



Policy Manual Standard Operating Procedure	
SOP Number: 16-01f	Subject: Evidence and Property
Authorized by: Chief Robert Connolly	
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1. PURPOSE

This standard operating procedure establishes guidelines for maintaining the evidentiary chain of custody and for securing found, recovered, and evidentiary property in the custody of the Georgia Tech Police Department.

2. POLICY

The Georgia Tech Police Department (GTPD) will ensure that items of evidence and property in its custody are properly secured and stored and can be readily retrieved, and that any changes or transfers in custody are fully and properly documented.

3. RESPONSIBILITIES

- 3.1 Officers who take custody of evidence or other property will comply with this directive in order to preserve the evidentiary chain of custody and to return property to its rightful owner.
- 3.2 The Administrative Division commander is responsible for the proper operation of the evidence room and will designate one employee as Evidence Custodian and at least one as backup Evidence Custodian.
- 3.3 Evidence Custodians are responsible for receiving, storing, maintaining, releasing, and accounting for all evidence and property in compliance with this directive and SOP 16-05, "Submitting Evidence and Property." Only evidence custodians will have access to RMS's evidence database.
- 3.4 Supervisors will monitor employees' compliance with this directive.
- 3.5 The Systems Support Specialist is responsible for electronically granting and withdrawing access to the evidence database at the direction of the Chief.

4. ACTION

4.1 Officers Taking Custody

- 4.1.1 An officer taking custody of evidence, contraband, or property will turn it over to the control of the evidence custodian before the officer ends his or her tour of duty that day. This includes placing the items in an evidence locker.
CALEA 6th edition standard 84.1.1 b
- 4.1.2 The officer must complete an incident report and Evidence & Property Receipt (E&PR) (form 110) describing each item of evidence or property and telling how it came into police custody, before the officer ends his or her tour of duty that day.
 1. Enter serial numbers of stolen items in the property section of the initial incident report and when information is received after the initial report is written.
 2. See SOP 16-05 section 4.5 for details on the E&PR.
- 4.1.3 Do not enter an item as evidence if it has no evidentiary value.
- 4.1.4 The officer must properly handle, mark, and package each piece of evidence or property submitted to the evidence custodian in accordance with this directive and SOP 16-05, "Submitting Evidence and Property."

- 4.1.5 If the owner of submitted property or evidence is unknown, the submitting officer will attempt to establish the identity of the owner. The officer will attempt to notify the owner that GTPD has custody of the property or evidence. The officer must report to the evidence custodian who the owner is and if and when contact was made. If contact was made, check the box to the right of the owner's name on the E&PR. If the officer was unable to contact the owner, the evidence custodian will attempt to make notification.
CALEA 6th edition standard 84.1.1 f
- 4.1.6 Officers who find contraband such as drugs, which is not evidence in a case, will turn it in to the Evidence Room, describe the situation in an incident report, and mark the contraband for destruction.
- 4.1.7 Items submitted for safekeeping may remain in the Evidence Room for 90 days. Inform the owner that the safekeeping articles will be disposed of at the end of the 90-day period, by destruction, sale, donation, or conversion to Departmental use.
1. Safekeeping articles may be discarded at the request of the owner, instead of being entered into the Evidence Room.
 2. At the end of the 90 days, send a return receipt letter reminding the owner to pick up the items, providing at least 15 days from the mailing of the letter.
- 4.1.8 In exceptional circumstances, preventing an officer from completing the reporting process and/or submission of evidence (i. e. officer injured on duty, emergency requiring officer to leave during the tour duty, etc.), a supervisor will complete the proper recording and/or submission of any property or evidence in the officer's possession prior to the end of the watch.
CALEA 6th edition standard 84.1.1 b

4.2 Found Property

- 4.2.1 Members of the Georgia Tech community calling to turn in found property will be directed to take such items to the Police Department during normal business hours.
- 4.2.2 Department employees who receive the following types of found property will:
- A Buzzcard that is not on evidence: turn it in to the evidence custodian who will return it to the Buzzcard Office.

- A key issued by the Institute (housing key or building key) that is not on evidence: turn it in to the evidence custodian who will return it to the Housing or Facilities Lock shop.

- 4.2.3 When property is turned over to the Department as found property, an officer will be dispatched to make an incident report and complete an Evidence & Property Receipt, with a case number. Reporting officers will document, at a minimum, the date and time the property was found, the location, and complete contact information for the finder. The officer will then attempt to identify the owner and notify him or her of the property's recovery. If the owner can arrive immediately, the officer may return the property to him or her. If the owner cannot arrive immediately, the officer should tell the owner when the pickup hours are.
- 4.2.4 If an owner cannot be identified, or if there will be a delay in the owner retrieving the property, the officer will transfer the found property to the evidence custodian as specified in Section 4.1.
- 4.2.5 The officer or evidence custodian releasing the property to the owner will obtain proper identification (such as picture identification when possible) prior to release, make a photocopy of the picture identification, attach the copy to the Evidence & Property Release (form 401), and ensure that the claimant properly signed the Evidence & Property Release form.
- 4.2.6 The evidence custodian will initiate the disposal process of unclaimed found property after 90 days in accordance with section 4.9 below.

4.3 Evidence Custodian

- 4.3.1 The evidence custodian will log the evidence and property into the RMS evidence and property database as soon as he or she assumes custody of it. This creates a master file of all evidence and property.
CALEA 6th edition standard 84.1.5
- 4.3.2 Each piece of property or evidence accepted by the evidence custodian must be properly marked and packaged. Refer to SOP 16-05a, "Submitting Evidence" for guidance.
CALEA 6th edition standard 84.1.1 d
- 4.3.3 Items held as evidence or for safekeeping must remain in the sealed packaging, unless health or safety concerns dictate otherwise. The evidence custodian will contact the submitting officer's supervisor to have the officer correct any deficiencies in documentation or packaging.

4.4 Storage of Evidence and Property

- 4.4.1 The evidence custodian will assign a storage location to each item of evidence and property and record this information on the Evidence & Property Receipt and evidence tag and in the RMS database. This location will be in the evidence room unless otherwise provided below.
- 4.4.2 Categories of evidence and property such as money, precious metals, jewelry, gemstones, weapons, narcotics, and dangerous drugs will be stored under additional security. Place money and other valuables in the safe F, drugs in the locked cabinet E, and firearms in the separately-keyed storage locker D, all located in the evidence room. Only the evidence custodians will have the combination and/or keys to safe F, file cabinet E, and locker D.
CALEA 6th edition standard 84.1.1 e
- 4.4.3 Perishable evidence items, excluding food, will be stored in the evidence room's refrigerator or other suitable container. Evidence custodians will not accept perishable items that are not evidence.
- 4.4.4 Items too large for the evidence room will be secured at the evidence room's secure outdoor storage (trailer 2), accessible only by the evidence custodians.
- 4.4.5 Motor vehicles may be stored for a very short period in the evidence room's outdoor storage for evidence processing. They may be stored for longer periods at the contract impound lot. See SOP 16-02, "Impounding Vehicles."
- 4.4.6 Evidence and property of a hazardous nature will be appropriately packaged and labeled but will not be stored in the Evidence Room. Such substances include, but are not limited to, hazardous chemicals, waste products, explosives, highly combustible products, or items, which may have been contaminated by communicable diseases. With approval of the immediate supervisor and proper documentation, the custodian may securely store such substances outside of the evidence room (e.g., in the evidence trailer or other secure location), destroy the item, or turn it over to another public safety agency that can secure it. Whether an item is hazardous and where to store it must be decided on a case-by-case basis.

4.5 Recording Transfers of Custody

- 4.5.1 The evidence custodian is responsible for maintaining a file that documents all changes in custody of physical evidence. The file will be capable of readily identifying the individual or organization currently responsible for custody of any evidence.

CALEA 6th edition standard 84.1.5

- 4.5.2 He or she will record all transfers of physical evidence.
- 4.5.3 Employees of the Georgia Tech Police Department who assume custody of evidence from the evidence room bear full responsibility for ensuring its security, proper storage, and maintenance, and for the ready retrieval of such evidence upon demand. Do not give custody to another person without getting his or her signature on the Property Release form.

4.6 Temporary Release of Evidence

CALEA 6th edition standard 84.1.1 g

- 4.6.1 If it is necessary to release the evidence temporarily for court, the evidence custodian will fully document the change of custody and reason for such change. If the release is to be final, it must be authorized by a written order from a court. Once authorized for release, the property should change to “safekeeping” and the mandatory 90 days allowed for retrieval should begin at that time.
- 4.6.2 The evidence custodian will release evidence to the reporting officer, case investigator, or to the prosecutor or his or her designee for presentation in court. The officer, investigator, or prosecutor must sign the property release form and will be given a copy. The evidence custodian will document in the evidence database and on the E&PR the date of release and to whom it was released.
- 4.6.3 Evidence should be returned in original packages with tags attached. Should the court retain the evidence, officers will return the computer-generated property release form signed by the appropriate prosecutor or court officer.
- 4.6.4 When evidence is returned, the evidence custodian will document in the evidence database and on the E&PR the date of return and who returned it.

4.7 Return of Property to Owner

- 4.7.1 When the owner of recovered or found property or items released from evidence is known, the property will be returned to the owner unless:
 1. Further processing is necessary such as fingerprints, ballistic or other testing
 2. Property is material evidence in a capital case
 3. Ordered held by the prosecutor

4. Contraband, such as illegal drugs

- 4.7.2 The person asking for the property must show proof of identity such as a current driver's license or other acceptable identification with photograph approved by supervisor. The employee releasing the property will make a photocopy of the photo ID and will have the person sign a receipt for the property.
- 4.7.3 When someone other than the owner seeks the release of property, he or she must provide proof of identity, such as current driver's license or other acceptable identification with photograph, approved by the supervisor. He or she must present a written request signed by the owner authorizing the bearer to take custody and listing the property to be released; for a valuable item such as a computer, expensive watch, or jewelry, the written request must be notarized. The employee releasing the property will make a photocopy of the photo ID, keep the written authorization, and have the person sign a receipt for the property.
- 4.7.4 When the owner seeks release of a legal firearm, he or she must agree to secure it in his or her vehicle or to take the item off campus immediately.
- 4.7.5 Found property or victim's property that can be returned to its rightful owner will be returned promptly after recording.
- 4.7.6 The evidence custodian will initiate the disposal process of property if it has not been claimed in 90 days, as follows.
1. When the evidence custodian is ready to dispose of property, if he or she has or can find the owner's name and address or phone number, he or she will notify the owner of pending disposal at the end of the 90-day period. Allow 15 days from the time of notification for the owner to retrieve the items. Document the notification by supplemental report in RMS.
CALEA 6th edition standard 84.1.1 f
 2. After the owner has been notified and has not claimed the property within 15 days, or if the owner cannot be determined, the property may be deemed abandoned and may be disposed of, as in section 4.9.

4.8 Removing Items from Evidence

- 4.8.1 If an item is on evidence, with approval of the investigating officer, the evidence custodian may photograph the item, record pertinent identifying numbers, and then return it to the owner.

- 4.8.2 When no longer needed for evidentiary purposes, all evidence or property, with the exception of firearms used in crimes, contraband, and abandoned motor vehicles, will be returned to its lawful owner as in section 4.7. For motor vehicles, see SOP 16-02, "Impounding Vehicles."
- 4.8.3 The Administrative Division commander will notify officers through the chain of command who have evidence in the evidence room past 180 days. Officers will be asked to release any evidence that is not needed in court. The Administrative Division commander may authorize release of evidence one year after the termination of the reporting officer's employment.
- 4.8.4 In certain violent crimes, the evidence custodian will maintain for ten years after conviction any physical evidence collected at the time of the crime 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. O.C.G.A. Section 17-5-56
- 4.8.5 Firearms used in crimes, which are not the property of innocent parties, illegal drugs, and other contraband will be destroyed when no longer needed for evidence. O.C.G.A. section 17-5-3

4.9 Disposal of Evidence and Property

- 4.9.1 If the owner cannot be identified or fails to claim the property within 90 days, the Administrative Division commander or designee will initiate the disposal process, as permitted under state law (O.C.G.A. section 17-5-54),. At least biannually, he or she will request a court order giving title to the property or authority to destroy it. The Department may then:
1. Destroy it
 2. Dispose of it by donating to charity
 3. Retain it for use by the Georgia Tech Police Department
- 4.9.2 The Administrative Division commander may release found property to the finder if the owner cannot be identified, cannot be reached, or has not claimed the property after 90 days. Drugs, firearms, and contraband are excluded; a GTPD employee may not claim found property in this way.
- 4.9.3 The Administrative Division commander or designee may apply for a court order to dispose of perishable items on evidence prior to the end of the 90 days and will inform the investigating officer prior to destruction.

- 4.9.4 The evidence custodian will record how and when each item is disposed of in the database.
- 4.9.5 The evidence custodian will carry out the drug and/or weapon destruction process. The Deputy Chief will designate an officer not assigned to the Administrative Division to monitor the entire process whose responsibility is:
1. If any discrepancies are found before the items are destroyed, the assigned officer will immediately notify the Chief who will immediately initiate an appropriate investigation.
 2. On the date of the destruction, monitor the loading of the items to be destroyed, accompany the items to the destruction site, and observe the destruction process.
 3. After completion of the destruction process, submit a report to the Chief and evidence custodian including:
 - a. The date, time, and location of the destruction;
 - b. An inventory of the items destroyed; and
 - c. A list of those present at the destruction.
- 4.9.6 Any property or evidence condemned through either Federal or State asset forfeiture procedures will be disposed of in accordance with Federal instructions or State court order.
- 4.9.7 The Administrative Division commander and evidence custodians will manage the process so that the final disposition of found, recovered, and evidentiary property will be accomplished within six months after legal requirements have been met.

4.10 Security

- 4.10.1 Only the evidence custodian and his or her backup custodian(s) will have access to the Evidence Room and other areas used for storage of evidence and other property.
CALEA 6th edition standard 84.1.2
- 4.10.2 The evidence custodian will manage the access control system, programming the biometric alarm switch for backup custodians and sharing the access code. Keys to cabinets will be kept in a secure location.

- 4.10.3 All others will sign the entry log posted at the entrance prior to entering the evidence and property storage areas, filling in all appropriate spaces. The custodian will ensure that the log is filled out completely and that all persons entering have signed in and out. When all available spaces on the log form have been utilized, the custodian will file it and retain it for three years. An evidence custodian must escort all other employees entering a restricted area.
- 4.10.4 The Administrative Division commander will position a security camera to record activity at the door to the evidence room and will monitor it at least once a week to ensure that it is working.

4.11 Inspections and Audits

- 4.11.1 At least semiannually, the evidence custodian will inspect the evidence and property storage facilities to ensure adherence to directives. The purpose of this inspection is to make sure that the storage spaces are clean and orderly, that the integrity of the property is maintained, that property is protected from damage or deterioration, that proper accountability procedures are being maintained, and that property of no further evidentiary value is disposed of properly. Forward the written inspection report to the Chief, Deputy Chief, Administrative Division commander, and the accreditation manager. Keep the report on file for three years.
CALEA 6th edition standard 84.1.6 a
- 4.11.2 Upon a change in the designated evidence custodian, the newly designated custodian and a designee of the Chief will audit evidence and property to ensure that the records are correct and properly annotated. For high-risk items (e.g., money, precious metals, jewelry, firearms, and drugs), the audit must review records of an adequate sample with respect to documentation and accountability. (See CALEA Standards for Law Enforcement Agencies, Appendix I regarding the sample size.) For other types of evidence and property, the audit should sample sufficient records to ensure the integrity of the systems and accountability for the items. Document any discrepancies. Forward the written audit report to the Chief, Deputy Chief, Administrative Division commander, and the accreditation manager. Keep the report on file for three years.
CALEA 6th edition standard 84.1.6 b
- 4.11.3 Annually, the Chief will designate a command staff member who has no routine or direct connection with the evidence and property function to audit evidence and property held by the Department. The audit should sample enough records to ensure the integrity of the system and accountability for the items, with particular attention to high-risk categories. Forward the written audit report to the Chief, Deputy Chief,

Administrative Division commander, and the accreditation manager. Keep the report on file for three years.

CALEA 6th edition standard 84.1.6 c

4.11.4 At least annually, a supervisor who is not routinely or directly connected with evidence and property control will conduct an unannounced inspection of evidence and property storage areas, as directed by the Chief. This inspection should focus on previously identified problems and solutions, cleanliness and orderliness of the storage areas, and tracing a small sample of items in the evidence and property records. Forward the written inspection report to the Chief, Deputy Chief, Administrative Division commander, and the accreditation manager. Keep the report on file for three years.

CALEA 6th edition standard 84.1.6 d

5. DEFINITIONS

Agency property: Property belonging to the Georgia Tech Police Department.

Chain of custody: The continuity of the custody of physical evidence, from the time of original collection to final disposal, which may be introduced in a judicial proceeding.

Evidence: Items that establish the mechanics or elements of a crime.

Evidence and Property Manual: A binder kept in the break room with the packaging supplies, consisting of SOP 16-01, SOP 16-05, and other material guiding officers on the documentation and submission of evidence and property.

Evidence custodian: Employee of the Georgia Tech Police Department accountable for the control and maintenance of all evidence, found property, and recovered property accepted by or stored in the agency's evidence and property storage facility.

Found property: Property temporarily in law enforcement custody for which there is no criminal involvement or for which criminal involvement cannot be proven.

Impounding officer: The employee who initially receives the evidence or property and initiates the chain of custody.

Physical evidence: Any substance or material found or recovered in connection with a criminal investigation.

Recovered property: Property temporarily in law enforcement custody which belongs to another, was lost as a result of criminal activity, and is intended to be restored to its owner.

6. CANCELLATION

This directive cancels:

SOP 16-01e, "Evidence and Property."

7. REFERENCE

O.C.G.A. Section§17-5-54, 17-5-56, 40-11-1 et seq.

SOP 16-02, "Impounding Vehicles"

SOP 16-05, "Submitting Evidence and Property"

CALEA 6th edition standards 84.1.1, 84.1.2, 84.1.4, 84.1.5, 84.1.6