



CHATHAM COUNTY POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

SOP # ADM-011

EFFECTIVE: 11/19/19

PROPERTY AND EVIDENCE

REVISION: 05/23/24

PURPOSE:

To establish guidelines for receiving, processing, storing, securing, safeguarding, readily retrieving, and disposing of all property and evidence seized or found, as well as maintaining the integrity of the evidentiary Chain of Custody.

POLICY:

The integrity and efficiency of property and evidence control is vital to the success of the Chatham County Police Department (CCPD). The CCPD shall ensure the integrity of the evidentiary Chain of Custody and that property and evidence in its custody is properly collected, received, processed, stored, secured, safeguarded, readily retrieved, disposed of and that any changes in its custody have been properly and fully documented. An Incident Report will be completed detailing how property or evidence came into the custody of the CCPD, as well as describing each item of evidence obtained. Once evidence has been cleared for release by the court, every reasonable effort will be made to identify and notify the owner/custodian and inform them when and where the property may be released. Property will only be disposed of in accordance with State law and local ordinance(s).

DEFINITIONS:

Evidence - Anything that tends to assist in ascertaining the truth of matter, or furnishes proof of a fact. Normally, evidence is classified as either physical or testimonial.

Found Property - Any item, not considered physical evidence, acquired by employees of the CCPD, which appears to have been misplaced, lost, or for which ownership cannot be established. This classification of property is maintained for a minimum of 90 days.

Safekeeping – Any item, not considered physical evidence, seized by employees of CCPD that is retained for safekeeping purposes. The owners (or person designated by the owner) have 90 days to pick up their property. A Hand Receipt Form 201 will be given to the owner when we seize custody of their property.

Repository - A storage room in which items of evidence and property are secured by the Property and Evidence Custodian or Property and Evidence Technician; also known as the Property Room.

Depository – A storage vault in which items of evidence and property are deposited when the Repository is closed and from which the Property and Evidence Custodian or Property and Evidence Technician shall retrieve items of property and evidence for storage in the Repository.

Chain Of Custody - A chronological, written record of those individuals who have had custody of the evidence from its initial acquisition (actual name of individual or place from whom or where the property was received by an employee of the CCPD) until its final disposition.

Property and Evidence Unit Commander –Support Services Division Captain having oversight of the Property and Evidence Unit.

Property and Evidence Custodian / Unit Supervisor – A sworn or non-sworn employee of the CCPD assigned the duty and responsibility of management of the Repository and who is accountable for control of all property accepted by or stored in the property storage areas.

Property and Evidence Technician - An employee of the CCPD, sworn or non-sworn, assigned to the Property and Evidence Unit.

Hand Receipt Form (Form 201) - The form used by employees of the CCPD to record the acquisition of property or other items considered evidence during the course of their official/assigned duties.

Request For Exceptions - Any request for an exception to the prescribed requirements concerning evidence or procedures shall only be approved by the Office of the Chief of Police. These requests must be in written form.

PROCEDURE:

I. RECEIVING PROPERTY AND EVIDENCE

- A. All property and evidence received by the CCPD, pursuant to the legal process, will be accounted for in CCPD records.
- B. Items seized as property or evidence will be logged into agency records as soon as possible after seizure, and prior to the seizing Officer ending their tour of duty.
 - 1. Agency records consist of the Chatham County log book at the Repository, the Property Evidence Electronic Inventory System in SSI and CCPD Form 1024A (and if needed 1024B, which is the continuation of Form 1024A).
- C. All property must be submitted to the Property and Evidence Room before Officers complete their tour of duty. Forensic investigators may keep evidence needing further processing in the Forensics Lab until completion but will log it into Property Evidence Electronic Inventory System.
- D. During non-business hours, all property shall be taken to the Evidence Processing Room and secured in an appropriate size storage container (locker, drop box, cage, etc.). The only exception is discussed in bullet “C”, above.
 - 1. Evidentiary property that will not fit into an appropriate storage container may require evidence personnel to respond to the property room to secure the property. This will be determined on a case by case basis and at the request of on the duty supervisor.
- E. If an Officer takes evidence directly to the Crime Lab, they will forward the original Property and Evidence Form 1024A to the Repository and document their actions in the chain of custody portion of form 1024A and in the incident report. This is imperative so that it may be properly accounted for when it is returned.
- F. The impounding Officer will write an Incident Report detailing the circumstances by which the property came into CCPD possession and describing each item of property

obtained where it was obtained, the person from whom it was obtained, and any other pertinent information specific to the property.

II. PACKAGING AND LABELING PROPERTY AND EVIDENCE PRIOR TO STORAGE

A. Logging Property Procedures

1. The Property and Evidence Unit will ensure that the following guidelines will be adhered to when packaging and labeling property and evidence prior to storage.
2. All items of Evidence, Safekeeping and Found Property received by members of the CCPD will be recorded on a Property & Evidence Form 1024A, (and if needed 1024Bw) and recorded in the Property Evidence Electronic Inventory System.
3. All property/evidence to be logged into the Repository will be clearly marked either on the property/evidence bag or on an attached property/evidence tag with the CRN, the seizing Officer's name and payroll number, and a description of the item(s). The name of the suspect or the victim, if known, will also be marked on the evidence bag.
 - a. Bar code labels will be affixed to the, evidence sheet and packaging/tags by property room personnel.
 - (1) The bar code label will be placed in such a location as not to obscure any vital information.
4. The Property & Evidence Form 1024A will be fully completed and recorded in the Property Evidence Electronic Inventory System to include:
 - a. The quantity of each item.
 - b. Description of each item (including color, make, model and any other identifying feature).
 - (1) Be specific when describing the seized property. Using non-specific descriptions, such as "Miscellaneous or Various Items," is not an adequate description and will result in the property not to be accepted, until it is fixed.
 - c. The serial number of each item.
5. A Hand Receipt Form 201 (original) will be attached to the Property & Evidence Form 1024A, when applicable.
 - a. The owner of the property will be given a copy of the Hand Receipt Form 201, if present.
6. All items submitted to the Repository will be clearly labeled (use Dept issued stickers) "To Be Processed for Prints" or "Bio Hazard", as applicable.
 - a. Stickers will be placed in such a location that will not obstruct any vital information (ex: Do not put the stickers anywhere in the Chain of Custody portion of the form).
 - b. "Warning" stickers (for glass, needles and blades) may be placed on the package only.

- B. Evidence, found property, and property held for safekeeping are separate classifications of the many items logged into the Repository. Items of these different classifications

will be documented on separate Property & Evidence Forms 1024A. (e.g., evidence will not be listed on the same Property & Evidence Form 1024A with found property).

- C. Seized property and evidence will be logged into agency records as soon as possible and will be logged and submitted prior to the end of the seizing Officer's tour of duty. All seized property or evidence must be documented on a Preliminary and/or Supplemental Report.
- D. During regular business hours, property and evidence will be placed in the storage lockers or other storage location/containers. Property and Evidence Unit staff will be available to assist if needed.
- E. All evidence is to be submitted to the property room and logged into agency records as soon as practical, but no later than the officer's shift, to preserve the chain of evidence. No evidence will be placed in personal lockers or desks at any time.
- F. All evidence that must be taken to the Crime Lab will be double bagged and separated from all the other evidence that is seized.

III. EXCEPTIONAL, VALUABLE, OR SENSITIVE ITEMS OF PROPERTY AND EVIDENCE

- A. Drugs, cash, jewelry, firearms, and items of exceptional value will be secured in a separate locked room, file cabinet, or container, located in the Property/Evidence Room, as an extra security measure.
- B. External Storage
 - 1. The external storage area is located in the rear parking lot (Eastside) at the West Chatham Precinct.
 - a. The key will be secured in the officer's workstation key box, and you must sign the key out and in on the key log.
 - 2. Bicycles that have been seized will be secured in the outside storage fenced in area. Property receipts will be placed in the drop box in the intake room.
 - a. The Repository will not accept bicycle frames or parts unless they are crucial evidence to a case.
 - 3. Volatile materials will be secured in the outside fenced in area, in the rear parking lot (Eastside) at the West Chatham Precinct. Small gas powered engines such as mopeds, go-carts, lawn mowers etc., will be placed in the outside storage fenced in area. Property receipts will be placed in the drop box, in intake room.
- C. Property and evidence subject to spoilage (e.g., blood, urine, rape kits, perishables, etc.) will be placed in the refrigerated lockers in the intake area.
- D. Food and Drinks (consumables) will not be accepted by the Property Room unless it is related to a serious incident and has evidentiary value to the case. Found or Safekeeping food or drink will not be accepted at any time.
- E. During normal business hours, precious items (e.g., cash, bonds, and jewelry) will be transported to the Repository and logged in with the Property and Evidence Unit staff.
 - 1. The precious items to be logged will be:
 - a. Placed inside an evidence bag (clear plastic) and sealed with evidence tape.

- b. Surrendered to the Property and Evidence Unit staff for storage.
 - 2. When the Repository is not open, the transporting Officer will:
 - a. Count the money in the presence of a credible witness.
 - (1) The credible witness's name must be documented on the package and in the incident report.
 - b. Place precious items into a tape-seal evidence bag (marked with pertinent information).
 - c. Seal the bag.
 - d. Evidence Money that should not be deposited in the County's Escrow Account will be clearly marked on the Property & Evidence Form 1024A and on the Money Bag "DO NOT DEPOSIT". (Examples of money not to be deposited are: when particular denominations or serial numbers are needed for prosecution.)
 - e. Log the items in the Evidence Processing Room logbook.
 - f. Place the sealed evidence bag into the Repository drop slot.
 - 3. The Primary Officer's Incident Report will specify the amount of precious items logged.
 - 4. When currency is turned into the Property Room after normal business hours, two Property Room staff will count the currency on the following business day to verify the amount listed is correct.
 - a. If two property room members are not available, an employee from Support Services will act as the second person to ensure the amount listed is correct.
 - 5. When the currency is turned in during business hours, one Property Room member will count the currency with the officer turning in the seized currency to verify the amount is listed is correct.
- F. Drugs in pill, capsule, rock or powder form will be:
- 1. Counted by the seizing Officer.
 - 2. Field-tested by the seizing Officer (Crack/Cocaine & Ecstasy). The test results will be recorded in the incident report, the Property Evidence Electronic Inventory System and on the Property & Evidence Form 1024A. The recorded information will include:
 - a. Testing officer's name, date tested and results of the test.
 - 3. Placed inside a clear evidence bag.
 - 4. Sealed with evidence tape and then placed in a second plastic evidence bag.
 - a. Marked with the CRN, the seizing Officer's name and payroll number, and a description of the item(s).
 - b. Name of the suspect or the victim, if known, will also be marked on the evidence bag.
 - c. The evidence tape will be initialed and dated for integrity.

5. Detailed on the Property and Evidence Form 1024A, recorded in the Property Evidence Electronic Inventory System and in the Officer's incident report.
 6. Attach a completed GBI Submission Form to the Property and Evidence Form 1024A.
 - a. Suspect name (John/Jane Doe will not suffice) must be recorded before the GBI Lab will accept substance for testing.
 7. Transported weekly to the Crime Lab by Property Room personnel. Officers who need the test results for court will request them from the Property Room personnel well in advance of court.
 8. Inspected for any evidence tampering by Property and Evidence Unit staff when such pills or capsules are released from the Repository.
- G. If there is no arrest or pending arrest associated with the drugs (pill, capsule, rock or powder form), they should be submitted as "found property" and marked "To Be Destroyed."
- H. Drugs in vegetation form will be:
1. Described as thoroughly as possible in the seizing Officer's Incident Report and on the Property & Evidence Form 1024A.
 2. Field tested by seizing officer, if a suspect is to be charged. If marijuana seized is either found property or there is to be no charges, the marijuana does not need to be fielded tested. The test results will be recorded in the incident report, the Property Evidence Electronic Inventory System and on the Property & Evidence Form 1024A. The recorded information will include:
 - a. Testing officer's name, date tested and results of the test.
 3. Placed vegetation inside a clear plastic evidence bag and then inside a 6x9 evidence envelope and sealed with evidence tape. **Note:** Live plants will be stored in paper and never in plastic.
 4. During normal business hours, drugs will be transported to the Repository. During non-business hours, the sealed evidence bag will be logged in by the transporting Officer at the Evidence Processing Room and placed in the Repository drop slot.
 5. Vegetation drug evidence requiring official identification will be weighed and tested by the GBI Crime Lab.
 - a. Marijuana submitted to the GBI Lab must include a GBI submission form.
 - b. CCPD Property & Evidence staff will submit marijuana to GBI Lab for testing in accordance with [GBI Operations Bulletin 2019-04](#).
- I. All weapons will be unloaded and rendered safe prior to being submitted to the Repository.
1. All weapons (handguns, knives, etc.) will be placed in a gun or knife box. All information (Make, Model, Type, Caliber, & Serial Number) will be filled out on the boxes and the items secured with zip ties.
 2. Ammunition will be removed from the weapon and/or magazines, then placed in an evidence envelope and placed in the same box.

3. Weapons will be taken to the Repository during business hours or secured in evidence lockers (outlined previously) after business hours.
 4. If for some reason a weapon cannot be unloaded, it will be clearly marked in an unmistakable manner that the weapon is unsafe.
- J. Volatile Fluids: Volatile Fluids 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.
- K. 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, investigation officer or Property & Evidence Personnel with an Explosive Ordnance Disposal (EOD) Team or other specialized agency when such material is recovered.
1. The descriptions and disposition of such material shall be thoroughly documented in the incident or supplemental report.

IV. IDENTIFYING AND NOTIFYING PROPERTY AND EVIDENCE OWNERS

- A. Officers must make a documented effort to identify and notify the owner or custodian of property in CCPD custody in order to release property to its rightful owner as promptly as possible.
1. The Property Room will be notified (e-mail or memo) of any attempt to contact owners, to prevent duplication.
- B. The Property and Evidence Unit will document any notification or send a certified letter of notification to known individuals of found and safekeeping property owners, they must retrieve their property within 90 days of receipt of notification.
1. If the property has not been claimed within 90 days, the Property and Evidence Unit will petition the Chatham County Superior Court for its disposal, as required by O.C.G.A. 17-5-54.
 2. Upon receipt of the Superior Court Order, the listed property may be destroyed immediately or as time permits.
- C. In accordance with O.C.G.A 17-5-55, after the verdict and judgment have been entered in any criminal case, the person who has custody of the physical evidence introduced in the case shall inventory the evidence and create an evidence log within 30 days of the entry of the judgment. Within 30 days following the creation of the evidence log, physical evidence shall be returned to the rightful owner of the property unless the physical evidence itself is necessary for the appeal of the case for a new trial.
- D. The property owner, or a person with Power of Attorney, will personally appear at the Repository to sign for the item(s) being released. The person to whom the property is released will sign the Property and Evidence Form 1024A and the Property Release Form. In addition, the Property Receipt Form will only be used when ownership is in question or the actual owner is not present at the time the property is released.
- E. CCPD employees will not retrieve items from the Repository for the purpose of delivering them to the owner, except when special circumstances exist. An approval

from the Property & Evidence Custodian or the Property and Evidence Unit Commander must be obtained prior to releasing the items.

- F. When an Officer logs property belonging to a deceased person in the Repository, that property will not be released without an investigator's approval.
 - 1. All reasonable efforts will be made to determine if the person is the actual owner or the legal next of kin.
 - 2. All documents supporting the person's identity and rights to the property will be photocopied and kept in the case file.

V. TEMPORARY AND FINAL RELEASE OF PROPERTY AND EVIDENCE

- A. The temporary and final release of property items from the control of the property and evidence function requires seizing Officer, case Detective, or Supervisory approval.
- B. If an Officer needs to release any evidence or property prior to it being logged into the Repository, Officers must have the appropriate supervisor's approval and document the release in their preliminary or supplemental report.
- C. A photograph shall be taken of evidence that is transferred to any person or entity and maintained as part of the permanent record or case file (17-5-55(a)).
- D. In cases where a citizen's property may be needed as evidence in court, Officers will consult with the District Attorney's Office and, if approved by the District Attorney's Office, will arrange for the property to be photographed. In such cases, the photographs will be preserved as evidence and the property will be released to the citizen.

VI. PROPERTY AND EVIDENCE CUSTODY AND STORAGE

- A. Property and evidence in the custody of the CCPD shall be stored within designated, secure areas.
 - 1. The Property and Evidence Custodian reports to the Property and Evidence Unit Commander. Other CCPD employees, sworn or non-sworn, assigned to the Property and Evidence Unit may be designated as Property and Evidence Technicians.
 - 2. Property and Evidence Personnel will:
 - a. Ensure the operation and security of the Department's Property and Evidence Room.
 - b. Account for all property and evidence received for storage.
 - c. Record all property and evidence received for storage.
 - d. Ensure a separate, secure area for property which requires added protection such as money, precious metals, jewelry and gemstones, weapons, narcotics, and dangerous drugs.
 - e. Maintain personal possession of the Repository keys and/or access cards.
 - f. Ensure that all items that are logged are packaged correctly and in the appropriate manner, to include exercising the right to refuse items not properly packaged or logged.
 - g. Ensure that all evidence is purged in accordance with the applicable time frame.

3. When property is submitted to the Property Room that does not have evidentiary value or known property value, the property room may refuse that specific piece of property.
 - a. This will be done on a case by case basis and will be brought to the attention of the submitting officer's chain of command and the property room staff's chain of command to determine if the property should be accepted into the property room.
- B. CCPD employees acquiring property and evidence must place the property and evidence under the control of the Property and Evidence Unit before the end of their tour of duty. This will also be documented in the narrative portion of their report.
 1. During regular business hours, physical property and evidence will be released to the Property and Evidence Unit. The business hours will be clearly posted on or near the front door of the Repository.
 2. If property and evidence is obtained during non-business hours or on weekends/holidays, the employee acquiring the property and evidence will deposit the marked and tagged property and evidence in the Depository of the CCPD before the end of their tour of duty.
- C. Access to the Repository is restricted:
 1. Sworn and non-sworn employees directly assigned to the Property and Evidence Unit are the only authorized members allowed in the secure area.
 2. Authorized CCPD employees requiring access will adhere to the below requirements, when legitimate business cannot be conducted at the Repository window.
 3. Authorized maintenance, service, and other individuals requiring access will adhere to the below requirements.
 4. All persons entering the Property and Evidence Room will be escorted by a member of the Property and Evidence Room staff. Before entering, persons must sign in on an Access Logbook. The logbook will include:
 - a. The date and time of entry,
 - b. Name(s) of persons entering,
 - (1) Show appropriate identification (if not known).
 - c. The reason for the entering the Repository.
 - (1) Confirm their reason for entering (if not previously known).
 - d. The Property and Evidence Unit staff member who escorted the visitor and
 - (1) The person(s) will be accompanied and observed by the escorting staff member at all times, while in the secure area.
 - e. The time of departure.
 5. Completed access log books will be maintained in the Property and Evidence Room, in a secured area.

- D. Repository storage building and outside material storage shed will be kept locked at all times except when property/evidence is actually being placed into or removed from those locations for storage.

VII. REMOVING ITEMS OF PROPERTY AND EVIDENCE FROM THE REPOSITORY

- A. All evidence that is removed or signed out from the Repository will be documented in the Property Evidence Electronic Inventory System. The only exceptions will be older property not previously recorded in the Property Evidence Electronic Inventory System.
- B. When removing items for court:
 - 1. The Officer under subpoena in a case which requires the exhibition of evidence will personally sign the item(s) out from the Repository (by the chain of custody portion of the Property & Evidence Form 1024A).
 - 2. The officer taking evidence to court will receive a photocopy of the evidence sheet (the photocopy will be generated after the evidence is released to the officer) to bring to court to document the chain of custody for each piece of evidence.
 - a. The officer will maintain control of the evidence at all times.
 - b. If or when the officer relinquishes control to the District Attorney's Office or authorized court personnel, the officer will:
 - (1) Have the recipient sign the chain of custody portion of the evidence sheet and document which items have been relinquished.
 - (2) If the evidence is returned to the officer, the evidence sheet and evidence will be returned to the Evidence Room immediately after court.
 - (a) If only a portion of the evidence is retained by the court system, the remaining evidence and evidence sheet will be returned to the Property Room immediately after court.
 - (3) When all the evidence is retained by the court system, the officer will return the completed evidence sheet to the Property Room immediately after court.
 - c. The Property and Evidence Room personnel shall attach the completed photocopied evidence sheet to the original evidence sheet (form 1024) for chain of custody purposes.
 - 3. Officers not directly involved in a case will not retrieve evidence for that case from the Repository.
 - 4. If the case is continued until the next day, Officers will return the evidence to the Repository and then retrieve it the next day for court, unless the evidence has been tendered as evidence during trial.
- C. When removing items for delivery to the Crime Lab:
 - 1. Officers delivering evidence to the Crime Lab will sign the chain of custody portion of the Property & Evidence Form 1024A.
 - 2. All evidence submitted to the GBI Crime Lab will be done in accordance with the GBI submission guidelines. The following link take you to their general

submission guidelines. <https://dofs-gbi.georgia.gov/general-submission-guidelines>

- a. Copies of the GBI Lab Report will be retained in the case file or obtained from the GBI for court preparation.
 3. Transfers of drugs and blood test kits by Property Room personnel will be documented in the chain of custody portion of the Property and Evidence Form 1024A, Property Evidence Electronic Inventory System and on the GBI Property Release Form.
- D. When removing US currency for deposit at the bank:
1. Seized US currency available to be deposited, will be deposited every 90-120 days or when the total amount available to be deposited exceeds \$5,000.
 - a. This includes found and safekeeping currency that has not been claimed after 90 days and evidentiary currency that has not been claimed and is not required to be presented as real (physical) evidence during adjudication.
 - (1) Release and deposit of evidentiary currency requires authorization from the detective or a supervisor.
 - b. This also includes any unclaimed US currency that was petitioned to and authorized by the Superior Court, to be retained by the department for official use.
 - c. Seized money that is identified as “Contaminated” or “Bio Hazard” requires special handling. This money will be deposited annually or when the total amount available to be deposited exceeds \$5,000.
 2. Seized US currency that is subject to Forfeiture will be documented and processed as outlined in the CCPD Asset Forfeiture policy, ADM-021.
 3. US currency authorized for deposit will be counted and verified by one Property and Evidence Room staff member and CCPD employees.
 - a. Once verified the Chain of Custody portion of the evidence sheet will be complete by all participants.
 - (1) If any overage or shortage is discovered during the count will be noted on the Property & Evidence Form 1024A, and reported immediately to the Administrative Services Director.
 - b. The original evidence sheet, any court orders, and other corresponding documentation will be retained by the Property and Evidence Room for accountability and final disposition purposes.
 4. The US currency, copies of the evidence sheets, court orders and other corresponding documentation will be retained and secured by the Records Unit supervisor in a locked and secured container. The appropriate deposit slip will be completed by the Records Unit. The deposit slip will identify it as coming from the Property Room.
 5. The US currency, deposit slip, and corresponding documentation will be surrendered to the Chatham County Finance Couriers for deposit, during their scheduled pick up.

- E. Any property that is physically handled (other than by Property Room Personnel) and not removed from the Property Room by authorized individuals (Detective, Forensic, DA, etc...) will be noted on the Chain of Custody portion of the Property and Evidence Form 1024A and the Property Evidence Electronic Inventory System indicating "In House" handling.
 - 1. A reason for this examination will be noted on the Property and Evidence Form 1024A (example: Take Pictures, Investigation, Process Evidence, Victim Identification, etc...).
- F. If in the event any property cannot be located and disposition cannot be determined, the following procedure/action plan will be followed:
 - 1. The Property and Evidence Custodian will document his/her efforts to locate the missing property. This information will be forwarded to the Support Services Commander.
 - 2. If the incident related to the property has not been adjudicated the Property and Evidence Custodian will also notify the primary officer or detective, if there is one assigned.
 - 3. The Support Services Commander will notify the Division Commander. Depending upon the nature of the property, offense and circumstance behind the missing property the Division Commander may forward the incident to (OPS) Office of Professional Standards.
 - 4. Upon the conclusion of any in-house investigation or investigation conducted by OPS the Support Services Commander will review policy and procedures to determine if any changes are warranted to prevent such incidents in the future.

VIII. RETENTION PERIODS FOR PROPERTY AND EVIDENCE

- A. At a minimum, the Property and Evidence Unit personnel will ensure compliance with O.C.G.A 17-3-1 thru 17-3-3, 17-5-50 thru 17-5-56 and 17-5-71, prior to disposing of any seized property or evidence.
- B. State Court and Records Court may provide the Property and Evidence Unit with a printout of case dispositions for misdemeanor cases from which decisions to retain or destroy evidence will be made.
- C. Upon receipt of the case disposition, the Property and Evidence Unit will maintain the evidence for a period of four (4) years for felony cases (except death or life sentence cases) or two (2) years for misdemeanor cases. If at the end of the above time periods the District Attorney's Office has not notified the Property and Evidence Unit to retain the evidence, it may be disposed.
 - a. The Criminal Investigations Division's Commander will provide the Property and Evidence Unit with copies of all victim/witness disposition forms.
- D. Evidence in misdemeanor cases where dispositions have not been made will be maintained for a maximum period of twenty-four (24) months, at which time it may be disposed.
- E. Evidence in misdemeanor cases where no suspect is identified or a case filed may be disposed after twenty-four (24) months from original log in date.

- F. Evidence in felony cases will be disposed of according to O.C.G.A 17-3-1 thru 17-3-3 the following guidelines:
1. Evidence in all felony cases (except homicide, rape, and sexual assault) in which a disposition has been received will be held for a period of four (4) years from the date that the final appeal has been finalized. If at the end of the four (4) years the District Attorney's Office has not notified the Property and Evidence Unit to retain the evidence, it will be disposed.
 2. Evidence in felony cases (with the exception of homicide, rape and sexual assault) in which no suspect is indicated will be disposed of after the statute of limitations has passed for that crime.
 3. Crimes carrying a possible life sentence (with the exception of murder [no statute of limitations] or Forcible Rape fifteen (15) years) have a seven (7) year statute of limitations. Therefore, all evidence of crimes carrying a possible life sentence must be kept a minimum of seven (7) years.
 4. Prosecution for Armed Robbery, Kidnapping, Rape, Aggravated Child Molestation, Aggravated Sodomy or Sexual Battery may be commenced at any time when deoxyribonucleic acid (DNA) evidence is seized.
 5. Evidence in felony cases in which no disposition is received will be held for a maximum of five (5) years with the exception of the evidence related to Armed Robbery, Kidnapping, Rape, Aggravated Child Molestation, Aggravated Sodomy or Sexual Battery.
 6. Sexual Assault kits will be maintain for 50 years.
 7. In cases of sexual assault where a suspect is known, but the victim declines to prosecute, a copy of the appropriate form will be sent, by the CID supervisor, to the Property and Evidence Unit notifying them that all evidence may be disposed of, except for the rape kit, which will be sent to the GBI Crime Lab.
- G. If the disposition was a guilty verdict in a trial, the evidence will be held until the completion of the appeal process.
- H. On a death penalty case, the evidence will be held until the completion of the sentence.
- I. Evidence in all felony cases that contains biological material, including, but not limited to, stains, fluids, or hair samples that relate to the identity of the perpetrator of the crime shall be maintained for the period of time that the crime remains unsolved or until the sentence in the case is completed, whichever occurs last.
- J. In cases that involve prosecution of a serious violent felony as defined by O.C.G.A. Section 17-10-6.1 (Murder or Felony Murder, Armed Robbery, Kidnapping, Rape, Aggravated Child Molestation, Aggravated Sodomy, Aggravated Sexual Battery), the evidence that contains biological material, including but not limited to, stains, fluids, or hair samples that relates to the identity of the perpetrator of the crime shall be maintained for at least ten (10) years from date of final judgment (which includes the appeals process).

IX. RECORDS

- A. Information from the Property & Evidence Form 1024A will be entered into the Property Evidence Electronic Inventory System by CCPD Personnel seizing the

property and prior to the property being delivered for storage. The Property Evidence Electronic Inventory System will list:

1. The date and time the property was seized or obtained, the CRN, and the offense (if applicable).
 2. A notation made indicating whether the property may be released, or, if approval is required prior to release of the property and the Officer who must give that approval.
 3. The classification (evidence, found, safekeeping) of the property.
 4. The name, address, and phone number of the victim in the case, owner of the property, or the person who found the property.
 5. The name, date of birth, and address of the suspect(s) in the case, if applicable.
 6. The name of the seizing Officer.
 7. The location where the property was obtained.
 8. A description of each item of property logged, including serial numbers.
 9. The location where the property is stored in the Property Room (this will be completed by Property Room Personnel).
- B. Bar code labels will be affixed to the evidence sheet and packaging/tags by property room personnel

X. DISPOSITION OF PROPERTY AND EVIDENCE

- A. Final disposition of found, recovered, and evidentiary property will be conducted as specified in O.C.G.A. 17-5-50 thru 17-5-56.
- B. Unclaimed property that has been authorized for sale/auction will be sold or auctioned utilizing the services of an approved online auction service.
- C. Drugs whether found, safekeeping or evidence, will be disposed of by fire in an incinerator at a CCPD approved location. This destruction will be monitored / observed by the Property and Evidence Personnel and a witness.
 1. All evidence drugs must have been adjudicated or exceeded statute of limitations prior to destruction.
- D. Money which was evidence and is no longer needed for prosecution will be returned to the proper owner or disposed of in accordance with O.C.G.A. 17-5-54.
- E. Money which is held for safekeeping or found property will be returned to the owner or disposed of in accordance with O.C.G.A. 17-5-54, if the owner cannot be located.
- F. Guns that are found property will be disposed of if not claimed after ninety (90) days. They may, with the approval of the Chief of Police or other executive Officer, be converted to department use as set forth in O.C.G.A. 17-5-54.
- G. Guns that are authorized to be returned to the rightful owner will meet the following guidelines:
 1. Evidence: Proper documented authorization to release the firearm must be obtained prior to releasing the firearm. This documentation will be maintained

with the original Property & Evidence Form 1024A and scanned according to department policy.

2. Found and Safekeeping: The firearm will be released after ownership has been established. Documentation of ownership can include Hand Receipt Form 201, Incident Report, Sales Receipt, E-Trace, or other recognized forms of ownership.
 3. Prior to returning any firearm to the owner or their designee, CCPD form 230 will be completed and signed by the recipient. The Property Room will run a Purpose Code F (Criminal History) through NCIC on the recipient of the weapon. The recipient must legally be allowed to possess a firearm before the firearm is released.
- H. Bicycles held as evidence will be disposed in accordance with O.C.G.A. 17-5-54.
- I. Bicycles that are found property or held for safekeeping will be released to the owner, if known.
- J. Unclaimed money, guns, and bicycles will be classified as abandoned property after ninety (90) days.
- K. Prior to disposal, the Property and Evidence Unit will notify the owner, if known, by certified mail that the property will be disposed of after ninety (90) days. If no response is received, the Property and Evidence Unit will dispose of the property as the sale of unclaimed property.

XI. INSPECTIONS, INVENTORIES, AND AUDITS

- A. A Semi-annual inspection by the Support Services Commander or designee will be conducted of the Repository to ensure adherence to procedures used for the control of property and evidence. The results of the inspection will be forwarded to the Chief of Police, through the Division Commander.
- B. Whenever a new Property and Evidence Custodian is appointed, an inventory of property will be conducted jointly by the incoming and outgoing Property and Evidence Custodian. If the outgoing Evidence Custodian is unavailable a designee will be assigned by the Chief of Police (or their designee). This inventory will ensure all property and evidence records are correct and properly annotated. All locks and codes to locks or security devices will be changed.
1. An inventory requires a 100% listing and accountability of all high liability items maintained by the property and evidence function. The inventory shall also include a random sampling of 10% of all other property and evidence maintained by the Property Room. Random sampling is determined by type, location, and disposition.
- C. An audit of the Repository will be conducted annually on security procedures and random comparisons of property records. The audit will be conducted by a designee of the Chief of Police who is not directly connected to the Property and Evidence Unit. This audit will seek to ensure the overall integrity of the system.
1. The audit shall include a significant random sampling of all property, including high liability items. The minimum sample size for an audit shall be 250 pieces of all property currently in the Property Room.

- a. When conducting the sampling of the property (250 pieces), a three-way inventory review of the pieces will be used. This review will include checking the on-hand property against their corresponding paper files and electronic records.
 - D. Unannounced inspections of property storage areas will be conducted as directed by the Chief of Police or designee.
 - E. When the Property Room changes locations or when property is moved from one location to another, a 100% inventory will be done prior to the move and another inventory will be conducted after the move is completed. This will ensure that all property is accounted for and the integrity is maintained.
- XII. PROPERTY ROOM PERSONNEL TRAINING REQUIREMENTS
- A. All personnel assigned to the property and evidence unit shall receive training specific to their duties and responsibilities. The training will occur as soon as possible after employment or being assigned to the property and evidence unit.

BY ORDER OF:

Electronically Signed in PowerDMS on 05/23/2024

Jeffrey M. Hadley
Chief of Police