



ATTLEBORO POLICE DEPARTMENT

Policy and Procedure

	TITLE Evidence Submission	
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20.3.0 Evidence Submission

20.3.0.1 Introduction

The property and evidence control function provides for the security and control of seized, recovered, and evidentiary property as well as abandoned, lost, or found property in the custody of the agency.

This is critically important in supporting investigations, in helping to guarantee successful prosecution at criminal trials, in facilitating the timely return of property to its rightful owners, and in establishing the Attleboro Police Department's reputation as an honest, reputable agency worthy of the public's confidence and trust.

20.3.0.2 Previous Directives

This Policy and Procedure supersedes all previous directives regarding the Evidence Submission.

20.3.0.3 Policy

It is the policy of the Attleboro Police Department to:

- Effectively and efficiently manage and control all evidence and property coming into the custody of this department;
 - Properly and lawfully preserve, package, record, account for, handle and store all property and evidence recovered or turned in to the department;
 - Take the initiative to return property to its rightful owner or owners in the most expedient manner;
 - Dispose of property and evidence as provided by law; and
 - Maintain strict accountability for all property and/or evidence.
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20.3.1.1
In this Chapter

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20.3.2 Definitions

20.3.2.1 Definitions For the purpose of this policy and procedure, the following definitions shall apply.

20.3.2.2 Audit An inspection of the documentation and accountability of a random sampling of in-custody property sufficient to evaluate the integrity of the property and evidence function.

20.3.2.3 Cash Accountability Form The form used to document any cash being seized as evidence or property.

20.3.2.4 Cash Deposit Form The financial form used to denote the amount of cash and/or checks transferred from the department's custody to a financial institution.

20.3.2.5 Chain of Custody Chain of custody refers to the chronological documentation (or paper trail), showing the seizure, intake, process, custody, control, transfer, analysis, and disposition of any item of evidence.

20.3.2.6 Confiscated Property Any item of property seized by an officer that does not meet the criteria for evidence or abandoned property.

20.3.2.7 Evidence Tracking Form The form used as a receipt when evidence is temporarily released from the evidence room for official law enforcement purposes.

20.3.2.8 Evidence Any item seized or taken into police custody that may be connected to any criminal investigation.

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20.3.2 Definitions, Continued

20.3.2.9 Evidence Officer	An Attleboro Police Officer designated by the Chief of Police to be accountable for the control and maintenance of all evidence/property accepted by or stored in the department's evidence and property room.
20.3.2.10 Evidence Room	The secured designated repository used to store evidence.
20.3.2.11 Evidence Room Access Log	The form used to track access to the evidence room.
20.3.2.12 Evidence Tag	A red tag indicating its status as evidence in the custody of the Attleboro Police Department.
20.3.2.13 Firearm	A pistol, revolver, rifle, shotgun, or other weapon of any description, loaded or unloaded, from which a shot or bullet can be discharged.
20.3.2.14 Found Property	Any lawful item of property, the control of which is taken into custody for safekeeping for the purpose of returning the property to its rightful owner.
20.3.2.15 Inspection	An examination of the agency's property storage areas to determine that they are being maintained in a clean and orderly fashion, that the agency directives concerning the property management system are being followed (handling, documentation, etc.), and that the property is being protected from damage and deterioration.
20.3.2.16 Inventory Control Form	The form used by the submitting officer to document the submittal of evidence or property into the temporary evidence room.

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20.3.2 Definitions, Continued

**20.3.2.17
Key Fob** A small security hardware device with built-in authentication mechanisms used to control access to the property, evidence and temporary evidence rooms.

**20.3.2.18
Member** Any duly appointed police officer, dispatcher or civilian employee associated with the Attleboro Police Department.

**20.3.2.19
Narcotics
Evidence Log
Book** The log book which catalogs all narcotics entered into the drug evidence storage container.

**20.3.2.20
Property
Room** The secured designated repository used to store property.

**20.3.2.21
Property Tag** A yellow tag indicating status as property in the custody of the Attleboro Police Department.

**20.3.2.22
Temporary
Evidence Log** The form used to track access to the temporary evidence room.

**20.3.2.23
Temporary
Evidence
Room** A secure room utilized by the Attleboro Police Department to temporarily store evidence and property.

20.3.3 Submitting Evidence

20.3.3.1 Policy All evidence shall be submitted, packaged and secured according to the policy and guidelines of this Department. Officers shall wear protective gloves when packaging or handling evidence.

20.3.3.2 QED Entry Each item of evidence shall be individually documented by the seizing Officer into the QED report module.

20.3.3.3 Securing Evidence Officers submitting evidence shall secure the evidence in the temporary evidence room, or other authorized temporary secure location, as soon as possible, but no later than the end of the submitting officer's tour of duty.

20.3.3.4 Incident Number All property and evidence coming into the custody of this department shall be associated with an incident number and an official report shall be completed explaining the who, what, where when and how the evidence was obtained.

20.3.3.5 Submitting Officer When property or evidence is either seized or recovered, the submitting officer shall:

- Properly package and tag the evidence.
- Properly and timely submit the evidence into the temporary evidence room, with the assistance of the Shift Commander.
- When evidence has been placed in the temporary evidence refrigerator, the officer shall lock the refrigerator.
- All money shall be counted by the impounding officer
- The shift commander shall verify the amount by recounting the money
- All money shall be sealed and submitted in an authorized tamper-resistant evidence bag.
- Complete all required reports, including, but not limited to:
 - Narrative report
 - Property tags
 - Laboratory submission form, and
 - Any other appropriate documents.

20.3.3.6 Inventory Form A completed Inventory Control Form shall be submitted with the evidence or property item(s). The completed form shall be placed in the designated report tray in the temporary storage room. If property or evidence is submitted using any other authorized temporary storage areas, the form shall indicate that location and delivered to the evidence officer.

20.3.4 Packaging and Labeling

20.3.4.1 Policy It is the policy of this Department that the submitting officer shall be responsible for proper packaging, labeling, handling and securing of all property and evidence, including maintaining the chain of custody.

20.3.4.2 Supervision Shift Commanders shall ensure the submitting officer has properly adhered to the procedures for packaging and labeling of all evidence/property prior to being placed into the temporary evidence room.

20.3.4.3 All evidence shall be packaged in a manner to avoid destroying or contaminating the evidence.

20.3.4.4 Narcotics Narcotic evidence shall be packaged and submitted using the following procedures:

Step	Action
1	Weigh all narcotics (All narcotics weighed shall be the pre-analysis weight, to include the material in which they are contained or packaged in, if applicable) (i.e. tied off baggies, zip lock bags, etc.).
2	Photograph the evidence (photos shall be uploaded into QED)
3	Place & secure narcotics in an authorized evidence bag.
4	Completely document the information on the evidence bag.
5	Place the evidence bag into a manila drug lab envelope.
6	Insert the completed Drug Receipt into a manila drug lab envelope.
7	Deliver the manila envelope to temporary evidence room with the shift commander.
8	The shift commander shall observe the submitting officer place the narcotics into the drug box.
9	Fill out the drug log book.

20.3.4.5 Small Seize Narcotics All capsules, pills, marijuana joints, small packets and all countable items shall be counted before being placed in the tamper-resistant evidence bags. The amount shall be documented on the evidence bag.

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20.3.4 Packaging and Labeling, Continued

**20.3.4.6
Narcotic
Paraphernalia** All paraphernalia related to the controlled substance seizure shall be placed in a different evidence bag than the drugs themselves, unless the drugs are contained within or adhering to such paraphernalia.

**20.3.4.7
Hypodermic
Needles** All hypodermic needles shall be placed in a needle tube container and such container shall be appropriately labeled.

**20.3.4.8
Multiple
Narcotics** Different narcotics substances shall be placed in separate evidence bags to prevent cross contamination.

**20.3.4.9
Co-defendants** Narcotics seized from different subjects or from different locations shall be packaged separately.

**20.3.4.10
Firearms** All firearms shall be unloaded and cleared prior to being placed in the temporary evidence room. No loaded firearm shall be stored in any evidence or property storage area.

**20.3.4.11
Ammunition** Ammunition shall be separated and counted individually by caliber. Ammunition shall be packaged separately by caliber.

**20.3.4.12
Bicycles** A tag shall be affixed to bicycles being submitted as property or evidence. The bicycle shall be stored in the secured pen located behind the garage.

**20.3.4.13
Large Items
and other
Evidence** Items such as bicycles, perishable items etc. which are difficult to package shall have an evidence or property tag affixed to the item in lieu of being packaged.

- When tags are used instead of packaging, officers must complete the pertinent information on the tag and firmly attached to the item.
- If the item requires further examination for physical evidence, the item shall be packaged or protected in such a way to prevent the possibility of cross contamination or loss of evidence.

**20.3.4.14
Evidence Tags** The evidence officer shall generate a computer software property tag and affix it to the evidence or property container.

- Labels should not be attached directly to any item that could reduce or damage the evidentiary value of the item.

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20.3.4 Packaging and Labeling, Continued

**20.3.4.15
Care &
Protection** All evidence shall be packaged to avoid destroying or contaminating the evidence.

**20.3.4.16
DNA Evidence** Items submitted for DNA processing shall be packaged in such a manner as to avoid contamination prior to submission.

- Such items shall be clearly marked to warn property technicians. The evidence officer shall not be responsible for the inadvertent destruction or contamination of DNA evidence when the submitted item is not properly packaged and clearly marked as being DNA evidence.
- DNA swabs kits may be stored at room temperature or refrigerated prior to submission.
- The Evidence Officer and the Detective Division Commander shall be notified as soon as practicable when DNA evidence is submitted.

**20.3.4.17
Cash** When cash has been seized, the following procedures shall be conducted:

- All currency and coins shall be counted by the officer and recounted by the shift commander.
- The results of the count shall be entered into the QED Property (evidence) Module by the seizing officer.
- A cash accountability form shall be completed. Both officers shall print his or her name, sign and date the cash accountability form.
- The associated incident report, cash accountability form, and the money shall be placed in a sealed envelope to be submitted to the temporary evidence room. If an arrest incident, a copy of the cash accountability form shall be placed with the arrest packet.

**20.3.4.18
Fingerprint
Evidence** Items submitted for processing for latent fingerprints shall be packaged in such a manner as to avoid destruction or contamination and shall be clearly marked as such to warn the evidence officer of the evidentiary value.

- Gloves shall be worn when handling or processing potential fingerprint evidence.
- The evidence officer shall not be responsible for the inadvertent destruction of fingerprints when the submitted item is not clearly marked.
- The evidence officer shall wear gloves when handling such items.
- Such items shall be handled with care so as to preserve any existing fingerprints.

**20.3.4.19
Biohazard** All biohazard evidence shall be clearly marked indicating the bio-hazard.
