


# **GAINESVILLE POLICE DEPARTMENT**

## **GENERAL ORDER**

	<b>TITLE</b> Property and Evidence Control		<b>ACCREDITATION</b> CALEA Chapter 83.2.1.c; 83.3.2 ; 84.1.1.a.b.c.d.e.f.g.h; 84.1.2; 84.1.3; 84.1.4; 84.1.5; 84.1.6.a.b.c.d; 84.1.7  <b>PRIOR REVISIONS</b> 07/07/09, 12/22/11, 02/26/15; 03/30/2020, 04/06/22, 11/01/22  <b>ATTACHMENT: 2</b>
	<b>PROPONENT UNIT</b> Property and Evidence Unit		
<b>NUMBER</b> 84.1	<b>ISSUE DATE</b> 07/01/98	<b>REVISION DATE</b> 07/08/2025	<b>TOTAL PAGES</b> 25

**I. PURPOSE:** The purpose of this general order is to establish procedures for the proper preservation, storage, security and disposition of property and evidence; and to establish a system for inspections and audits. Property and evidence acquired through forfeiture proceedings shall adhere to the same procedures.

**II. POLICY:** To ensure that property and evidence is secure and records are accurate, the Gainesville Police Department shall adopt a set of policies and procedures that direct members to promptly log, safely package, and securely store property and evidence, and attendant records.

### **III. DEFINITIONS:**

**Property:** Any non-evidentiary item that is collected by a Department member as a consequence of performing a Department or police function. Property includes found property, abandoned property, prisoner property, personal property, contraband, and any other category of property.

**Evidence:** Any object or item that establishes a crime has been committed, or which can provide links between a crime, its victim(s) and the perpetrator(s).

**IV. PROCEDURE:** (Procedures regarding scene identification, and evidence preservation and collection can be found in G.O. 83.1). Property and Evidence personnel can also refer to the Standard Operating Procedures (SOP), Manual located in evidence.

**A. Logging Property/Evidence:** In collecting property/evidence for submission, members shall ensure that each item(s) is collected properly, recorded, and submitted.

**i. Identifying Items:** Members may collect items of property and/or items of evidence from one scene.

**ii. Numbering:** Members will number Items by using his/her ID number and the sequential number of the item itself (e.g. 145-1; 145-2; 145-3, etc.)

**iii. Logging Evidence / Property as an Original Submission:**

1. Include in the *Incident/Investigation Report* the circumstances, under which the item was collected and describing each item of property obtained in the narrative

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unit and property unit in the record management system module. [CALEA 84.1.1.c]

i. It is mandatory for those arrested individuals, that prisoner personal property (including cash and prescribed medications), that is not evidence or subject to forfeiture be given to the jail for storage during detention.

2. An electronic *Property and Evidence Voucher* will need to be completed whenever property or evidence is collected and submitted. Members shall log all property and evidence into the Record Management System- Property and Evidence Voucher before the officer ends his/her tour of duty.[CALEA 84.1.1.a]
3. Complete the *Property and Evidence Voucher* and provide a description of the items. Any notes for Forensics shall be typed in the Crime Lab Instruction block. Any notes for Property and Evidence personnel go in the notes unit.
4. If you need an article processed, print a second copy of the voucher and place it into the tray located in the temporary evidence storage room and complete the Evidence Analysis Request Form (Appendix A).

#### **iv. Logging Evidence / Property as a Supplemental Submission [CALEA 84.1.1.c]:**

1. Complete a supplement to the Incident/Investigation (and / or Crime Scene Investigation) Report, detailing how the evidence / property was discovered and collected in the narrative and property unit in RMS. All members handling any evidence shall add a supplement to the original report the evidence belongs to.
2. A *Property and Evidence Voucher* shall be completed by the collecting member if different than the investigating member, describing each item of property obtained;
3. Complete a *Property and Evidence Voucher* using the original case number.
4. Property / evidence collected at the same time but related to different case report numbers shall be submitted on a separate Property and Evidence Voucher with the appropriate case report number.
5. Any property or evidence must be corrected in the property and evidence unit within 72 hours of email notification. If the member is not able to correct the evidence or property within 72 hours due to absence, an email shall be sent to the property and evidence unit explaining when they will be available for the correction.

#### **B. Property and Evidence General Packaging Guidelines: [CALEA 84.1.1d]**

1. The employee packaging any evidence shall adhere to the [Florida Department of Law Enforcement \(FDLE\) standards](#). Employees will always wear gloves and carefully handle all items in order to preserve evidence such as latent prints. Nitrile gloves are provided for department use and are available in the temporary evidence room. To preserve fingerprint evidence do not make contact with the area/item to be processed.

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- i. Nitrile gloves shall be worn when handling narcotics or suspected narcotics. When handling any substance that may contain fentanyl employees must wear gloves and a mask. Evidence containers and technical assistance are available from the property-evidence unit (PEU) or forensic crime unit (FCU) personnel.
- ii. Involvement Type (evidence, found, safekeeping, or recovered) will be entered in Record Management System- Evidence Module (RMS) for each incident.
- iii. The following precautions shall be taken to preserve all evidence in its original state and ensure it is not contaminated:
  1. Solid evidence shall be packaged to prevent damage. Department members shall use the GPD issued envelopes for property and evidence items that fit into the envelope. Exception: Narcotics refer to narcotics packaging unit.
  2. Items of evidence should be packaged separately to prevent cross-contamination. Items that require fingerprint processing must be packaged separately.
  3. Department members shall label property and evidence submissions by filling out the information box on the envelope in a legible manner with the following information: Whether property or evidence, case number, item numbers (number items by using his/her ID number and the sequential number of the item itself e.g. 145-1; 145-2; 145-3, etc.), name, ID Number and date.
  4. Members shall apply clear tape to secure property and evidence items. Evidence tape shall be used on all items of evidence and be placed over the sealed opening. Department members shall write on the evidence tape their name, ID number and date of submission.
  5. If there is an issue with a submitted item (i.e. item incorrectly packaged or error with voucher) the item will be stored in the secure area of property and evidence on a "hold" status. The property and evidence personnel shall send an email to the officer and their immediate supervisor notifying them of the error and the need for them to come in and package the item correctly. Department members have seven (7) working days to make corrections upon notification via email.
  6. Liquids shall be placed in sealed, leak proof containers to prevent leakage, evaporation, or intrusion of foreign substances.
  7. Larger items: Depending on the size and type of item, members shall utilize the supplied brown paper bags to store items. Members shall apply clear tape to secure property and evidence items. Evidence tape shall be used on all items of evidence and be placed over the sealed opening. Department members shall write on the evidence tape their name, ID number and date of submission.
  8. If an item is too large to be placed in a paper bag, department members may tag a large item. The tag or package should be marked with the *members ID* number, the sequential number, and the Case Report number, date and whether property or evidence.

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iv. All property and evidence should be packaged using the following FDLE standards:

1. Controlled substances shall be weighed and field tested preferably in the presence of two officers. Pre-packaged weight shall be recorded.
2. Tablets/pills, capsules, powders or other solid substances being submitted to FDLE for analysis must be removed from containers which prevent visual inspection and carefully placed into a clear plastic evidence bag. Powders should be placed in small clear plastic bag and then sealed in a clear plastic bag. Provide a full description of the powder and weight.
3. Tablets/pills and capsules must be counted and the RMS entry must include the total count, color and shape of the tablet, a full description of markings on both sides, and the shape and color in the description field.
4. Liquids being submitted to FDLE for analysis must be removed from syringes and discharged into a sealed vial. ALWAYS hold the vial using a clamp when inserting the syringe to avoid an accidental needle stick. Place all glass vials in a crush proof container and place the container in a plastic bag and place the syringe in a sharps container in a separate package. Only officers who have been properly trained in safely removing liquids from syringes will perform this procedure, otherwise officers should seek assistance from the PEU or FCU staff.
5. Live plant material will only be placed in a paper evidence bag and properly sealed to prevent the plant(s) from decomposing and molding.
6. Employee's initials, ID, and date written on both the top and bottom of evidence tape overlapping the package.
7. Printed bar code label.
8. All bodily fluids must include the source's full name in the description field in RMS. A biohazard label will be attached to the container.

C. **Packaging and Submitting Extra-Security Items:** Exceptional, valuable, biohazardous, and/or sensitive items (e.g., money, firearms, knives, or drugs) placed in the temporary evidence room shall be submitted in such a way as to ensure the integrity of the property and the safety of persons who will have to handle the items. [CALEA 84.1.1e]

i. Packaging Materials:

1. Pre-Packaging: To best contain and protect the items and substances collected; members shall normally package them first in a suitable envelope / container prior to placing them in the property envelope.
2. Containers: Due to the nature of their physical properties, liquids and powders must be submitted in appropriate containers. For example:
  - a. Loose substances, such as white powder, because it can be inhaled and is easily dispersed, must first be placed and sealed in secondary packaging such as a small envelope or plastic bag.

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- b. Liquids must be submitted in a plastic container with a secure lid or closure and sealed in a zip lock bag prior to being placed in the property envelope.
- ii. Contaminated Items/ Biohazards: Members shall apply a ‘biohazard’ warning label on the outside of each envelope, container or package that contains or includes an item(s) contaminated with bodily fluids (to include semen, vaginal fluid, saliva, etc.), liquid or dried blood, syringes, chemicals (such as from a dye pack), unknown liquids, or other infectious material.
  - 1. General Provisions:
    - a. Biohazardous Materials: Biohazards include body fluids, chemicals, some narcotics (e.g., those that can be absorbed through the skin), and other similar substances.
    - b. Warning Labels: Warning labels are located on a roll in the temporary evidence room.
    - c. Packaging: Biohazardous items shall be packaged and labeled individually, and submitted separately from non-contaminated items.
    - d. Notation on the Property Report: The accompanying *Property and Evidence Voucher* will also contain the phrase "biohazardous material".
    - e. Call-Outs: A Property and Evidence Custodian will need to be called out if there are no available refrigerators, or if the item is too large to be submitted via available storage.
    - f. Members must obtain supervisory approval before calling out a Property and Evidence Custodian.
  - 2. Sharps / Instruments: Knives, hypodermic needles, razor blades and other sharp objects shall be packaged in a sharps container or otherwise made safe before packaging.
    - a. Open knife blades and similar items shall be wrapped for protection when doing so does not destroy the evidentiary value of the item.
    - b. Note on the evidence container a brief description of the item "knife inside /exposed blade (point, etc)."

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- c. Specially marked biohazard syringe containers (tubes) are located in the patrol area or temporary evidence room, and shall be used for syringes, which [normally] shall then be packaged in the property envelope.
- d. To prevent needle stick injuries, needles are not to be capped, bent, broken, removed from the syringe, or otherwise manipulated by hand.

### **3. Sexual Battery Kits, Blood Tubes, DUI Kits:**

- a. Blood and/or urine samples shall be packaged in a GPD evidence envelope separately from other item(s) and submitted to refrigerated storage.
- b. Sexual Assault Kits (SAK) themselves do not need to be refrigerated; only any blood or urine samples in them. The envelope the sexual assault kit (SAK) is in when turned over by the medical facility will be the only packaging required. A peel and stick label must be placed on the SAK envelope on which the case number, officer's name/ID, date and item number will be written. DO NOT obstruct the bar code window/bar code on the envelope.  
**The SAK should be packaged separately from all other evidence as follows:**
  - i. Make sure medical staff has signed and dated the evidence seal on the envelope when you collect it.
  - ii. Do not place the kit inside a GPD evidence envelope anymore.
  - iii. Use a peel and stick label supplied by P&E to put on the back of the envelope to write the CR, item #, officer name/Id and date.
  - iv. DO NOT DO ANYTHING TO OBSTRUCT OR DAMAGE THE BAR CODE. IT WILL NEED TO BE USED THROUGHOUT THE PROCESS.
  - v. Turn the kit envelope in as is after placing a completed property/evidence information sticker on the back of it.
  - vi. Continue packaging urine/blood and other evidence related to the case separately as usual, placing those items in an evidence envelope or other appropriate container.
- c. Members shall apply an evidence seal and a bio-hazard label on the tube/ kit and mark the tube/kit with the case number and the item number.

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- d. After properly packaging, sealing and marking the item(s) members shall:
  - i. Place the tube/kit in one of the refrigerators in the temporary evidence room, and secure the lock.
  - ii. For DUI kits and Sexual Battery blood and urine kits, attach a completed FDLE Toxicology Services-Traffic Offense/ D.U.I. or FDLE Sexual Battery Toxicology Work Request Form to the evidence voucher (copy) and place documents in the forensic tray located in the temporary evidence room.
- 3. Wet / Bloody Items: Wet/bloody items shall be thoroughly dried prior to placing them in a closed container, or submitting them into evidence.
  - a. Drying procedure: The member shall:
    - i. Hang the items in the designated drying lockers located in the fenced storage area north of the sally port building. The locker will be secured using the lock assigned to it.
    - ii. Retain a copy of the *Property and Evidence Voucher* or leave a copy in the designated storage tray to ensure its availability at the time of transfer.
    - iii. Do not leave property in the lockers longer than necessary. It is the submitting member's responsibility to ensure items are removed in a timely manner.
  - b. After the item has dried, the submitting member shall contact the Property and Evidence Unit to open the locker and obtain the property item.
    - i. Members who do not work during the Property and Evidence Unit hours shall make an appointment with Property and Evidence to transfer the property to temporary lockers.
    - ii. Property and Evidence Unit personnel shall decontaminate the drying lockers with a disinfectant spray after each use.
    - iii. The member shall then package the item in a brown paper bag or property envelope, and mark the package with the assigned sequential number, member ID number, case report number, date, and one or more biohazard stickers

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- iv. The package shall be placed in a locker in the temporary evidence room or delivered to the Property and Evidence Custodian.
  - v. The member shall include a printed copy of the voucher when submitting the package.
- 4. Items in Body Cavities: When receiving evidence found during strip searches or within body cavities, conducted by trained personnel at an approved facility, the items shall be considered a biohazard and high risk of contamination and labeled and packaged accordingly. Members shall not conduct body cavity or strip searches.
- 5. Narcotics:
  - a. When any drug is placed into evidence, the seizing member will perform (or have performed by another member) a presumptive test on a small sample to determine its identity before it is placed into evidence. The results of the testing shall be notated in the property and evidence voucher and offense report.
  - b. Quantities of [the same kind of] pills, cannabis, etc., can be packaged together if obtained from one source / defendant.
    - i. Pills, etc., must be counted and may be entered in quantity as one item if they are the same kind of pill (e.g. 145-1: 36 tablets of Rohypnol).
    - ii. Different kinds of pills must be identified as such (e.g. 145-2, two (2) yellow pills with number 123; 145-3, 6 blue pills with no markings, etc.)
  - c. Quantities of suspected cocaine, cannabis, white powder, etc, must be weighed on the certified scales, and an approximate (not an exact) weight should be entered on the property & evidence voucher. (E.g. 145-4 approximately 5g suspected cannabis)
    - i. When possible, the container should be weighed separately and that weight noted, as well.
    - ii. When it is not possible to ascertain the approximate weight of the container, the member shall note that the substance weight includes the container and shall describe the type and size of the container.
  - d. Clear plastic bags will be used to secure and protect all drug/narcotic evidence except as otherwise indicated. Members shall first identify if the



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item to be packaged can safely be placed and stored in a sealed plastic bag. To secure the evidence inside the container, members shall:

- i. Ensure the item to be packaged can be fully contained and sealed in the Property and Evidence supplied bag.
    - ii. The open end of the plastic bag shall be fully sealed with clear plastic tape, then a small piece of evidence tape placed over that. The submitting member will place their initials, ID number and the date on the evidence tape.
    - iii. The sealed plastic bag must then be placed inside a paper narcotics envelope, which shall be filled out with the required information (see appendix H). The paper envelope should not be sealed with tape or evidence tape, only the plastic bag inside
  - e. When the drug item to be packaged is a live/green plant type material (fresh marijuana plant, for example), it shall be placed in a paper envelope/bag/sleeve then sealed and marked as indicated by this policy.
  - f. The Forensic Crime Unit may use plastic packaging for evidence as is dictated by the circumstances of their investigation. When using heat sealed plastic, the packaging will be secured by a heat seal each end, then by placing a second heat seal approximately ½ inch from the first, on each end. Each end will subsequently be sealed with clear tape, then a small piece of evidence tape with the submitting member writing their initials, ID number and the date on both pieces of evidence tape.
- iii. Cell Phones: Department members shall follow the collection and packaging procedures set forth in GO 83.3 Digital Evidence Procedures and the associated Cell Phone Collection Procedure Guide located on the intranet.
- iv. Firearms: [CALEA 84.1.4]
1. Firearms shall be made safe by unloading them. Firearms shall be packaged in the GPD provided envelope. Ammunitions shall be packaged separately in a separate GPD provided evidence envelope.
    - a. For semi-automatic weapons, a zip tie should be placed through the magazine well and ejection port to prevent a magazine from being able to be placed in the weapon, or the slide from closing.
    - b. For revolvers, a zip tie should be placed through the frame above the cylinder in a manner that would prevent the cylinder from being closed.
  2. Packaging: Firearms shall be packaged separately from other evidence and made safe by unloading them.
    - a. If unloading is not possible, deliver in person to PEU or FCU personnel. If a member from PEU or FCU is unavailable, place a note on the outside of the evidence package indicating a loaded firearm is inside.

- b. When available, include the serial number, make, model and caliber on the voucher.
  3. Project Lead: To assist the Federal Alcohol, Tobacco, Firearms in obtaining investigative information regarding illegal firearms, GPD members shall:
    - a. Complete a GPD Firearms Trace Form (GPD Form #322) for firearms that come into the custody of the Gainesville Police Department as property or evidence.
    - b. Include the case report number on the form and forward the original (with the voucher) to the Property and Evidence Unit.
    - c. Property Unit personnel will complete an electronic E-trace form on the Bureau of Alcohol Tobacco and Firearms website, upon receipt.
    - d. A copy of the voucher shall be placed in the FCU tray located in the temporary evidence storage room for all firearms collected as evidence.
- Explosives / Fireworks/ Flammables:** Due to the inherent hazard they pose, every effort should be made to find an alternative disposition for unstable materials, fireworks and flammables instead of submitting them into property / evidence. If the item in question is or may be evidence, it should be photographed and documented prior to any disposition. [CALEA 84.1.4]
1. **Submitting Items:** Explosives, fireworks, and/or flammable items shall be properly marked and stored in a designated temporary storage cage outside the building, not in an interior locker. This includes equipment that contains fuel.
  2. If access to a secured exterior caged area cannot be made and Property and Evidence personnel are not available, the Property and Evidence Custodian shall be notified for callout (with supervisory approval).
  3. **Alternative Dispositions:**
    - a. **Fireworks:** Fireworks may come into the possession of the Department as property or evidence. Since they are inherently unstable, they should be disposed of as soon as possible. If they require storage, they should be placed in paper (plastic may cause a static discharge) and kept away from any possible source of ignition.
  4. **Documentation Requirements:** [CALEA 84.1.4]
    - a. **Evidence:** Requires the Department to obtain a destruction order. A copy of the Order will be included with the fireworks and turned over to the State Fire Marshal's Office. The Alachua County Leveda Brown Environmental Park hazardous materials facility also accepts fireworks and flammable liquids and may be used as a method of disposal.

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- b. **Non-Evidentiary:** Requires that the Department include a letter on Department letterhead releasing the fireworks to the State Fire Marshal's Office for destruction. The Alachua County Leveda Brown Environmental Park hazardous materials facility also accepts fireworks and flammable liquids and may be used as a method of disposal

### **5. Procedure:**

- a. **Regular Hours:** Members will turn the fireworks into the Property and Evidence Unit.
- b. Property and Evidence Unit personnel will facilitate fireworks that are turned over to the Alachua County Leveda Brown Environmental Park hazardous materials facility for disposal.
- c. **After-Hours:** If a large quantity of fireworks is collected after hours, and supervisory and State's Attorney On-Call approval is obtained (regarding items that are evidentiary), members, after thoroughly photographing the items collected, will retain a small sampling (if evidence), and store the remaining items in an exterior temporary storage locker located in the fenced compound north of the sally port building. If the quantity or items are too large to fit in the lockers, a supervisor may approve contact with the on-call property and evidence person to determine the best means of securing the items.
  - i. The after-hours number for the State Fire Marshall's Office's emergency dispatch center is 1-800-NET-FIRE.
  - ii. Members shall document the name of the approving supervisor and Assistant State Attorney.

- 6. **Other:** For other hazardous materials that need to be disposed of (gasoline, kerosene, diesel fuel, etc.), when ready for release, the Property & Evidence Unit personnel may take them to the County's Leveda Brown Environmental Park hazardous materials disposal on NE Waldo Rd.

- vi. **Large Items and Flammables:** Items, such as lawnmowers and bicycles, whether property or evidence shall be submitted to a temporary property/evidence storage locker inside the fenced enclosure north of the sally port building.

- 1. Regular Hours: Items which cannot be immediately processed and which need more secure covered storage shall be submitted to the Property and Evidence custodian /designee.
- 2. After-Hours: Depending on the type of processing needed and the degree of the crime, non-processed evidence may be submitted to an outside evidence cage if approved by a supervisor.
- 3. If a suitable area is unavailable, members shall, with the approval of a supervisor, request a member of the Forensics Crime Unit (FCU) be called out.

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**vii. Money:** Money shall be counted and packaged separately from other evidence, even if related to the same case. Biohazard labels shall be applied when money is contaminated with body fluids, chemicals, or narcotics.

1. A Gainesville Police Department Currency / Coin Envelope shall be used for all money submitted, regardless of amount.
2. Members shall enter the required information (e.g., case number, item number) on the envelope front in legible handwriting.
3. The number and increments of coins (e.g. 5 x .10) and bills (e.g. 2 x \$20 [bills]) shall be detailed/ recorded and totaled on the envelope front.
4. Any special details shall be noted on the front of the envelope (such as the presence of silver certificates, etc.)
5. After the submitting member carefully counts the money, he/she shall have another member independently count and verify the amount.
  - a. The money shall then be secured in the money envelope.
  - b. The amount of money listed on the Property and Evidence Voucher, on the currency envelope, and on the report must agree. (enter the total amount in the "Value" block on the voucher). Both members shall verify the amount by signing the currency envelope.
6. Members shall submit the currency envelope separately from the property envelope (no currency envelopes shall be placed inside a [corresponding] property envelope).
7. Should money in excess of \$1,000 (but less than \$3,000) be collected, a Supervisor shall be the second member who verifies the amount. The money envelope will then be placed into a secure locker in the Temporary Evidence Room.
8. If the amount of money collected is in excess of \$3,000 then a member of the Property & Evidence staff must place it into the Department's safe without undue delay.
9. Property and Evidence Unit personnel shall be called out to secure money collected after hours.
10. The member will notify a shift supervisor who will make the call out request.
11. Suspected counterfeit money shall be checked via the counterfeiting detection machine.
12. All cash collected as evidence that does not have forensic value (i.e. DNA, blood, fingerprints, etc) shall be photocopied or photographed by the investigating officer prior to being placed in the money envelope and submitted. This action will be documented in the incident or supplemental report by the investigating officer and the

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photocopies or photographs will be submitted as evidence. The photocopies(s) or photographs shall be of such quality as to clearly show the serial number of each bill. This cash, with permission/direction from the assigned assistant state attorney, shall subsequently be deposited by the Evidence Unit into a cash holding account at the designated financial institution until the final disposition of the criminal case or returned to the victim.

**D. Property and Evidence Submission:** Depending on the size, members shall, *after* completing a voucher, marking and packaging property/evidence, submit items to a temporary evidence locker in the Temporary Evidence Storage Room or to the designated outside storage. [CALEA 84.1.3]

*i. Access to Temporary Storage:* To enter the temporary evidence room or storage compound, members shall use their issued key fobs on the electronic panel. In case of a power failure, a key can be obtained from the front desk officer after signing the *Evidence Room Key Log*.

1. Key Security: The key shall be stored so that only the front desk officer has access to it.
2. Temporary Evidence Room Alarm: Members shall deactivate the alarm immediately upon gaining entry to the temporary evidence room with the key or their assigned fobs. Members shall reactivate the alarm upon leaving the room.

*ii. Temporary Storage Location:*

1. Most items will fit in the lockers or refrigerators in the temporary evidence room and shall be submitted there unless prohibited by size.
2. Bicycles and objects too large for the lockers shall be placed in the secured temporary storage cages inside the chain-link storage compound north of the sally port building.
3. Prior to placing evidence/property in the PEU temporary evidence storage lockers or compounds, all items must be properly packaged and documented. Items shall be stored in a compartment of appropriate size. After placing the item(s) in the compartment, close the door and ensure it is locked. Once the compartment is locked it can only be opened by PEU. (C.A.L.E.A. 84.1.1a,b & 84.1.5)

**iii. Submission Deadline:** Property / evidence shall be submitted as soon as practical and possible, but always by the end of the member's work shift during which the property was collected. [CALEA 84.1.1.b]

1. Members may, during regular work hours and when property unit personnel are available, submit the property directly to a member of the Property and Evidence Unit.
2. Forensic Crime Unit investigators may retain property beyond their work period when, in the course of processing evidence, especially in extensive or major cases, they must retain the property until processing is completed.

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3. If Forensic Crime Unit personnel do not submit property by the end of the workday, the property must be securely stored in their assigned temporary storage lockers located in the secured forensic crime unit processing area.
- iv. **Chain-of-Custody:** Department members shall keep items of evidence secure and in good condition, taking all necessary steps to maintain their integrity and limit the number of persons involved in the chain-of-custody. [CALEA 83.3.2a]
- v. All persons in the chain-of-custody of evidence (up to the time it is submitted), no matter how brief their participation, shall be documented in a report detailing their involvement.

### **E. Submission of Evidence to Accredited Laboratories:**

- i. Responsibility for requesting lab examinations:
  1. Under normal circumstances, the responsibility for the request for lab examination will lie with the officer or investigator who actually processed the scene and took custody of the evidence.
  2. In those cases where there may be more than one officer processing the scene, one officer will be designated to take custody of all evidence collected and to be responsible for requesting specific examinations.
  3. In cases involving a major crime scene the detective or Forensic Crime Unit handling the case will be responsible for requesting specific lab examinations.
  4. Evidence requiring laboratory analysis shall be submitted to the laboratory by PEU within ten working days.
- ii. **Procedures:** The following procedure will be used for all items submitted for processing [CALEA 83.2.1 & 83.3.2b]:
  1. If evidence is being submitted for processing of latent prints or DNA, the submitting employee will complete an Evidence Analysis Request Form (Appendix A). The form will be placed in the bin inside the temporary evidence room.
  2. FCU personnel will request the item. A property check out receipt and a property resubmission will be signed by requesting FCU personnel.
  3. Private lab testing must be pre-approved and the submitting employee will follow procedure outlined by the laboratory. Property and Evidence and/or FCU personnel will be responsible for transporting evidence to and from private labs.
  4. For other processing requests, FCU members will complete the FDLE analysis form OR complete a FDLE Prelog submission form for evidence being submitted to FDLE.
  5. Property and Evidence and/or FCU personnel will transport the item from GPD to the appropriate FDLE Lab for processing.

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6. FDLE will generate an electronic packing slip and a case tracking form.
7. Pursuant to analysis, Property and Evidence and/or FCU personnel will transport item back to GPD.
8. Property and Evidence and/or FCU personnel will sign a FDLE laboratory evidence release form.
9. The submitting employee will be notified via email when analysis results are posted on FDLE Prelog. (C.A.L.E.A. 84.1.1e & 84.1.3)

### **iii. Preservation of perishable or deteriorating items:**

1. When a rapidly deteriorating item of evidence has been collected (for example, a liquid sample of semen, a blood soaked shirt, etc.), it should be prepared appropriately prior to packaging and/or submission to FDLE for analysis.
2. Any time a member collects a perishable item they shall:
  - a. Refrigerate liquid samples such as blood or urine.
  - b. Air dry (no more than one week) blood soaked items of clothing and other materials in the drying lockers.
  - c. Items of evidence collected from water (such as guns or knives) should be packaged in the water they were recovered from. A container may be obtained from Property and Evidence or Forensic Crime Unit personnel.
  - d. Perishable food items should be photographed and returned to the owner. (ex. Shoplifting cases)
  - e. Many items submitted to the lab must be accompanied by a known specimen, when available, so a comparison can be made. The investigating officer on the case will be responsible for obtaining any available or required known specimens, following legal procedures, and submitting them, along with the items of evidence, to the forensic lab for analysis and comparison.

### **iv. The Request for Laboratory Examination (form FDLE 50-001):**

1. Any evidence submitted to any of the Florida Department of Law Enforcement Labs throughout the state, will be accompanied by a completed Request for Examination of Physical Evidence form FDLE 50-001 or current F.D.L.E. required form. [CALEA 83.3.2b & 83.3.2c]
2. The investigating officer/detective is responsible for completing the request form and including it with the submitted evidence.
3. A separate Gainesville Police Department Evidence/Property Submission Form will be completed and included with the examination request and shall act as the documentation of chain-of-custody. This form must be completed by the relinquishing employee as well as receiving person at the lab.

# **GAINESVILLE POLICE DEPARTMENT**

## **GENERAL ORDER**

4. FCU and/or Property and Evidence personnel will transport evidence to and from the FDLE laboratory. Detectives and Crime Scene personnel may on occasion transport items of evidence to FDLE or other labs or agencies for specific analysis. Mailing of evidence for analysis will be the responsibility of Evidence personnel.
  5. All laboratory results will be requested in writing by way of a report. (CALEA 83.3.2e)
- v. Receipt: A receipt of all evidence submitted to the laboratory shall include the following:
1. The name of the submitting employee.
  2. The date and time the evidence is submitted to the laboratory.
  3. The method used to transmit the evidence to the laboratory (mail, in-person, etc.)
  4. Date and time received by the laboratory. 5. Name, and signature of the receiving person at the laboratory.
- F. Storage: The Property and Evidence Unit Custodian shall have authority and physical control over all property and evidence submitted to the temporary evidence rooms and compounds, and into secure property/evidence storage. The Property and Evidence Unit Custodian shall have the right to refuse submission of any property or evidence that is improperly packaged or creates health or safety concerns for the evidence room personnel. Department members shall consult with a supervisor should this occur.
- i. Integrity: The Property and Evidence Unit Custodian shall store property such that federal and state regulations are met and the integrity of the property/evidence is guaranteed, regardless of its nature or whether it is stored in a room, compound, or fenced facility.
  - ii. Extra security: Money, jewelry, drugs, and firearms shall be stored separately from each other, as well as separately from other items, and shall be kept within secure, interior rooms (such as within a designated property storage room) or within another secure site (e.g., safe) that provides an extra level of security (minimum of two layers of security). (C.A.L.E.A. 84.1.1e)
  - iii. At the beginning of each PEU duty day, a member of the PEU will remove all items from the temporary PEU storage lockers, PEU evidence compounds, and the PEU refrigerator. All items will be checked-in using RMS and secured into one of the secured locations. (CALEA 84.1.1a)
  - iv. When custody of evidence is transferred, the transfer shall be recorded in RMS, on the PEU submission form chain of custody unit, a computer-generated receipt. (CALEA 83.3.2d) All evidence temporarily checked out for processing or inspection shall be recorded in the RMS. PEU personnel will generate a property checkout receipt that must be signed by the receiving employee. Upon completion, the receiving employee will immediately return the property to PEU with a signed PEU resubmission form. (CALEA 84.1.1g)



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- v. Access: To ensure the integrity of property, only members of the Property and Evidence Unit shall have authority to enter areas containing property / evidence. [CALEA 84.1.2]
  - 1. Only the Property and Evidence Custodian and the Property and Evidence Specialists shall have access to secure storage rooms containing evidence. Temporary or permanent assignment of a direct supervisor over the property and evidence function will include access to secure storage rooms containing evidence during the course of the assignment.
  - 2. Personnel with legitimate business that requires access to the secure property and evidence storage areas shall be accompanied by an authorized member of the Property and Evidence Unit and shall record their visit on the sign-in log for the accessed area.
  - 3. The sign-in requirement also applies to members requested to be of assistance to authorized Property and Evidence personnel.
  - 4. Appointments: Absent exigent circumstances, members shall call the Property and Evidence Unit 24 hours in advance of their need to view or check out evidence for court or other purposes
- G. Records: To log, track, record, and account for each item of property / evidence, the Property and Evidence Unit shall be responsible for maintaining records that capture the following information: [CALEA 84.1.5]
  - i. Name of member who submitted the property / evidence item;
  - ii. Date the member submitted the item(s);
  - iii. Name of the person in the Property and Evidence Unit who received the item (from the temporary evidence locker or Department member);
  - iv. Date that Property and Evidence personnel received the property;
  - v. The case report number associated with the item;
  - vi. Description of the item;
  - vii. Chain of custody record;
  - viii. Storage location;
  - ix. All activity associated with the item prior to final disposition to include date, time, person, and reason for temporary release (such as processing and court);
  - x. Final disposition.
- H. Release/Disposal: The responsibility for disposing of and/or releasing property or evidence (either to the owner or for temporary purposes, such as processing, investigation, or court) is assigned to the Property and Evidence Unit. [CALEA 84.1.1.f.g]

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- i. Evidence may be released to the owner at the scene, upon the investigating employee or a supervisor's approval, if photographs have been taken to properly identify the evidence. On shoplifting cases, a supervisor's approval is not necessary.
- ii. Photographs taken in connection with the return of evidence to its owner shall be taken by the investigating employee and include the following documentation:
  - 1. A written description of the property, including make, model, and serial number (if any).
  - 2. Owner's name.
  - 3. Location of offense.
  - 4. Name of investigating officer/detective.
  - 5. Photographer's name and signature
  - 6. Date of photograph.
- iii. Employees shall return evidence to its lawful owner once photographs have been taken, unless there is a compelling law enforcement reason to retain the evidence. Reasons for retaining evidence include:
  - 1. The evidence is contraband such as illegal narcotics, counterfeit money, etc.
  - 2. Evidence to be held for civil forfeiture proceedings.
  - 3. When the property itself is better evidence than a photograph.
  - 4. When the employee is unable to process evidence on scene.
- iv. Responsibilities for Notifying Owners / Victims: [CALEA 84.1.1.f]
  - 1. Investigating Member: Upon collecting an item of property / evidence, the investigating member shall, if it is appropriate to the investigation, be responsible for attempting to identify and notify the owner about the status and disposition of the property collected. The notification shall be detailed in the offense/supplement report.
  - 2. If neither ownership can be determined nor notification made, the member shall briefly note on the Property & Evidence Voucher that the owner was not identified and/or notified.
  - 3. Property and Evidence: After the property has been transferred to the Property and Evidence Unit, personnel from that unit shall be responsible for notification of the owner.
    - a. An RMS generated property owner letter is sent to the owner via US Mail.
    - b. A copy of the letter and postmarked mail is scanned into RMS according to the case number.

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- v. For property taken into custody PEU personnel will make an effort to identify and notify the owner or custodian of property being held by the agency.
- vi. When evidence can be released to its owner without jeopardizing a case, the officer or detective in charge of the case shall arrange for its proper disposition.
  - a. Closed death investigations with no evidentiary value shall be emailed to property and evidence for release of the victim's items as soon as practicable.
- vii. Personnel requesting to have items of evidence in criminal cases released to individuals must obtain the approval of a supervisor. PEU will notify the owner and arrange for the return of the property or evidence.
- viii. Custody Transfer: A record shall be made whenever there is a transfer in the custody of evidence (such as for court or processing purposes), and shall note the method of transfer (certified mail, hand-delivery, etc.) as well as the following information:
  - 1. Releasing member's name,
  - 2. Date and time of transfer,
  - 3. Recipient's name (i.e. name of the lab technician), signature, and responsibility regarding the evidence,
    - a. This could be the lab technician, a Department employee, another agency's representative, etc.
    - b. When sent to the lab, a synopsis of the event must accompany the item(s).
  - 4. Reason for transfer,
  - 5. Name and location of laboratory (when applicable),
  - 6. Date and time received in the laboratory (when applicable),
  - 7. Name and signature of the person in the laboratory / destination (when applicable),
  - 8. Examinations desired (when applicable),
  - 9. Date of return from the person/laboratory/destination.
  - 10. Any alteration of the evidence.
  - 11. The member who checked out the evidence will ensure that the circumstances surrounding the alteration of the evidence are documented.
  - 12. Disposition (returned to storage, etc.) [CALEA 84.1.1.h]
- ix. Return Procedures: When an item(s) is returned to the Property and Evidence Unit after being transferred or checked-out, the Property and Evidence Custodian shall be

# **GAINESVILLE POLICE DEPARTMENT**

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responsible for on-going documentation of its disposition, and shall ensure that the person returning it signs and dates the receipt, when applicable.

**x. Permanent Release:**

- 1. Property:** The Property and Evidence Unit shall release personal property to the rightful owner when property is no longer needed for any police purpose.
- 2. Evidence:** Written permission must be obtained from the State Attorney's Office and/or any bureau/unit that has an interest before releasing any evidence.
  - a. Vehicles:** For vehicles held as evidence, see GO 84.2.
  - b. Property / Evidence Released to Other Agencies:** On rare occasions where an item or items of property or evidence are requested by and/or released to another agency (e.g. Federal Bureau of Investigations, Alachua County Sheriff's Office, etc.), the receiving person must present legitimate Identification and sign for the item(s).
    - i. Authority to release evidence is still required.**
    - ii. Property and Evidence Unit personnel will enter a permanent record of the transaction on the Chain of Custody Log.**
  - c. Contraband:** After obtaining a release from the court and the State Attorney's Office, Property and Evidence personnel shall destroy contraband.
  - d. The property shall be inspected prior to destruction and recorded in the form of an audit by the Property and Evidence Specialist / designee.**
- 3. General Property / Evidence Destructs:** After satisfying requirements, Property and Evidence personnel shall destroy contraband.
- 4. Records:** A record of the approval, release, and/or disposition status shall be completed for each item of property / evidence.
- 5. The Property and Evidence Unit shall maintain records relating to property, evidence and narcotics destructs.**
- 6. Timely Disposition:**
  - a. To ensure the prompt release or destruction of property and to prevent property from accumulating, the Property and Evidence Unit shall develop and implement a system that enables the release (or destruction) of property after legal requirements have been satisfied. [CALEA 84.1.7]**
  - b. US Currency/ Cash Disposition:**
    - i. On a quarterly basis US Currency (cash) held as property and evidence will be evaluated to determine the disposition status. An entry as to the possible disposition date (if available) will be entered into the Evidence Module in RMS.**

# **GAINESVILLE POLICE DEPARTMENT**

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- ii. Any property and evidence cash that can be disposed of will be placed into the designated secure storage area.
  - iii. On a monthly basis, at minimum, the property and evidence US Currency, after having met all legal disposition requirements (i.e. Order of the Court and FSS), will be transferred to the appropriate City of Gainesville holding accounts. The physical location transfer of the cash shall be recorded in RMS under the appropriate code.
  - iv. The final transfer/ disposition of the items will be reflected in the respective entry in the RMS evidence module.
- xi. Property from cases which involve pawnbrokers' claims shall be disposed of pursuant to current Florida Statutes.
- xii. Firearms: The PEU will receive approval through the FDLE Firearm Eligibility System on all firearms before being relinquished to their owner. Firearms recovered as evidence, safekeeping, or found may be released to the rightful owner if one of the following circumstances exist:
  - 1. The officer has authorized the release of the firearm with supervisor approval and the investigator verifies the firearm is not related to an active or on-going RPO inquiry.
  - 2. Court order
  - 3. The firearm was taken as safekeeping or found and the rightful owner has been positively identified.
  - 4. Any firearms or ammunition seized or voluntarily surrendered under F.S.S. 394.463, within 24 hours after the person taken into custody can document that he or she is no longer subject to involuntary examination and has been released or discharged from any inpatient or involuntary outpatient treatment provided or ordered, unless they are the subject of a Risk Protection Order (RPO) under F.S.S. 790.401 or other law prohibiting possession. By statute the process for returning seized or voluntary surrendered firearms and/or ammunition may not take longer than seven (7) days. The property-evidence supervisor or designee will be responsible for the return of these items.
- xiii. A firearm cannot be returned to the owner or requesting party if the firearm was seized in violation of F.S.S. 790.07 or a similar offense and the firearm shall be forfeited to the state.
- xiv. PEU personnel shall ensure that any final disposition of property/evidence is in compliance with Florida Statutes after legal requirements have been satisfied. (C.A.L.E.A. 84.1.7)
- xv. Tasers: Member Tasers when deployed shall have the serial number documented in the incident or supplemental report.
- xvi. Post Taser deployment, the member(s) who utilized the Taser(s) will ensure that the involved taser probes, are collected, and properly disposed of either in the sharps container located in Property and Evidence or GFR/ACFR sharps container

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xvii. Post Taser deployment, if the use of the Taser was involved in the death or serious bodily injury of another, the cartridges and probes will be collected, properly stored, and entered into Property and Evidence as **evidence**.

### **I. Reporting Possible Loss/ Contamination of Evidence/ Property:**

- i. Any member who collects, controls, submits, receives, releases, processes, or otherwise comes into contact with or handles evidence shall include in the report any actions which may have inadvertently contaminated or otherwise compromised the integrity of the evidence.
- ii. Any member in the chain of custody (from collection to disposal) of property / evidence who observes, believes, or, in fact, determines that property / evidence has been altered or compromised, is missing or otherwise cannot be accounted for, or has been destroyed, shall notify his/her supervisor immediately.

### **II. Inspections and Inventories:** In order to ensure the integrity of the property and evidence storage systems, the following inspections and audits shall be conducted: (C.A.L.E.A. 84.1.1h, 84.1.6a,b,c,d)

- i. Responsibility: Inspections, inventories and audits of the Property and Evidence Unit (main building and 211 building), Gainesville-Alachua County Drug Task Force (GACDTF), Latent Fingerprint Evidence, and the Contractual Towing Provider for the City shall occur to ensure the integrity of the Department's property and evidence control systems.
- ii. Inspections: Inspections are conducted to determine that the property room is being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that provisions of agency orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly. CALEA suggests tracing a few pieces of property and evidence to assure they are in the proper place as stated in the area's records The following two types of inspections shall be conducted:
  - 1. Semi Annual Inspection: The chain of command in property and evidence or designee, (Lieutenant or above), shall conduct a documented semi-annual inspection to determine adherence to procedures used for the control of property and evidence. As part of this inspection, the property and evidence supervisor in conjunction with the chain of command designee, shall document the overall cleanliness, operations, and temperature controls of refrigeration units. Any concerns with evidence procedures or equipment shall be documented in the report. A copy of the documented inspection and any related documentation shall be forwarded to the Accreditation Manager. [CALEA 84.1.6.a]
  - 2. Unannounced Inspection: Unannounced inspections of property and evidence storage areas are conducted once a year by the Professional Standards Branch. A copy of the inspection and any related documentation shall be forwarded to the Accreditation Manager. [CALEA 84.1.6.d]

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The inspection shall evaluate:

- a. Cleanliness
- b. Orderly storage of items
- c. Security of the stored property/evidence
- d. Compliance with General Orders and other directives
- e. Compliance with property/evidence disposal procedures

### iii. Audits/Reports:

1. US Currency Report: On a quarterly annual basis, the Logistics Division Commander/Designee will conduct an inspection/audit of all US Currency being stored with our Property and Evidence Section and report the total amount of US Currency held in Property and Evidence. The report will detail the following (this may be in an excel or CSV file):
  - a. CASE NUMBER/ ID;
  - b. Item classification EVID-Evidence; PROP- property; FND- Found Property; PRIS- Prisoner; LAP; VPRP- Victim/Reporting Party Property;
  - c. Item #;
  - d. Control Barcode Number;
  - e. Value;
  - f. Disposition Status
  - g. Packaging of items.

The final report shall be documented via IOC to include the total amount of US Currency stored at GPD to the Chief of Police via the Chain-of-Command. A copy of the report will be sent to the City of Gainesville Finance Office.

2. Annual Audit: An annual audit of property and evidence locations are conducted by a member of the Professional Standards Branch as directed by the Chief of Police or designee. The member shall not routinely or directly be connected with the control of property and evidence. A copy of the audit shall be sent to the City of Gainesville Auditor's Office and Accreditation Manager.

The audits shall be conducted according to CALEA Standards Appendix K. [CALEA 84.1.6c].

3. Transfer/Change of the Property Evidence Custodian: Whenever the property and evidence custodian is assigned to and/or transferred from the position, an audit shall be conducted jointly by the newly designated property and evidence custodian and a member of the Professional Standards Branch. [CALEA

# **GAINESVILLE POLICE DEPARTMENT**

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84.1.6.b] A sample size, according to Appendix I in the CALEA standards manual, shall be conducted based upon the total number of high risk items. If an error rate of more than four percent is discovered then a complete inventory of all property and evidence items shall be conducted.

**K. Training:** All sworn members, police service technicians and forensic crime unit members shall be provided with, and successfully show proficiency in, the appropriate level of evidence processing procedures prior to processing crime scenes unsupervised. The Forensic Crime Unit Investigators and/or their designee will conduct this initial training for new members and refresher training biennially.[CALEA 83.2.1.c].

### **L. Evidence Analysis Requests:**

In order for the Forensic Unit to be aware a department member is requiring a specific type of processing on a specific item of evidence, they must receive an Evidence Analysis Request. This request will be accomplished by the submission of an electronic Evidence Analysis Request via the SolarWinds software, also referred to as "GPO web help desk". Any other manner of request (paper or otherwise) will not be accepted unless the software or server becomes non-functional and it is impossible to submit the request electronically. Prior to submitting a request, the individual will need to set up a user account in the Solar Winds software, which is used to create analysis requests . Once an account is created, the user can then create the request which will automatically be forwarded to the Forensic Unit.

- Requestors must fill out all applicable boxes in the request form with specific and thorough information, i.e. the full item number (442-1 vs 1, suspect name and DOB if required, etc.).
- There must be specific instructions on what manner of processing each item number will need.
- If a search warrant, motion to compel, consent to search, toxicology worksheet or any other paperwork is needed to process the item and/or send it to FDLE, that paperwork must be included as an attachment to the request.

An analysis request **MUST** be created for any item of evidence or property the Forensic Unit is needed to process in some manner, test in some manner, or send to an outside entity for analysis. This includes but is not limited to reporting and non-reporting sexual battery kits, vehicles that are towed which require some manner of processing specifically by the Forensic Unit, fingerprinting or fingerprint comparison, DNA swabbing or comparison, photographing, presumptive drug testing or FDLE lab testing and so forth. Processing being done by anyone other than the Forensic Unit should not be submitted. It is the responsibility of the original reporting officer to ensure any needed requests are submitted. ~~In the event it is an incident where a detective or traffic homicide investigator is immediately assuming control of the investigation on scene, then it is the assigned investigator's responsibility to ensure any requests are submitted.~~

**By Order of**

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**Nelson Moya**  
**Chief of Police**





HEATHER L. JONES  
CHIEF ASSISTANT STATE ATTORNEY

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**BRIAN S. KRAMER**  
**STATE ATTORNEY**  
EIGHTH JUDICIAL CIRCUIT OF FLORIDA  
SERVING  
**ALACHUA, BAKER, BRADFORD, GILCHRIST, LEVY**  
**AND UNION COUNTIES**

TELEPHONE (352) 374 - 3670

PLEASE REPLY TO:

February 7, 2022

Lt Steven L Bradford  
Gainesville Police Department  
Logistics Unit  
545 NW 8<sup>th</sup> AV  
Gainesville, FL 32601

Dear Lt. Bradford,

Please accept this letter as a blanket authorization on the handling of currency taken in as evidence in a case.

Consistent with best practices and, for wrongfully taken property, Florida Statutes 90.91, the Gainesville Police Department is authorized to photograph (clearly capturing each bill's serial number and denomination), as soon as practical after receipt, from the evidence units' storage area to a non-interest-bearing account at a financial institution until the final disposition of the criminal case.

This authorization does not apply to cash that has separate evidentiary value (possible fingerprints, DNA, blood, etc.) or where the police department has received a preservation letter from any party in the case.

Sincerely,

A handwritten signature in blue ink that reads "Brian S. Kramer".

Brian Kramer  
State Attorney, Eighth Judicial Circuit