



Helen Police Department

Standard Operating Policies and Procedures

Chapter I-010 Property & Evidence	Effective Date:	August 1, 2022	# of Pages:	29
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	Special Instructions:			

I. PURPOSE

To establish rules for receiving, storing, releasing, and disposing of property seized as evidence and/or property held for safekeeping.

II. SCOPE

This policy shall include provisions for departmental issued property, evidence, recovered, found, and maintained property.

III. RESPONSIBILITY

The responsibility of proper evidence collection and chain of custody is vested with all sworn employees of the Helen Police Department.

The Chief of Police shall designate an evidence custodian for the management of all property functions. The evidence custodian shall have authority for the maintenance of property and evidence records and shall be accountable for the control of all property stored in the Evidence/Property room.

IV. EVIDENCE AND PROPERTY SHEET

A. Property/Evidence Sheets

Property forms will be completed by the officer or detective originally taking custody of evidence or property. Items of Property or Evidence collected from different persons or at different times or places should be documented on separate property forms.

A property/evidence form is used to record each item of property (or set of items) submitted to the property room. All items or packages of items submitted to the property room will have a property/evidence form completed. If seized items are identical in nature, or from the same case, they may be listed on one (1) property/evidence form. The property/evidence section should contain the following information if available:

1. Name of person from whom property obtained
2. Victim / owner
3. Suspect
4. Location where property was obtained
5. Quantity, description and of all property
6. Officer name
7. Chain of custody including:
 - a. Date and time of transfer(s)
 - b. Receiving person's name(s)
 - c. Relinquishing person's name(s)

Property/Evidence will be entered into the property/evidence section of the incident report and submitted to evidence so that they are entered on the master property log and the property submitted to the Property/Evidence function by placing it in temporary evidence storage as soon as possible prior to the officer ending his/her tour of duty.

All evidence that must be taken to the Crime Lab must be bagged separately from all other property or evidence taken for that case.

No evidence or property will be stored in desks, offices, personal lockers or other unauthorized places.

When property/evidence is returned to the owner, the owner of the property will sign a chain of custody form showing the custody transfer which will then be submitted to the evidence custodian by the releasing officer. Evidence submitted to the State Crime Lab will be marked in the evidence section as going to the crime lab and the transporting officer will obtain a time stamped copy of the evidence submission form. The chain of

custody section in Records Management will reflect any changes in custody.

Property that is no longer of evidential value shall be returned to the owner in accordance with the provisions of Georgia Code.

B. Marking and Tagging Property/Evidence

1. It is the responsibility of the submitting officer to properly tag, mark, and package evidence submitted to the property room. It is further the responsibility of the submitting officer to compile a written report detailing the circumstances under which the property came into the department's possession.
2. Evidence should be placed inside the temporary evidence lockers. If too large for the temporary evidence lockers, it may be stored in the department's auxiliary property storage area. The shift supervisor will be required to obtain the key for the auxiliary property storage area door and once the evidence is placed in the auxiliary storage area the supervisor will place the key in a temporary evidence locker. If in need of refrigeration, evidence should be placed in the temporary evidence refrigerator.
3. The Property/Evidence Custodian will accept all evidence if tagged and logged in the evidence section of the report. If the evidence is improperly packaged, marked, or handled by the submitting officer, the evidence custodian will notify the officer's immediate supervisor to evaluate the situation.

C. Call-in of Evidence Room Personnel

If a submitting officer or supervisor believes that property is of great valuable or potentially vulnerable to claims of tampering (such as a large quantity of narcotics evidence), the Property/Evidence Custodian or other designee may be called in from home to secure the evidence in the property room or internal locker.

D. Property / Evidence Log

All found, recovered, and evidential property submitted to the evidence custodian will be logged into the incident report property section by the submitting officer/reporting officer, and later input into master property room log by utilizing the property section of RMS. The log will contain the following information on each item logged in:

1. Evidence Number
2. Case Number
3. Description
4. Date Entered
5. Submitting officer's name
6. Location
7. Inventory

E. Transfer to Court

If an officer must take evidence to court the officer will submit a request to the evidence custodian. The evidence custodian will retrieve the evidence from the evidence room and show it signed out to the officer for court. The evidence custodian will print a chain of custody form and have the officer sign for the evidence. The officer will have the court official taking custody of the property sign for and release the property back to him or her unless the property is retained by the court. When the officer returns from court, the property will be placed in the evidence staging room lockers along with the chain of custody form. The evidence custodian will then place the evidence back in the evidence room and notate the return and location in the evidence section on records management.

When officers return items to the property room after court, the officer returning the item will sign the original Chain of Custody Form indicating the property was returned.

When items are returned directly by the court, the evidence custodian will note that the items were received directly from court and have the court employee sign the form.

The Chain of Custody form will be used for the transfer of custody of physical evidence. It will be a record and include the following information if available or applicable:

1. Name of person from whom property obtained;
2. Victim / owner;

3. Suspect;
4. Location where property was obtained;
5. Quantity, description of all property;
6. Reason for impound;
7. Officer name; and
8. Chain of custody including:
 - a. Date and time of transfer(s)
 - b. Receiving person's name(s)
 - c. Relinquishing person's name(s)

V. PROPERTY AND EVIDENCE COLLECTION PROCEDURE

The Helen Police Department will diligently follow forensic methods of obtaining and protecting evidence in order to carry out the functions of the department. All officers and detectives are responsible for the collection and preservation of evidence. Additionally, they are responsible for maintaining and documenting the chain of custody of all evidence collected. In the event of a complex or high-profile case, the lead investigator will make a determination whether other jurisdictions with more sophisticated forensic equipment need to be called for assistance.

A. Processing Physical Evidence in the Field

Evidence collection is usually accomplished after the search of the crime scene has been completed, a rough sketch has been made and photographing and / or videotaping has been completed.

The officer's first priority during the collection of physical evidence is to collect and preserve any evidence that may be contaminated during the search or has a potentially limited life span.

When collecting evidence at the crime scene for laboratory analysis, the amount needed will depend upon the type of evidence and the tests to be conducted.

For proper evaluation of stains by laboratory technicians, control samples should be submitted in addition to the collected stains. For example, a

stain on a waxed surface should be collected by scraping beneath the stain. In addition, unstained portions should be collected and identified as control samples. The integrity (unimpaired condition) of the control sample must be preserved as carefully as that of the evidence.

B. Responsibility of the Reporting Officer

It is the responsibility of the first officer at the scene of a crime or traffic fatality to secure that scene from all nonessential personnel. The scene must be secured as soon as possible to prevent the loss of evidence. The officer securing the scene should initiate a crime scene log listing the time, name and reason for all personnel who enter the crime scene. All personnel at the scene will not disturb, touch, or handle physical evidence unless a danger exists that the evidence will be lost or destroyed prior to processing by an evidence technician, investigator, or traffic officer. Should such a situation arise, it becomes the responsibility of the first responding officer to mark, seal, tag, log, and preserve the evidence.

Depending on the nature and complexity of the crime or incident (traffic fatality), the person(s) that responds to a crime scene or incident to process the scene will be responsible for photographing, collecting, preserving, transporting, and submitting all evidence to the evidence function. All evidence obtained will be marked, sealed, tagged, logged, and submitted by transferring custody to the evidence custodian or by placing it a temporary evidence locker as soon as possible prior to the end of their tour of duty.

The GBI Evidence submission form will be completed by the submitting officer for all evidence that requires comparison or analysis. This request will be submitted with the evidence as it is turned over to the GBI Crime Laboratory. The procedures used for the collection and preservation of all evidence will be in conjunction with procedures established by the GBI Crime Laboratory.

In addition to inventory requirements, the person(s) who processes a crime/traffic collision scene will prepare an incident report detailing the circumstances by which the property came into the agency's possession, describing each item of property, the property received and/or the processing of the crime/traffic collision scene, to include the following, when applicable:

1. Date and time of arrival at the scene
2. Location of the crime

3. Name of the victim(s), if known
4. Name of the suspect(s), if known
5. Narrative of the reporting person's actions at the scene
6. Action taken at the scene, including whether or not evidence/photographs were collected; if so, the number of photographs taken and measurements as they apply to the accident diagram
7. Report reference number
8. Items taken into property / evidence

If a specialist from outside the department is used, the date and time of request and the requesting officer's name will be added to the appropriate narrative. All information obtained by the specialist will be documented with the incident report. If the specialist has his / her own report, a copy of it will be attached with the incident report.

C. Collection of Blood and / or Urine for DUI Investigations

In any arrest or investigation for driving under the influence (DUI) of alcohol and / or drugs, the appropriate BAC kit for collecting blood or urine will be utilized.

The suspect should be taken to a hospital where qualified personnel will draw blood and/or collect urine and complete the paperwork included in the BAC Kit. The BAC Kit will be returned to the officer sealed. The officer then will transport the BAC Kit to the police department. An evidence entry in the report will be completed for all BAC Kits and they will be placed in the temporary evidence refrigerator along with the completed Helen Police Department Property and Evidence form and a GBI submission form.

Blood and Urine samples/evidence will be stored in the secured evidence refrigerator located in the temporary evidence storage area. The property/evidence custodian will transfer all evidence in the temporary evidence lockers and / or refrigerator into the evidence room as soon as practical. The property/evidence section in records management must be properly filled out so that the evidence is listed in the master property log and ready for submission to the crime lab.

D. Collection of Blood and /or Other Bodily Fluids at a Crime Scene

All specimens collected in liquid form will be transported to the GBI Crime Lab or maintained in the Property / Evidence Room refrigerator;

All specimens collected via swab or in dry form will be packaged and logged in the temporary storage lockers in paper packaging;

All specimens collected will be marked, sealed, logged, and tagged as appropriate to identify and preserve them for analysis.

E. Latent Fingerprints

The following general guidelines will be followed when processing a crime scene for latent prints:

Latent impressions developed with fingerprint powder should be photographed on the original object. After being photographed, they may be lifted. The lifted print is to be placed on a latent fingerprint investigation card and the following information listed:

1. Place of occurrence
2. Offense type
3. Offense date
4. Date / Time processed
5. Investigator name
6. Case number
7. Location prints were lifted from (i.e. driver's door)

Latent prints that are developed and collected will either be transferred to the Banks County Sheriff's Office Crime Scene Unit for analysis or submitted to the GBI crime lab via a GBI evidence submission form.

When requesting a comparison of latent prints with fingerprints of a known suspect, the requesting officer will include inked finger and palm prints.

If a latent print is developed and collected, a set of comparison prints should be obtained from the victim so that eliminations can be done and an AFIS submission made.

Officers shall contact the Criminal Investigations Section when any question arises which pertains to documents.

2. Submitting Documentary Evidence

Original or copied documentary evidence shall be submitted for handwriting, typewriting, or other analysis. Photocopies of such evidence shall be accepted if such copies are of excellent quality and the original is not available. If the original has been destroyed and only a photocopy exists, the officer shall note this fact on the identification services request form.

The original is requested:

- a. In most types of forgeries.
- b. In the comparison of certain types of typewriting.
- c. In the comparison of check-writer impressions and notary seals.
- d. In making court exhibits.

NOTE: *The inability to send an original to the crime lab due to unavailability should not deter the officer from submitting any available copy for examination. It should be noted that as of 2012 the GBI will no longer provide questioned documents services except in exigent cases.*

3. An officer, upon receiving a suspect document, shall:

- a. Avoid writing on the document or on the evidence container to be used after the document has been placed in it to avoid additional impressions on the document.
- b. Place each suspect document in an envelope. The officer shall handle the document in such a manner as to prevent tearing, creasing, or stapling it. The officer shall also prevent contamination of the document by his own fingerprints.
- c. Place the document in a paper evidence bag or envelope and then inventory all evidence on a property report.

5. Upon completion, the investigating officer shall submit the documents and/or related property to be analyzed to the Evidence/ Property

custodian and notify the Evidence/ Property custodian of the requested testing for the crime lab.

G. Other Items Collected as Evidence

1. Wet Items

Wet clothing collected as evidence, should be submitted to the evidence custodian to be dried in a secure area in the evidence room. As soon as the evidence is dried, it will be packaged and sealed in paper packaging.

Documents that are wet for any reason will be handled in the same manner as wet clothing.

2. Firearms

All firearms must be submitted on a separate property entry, unloaded, with the ammunition packaged separately. All firearms will be checked for stolen through the GCIC / NCIC computer by the submitting officer. Firearms submitted to the GBI crime lab will be sent in a GBI "gun box" for safety reasons.

3. Drugs

Dangerous drugs (including, but not limited, to narcotics, hallucinogens, and narcotic implements) submitted to the property room will be counted, if appropriate, by the submitting officer. Each separate container of the material will be marked with the count, the officer's name performing the count, and the date.

The property entry will list all dangerous drugs, including number of containers and pill/tablet count.

All dangerous drugs submitted to the property room for testing by the GBI Crime Lab will be sealed first in a plastic bag and then placed in a plastic evidence bag. The contents of each bag will have a separate property entry.

All dangerous drugs submitted to the property room will be placed in the property room or into the temporary property locker by the submitting officer until the Property/Evidence room technician takes custody of the property.

4. Cash

All money submitted will be counted by both the submitting officer and a witness. All money will be sealed in an evidence bag and labeled separately upon submission to the property room. The property entry must identify the amount of money, who submitted it and who verified the count.

Note: *Both drug and cash evidence will be secured in a separate secure location in the Property/Evidence Room as an extra security measure.*

5. Volatile Fluids

Volatile fluid of evidential value should be stored by the fire department in approved containers. A maximum of one gallon will be stored. Excess volatile fluid will be disposed of in accordance with EPA and Fire Department procedures for hazardous waste materials.

7. Explosives

No explosives, dangerous chemicals, nuclear material, or ammunition greater than .50 caliber will be submitted to the Property/Evidence Room. Contact will be made by the supervisor or Property/Evidence Technician or investigating officer with the GBI Explosive Ordnance Disposal (EOD) Team or other specialized agency when such material is recovered. All such items are to be photographed and disposed of according to procedures and regulations specified by EPD and EOD. Handling of the items will be accomplished by the EOD Team or by the specialized agency requested at the scene.

8. General Evidence

All other evidence will be bagged and or tagged dependant upon the size of the item. The evidence bag and evidence entry will be completed and placed in the secure temporary storage lockers.

9. Computer Equipment

Searches and seizures of computer hardware and software shall be in accordance with the *Federal Guidelines for Searching and Seizing Computers and Obtaining Electronic Evidence in Criminal Investigations* which is available in the Criminal Investigation Division.

Officers shall exercise caution to protect the computer equipment and preserve evidentiary value. Officers should follow the following guidelines:

a. Securing Computer

If the computer is “off,” don’t turn it “on.” If the computer is “on,” don’t touch it. If someone is at the keyboard, remove him/her immediately because of the possibility that evidence may be quickly altered or destroyed in the computer. Document, videotape and/or photograph and write detailed notes about what is on the screen. If possible, use a shutter speed of 1/30 to capture screen images.

- i. Pull the plug from the back of the computer to turn off the power (Computer may be attached to an uninterruptible power supply. If it is, pulling the plug from the wall outlet could start a program that will shut down the computer and alter files. Pulling the plug from the back of the computer protects this from happening).

c. Packaging, Transporting and Storing Computers

Place computer in a box cushioned with a bubble-wrap type of material. Do not use Styrofoam or any other material with small particles. These materials may become lodged in the computer. Place the computer on the most level surface in vehicle to avoid vibration. Do not place the computer in the trunk. The signal from the radio may damage the hard drive and destroy evidence.

VI. DOCUMENTING THE CRIME SCENE

A. Crime Scene Sketches

Crime scene sketches are prepared to supplement notes and photographs and to provide accurate measurements of sizes and distances of objects and their relationship to other objects. A rough sketch will be completed at the crime scene which will accurately show the locations and relationships of pertinent evidence. The sketch should include any bodies, weapons, tools, or other objects used in the commission of the crime. Basic elements that should be included in the crime scene sketch are:

1. Dimensions;
2. The relation of the crime scene to other buildings;

3. The address, floor, or room number;
4. The location of significant features of the scene, including the victim;
5. The date and time of preparation;
6. The name(s) of the detective(s) preparing the sketch;
7. Direction of North;
8. The location of physical evidence recovered; and
9. Legends describing items too small or too difficult to duplicate in their exact shape or scale.

After a rough sketch has been completed, this information will be recorded on a final sketch. Both sketches will be attached to the investigator's case file folder. Crime scene sketches may or may not be made depending on the seriousness of the offense, whether an outside agency is processing the scene, and the nature of the crime scene.

B. Crime Scene Photography/Video

Crime scene photography and video recordings may be utilized as a comprehensive aid to clarify and supplement written reports, to provide a permanent record of fragile or transitory evidence, and to identify persons at the scene.

1. Photographing the Crime Scene

The crime scene will be photographed systematically to guarantee a visual image of the entire crime scene as well as minute or circumstantial trace evidence.

Overall crime scene photographs encompassing the geographical area and adjacent tract of land should be taken. These photographs should be taken from a distance that will include the entire area involved in the crime scene.

The scene should reflect the location of the evidence, weapon, body, or other pertinent details of the crime scene. Clockwise photographs should be taken to ensure that sufficient detail is obtained and to tie the crime scene together in order to tell a story to the court of the total circumstances surrounding the particular crime.

Close-up photographs will be used to identify and record individual items or small sections of larger items.

1 to 1 photographs with and without scale will be taken of latent prints, footwear impressions, tire impressions, blood stains or patterns, tool marks, hair and fiber evidence and any other items of trace evidence which would not normally appear in other photographs.

When appropriate, videotaping may supplement, but will not replace, still photography at a crime scene in order to properly record particular elements that are not easily depicted in a photograph.

2. Recording Photography / Video Information

The photography/videotaping of any crime scene is the responsibility of the officer, detective, or traffic officer. The photographing officer should preserve the images either within the RMS software, digital storage media inserted into the official investigative case file, or digital storage media turned in as evidence.

The officer/investigator assigned to a case shall be responsible for any photographs taken of the scene prior to the removal of any evidence. If officers utilize the digital camera assigned to their patrol unit, the photographs will be downloaded to the images section of the appropriate incident report prior to the end of the officer's tour of duty. Once the pictures are downloaded to the report, officers will delete the pictures from the camera's memory device.

Departmental digital cameras should be used in any situation requiring photographic documentation. Employees may use their personal digital cameras after receiving approval from their immediate supervisor. Employees may not use their cellular telephones to take photographs at a crime scene, traffic accident, or of any evidence unless there is an immediate danger that the scene or evidence may be destroyed.

If photographs/videos are taken, the supervisor will ensure that the photos/videos are promptly downloaded into the records management system and immediately deleted from the cell phone or personal camera.

Under no conditions will it be permissible to email, upload to a social networking site, or text photographs/videos for unofficial reasons.

VII. SUBMISSION OF EVIDENCE TO THE PROPERTY/EVIDENCE ROOM AND CRIME LAB

All evidence is to be submitted to the evidence function as soon as practical. Non-perishable evidence will be secured in the property room until it is transferred to the GBI Crime Lab. Transfers to the Crime Lab are made by the Property/Evidence Custodian or investigator/officer on a routine basis. Perishable evidence is defined as fresh blood, bloodstained objects, other physiological stains and tissue, and biological materials. When collecting perishable evidence from a crime scene, the following procedures will be used:

A. Fresh blood (wet specimen):

Fresh (wet) blood will be collected using saline placed in a sterile cardboard box, sealed, marked, tagged, and refrigerated in the property room refrigerator. All items for blood typing must be refrigerated or submitted to the Crime Lab as quickly as possible. Heat, humidity, and sunlight have destructive effects on blood and will not only affect ABO groups but will destroy the weaker antigen systems and enzyme groups.

Blood samples taken from living victims and suspects will be placed in an approved container. Properly seal and label the tube with the suspect's or victim's name, date, name or initial of the investigator, and the nurse or medical technician who draws the sample. Keep blood samples refrigerated. **DO NOT FREEZE.** Blood samples must be delivered to the Crime Lab as soon as possible.

In order to obtain maximum value from blood and bloodstain evidence, the Crime Lab should have a sample of known blood from both the victim and the suspect. This is necessary in cases where there is only a very small stain because the types and sub-types of both bloods must be determined in order to select the systems to be run on case material which will provide the greatest population differentiation and distribution.

B. Dry blood:

Whenever possible, the entire object that has the blood stain on it should be submitted. When the blood stain is located on a wall, floor, or other object that cannot be submitted, one of the following procedures should be utilized:

For bloodstains appearing on fixed objects or on an object too bulky to transport to the laboratory, the investigator will cut off that portion of the object bearing the stain, if possible. Bloodstains on objects which cannot be cut, for example, concrete floors or metal safes, may be scraped and

the scrapings placed into a pill box or onto a clean piece of paper. The paper will then be folded carefully and placed into a container.

1. For bloodstains appearing on porous objects such as wood or earth, the bloodstain as well as a portion of the material upon which the stain appears should be placed in a clean container, labeled on the outside and sealed to prevent loss through leakage.
2. Blood or fluid evidence can also be collected by the use of sterile swabs and saline. Both control and sample swabs will be taken from each sample area and placed into swab boxes. Each Box must be labeled with all pertinent information and evidence taped shut.
3. Samples can also be collected through the use of a druggist fold in which small/dry evidence (dried blood, for example) is scraped onto a new piece of copy type paper. The paper is then folded numerous times, trapping the sample inside. The paper is then taped shut and marked appropriately.

All biological stained materials or collection swabs must be packaged in paper packaging to avoid mold growth and the destruction of evidence.

C. Blood-stained materials:

Bloodstained articles should not be packed for submission to the State Crime Lab until it has thoroughly dried at normal room temperature. Multiple items must be packaged individually to avoid contamination. Packaging for such objects should always be paper.

D. Other stains, tissues, or biological material:

Other types of stains can be collected using the same procedures as previously described for wet and dry blood.

Articles bearing semen stains will be placed between sheets of paper, cardboard, or similar material and then secured in such a manner that friction is avoided. Semen stains should be allowed to dry before being packaged.

All other body fluids, including saliva, urine, perspiration, pus, human milk, nasal mucous and tears will be handled with the same precautions as blood and semen.

E. Body tissue:

Body tissue must be collected and placed in a sterile glass bottle in saline solution, capped or stopper, sealed, marked, tagged, and refrigerated in the property room refrigerator.

F. Other bodily fluids:

Seminal fluid that is deposited outside the body on sheets, garments, furniture, etc., is excellent scientific evidence because of the lack of contamination with vaginal secretions. If seminal stains are present on bed clothing, these should be collected for examination. Do not collect the mattress pad unless there is no sheet on top of the pad. If seminal stains are still wet, these stains should be circled just outside the boundary of the stain and noted to the Crime Lab serologist who receives the case.

Dried semen on immovable objects should be scraped carefully using a razor blade onto a sheet of clean white paper that is then folded into a secure packet to prevent loss of scrapings. Semen can also be collected via the sterile swab or Biden fold method.

Saliva samples may be taken with a sterile swab which should be collected from the back of the throat.

G. Hair/Fiber

Hair samples will be placed in a zip-lock bag or other sealable plastic bag. A minimum of twenty-five (25) randomly pulled hairs are necessary. Pubic hair should be treated in the same manner. A brush or a comb can be used to obtain some of the hairs for a standard, provided the brush or comb is clean. If combed / brushed hairs are collected, they can be submitted in the same paper bag/envelope with the pulled hair or in a separate paper bag. Fiber samples will be packaged in the same manner as hair.

H. Collection of Known Standards for Comparison

When the following types of physical evidence/trace evidence are collected from a crime scene, a known standard sample should be collected whenever available for comparison by the GBI Crime Laboratory. The location from which the samples are taken is critical for the Crime Laboratory and should be documented on the evidence submission form and/or evidence technician report. All standards for comparison will be

collected in accordance with procedures established by the GBI Crime Laboratory.

1. Blood
2. Hair
3. Fibers
4. Paint
5. Glass
6. Wood
7. Metal
8. Soil
9. Tool marks
10. Footwear

I. Responsibility for Requesting Lab Examinations

The investigator, who is assigned the particular case, will be the lead investigator and responsible for requesting laboratory examinations.

J. Custody Information on Evidence Submitted to the Crime Lab

To maintain a record of physical evidence submitted to a laboratory for examination, the following information is required:

- a. Name of officer last having custody of the item;
- b. Date and time of submission or mailing, and method used for transmission;
- c. Date and time of receipt in laboratory;
- d. A copy of the submission form with a GBI Lockbox time stamp or the name and signature of the person in the laboratory receiving the evidence if the GBI evidence lockboxes are not used; and

- e. The GBI Crime Lab Report documenting the results of the requested testing will be posted on the GBI DOFS web page when completed. The report can then be downloaded and attached to the incident report or printed and placed in the case file.

K. On-Call Evidence Collection

Response to calls for service where a crime has been committed that may involve physical evidence requires that such evidence be collected promptly and submitted to the laboratory without delay. The CID will maintain personnel on-call 24 hours per day for response and use at crime scenes. In the event of a major crime scene requiring experts or specialized assistance in evidence collection the Georgia Bureau Investigation (GBI) may be notified to respond for assistance at the discretion of the Chief of Police.

VIII. PROPERTY ROOM MANAGEMENT / SECURITY

The purpose of this section is to provide for the management and control of found, recovered, and evidential property that comes into the custody of the Helen Police Department, and to establish an evidence management system that will ensure a traceable chain of custody and strict accountability with respect to the handling, security, and disposition of evidence.

A. Responsibility

It is the responsibility of the Helen Police Department Evidence Custodian to manage and control all evidential property directed to them for safekeeping. As a part of this responsibility, accurate records will be maintained. Property will be stored, released, and disposed of according to policies and procedures outlined in this procedure and Georgia State Code 17-5-54. Responsibility for in-custody and evidential property management functions are assigned to an individual to be designated by the Chief of Police.

B. The police department will store all evidence, recovered, or any property that is found or held by the agency within designated secured areas. Access to secure designated storage areas will be limited to authorized personnel.

1. Additional access to the evidence room can be permitted only by accompanied access with the evidence custodian.
2. The evidence room entry log must be completed prior to access to the area for all persons not authorized to enter the evidence room.

C. Inspection

1. A semi-annual inspection of the Evidence/Property room will be conducted by the Chief of Police. Such inspection will be to:
 - a. Determine that the Evidence/Property room is maintained in a clean and orderly fashion.
 - b. Make certain that policies and procedures concerning property are being followed.
 - c. Make certain that Evidence/Property is protected from damage or deterioration.
 - d. Make certain that accountability procedures are being maintained.
 - e. Make certain that property that has no evidentiary value is being disposed of promptly.
 - f. Semi-Annual inspection reports shall be stored and maintained by the Chief of Police.
2. Unannounced inspections of the Evidence/Property room and records will be conducted annually by the Chief or designee. Such inspection will include a random inspection of records with physical property. Unannounced inspection reports shall be maintained by the Chief of Police and Property/Evidence Custodian.

D. Inventory

1. An annual audit of property held by the police department will be conducted by a ranking supervisor not directly associated with the unit. An inventory report will be forwarded to the Chief of Police.
2. An inventory of property held in the property/evidence room will be conducted whenever the person responsible for the property and evidence control function is assigned and/or transferred. The inventory will be conducted jointly by the new custodian and a designee appointed by the Chief to ensure that records are correct and properly annotated.

E. Temporary Storage and Security

At times when the property room is closed, and no authorized person is available to log property into the property room, officers will temporarily store property in the designated secured areas as specified in this policy.

1. Temporary property storage areas include:
 - a. The temporary evidence storage lockers are located in the temporary evidence area in the officers' room. This area is restricted to police department personnel only and under no circumstances will unaccompanied non-police personnel be allowed access to the property storage areas; and
 - b. The temporary evidence storage refrigerator is located in the officers' room next to the evidence storage lockers. This refrigerator is for temporary storage of perishable evidence such as blood, urine, or other bodily fluids.
 - c. Items too large to fit in either the property room or temporary evidence lockers may be kept in the sergeants' office or sally port area. Such items should be marked with crime scene tape and secured closed with evidence tape, if applicable. Examples are vehicles, large lots of scrap metal, bicycles, etc.
2. Property placed in the temporary evidence storage area must conform to the same standards and procedures as outlined in this procedure for the receipt of property or evidence.
3. When property is stored and secured in temporary evidence storage lockers or the refrigerator, the lock will be securely locked. The Property/Evidence Custodian maintains the keys and will retrieve the Property/Evidence as soon as possible and transfer the evidence into the designated secure evidence storage areas. The evidence will then be transferred to the Crime Lab or be maintained in one of the designated secure evidence storage areas.

F. Evidence Room Security

All property stored at the Helen Police Department will be within a designated secure area, with access limited according to the need for access and security. The following measures will be taken to ensure that all in-custody property and evidence is stored within designated, secure areas:

1. Only authorized persons conducting property custodial transactions may actually enter the property room area;

2. The property room may only be accessed by the following persons:
 - a. Property/Evidence Custodian;
 - b. Chief of Police
3. Only the designated individuals will have access to keys and/or the combination to the storage areas within the property room. These areas will only be unlocked or opened when items are being placed in or taken out of the secured area or for auditing purposes in accordance with this policy.
4. The property room will be kept closed and locked any time authorized personnel are not physically in the room.

G. Increased Security

Separate storage is located within the property room for money, items having a very high monetary value (i.e., jewelry), dangerous drugs and narcotics.

1. Money

- a. All money submitted to the property room will be sealed in a container, properly marked, and tagged separately. The tag must identify the amount of money and bear the signature of the submitting employee and witness verifying count. Money not properly packaged or tagged will not be accepted into the custody of the property room. The property custodian does not need to open the sealed package to verify the contents or amount, only note that it has been properly packaged and tagged.
- b. Money submitted to the property room, once logged in, will be secured inside one of the lockers in the property room.
- c. Money pending forfeiture will be deposited into the City of Helen's pending asset forfeiture account.
 - i. Once awarded and distributed will be moved to the asset forfeiture account for distribution.
 - ii. If monies are not awarded for distribution, a check will be issued to the owner of said monies.

2. Precious Metals or Gemstones

Precious metals or valuable gemstones, once logged in, will be secured inside one of the lockers in the property room.

3. Narcotics and Dangerous Drugs

All dangerous drugs (including, but not limited to, narcotics, hallucinogens, and narcotic implements) submitted to the property room either as found or confiscated will be sealed in a plastic bag or container unless the material is raw plant material in which case it should be placed in paper packaging for long-term storage to avoid mold contamination. Each bag or container will have a separate property receipt. The following inspection, quantity and quality control measures will be followed when submitting narcotics and / or drugs to the property room:

- a. Narcotics evidence shall be placed in clear plastic bags and then placed in an evidence bag and sealed by the submitting officer.
- b. Pills and capsules will be counted with the count noted on the property receipt.
- c. Although gross package weights should be done as accurately as possible, they should only be used as a quality control and not as an exact weight or for evidential purposes.
- d. The property custodian is not required to open the sealed bag to verify the weight or count, only visually inspect to note that it has been properly sealed.
- e. Once properly logged into the property room, dangerous drugs will be secured and stored inside the drug locker in the property room.

4. Weapons

All weapons received by the property room will be made safe by unloading and each will have a separate property receipt. If not unloaded by the submitting officer, the supervisor of the submitting officer will be notified. The submitting officer must check all weapons for stolen wants through GCIC/NCIC, and this check must be noted in the incident report narrative.

H. Storing Perishable Evidence

Refrigerators are located in the property room and temporary property holding area to keep perishable items such as urine specimens and blood

samples preserved. All packages submitted to the evidence refrigerator shall be sealed with evidence tape and marked with the sealing officer's initials.

I. Prohibited Items

No explosives, dangerous chemicals, unknown biological specimens, nuclear material, or other dangerous material or property are to be accepted into the property room.

J. Disposition/ Release of Property

The purpose of these procedures is to provide for the documentation, preservation, sale, and conversion of recovered and found property by an orderly process resulting in a more efficient inventory control and chain of custody. The conversion of unclaimed property to the use of the Helen Police Department, and its personnel will reduce funds needed for law enforcement purposes.

1. Definitions

a. Unclaimed Property

Any article of found or recovered property which is determined to be unclaimed after diligent efforts by the Property/Evidence Room Custodian to locate proper owner prove unsuccessful.

b. Public Auction

The process by which unclaimed property maintained in the Property/Evidence Room is sold to the general public.

K. Removal or Release of Property

Final disposition of found, recovered, and evidential property must be accomplished within six (6) months after legal requirements have been satisfied. Items being held as Property/Evidence may be removed or released by one of the following methods:

1. Return to the Rightful Owner

Officers will make every reasonable effort to verify rightful ownership to property and the identity of the person to whom the property is being released. Property (other than contraband and illegal substances) may be immediately released by any officer to the rightful owner once all

police use of the property is satisfied and the officer who submitted the property has authorized the property's release.

Once court requirements have been satisfied, the submitting officer should attempt to contact the owner by telephone or in person and advise them of procedures to claim their property. If the submitting officer cannot contact the owner, or the owner does not respond in a reasonable time, the custodian, or any other officer, may make reasonable efforts to contact the owner by telephone or mail to inform when and where the property may be claimed. If the owner cannot be located or fails to claim the property, after a period of ninety (90) days the property will be considered unclaimed.

2. Release to Finder

Found property (other than contraband) may be released to the finder of the item if the rightful owner is unknown or cannot be located. If the owner cannot be located or is unknown, the property may be released to the finder after a period of ninety (90) days has passed and the owner has not claimed the item. Due to ethical considerations, potential conflict of interest or perceptions of conflict of interest, employees of the police department may not claim property found by them and submitted to the property room, regardless of the circumstances.

3. Contraband / Forfeited Property

Property that is forfeited to the police department pursuant to State or Federal law or any other municipal ordinance will not be released to its owner or finder. The Property/Evidence Custodian or Chief of Police will request that court orders are prepared describing such forfeited property and outlining its disposition. Contraband will be handled the same as forfeited property and disposed of in accordance with State or Federal law and local ordinance.

4. Evidence

Evidence will not be released until cleared for release and until court and evidential requirements are satisfied. It is the responsibility of the investigating officer to promptly notify the Evidence Custodian when the case has been completed.

5. Weapons

Dangerous weapons held as evidence may only be released after the court case is disposed of or dropped, and with permission of the investigating officer, the prosecutor or the captain. Firearms shall be checked through GCIC / NCIC to determine whether or not they have been reported stolen. The owner/receiver of the weapon will be checked through GCIC / NCIC for verification of their ability to possess a firearm. If the owner has a felony record or active protection order as outlined under State law, he/she will be notified that he/she is under disability and the weapon cannot be released to them.

6. Money

Upon releasing money, the releasing officer will open the sealed package in the presence of the owner or finder and count the contents together with the owner / finder. If there is any discrepancy, a supervisor should be notified immediately. The person receiving the money must sign a property release form. Money that is found and unclaimed or forfeited under the provisions of State or Federal law, will be disposed of in accordance with this procedure and provisions of law.

IX. FINAL DISPOSITION OF PROPERTY AND EVIDENCE

- A. The disposition of all personal property seized by law enforcement is subject to Georgia Code 17-5-54.
- B. No authorization for destruction or disposal of personal property may be given until application is made to Superior Court and an order is granted. Property not assigned a court disposition in Superior Court can be disposed of by order of the Chief of Police.
- C. All personal property in the custody of a law enforcement agency, including personal property used as evidence in a criminal trial, which is unclaimed after a period of 90 days following its seizure, or following the final conviction in the case of property used as evidence, and which is no longer needed in a criminal investigation or for evidentiary purposes shall be subject to disposition by the law enforcement agency. The Chief shall make application to Superior Court for an order to retain, sell or discard such property. In the application, the officer shall state each item of personal property to be retained, sold or discarded. Upon Superior Court's granting an order for the law enforcement agency to retain such property, the law enforcement agency shall retain such property for official use. Upon Superior Court's granting an order which authorizes that the

property be discarded, the law enforcement agency shall dispose of the property as other salvage or non-serviceable equipment.

- D. Disposal/Destruction of Property: When a case involving evidence is adjudicated, it will be the responsibility of the Evidence Custodian to research the case and make request to the Chief of Police or Superior Court Judge for disposal of property. After the owner has been notified by the investigator that the property can be returned, the investigator will advise the Property/Evidence Custodian that the property can be returned. After this determination, a list will be prepared of items to be destroyed and forwarded to the Chief for approval and signature.

Once this list is returned authorizing destruction of evidence, the Evidence/Property Custodian is to destroy this evidence in accordance with approved procedures:

1. Contraband, controlled substances, dangerous drugs and marijuana shall be destroyed by fire at an authorized incinerator designated by the captain. A witness outside the division shall observe destruction of the contraband.
2. Biological items shall be placed in a biological container and turned over to proper authorities for destruction.
3. When a Property/Evidence Custodian member destroys or disposes of evidence, two witnesses are to be appointed to observe this destruction and to sign off on the form as to the destruction of the evidence. This is not only to assure the integrity of the Property/Evidence Custodian but provides an additional witness should any questions arise.
4. The Chief will be notified when guns are to be destroyed. Guns that will be destroyed will be cut up or melted down at an approved location. A complete listing of each weapon to be destroyed including make, model and serial number will be made and sent to the Chief for approval. After this approval, an order for destruction will be issued and the weapons destroyed with a witness as outlined above.
5. After the property is destroyed, the Evidence/Property custodian will submit a report of the destruction of listed items signed by both the Property/Evidence Custodian and a witness. This form will be returned to the Evidence/Property Custodian to be placed in the case file. The property report form will be annotated to show the disposition of the property.

Should any property not be destroyed, a list of this property and an explanation as to why it was not destroyed will be forwarded to the Chief of Police.

6. On an annual basis, the Property/Evidence Custodian will purge all Evidence/Property that is maintained in the evidence room and is determined to be abandoned, unclaimed or otherwise not necessary for further retention.

If the possible identity of a property owner can be made, the Property/Evidence Custodian will attempt to notify the owner by letter or telephone advising that the property will be disposed of if not claimed within 30 days.

7. Periodically, evidence and property may be utilized for training purposes. Only in cases that have been adjudicated in a court of law may evidence and property be utilized for the purposes of demonstration and/or training. The instructor first must make a request to the evidence custodian prior to the required date to retrieve the property/evidence. The evidence custodian will then check the status of the requested items before retrieving. Once the evidence/property has been retrieved, custody will then be turned over to the requesting instructor after signing for it. If the item(s) requested are controlled substances, they will be given to the instructor in a sealed evidence bag that will not be opened by the instructor. Once the instructor is finished with the item, it will be submitted back to property/evidence in accordance with this policy.

E. Sale of Unclaimed Property

1. All property that is determined to have a monetary value of \$10 and is not considered to be an item of contraband shall be sold at public auction for cash to the highest bidder. Items that are determined to be of use to the City of Helen can be transferred to the city's possession. A memorandum requesting the transfer shall be submitted to the Chief of Police or designee for approval.
2. All property as described above shall be declared as unclaimed property after a reasonable attempt has been made to establish the identity or location of the owner and the property has been in the possession of the Property/Evidence Custodian for more than 90 days.
3. The Property/Evidence Custodian will prepare a list of unclaimed property that is eligible to be sold and have this list reviewed by the

Chief. After review, the items will be offered for sale at a public auction.

4. The public auction will be held by the City of Helen at the direction of the City Manager at the advertised time and location. The sale will be advertised in a local publication once a week for four weeks. Proceeds from the sale will be placed into the general fund of the City of Helen or into the asset forfeiture fund, whichever is applicable. A complete list of items sold will be made and kept on file by the Property/Evidence Custodian for a period of three years from the date of sale.