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| <b>SUNRISE POLICE DEPARTMENT</b><br><br>POLICIES AND PROCEDURES MANUAL<br><br>CHAPTER 39<br><br>EVIDENCE PROCEDURES | Effective Date | 05/01/87 |
|   | Revision Date  | 04/05/17 |
|   | Revision No.   | 1.6      |
|   | Page No.       | 1 of 19  |
|   | Approval:      |          |

### 39. PURPOSE

The purpose of this policy is to establish guidelines for maintaining the integrity of the evidentiary chain of custody.

#### 39.1. REVISION HISTORY

| Date     | Rev. No. | Change   | Reference Section  |
|----------|----------|--|--|
| 05/01/87 | 1.0      | New Policy   | Property and Evidence  |
| 11/07/94 | 1.1      | Add quarterly and Annual Inspections   | 39.2.3.1, 39.2.6./7.   |
| 08/26/02 | 1.2      | Definitions, Seizure of Computers  | 39.4., 39.6.13.  |
| 10/25/04 | 1.3      | Bulk Storage Procedures, Latent Fingerprint Forms, Property Receipt Procedures   | 39.6.1.9, 39.6.6.3.2., 39.6.6.2.3.   |
| 09/21/11 | 1.4      | Impounding Evidence, Add Specific Timeframe, Revised Unannounced Inspections to Annually. Deleted CALEA, Added CFA, Changed Detective Division to CID.                                 | 39.6.4.2., 39.6.3.2.   |
| 04/13/11 | 1.5      | Added Definitions – Annual, Audit, Inspection and Inventory, Added 39.4.10., 39.6.3., Inventories, Unannounced Annual Inspection, Annual Audit, Annual Inventory Changed to match CFA: | 39.4.1-2., 39.4.9., 39.6.3.2., 39.6.3.3., 39.6.3.4., 39.6.3.4., 39.6.3.5., 39.6.9. |

04/05/17 1.6 36.10, Added CID Division  
Commander responsibility.  
Added Medication Drop Box.  
Definition of Audit, Revised 39.4.2., 39.6.3.,  
Audits, Inspections and 39.6.3.4.1.  
Inventories, Added 1% to  
Inventories.

39.2. PERSONS AFFECTED

All Police Personnel

39.3. POLICY

39.3.1. It is the policy of the Sunrise Police Department to ensure that evidence or other property in its custody is properly secured and stored. Evidence or other property must also be properly classified and readily retrievable. Any changes in custody must be fully and properly documented. In addition, the Department will work with other governmental units to ensure that the disposal of property is accomplished within statutory guidelines.

39.4. DEFINITIONS

39.4.1. Annual - An event occurring once every 12 months.

39.4.2. Audit – The examination of records and activities to ensure compliance with established controls, policies, and operational procedures, and to recommend any indicated changes.

39.4.3. Chain of Custody – The continuity of the custody of evidence – from time of original collection to final disposal – that may be introduced in a judicial proceeding.

39.4.4. Documentation - Circumstances which require the collection of evidence must have a case report number assigned. The assigned case report number shall be used to label items of evidence for identification, storage and retrieval.

39.4.5. Evidence Technician – Department member accountable for controlling and maintaining all evidence accepted by or stored in the Department’s evidence room.

39.4.6. Evidence and Property Room – Facilities used by the Department to store evidence or found property.

39.4.7. Found Property – Property that is either located by a Department member or submitted by a person outside the Department. This property can be held for safekeeping pending the location of the rightful owner, auctioned or destroyed within

statutory guidelines or converted to evidence if so deemed by a member involved in a criminal investigation.

39.4.8. Impounding Officer – A member of the Department who initially receives evidence or other property and initiates the chain of custody.

39.4.9. Inspection - A procedure conducted to determine that the evidence and property room is being maintained in a clean and orderly fashion, that the integrity of the evidence and property is being maintained, that provisions of Department policy or other directives concerning property management systems are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and property that has no further evidentiary value is being disposed of promptly and properly.

39.4.10. Inventory – The act or process of cataloging a full or partial accounting of the quantity of goods or materials on hand. An inventory is not for the purpose of accounting for every single item of property but rather sufficient to ensure the integrity of the system and accountability of the property. During inventories, high risk items such as firearms, narcotics, U.S. currency or other negotiable instruments, jewelry, precious metals, or other exceptionally valuable or sensitive materials and a sufficient number of property records relative to the number of other evidence and property items should be reviewed carefully with respect to proper documentation and accountability.

39.4.11. Marking and Packaging - Each item of evidence shall be marked or identified in a way that can be recognized at a later date. Markings shall indicate the member's initials; the date and the case report number. Where and how the marks are made depends on the item. A pen is suitable for porous materials. A stylus is used for objects such as metal or wood. Other objects shall be tagged, labeled or placed in containers, marked and then sealed. Each item shall be placed in a separate container to avoid cross contamination.

39.4.12. Physical Evidence – Any substance or material found or recovered in connection with a criminal investigation. Also referred to in this policy as evidence.

39.4.13. Property Receipt - The property receipt is completed by the Department member taking initial custody of items of property or evidence. The property receipt provides a separate itemized list of all items of property taken into custody regarding a particular case report. The property receipt also provides a record of the chain of custody.

39.4.14. Smart Card – a small handheld device that contains a microprocessor that is capable of storing a monetary value, encryption key or authentication information (password), digital certificate or other information.

## 39.5. RESPONSIBILITIES

39.5.1. All Police Personnel are responsible for complying with this policy. All

Supervisory Personnel are responsible for the enforcement of this policy. Unjustified violations may result in disciplinary action, up to and including, termination.

39.5.2. This Policy is not intended to be all-inclusive. It is intended to be a general guideline to be read in conjunction with all other Department rules, regulations, policies and procedures, as well as other City rules and ordinances.

## 39.6. PROCEDURES

### 39.6.1. Evidence and Property Storage Facilities:

39.6.1.1. The Department shall maintain a separate; secure area for the storage of evidence and property. Access to this area shall be restricted to authorized personnel only. The area shall include sufficient amounts of space and facilities for efficient storage of items and records, temporary storage areas for perishable items, and an area that provides an extra measure of security for the storage of money, narcotics, valuables and firearms.

39.6.1.2. Members will make all attempts to submit evidence or property to the evidence technician during periods when the Evidence and Property Room is open.

39.6.1.3. When the Evidence and Property Room is closed or the evidence technician will not be available within a reasonable time period, members will enter and secure all evidence or property in designated evidence lockers or other secure facilities as determined by the evidence technician or an on-duty supervisor.

39.6.1.4. Evidence or property of a hazardous nature shall be appropriately packaged and stored in accordance with established Department policy, state or federal law. Such substances include, but are not limited to, items that may have been exposed to or contaminated by communicable diseases, hazardous chemicals or waste products, explosives or highly combustible products.

39.6.1.5. Evidence or other property requiring added security, including but not limited to, money, precious metals, jewelry, furs and related items should be stored in authorized areas providing extra security measures. (CFA: 28.01E)

39.6.1.6. Where appropriate, the evidence technician will make arrangements and assume responsibility for storage and control of such substances so that extra security, protection, handling or storage can be accomplished. (CFA: 28.01E)

39.6.1.7. Weapons, narcotics and other dangerous drugs shall be placed in a separate secure storage area. (CFA: 28.01E)

39.6.1.8. Perishable items shall be stored in a refrigerator or other suitable container.

39.6.1.9. In order to facilitate the safe storage of found property that is too large or bulky to fit into Department evidence lockers, a designated outside storage structure will be used.

39.6.1.9.1. This designated structure is to be used as a temporary storage location for large or bulky found property only and no evidence will be stored within this structure.

39.6.1.9.2. Members placing property into this structure will secure it with an appropriate locking mechanism. A copy of the Property Receipt will be placed in the evidence technician's box.

39.6.1.9.3. Should property still be too large to fit inside the structure or for large items of evidence, call-out of the evidence technician will be accomplished through the Criminal Investigations Division (CID) Supervisors.

39.6.1.10. When necessary, the evidence technician should be consulted for proper storage and handling of said items.

#### 39.6.2. Evidence Technician Responsibilities:

39.6.2.1. The Department shall assign trained personnel as evidence technician (s). Only the personnel assigned to the Property and Evidence Unit shall have access to the secured area of the Evidence and Property Room.

39.6.2.2. The evidence technician shall maintain a log that identifies each member or other person who is authorized to enter the secured area of the Evidence and Property room. In addition to the person's name, the evidence technician will also record the date and time they entered and left the room.

39.6.2.3. An inventory of property and evidence occurs whenever an Evidence Technician is assigned to and/or transferred from the position. This inventory must be conducted jointly by the newly designated Evidence Technician and a Department member not routinely or directly connected with control of property and evidence to ensure that records are correct and properly annotated. (CFA:28.05)

39.6.2.4. The evidence technician shall be responsible for receiving, storing, maintaining, releasing and accounting for all evidence and other property in compliance with Department policy.

39.6.2.5. The evidence technician shall maintain a record keeping system that includes the location of all evidence and property, date and time when the evidence or property was received or released, the character, type, and amount of evidence or property on hand; and chain of custody from the time the evidence or property was stored until its destruction or other final disposition. If available, the evidence technician may utilize an authorized bar coding program to assist with any or all of these functions.

- 39.6.2.6. The evidence technician shall assign a storage location for each item of evidence or other property and record this information on the property receipt.
- 39.6.2.7. The evidence technician will ensure that bicycles in the designated storage area are transported into the bicycle compound.
- 39.6.2.8. The evidence technician shall be responsible for developing and maintaining a file that documents all changes in custody of evidence or property. The file shall be capable of readily identifying the individual or organization currently maintaining custody of all evidence or property. The file will also indicate the final disposition of all evidence or property.
- 39.6.2.9. A written record of all transfers of evidence shall be completed.
- 39.6.2.10. The evidence technician will store found property in the Evidence Room by case report number order. Found bicycles shall be stored in the Bicycle Compound area and secured.
- 39.6.2.11. The evidence technician requires at least 24 hours advance notice, if evidence is required for court purposes. Officers shall make timely arrangements with the evidence technician for obtaining evidence from the Evidence Room prior to going to court. The requesting officer will take custody of the evidence on the date of the court appearance.
- 39.6.2.12. Final disposition of found, recovered and evidentiary property (except firearms and contraband), after legal requirements have been satisfied, shall be accomplished within six months and shall be returned to its lawful owner unless title to the evidence or property is transferred to this or other jurisdictions by court order. If the lawful owner fails to claim the evidence or property, the Department may, as permitted under state law: (CFA: 28.01G)
- 39.6.2.12.1. Destroy the evidence or property,
- 39.6.2.12.2. Dispose of it by public auction or,
- 39.6.2.12.3. Retain it for use by the Department.
- 39.6.2.12.4. Firearms and other non-drug contraband shall be physically destroyed unless:
- 39.6.2.12.4.1. A court order authorizes use of the item by the Department; or
- 39.6.2.12.4.2. The firearm is required by state law to be returned to its lawful owner.
- 39.6.2.13. The Evidence Technician is not responsible for:

39.6.2.13.1. Collecting and labeling evidence.

39.6.2.13.2. Impounded or seized vehicles.

39.6.2.13.3. Vehicle forfeiture proceedings.

39.6.3. Audits, Inspections and Inventories:

39.6.3.1. An unannounced annual inspection, which consists of a review of property and evidence storage areas for organization and orderliness will be conducted by a member not routinely or directly connected with control of property and evidence. (CFA: 27.13B, 28.02B)

39.6.3.2. An unannounced annual audit of the property and evidence function, which consists of an examination of conformance with agency controls, policies and procedures, will be conducted by a member not routinely or directly connected with control of property and evidence. (CFA: 27.13, 28.02A)

39.6.3.4. An unannounced annual inventory of property and evidence will be conducted by the evidence custodian or designee and a designee of the Chief of Police not routinely or directly connected with control of property and evidence. (CFA: 27.13C, 28.02C)

39.6.3.4.1. The inventory shall consist of 1% of the total items in the Property and Evidence Unit.

39.6.3.5. The Administrative Services Division Commander or designee shall be responsible for ensuring that all necessary inspections, inventories, or audits as outlined in this sections are conducted.

39.6.4. Member Responsibilities:

39.6.4.1. Any member of the Department who has evidence or other property requiring placement into the Evidence and Property Room shall conduct an inventory of the property. Additionally, the member will generate a written report, which will describe each item(s), and the circumstances by which they came into the member's possession. (CFA: 28.01C)

39.6.4.1.1. All property, other than vehicles, which is reported as found property shall be subject to an inventory search of the item and its contents and will be documented on a property receipt.

39.6.4.2. The impounding officer shall properly handle, mark and package all evidence or property and transport it to either the Evidence and Property room or other designated secured location. The officer shall do so before the end of their tour of duty. Under exceptional circumstances, officers may secure the property at an approved,

secure, offsite facility, with documented supervisory approval (via department memorandum). (CFA: 28.01B)

39.6.4.3. When evidence or other property is deposited with the evidence technician or in an approved holding facility, the impounding officer shall immediately complete an approved property receipt. The property receipt shall be marked, packaged and documented according to current procedures.

39.6.4.3.1. Each container shall be sealed in such a manner that it cannot be opened without breaking the seal. Once the seal is affixed, the seal shall be initialed and dated. (CFA: 28.01D)

39.6.4.3.2. The property receipt shall be used to document the items of evidence collected in connection with a certain case and record the chain of custody. All items of evidence collected for any case shall be listed by a unique number on a property receipt. Instruction notes should be made on the property receipt if a specific action needs to be taken by the evidence technician. (CFA: 28.01D)

39.6.4.4. The officer is responsible for maintaining the chain of custody. If the evidence is transferred to someone else, the officer is responsible for obtaining signatures on the property receipt from those persons.

39.6.4.4.1. Members will complete a property receipt or when necessary other lab transmittal forms to record all transfers of evidence.

39.6.4.4.2. Members of the Department who assume custody of evidence or other property from the evidence technician bear full responsibility for ensuring its security, proper storage and maintenance, and for the ready retrieval of such evidence or property upon demand.

39.6.4.4.3. Unless the evidence is turned over to the Clerk of the Court, the officer will return the evidence to the Evidence Technician or put the evidence in the temporary storage facility.

39.6.4.5. The following list of safeguards shall be followed to protect the integrity of the evidence:

39.6.4.5.1. Limit the number of individuals who handle the evidence from the time it is found to the time it is presented in court.

39.6.4.5.2. If the evidence changes possession, note in your police report:

39.6.4.5.2.1. To whom the item was given,

39.6.4.5.2.2. the date and time,



39.6.4.5.2.3. the reason, and

39.6.4.5.2.4. when and by whom the item was returned.

39.6.4.5.3. All persons handling the evidence shall affix their initials, I.D. number, and date to the package for later identification. (CFA: 28.01D)

39.6.4.5.4. All persons receiving the evidence shall sign the property receipt to record the chain of possession. (CFA: 28.01D)

39.6.4.5.5. When an item is returned, the receiving party shall check for their identifying mark on the item to make sure it is the same item and determine if it is in the same condition.

39.6.4.5.6. When the collection, processing, and documenting steps have been completed, items of evidence or found property shall be placed and secured in a temporary storage locker or other designated facility.

39.6.4.6. Bicycles will be secured in the designated bicycle storage area. All copies of the property receipt shall be placed with the bicycle.

39.6.4.7. Members should make all reasonable attempts to locate and contact the owners of all property coming into their control. Such attempts will be recorded in the appropriate reports or on the property receipt. (CFA: 28.01F)

39.6.5. Prohibitions:

39.6.5.1. Members are prohibited from storing evidence or any other property that comes into their possession within personal desks, vehicles, homes or any other non-designated locations not authorized by the Department.

39.6.5.2. Members are prohibited from using evidence or property for their personal use prior to any final disposition of said property.

39.6.5.3. Members shall not manufacture, conceal, falsify, destroy, remove, alter or withhold evidence or property obtained or held in connection with official law enforcement purposes.

39.6.6. Evidence Forms:

39.6.6.1. The Property Receipt is used:

39.6.6.1.1. To create a detailed history of impounded evidence or found property,

39.6.6.1.2. As a receipt for the delivery of controlled substances, and

39.6.6.1.3. As a receipt for the delivery of blood alcohol submissions.

39.6.6.2. All evidence or found property impounded must be accompanied by a property receipt. (CFA: 28.01D)

39.6.6.2.1. Do not use evidence tape to affix property receipts. (CFA: 28.01D)

39.6.6.2.2. White out or erasing anything on the property receipt is not accepted. Where corrections are necessary, draw a single line through the incorrect verbiage and initial. (CFA: 28.01D)

39.6.6.2.3. Property Receipt Completion:

39.6.6.2.3.1. NCIC/FCIC Box – Members who impound any evidence or property will check to see if there is a serial number or other identifiable number on the item and run the number through NCIC/FCIC. The date and results must be indicated.

39.6.6.2.3.2. Disposition Boxes – One or more of these boxes may be checked as applicable. When checking “Other” members must provide a short explanation at the bottom of the Description section. When checking “Laboratory” members must ensure that they complete and attach an Evidence Submission Transmittal form.

39.6.6.2.3.3. Administrative Section – This section requires members to list the case number, date and time the property was received, the overnight locker number (if applicable), BIN number (for evidence technician use only) and type of case.

39.6.6.2.3.3.1. Under "Type of Case" do not list just “ARREST”. This would indicate a disposition, not a type of case. Instead, put the type of case, followed by the word "arrest". Example: Possession of Controlled Substance (arrest). (CFA: 28.01D)

39.6.6.2.3.3.2. Members will also record the address where the property was impounded (providing the exact location where it was found), who the property was found by, their address and phone number, the suspect’s full name and date of birth along with their address and phone number, the victim’s name, address and phone number, and the owner’s name, address and phone number. (CFA: 28.01D)

39.6.6.2.3.4. Description section – Members will number items consecutively, i.e., 1,2,3... along with a quantity of each and a description. (CFA: 28.01D)

39.6.6.2.3.4.1. After the last item that appears on the property receipt, draw a horizontal line across the bottom and then a diagonal line to the bottom of the receipt with your initials, which will show that no items were added to it without your knowledge. (CFA: 28.01D)

39.6.6.2.3.5. If more than one property receipt is needed for the same case, members may use additional receipts. Items should continue to be numbered consecutively with the next number in the sequence being used, i.e., 12,13 ...

39.6.6.2.3.5.1. Items going to the laboratory will need separate property receipts. (CFA: 28.01D)

39.6.6.2.3.6. Signature Section – Members will have the person whom they are removing property from their possession sign this section. (CFA: 28.01D)

39.6.6.2.3.6.1. Members must sign and print their name under “Impounded By” and the first “Received by” line. Under “Reason”, members must state where the item is to be sent or was placed, e.g., “to lab” or “to overnight locker #40”. (CFA: 28.01D)

39.6.6.3. Laboratory Forms - Evidence delivered to outside laboratories or other facilities shall be accompanied by an appropriate examination request form. These forms include: (CFA: 28.01D)

39.6.6.3.1. The Evidence Submission Transmittal Form – used when submitting evidence for all other examinations.

39.6.6.3.1.1. The name of suspect(s) must appear on all property receipts and any transmittal forms for evidence going to the lab. If the suspect is a juvenile, the name still must appear on the property receipt.

39.6.6.3.1.2. Evidence going to the lab must be separated from other evidence. Therefore, separate property receipts must be made out for evidence to be analyzed.

39.6.6.3.1.3. Any evidence requiring transport to the crime lab must have the original plus one copy of the property receipt attached. If additional copies are needed, copy or fill out another property receipt. (CFA: 28.01D)

39.6.6.3.1.4. An Evidence Submission Transmittal Form must be filled out for all cases requiring lab analysis except for fingerprint comparisons and narcotics analysis. This form must be attached to the property receipt when requesting comparisons or analysis from the lab.

39.6.6.3.1.5. When filling out a Transmittal Form, provide a detailed explanation of what you wish analyzed (especially for more serious offenses), so that the technician will know what to look for.

39.6.6.3.2. Latent Fingerprint Forms:

39.6.6.3.2.1. Latent Submission Report – is to be utilized solely for the submission of latent fingerprint evidence and initial requests for elimination comparisons.

39.6.6.3.2.2. Latent Comparison Report – is to be utilized for suspect comparison requests. If an elimination comparison is needed after a Latent Submission Report has been submitted, then this form is to be used.

39.6.6.4. Officers shall complete the required information for the examination forms on the appropriate lab form. The Evidence Submission Transmittal form, Latent Submission Report and/or Latent Comparison Report must be attached to a property receipt and item(s) of evidence and then placed in temporary storage.

39.6.6.4.1. The lab will indicate the results of testing on the lab form. When it arrives, the evidence technician will make a copy of the results and forward the lab form to the Records Unit. The evidence technician will attach the copy of the results to the copy of the lab form, which is filed in the "At the Lab" file folder.

39.6.6.4.2. Additionally the evidence technician will also forward the lab results to the Division that is handling the case to expedite investigation.

39.6.7. Other Department Requirements:

39.6.7.1. Evidence that is placed in envelopes or containers must have the case number, date, time and initials of the impounding officer recorded on the envelope or container and then sealed with evidence tape. (CFA: 28.01D)

39.6.7.2. All evidence collected must be placed into a container, such as a manila envelope, plastic or paper evidence bag. Said container must then be sealed with evidence tape, with the impounding officer's initials appearing where the tape and package meet. (CFA: 28.01D)

39.6.7.2.1. Should the evidence be too large to place into a container, the officer should attach the property receipt directly to the item in a conspicuous area but not in a manner that would alter or destroy the evidence. (CFA: 28.01D)

39.6.7.3. Members impounding an abundance of property that will not fit into one (1) container shall complete an individual property receipt for each container, itemizing the contents of that container only. (CFA: 28.01D)

39.6.7.4. When appropriate and within statutory guidelines, evidence will be photographed instead of bringing it in. All photographed property will be left secured or in the custody of the owner or custodian of said property. (CFA: 28.01D)

39.6.7.4.1. Photographs of evidence will be properly marked, packaged, submitted and secured in the designated storage area or locker for the evidence technician. (CFA:28.01D)

39.6.7.5. Any evidence to be processed by the Crime Scene Unit must have the Crime Scene Processing Request Form attached with the Property Receipt. (CFA: 28.01D)

39.6.7.5.1. Should any evidence collected from the crime scene require processing, officers will record whether or not the owner may redeem the property, it is to be retained for trial or if it may be destroyed. For misdemeanor cases, photograph and return to the owner or note “to be destroyed”. (CFA: 28.01D)

39.6.7.6. Proper chain of custody must be adhered to. The evidence technician will only testify as to how the property was handled. (CFA: 28.01D)

39.6.7.7. In cases such as narcotics, the victim to be listed is the State of Florida. (CFA:28.01D; 27.07)

39.6.7.7.1. Narcotics must be field tested before going to the lab. (CFA: 28.01D; 27.07)

39.6.7.7.2. Additionally, officers must indicate on the property receipt that the narcotic(s) was field tested along with the subsequent results of the test. (CFA: 28.01D; 27.07)

39.6.7.7.3. Place live plants into paper bags. Roots of plants will be cut off. (CFA: 28.01D; 27.07)

39.6.7.7.4. Use plastic bags for cocaine, crack, and marijuana. Then place the plastic bag into an envelope. (CFA: 28.01D; 27.07)

39.6.7.8. Narcotics, money, weapons and bullets are to be separated from any other property and each requires a separate property receipt. (CFA: 28.01D; 27.07)

39.6.7.9. Knives and sharp objects, e.g., hypodermic needles, should be wrapped with rags, cardboard, etc., before placing into an evidence bag. (CFA: 28.01D)

39.6.7.10. All firearms being store must be unloaded. Any firearm not capable of being safely unloaded will be brought to the attention of a supervisor who will notify the evidence technician. (CFA: 28.01D)

39.6.7.10.1. Bullets from firearms must be stored separately. (CFA: 28.01D)

39.6.7.10.2. All firearms used in a crime must go to the lab for test firing. The Evidence Submission Transmittal Form including a case number must be attached. (CFA: 28.01D)

39.6.7.11. All monies over \$100.00 must be counted with a supervisor and both the officer and supervisor will then sign the property receipt. (CFA: 28.01D)

39.6.7.12. Paper evidence, i.e., forged documents, should be placed in clear evidence bags to facilitate inspection of the item(s) without causing damage. (CFA: 28.01D)

39.6.7.12.1. Paper evidence will be photocopied prior to placement into evidence, especially if the evidence cannot be sealed in clear evidence bags. Officers must ensure that they take all necessary precautions when photocopying these documents so that they are not forensically damaged, i.e., use latex gloves when handling. (CFA: 28.01D)

39.6.7.13. Perishable items must have a property receipt. (CFA: 28.01D)

39.6.7.13.1. Refrigerated storage is available for the securing of perishable evidence. Examples: Blood, evidence gathered from sexual battery victim, etc. (CFA: 28.01D)

39.6.7.14. All auto tags turned in will have the tag number, year and decal on the property receipt. (CFA: 28.01D)

39.6.7.15. Wet and stained clothing must be placed in paper bags. Officers should notify the Crime Scene Unit to handle this type of evidence so that it is not placed into storage while wet. (CFA: 28.01D)

39.6.7.16. No flammable liquids will be allowed into the Evidence and Property Room. Officers should utilize the assistance of the Fire Department, arson investigator or the evidence technician for taking samples. (CFA: 28.01D)

39.6.7.16.1. Temporary storage of these liquids may be accomplished within the sallyport storage area. (CFA: 28.01D)

39.6.7.17. Questions from citizens regarding the disposition or disposal of Evidence or Found Property should be directed to the evidence technician. (CFA: 28.01D)

39.6.8. Seizure of Computer Evidence:

39.6.8.1. Secure the scene. Officer safety is always paramount.

39.6.8.2. Immediately restrict access to computer(s).

39.6.8.3. Keep all subjects away from any computer or keyboard. They could attempt to delete or encrypt crucial data.

39.6.8.4. Isolate computer(s) from phone or cable lines. Data on the computer can be accessed remotely.

39.6.8.5. When a computer is going to be seized (either a stand alone, networked or laptop) a CID Supervisor shall be notified of the investigation.

- 39.6.8.5.1. Members should not begin to seize computers until they have discussed the investigation and type of evidence within the computer with a detective.
- 39.6.8.6. When seizing a computer, photograph the entire scene, preserve and submit the computer for forensic analysis.
- 39.6.8.6.1. Officers should utilize latex gloves when handling all computer hardware or software that is going to be seized.
- 39.6.8.7. Thoroughly observe the computer work area as passwords may be placed in plain sight or under keyboards.
- 39.6.8.8. Take note and photograph, if possible, any books or other literature within the area. This may provide computer book titles that the subject is familiar with. It can also provide evidence of the subject's computer knowledge and expertise.
- 39.6.8.9. If the computer is OFF do not turn it ON.
- 39.6.8.10. If the Computer is ON, follow these guidelines:
- 39.6.8.10.1. Stand Alone (One or more computers not connected together) Desktop(s) - (using DOS or Windows operating systems).
- 39.6.8.10.1.1. Photograph the scene. If there are multiple computers, number each computer (System 1, System 2, etc...) before any computers are moved or taken down.
- 39.6.8.10.1.2. Note the position of each system and photograph computers with the system number in plain view.
- 39.6.8.10.1.2.1. It is recommended that a diagram also be sketched of the computer setup as well. Sketches assist when numerous photos may be required or for intricately arranged systems.
- 39.6.8.10.1.3. Photograph screen, then disconnect all power sources; unplug from the wall and the back of the computer.
- 39.6.8.10.1.4. Disconnect modems from the back of the computer.
- 39.6.8.10.1.5. Place evidence tape over the power port and a portion of the edge of the case. (This will ensure a chain of custody on who is accessing the computer case). Mark the evidence tape according to established procedures.
- 39.6.8.10.1.6. Photograph and label the back of each computer and clearly identify existing connections.
- 39.6.8.10.1.7. Label all connectors or cable ends to allow reassembly as needed.

39.6.8.10.1.8. Take detailed notes delineating the location of any computers you plan to seize. Also note the time and date that you shut any computer systems down.

39.6.8.10.1.9. If transport is required, package all components and transport or store them as fragile cargo. Take everything but do not package in styrofoam packing peanuts (they can generate static electricity which is hazardous to computer hard drives). In addition, do not transport the computer in the trunk of your vehicle.

39.6.8.10.1.10. Keep away from magnets, radio transmitters and otherwise hostile environments.

39.6.8.10.2. Networked Computers (Two or more computers connected together):

39.6.8.10.2.1. Contact a CID Supervisor.

39.6.8.10.2.1.1. The CID Supervisor will either notify a Detective to respond or contact a Computer Forensic Examiner.

39.6.8.10.2.2. Look for long cables (appearing to be oversized telephone cords) connecting the computers.

39.6.8.10.2.3. Look for “telephone cords” going into a hub.

39.6.8.10.2.4. DO NOT UNPLUG THE COMPUTER POWER SOURCE.

39.6.8.10.2.4.1. Pulling the plug could:

39.6.8.10.2.4.1.1. Severely damage the system.

39.6.8.10.2.4.1.2. Disrupt legitimate business.

39.6.8.10.2.4.1.3. Create officer and Department liability.

39.6.8.10.2.5. Secure the scene until a Detective or Computer Forensic Examiner arrives.

39.6.8.10.3. Laptop Computers:

39.6.8.10.3.1. Photograph laptop computer screen.

39.6.8.10.3.2. Remove battery from the laptop.

39.6.8.10.3.3. Unplug from the laptop and the wall.

39.6.8.10.3.4. Make sure you take the case and all the laptop parts you find.



39.6.8.10.4. Non-DOS or WINDOWS Operating Systems (Linux, Sun Solaris, Unix, Novell, PICK, Apple / Macintosh):

39.6.8.10.4.1. Contact a CID Supervisor.

39.6.8.10.5. Other Electronic Storage Devices:

39.6.8.10.5.1. In addition to stand alone, networked or laptop computers, other forms of electronic evidence may include, but not be limited to, floppy disks, CD-ROMs, personal digital assistants, wireless telephones, electronic paging devices, facsimile machines, Caller ID devices and smart cards.

39.6.8.10.5.2. Officers observing these items must recover them when part of their investigation. These items must be marked, packaged and documented like all other evidence or property coming into the possession of the Officer.

39.6.8.10.5.3. Officers should consult with a Detective prior to shutting these devices down to determine if they may contain any information of evidentiary value.

39.6.8.10.5.3.1. Officers should use caution when seizing this type of evidence and all other electronic evidence in order to avoid improper access of data stored in violation of the Electronic Communications Privacy Act.

39.6.9. Medication or Prescription Drug Collection Program Procedures:

39.6.9.1. The Department will make available a steel mailbox style disposal vault, hereinafter, a medication drop box in which citizens may deposit unwanted medications or prescription drugs.

39.6.9.2. Location and Security:

39.6.9.2.1. The medication drop box will be located in the Lobby Area of the Public Safety Building (PSB).

39.6.9.2.2. The medication drop box must be properly secured to ensure safety and integrity.

39.6.9.2.3. Public access to the medication drop box shall be permitted during the operating hours within the Lobby Area.

39.6.9.2.4. Keys for access into the medication drop box will be retained by the Property and Evidence Unit.

39.6.9.2.5. The Commander of the Criminal Investigations Division will determine appropriate spare keys for access.

39.6.9.3. Citizens may place medications or prescription drugs into the medication drop box anonymously.

39.6.9.4. The Property and Evidence Unit will be responsible for the collection, inventory and destruction of the deposited medications.

39.6.9.5. The following items may be accepted:

39.6.9.5.1. prescription medications,

39.6.9.5.2. over-the counter medications,

39.6.9.5.3. vitamins, and

39.6.9.5.4. sample medications.

39.6.9.6. Items that will not be accepted for collection include:

39.6.9.6.1. illegal drugs,

39.6.9.6.2. needles,

39.6.9.6.3. sharp objects,

39.6.9.6.4. thermometers, or

39.6.9.6.5. biohazardous waste.

39.6.10. Collection Procedures:

39.6.10.1. Citizens wishing to dispose of unwanted medications or prescription drugs will be directed to the medication drop box by the reception desk personnel.

39.6.10.1.1. Reception desk personnel will not take possession of and dispose of medications from the citizens.

39.6.10.2. Citizens will deposit unwanted medications or prescription drugs within the medication drop box.

39.6.10.3. Reception desk personnel are required to complete a Medication or Prescription Drug Collection Program Checklist each occasion that a citizen utilizes the Medication or Prescription Drug Collection Program.

39.6.10.3.1. The Medication or Prescription Drug Collection Program Checklist will be kept at the reception desk and collected and inspected by a CID Supervisor when the medication drop box is inspected on a bi-monthly process.

39.6.10.4. Citizens will not be required to provide their personal information in order to dispose of the unwanted medications or prescription drugs.

39.6.10.5. Signage shall be posted to assist citizens in the disposal procedures.

39.6.10.6. Employees wishing to dispose of medications will follow procedures as set forth wherein.

39.6.10.7. Officer's encountering situations reference collecting medications in the field must follow procedures in section 39.6.4.

39.6.11. Transfer of Evidence:

39.6.11.1. Property and Evidence Unit personnel will, at the beginning of each calendar year, obtain a master case number from the Communications Center, referencing "Unwanted Medical Disposal" (Signal 14).

39.6.11.2. The master case number will be utilized every time items are taken from the medication drop box and placed into evidence.

39.6.11.3. If the medication drop box is opened for any reason, a Supervisor will always be present throughout the entire procedure.

39.6.11.4. Each time Property and Evidence Unit personnel remove items from the medication drop box, a supplemental report will be generated.

39.6.11.5. The medication drop box will be checked and the contents removed by a Property and Evidence Technician on a bi-monthly basis.

39.6.11.6. A property receipt will be completed by the Property and Evidence Technician.

39.6.11.7. The Property and Evidence Technician will record the weight of the medication(s) and description along with the phrase, "miscellaneous medications to be destroyed as abandoned property."

39.6.11.8. All medications stored at Property and Evidence warehouse will be destroyed by incineration in accordance with established procedures and authorized court order.