work of another. When two or more persons are involved in a transaction, the possibilities of fraud and the incidence of undetected error diminish considerably. No one person should handle any transaction from beginning to end. For example, the person receiving cash from officers should not post any ledgers accounting for the transaction. Obviously separation of duties becomes more difficult among a small staff. Some compromises may be necessary in small organizations due to staffing requirements.

The organizational placement of the property unit can be part of the overall checks and balances of the agency in two ways. First, the unit should be provided with limited authority. The function is for property custody and documentation only. Ideally it should not be involved in decisions about what to seize, or in decisions related to property disposition. Second, the unit should be organizationally separate from the patrol and investigation functions. Patrol personnel seize and book most property, and detectives most often check out property and arrange for its final disposition. Using the property unit as a buffer between those two functions enhances accountability. In small and medium size departments, the property unit should be organizationally placed in an Administrative or Support Services Division. In very small departments without an Administrative or Support Services Division, placement in the Investigative Division by default might be required.

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Patrol personnel who collect evidence in the field, and who subsequently may authorize release of these items, should not be given the responsibility to store or process evidence. Investigative personnel who oversee criminal investigations, and are responsible for making decisions regarding the collected evidence, should not be involved in the property function.

In addition, having the unit independent of patrol and investigations reduces the appearance of conflict of interest. **IAPE – Standard #1 Organizational Placement, (October 16, 2002)**

CHAPTER 2

STAFFING, SCHEDULING AND RESPONSIBILITIES

STANDARD

Staffing refers to the selection of employees to work in the property function of the agency. It includes such things as hiring standards, background investigations, assignments, and employee turnover. It is important that the agency's selection criteria produce qualified employees, and a significant part of that is a thorough background investigation. Whether the employee is sworn or civilian is less important than that they are qualified, committed, and long-term employees.

Employees assigned to the property function may be non-peace officers, as peace officer powers are generally not required. The same reasoning may apply to supervisors or managers of the function. Important career ladders may be established by designating the Property Room supervisor and manager to be civilian positions in the organization, depending upon the size and structure of the agency.

Property Officer candidates should successfully pass both a qualifying exam and thorough background check in addition to meeting requirements set forth by the agency. Rotating personnel through the property unit should be discouraged, as it makes quality control more difficult and additional security measures should be undertaken each time that a "key-holding" employee leaves the assignment. If it is determined that rotation of "key-holding" personnel is absolutely necessary, a complete inventory is recommended to protect all employees involved in the rotation.

Scheduling

Accessibility by the public should be considered when determining scheduling. Whenever plausible, the property/evidence facility should be open during regular business hours. Some agencies may release property by appointment only. Smaller agencies may want to consider a flexible schedule for the release of property. Consideration may also be given to the possibility of allocating specific times when the property/evidence room is not open to the public to be set aside for the performance of specific tasks such as the processing and disposing of evidence.

Property Officer's Responsibilities

The major responsibilities of a Property Officer (also referred to as a Property Clerk, Property Controller, Property Technician, etc.) are to receive all incoming property, to store it properly, to preserve its condition, to maintain it securely, to prevent tampering, to lawfully release or dispose of it, and to maintain documentation of the entire process that is sufficiently accurate and complete to satisfy any court which has reason to examine the process. The number of employees involved in this process will vary by

agency size, but in any case, the person designated as the Property Officer has the responsibility for ensuring this process.

The task is made difficult because the Property Officer seldom has any functional authority over those who decide what property to submit, over those who package the property, over those who check property out for court, analysis, or any other reason, or over those who must make the decisions regarding the timing and method of the property disposition. The result is that the Property Officer has a very large and fairly clearly defined responsibility, but no specific authority to carry it out.

The recommended tool for giving the Property Officer the ability to live up to his or her responsibilities is department policy, clearly written and consistently enforced. The Property Officer should have the “right of refusal”, that is they should have the right to refuse to accept any property that is not properly marked, packaged, or documented, and the right to refuse to release any property which is not properly authorized.

Primary tasks and duties performed by a Property Officer are to:

- Preserve all incoming property from contamination, theft, or loss
- Maintain and update property documentation with tracking information, commonly referred to as the “chain of custody”
- Ensure that all releases and dispositions of property are legal and properly documented
- Arrange and document interim releases and returns of property for court, crime lab analysis, or investigative use
- Operate computer terminals as needed
- Prepare and forward property-related forms to requesting units and agencies.
- Serve as liaison between the agency and other local, state, and federal law enforcement agencies
- Maintain current knowledge of federal, state, and local laws related to property management
- Provide for maintenance of the storage facility
- Inventory property based on the policy demands of the agency. Ensure that all efforts are taken to make the property room as safe as possible for employees as well as property

The ultimate goal for any Property Officer is the appropriate disposition of property, whether in compliance with court order, through release to its rightful owner, or through other legal means such as auction, diversion, or destruction. Both management and supervision need to closely monitor the Property Officer’s regular activities to ensure that

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priorities are established and properly implemented. Specific goals and objectives are needed to direct the Property Officer in completing certain tasks, such as regular purging. The property room needs the full time attention of a manager, both as a leader and as a monitor of policy and procedure. **IAPE – Standard #2, Staffing, Scheduling, etc. (October 16, 2002)**

CHAPTER 3

WRITTEN POLICIES AND PROCEDURES

STANDARD:

In order to clarify and standardize the procedures for the collection, storage, security, release, and disposal of property, it is mandatory that General Orders, a Property Manual, Training Bulletins, or other directives be used to guide the operation of an agency's property function. These orders should clearly define the duties and responsibilities of any agency employee who takes part in any way in the handling or disposal of property, and should be regularly updated to reflect legal and policy changes. It is also important that such orders and directives be disseminated in an efficient and documented manner to those persons who will be held accountable to adhering to them.

It is critical that a law enforcement agency's property and evidence control function develop and maintain strict measures for the receipt, handling, security, and disposition of property. Written directives establish procedures for receiving all property into agency control, to include:

- Requiring all property to be logged into agency records as soon as possible
- Requiring all property to be placed under the control of the property function before the officer ends his or her tour of duty
- Requiring a written report detailing the circumstances by which the property came into the agency's possession and describing each item of property obtained
- Providing guidelines for packaging and labeling property prior to storage
- Establishing extra security measures for handling exceptional, valuable, or sensitive items of property
- Requiring an effort to identify and notify the owner or custodian of property in the agency's custody
- Establishing procedures for the temporary and final release of property items from the control of the property and evidence function. **IAPE – Standard #3, Written Policies and Procedures, (October 16, 2003)**

CHAPTER 4

TEMPORARY STORAGE OF EVIDENCE

STANDARD

In order to establish the “chain of custody” for a piece of evidence to be admissible in court, it needs to be proven that someone was responsible for, and can testify to the security of the evidence from the time it was seized, until the time it is presented to the court. A portion of the custody chain that is particularly vulnerable in many agencies involves temporary storage.

Temporary Storage refers to the gap between the time the employee who seized the evidence leaves it at the station, and the time that it is actually received by a property room employee. During this time, which could vary from a few hours to a few days, the property has left the hands of one person, but has not yet been received by another.

Since there is no one person in physical control of the property during the time of temporary storage, there should be a storage facility and methodology that will allow a person to testify to the security of the property, even though no one person was physically present. The precedent is that evidence stored in the property room is deemed to remain secure within the chain of evidence, even though the property room has no employees present during certain hours. The physical security of the facility, and the procedures restricting access during that time, allow the court to logically determine that the Property Officer was still “in possession” of the property, even though he or she was not physically present.

Similarly, courts have ruled that property placed in temporary storage has technically been received by the Property Officer, even though the Property Officer is not present, if it has been placed in a storage area that is secure, and which can only be opened by property room personnel. Policy should prohibit the storage of evidence in areas other than official designated storage areas.

The actual size, shape, or source of such temporary containers is insignificant, if it meets the criteria of physical and procedural security. The most convenient method of providing temporary storage consists of an assortment of lockers in a common wall between the property room and the room where evidence is packaged by the booking employee. Such lockers should be of various shapes and sizes. The doors on the booking employee’s side should be of a slam-lock variety, in that once they are closed, the latch automatically locks so that it cannot be reopened from the outside. A self-locking system should be utilized to eliminate the need to keep keys and/or padlocks on the lockers. The doors on the property room side should be sufficiently secure when closed to maintain the security of the property room, yet permit the Property Officer to both remove the evidence and reach through to release the door latch when open. If lockers with individual keys must be used for temporary storage, the keys should be deposited in an area that only property room personnel have access. Once evidence is placed in

temporary storage, it should immediately be secure and accessible from that point only by property room personnel.

An area designated for the temporary storage of oversize items is recommended so that such items are not commingled with other evidence items and are safeguarded from potential tampering.

Secure temporary storage of biohazard items is recommended. Some items require cold storage if still in a liquid state, or frozen storage if the body fluids have dried. In many instances, bloody items may be stored at controlled room temperature if it has been appropriately dried, depending upon the requirements of the local crime lab. Sexual assault evidence should also be refrigerated/frozen in accordance with local crime lab recommendations. Other biohazards that do not require refrigeration should be placed in a location that is secure, but can easily be decontaminated after each use. A designated drying locker is recommended in order to dry bodily fluids.

A specific location for blood and urine samples that do not require refrigeration is recommended. This location should be easily decontaminated and made of a non-porous material.

A temporary storage location for small quantities of hazardous materials, such as chlorine, acid, lye, etc and flammables such as gasoline, kerosene, benzene, etc, pyrotechnics, and commercial ammunition should be provided for. This location should be open to the outside where any escaping fumes will not enter the building's Heating/Ventilating/Air Conditioning (HVAC) system. All hazardous materials should always be stored in an airtight container. The use of an "explosion proof" cabinet is highly recommended. Large quantities of such hazardous materials shouldn't be stored in the property section. Consider saving a sample of the larger quantity for scientific analysis and obtaining a court order to dispose of the remainder in major cases.

As a general rule, perishables should not be stored in the Property Room. However there are circumstances that may require such storage. For this instance, a dedicated refrigerator and a freezer should be made available for temporary storage. Ideally, such a refrigerator would have individual locking compartments to prevent the commingling of evidence. Some departments with a low volume of evidence may opt to merely place a hasp and lock onto a small under-counter refrigerator. Larger departments may choose to place a full-size refrigerator/freezer combination in the temporary storage area.

Fingerprints and photos are among the best evidence available to connect a suspect to a crime scene. A drop-slot in a temporary locker is one of the most effective methods of securing latent print cards and exposed, undeveloped film. Audio and videotapes can also be handled in a similar fashion. Consider designating one temporary locker as a "trouble locker" or a "will call locker" to hold improperly documented or packaged items until the submitting officer can make corrections, or for check out by officers during non-business hours. **IAPE – Standard #4, Temporary Storage of Evidence, (October 16, 2002)**

CHAPTER 5

LONG TERM STORAGE OF EVIDENCE

STANDARD

Certain items of evidence require additional security precautions because of its very nature. Currency, firearms and narcotics are among the most critical that require enhanced levels of security. Additional items of value, such as negotiable securities, precious metals, precious and semi-precious stones, and collector coins and stamps should be handled in a similar manner to ensure their safety.

Such enhanced security may consist of a separate room or area, within the confines of the main Property Room that is segregated from the main Property Room by a locked and alarmed door.

Firearms should be segregated from other items of general evidence and stored in a uniform manner, within the confines of an area with enhanced security. This may be a separate room, or an area that has been segregated by security screen. Firearms should be stored in a manner consistent with the overall filing system used throughout the Property Room. Rifles and shotguns should be placed in vertical racks or in rifle boxes to permit a consecutive and systematic filing system. Handguns should also be placed in handgun boxes and filed in a consecutive and systematic manner. Place rifle and handgun boxes on edge to permit easy retrieval. Use additional shelves if necessary - do not stack boxes one on top of another. Firearms from active cases should be in one location, and firearms pending destruction should be in another.

Currency should always be stored in a “vault” segregated from other forms of evidence in a storage manner that is consistent with the filing system used throughout the Property Room. The “vault” may be a large walk-in safe, a secure closet, or even a secure file cabinet depending upon the volume of items anticipated. Whatever type of currency storage selected, the “vault “ should be secure, independently keyed, and placed in an area where it is covered by an intrusion alarm. Additional security can be achieved by placing the currency vault in an area that requires a second person to gain entry. Foreign currency is normally not counted as having value; however, significant sums exceeding the conversion costs should be safeguarded with the same consideration as U.S. currency. Currency from active cases should be stored in one location, and currency pending deposit to Finance should be in another.

Narcotics should also be stored in a “vault” segregated from other forms of evidence in a storage manner that is consistent with the filing system used throughout the Property Room. The “vault” may be a large walk-in safe, a secure closet, or even a secure file cabinet depending upon the volume of items anticipated. Whatever type of narcotics storage selected, the “vault “ should be secure, independently keyed, and placed in an area where it is covered by an intrusion alarm and has adequate ventilation to control noxious odors. Ventilation is of special concern with narcotics. Narcotics fumes should

not be circulated within a common ventilation system. Exhaust ducts that vent directly to the outside are highly recommended for property rooms. Additional security can be achieved by placing the narcotics vault in an area that requires a second person to gain entry. Narcotics from active cases should be in one area, and narcotics pending destruction should be in another. Narcotics that are stored for use in “stings” should be segregated from both of these former types. Narcotics for stings should also be submitted for storage in a sealed container with two signatures (one supervisor) to insulate the Property Room from any Investigative Division responsibility. Nothing precludes the enhanced security recommendations for firearms, currency, and narcotics from being combined into one secure area with three distinct storage facilities.

Homicide evidence, by the nature of its long-term storage, should be grouped together and relegated to those areas that are least accessible in the Property Room. Special attention should be given to ensure that biological evidence is not exposed to any heat greater than normal room temperature. Bio-hazardous evidence should also be labeled and placed in a temperature-controlled area. Homicide related weapons and narcotics should be stored in the designated firearms and narcotics areas, not with the homicide evidence.

Found Property and Safekeeping, because of the short-term nature of its storage should be placed in one of the more accessible areas and segregated from other items. A quick visual check of these shelves should give an indication if adequate purging is taking place.

Audio tapes and video tapes should be placed in a location that is temperature and humidity-controlled, and free from magnetic fields. High voltage wires, transformers, and electric motors may generate strong magnetic fields.

Hazardous materials and flammables do not belong in the Property Room; however, small quantities and samples may be stored in adequate containers in an area designated for such storage. Such storage may be in a designated cabinet that is placed in a location where fumes would not contaminate the building’s HVAC system.

Oversize items, cold storage, hazardous materials, and flammables are frequently grouped together in an outbuilding or an exterior storage area. Latent fingerprints and film may be stored in an evidence technician’s office due to its need for frequent access, but all such items should be maintained in a secure file and the chain of custody accurately noted.

It is important to remember that departmental materials and supplies should not be commingled with property and evidence. **IAPE – Standard, # 5 - Long Term Storage of Evidence, (October 16, 2002)**

CHAPTER 6

PROPERTY ROOM CONSTRUCTION

STANDARD

The type of materials used in the construction of the property room is vital, as the room must be secure from unauthorized entry. The exterior concerns relative to the actual building are critical. The building materials should ideally consist of concrete blocks with filled cells or similar material. In addition to the walls, the floor and ceiling must be impervious to intrusion. In constructing the interior and exterior walls, the outside elements must be taken into account. It is best to avoid sheetrock or drywall as it can be easily penetrated. In the event drywall is used, it should be backed with plywood or a double layer of drywall. The walls need to extend from the floor to the ceiling. Never leave space for entry that may be achieved by removing a T-bar ceiling section. The room, if possible, should be designed without windows. Heating, air conditioning, and ventilation system duct registers must be constructed to prevent entry. The exterior roof should be constructed of materials that are resistant to entry and alarmed to detect any such attempts. A flat roof with tarpaper and 1/2" plywood is easily breached. Exterior doors should be metal clad with metal frames. The hinges to these doors should always be located on the inside. Interior doors should be solid-core and any half-doors should be dead-bolted on both halves.

The Property Room should be equipped with fire sprinklers, smoke detectors, fire extinguishers, and an emergency eyewash.

The size of the property room is influenced by the size of the agency and its workload. One of the most important aspects in the design is the need to closely control certain items, such as firearms, narcotics, and currency. These items should be segregated from other property. An ideal option is to have available separate locked and alarmed room(s) or vault(s) totally inside the property room.

The design and layout of the property room is dependent upon the size of the agency and the volume of property to be stored. Larger agencies may opt for a supply service function and a fully staffed evidence control area. It is, however, important to remember that departmental supplies should never be co-mingled with property and evidence.

Regardless of the department size, certain minimum standards should be included in the design and layout of the property room. The Property Office should be adjacent to the property room, but not within the confines of the storage area. This allows property transactions to occur within the office and minimizes access to the actual storage area. Narcotics, firearms, and currency need to be stored separately. Easy access for release of property to the public and to officers is recommended. Property rooms adjacent to report writing areas with pass through lockers are recommended. Access to a parking lot via a security door for movement of property is also recommended. **IAPE– Standard # 6 – Property Room Construction (October 16, 2002)**

CHAPTER 7

LAYOUT ISSUES

STANDARD

The Property Room should be located in a convenient place within the department.

A basement area is acceptable as long as access to the parking lot for loading/unloading is available. Many agencies have found that placing the evidence room adjacent to an area set aside for report writing is most beneficial. In this configuration, pass-through lockers can be used by officers to pass evidence into the Property Room upon completion of their reports. The room should also have a secure service counter for the public. Within the designed system, there should be a duress alarm and a video surveillance camera system.

Some agencies use satellite or off-site locations for the storage of property and evidence. This can cause security problems, increase transportation and employee costs, and can make property/evidence pick-up and return difficult. Satellite or remote locations should have the highest level of security possible. It is generally desirable to keep the property and evidence facility within the agency's building and/or grounds.

A well-designed property/evidence room will provide office space outside the actual storage area. Having the office adjacent to the storage area provides a work environment without compromising the items under its control.

Policies need to articulate numbering systems, labeling of shelves and guidance to where certain items should be stored. Newly employed Property Room personnel need to be provided with information on all facets of the Property Room function, including numbering and location of segregated items. Items should be submitted in a variety of different size manila envelopes and then stored by the Property Control Number in sequential order. "A" size envelopes are stored in "A" bins, while "B" size envelopes are stored in "B" size bins. All efforts need to be taken to ensure that items are never stacked one upon the other or one behind the other. Any time items have to be moved to retrieve another can increase labor costs significantly.

Being able to specifically identify and document each storage location used by the agency is a critical step in the evidence function. All rooms, bays, bins, shelves, racks, and containers need to have a clearly readable address. Most Property Officers become quite familiar with their environment, and have no doubt about where things are. Unfortunately, relief personnel and supervisors must also work in the same environment, and they too should be knowledgeable on how to locate items. Every effort needs to be made to guarantee that all locations are properly marked. Using an organized numbering system that is specific is a critical element of the system. Utilization of a computer database with bar codes and assigned storage locations assists greatly.

A suggested scenario for developing an overall organization pattern would be:

- Review the historical record of the types and quantities of evidence that are regularly booked into the property system. Design packaging containers based on the majority.
- Designate particular areas of the storage facility for particular types of evidence. For instance, safekeeping near the public counter, and homicide evidence in the farthest location.
- Decide on some standard packaging options and shelving/container combinations. If shelving is fixed, design your containers around the shelving sizes. If shelving is adjustable, use containers that are standard sizes to minimize costs. If several standard size envelopes were designated, then the appropriate containers, drawers, and bins could be designed to store selected envelopes in specific shelving locations. The use of high-density (mobile) storage shelves is the most effective method to significantly increase storage space.
- By developing the packaging standard around the shelving and bin configuration, or vice-versa, a department can maximize the efficiency of property storage, and minimize the effort it takes to store and retrieve it. IAPE – Standard # 7 Layout Issues (October 16, 2002)

CHAPTER 8

SECURITY AND ALARMS

STANDARD

A written directive should require that only authorized personnel have access to the areas used by the agency for storage of property and evidence. Entry to property areas should be controlled to prevent the alteration, unauthorized removal, theft, or other compromise of property stored by the agency to maintain a chain of custody. No one other than property room personnel should have keys to the property storage areas. During non-business hours the department needs to establish a written protocol for entry into the Property Room. It is always suggested that the Property Officer be called-in for the entry. If this is not practical a two-person rule is necessary.

All extra keys should be sealed in an envelope that is kept in a safe location designated by the agency head. A log should be maintained to indicate the date, time, necessitating circumstances, employee, and supervising person using the key whenever the seal on the envelope is broken. Whenever these keys are used, a written record must be prepared to justify the use of the duplicate key.

Policy Issues:

- Access During Business Hours
- Access - After Hours
- Access log maintained for all entries to the Property Room (other than property room personnel on duty)
- Key Control – Responsibility for keys
- Requirement to change locks or keys upon personnel changes
- Practice or Policy Testing alarms in Property Room

The Property Room should be equipped with high quality interchangeable core locks that can easily be changed when personnel changes occur. A high-tech alternative to traditional keys are cardkeys in conjunction with a PIN that records who accessed the door and when.

Key-holding personnel should be limited to only those persons who regularly work in the room, and the Division Commander who is in the direct chain of command should keep a spare key. The Division Commander should be responsible for supervising when locks are changed. Under no circumstances should a key to the main property room be kept in the Watch Commander's office where multiple persons have access to it without controls.

Temporary Lockers – Security

Temporary interior lockers should be equipped with slam-lock hardware that does not require a key to lock. Any time a padlock is use on storage lockers they need to be affixed to the locker to avoid removal and duplication. Oversize lockers should have a vestibule that is unlocked when empty and slam-locked when evidence is put inside. A sufficient number of oversize lockers should be available to prevent commingling evidence from more than one case.

Gun, Narcotic, and Currency Storage Areas – Security / Alarms

Guns, money, and narcotics are the primary targets of thefts that have occurred in law enforcement property rooms. All efforts need to be taken to secure these areas and track all entries. Consideration should be given to electronic access systems along with a secondary keypad for all entries. Installation of a video camera on the door or interior is an excellent control. The controls may be relaxed somewhat if only the Property Officer has access to these areas. Multiple entries require tighter internal controls. Hinges need to be on the interior of the room or use commercially designed security hinges.

Intrusion Alarms

All property rooms should be fitted with an intrusion alarm that detects when the entry doors are opened without authorization. Additional motion detectors should protect the enhanced security area for the firearms, narcotics, and currency. Employees at a 24/7 workstation should monitor these alarms. Alarms should be tested monthly and records kept. Additional alarms of a similar nature should be fitted to secondary and oversize Property Rooms.

Duress Alarms

Any property release area that is removed from immediate back up should be equipped with a duress alarm. Remote property rooms with firearms, narcotics, or currency should also be equipped with a duress alarm. This alarm should be monitored in a 24/7 facility and tested once a month. A test log should be maintained. Monitoring the alarm at a third-party alarm company adds an additional level of internal control.

Video Surveillance

Consider placing video surveillance at the all points of entry. The system can all be activated by motion detectors and provide a good long-term record of all entries. Management needs to establish a written policy on how long the tapes are to be stored any time a video system is used. Newer technology also allows images to be stored digitally on a computer hard drive. **IAPE – Standards # 8 - Security and Alarms (October 16, 2002)**

CHAPTER 9

DOCUMENTATION

STANDARD

Written policy should guide employees on how property and evidence is to be documented on departmentally authorized forms. The guidelines may be in the form of a General Order, S.O.P., Training Bulletin, Packaging Manual, or some other official communication for which accountability can be obtained. A general principle applicable to all situations is that whenever property or evidence is seized from someone, a receipt must be provided, and there is documentation and strict accountability of the ultimate disposition of the item.

Policy should include that evidence is to be booked by the end of each watch, what forms are to be completed, how evidence is to be marked and positively identified, and how many and what types of items may be booked together. As a general rule, firearms, currency, and narcotics should not be listed on the same property report with general evidence items due to its unique security requirements and purging issues.

Separate reports should also be completed when guidelines should disallow booking items such as “miscellaneous jewelry”; all items should be individually documented and tagged.

Policy should require all serialized property to be run through a state database for a stolen query and entered as evidence. Policy should require any firearms to be verified through a state database and then entered. The Property Officer should always verify serial numbers and compare the description of the item with the actual item for accuracy. The Property Officer should again verify the numbers and the description of items when they are released.

All official forms should be approved through a standardized process, given a departmental control number, and a date modified. “Unofficial” forms that are created by individuals in small work groups to solve specific problems should be referred to a management committee for approval. Supervisors must be aware of unofficial forms that are created by well-intentioned employees.

The entry of property into the Property Room begins with documentation of who placed the items into temporary lockers and when. This date and time should be placed on the original property booking sheet that describes each individual item and what case it pertains to. This property-booking sheet should be considered a “master copy” with original signatures, and should be sent to Records. Carbonless copies should be considered as a duplicate original for both the Property Room and the Investigation Division use. A larger number of items can be itemized on additional pages, if necessary.

The receipt of property begins with the Property Officer removing the items from the temporary lockers and noting the date and time it actually came into the Property Room's possession. This factor is not critical because many jurisdictions consider the item to be in the Property Room's possession when the locker door is slammed shut. The receipt of the evidence should be recorded in a logbook, on the property-booking sheet, or in the evidence management computer. A sequential and unique control number, different from the DR case number should be assigned to each property item. This prevents more than one item from having the same number.

The location that the items are designated for storage may be placed on the property form or in a computer program if an automated system is used. If an automated system is in use, is there adequate back up? If not, consider keeping a file copy as a backup record. If a manual system is in use, file the active cases together by control number or chronologically in one file and closed cases in another. The property reports for Found Property and Safekeeping should also be segregated because of their short turnover.

Information needed on a property report form:

- Submitting Officer Information
- Case Number
- Control Number
- Bar Code Number
- Item Number
- Description line for each item
- Owner, Victim, Suspect box
- Address of party involved
- Phone number of party involved
- Type of Crime (Robbery)
- Felony / Misdemeanor / Infraction / Other
- Date / time item was submitted
- Receiving Property Officer Information
- Removed from locker by
- Date / time received
- Stored by: (placed on shelf by)
- Location stored
- Chain of custody locations: court, lab, etc.
- Detective / Investigator responsible for case

- Detective Approvals
- Approval signature to release, destroy, divert
- Approval Date
- Description of items to be released / destroyed (items numbers, etc)
- Documentation when the card or letter was sent
- Property Room History – Released or Destroyed
- Name of person property is to be released to
- Address of person property is to be
- Drivers license or other government ID of person
- Release by
- Date of release
- Destroyed by
- Date of destruction

Suspense Files (Tickler Files)

A “tickler file” is a manual method of placing items, such as property reports, in one file in chronological order. This order will permit the Property Officer to quickly examine the date an item was submitted for possible purge review. This method of filing will also permit a Property Officer to quickly determine when a certain period of time has elapsed, for example the 90 days needed on Found Property and 60 days for Safekeeping items.

This type of chronological date stamping is also possible to program in a well-structured computer program. Such files are useful to monitor the following:

- Currency Ready For Transfer
- Firearms Ready For Destruction
- Narcotics Ready For Destruction
- Items Ready For Auction
- Card/Letter Sent
- Out To Court
- Out To Lab.
- An automated computer report may be substituted for these types of files. **IAPE – Standard # 9 Documentation (October 16, 2002)**

CHAPTER 10

PACKAGING, HANDLING AND STORAGE

STANDARD

Agencies should develop specific guidelines for the receipt, packaging, and storing of property and evidence that meet the needs of their department and the local crime lab. These guidelines should be disseminated in a manner that all persons who book property have access to the guidelines and are accountable for following them.

In order to provide personnel with direction, it is recommended that property/evidence room managers develop specific policies that outline the acceptable methods for packaging property and evidence within that agency. One recognized method would be to develop a photo-based manual that illustrates the proper method for that agency. Those items that should be defined/described may include:

- Ammunition
- Audio/video tapes
- Bicycles
- Bio-hazardous materials
- Body fluids
- Bulk property/evidence
- Computers
- Currency
- Documents
- Electronics
- Explosives/Fireworks
- Fingerprints
- Firearms
- Flammables
- Hazardous materials
- Knives/swords
- Narcotics
- Photographs/film
- Sexual assault evidence
- Syringes/sharps

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- Tools
- Valuables/jewelry
- Weapons

The policy should clearly state that any deviation in packaging methods that does not meet the property room standards will be refused and the booking officer shall be notified through the chain of command to correct the problem. This principle is known as the “Right of Refusal”.

Regardless of the packaging method used, the package should have an identifier (e.g., case number, control number, item number, etc.), which corresponds to the item description noted on the property/evidence report (e.g., evidence tag, property sheet, property receipt, property invoice, etc.).

Serial numbers on all serialized property and evidence (including weapons) should be verified upon receipt. Close communication should be maintained between those responsible for the entry and update of all state automated systems and the property/evidence function

A specific area should be designated as a packaging area for employees to bag and tag property and evidence items. This station should have all property room policies immediately available for reference. Soap, water, and decontamination supplies should be immediately available at the counter site. The counter of this area should be surfaced with metal, or a non-porous laminate to permit proper decontamination.

Biohazard labels should be available and used on all items suspected of being contaminated with body fluids. Evidence sealing tape should be placed on all packages where contamination or tampering may become an issue. Color-coded stick-on labels should be used to designate specific types of evidence, such as homicide related, or an Officer-Involved-Shooting. Color-coded labels can also designate what year the item was taken in.

Packaging items should be available in the field for hazardous or dangerous items, such as sharps. Field personnel should be encouraged to keep basic packaging items with them at all times for preserving items that may be destroyed and cannot wait for an evidence technician to collect. **IAPE – Standard # 10 - Packaging (October 16, 2002)**

CHAPTER 11

CURRENCY HANDLING AND OTHER VALUABLES

STANDARD

Currency – Policy

Currency and valuables, such as negotiable securities, foreign currency, jewelry and precious stones should also be provided additional levels of security and documentation regarding their handling and ultimate disposition.

Currency should be deposited into a financial institution as soon as practical, rather than storing it in the property room. For agencies using immediate deposit, it becomes the responsibility of the officer booking the property to notify the property room if there is a specific need for the physical money itself to be retained as evidence.

Currency - Documentation

All currency seizures should be documented on its own separate property report from other items of general evidence due to its special handling and disposition needs. ALL currency transactions should use a “rule of two”, that is the signature of the person making the count and the signature of the person who verifies the amount should both appear on the property record. Currency envelopes listing a count by denomination should be used to help ensure accuracy, and sealed using the appropriate evidence sealing tape. Currency should be submitted into a temporary locker or safe with a drop slot as soon as practical.

The Property Room should keep a log, either manual or automated, of all currency entering and leaving the Property Room and the current balance. Once the currency is logged-in, the Property Room should place the item in a location with enhanced security labeled “Active Currency Cases”. If the envelope is sealed and initialed there is no need to open the envelop for verification.

Drug Asset Forfeiture Exception

Large quantities of uncounted currency are occasionally seized and are waiting very short term to be deposited into a financial institution. These seizures should be sealed in a tamperproof currency bag with two signatures, one of which should be a supervisor’s. The sealed bag should have a currency envelope attached listing the currency as uncounted. The sealed currency bag should be placed in the currency room with enhanced security as soon as practical. Arrangements should be made for the currency to be counted with two witnesses in a financial institution as soon as practical, and the currency envelope is then completed once the count is made and verified by the two witnesses. A cashier’s check should then be drawn for the seizure amount and presented to the prosecutor who will file the Asset Forfeiture action. The currency bag with

signatures and the evidence envelope with signatures and count by denomination may then be entered as items of general evidence.

Currency Vault

The currency vault should be a location where enhanced security separates it from other locations where items of general evidence are kept. The location may be a room created by security screen, a secure closet, a safe, or even a file cabinet. There should be a secondary lock in addition to that needed to enter the evidence room. A card key system with a PIN that records who entered and when is recommended. Ideally, the currency vault should have both an entry alarm and a motion detector.

The vault should have separate locations for active cases, and cases pending transfer to finance. There should also be documentation in the form of a tickler or suspense file that notes when items are out to the crime lab, out for investigation or out to court. This suspense file will prompt the Property Officer to look for the item when it has not returned in a timely manner.

Currency - Transfer and Release Procedures

All releases of currency should be specifically authorized in writing, and requests for currency in court should require the officer to show a subpoena. Currency should be returned at the end of the day unless it has been entered into court evidence and a signed receipt with a court stamp is returned. When currency is released to the public, it should be done in front of a second witness or under a surveillance camera to document the count and release of the cash. The transfer of currency to Finance should be itemized by amount and verified with a secondary signature. **IAPE – Standard # 11 - Currency (October 16, 2002)**

CHAPTER 12

FIREARM HANDLING

STANDARD

Firearm – Policy

Firearms should be provided enhanced levels of security and documentation regarding their handling and ultimate disposition.

Firearm - Documentation

All firearms should be documented on their own separate property report and segregated from other items of general evidence due to their special handling and disposition needs. The booking officer should carefully note the identifying information of the weapon in order to accurately query its history. The Property Officer should verify this information when entering the weapon into the property system.

Firearm Packaging

Always check to see if a firearm is loaded before handling outside of the gun box. Firearms should be packaged in a manner that permits efficient storage. In most cases, individual handguns should be packaged in handgun boxes, and individual long guns/rifles should be placed in long gun boxes. This permits the greatest efficiency when combined with adequate shelving.

Firearm Storage Area

Firearm storage should be a location where enhanced security separates it from other locations where items of general evidence are kept. The location may be a room created by security screen or a secure closet. The firearm room should be constructed in a manner that would prevent unwarranted entry. Concrete / block walls, chain link fencing or security screen are acceptable materials. Drywall construction is not recommended, but if necessary it should be fire-rated and reinforced with double thickness with security screen sandwiched in between.

The firearm room door should be of a solid core construction and have a locking mechanism that is secured with a dead bolt latch. Another alternative is to have a door made of security screening that cannot be unbolted at the hinges or the locking panel. The shelving in the firearm room should be designed for the efficient storage of both long guns and handguns. The use of firearm storage boxes for both handguns and rifles is highly recommended. The shelves in the firearm room should be adjustable to optimize the space available to fit the boxes in use. Not all firearms will fit in boxes, therefore wall racks or a hanging bag area should be available to store these exceptional sized weapons. The storage scheme should be consistent with the overall storage scheme of the property

room. A card key electronic access system with a PIN that records who entered and when is recommended. Ideally, the firearm room should have both an entry alarm and a motion detector,

There should be documentation in the form of a tickler or suspense file that notes when items are out to the crime lab, out for investigation, and out to court. This suspense file will prompt the Property Officer to look for the item when it has not returned in a timely manner. All firearms, including those “ready for destruction” should be stored in the secure firearm room. They should be removed from the active inventory as soon as possible, but retained in a special designated and secured area in the firearm room. The firearm room may be a locked gun cabinet or even a padlocked drawer in a smaller agency.

Firearms - Transfer and Release Procedures

All releases of firearms should be specifically authorized in writing, and requests for firearms in court should require the officer to show a subpoena. Firearms should be returned at the end of the day unless they have been entered into court evidence and a signed receipt with a court stamp is returned. Firearms that are approved for release should have the owner carefully screened to ensure that they do not have restrictions on the possession of firearms. This responsibility for checking the status of claimants should be assigned to one person and the authorization to release must bear the signature of the person granting the release.

Firearm Purging

Firearm purge review forms should be sent to the case investigator for disposition in a timely manner based upon the type of crime. Approval for the destruction of weapons should result in the weapon being taken off the file shelf and placed in a location labeled firearms “ready for destruction”. Destruction should occur only with a case investigator’s approval. Direction to retain the item should have a supervisor’s approval and reason for retention.

Firearm Destruction

A destruction list of firearms should be compiled and a court order signed by a magistrate should be obtained to limit liability. The destruction of firearms needs to be determined by a pre-set number or calendar date to perform the actual destruction. This threshold should be set by the amount of storage space available and by what constitutes a convenient number of weapons to destroy at one time. Generally speaking, smaller quantities that result from more frequent destructions are easier to schedule than are large quantities. Under no circumstances should the record be changed to reflect “Destroyed” until the actual destruction takes place. Satisfactory destruction of firearms can be accomplished by saw cutting, torching, smelting, or crushing. An independent witness should verify the serial numbers and destruction of these weapons. Disposal of firearms in the ocean, a lake, or landfill is unsatisfactory and may be illegal. The stripping of

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usable parts for use on departmental weapons may be permissible if stipulated on the weapon destruction order signed by a magistrate.

The sale or trade of firearms for destruction to a licensed firearm dealer can be a liability to the organization if the weapon is used in another crime. This is not a suitable disposition.

The diversion of weapons for departmental use is acceptable if it is actually put to use. The diversion application should include approval from a manager requesting the item, the Chief Administrative Officer or departmental designee, the agency's purchasing administrator, and a magistrate. **IAPE – Standard # 12 Firearms Handling (October 16, 2002)**

CHAPTER 13

NARCOTICS HANDLING

STANDARD

Narcotics evidence should not be commingled with any other property types, except when a common enhanced security area is shared with the storage of firearms or currency. All items in this category should be handled and processed with extreme caution. The following are recommended features for a narcotics storage room:

- A narcotics storage room must be impervious to entry and should be constructed of either concrete block or heavy gauge fencing.
- A narcotics storage room shall have an adequate ventilation system consistent with legal mandates that will not impact other areas of the building. Always consider a negative pressure system.
- Storage identifiers should be consistent with the storage scheme of the main property room.
- High security areas should be designed so that more than one person is needed to open them.
- A narcotics storage room should be alarmed independently from the main property room alarm system.
- A narcotics room alarm system should consist of an intrusion alarm, door or vent contacts, and some type of infrared or motion sensors.
- An entry log should be maintained either electronically or by hand of all entries.
- In the event that a narcotics evidence room is not practical, because of either budgetary constraints or a narcotics volume that does not justify the expense, a safe or fenced enclosure within a secured room would suffice.

A narcotics storage room or vault needs to be designed in a manner that provides enhanced security, environmental safety, and easy retrieval. In addition to the narcotics storage space designated for active cases, there needs to be another secure space in the narcotics room specifically for those items that have been signed off for destruction. Drugs for disposal should never be stored in areas that do not have enhanced security. Every agency's policy statement needs to specifically outline procedures for the handling, storage, transportation, and auditing of narcotics for destruction. Minimum standard requirements should also include requiring witnesses to audit the destruction, and specifying the number of armed sworn escorts to the destruction site. **IAPE – Standard # 13 Narcotics Handling (October 16, 2002)**

CHAPTER 14

EVIDENCE, OTHER SPECIAL HANDLING

STANDARD

Cold Storage

Certain classes of property require special treatment for reasons totally separate from their value as evidence. These items may be dangerous, difficult to package or store, or perishable. The fact that an item is hazardous, difficult to package, or perishable causes no reduction whatsoever on the necessity for maintaining the chain of custody while it is held.

For this reason, the storage of perishable items is strongly discouraged, and should only be performed when it is evidence of a very serious crime. It is important to note that freezer space is extremely limited in many agencies and should be reserved for the preservation of DNA related evidence only when it is inappropriate to store these items in a room temperature controlled environment (65° to 75°).

Refrigerators and freezers should be equipped with alarms that indicate if the temperature rises above a designated threshold level. Contamination due to thawing after an equipment malfunction is unacceptable. The alarm should be monitored in a 24-hour location, such as the communications center.

Some items, such as those containing liquid blood samples, should not be frozen and may require refrigeration instead. Again, it is important to minimize these cases, as refrigerator space is also extremely limited in many agencies. Some blood sample vials have a preservative and may be stored at room temperature. Check with the local crime lab for local storage requirements.

Flammable Substances

By definition, a “flammable” is virtually anything that is easily set on fire. The storage of flammables should therefore be in an area away from the regular or indoor storage facility. The following suggests the minimum standards for the storage of flammables:

- Location should be outside the main building, such as within a bulk storage area.
- Sealed (new) metal cans should be used to store arson evidence.
- Other containers may be used if they have airtight lids.
- Larger quantities of flammables should be referred to the local Fire Department for disposal. Photos and samples of the material should generally suffice.

- A metal storage cabinet or an explosion-proof locker specifically designed for this purpose can be utilized for the containment of flammables. The cabinet should have a locking mechanism, and should clearly be labeled “Flammable”.
- Storage scheme should be consistent with that of the overall property room scheme.
- Small quantities of fireworks may be kept in such a cabinet if the aggregate total of powder does not make it a destructive device. Explosives should never be stored in the Property Room, but should always be referred to the local bomb squad for disposal.
- In any area where flammables of any kind are stored, it is highly recommended that fire extinguishers, an adequate fire sprinkler system, and an action plan are readily available.

Syringes and Sharps

It is important to remember that the cut or puncture caused by a syringe, knife, or other sharp object is of significant concern due to the risk of infection from whatever biological or chemical contaminant may be on the sharp.

Syringes in general are being booked into evidence substantially less frequently now that their hazard is well known. They almost never are presented as evidence in court. Consult with the prosecutor to evaluate if the criminal case in question can proceed with a photograph and dispose of the syringe in a medically approved manner.

The hazard from syringes and sharps is very real, and directives need to insure that all needles are securely contained in an appropriate marked sharps container.

Bulk Items & Vehicles

A bulk item can be defined as any item that cannot be stored readily in the regular storage area due to size. It includes items such as tires, vehicle parts, carts, lawn equipment, bikes, etc.

It is recommended that an outside area be designed, or large warehouse obtained, to meet these suggested requirements:

- Bulk area should be enclosed by material that would prevent unwarranted entry such as a block wall with a standard metal gate.
- Area should be away from public view.

- Area should be such that items stored within would be protected from the elements.
- Gates should be able to accommodate large items.
- Storage scheme should be consistent with the overall scheme of the property unit.
- An intrusion alarm is suggested for such a building.
- The bulk storage area may also be partitioned for the storage of vehicles.
- Sufficient lighting should be provided for necessary security.

In the event that vehicles cannot be accommodated, a contract with a reputable tow yard for towing and storage is acceptable, if, and only if the site remains secure, even from tow yard employees. Periodic inspections to ensure the preservation of said vehicles would be suggested. An alternative is to have a surplus cargo container for the temporary storage of a vehicle used in a major crime. This will ensure controlled access, but keep in mind that these containers have the possibility of extreme temperature variations.

Long, Slender Items

The storage of long, slender items such as poles, clubs, rods, sticks, batons, and the like have always created a nightmare for storing within the property room. This particular type of item usually ends up stacked one on top of another or standing up in a barrel, causing identifying tags to be damaged and creating huge problems when trying to retrieve them.

One solution to eliminate this would be an easily constructed box with a wire crosshatch at the top and near the bottom to allow items to stand up in an identifiable grid section. Another suggestion to store items vertically is to utilize large diameter agricultural PVC pipe.

Items may also be stored horizontally on a shelf when the items are placed in case or chronological order. Yet another suggestion is to hang long items from a pegboard with rubber stretch cord. Whichever method is utilized, ensure that the items are in some type of order and easily retrieved.

Bicycles

Exterior storage is common, but not recommended because it leaves the risk of damage to the bike from exposure to the weather. Interior storage is recommended to avoid potential liability for damage due to weather exposure. Consider the use of hooks on an overhead pipe from which to hang bicycles to maximize space efficiency. Always separate bikes by evidence, found property and safekeeping.

CHAPTER 15

DISPOSITION AND PURGING

STANDARD

There is no procedure more important to keeping the inventory of a property room at a manageable level than an effective purging program. There is also no responsibility that is ignored more frequently.

The timely and appropriate disposition of evidence is extremely important to the efficient management of evidence, the integrity of evidence security and the effectiveness of prosecutorial efforts. Overcrowded evidence rooms require more manpower to manage simply because the size of their inventory has a tendency to slow down routine operations involving evidence location and retrieval.

Generally speaking the Property Officer shouldn't be making final decisions on the disposition of property and evidence; the disposition should be based on the input and signed approval of the investigating officer. By policy decision, some departments delegate dispositions of Found Property and Property for Safekeeping items (excluding firearms) to the Property Office, but such authority should not extend to the disposition of items held as evidence

In order to establish a credible purging system, certain criteria must be established to provide guidance in how long property should be kept before being reviewed. Most police officials would agree that most cases have been concluded (cleared, suspended, or reclassified) within the following time guidelines. The time can be increased or decreased at the discretion of the department.

A suggested review schedule could be to review felonies after one year, misdemeanors after six months, and found property and safekeeping after ninety days. Secondary review should be after similar periods.

A factor to consider in setting these review dates is the limitations of prosecution. In many states there are fixed periods of time after which prosecution on specified types of cases can no longer be initiated. In some states the time limit is absolute, in some it does not start until a suspect is identified, and in some it is extended by the length of time that the suspect is out of state during the statutory period. In many states, the limitation no longer applies once a warrant is issued for the suspect, as long as the agency can show due diligence in attempting to serve the warrant. Regardless of which set of rules apply in your given case, there is no sense in keeping evidence when it is determined that prosecution is no longer possible on a case, unless there is a need based on civil litigation involving the agency.

After establishing the time limits that are most suitable for the department, a system needs to be developed to add a review date to every item of property. Some type of purge

review form should be used by property unit personnel to notify a detective when a case is due for review. The form should include check boxes to differentiate items to be released, disposed of, or held. The detective should be required to sign the form for accountability purposes, and state why it is needed. A supervisor should review all such responses. A schedule for re-review should be set for property that is held.

Departments that implement a purging system and rigidly enforce its guidelines usually will find a majority of their property is signed off for release or disposal on the first round, which is usually within a year.

Homicide evidence is usually considered to be permanent, however sometimes even it can be purged from the property system. It is suggested that even homicide evidence be reviewed every few years. Sometimes it is found that the suspect has either served their sentence or died. The goal should be that there is not a single piece of property in the custody of the property room that is not needed.

Notification

Official notification to the owner must be made once the determination is made that property may be disposed of. Any telephone calls that are made attempting to notify owners must be carefully documented, noting the date and time of the attempt, and with who messages are left. A postcard should be sent when telephone contact cannot be made. Some agencies prefer to utilize a form letter instead of a postcard for increased privacy at a slightly higher cost. First class mail is considered adequate under most circumstances, except when the item to be disposed of is of considerable value, at which time certified mail is recommended.

Whichever form is used, a copy should be made and placed in a suspense file to document when notification was made and when the clock starts counting for the owner to respond. A reasonable period of time for the owner to respond, usually thirty days, should be established by policy and printed on the letter. Returned cards or letters should be attached to the master file. A release form should contain basic identifying information of the person to whom the property is being released. This information should include name, address, phone, and a Drivers License or ID Card number. Consider photocopying any picture ID and taking a photo of the person to whom any valuable property is released. The form should also have a perjury statement indicating they have a legal right to the property being released and should bear the signature of the person to whom the release is made. A letter from an owner authorizing the release of property to a third party should be kept. Verify the authenticity of such a letter when the value of the property is high.

Destruction

Many items to be disposed of have little or no value. The property officer should make a subjective evaluation if the auctioneer should take these items or if they should be destroyed. Items that are to be destroyed should be rendered unserviceable before being

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placed in a trash bin, and the bin should be dumped in a location where “pickers” do not have access. Having a witness to the destruction process is always preferred. **IAPE – Standard #15 Disposition and Purging (October 16, 2002)**

CHAPTER 16

FOUND PROPERTY

STANDARD

Law enforcement agencies are generally required to temporarily take personal property into custody when citizens and public officials report finding items that belong to others. A report documenting the circumstances of where and when property is found should always be completed for each found item, and a receipt provided to the finder instructing how to claim the item. The documentation is also applicable even if the item is released to the owner without going through the property room. Public employees that come across such items as a result of their duties are generally not permitted to claim them, and items having significant value must usually be advertised as lost and found pursuant to local guidelines before the finders may lawfully claim them.

Caution should be used to ensure that such property is thoroughly searched to prevent unwanted items from entering the Property Room. Property that is filthy, trash, open consumables, or items that may contain lice or other contagion should be disposed of and not brought in to contaminate the Property Room.

Found Property items should be stored in a Property Room location where it is segregated from other items of general evidence by virtue of its short-term storage requirement. Found Property reports should also be segregated from other reports by virtue of the same criteria. Found Property should be placed on its own separate property report form and not commingled with other items of general evidence or other items that require special handling. Firearms should never be released to finders due to the inherent problems associated with the potential use of the weapon in future criminal activity. This issue should always be referred to the department's legal advisor.

The law enforcement agency is generally required to notify the owner (if his/her identity is reasonably ascertainable) that it possesses the property and where it may be claimed. Detectives should be provided copies of all Found Property items in the event that it may relate to some other criminal activity. This notification should be made as soon as possible after receipt of the property by the agency. The agency may require payment by the owner of a reasonable charge to defray the costs of storage and care of the property. If the owner appears within the statutory time period after receipt of the property by the agency, proves his ownership of the property, and pays all reasonable charges, the agency should return the property. **IAPE – Standard # 16 – Found Property (October 16, 2002)**

CHAPTER 17

PROPERTY FOR SAFEKEEPING

STANDARD

Law enforcement agencies are required to temporarily take personal property into custody on occasion as a result of arrests that are made, incapacity, or domestic violence calls that are investigated.

Excessive personal property that does not fit into a jail property bag should be booked as Property for Safekeeping and a notice given for the owner to claim the item within a specified time, or make arrangements for a third party to claim it within this period. Caution should be used to ensure that such property is thoroughly searched to prevent unwanted items from entering the Property Room. Property that is filthy, trash, open consumables, or items that may contain lice or other contagion should be disposed of and not brought in to contaminate the Property Room.

Personal property is sometimes encountered when owners are temporarily disabled due to a health emergency or some other type of incapacity. In such instances, a notice should be provided via first class mail to an available mailing address advising the party to make arrangements to claim the property within the specified time period. When no such address is known, a receipt and instructions on how to claim property should be personally served, if possible.

Domestic violence calls are frequently requiring law enforcement personnel to take firearms into custody for a specific period of time. When such instances occur, a receipt should be provided along with instruction on how to claim the weapons. A sworn investigator who is familiar with domestic violence laws should authorize the release of these weapons. In addition to screening for any current restrictions upon the release of such weapons, a criminal history check should be conducted to see if any prior arrests qualify for firearm restrictions. Due to significant liability exposure, caution should be exercised to ensure the accuracy of information when any release of a firearm is contemplated.

Property for Safekeeping items should be stored in a Property Room location where it is segregated from other items of general evidence by virtue of its short-term storage requirement. Property for Safekeeping reports should also be segregated from other reports by virtue of the same criteria. Safekeeping items should be placed on its own separate property report form and not commingled with other items of general evidence or other items that require special handling. **IAPE – Standard #17 – Property for Safekeeping (October 16, 2002)**

CHAPTER 18

AUCTIONS

STANDARD

Most local codes authorize the selling of unclaimed property by auction. Agencies may choose to conduct an in-house public auction, or contract with a private auction company for the disposition of specific categories of unclaimed property. In-house auctions are not recommended due to the personnel expense and storage problems associated with accumulating sufficient items from one jurisdiction. Contract auctioneers are available to take all items subject to auction on a regular basis and sell them at a joint auction or sell them through the Internet. Either way, more people are subject to bid on items at a professional auction resulting in a higher return than an in-house auction. The money returned should not be a Property Room or Police Department issue since the proceeds are almost always required to go to the city's general fund.

Property Officers should thoroughly familiarize themselves with the specific state and local statutes regarding the sale of property. Policy should prohibit any public employees from bidding on auction items. Firearms should never be sold at auction due to potential problems associated with weapons being used in criminal activity. Records of items that are sold at auction need to be kept for a pre-determined retention period. **IAPE – Standard # 18 - Auctions (October 16, 2002)**

CHAPTER 19

PROPERTY DIVERSION

STANDARD

Generally, most states provide statutory approval to transfer unclaimed property to city or county use. A request for the retention of a specific item should originate with the person in charge of the area where the item is to be used. The approval process should include persons in the entire chain of command, including the Chief of Police / Sheriff or designee. The agency's purchasing officer should also approve the request and items of significant value should have the chief administrative officer's approval. The Property Room should maintain a permanent record of all property diversions.

An agency order should be issued to govern the use of firearms and other property that is retained. Use of any property so retained must be for official purposes only; the practice of allowing employees to retain property (for personal or non-governmental purposes) must be prohibited. In the case of firearms, a "Certificate of Weapon Retention" should be completed for each firearm, and a court order obtained. In general, to avoid the appearance of unethical practices, the retention of property should be discouraged as a means of disposition. **IAPE– Standard # 19 – Diversion of Property (October 16, 2002)**

CHAPTER 20

TRAINING

STANDARD

There are no generally accepted standards for property room training, but many experts in the field recommend that all Property Officers, supervisors, and managers be required to attend a Property and Evidence Management school. The two or three day classes provided by the International Association of Chiefs of Police (IACP), the International Association for Property and Evidence (IAPE), and other professional associations give experienced personnel an insight into different ways of doing the job, and provide new staff and supervisors a very detailed look at issues and problems that will be encountered in the assignment.

Training should be timely, continuous, and documented. Personnel scheduled to transfer into a property unit should receive the basic training described above prior to the transfer. Safety training should include hazardous materials, biohazards, bloodborne pathogens, and a basic firearm orientation on how to safely handle weapons. Training records should be as accurately maintained as they are for officers. Consider using a Property Room training manual that is to be explained, demonstrated, and performed in order to ensure accountability.

A property manual can be very beneficial in explaining procedures, packaging, and documentation of evidence. This manual must be distributed to the employees that are to be held accountable. Consider assigning new personnel to a brief orientation of the Property Room procedures for a more thorough understanding of the property and evidence function.

Involvement in professional associations, such as IAPE, IACP, and local property associations for networking and training updates is highly recommended. **IAPE – Standard # 20 – Training (October 16, 2002)**

CHAPTER 21

AUDITS

STANDARD

An audit is a formal periodic examination and verification of accounts or records to verify their correctness. In simplest terms, a property audit is an impartial review of the policies, procedures, and actions of an operation to determine whether or not they meet the recognized standards and the agency's own policies. The process is an audit of the system, not of individuals, even though changes may result in how particular employees should perform their duties. Ideally audits simply confirm and document a smooth running operation. The basic purpose of conducting a periodic audit is to ensure the continuity of the custody of property. Auditing on an on-going basis will enhance the safekeeping of property and minimize mismanagement. Failure to conduct regular audits enables problems that can easily lead to court cases being lost, loss of public confidence, personnel problems and possible financial loss. Policy should define when audits are to be conducted, by whom, and the scope of the audit.

The entire property system should be audited to ensure its integrity and its compliance with management directives and legal requirements. There are three different types of audits: basic, procedural, and organizational.

- A basic audit determines whether or not legal requirements are being met.
- A procedural audit examines and evaluates the efficient and effective use of resources. This also includes attention to procedures and management policies.
- An organizational audit examines and evaluates an agency's structure and encompasses plans, policies, and systems.

When practical, an internal audit should be conducted by a person(s) or unit that does not have responsibilities within the evidence operation. An inspections unit, a professional standards unit, etc. would be acceptable for the auditing procedure. This avoids an accusation that the audit team had a vested interest in covering up any irregularities. As an additional safeguard, unannounced inspections or random audits should be held at the discretion of the agency's chief executive officer. An external audit performed by non-employees of the agency avoids internal politics and provides a level of independence that cannot be obtained from any internal audit.

One audit method is the selection and review of one case file. The file is traced through the entire system to the current location. This method provides verification of the file and accuracy of all related forms. A second method entails the random selection of an item of property off the shelf. The auditor would trace it back through the case file again verifying the file and associated documentation. A third random method consists of the selection of an inactive case file. The auditor would trace the file through the system to

the property, or if purged, verifying that all documentation is correct. A physical inspection of the last storage place prior to disposal is recommended to insure validity.

Conducting a routine audit sends a message to everyone in the organization that property and evidence is important. In addition, outside auditors also provide a confirmation of in-house audit success.

As audits and inventories are intrinsic to a property room operation, there are areas of special consideration and assumptions to be made. Comparisons of descriptions do not always address the internal contents. If the evidence seal is intact the property system is presumed to be sound. If seals have been broken to verify contents, they should be resealed.

An audit of a particular piece of property, or the documentation remaining after the property is disposed of, should be able to tell the entire story of the property's contact with the agency.

It should answer the following questions for an auditor before being asked by a defense attorney:

- Who seized the property?
- Where, and at what date and time was it seized?
- Who documented it?
- Who packaged it?
- Who placed it in the temporary storage locker?
- Who retrieved it from the locker and processed it into the property system?
- Who put it away and at what time and date?
- Who signed the property out for court use, when, and what was the disposition?
- Who signed it out for analysis, who transported it, who analyzed it and when and with what results, and who transported it back to the property room?
- Who authorized release of the property?
- Who notified the owner to retrieve the property?
- Who released it, and when?
- What identification was obtained from the owner prior to release?
- If the item was destroyed, when and where did it happen, and who witnessed it?
- If the item was diverted to official use, who requested it, who authorized the transfer, and to whom was it delivered and when?
- Did the recipient of the diverted item sign for it?

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- If the item was auctioned, is there a paper trail of when, where, and to whom it was it sold?

The integrity of the property system is largely based on the paper trail and how well the movement of property through the system is documented.
IAPE– Standard # 21 – Audits (October 16, 2002)

CHAPTER 22

INVENTORIES

STANDARD

A property room inventory can be defined as individually checking all or a specified portion of the property items against the agency's records. An integral part of the inventory process is to ensure that all items of property are accounted for. A complete inventory involves matching each piece of paperwork with its corresponding piece of property.

An inventory should be conducted annually or whenever key holding personnel changes are made. The ideal situation is for the old and new Property Officers to conduct a joint inventory. Chiefs and Sheriffs should also consider an inventory when taking over as leader of the agency. The standard does not suggest that each package be opened, but only comparing the package with the associated paperwork or computer record.

In agencies where there are dozens of personnel in the property room, a complete inventory may not be physically possible. It is recommended in these cases to at least inventory guns, money, and narcotics.

As in audits, there are two traditional methods of inventories:

Shelf to Property Sheet: List items on a specific shelf or location and compare with the Property Sheet. This method is recommended.

Property Sheet to Shelf: Select Property Sheets and locate items on the shelf. The major disadvantage with this system is that it doesn't document items on the shelf where the identifying numbers have been detached or are misfiled.

While inventories provide system integrity to the process, a full inventory is always recommended. Large property rooms may decide to divide the room into areas to be inventoried each month. By the end of the year, the entire room should have been reconciled. It is recommended that an inventory be started in one easily described location, such as the top shelf of a particular bin, and that it proceed with a systematic pattern throughout the room. Each item on the shelf must be examined for case number and item number. As items are located in the file, mark them to confirm that it has been matched to an item on a shelf. When completed, the file should be reviewed for items not checked off. These are missing items that immediately should be brought to management's attention.

In the event items are found on the shelf without documentation, the item should be researched to connect the item to a case. When an item cannot be identified, the item should be listed on a "found property" report, held for the statutory period, and then

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disposed of according to existing laws. **IAPE– Standard # 22 – Inventories (October 16, 2002)**

CHAPTER 23

AUTOMATION

STANDARD

Careful consideration should be given to the automation of the property and evidence operation. In smaller agencies, it may not be cost effective to automate. Automated evidence systems must maintain the chain of evidence and ensure system integrity. At a minimum, it is suggested that a selected system provide the following:

- The capability for complete and accurate chain of evidence records
- One-time data entry into the system for both property and evidence items
- Cash management relative to property and evidence
- Management of “special/sensitive items”
- Bar coding of all items and storage locations
- Tracking of all transactions
- Providing disposition inquiries to necessary personnel on a scheduled basis
- Ability to generate basic reports, such as:
 - Firearms - Ready For Destruction with complete descriptions
 - Narcotics - Ready For Destruction with complete descriptions
 - Currency - Ready For Transfer with calculated dollar amounts
 - Auction Items - Ready for Transfer with complete description
 - Items Received (Time Range)
 - Items Released/Disposed (Time Range)
 - Change in inventory
 - Items out to court
 - Items out to lab

System integrity is essential. Each user should have predetermined access levels based on need. It is necessary to ensure that once data is entered into the system that the original record cannot be deleted, only modified and updated. The system should track information on changes made, the date and time of any changes, and who made them. The following are recommended field items for a well-designed system:

- Case number
- Evidence or control number
- Name-suspect, victim, owner, finder

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- Address
- Crime type - robbery, homicide, assault, etc.
- Crime code-statute number
- Crime class-felony, misdemeanor
- Date and time received
- Seizing officer
- Investigating officer
- Category-firearm, narcotics, currency, etc.
- Storage location
- Description of property
- Serial number
- Review date

Some departments may not find all of these fields necessary. It is highly recommended that the users be involved in the selection or design of the property system. A model system can vary depending on the size and needs of the agency. Bar coding, a common method to track evidence, has become particularly popular. Bar coding refers to any number of codes comprised of a series of alternating stripes, which represent alpha or numeric characters. There are two important reasons for agencies to add bar code systems - accuracy and speeding inventory capabilities.

Accuracy simply means that once evidence has been entered into the system, it can be flawlessly tracked. Transposing numbers, entering wrong numbers, and many other human errors are eliminated. A simple list of employees and locations can be printed by name and bar coded, allowing personnel to transfer property to other locations or employees by simply scanning the bar code. The computer can automatically date, time stamp, and track the transaction as the item moves through the process.

A well-designed system will make the inventory process much easier, allowing the user to scan items on the shelves for comparison with the records. The system should provide two exception reports: a list of items missing, and a list of items on the shelf that appear in the computer at another location (released, disposed, etc.)

It is recommended that any computer system be capable of performing the reporting functions that are required in the property operation. **IAPE- Standard # 23 - Automation (October 16, 2002)**