



GENERAL ORDERS: Chapter 22

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Property and Evidence Handling

I. Policy

The property and evidence management system will maintain strict accountability for the receipt, handling, security, and disposition of property and evidence.

II. Definitions

Property – Money, valuables, and other objects that have apparent value which may have been lost, found, stolen, abandoned, or held for evidence or safekeeping.

Safekeeping – Property that is voluntarily surrendered to the department for temporary custody with the understanding that the person surrendering the property has the legal right to do so, and that the property will be returned to the rightful owner at the end of a specified time period or as allowed by law, unless disposal by the department, in a manner prescribed by law, is requested by the owner.

Found – Property that has no apparent evidentiary value, which comes into possession of the department and whose rightful owner may or may not be known.

Seized or confiscated – Property taken from an owner because of its evidentiary value in an investigation or is illegal in nature to be possessed by a citizen.

Evidence – Any property that is taken as part of an investigation and which may be used in legal proceedings.

Exculpatory Evidence – Evidence that is favorable to the accused; is material to the guilt, innocence, or punishment of the accused; and/or may impact the credibility of a government witness, including a police officer or other department employee.

Property Room – Approved area(s) utilized to store property in the care and custody of the department.

Chain of Evidence – The continuity of the custody of physical property - from time of original collection to final disposal - which may be introduced into a judicial proceeding.

Property and Evidence Management System – The software system that facilitates the management of property, including maintenance, legalities, and personnel.

III. Property Procedures

A. General

1. The Property and Evidence Section is accountable for control and maintenance of all property accepted by or stored in the property/evidence room(s).
2. The department utilizes evidence tracking software for the property and evidence management system; henceforth referred to as the “property management system.” This software program will

- reflect all information regarding property coming into possession of the department and through disposition.
3. Employees should attempt to identify and notify the owner or custodian of items of property for release in the field, unless the item is being held as evidence, or the nature of the property prohibits its release.
 4. All property will be handled in an appropriate manner.
 - a. Property that could have evidentiary value should be handled in a manner (i.e. using a gloved hand) that would allow for further testing and analysis.
 - b. The employee who takes initial custody of property is responsible for ensuring that each item is properly gathered, packaged, and delivered to the Property and Evidence Section.
 - c. Property submitted will be reviewed by Property and Evidence Section personnel to ensure the item is properly packaged and is individually accounted for on the accompanying report.
 - (1) If the Property and Evidence Section personnel cannot account for each item submitted or if not properly packaged, the employee may be notified to correct the deficiency. A copy of the notification may also be forwarded to the employee's immediate supervisor.
 5. Property will be logged and placed in a secure property locker before the employee's shift ends.
 - a. Employees are prohibited from storing property in their personal vehicles, desks, lockers, homes, or other places that are not secure or would interrupt the chain of custody. Personal use of any property is strictly prohibited.
 - b. If an employee is unable to immediately place items on property, they will secure the property in the rear cargo area of their vehicle until they can do so.
 - c. Detectives and crime scene investigators will secure all evidence in a locked area or safe with controlled access in their respective areas and have items under their control logged into the property management system prior to ending their shift.
 - (1) Detectives shall not hold property in their respective areas any longer than necessary or unless immediate access to the property is needed for investigatory purposes (i.e. outside of normal business hours).
 - d. Exemptions to this under exceptional circumstances shall be approved by a supervisor.
 6. Cash, narcotics (if with intent quantities), firearms, large quantities of ammunition, and explosive or combustible materials, will be taken immediately to the station to be placed on property.
- B. Reporting Requirements
1. Employees will ensure case and property reports contain all required information, to include:
 - a. Circumstances by which the property came into the employee's possession
 - b. A description of the property obtained
 2. All property will be assigned to an investigating officer or division representative for review, processing, and disposition.
- C. Exculpatory Evidence
1. An employee who becomes aware of previously unknown or unrecognized exculpatory evidence for which a defendant is subject to or is experiencing incarceration shall immediately report such information to their supervisor.
 - a. The supervisor shall notify the Investigations Division Commander or designee, who shall assign the evidence to investigative personnel for follow-up.
 2. In the event of a legitimate post-conviction investigation involving claims of omitted exculpatory evidence, the Investigations Division Commander shall assign personnel for follow-up who were not involved in the initial investigation.

- a. For post-conviction claims of omitted exculpatory evidence, employees shall document when the information was received, who received it, and if or when it was provided to the prosecuting attorney's office.
 3. The Investigation Division Commander or designee shall notify the prosecuting attorney's office of the evidence and results of any follow-up investigation.
- D. Crime Scene Investigations Section
 1. Items seized or held by the Crime Scene Investigations Section as evidence may be retained in their section for possible processing and noted accordingly in the property management system.
 - a. Evidence refrigerators are available and may be used to store perishable items.
 - b. Property no longer needed for processing or refrigeration shall be moved to the Property and Evidence Section for storage.
- E. Packaging and Labeling Property
 1. Packaging materials for property are available near the temporary property storage lockers on the 1st floor and in the lower-level report room.
 - a. If an employee is unsure as to the proper labeling and packaging of an item(s), they should contact:
 - (1) Property and Evidence Section personnel during normal business hours
 - (2) Crime Scene Investigations Section personnel outside of normal business hours
 - (3) Vice and Narcotics Control Section personnel for questions pertaining to narcotics packaging
 2. Property should be placed in bags or boxes when possible, with the bar code label readily visible on the outside.
 - a. Property that does not fit into a box or bag, should have a tie tag attached to it, with the bar code label on the tie tag.
 - b. Under no circumstances should the bar code label be affixed directly to the property.
 3. Items seized as evidence that are wet with blood, body fluids, etc. will be collected and stored in separate, individual paper bags for transport to the station.
 - a. Items of this nature should be collected by crime scene investigators and placed in a drying cabinet.
 4. Biological waste materials will be submitted only in a red bio-waste container. These items will be placed only in the designated temporary storage locker and the label will clearly reflect the contents.
 5. Needles and similar sharp items which are submitted for evidence shall be placed in an individual sharps tube container with a clearly marked label.
 - a. Needles and similar sharp items which are not needed for evidence shall be disposed of in a bulk sharps container for proper destruction.
 6. Narcotics evidence must be packaged separately from other evidence, including money. All narcotics shall be placed in the narcotics evidence drop safe, located in the designated secure room on the lower level.
 7. Firearms should be unloaded and placed in an appropriate firearm box when possible.
 - a. Firearms from major cases (homicides, police shootings, etc.) should be left as found whenever possible and the area secured for designated investigators.
 8. For further guidance on handling money, drugs, firearms, hazardous materials, digital evidence, or bulk size items refer to [General Order Chapter 22.1](#).

IV. Property storage locations

A. General

1. The department will maintain several approved and secure areas with access limited to authorized employees.
2. Property shall be stored accordingly based on its circumstances and physical characteristics.

V. Property Control

A. General

1. Every time property is received or released, an appropriate entry on the property form in the property management system shall be completed to maintain the chain of custody.
 - a. No property is to be released to an owner without first receiving written authorization from a supervisor or investigating officer.
2. The Property and Evidence Section shall obtain the signature of the person to whom property is released, and the reason for release.
 - a. Any employee receiving property shall be responsible for such property until it is properly returned to the Property and Evidence Section or signed for and properly released to another authorized person or entity.
3. Employees returning property to the Property and Evidence Section shall do so during normal business hours unless the Property and Evidence Section is contacted for an exceptional circumstance.
 - a. The return of the property shall be recorded in the property management system, indicating the date, time, and person that returned the property and their signature.

VI. Temporary release of property

A. For evidence processing

1. If an officer wishes to have an item(s) processed, they shall fill out a Request for Examination form to be delivered to the Crime Scene Investigations Section.
 - a. The Crime Scene Investigations Section will determine if the request can be processed internally or if it should be sent to the State of Iowa DCI Lab or other authority.
2. Normally the Crime Scene Investigations Section will submit evidence needing tested by the State of Iowa DCI Lab. However, officers may submit evidence directly to the State Lab when appropriate.

B. For evidence in court

1. The county attorney is generally responsible for receiving and securing property from the Property and Evidence Section for submission or use as evidence in a court or grand jury proceeding.
2. In the rare circumstance where the county attorney does not fulfill this responsibility, the officer should start the request for property release process at least 48 hours prior to needing the property.
3. The officer shall take possession of the property on the day of the court or grand jury proceeding and shall return it to the Property and Evidence Section at the conclusion of the day's proceedings unless it is held by the court or grand jury.
 - a. If the Property and Evidence Section is closed, the property can be placed in the temporary storage lockers with documentation.
4. In the event property is held by the court or grand jury, the officer shall have the County Attorney or Clerk of Court taking possession of the property sign a release form, assigning responsibility for the property to that person. The officer shall return that form to the Property and Evidence Section for appropriate processing.

VII. Property release or disposal

A. General

1. The assigned investigating officer is primarily responsible for identifying property which may no longer need to be retained. The Property and Evidence Section may also notify the investigating officer or their supervisor for follow up.
2. The officer or supervisor will decide if the property should be retained or may be released from custody by completing the appropriate entry in the property management system.
 - a. When the property can be released to the rightful owner, the officer authorizing the release is responsible for notifying the owner if they can be found.
 - (1) The release will list each property item and be signed by the individual taking custody.
 - b. If the property is of value and no rightful owner can be determined or found, the item(s) shall be treated as abandoned property and disposed of accordingly.
3. In the case of destruction of property, the officer authorizing destruction and employee participating or assisting in the destruction will be documented in the property management system.
4. Regardless of the method of disposal, an appropriate entry in the property management system will be made for each item of property removed from inventory.
5. For further guidance on proper disposal of confiscated property, abandoned property, firearms/ammunition, drugs, etc., refer to [General Order Chapter 22.2](#).

VIII. Inspections and Audits of Property and Evidence

A. Inspections

1. The following employees shall conduct semi-annual inspections to determine adherence to procedures used for the control of property and evidence within their custody:
 - a. Property and Evidence Section Manager
 - b. Crime Scene Investigations Section Commander
 - c. Vice and Narcotics Control Section Commander
2. At the direction of the Chief of Police, the Professional Standards office will coordinate an unannounced inspection of all property and evidence storage facilities at least once a year by an employee not routinely or directly connected with control of property and evidence.
3. Inspections of storage facilities will ensure the following requirements are being met:
 - a. The property room is being maintained in a clean and orderly fashion.
 - b. The integrity of the property is being maintained.
 - c. Provisions of department orders or directives concerning property and evidence management are being followed.
 - d. Property is being protected from damage or deterioration.
 - e. Proper accountability procedures are being maintained.
 - f. Evidence which is no longer of value to any criminal case, or property which has met the maximum storage requirements, is being disposed of properly.
4. The results of each inspection shall be forwarded to the division commander of the section and a copy sent to Professional Standards.

B. Audits

1. Annual
 - a. The Professional Standards office will ensure that an annual audit of property and evidence held by the department is conducted by a supervisor not routinely or directly connected with control of property and evidence.
 - (1) Audits will consist of comparisons of randomly selected records and the associated property/evidence to verify proper recording, packaging, and storage techniques.
 - (2) These audits shall pay particular attention to cash, narcotics, guns, and other high value property.
2. Change of custodian

- a. Upon the reassignment, transfer, or retirement of any of the following employees, an inventory of the property/evidence within the respective section will be conducted jointly by the newly designated manager or commander and a representative from Professional Standards to ensure that records are correct and properly annotated:
 - (1) Property and Evidence Section Manager
 - (2) Crime Scene Investigations Section Commander
 - (3) Vice and Narcotics Control Section Commander
 - b. The audit will include a sufficient number of property/evidence records, including high-risk items, relative to the number of property and evidence items under the section's care.
 - c. The audit should ensure the integrity of the system and accountability of the property. The results of the audit and any discrepancies will be reported to the Chief of Police and a copy forwarded to Professional Standards.
- C. Retention period
- 1. The Professional Standards office shall retain all [inspection and audit reports](#) generated under this section for four years.