

St. Joseph, Missouri Police Department



DIRECTIVE TYPE: GENERAL ORDER		INDEX NUMBER: GO 0205
SUBJECT: IN-CUSTODY PROPERTY AND EVIDENCE CONTROL		
ISSUE DATE: MAY 15, 2002	REVISIONS: 7/19/02, 7/21/06,	AMENDS/RESCINDS: N/A
REVISIONS CONTINUED: 12/14/07, 08/18/08, 09/02/08, 11/09/15		DISTRIBUTION: B C (2,5,7,10)

I. POLICY:

The St. Joseph Police Department will ensure that property and evidence in its possession is properly received and recorded, securely stored, and proper disposition made according to law.

II. PROCEDURE:

A. Submission of Property

1. All articles requiring submission to the Property/Evidence Room shall be turned over to the evidence officer or secured in an evidence locker prior to the officer's end of shift. In the event that the evidence officer is not available and the evidence lockers will not accommodate the item being submitted, the officer will place the item in a secure area (evidence storage room, fenced lot, etc.), approved by the on-duty supervisor, ensuring that the chain of custody of the item is preserved.
2. A Physical Evidence Custody Report shall be completed listing, in detail, each article being submitted. Officers shall complete an Offense/Incident or Investigative Case Report, fully describing the circumstances surrounding each property seizure. The original Physical Evidence Custody Report will remain with the submitted articles and a copy will be attached to the original Offense/Incident or Investigative a Case Report.
3. Found items that cannot be stored within the L.E.C. will be properly marked and placed inside the secure fenced area on the north end of the L.E.C. parking lot. The corresponding Physical evidence Custody Report will be placed in the evidence mail slot located in roll call. The report should include the exact location of the item on the lot.
4. Items requiring processing or which would be damaged/compromised by exposure will not be stored in the lot area. Items of this nature (example, autos involved in major crimes) may be temporarily stored in the garage or

other area, provided measures are taken to preserve the evidentiary value of the item. In these cases, the officer's report will document the procedures employed. The evidence officer will be called in to secure all bulky/oversized evidence items that cannot be secured in the lockers.

5. Officers booking items that require refrigeration should ensure that the item has been properly sealed and marked before leaving the sample in the appropriate refrigeration unit.
6. Items of exceptional value or of a sensitive nature will be immediately taken to the L.E.C. and secured in a locked evidence locker. A supervisor will be notified of the nature of the item and the circumstances leading to its seizure. Notation will be made on the Physical Evidence Custody Report alerting the evidence officer to the nature of the item. These items are secured in a special locked room within evidence.
7. The evidence officer will not accept certain items due to their hazardous and volatile nature. These items include, but are not limited to, highly combustible materials such as gasoline, kerosene, and paint thinner, toxic chemicals, hazardous biological/unknown materials, and explosives of any kind. Perishable items, such as food, will also not be accepted by the evidence officer. These items shall be photographed and immediately transferred to an agency best able to store or dispose of these materials.

B. Packaging/Marking Property

1. Officers will follow the St. Joseph Police Department Uniform Guidelines for Evidence Control and the Missouri State Highway Patrol Forensic evidence Handbook when packaging and marking all items to be kept under control of the evidence officer.
2. The guidelines will ensure that the items are:
 - a. Clearly marked with all pertinent information to include:
 - 1) Name of arrested, victim, or person property is received from,
 - 2) Department case number,
 - 3) Date item is received, and
 - 4) Submitting officer's name and ID number.
 - b. Packaged in an appropriate size and type of container,
 - c. Packaged in a manner to prevent injury to personnel who must handle the item, and
 - d. Packaged in a manner that ensures the preservation of the evidentiary value of the item.

C. Refusal of Evidence/Property

1. There are times when evidence/property cannot be accepted into the property room as booked. Examples are:
 - a. Improperly packaged
 - b. Package not sealed and/or not initialed
 - c. Package containing multiple items when only certain items in the package are to be sent to the crime lab

3. The evidence officer will assign each item to a specific and appropriate storage area within the central evidence storage area or one of the auxiliary storage areas.
4. A record system shall exist that reflects the status of all property booked into the evidence officer and shall include:
 - a. The specific location or bin number where the property is located,
 - b. Date the property was received and released,
 - c. Description of the property,
 - d. Amount of property on hand, and
 - e. Chain of custody, of the item, from the time it was stored until its destruction or other final disposition.

D. Inspections/Audits

The Support Services Commander or his/her designee will be in charge of the evidence/property room to ensure adherence to procedures used for the control of the property.

In order to maintain a high degree of evidentiary integrity over agency controlled property and evidence, the following documented inspections, inventory, and audits shall be completed:

1. An inspection to determine adherence to procedures used for the control of property is conducted semiannually by the person responsible for the property and evidence control function or his/her designee;
2. An inventory of property occurs whenever the property and evidence custodian is assigned to and/or transferred from the position, and is conducted jointly by the newly designated property and evidence custodian and a designee of the CEO to ensure that records are correct and properly annotated; *(For this section a complete documented accounting of all high-risk items, e.g. cash, precious metals, jewelry, firearms and drugs; and a sufficient accounting of other evidence and non-agency property to establish that all property is accounted for and records can reasonably be assumed to be correct.)*
3. An annual audit of property and evidence held by the agency is conducted by a supervisor not routinely or directly connected with control of property and evidence; and
4. Unannounced inspections of property storage areas are conducted, as directed by the agency's chief executive officer, at least once a year.

E. Release and Disposition of Property.

1. It shall be the goal of the department to notify, in a timely manner, the owner of all property that has been seized or recovered.
 - a. The Detective Division will normally be responsible for the notification of property owners in all criminal cases.
 - b. The patrol officer will normally be responsible for the notification of property owners in all cases involving found items.
 - c. The evidence officer will attempt to contact property owners when the Detective and Patrol Divisions have been unable to do so.

2. Items are routinely released to other functions and agencies. To maintain the chain of custody and identify the location of each item, appropriate paperwork will be completed.
 - a. A Chain of Custody Report will be filled out when agency personnel remove an item for review, court or other purposes. The Chain of Custody Report will be kept in the evidence records system and will include:
 - 1) Name of person receiving the item,
 - 2) Name of the person the item was released to,
 - 3) Quantity of the item released, and
 - 4) Date and time the item was released.
 - b. A Laboratory Analysis Request form will be completed and accompany all items going to the laboratory for analysis. A receipt will be received, by the evidence officer, from the examining laboratory and will be kept in the evidence records system.
 - 1) The officer recovering the item will be responsible for completing and submitting the Laboratory Analysis Request form.
 - 2) The evidence officer will ensure that the item is packaged and transmitted to the laboratory following guidelines established in the Missouri State Highway Patrol Forensic Evidence Handbook.
 - 3) The laboratory will notify the evidence officer in writing of the results of the testing. The evidence officer will convey this written notification to the submitting officer.
 - c. Final disposition of evidentiary property will occur within six months after notification is received from the prosecutor's office advising that the case has been adjudicated. The property will be returned to the owner or destroyed if so ordered by the court.
 - d. Found items when the owner is unknown, will be held One hundred eighty (180) days before final disposition. The property shall be disposed of according to state statute.
 - e. Found items when the owner is known, will be held for thirty (30) days after attempts to contact the owner have been made. If the owner fails to claim the property it shall be deemed abandoned and disposed of according to state statute.

Chris Connally Chief of Police

Date