

## Cobb County Police Department

### Policy 3.12

#### PROPERTY/EVIDENCE DOCUMENTATION AND STORAGE

<b>Effective Date:</b> November 1, 2017	<b>Issued By:</b> Chief M.J. Register
<b>Rescinds:</b> Policy 3.13 (December 15, 2013)	<b>Page 1 of 5</b>
The words "he, his, him," which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this policy is to inform employees of the documentation and storage requirements whenever property comes into the possession of the Department.

#### I. DOCUMENTATION

The following reports will be completed whenever property is taken/received by Department personnel:

##### A. Incident Report

An incident report will detail the circumstances by which property has come into the Department's possession.

##### B. Property/Evidence Control Record

Property/Evidence Control Records will contain the following information:

###### 1. Case Information

The type of incident, incident date, collection date, and incident number, as well as the name, address, and phone number of the owner, victim/finder, and suspect(s), will be listed. Each different owner of property will be recorded on a separate Property/Evidence Control Record, even if they came from the same incident.

###### 2. Classification

Property will be classified in one of six ways. Each different classification of property will be recorded on a separate Property/Evidence Control Record, even if they came from the same incident.

###### a. Evidence

Property classified as evidence is an item which can be used in court to prove or support the charge of a criminal act.

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b. Hold for 90 Days Only

Ninety day hold property is an item that has the potential of becoming evidence or recovered stolen property. If it is determined during the 90-day period that the property can be used for evidence in the prosecution of a crime, the Property and Evidence Unit must be contacted and a request be made to change the status of the property to evidence; or the property will be released to the listed owner or disposed of.

c. Safekeeping

Safekeeping is property with a known owner, where the property has been accepted by an officer to ensure its protection, or protect the owner or others from harm due to the situation. The owner's information must be listed on the Property/Evidence Control Record or the property will not be processed by the Property/Evidence Unit.

d. Found Property

Found property consists of items of monetary value, other than contraband or evidence, found by an employee of the Department, or turned over to an employee by a citizen. If the owner is known, his information should be listed.

e. Send to Crime Lab

Property which is evidence in a criminal charge and needs to be scientifically tested or analyzed should be marked with this designation. Items needing testing or analysis should be submitted to the Georgia Bureau of Investigation (or other accredited) crime lab in accordance with the accepted delivery procedures set forth by the receiving crime lab. Normally, the Property and Evidence Unit will be responsible for the delivery and pick-up of crime lab items.

f. Destroy

Items of contraband that have been seized where no criminal charges have been filed can be sent to the Property/Evidence Unit to be destroyed.

3. Item Number/Description

A description of each item of property obtained will be listed, along with the time of collection and name of the collecting officer. Items will be numbered sequentially.

**4. Chain of Custody**

The Chain of Custody section must be completely filled out on the Property/Evidence Control Record anytime the possession of property changes.

- a. If property in the possession of the Property and Evidence Unit is to be checked out for investigative/laboratory examination, court proceedings, etc., a copy of the Property/Evidence Control Record will be made to accompany the item(s) in order to document the chain of custody.
- b. If Department personnel then transfer the property to another person (or court), a copy of the Property/Evidence Control Record with the receiving party's original signature should be submitted to the Property and Evidence Unit, leaving a copy with the item(s).
- c. When the item(s) are released or returned to the Property and Evidence Unit, the copy will be attached to the original Property/Evidence Control Record.
- d. The original Property/Evidence Control Record (any copies of Property/Evidence Control Records containing original signatures) will always remain in the Property and Evidence Unit.

**5. Signatures**

The submitting officer and approving supervisor shall complete the signature section of the form. The submitting officer and approving supervisor should also print their names in the signature block.

If proper procedures in the collection, packaging, and/or documentation have not been followed by the collecting officer, the evidence technician will notify the employee of the discrepancy via email. The collecting employee is required to report to the Property and Evidence Unit before the end of the employee's tour of duty and make any correction(s) needed.

**II. STORAGE OF PROPERTY AND EVIDENCE**

All property and evidence collected during an officer's shift will either be placed in the temporary storage locker, or placed in the custody and/or control of the Property and Evidence Unit, prior to the end of the officer's shift. The only exception to this shall be on major crimes (e.g. – a homicide) where the crime scene technician is required to process a large number of items. These items shall be placed in secure storage until the necessary paperwork can be completed and items turned over to the Property and Evidence Unit.

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- A.** All property and evidence to be stored at the precinct must be approved by a supervisor prior to storing. The supervisor will sign the approving officer block on the Property/Evidence Control Record.
- B.** Only a supervisor may place property and evidence into the temporary storage locker.
- C.** All property will be recorded in the Evidence Locker Property Control log.
- D.** No property and evidence will remain in the temporary storage locker after scheduled pick-up unless approved by the Property and Evidence Unit commander.

Temporary storage locker log books will be maintained at the precinct/unit level for a minimum period of three years, after which they can be disposed of in accordance with the Records Retention Schedule.

### **III. “DETECTIVE HOLD” LOCKERS**

Each precinct has lockers designated as “Detective Hold” lockers. All property and evidence being held at any unit must be secured in the unit’s “Detective Hold” lockers and will not be secured in individual work areas or desks. Each “Detective Hold” locker will hold only one case. “Detective Hold” locker keys shall not be duplicated.

- A.** Items for “Detective Hold” should be clearly marked with a note requesting the item(s) be placed in a “Detective Hold” locker. The requested hold items will be logged and placed in a temporary storage locker. Property and Evidence Unit personnel will move the item(s) into the “Detective Hold” locker.
- B.** Detective supervisors have an access key for each of the three “Detective Hold” lockers and will be responsible for logging evidence out of the “Detective Hold” log book prior to processing or review. In the event the evidence is returned to “Detective Hold”, the detective supervisor will log the item back into the “Detective Hold” log book and update the chain of custody on the Property/Evidence Control Record to reflect the removal and replacement. Upon completion of processing or review, the “Detective Hold” evidence should be placed in a temporary storage locker for pick up by Property/Evidence Control Technicians. It should also be logged into the temporary storage locker log book.
- C.** No property and evidence will be held in a “Detective Hold” locker for more than 10 days without the approval of the Property and Evidence Unit commander.

### **IV. INSPECTIONS AND INVENTORIES**

Inspections and inventories of the Property and Evidence Unit shall be conducted to ensure the continuity and integrity of the unit, not to require an accounting for every item of property. All discrepancies, as well as other results of the inspections, shall be recorded and submitted to the Chief of Police and the Records Unit Commander.

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Inspections shall be conducted as follows:

- A.** The supervisor of the Property and Evidence Unit, or his designee, shall conduct semi-annual inspections of the unit to ensure the following requirements are being met:
  - 1. The property room is being maintained in a clean and orderly fashion.
  - 2. The integrity of the property is being maintained.
  - 3. Provisions of Department orders or directives concerning property and evidence management system are being followed.
  - 4. Property is being protected from damage or deterioration.
  - 5. Proper accountability procedures are being maintained.
  - 6. Evidence which is no longer of value to any criminal case, or property which has met the maximum storage requirements, is being disposed of properly.
  
- B.** An audit of property shall be conducted whenever there is a change of assignment involving the evidence custodian. When such change occurs, the new evidence custodian, along with a designee of the Chief of Police, will:
  - 1. Account for a selection of high risk items (i.e. – cash, precious metals, jewelry, firearms, and drugs);
  - 2. Account for a sufficient number of other evidence and non-agency property; and
  - 3. Ensure that records are correct and properly annotated.

A two-tailed random sampling method should be applied; tracing evidence from the item to the records, and accounting for items listed in records. If the sampling reveals a discrepancy rate greater than 4%, a 100% inventory must be completed on all high risk items, and additional sampling of items in general storage to the satisfaction of the CEO, to re-establish the accuracy of all records.
  
- C.** An annual audit of property will be made by a supervisor not routinely or directly connected with the functions of the Property and Evidence Unit. The audit will consist of a significant representative sampling of property including high risk items.
  
- D.** Unannounced inspections of the Property and Evidence Unit storage areas shall be conducted as directed by the Chief of Police, at least once a year.