

## BLOOMINGTON POLICE DEPARTMENT

### STANDARD OPERATING PROCEDURE

#### PROPERTY AND EVIDENCE

Reviewed by: Brenda Morrell	Effective Date: July 25, 2018
Authorized by: Assistant Chief Gregory Scott	Revision Date:

#### PURPOSE

The purpose of this SOP is to establish guidelines for maintaining the integrity of the evidentiary chain of custody. This SOP provides for the proper collection, storage, and security of evidence and other property.

It is the policy of the Bloomington Police Department that all property obtained, by any means, will be maintained and disposed of as directed by department procedure and applicable law. The procedures related to the storage and maintenance of property have been developed to ensure that property in the custody of the department can be properly secured and stored, readily retrieved, and that any changes in custody have been properly and fully documented.

#### DEFINITIONS

**Chain of Custody** - The continuity of the custody of physical evidence from time of original collection to final disposition.

**Impounding Officer** - The member of this agency who initially receives the property and initiates the chain of custody.

**Property** - Includes all items of evidence, items taken for safekeeping, lost or found property and abandoned property.

**Evidence** - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes digitized evidence including, but not limited to, CDs, tapes, photographs and latent fingerprints.

**Safekeeping** - Includes property obtained by the department, under the authority of the law, for safekeeping such as firearms, bicycles, and personal property of an arrestee not taken as evidence.

**Lost or Found Property** - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

**Abandoned Property** - Includes property found by an employee or citizen that appears to be intentionally left or discarded by the owner.

**Evidence Division** - Personnel responsible for the collection, storage, cataloguing, and disposition of all evidence and property seized by, or turned in to, the department.

**Evidence Manager** - An agency member accountable for control and maintenance of all property accepted by, or stored in, the agency's evidence rooms.

**Evidence Room** - Facilities utilized by this law enforcement agency to store property and evidence.

**Evidence Management System (EJS)** - EJustice is the electronic system used to create police reports, and to enter, manage, and track property and evidence.

**Evidence Technician** – receives, maintains and disposes of property under the direction of the Evidence Manager.

## **POLICY**

### **PROPERTY AND EVIDENCE CONTROL**

Any employee who comes into possession of any property shall provide for the security and control of the property. A documented uninterrupted chain of custody is critically important in supporting investigations, and for criminal and civil trials. The chain of custody will assist in the timely return of property to its rightful owners, and in establishing the department's reputation as honest and reputable.

### **CHAIN OF CUSTODY**

The evidence manager/technician shall be responsible for developing and maintaining documentation of all custodial changes of property and evidence. The documentation shall be capable of readily identifying the location and individual or organization currently maintaining custody of all evidence. The chain of custody shall be tracked using the department's Evidence Management System (EJS).

Members of this department who assume custody of evidence are responsible for ensuring the integrity of the property, including the security, proper storage, and maintenance until it is returned or properly released to another authorized person or entity.

### **RECORDING TRANSFERS OF CUSTODY**

To maintain the chain of custody, all movement of property shall be recorded within the Evidence Management System (EJS), indicating date, time, location, and the person who received the property.

1. Evidence Release Form: used to return property to the rightful owner
2. Evidence Release Receipt: used when transferring property to an officer or other governmental agency.
  - a. Control of the property will remain with that officer unless it is transferred to court or another governmental agency.

Documentation of property movement shall be kept in accordance with the Records Retention Schedule of the Local Records Commission, 725 ILCS 5/116-4(d-10).

## RESPONSIBILITY OF OTHER PERSONNEL

At times it is necessary for an employee to remove property from the property room for later return. These circumstances include court, viewing by possible owners, the State's Attorney's Office, transfer to the lab for processing, etc. It is imperative that the chain of custody be maintained in these circumstances.

Evidentiary property may only be requested for release by the investigating officer, the supervisor of the investigative unit, or as directed by the Chief of Police. Officers who are not assigned to the case must have permission from the investigating officer of a Criminal Investigations Division supervisor prior to property being released to them.

1. Court: When possible, officers desiring property for court shall contact the Evidence Division at least one day prior to the day of court. A copy of the officer's signed Evidence Release Receipt will accompany the officer, and the transferred property to court. The evidence manager/technician shall mark the property as transferred to the receiving officer.
2. Other Governmental Agencies: The same protocol for transfer of property to other governmental agencies applies when property is checked out of the department. The request, when possible, will be made at least one day prior to pick up. An Evidence Release Receipt shall be signed and the evidence manager/technician shall document the change of location within the evidence management system (EJS).
3. Internal Laboratory: If property is requested by the laboratory, the evidence manager/technician shall change the location of the property to LABA or MLI (to be determined by the Crime Scene Detective) without the need for an Evidence Release Receipt, as the property is being relocated within the department. The evidence manager/technician shall enter a change of location in the evidence management system (EJS).
4. External Laboratory: The Crime Scene Detective will check out all property that is transferred to an outside agency, such as the Illinois State Police Crime Lab, or any other government agency. The check-out will be documented in the evidence management system (EJS) by the Crime Scene Detective.

The Crime Scene Detective will ensure all Sexual Assault Evidence Kits are submitted to an approved laboratory in conformance with the rules set forth in Section 10 Illinois Administrative Code 1255.10 et seq.

5. Internal Cyber Lab: If property is requested by the Cyber Lab, the evidence manager/technician shall change location of the property to CLAB without the need for an evidence release receipt, as the property is being relocated within the department. The evidence manager/technician shall enter a change of location in the evidence management system (EJS).
6. State's Attorney Review: When the Assistant State's Attorney requests review of property, the request when possible will be made at least on day prior to review. The property requested for review shall be noted on an Evidence Release Receipt which will be signed by the officer taking custody of the property. A transfer of property will be noted in the evidence management systems (EJS). If any property is retained by the Assistant State's

Attorney, the items retained, along with a written signature shall be reflected on the Evidence Release Receipt and checked out by the evidence personnel.

7. Illinois State Police Forfeiture: Property released to the State Police for forfeiture shall be documented within the evidence management system (EJS) disposition of evidence, using the Custody to LEA, and include documentation of the name of the person receiving the property.

Documentation of property movement shall be kept in accordance with the Records Retention Schedule of the Local Records Commission (725 ILCS 5/116-4(d-10)).

#### EVIDENCE STORAGE AREAS

1. Records Storage (main level): Media and paper documents. Microfilm, mug shots and fingerprint cards. All departmental records (expungements, documents, VICE reports).
2. Main Evidence Room (main level): Small items and property not expected to be held long term including lost and found property.
3. Vault (main level within the main evidence room): Weapons, drugs, and cash.
4. Sex Assault Room (LL1): Sex related cases, Sex Assault kits. Items requiring temperatures below 32° F are stored in the freezer.
5. Long Term Storage: Large items and property from homicide/death cases.
6. LL1 (parking garage): Short term non-evidentiary large property, including bicycles and lawn equipment.
7. Cage at the Lincoln Park Garage: Long term large property including bicycles and lawn equipment.
8. VICE Storage: Property seized by the VICE unit. **Accessible by VICE officers only.**

#### SECURITY OF EVIDENCE STORAGE AREAS

Property manager/technicians are responsible for maintaining security of the property storage areas and evidence storage rooms. These areas will remain locked except when evidence/property is being added, removed, or inventoried. Property manager/technicians are responsible for maintaining all evidence and property facility keys, as well as the keys to the storage areas, lock boxes and the combination to the evidence safe.

Duplication of any key to the evidence and property facility or any of the evidence/property storage locations, without permission of the Chief of Police or their designee, is prohibited. Property and Records personnel are the only persons allowed unescorted entry into the property rooms.

Persons other than the Property and Records personnel, may be allowed entry into evidence rooms when escorted by Property and Records personnel. Persons allowed entry will be documented on an Evidence Access Log. The Evidence Access Log will list dates, times, reason for entry, and the name of the Property and Records personnel.

Documentation of Evidence Access Logs shall be kept in accordance with the Records Retention Schedule of the Local Records Commission (725 ILCS 5/116-4(d-10)).

## **DISPOSITION OF PROPERTY AND EVIDENCE**

The timely and appropriate disposition of evidence is extremely important to the efficient management of evidence, the security and integrity of evidence, and the effectiveness of prosecutorial efforts.

When no longer needed for evidentiary purposes, all evidence, with the exception of contraband, shall be returned to its lawful owner unless title to the evidence is transferred to the jurisdiction by court orders or the lawful owners fail to claim the evidence. In such cases the agency may, as permitted under state law:

1. Destroy it;
2. Dispose of it by public auction; or
3. Retain it for use by the jurisdiction.

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal.

The Evidence division personnel may request a disposition, or status, on all property which has been held in excess of 180 days.

## **DOCUMENTATION**

All dispositions of property shall be recorded in EJS, under the Disposition of Evidence tab, documenting the permanent disposal of property using one of the following designations:

1. Auction: when property is transferred to an outside auction facility for the sale of unclaimed valuable property.
2. Custody to LEA: when transferring property to outside law enforcement agencies (e.g. counterfeit monies to the Secret Service, forfeitures to Illinois State Police, property for use in federal charges to federal agencies, etc.)
3. Delete: when a property label was created in error, is corrupt, or is a duplicate.
4. Destroyed
5. Diverted Property: when property is retained for use by the jurisdiction
6. Return to Owner
7. Other: for any other disposition not listed above

## **EVIDENCE RETENTION**

The evidence division shall preserve, subject to a continuous chain of custody, any physical evidence in its possession or control that is reasonably likely to contain forensic evidence, including biological material secured in relation to a trial, and with sufficient documentation to locate that evidence (725 ILCS 5/116-4(a)).

Biological evidence shall be retained as defined in 725 ILCS 5/116-4.

The probability of a civil suit should also be considered prior to the destruction of evidence.

### STATUTE OF LIMITATION

For property in cases that are administratively closed, or not filed by the State's Attorney's Office: Evidence Release Requests may be requested for approval by the Chief, or their designee, after the expiration of the statute of limitation as defined in 720 ILCS 5/3-5.

Recovered property will be retained six months. An Evidence Release Request is not necessary for the dispositioning of recovered property.

### REQUEST FOR DESTRUCTION OF EVIDENCE PRIOR TO END OF RETENTION PERIOD

After a judgment of conviction is entered but prior to the end of the statutory retention period, the department may petition the court to allow destruction of evidence when the evidence:

1. Has no significant value for forensic analysis and should be returned to its rightful owner;
2. Has no significant value for forensic analysis and is of a size, bulk, or physical character not usually retained by the department and cannot practically be retained;
3. Is no longer needed because of the death of the defendant (does not apply if a sentence of death was imposed);
4. The court allows the defendant the opportunity to take reasonable measure to remove or preserve portions of the evidence for future testing (725 ILCS 5/116-4(c)).

The department shall give notice of any such petition shall give notice of any such petition to the defendant or his/her estate and the defendant's attorney of record.

No evidence shall be disposed of until 30 days (12 months for federal cases) after the entry of a court order granting the petition; and until the time period for any appeal has lapsed, or any appeal has concluded, whichever is longer.

Absent a court order arising from the process set forth, the Evidence division will ensure that no evidence which may contain forensic evidence is destroyed without adequate notification to the persons as defined in 725 ILCS /116-4(c).

Notification should be made by certified mail and will inform the recipient that the evidence will be destroyed after the date specified in the notice unless a motion seeking an order to retain the sample is served on the department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained by the Evidence/Property manager/technician. Any objection to, or motion regarding, the destruction of the biological evidence will be retained by the evidence manager/technician. The Criminal Investigations Division supervisor will be made aware of the motion or objection.

All records associated with the possession, control, storage, and destruction of biological evidence shall be retained for as long as the evidence exists and may not be destroyed without the approval of the local records commission (725 ILCS 5/116-4(d-10)).

### AUTHORITY TO RELEASE PROPERTY

Evidence seized upon service of a search warrant or other court order shall be retained until final disposition of the investigation or upon further direction of the court.

Once the court has dispositioned all parties in a case, an Evidence Release Request form is used to request the release of certain property or entire cases. The form will indicate what property will be destroyed, returned to the owner, auctioned, or other means of dispositioning.

The Criminal History Report, indicating the case disposition and date of disposition, for all persons charged in the offense, will accompany the release request. An Assistant for the State's Attorney's Office shall review and authorize the disposal or release of all property associated with the criminal charge filed by the State.

Unless the case is a VICE case, the Lieutenant of the Criminal Investigation Division will provide a secondary review and authorization for the disposition of the property. The Street Crimes Lieutenant will provide a secondary review and authorize the disposal or release of all VICE and Street Crimes related cases.

Once past the applicable statute of limitation, if there are no charges filed by the State's Attorney's Office, a Lieutenant may authorize the disposal of a case.

If the owner of a property requests the return of certain property, the assigned case officer may authorize the release of said property. The Evidence Release Form will be signed by the approving officer as well as the owner of the property.

#### RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon reasonable and satisfactory proof of ownership or right to possession. Release shall be granted upon the approval of the State's Attorney's Office, Lieutenant or assigned case officer. The release must specify the item(s) to be released. The Department may require reimbursement for all reasonable expenses of such custody (765 ILCS 1030/2(a)). The Records Division personnel shall release the property upon proper identification being presented by the owner for which an authorized release has been received. The person receiving the property shall provide a photo ID. A copy of the ID will be filed with the signed Evidence Release Form.

Found property and property held for safekeeping shall be held for a minimum of 6 months. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within six months after notification (or receipt, if notification is not feasible) may be returned to the person whom found the property, publicly auctioned, or disposed of per department policy.

Property may be donated to a registered Illinois charitable organization, if valued at less than \$100.00. The donation must be approved by the Chief of Police. The unclaimed property may also be transferred to the department with approval of the Chief. The final disposition of all such property shall be fully documented in the evidence management system (EJS).

Proceeds of the sale of the property at public auction, less reimbursement of the reasonable expenses of custody thereof, shall be deposited in the city/county treasury (765 ILCS 1030/5).

All Evidence Release and Disposition Forms shall be signed and scanned for retention. The forms will be kept in accordance with the Records Retention Schedule of the Local Records Commission (725 ILCS 5/116-4(d-10)).

#### DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the department may wish to file an interpleader in court to resolve the disputed claim (731 ILCS 5/2-409).

#### RELEASE OF FIREARMS

Under no circumstances shall any firearm be returned to any individual unless and until the person presents a valid Illinois Firearm Owner's Identification Card (FOID). If the firearm is owned by a resident of another state, proof of residency shall be required.

If the firearm or other weapon has not been retained as evidence, the department is not required to retain the firearm or other weapon any longer than 180 days after notice has been provided to the owner that it is available for return. At the expiration of such period, the firearm or other weapon may be processed for disposal in accordance with applicable law.

1. Release of Weapons in Domestic Violence Matters: Any weapon seized in a domestic violence investigation shall be returned to the person from whom it was seized when it is no longer needed for evidentiary purposes unless the court orders otherwise or the weapon was reported stolen. Weapons not returned shall be disposed of in accordance with state statute 720 ILCS 5/24-6 (750 ILCS 60/304(c)).
2. Release of Firearms in Mental Health Commitment Matters: Any mental hospital that admits a person as an inpatient pursuant to any of the provisions of the Mental Health and Developmental Disabilities Code shall confiscate any firearms in the possession of that person at the time of admission, or at any time the firearms are discovered in the person's possession during the course of hospitalization. The hospital shall, as soon as possible following confiscation, transfer custody to the firearms to the appropriate law enforcement agency. The hospital shall give written notice to the person from whom the firearm was confiscated of the identity and address of the law enforcement agency to which it has given the firearm.

The law enforcement agency shall maintain possession of any firearm it obtains pursuant to this subsection for a minimum of 90 days. Thereafter, the firearm may be disposed of pursuant to the provisions of state statute 721 ILCS 5/24-6(b).

It shall be unlawful for any person who has been convicted of a felony or a misdemeanor crime of domestic violence to receive, possess, or transport any firearm or ammunition in or affecting interstate or foreign commerce; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce. Federal law (18 U.S.C. § 922[g][1-9])



*For safety purposes, ammunition shall not be returned to the owner on the same date that the firearm is returned.*

#### DECLARATION OF FORFEITURE

If a Declaration of Forfeiture is entered by the court, the seized property shall be retained for transfer to the appropriate entity. Disposition of said property shall be documented in the Evidence Management System (EJS).

#### DISPOSITION OF MONIES

1. Unclaimed money: Money found or seized under circumstances supporting a reasonable belief that such property was abandoned, lost, stolen, or otherwise illegally possessed that remains in the department's possession for over six months shall be deposited in the general fund account of the City of Bloomington. The department shall make reasonable inquiry and efforts to identify and notify the owner or other person entitled to possession, prior to the conversion of money to the City (765 ILCS 1030/0.1 et seq.).
2. VICE funds: VICE funds shall be returned to the VICE Unit following court approval, for deposit into the department's VICE fund.
3. Counterfeit Money: Following approval, counterfeit money shall be sent to the Department of United States Secret Service. An Evidence Release Receipt and a copy of the incident report shall accompany the counterfeit money. The Evidence Receipt Form shall be returned, signed by the recipient, and retained in accordance with the Records Retention Schedule of the Local Records Commission (725 ILCS 5/116-4(d-10)).

All transfers and dispositioning of monies shall be properly documented in the Evidence Management System (EJS).

#### EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

1. Disposition of stolen weapons or upon conviction after a minimum of 90 days (720 ILCS 5/24-6)
2. Weapons confiscated for being abandoned, illegally possessed or upon final court disposition may be transferred to the Department of State Police if no legitimate claim is made within six months (765 ILCS 1030/2(b))
3. Weapons declared by a court for safekeeping, not to exceed one year (725 ILCS 165/2)
4. Confiscated property or evidence obtained for violation of the Wildlife Code (520 ILCS 5/1.25)
5. Confiscated property or evidence obtained for violation of the Fish and Aquatic Life Code (515 ILCS 5/1-215)
6. Gambling devices (720 ILCS 5/28-5)
7. Obscene matter ordered to be destroyed by the court (7210 ILCS 5/11-20(g)(6))
8. Vehicles, vessels, aircraft or component parts (625 ILCS 5/4-107)
9. Narcotics/Drug seizure and forfeiture (720 ILCS 646/85, 570/505, 550/12)
10. Drug paraphernalia (720 ILCS 600/5)
11. Property seized for Money Laundering (720 ILCS 5/29B-1)
12. Abandoned, lost, stolen, or unclaimed property (765 ILCS 1030/1 and 2, 1025/17)
13. Preservation of evidence for forensic testing (725 ILCS 5/116-4)

14. Counterfeiting equipment
15. Destructive devices

#### SPECIAL DESTRUCTION OF PROPERTY

After the court has approved the destruction of property, the Evidence Division shall dispose of the following property as follows:

1. Drugs: All drugs/narcotics scheduled for destruction shall be relocated in the Evidence Management System (EJS) to location D2 pending incineration at a department approved location. The drugs shall be secured and tracked prior to destruction. When a substantial amount of drugs has accumulated, the Evidence Technician or Evidence Manager and a Crime Scene Technician or other designated sworn police department employee shall together prepare the drugs and place them into a sealed cardboard box in their original packaging.

The packaged drugs will be sealed with department issued evidence tape, dated, and initialed on all openings. All boxed drugs will remain in the secured evidence room until transported by at least two police department employees one of which will be a sworn police officer. The personnel who transports the drugs will remain in the presence of the drugs, as witnesses, until the burn process has begun. The personnel observing the destruction of the narcotics shall sign and date a verification form. The form will be scanned and maintained in digital form. The original verification form will be retained in accordance with the Records Retention Schedule of the Local Records Commission (725 ILCS 5/116-4(d-10)).

2. Firearms: The Evidence Manager/Technician shall relocate all firearms scheduled for destruction in the Evidence Management System (EJS) to location D3 pending destruction at a departmental approved metal recycling company. The firearms will be secured in the evidence room until they are transported by evidence personnel and a sworn police officer to the approved destruction site.

When a sufficient number of firearms has accumulated, an evidence technician and a sworn officer will verify that the firearms are unloaded and checked for safety. All weapons to be destroyed will be itemized on a check sheet with description and serial number. The property will be placed in appropriately sized containers. Each container will be numbered and each weapons contained within will be assigned to the numbered container. Each container will be sealed with evidence tape and initialed by two members of the evidence division. Once at the location of disposal, each container will be checked for evidence tampering, and each numbered container will be accounted for prior to disposal. Once destruction has been witnessed, both personnel will sign and date the weapon check sheet, to be scanned and retained by records in accordance with the Records Retention Schedule of the Local Records Commission (725 ILCS 5/116-4(d-10)).

Other metal objects such as knives, syringes, and drug paraphernalia may also be destroyed with the firearms.

3. Contraband and other drug paraphernalia: An Evidence manager/technician shall have a witness when contraband and drug paraphernalia is destroyed and disposed.

4. BB, pellet and air guns: Destruction by the City's Public Works Department shall be witnessed by an employee of the Evidence Division
5. Paper documents: Shall be shredded by personnel of the Evidence Division
6. Biohazard material: Property that has blood or other hazardous material shall be placed within a red biohazard bag pending pick up by a department approved hazardous material waste company.

All other property may be discarded in trash bags, with special care to redact or destroy any identifying markers (i.e. names or addresses) and place in the departmental trash bins.

With proper documentation, a collaboration of neighboring law enforcement agencies may participate in the special destruction by allowing the inclusion of said agency's property to be transported and destroyed with their own property.

### **USE OF NARCOTICS FOR TRAINING OR UNDERCOVER PURPOSES**

Pursuant to 702 ILCS 600/5(e), when property is forfeited, the chief administrative officer of the seizing department or agency may retain it for official use, or forward it to the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice, or its successor agency for disposition.

When there is an established need for officers to remove narcotics from Property/Evidence custody to use for training purposes or to conduct undercover operations, the following guidelines will apply:

1. Property/Evidence will only release narcotics that are no longer needed for evidentiary purposes.
2. Officers will only request the minimum amount of drugs needed to accomplish the training exercise or undercover operation.
3. Narcotics used for training purposes will only be released with prior written approval of the Chief of Police or their designee. The office must be licensed by DEA or DPS to legally possess and store Schedule I or Schedule II controlled substances.
4. Narcotics used for undercover operations will only be released with prior approval from the Chief of Police or their designee.
5. The officer accepting custody of the narcotics will sign the chain of custody form.
6. The narcotics will be weighed and/or counted at the time they are released to the officer and at the time they are returned to the custody of property/evidence personnel. The substance will also be field tested at the time of release and return. Weighing and testing will be done with both the officer and the evidence manager/technician present.
7. If there is any significant change in weight and/or number, the officer must submit a detailed memo explaining circumstances resulting in the loss of the narcotics. The memo will be immediately forwarded to the Chief of Police through the officer's chain of command.

### **ORDER FOR RELEASE OF SEIZED MONEY AND EVIDENCE HELD BY COURT**

Evidence retained by the court for trial may be requested for return once the case has been dispositioned and all appeals have been exhausted. An Evidence Release Request and a request

for the Order for Release of Seized Money and Evidentiary Items shall be provided to the Assistant State's Attorney, along with any Declaration of Forfeiture that may have been entered.

Once approved by the Circuit Judge, a signed Order for Release of Seized Money and Evidentiary Items and the Evidence Release Request will be provided to the Circuit Clerk and arrangements made for the collection of the property.

The Evidence manager/technician will be accompanied by a sworn officer during the collection of the seized property. All parties will sign a Transfer Receipt, which will be retained by the Records Department in accordance with the Records Retention Schedule of the Local Records Commission (725 ILCS 5/116-4(d-10)).

The transferred property will be disposed and/or dispositioned according to departmental policy.

### **AUDITS, INVENTORIES, AND INSPECTIONS**

In order to maintain a high degree of evidentiary integrity over agency controlled property and evidence, audits, and inventories will be assigned by the Chief of Police and conducted by a person(s) not assigned to the evidence and property section.

#### **AUDIT**

The purpose of the audit is to ensure the continuity of custody and not to require the accounting of every single item of property. The audit should be sufficient to ensure the integrity of the system and the accountability of the property. Audits should ensure department policies and procedures are followed, identify areas for improvement, and to discover issues before they become a problem.

1. Monthly Audit: 50 items of property randomly selected by an outside source
2. Full Audit: A full audit includes 10% of all other property. A full audit will be completed a minimum of every three years, or when there is a change of personnel within the Evidence and Records Division.

#### **INVENTORY**

An inventory consists of an accounting of all property. Inventories may be restricted to area, property types, or time frames. For example, an inventory of all vault and high risk items checked in within the past three months. An inventory shall be conducted following an audit with an error rate that exceeds 4%.

#### **INSPECTION**

The purpose of an inspection is to determine adherence to the procedures used for the control of property. The inspection is unannounced and conducted semiannually by the person responsible for the property and evidence control function or his/her designee. The purpose of an inspection is to ensure the integrity of the in-custody property and evidence storage system. The inspection is conducted to determine the following:

1. The property rooms are being maintained in a clean and orderly fashion;
2. The integrity of the property is being maintained;
3. The provisions of agency orders or other directives concerning the property management system are being followed;

4. Property is being protected from damage or deterioration;
5. Proper accountability procedures are being maintained; and
6. Property having no further evidentiary value is being disposed of promptly.

The inspection is not meant to be a time consuming task. It can be as simple as the Chief of Police or their designee, entering the property and evidence areas and inspecting for cleanliness and orderliness. This inspection would include tracing a few pieces of property and evidence to ensure they are in the proper place as stated in the records.