

City of Johns Creek Police Department

<i>Subject:</i> Evidence and Property Control		<i>Number:</i> 04-23	
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PURPOSE:

Provide guidelines and procedures for security and control of evidence, and any property owned or possessed by another placed in the care, custody or control of this Department. This policy is applicable to all officers and crime scene investigators.

POLICY (04-23):

Established procedures shall be followed to provide for the chain of custody, storage, and security of seized, recovered, and evidentiary property as well as abandoned, lost, or found property in the custody of the Department. All property or evidence seized or recovered by any officer, member, or employee shall be placed in the secure property and evidence facility designated and approved by the Department. Property and evidence submission, disposal or destruction shall be in accordance with this policy and will comply with all applicable laws, ordinances, and court procedures.

DEFINITIONS:

Inspection – A careful and critical examination; a formal review of all components of a particular requirement and an examination of their application

Audit – A documented accounting of high risk items (e.g. cash, precious metals, jewelry, firearms, and drugs) and other evidence and non-agency property to establish that all property is accounted for and records can reasonably be assumed correct.

Inventory – A detailed itemized list, report, or record of items in one’s possession or the process of making such a list, report or record.

Property and Evidence Custodian – The person(s) who holds authority for the day to day supervision and operation of the property and evidence function.

PROCEDURES:

General Guidelines and Instructions (04-23-01)

- A. The Property Room is responsible for accurately recording, safeguarding, and storing all evidence and property that comes into police custody.
- B. The only persons who shall have access to areas designated for the storage of evidence or property are Evidence Technicians. The Evidence Supervisor or the Chief of Police may designate non-authorized individuals who may enter the Property Room for audits, inventory and other specific purposes.
- C. The department's evidence/property report or paperwork is to be completed by the officer/CSI taking official custody of physical evidence. The report must be completed and the evidence secured in Property and Evidence or a temporary locker prior to the end of the officer or CSI's assigned shift. If due to circumstances beyond the officer/CSI's control, the report cannot be completed prior to the end of shift, the approving supervisor will attach written documentation to the evidence explaining the circumstances and provide a date and time when the report will be completed. The supervisor or his/her designee will place the evidence with the attached documentation, in a temporary evidence storage locker. ***All items will be packaged, marked, and reported in compliance with the guidelines set forth in this chapter.*** During those hours where the property room custodian is not available, any property or evidence seized shall be placed in the designated lockers provided. After securing the lock, only the property room custodian shall have access.
- D. All submitted items shall have individual numbers unless those items are exact duplicates of each other. Exception; small personal items such as miscellaneous papers in a wallet or make-up in a purse.
- E. Multiple cases ***shall not*** be submitted on the same property receipt or placed in the same evidence or property container.
- F. All containers, such as suitcases, briefcases, boxes, folders, etc., must be opened and an inventory of the contents made before being stored in the Property Room. This is required to avoid submitting items that may present an unknown hazard to the well being of employees, as well as for the proper storage and recording of all items in department custody.
- G. A separate area within the Property Room shall be reserved for the secure storage of exceptional, valuable or sensitive items of evidence or property. Acceptable storage methods may include vaults, lockers, or an interior room. Exceptional or valuable items include narcotics, money, jewelry, and firearms.

Preparation of Evidence for Booking (04-23-02)

A. General Procedures

Once evidence or property is seized or secured by a member of this Department the following procedures will be followed **at all times**:

1. Officers shall include in their incident reports details describing the circumstances by which items came into police custody and a detailed description of each item of property obtained.
2. A property receipt shall be completed which includes the following information: (1) case number, (2) person items are logged to, (3) date of occurrence, and (4) submitting officer's name and badge number. Also required on the property receipt is information which describes each item of evidence or property submitted, and completion of the chain of custody section. Guidelines for listing items to be submitted on the property receipt can be found in this section. For information on the chain of custody, see the following section on Chain of Custody.
3. With the exception of narcotics, items of evidence or property shall be placed into an envelope or paper bag. Narcotics will be placed into a plastic narcotic bag. If an item will not fit into an envelope, then it should be placed into either a cardboard box or paper bag. Boxes and bags will be provided by the Department and can be found in the supply area near the squad room. After sealing the box, officers should complete a tag and affix it to the end. If an item will not fit into a box, it should be checked to ensure it will not contaminate or be contaminated by other evidence or property, and then affixed with a tag in a conspicuous location. If the possibility of contamination exists, as would be the case with an item to be printed, the item should be covered using cardboard paper and then secured with plastic mailing tape and tamper-proof evidence strips.
4. Items designated as "evidence" shall include any item needed in the prosecution of a case, contraband, or items that would present a hazard to the public by their release from Department custody. Any other item that does not fit one of these criteria shall be considered found property.
5. After placement into the appropriate container all items of evidence shall be sealed with tamper-proof evidence strips. Seals will be initialed by the sealing officer, including the date and officer's badge number. Envelopes shall be sealed with the evidence strips along both the top and bottom seams. Boxes shall be sealed using plastic mailing tape first around the width of the box, and second around the length of the box. All four ends of the tape shall meet at the same place on the top and middle of the box. Finally the four ends of mailing tape will be sealed using a tamper-proof evidence strip diagonally across the four ends of tape. Items covered with cardboard paper should be sealed with tamper-proof evidence strips in addition to plastic mailing tape in such a manner as to protect the integrity of the evidence. Narcotics bags have their own tamper-proof seal and do not require the use of an evidence strip. Items that have been taken into department custody as found property do not require the use of evidence seals.
6. Evidence or property containers shall be completed with the following information: (1) department case number, (2) person items are logged to, (3) date of occurrence,

(4) submitting officer's name including badge number, and (5) a brief inventory of the items including item numbers. This information shall be completed on the front of the bag or envelope or on a tag if the item has been placed in a box or has been wrapped in cardboard paper. Evidence will be logged to the suspect first, to the victim second, and if both the suspect and victim are unknown, to the officer. Property will be logged to the officer unless the owner is known, in which case it will be logged to the owner. Once evidence or property has been logged to a particular name, any subsequent items for the same case will be logged to the same name.

7. Items from different categories may not be packaged together, for example liquid blood with blood stains or narcotics with firearms. Items from the same category may be packaged together, provided there is no possibility of contamination. Examples include blood stains with semen stains or narcotics with paraphernalia.
8. Any envelope, bag or box containing hazardous materials must be affixed with a label which reads: **"WARNING-HAZARDOUS CONTENTS"**. A brief explanation of the type of hazard should be included on both the sticker and any paperwork associated with the case. Examples of hazardous materials include syringes, knives, glass, live ammunition, explosives, narcotics, dangerous chemicals, and items contaminated with blood. Special care should be taken to note items which may have been contaminated by a person with a contagious disease. Always wear protective gloves when handling hazardous materials.

B. Explosives and Fire Debris

1. All explosives and fire debris evidence will be handled by either the Georgia Bureau of Investigation or the Fire Department with the exception of fireworks which shall be submitted as regular evidence.
2. Fireworks shall be destroyed by the Evidence Technician or his/her designee at the earliest convenience under O.C.G.A. 25-10-6. Prior to destruction the items must be submitted into the property function and recorded in the Chain of Custody. After destruction the Chain of Custody must be updated. Fireworks will be destroyed by soaking in water for a minimum time of three (3) hours not to exceed 24 hours, and then disposed of through the City Waste Collection Agency.

C. Firearms and Ammunition

1. All firearms shall be submitted in the appropriate sized box, sealed, and affixed with a tag on the end of the box. All paperwork shall indicate the need for prints or type of contamination. Live ammunition, slugs, casings, and magazines shall be submitted separately using an envelope. ***Loaded weapons will not be submitted into the Property Room under any circumstances.*** If a weapon is jammed or cannot be unloaded, the Department's armorer or firearms instructor will be contacted to make the weapon safe prior to submission. Magazines and ammunition will be submitted separately using different items numbers.

2. Firearms shall be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) type of weapon (derringer revolver, semi-automatic, rifle, shotgun, or zip-gun), (4) make, (5) model, (6) caliber or millimeter, (7) serial number, and (8) a brief description of the weapon including finish and grip type. Examples:
 - a. 1 Semi-Auto, Glock, Model 23, .40 Cal., SR# AHZ303US, blued finish with Hogue black rubber grip.
 - b. 1 Rifle, Browning, Medallion Edition, .7MM08, SR#Y48366, blued finish, brown wooden stock, bolt action.
 - c. 1 Revolver, Smith & Wesson, Model 59, .38 Cal., SR#88317, chrome finish with brown wooden grips.
 - d. 1 Shotgun, Mossburg, Model 828, 12 ga., SR#MZ1Q667, blued single barrel with assault grip.
3. Live ammunition or magazines shall be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) ammunition or magazine, (4) make, (5) caliber or millimeter, and (6) type of round (FMJ, hollow point, special, glazer, etc.). Examples:
 - a. 14 Ammunition, Winchester, .40 Cal., Black Talon
 - b. 2 Magazines, Glock, .40 Cal., 13 round capacity, black.
4. Expended ammunition (slugs) or casings shall be indicated on the property receipt using the following information: (1) item number, (2) make if possible, and (3) caliber or millimeter if possible. Slugs and casing must each have their own item numbers in order to be able to distinguish between the item and its recovery location.
5. All items of evidence shall be sealed with tamper-proof evidence strips. Seals will be initialed by the sealing officer, including the date and officer's badge number. Envelopes shall be sealed along both the top and bottom seams. Boxes shall be sealed using plastic mailing tape first around the width of the box, and second around the length of the box. All four ends of the tape shall meet at the same place on the top, middle of the box. Finally the four ends of mailing tape will be sealed using a tamper-proof evidence strip diagonally across the four ends of tape. Items covered with cardboard paper should be sealed with tamper-proof evidence strips in addition to plastic mailing tape in such a manner as to protect the integrity of the evidence.
6. Firearms will be stored within the Property Room in a separate, secure area reserved for the storage of exceptional, valuable or sensitive items of evidence or property. Ammunition will be secured within the Property room in the regular storage area.

D. Liquid Blood, Urine, and Saliva Samples

1. Liquid blood, urine, and saliva shall be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) description of the item, (4) the person sample was obtained from, and (5) the name of the collecting official. Examples:

- a. 2 Vials of human blood, collected from Smith, John R. by Dr. Brian Hoynak.
 - b. 1 Jar of human urine, collected from Smith, John R. by Dr. Brian Hoynak.
 - c. 1 Vial of human saliva, collected from Williams, Greg C. by Officer J. Thompson.
2. For liquid blood, medical personnel must draw at least 5ml. of blood in a Vacutainer tube with a PURPLE stopper which has EDTA-K3 or EDTA-Na@ added as an anticoagulant. For urine or saliva a minimum of 5ml. must be collected in a vial or jar and the container labeled with the name of the subject, the date, and the name of the collecting officer, doctor, or medical technician.
 3. **Any blood transported to the crime lab requires a GBI Evidence Submission Form with the evidence.**
 4. Liquid blood, urine, and saliva samples shall be submitted in a Department/hospital approved collection kit. All items of evidence shall be sealed with tamper-proof evidence strips. Seals will be initialed by the sealing officer, including the date and officer's badge number.
 5. Liquid blood, urine, and saliva samples will be secured within the Property Room in an area reserved for the storage of refrigerated evidence. Do not freeze.

E. Money, Jewelry, and Precious Metal or Stones

1. Money, jewelry, and precious metal or stones includes foreign or American money, jewelry of any type, and any metal or stones of an ornate appearance. Officers should not take it upon themselves to determine whether a metal or stone is of a precious nature. As outlined in Section E-3, list the metal or stone simply by color, shape and specific markings.
2. Money shall be indicated on the property receipt using the following information: (1) item number, (2) number of bills or coins, (3) denomination (only one item shall be used for each denomination), (4) type of currency (American or foreign), and (5) total. The total shall be indicated immediately after the last item number for money. Do not list other types of evidence or property within the item numbers for money. Example:
 - a. 1 \$100.00 bill, US Currency
 - b. 2 \$ 50.00 bills, US Currency
 - c. 3 \$ 20.00 bills, US Currency
 - d. 1 \$ 10.00 bill, US Currency
 - e. 1 \$ 5.00 bill, US Currency
 - f. 2 \$ 1.00 bills, US Currency
 - g. 1 .50 coin, US Currency
 - h. 1 .25 coin, US Currency
 - i. 2 .05 coin, US Currency
 - j. 2 .01 coin, US Currency
 - k. Total \$277.82
 - l. 1 Wallet, leather type, brown in color, containing misc. papers.

3. Jewelry shall be indicated on the property receipt using the following information: (1) item number, (2) quantity, and (3) a description of the jewelry. The description should include the type of jewelry, the COLOR of metal, and the COLOR of stone, if any. Do not include the metal or stone name in the description. Officers should not take it upon themselves to determine whether a metal or stone is of a precious nature. Examples:
 - a. 1 yellow metal ring, wedding band type.
 - b. 1 yellow metal ring with white stone
 - c. 2 yellow metal earrings with white stones.
 - d. 1 white metal ring, etching on the exterior side.
 - e. 1 copper colored metal bracelet, man's link type.
4. Precious metals or stones shall be indicated on the property receipt using the following information: (1) item number, (2) quantity, and (3) a description of the item indicating the COLOR of metal or stone and the shape. The description for metals should include the weight if known or scales are available. DO NOT GUESS AT WEIGHTS.
 - a. 4 red stones, round cut
 - b. 1 yellow metal bar, rectangular in shape, approximately 10 grams.
5. All items of evidence shall be sealed with tamper-proof evidence strips. Seals will be initialed by the sealing officer, including the date and officer's badge number. Envelopes shall be sealed along both top and bottom seams. Boxes shall be sealed using plastic mailing tape first around the width of the box, and second around the length of the box. All four ends of the tape shall meet at the same place on the top and middle of the box. Finally the four ends of mailing tape will be sealed using a tamper-proof evidence strip diagonally across the four ends of tape. Items covered with cardboard paper should be sealed with tamper-proof evidence strips in addition to plastic mailing tape in such a manner as to protect the integrity of the evidence.
6. Money, jewelry, and precious metals or stones will be secured within the Property Room in an area reserved for the storage of exceptional, valuable or sensitive items of evidence or property.

F. Narcotics

1. Gloves shall be worn at all times when handling narcotics. All narcotics must be weighed *prior to placement* in a narcotics bag or box. Narcotics weighed in a container, for example a medicine bottle or plastic baggy, shall be indicated by using "GGW" or "Grams Gross Weight". If the narcotics are weighed separately from a container, then the weight shall be indicated using "G" or "Grams". Any narcotic which can be distributed in individual units such as crack cocaine, methamphetamine, or marijuana cigarettes, should be counted in addition to weighing. LSD tabs and pills may be counted only using an "ea." to indicate "each". Pills may sometimes be identified using the Physicians Desk Reference. Narcotics paraphernalia shall be submitted in the same manner as a narcotic when it is possible that the items are coated with residue. If the items are not coated, they

shall be submitted as Regular Evidence. Paraphernalia should be packaged separately from narcotics.

2. All narcotics must be submitted in a sealed outer plastic bag and a secured inner plastic bag.
 - a. Sealed Outer Plastic Bag: The outer plastic bag must be clear on at least one side and must be sealed with a tamper proof seal. The date, initials and badge number of the sealing officer will be written in ink on the seal. Information on the bag will include: the name of the person the evidence is booked to, the date booked, the agency name and case number, and the item numbers followed by a brief description of each item.
 - b. Secured Inner Plastic Bag: The inner plastic bag must be clear on both sides and ziplocked so that the contents will not fall out into the outer bag. Like items should be grouped and placed in the same inner plastic bag if possible. Different types of narcotics must be packaged so that contamination does not occur (Example: do not place cocaine with marijuana or a marijuana pipe with loose marijuana leaves.)
 - c. Exceptions to the Use of Plastic Bags:
 - I. Any wet plant material such as fresh marijuana plants, leaves, mushrooms, etc., must be submitted in a cardboard box to allow moisture to escape. Trapped moisture will cause the evidence to rot, making it unsuitable for analytical testing.
 - II. Large bales of marijuana, large plants, or bricks of cocaine must be submitted in cardboard boxes appropriate to size.
 - III. Liquids must be packaged in a leak proof, screw capped bottle and placed in the sealed outer bag. The cap of the bottle must be lined with TFE.
 - IV. Special precautions must be used when submitting possible LSD tabs. Do not handle the tabs with bare hands as the drug is easily absorbed through skin. Prior to placement in an outer sealed bag, place the tabs in an inner plastic bag and then in a manila envelope. LSD is a light sensitive drug and may be altered if exposed to light for prolonged periods.
 - V. When submitting PCP or its chemical components the following procedures **MUST** be followed. First, the material(s) shall be packaged as a liquid in a leak proof, screw capped bottle with a TFE-lined cap. Secondly, the bottle will be sealed in a plastic narcotics bag and placed into an outer plastic bag. Finally, all items of paperwork shall clearly indicate the presence of PCP. PCP and its chemical components produce very toxic fumes which can quickly cause illness. PCP has also been known to eat through concrete and steel, as well as chemically resistant floors and containers.
 - d. The following items may be submitted into the Property Room; however, they will not be accepted by the Crime Lab for testing:
 - I. Used field ID kits;

- II. Razor blades;
- III. Syringes. (Contents may be submitted to the toxicology section.);
- IV. Wet paper pipes.
- e. Additional Instructions:
 - Do not overfill the outer plastic bag. Use additional outer plastic bag if needed. Crime lab personnel must be able to reseal the outer plastic bag upon completion of analysis.
- 3. Narcotics shall be indicated on the property receipt using the following information: (1) item number, (2) weight, (3) suspected type of narcotic or chemical, and (4) a brief description. Examples:
 - a. .09 GGW Green leafy substance resembling Marijuana, contained in a plastic baggie.
 - b. .16 GGW White rock like substance resembling Crack Cocaine, contained in a brown plastic medicine bottle. Total: 12 rocks.
 - c. 24 EA. White paper tabs resembling LSD tables, each printed with Mickey Mouse on one side.
 - d. .48 GGW Clear liquid substance believed to be PCP, contained in a clear glass jar.
 - e. 6 EA. Yellow capsule type pills believed to be Grisactin.
 - f. .05 G White powder-like substance resembling Cocaine. Substance was weighed prior to placement in a container.
- 4. Narcotics paraphernalia shall be indicated on the property receipt using the following information: (1) item number, (2) description of the item, and (3) suspected type of residue. Examples:
 - a. Burned glass smoking pipe, believed to be coated with a cocaine residue.
 - b. Burned smoking screen, believed to be coated with marijuana.
- 5. Marijuana will not be tested by the Crime Lab. Once marijuana or items contaminated with marijuana have been submitted into the property function, the items will be tested by a member of this Department certified by the State of Georgia in proper testing procedures. Marijuana to be tested will be checked out in compliance with the Chain of Custody rules and promptly returned. (Ref: 07-13 Drug Test)
- 6. All narcotic related chemicals shall be submitted in the same manner as PCP; a small sample should be carefully collected from the parent sample in a glass bottle with TFE-lined caps, and then the parent sample should be disposed of in compliance with state laws.
- 7. Narcotics bags have their own tamper-proof seal and do not require the use of an evidence strip. The seal will be initialed by the sealing officer, including the date and officer's badge number. Narcotics evidence that will not fit into a narcotics bag shall be submitted in a box. Boxes shall be sealed using plastic mailing tape first around the width of the box, and second around the length of the box. All four ends of mailing tape shall meet at the same place on the top, middle of the box. Finally, the four ends of mailing tape will be sealed using a tamper-proof evidence strip

diagonally across the four ends of tape. The evidence strip will be initialed by the sealing officer, including the date and officer's badge number.

8. Any narcotic evidence not needed for prosecution of a case shall be destroyed in compliance with state laws within 180 days of receipt of the evidence.
9. Narcotic evidence will be secured within the Property Room in an area reserved for the storage of exceptional, valuable or sensitive items of evidence or property.

G. Regular Evidence

1. Regular evidence will include household items, appliances, parts, tools, etc., or any item that does not fit into another category.
2. Regular evidence will be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) description of the item, (4) make, if applicable, (5) serial number, if applicable, (6) model number, if applicable, and (7) owner, if known. Examples:
 - a. 1 Hammer with blue handle, Craftsman
 - b. 1 Stereo system, Sony, SR# SN77438, Model # 3600, belonging to Getsinger, Cynthia.
 - c. 1 Automobile radio
 - d. 8 Pencils, American brand.
3. All items of evidence shall be sealed with tamper-proof evidence strips. Seals will be initialed by the sealing officer, including the date and officer's badge number. Envelopes shall be sealed along both the top and bottom seams. Boxes shall be sealed using plastic mailing tape first around the width of the box, and second around the length of the box. All four ends of the tape shall meet at the same place on the top, middle of the box. Finally, the four ends of mailing tape will be sealed using a tamper-proof evidence strip diagonally across the four ends of tape. Items covered with cardboard paper should be sealed with tamper-proof evidence strips in addition to plastic mailing tape in such a manner as to protect the integrity of the evidence.
4. Regular evidence will be stored within the Property Room in an area designated for the storage of non-sensitive items.

H. Serological Evidence (DNA)

1. Serological evidence will include blood and semen stains, vaginal aspirates, slides, and swabs, anal slides and swabs, hair, pubic hair and pubic combings, and fingernail clippings or scrapings. Aspirates, slides, swabs and pubic combings will be found in a rape kit. Serological evidence may also include human body parts such as a fetus or a deceased person's finger, etc. Items must be packaged in a manner to ensure they will not contaminate each other.
2. Serological evidence will be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) description of the item, (4) the person or location sample was obtained from, and (5) the name of the collecting

official. On some type of serological evidence it may not be possible to accurately determine the quantity, as would be the case with the pubic hair. In these instances place a dash (-) in the quantity column. Examples:

- a. Pubic hair, received from victim Robinson, Susan R. by Dr. Brian Hoynak.
 - b. Pubic combings, received from victim Robinson, Susan R. by Dr. Brian Hoynak.
 - c. 1 Ladies white under wear with possible semen stains, received from victim Robinson, Susan r. by Dr. Brian Hoynak.
 - d. 1 Ladies gray nightshirt with possible blood stains, received from victim Robinson, Susan R. by Dr. Brian Hoynak.
 - e. 1 Vaginal aspirate, received from victim Robinson, Susan R. by Dr. Brian Hoynak.
 - f. 2 Vaginal slides, received from victim Robinson, Susan R. by Dr. Brian Hoynak.
 - g. 2 Anal swabs, received from victim Robinson, Susan R. by Dr. Brian Hoynak.
 - h. 4 Fingernail scrapings, received from victim Robinson, Susan R. by Dr. Brian Hoynak.
3. All serological evidence must be completely dried without heat prior to booking, and must be submitted in paper envelopes or boxes to prevent decomposition of the items.
 4. Rape kits will be provided by the Evidence Technician and issued to each shift supervisor. They are to be given to the doctor upon examination of the victim. After receiving the completed rape kit, officers will seal the envelope or box with tamper-proof evidence strips. Any pieces of the rape kit that are not used for the examination are to be disposed of and not included as evidence.
 5. Human body parts will first be placed in a leak proof, screw capped bottle and then packaged in a box appropriate to size. Care should be taken to secure the bottle so that it cannot move within the box, potentially damaging the bottle or evidence.
 6. All items of evidence shall be sealed with tamper-proof evidence strips. Seals will be initialed by the sealing officer, including the date and officer's badge number. Envelopes shall be sealed along both the top and bottom seams. Boxes shall be sealed using plastic mailing tape first around the width of the box, and bottom seams. All four ends of the tape shall meet at the same place on the top, middle of the box. Finally, the four ends of the mailing tape will be sealed using a tamper-proof evidence strip diagonally across the four ends of tape. Items covered with cardboard paper should be sealed with tamper-proof evidence strips in addition to plastic mailing tape in such a manner as to protect the integrity of the evidence.
 7. Serological evidence will be secured within the Property Room in an area reserved for the storage of that evidence. Do not refrigerate serological evidence.

I. Trace Evidence and Fingerprints

1. Trace evidence will include fibers, fabrics, paint or plastic fragments (any broken material), glass, tire and footwear impressions, and tool marks. Hair is considered serological evidence due to the possibility of DNA testing.
2. Trace evidence will be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) description of the item, (4) the person or location sample was obtained from, and (5) the name of the collecting official. On some types of trace evidence it may not be possible to accurately determine the quantity, as would be the case with fibers. In these instances place a dash (-) in the quantity column. Examples:
 - a. Fibers, gray in color, received from victim, Robinson, Susan R. by Detective R. Johnson.
 - b. 19 Glass fragments, recovered inside the south bedroom window by Detective R. Johnson.
 - c. 1 Tire impression, recovered from the right side of the driveway by Detective R. Johnson.
3. Fingerprint evidence will be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) description of the item, (4) approximate locations of areas to be printed, and (5) the name of the collecting official,. Examples:
 1. 1 Steel bar with possible tool marks on both ends, to be printed along the entire length, recovered by Detective R. Johnson.
4. When submitting trace evidence be sure the contents cannot be lost through the seams of the packaging container. Use tamper-proof strips or plastic mailing tape to seal any potential openings.
5. When submitting items of evidence to be printed, care should be taken to ensure the area in question is protected from contamination using envelopes, boxes or cardboard paper.
6. All items of evidence shall be sealed with tamper-proof evidence strips. Seals will be initialed by the sealing officer, including the date and officer's badge number. Envelopes shall be sealed along both the top and bottom seams. Boxes shall be sealed using plastic mailing tape first around the width of the box, and second around the length of the box. All four ends of the tape shall meet at the same place on the top and middle of the box. Finally, the four ends of mailing tape will be sealed using a tamper-proof evidence strip diagonally across the four ends of tape. Items covered with cardboard paper should be sealed with tamper-proof evidence strip diagonally cross the four ends of tape. Items covered with cardboard paper should be sealed with tamper-proof evidence strips in addition to plastic mailing tape in such a manner as to protect the integrity of the evidence.
7. Trace and fingerprint evidence will be secured within the Property Room in an area designated for the storage of regular items unless the items are of an exceptional, valuable or sensitive nature.

J. Found Property

1. Any item taken into police custody not dangerous or illegal and not needed as evidence shall be considered found property.
2. Property shall be indicated on the property receipt using the following information: (1) item number, (2) quantity, (3) description of the item, (4) make, if applicable, (5) serial number, if applicable, (6) model number, if applicable, and (7) owner, if known. Examples:
 - a. 1 Wallet, brown in color, containing miscellaneous papers, possibly belonging to Mr. William Mosley.
 - b. 1 Georgia driver's license, # 563870484, in the name of Mosely, William
 - c. 1 Bicycle, red in color, Schwann, SR# B745, owner unknown.
3. Items taken into department custody as found property do not require the use of evidence seals.
4. Property will be secured within the Property Room in an area designated for the storage of regular items with the exception of money, jewelry, and precious metals or stones, which will be stored in an area reserved for the storage of exceptional, valuable or sensitive items. Items that cannot be secured within the Property Room due to unusual size or shape shall be secured within an off-site storage area designated by the department.
5. An immediate effort should be made to identify and notify the owner or custodian of non-evidentiary and certain evidentiary property to effect a release from the property room function. Certain evidence may be released, if trial court procedures are followed, after documentation, identification and photographing.

Chain of Custody (04-23-03)

- A. The chain of custody is a recording system which allows evidence to be tracked between both persons and locations. This information is recorded from the time items come into the Department's custody until final disposition, and indicates who is or was responsible for the items at any point within the chain. The purpose of this system is to protect the integrity and value of evidence for use in court, and to eliminate the possibility of lost items.
- B. The chain of custody will be recorded on the property receipt, located in the Records Management System. It will include the following columns: (1) Items, (2) From, (3) To, and (4) Reason.
 1. The ITEMS column is used to indicate the particular item or items that are being considered in the transaction between persons and/or locations.
 2. The FROM column is used to indicate the prior location or person that had responsibility for the item. This would be the person or location items are coming from.
 3. The TO column is used to indicate the new location or person that will assume responsibility for the item. This would be the person or location items are going to.
 4. The REASON column is used to indicate why items are being transferred from one location or person to another.

- C. If information in a FROM or TO column involves an officer, the badge number must be included with the name.
- D. When items are received from a person other than the officer, that person must sign the chain of custody in the FROM section. If the officer receives the items from the crime scene, he/she shall complete the FROM section with his/her name and badge number.
- E. Only one transaction may be placed on each line. After the completion of a transaction all items must be accounted for.
- F. Example:

CHAIN OF CUSTODY

ITEMS	FROM	TO	REASON
1-8	Dr. Brian Haynek	Johnson # 141	From physician to officer
9	Robinson, Susan R.	Johnson # 141	From victim to officer
10-11	Johnson # 141	Locker # 20	From officer to evidence locker #20
1-8	Johnson # 141	Freezer	From officer to frozen storage
9	Johnson # 141	Locker # 20	From officer to evidence locker #20

Submitting Evidence/Property (04-23-04)

- A. Once evidence or property has been properly documented and packaged, it shall be submitted into the property function either directly, when personnel are available, or into a secured locker or approved designated area when personnel are not available. Paperwork required for submission includes a completed property receipt (printed from RMS), a completed GBI evidence submission form if items are to be submitted to the Crime Lab.
- B. When an Evidence Technician is available the evidence or property shall be taken directly to the Property Room and submitted. The Evidence Technician shall check both the items and the paperwork to make sure all information is correct, and log the property into the Evidence Management System.
- C. When an Evidence Technician is not available the evidence or property, including all information and reports, shall be placed in an evidence locker or designated area in the crime lab and secured. Items to be refrigerated shall be placed into a refrigerator

in the crime lab and the refrigerator key turned into the evidence locker. Larger items that do not fit in the evidence lockers are to be secured with a lock in the crime lab. When the next Evidence Technician comes on duty he/she shall check lockers, refrigerator, collect the items and paperwork, and complete the property receipt and required paperwork.

Property Room Procedures (04-23-05)

Once evidence or property has been submitted into the Property Room, the Evidence Technician shall complete the following procedures:

- A. Log the following information: (1) the case number, (2) person items are logged to, (3) date of occurrence, (4) a brief inventory of the items, (5) submitting officer's name including badge number, and (6) the date of submission.
- B. Place the items in the location designated for that type of evidence or property, and record the bin number, name and badge number of the handling Evidence Technician in the chain of custody section on the property receipt.
- C. File the property receipt and incident report in a file marked "Regular File". Cases shall be filed by the unique case number.
- D. Any time that an item in the control of the property function is checked out to an officer or detective, moved from one location to another, or released from department custody, the new information shall be added onto the chain of custody log. If the chain of custody log becomes full, the Evidence Technician shall complete a supplemental chain of custody form with the following information: (1) case number, (2) person items are logged to, and (3) date of occurrence, submitting officer's name and badge number.
- E. When all items for a case number have been released from Department Custody, the property receipt and incident report shall be filed in a file marked "Dead" and maintained in property room records perpetually.

Auditing of the Property Room (04-23-06)

- A. The Property Room shall be audited to determine the status of items in department custody and the quality of management governing the property function. Specifically, an audit shall verify the Property Room is being maintained in a clean and orderly fashion, the integrity of all items is being maintained, that department orders or other directives concerning the property function are being followed, that items are being protected from damage and deterioration, that proper accountability procedures are being maintained, and items no longer having evidentiary value are being disposed of properly.
- B. The purpose of auditing the Property Room is to ensure chain of custody is maintained without interruption and not to require the accounting of every single item in Department custody.

- C. Inspections to determine adherence to procedures used for the control of property will be conducted semi-annually by the Administrative Services Commander or his/her designee.
- D. In addition to the audits held at routine intervals, an audit shall occur:
 - 1. When the person responsible for the property function is reassigned and/or transferred from the position. This audit shall be conducted jointly by the newly designated evidence custodian of the property function and a designee of the Chief of Police, to ensure all records are correct and properly annotated.
 - 2. Annually, at the direction of the Chief of Police, an unannounced inspection will be conducted. This audit shall be unannounced and may be as simple as a visual inspection or as complex as a complete inventory.
 - 3. Annually an audit will be conducted by a supervisor who is not routinely or directly connected with the property and evidence function.
- E. The results of all audits/inspections shall be recorded on the approved audit form and a copy forwarded to the Chief of Police.

Disposition of Property (04-23-07)

- A. Evidence in the custody of the Department no longer having value in prosecution or the investigation of a case shall be noted for destruction, conversion, auction, or release, and processed accordingly with applicable state laws. The prosecuting or investigating officer shall make the determination as to which items of evidence are no longer needed for the pursuit of a case. Once approval for removing evidence from the property function has been obtained from the responsible officer, the approved items shall be processed in compliance with this policy.
- B. Property held in the custody of the Department shall be released to the rightful owner at the earliest convenience.
- C. It is the policy of this Department that all property or evidence whose physical custody is not essential to the prosecution shall be returned to the rightful owner or legal custodian or disposed of.

Disposal Procedures for Evidence

- A. After a period of 180 days from the date evidence was submitted to the property function, the Evidence Technician will locate the appropriate file(s) and complete a disposal confirmation form. Disposal confirmation forms shall be completed with the following information: (1) case number, (2) person items are logged to, (3) date of occurrence, (4) prosecuting or investigating officer's name including badge number, and (5) a description of the items from the case including their item numbers. The form shall be forwarded to the appropriate officer to be completed and returned to the Property Room.

- B. Once the officer receives the disposal confirmation form, he/she shall review it and decide which items, if not all, can be removed from the property function.
 - 1. If the items are not needed for the conclusion of the case, the officer shall so indicate by marking the "Destroyed" box, and completing the "Items to Destroy" section directly underneath. If all items are to be destroyed indicate this with the word "ALL".
 - 2. If the items are needed for the conclusion of the case, the office shall indicate this by marking the "Held Until" box, entering a date to hold the items until, and then completing the "Items to Hold" section directly underneath.
 - 3. If the items are to be released to the owner, the officer shall so indicate by marking the "Released" box and completing the "Items to be released" section directly underneath.
 - 4. It is possible to designate items to be destroyed, held, and released on the same form.
- C. After completing the disposal section, the officer shall complete the affidavit, sign, and date the form at the bottom of the page and return it to the Property Room.
- D. When the Evidence Technician receives the completed form he/she shall review it to determine the proper course of action.
 - 1. If the items have been marked for destruction, the Evidence Technician shall file the property receipt, incident report, and disposal confirmation form in a file marked "To Be Destroyed". After 20 cases have been marked for destruction, the Evidence Technician will compose a destruction order to be submitted to the Evidence Supervisor. This order will be composed of the following information: (1) case number, (2) person items are logged to, (3) date of occurrence, (4) officer approving disposal, and (5) a description of the items from the case including their item numbers. Upon receiving the order the Evidence Supervisor will review, sign, and send it to the Chief of Police for approval. After approvals are granted the destruction order will be returned to the Evidence Technician for submission to a Judge of the Superior Court of Fulton County. After the judge has signed the destruction order, the Department may destroy the items in compliance with state laws, or convert the items to Department use. After the destruction has occurred, the destruction order will be completed by including the date, time of destruction, and signature of the Supervisor or his designee at the bottom of the destruction order.
 - 2. If the items have been marked for further holding, the Evidence Technician will file the disposal confirmation form along with the property receipt and incident report back in the regular file and mark the top edge of the folder with the disposal date in black permanent ink. Upon reaching the disposal date the Evidence Technician shall complete a second disposal confirmation form following the same procedures. Items may be held indefinitely provided the Department is actively pursuing prosecution and/or investigation.
 - 3. If the items have been marked for release to the owner, the Evidence Technician will attempt to notify the owner by telephone and complete an owner notification letter with the following information: (1) the case number, (2) the owner's name,

(3) the date, and (4) the item(s) in Department custody. Prior to mailing the letter a copy will be made and stamped with the date the letter was sent. The Evidence Technician will file the copy along with the property receipt and incident report in a file designated "Released" and mark the top edge of the folder with the claim date in black permanent ink. After mailing the letter the owner will have a period of 90 days to claim the items. If a claim is not made, the item(s) become the property of the Department and can be destroyed sold, or converted to Department use. If notification is made by phone, a notification letter must still be completed to record the beginning of the 90 day holding requirement. When the owner of items to be released arrives at the Department to pick up his/her property, the Evidence Technician shall confirm the person's identity using a valid Georgia or other State photo ID, driver's license, or other valid, legal means of identification, and have the person sign his/her name on the Chain of Custody in the appropriate TO box, and then release the item(s).

Disposal Procedures for Found Property

- A. As soon as possible after receiving found property into the property room, the Evidence Technician shall make an effort to identify and notify the owner(s) of the item(s). Notification may be made over the telephone or via an owner notification letter. The notification letter shall be completed with the following information: (1) the case number, (2) the owner's name, (3) the date, and (4) the item(s) in Department custody. Prior to mailing the letter, a copy will be made and stamped with the date the letter was sent. The Evidence Technician will file the copy along with the property receipt and incident report in a file designated "Release" and mark the top edge of the folder with the claim date in black permanent ink. After mailing the letter the owner will have a period of 90 days to claim the items. If a claim is not made, the item(s) become the property of the Department and can be destroyed, sold or converted to Department use. If notification is made by phone, a notification letter must still be completed, as this records the beginning of the 90 day holding requirement.
- B. When the owner of items to be released arrives at the department to pick up his/her property, the Evidence Technician or his designee shall confirm the person's identity using a valid Georgia ID or Driver's License, have the person sign his/her name on the Chain of Custody in the appropriate TO box, and then release the item(s).

Destruction and Conversion Items

- A. Items marked for destruction must be destroyed in compliance with federal and state laws, and must be destroyed in a manner that does not present a hazard to people or the environment. Items that do not present a special hazard, such as those comprised of glass, metal, plastic, rubber, or wood, unless contaminated with a contagious or hazardous substance, may be disposed of through the city waste collection agency. Items that **do** present a special hazard must be disposed of in the following manner:

1. Narcotics or any item contaminated with narcotics will be destroyed through incineration by either the department or the GBI Crime Lab, at the discretion of the Chief of Police.
 2. Liquids, blood, urine, saliva, or any item contaminated with these substances, including syringes, will be destroyed through a waste management company which specializes in the destruction of these items. Items shall be placed in a red "Biohazard/Infectious Waste" plastic bag and tied shut. Syringes must be placed in a "sharps" container prior to placement within the bag. Steps must be taken with all contaminated items to remove the possibility of bag puncture.
 3. Firearms will be converted or auctioned in accordance with applicable state laws. Firearms deemed unsafe or unlawful to possess will be destroyed by being placed in the appropriate incendiary device. The destruction will be supervised by the Evidence Technician and another witness. Prior to the release of a firearm, a GCIC/NCIC check will be conducted on the firearm *and* the individual receiving the firearm. The check will ensure the individual meets current federal and state regulations to possess a firearm. The GCIC/NCIC printout will be maintained with the chain of custody paperwork.
 4. Destruction will be completed by including the date, time of destruction, and signature of the supervisor or his/her designee at the bottom of the destruction order. After destruction the Chain of Custody shall be updated to reflect the destruction, and the property receipt, incident report, and completed destruction order will be filed in the file marked "Dead".
- B. Items marked for destruction or to be sold may be converted to department use with the written permission of the Chief of Police. After conversion, the Chain of Custody shall be updated to reflect the conversion and the written order will be filed along with the property receipt, incident report, and a copy of the destruction order in the file marked "Dead".

Modification of Evidence Procedures (04-23-08)

Since control of items of evidence or property in the custody of any law enforcement agency is not an exact science, modifications may be necessary to adapt the procedures to unforeseen circumstances, legal issues and new technology. Therefore, the Evidence Supervisor upon approval of the Chief of Police shall have the authority to make changes as needed. Any changes or alterations to these procedures shall only be made in writing and shall be evaluated for effectiveness on a continual basis.

Off Site Property and Evidence Storage (04-23-09)

The Johns Creek Police Department, when conditions warrant, shall have the option of acquiring and maintaining an off site secure property and evidence storage facility.

The facility shall offer sufficient security measures that meet evidentiary requirements of the courts. Those measures shall include adequate locks capable of resisting most levels of forcible entry, and a monitored entry alarm system.

Alarm System

Any off site property and evidence storage facility maintained by the Department shall be equipped with an alarm. The alarm shall be monitored at all times. Alarm activation at any off site property and evidence storage facility shall be classified as priority two call and response.

The property room supervisor/custodian or other designee, shall be contacted as soon as practical following an alarm, discovery of unauthorized entry, attempted entry, or damage to the facility. The property room supervisor/custodian shall also be contacted if the alarm fails to reset.

NOTE:

At no time shall the off site property and evidence storage facility be used to store firearms, money, or narcotics.