



GENERAL ORDER

Loudoun County Sheriff's Office

Chapter: Operations

Section: 414.1

Subject: Property and Evidence

Topic: Property and Evidence Procedures

Accreditation: ADM.16.01, 16.04, 25.05, O.07.10

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I. PURPOSE

The purpose of this General Order is to establish a system for the safe and efficient storage and retrieval of items of evidentiary or other value that comes into the custody of this agency. This system establishes strict accountability for all property and evidence in the custody of the Loudoun County Sheriff's Office. Only authorized personnel shall have access to the Evidence Rooms.

II. POLICY

It is the policy of the Loudoun County Sheriff's Office that all evidence and items that have been recovered, confiscated, seized, found, or turned in to this agency be properly packaged, handled, recorded, and stored in a secure designated area.

III. PROCEDURE

A. Deputy Responsibility

1. The recovering deputy shall be responsible for the proper packaging and labeling of all items collected or recovered as evidence or non-evidentiary property to prevent any tampering, contamination, or destruction.
2. After coming into possession of any evidence or non-evidentiary property, deputies shall fill out an evidence control card before the end of their tour of duty.
3. Deputies shall secure evidence or non-evidentiary property in approved lockers/areas located at one of the stations or headquarters, for pick-up by the Evidence Section clerk, before the end of their tour of duty.
4. Deputies shall be responsible for compliance with General Order 414.2 (Custody of Property), General Order 414.3 (Firearms taken into Sheriff's Office Custody), and General Order 414.4 (Custody of Controlled Substances).
5. The Administrative and Technical Services Division Commander is responsible for the Evidence Section.
6. Deputies shall ensure that final disposition/destruction documents or verbal/written instructions are conveyed to the Evidence Section as soon as the

case has been concluded in the court system. The agency shall ensure that found, recovered and evidentiary property is destroyed within six (6) months of final disposition in accordance with §55-210.1-30 of the Code of Virginia.

- a. As soon as it has been determined that evidence or found/safekeeping property has no evidentiary value or use for a criminal case, it is the submitting deputy or investigator's responsibility to advise the Evidence Section, in writing or via the electronic property report to dispose of the items or return the articles to the owner.
- b. Where practicable, the submitting deputy will take photographs of certain evidence, such as alcohol, and submit the photographs as evidence in order to alleviate the space constraints within the evidence room.

B. Evidence Clerk Responsibility

1. All evidence and found/safekeeping property is stored within a designated secure area of the Loudoun County Sheriff's Office. Access to the Evidence Room is limited to authorized personnel only, which consists of the Property and Evidence Supervisor, Evidence Clerk(s) and Property Clerk(s).
 - a. The Property and Evidence Supervisor or Evidence/Property Clerks shall escort any person not routinely associated with the Property and Evidence Section into the restricted areas of the evidence room. The Supervisor and/or Clerks shall maintain a sign-in/sign-out log and require each person not routinely associated with the Property and Evidence Section to sign the log upon entry along with a date and time and reason for entry. The person shall be required to sign out when leaving the restricted area.
2. The Evidence Clerk is responsible for all evidence management functions within the Sheriff's Office. The Evidence Clerk is accountable for control of all evidence or property accepted by or stored in areas of the Loudoun County Sheriff's Office.
3. The Evidence Clerks shall ensure the following:
 - a. Property requiring additional protection is secured in safes or vaults within secure areas, such as, money, jewelry, weapons, narcotics, precious metals, etc.
 - b. Refrigerated storage is available for perishable items
 - c. Evidence lockers, which are used at times when the Evidence Section is closed, are checked routinely and evidence and found/safekeeping

property contained is transferred for storage in the Evidence Room

- d. When the Evidence Section is closed, items of value (evidence/recovered, found, confiscated, or seized property) too large to be secured inside an evidence locker shall be transported to the Sheriff's Office administrative offices. The Evidence Clerk shall be contacted to respond and accept the evidence or property
- e. Records maintained by the Evidence Clerk reflect the status of all evidence and found property held by the Sheriff's Office
- f. On a quarterly basis, at a minimum, the Evidence Section Program Manager, or his/her designee shall conduct an inspection to ensure adherence to procedures for the control of evidence
- g. All station lockers and CID/Special Operations lockers shall be checked on a routine basis during each work week; evidence and found property will be transported to the Evidence Room. Evidence is transported to/from the state laboratory and court as required
- h. Testify in court as to chain of custody issues as directed by subpoena

C. Inventories/Inspections

1. On an annual basis, an evidence inventory shall be conducted by a supervisor not routinely or directly connected with the control of evidence. The supervisor to conduct this inventory shall be appointed by the Sheriff.
2. On a semi-annual basis, unannounced spot inspections will be conducted of property and evidence storage areas as directed by the Sheriff.

D. Controlled Drugs and Narcotics

1. All personnel are required to use the following procedures with respect to the seizure/confiscation of controlled drugs and narcotics.
 - a. The recovering deputy shall ensure against contamination of the suspected narcotic or controlled drug by any other substance or foreign body. This is most easily accomplished by placing the suspected drug in a tamper-proof heat-seal or lock-seal envelope as soon as practicable. The outside of the envelope, the request for laboratory analysis request form, and the property/evidence form shall have a complete description of the contents, including, but not limited to the following:
 1. Physical descriptions of the item, i.e., green leafy substance, white powdery substance, etc.

2. What the item is believed to be
 3. A total count of items, i.e., containers, pills, capsules, etc.
- b. When a suspected controlled drug or narcotic is seized/confiscated from a suspect, a field test should be performed to determine the type of drug, if such a test is immediately available. The results of each field test kit should be packaged separately. Confessions by suspects as to type of drug can substitute for the field test.
2. All drug-narcotics evidence shall be submitted to the lab within ten (10) working days for examination.
 3. The Evidence Clerk shall, upon receipt or release of drug/narcotics evidence, inspect the package for signs of tampering.
 4. Seizures of more than ten (10) pounds of controlled substances or marijuana are addressed in Virginia Code §18.2-253.1, as amended. This section sets forth the disposal procedures for large amounts of controlled substances.

E. Change of Evidence Section Clerk

Whenever a new Evidence Section Clerk is designated, an inventory of evidence and non-evidentiary property is conducted jointly by the newly designated Evidence Section Clerk and the outgoing Evidence Section Clerk and a designee of the Sheriff to ensure that records are correct and properly annotated.