

Police Department Policy and Procedure Manual

Chapter 4 — Operations

Section Number: 4-10-3
Section Title: Property and Evidence Handling Procedures
Most Recent Update: 4/20/2023

I. Policy

- A. All department members who receive or take initial custody of lost, found, abandoned, stolen, or illegally possessed property, property of evidentiary value, or seized property will initiate and complete a case investigation report giving a full description of the property and the manner in which it was acquired. A receipt may be given to citizens from whom the property was received. This should be noted on the case investigation report.
- B. All property obtained by Clive Police Officers will be inventoried, bar-coded and secured in a suitable container. The case number and officer's name/initials or identifying ID number, will be printed legibly on the property packaging. The property will then be locked in the authorized temporary pass-through storage lockers located outside the property room. The locker shall then be properly locked and the number of the locker noted on the property intake section. Depending upon the amount of property and space available the on-duty supervisor is authorized to call one of the property custodians back to duty. If the property custodian is not available, then the Criminal Investigation Commander will be contacted.
 - 1. All property will be logged into agency records and put into a temporary evidence locker before the end of the officer's tour of duty. If the officer is unable to complete the above tasks due to exceptional circumstances, the officer shall seek the watch commander's approval and advise him/her the description of the property and the circumstances surrounding the seizure. If the watch commander approves the above request the officer and watch commander will follow the guidelines in policy 4-10-9 (Shared Temporary Storage Lockers.)
 - 2. If the seized evidence is being sent to the DCI Lab, an Iowa laboratory receipt form is to be completed requesting lab analysis and attached to the property.
 - 3. The chain of evidence will be maintained and recorded at all times.

- C. Property sheets shall be used when a search warrant is executed so the subject can be given a receipt. Property sheets may also be used when the officer wants to give the person in which the property was seized a receipt.

Items too large to be secured in the property lockers will be secured in the caged-in area just inside the garage. The property custodians will be notified via e-mail of the property being stored in the caged-in so a determination as to permanent storage can be made.

1. Bicycles will be secured with the chains and padlocks attached to the caged-in area inside the garage. On a regular basis the property custodian(s) will remove the bicycles from the caged-in area and put them in the large storage area.
2. All property containing flammable or other hazardous materials to include fireworks will be secured in the fenced in area designated for vehicles located in the garage. The container should be labeled with the nature of the hazard prior to being secured. The nature of the hazard should also be noted in the report and on the bar code. If it is necessary to keep the hazardous material, it will be placed in the large storage area in the garage.
3. Items which are considered explosives will not be brought into the station unless it was rendered inactive by a bomb tech.

- D. Narcotics, weapons and money will be packaged separately from other property so that it can be stored according to section 4-10-1 (H). Weapons will be made safe before being placed in the evidence locker, with the exception to firearms seized requiring processing for a major crime scene; i.e., the necessity to record and photograph bullet placement. Notification shall be made of such conditions.

1. Found and / or seized money

- a. When an employee takes money into custody, the employee shall notify a second employee and count all the money using the 2nd employee as a witness. The count will be made in an area where there is a video camera to record the count. Both employees shall agree to the amount of money seized before it is integrity sealed. Both employees shall initial and date the evidence seal. The money shall be sealed in a clear plastic evidence bag with the following listed in the case investigation report:

(a) Employee name and PIN

(b) Witness name and PIN

(c) Case number

(d) Date and time

(e) Cash amount

- (f) Location of the count
- b. The denominations will be itemized on the supplemental report
- c. The money shall be placed into a temporary evidence locker as soon as possible. Employees shall not retain any confiscated money beyond the end of their tour of duty.
- d. When the money is removed from the temporary evidence locker, the property custodian will locate a second employee and together they will open the evidence bag and count the money and agree on the amount before it is integrity sealed. The count will be made in the processing area where it will be recorded by the building video camera. Both employees will date and initial the seal. A supplemental will be authored by one of these employees. The following information will be documented on the report:
 - (a) Employees name and PIN
 - (b) Date and time the count was made
 - (c) Cash amount
 - (d) Location of the count
- e. The money will be placed in the secured area inside the property room designated for gun, money and jewelry by the property custodian.
- f. If any money needs to be examined by a detective/officer to determine its authenticity or for evidentiary reasons, or for any other valid reason, the money will be checked out to detective/officer. When returned, the amount shall be verified by the property custodian and a second employee.

2. Narcotics

- a. Special care will be used by employees when handling/processing controlled substances and dangerous drugs.
- b. Officers will include on the case investigation report the gross weight of the controlled substance in its original container and evidence packaging. Gross weight is defined as: the weight of the controlled substance/dangerous drug, its original container and evidence packaging.

- c. Officers will include a count of controlled substances and dangerous drugs if in pill or dosage form.
- d. Officers will package controlled substances in a sealable, clear, plastic evidence bag to ensure the integrity of both the quality and quantity of the submitted item. The following shall be noted in the case investigation report:
 - (a) Employee name and PIN
 - (b) Witness (if present) name and PIN
 - (c) Case number
 - (d) Date and time
 - (e) Type of drug (if known) and the gross weight
 - (f) The submitted evidence item will be placed in a temporary evidence locker.
- e. The drugs will be placed in the secured area inside the property room designated for drugs.
- f. If narcotics need to be taken out of the property room for testing purposes or for Court, the narcotics will be removed from the secured area within the property room and sign them out to the requesting personnel. When the narcotics are returned, they will be put in the temporary lockers. The same procedure used when the narcotics are initially seized will be used to enter the narcotics back into the property system.

3. Firearms

- a. NIBIN Database: Any firearm entered into the property management system that meets the following criteria may be test fired by the Clive Police Department and the casings sent to the DCI crime lab for a NIBIN check.
 - (a) Semi-automatic pistols that are .25 caliber or larger
 - (b) Assault type of rifles regardless of caliber
 - (c) Rifles of .223 caliber
- b. It will be the responsibility of the property custodians and the CID division commander to identify firearms meeting the above criteria and test fire the firearms. The property custodians will transport the casings to the DCI. The disposition of the firearm will follow established policy.

- c. The CID division commander may opt to send the firearm directly to the DCI crime lab if circumstances dictate.
- E. Refrigerated storage is available in the property room for perishable items, such as the extended securing of blood or urine for court disposition. Containers of bodily specimens or other possibly infectious materials must be labeled "Biohazard."
- 1. Food perishables shall be photographed and returned to the owner or destroyed as soon as possible and not stored in the property room.
- F. Temporary refrigerated storage lockers will be available.
- G. Latent Fingerprints, Questioned Documents, and Photographs as Evidence.
 - 1. The Property custodians shall be responsible for the management of all property and evidentiary functions, including the filing and retrieval of latent prints, questioned documents, CD's and photos.
 - 2. Any other photographs, such as latent print enlargements, will be handled as evidence.
 - 3. Video and audio recordings that are to be used as evidence will be handled like other non-photographic evidence, bar coded and placed into a temporary evidence locker.
- H. Vehicles Seized as Evidence
 - 1. Under normal circumstances, vehicles are not seized in criminal cases.
 - 2. However, in certain criminal cases, especially drug cases, vehicles are not mere evidence but become instrumentalities of the crime. For example, transporting cocaine in a vehicle with the intent to sell the drug.
 - 3. If the seizure is not mere evidence, certain Federal and State laws allow the Clive Police Department to obtain ownership of the vehicle.
 - 4. If a decision is made to seize a vehicle and the automobile is taken into custody or towed, a vehicle impound report will be completed.
 - a. If there is no intent for the City to obtain ownership of the vehicle, it should be handled and documented following procedures set forth in 4-11-1.
 - b. If, because of the nature of the crime, the intent is for the City to obtain ownership, the procedure listed in 4-10-5 will be followed.

- (a) Tow the vehicle to the Clive Police Department and secure it in the caged-in area designate for vehicles.
- I. Property shall not be stored in any location not specified above for property storage without the approval of the Chief of Police.
- J. When evidence is recovered and crime laboratory examination is desired the DCI Pre-Log submittal form will be attached to the property or forwarded to the property custodian
 - 1. Officers will ensure that the evidence is properly packaged so that the laboratory can perform the proper test and get accurate results back to the department. If unsure how to properly package an item, officers should check the packaging manual for the proper method before doing it so that the evidentiary value of the item is not lost.
- K. The Property Custodians will process all evidence and property daily - Monday through Friday. If an emergency develops, the Investigation Division Commander will be contacted.
 - 1. If immediate lab tests are necessary, the Property Custodians should be contacted to make the property available. The case officer or investigator shall make arrangements for the actual processing or testing.
- L. Arrangements to obtain evidence for a court hearing, ident processing, lab tests and photo or video copying will be made at least one business day prior, if possible.
 - 1. All evidence removed from the property room will be checked out to the receiving officer by a property custodian.
- M. The evidence must be returned to the property lockers or property custodian by the individual who obtained same. The Property Custodians will sign for and date the returning evidence on the property report.

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