



NEWARK POLICE DIVISION GENERAL ORDER



SUBJECT:
PROPERTY & EVIDENCE MANAGEMENT

GENERAL ORDER NO.
2018-23

SUPERSEDES:
G.O. 2018-23 (Issued 12/20/2019)

DATED:
JULY 23, 2021

RELATED POLICIES:
Property & Evidence Division (G.O. 2018-24)
Municipal Arrest Processing Section (G.O. 2016-03)
Crime Scene Evidence (G.O. 1999-05)

This Order consists of the following numbered sections:

I. PURPOSE

II. POLICY

III. DEFINITION OF TERMS

IV. EVIDENCE & FOUND PROPERTY

V. PRISONER PERSONAL PROPERTY

VI. CRIME SCENE EVIDENCE

VII. PROPERTY & EVIDENCE DIVISION RESPONSIBILITIES

VIII. EFFECT OF THIS ORDER



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I. PURPOSE

The purpose of this policy is to establish a uniform property and evidence management system, which standardizes procedural guidelines and responsibilities to ensure safety, accountability, and uncompromised evidence and property management.

II. POLICY

It shall be the responsibility of every member of the Newark Police Division to promptly secure, document, and safeguard all evidence, property, and prisoner's personal property coming into their possession, ensuring that the chain of custody is meticulously maintained and documented in accordance with this General Order and all additional referenced material.

III. DEFINITION OF TERMS

- A. Bag(s)** - Tamper-resistant bags used for the processing and storing of items. The permanent seal clear bags have color-coded printing and are labeled for their general content type. Each bag is numbered with a unique serial number for documentation and report-correlation purposes. There are three types of bags:
- 1. Currency Bags** – are used to document and store currency and coin that are considered evidence, seized, or found. They are labeled "Currency" and have **green** printing.
 - 2. Evidence Bags** – are used to document and store evidence or found property. They are labeled "Evidence" and have **blue** printing.
 - 3. Personal Property Bags** – are used to document and store an arrestee's personal items that are not considered evidence. They are labeled "Personal Property" and have **red** printing.
- B. Barcode Evidence Analysis Statistics Tracking (BEAST)** - the current commercial product that the Police Division uses for Computerized Evidence Management System (CEMS).
- C. Chain of Custody** – The chronological, geographical, and personnel tracking of property or evidence that has been impounded, moved, or seized by individuals, from its point of seizure to its current location and/or final disposition.
- D. Computerized Evidence Management System (CEMS)** – A computer-based program used to aid in-taking, tracking, storing and disposing property and evidence. Any command equipped with such a system need not use the Property Journal unless the computer system goes down.
- E. Crime Scene Unit** – The unit within the Police Division charged with collecting and preserving evidence at a crime scene. (*G.O. 1999-5*)



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- F. Evidence** – Any object(s) or document(s) that tends to logically prove or disprove a fact at issue in a judicial case or controversy; that is admissible as testimony in a court of law; or that might have the slightest bearing on the guilt or innocence of a criminal defendant.
- G. Evidence Box** – Cardboard boxes used to collect, transport, and store blades, sharps, and firearms that are evidence. Boxes come in several sizes; small for handguns and long for long-guns (rifles or shotguns). A medium sized box is sometimes used for shorter assault type weapons that will not fit into a handgun box but are too short to properly fit into a long-gun box. A smaller narrow box can be used for knives or sharp instruments that will not fold or would otherwise puncture or cut a plastic bag from the inside.
- H. Impound** – The process of seizing, or taking custody of an item.
- I. Municipal Arrest Processing Section (MAPS)** – the central arrest processing section, located at 480 Clinton Avenue. (*G.O. 2016-03*)
- J. Prisoner's Personal Property Receipt (DPI:1755)** – The Division form used to document inventoried personal property of arrestees.
- K. Property** – Tangible items seized by the Newark Police Division, which includes but is not limited to:
1. Items ("Found Property") that are not evidence and have been recovered by police personnel or have been turned over to the police, whose ownership may or may not be known or is in dispute, or;
 2. Items ("Personal Property") that are not considered evidence that belong to an arrested person or the victim of a crime.
- L. Property Bag** - A sealable, tamper-resistant, clear plastic bag of varying sizes with a pre-assigned control number, serving as the primary receptacle in which all evidence or property will be stored.
- M. Property Evidence Receipt (DPI:152)** – Police Division form used to document property and/or evidence coming into police custody.
- N. Property Journal** – A property book maintained by all Commands that are not equipped with CEMS, used for recording all evidence and property that cannot be recorded in CEMS. The property book shall contain the time, date, central complaint number, property bag control number or property description, location stored, supervisor's identification number and initials, date of release, and the identification number and initials of the Property & Evidence Detective removing the evidence from the Command.
- O. Property & Evidence Division** – The Division responsible for the overall collection, storage, and management of Newark Police Division property and evidence from acquisition to final disposition. (*G.O. 2018-24*)



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- P. Temporary Property and Evidence Storage Container** – An authorized secured receptacle, locker or room, in a command or unit, dedicated to the temporary storage of recovered property/evidence. The temporary storage container should be in the view of a functioning video surveillance recording system. For this definition, “**secured,**” means lockable with limited access.
- Q. Two-Officer Rule** – A two-officer submission and verification process for handling, documenting, and monitoring of property and evidence. A second officer, who can also be a supervisor, observes and verifies the items that are being submitted by the primary officer.
- R. Tubes** – a clear plastic evidence tube with end caps sealable with evidence tape used for syringes and other pointed or sharp instruments that might otherwise puncture or protrude from a plastic evidence bag.

IV. EVIDENCE & FOUND PROPERTY

A. OFFICER/DETECTIVE RESPONSIBILITIES:

1. The responsible officer/detective shall protect item(s) in the field from theft, tampering, contamination, or damage, and in the absence of a crime scene investigator, shall transport the item(s) directly to their command or to MAPS.
2. The officer shall maintain continuous control and safeguard all evidence or found property until properly inventoried, documented, and stored within an authorized temporary storage location prior to the end of the officer’s shift.
3. All found property and evidence shall be handled and packaged in accordance with the prevailing New Jersey State Police, Office of Forensic Science’s Evidence Field Manual (Appendix 1 of this Order), and the tenets of this Order.
4. The responsible officer/detective shall provide a detailed explanation of the circumstances for the found property or evidence coming into police custody via an Incident Report (DP1:802) or Continuation Report (DP1:795).
5. The officer/detective shall inventory the evidence or found property using the two-officer rule and shall itemize the evidence or found property on a Property Evidence Report (DP1:152). **ALL KNOWN APPLICABLE INFORMATION** shall be documented in the appropriate boxes on the report. A brief, general summary explaining the reason that the evidence or found property listed on the report is being submitted shall be written in the narrative section (e.g. “The below listed monies were confiscated as narcotic sales proceeds.”, “The below listed evidence was collected at the scene of a homicide.” etc.).
6. The unsealed bag shall be presented to the supervisor for approval. The contents of the bag shall be accurately and clearly itemized on the Property Evidence Report and on the front of the bag. The correct BEAST label shall be affixed to the front of the bag without obstructing any label or documentation. The officer(s) shall affix his/her signature with ID# on the bag in the appropriate location.



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7. In cases where **FOUND PROPERTY** is being submitted, reasonable attempts shall first be made to identify and return the property to the rightful owner prior to submitting the property. If these attempts are unsuccessful, all efforts to identify and locate the rightful owner shall be detailed within the Incident Report and briefly summarized on the Property Evidence Receipt.

B. SUPERVISOR RESPONSIBILITIES:

1. The reviewing supervisor shall ensure that all pertinent information is contained and accurately documented on the Property Evidence Receipt (DP1:152), on the Incident Report (DP1:802), and on the bag. The supervisor shall ensure that the appropriate bag (Evidence, Currency, or Personal Property) is utilized and that the correct BEAST label has been affixed to the front of the bag where it does not obstruct/cover any labeling or documentation.
2. After inventory and verification of the contents and reports, the bag shall be personally sealed by the supervisor. The supervisor shall then clearly write his/her signature and ID number on the "Supervisor's Signature" line or, if no signature line is available, in another appropriate area on the face of the bag.
3. Staple a completed copy of the Property Evidence Receipt (DP1:152) to the front of the bag.
4. The supervisor shall document the following information in the Computerized Evidence Management System (CEMS) or in the Property Journal if CEMS is unavailable:
 - a. The date and time;
 - b. Central complaint number;
 - c. Property bag control number;
 - d. Description of property;
 - e. Storage location; and
 - f. Supervisor's name and identification number.
5. The property/evidence shall then be secured in the temporary property/evidence storage container of the command/unit prior to the end of the supervisor's shift.

C. MAPS PROPERTY OFFICER RESPONSIBILITIES:

1. The MAPS Property Officer shall obtain the key from the Municipal Holding Supervisor to the authorized evidence/property container, located in the Evidence Room (#121), and remove and transport the items to the MAPS Holding Property Room.
2. The property/evidence shall be entered into the CEMS (i.e. BEAST), and then secured in the Municipal Holding Property Room until the Property & Evidence Division Property Officer retrieves it.
3. The authorized evidence/property container located in the Evidence Room (#121) shall be checked at least twice a tour for property and evidence.



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D. COMMANDING OFFICER RESPONSIBILITIES:

1. Ensure that their respective Commands are equipped with an authorized secure storage container that is within view of a recording video surveillance system.
2. Immediately notify the Office of Professional Standards of any unresolved property or evidence discrepancies that are found.
3. Ensure that a Property Journal is maintained, if their command is not equipped with CEMS (i.e. BEAST).
4. Ensure that the precinct detective squad supervisor conducts regular reviews of property reports submitted for all cases that require further investigation (e.g., stolen property, found property) and follow-ups, such as NCIC/SCIC checks, cross references with incident reports and that notifications are made to owners when property is identified.
5. Ensure that Supervisors are complying with this policy.

V. PRISONER PERSONAL PROPERTY

A. AT PRECINCTS AND/OR SPECIALIZED UNITS:

1. Arresting Officer Responsibilities:

- a. When a prisoner's personal property is inventoried, the two-officer rule shall be adhered to and the Prisoner Personal Property Receipt (DP1:1755) **shall be completed in its entirety**. Only the items listed on the DP1:1755 shall be submitted in the property bag that will follow the prisoner.
- b. A Prisoner Property Bag shall be used to secure a prisoner's personal items and cash that are not considered to be evidence. **Personal property shall never be placed into an evidence bag.**
- c. The arresting officer shall ensure that the following occurs:
 - i. An accurate description of each personal item confiscated from the prisoner is listed on the Prisoner Personal Property Receipt and on the face of the Personal Property bag. The inventory should be completed in the presence of the prisoner whenever possible.;
 - ii. Properly list the corresponding case number and arrest number on the receipt, associated reports, and Personal Property bag;
 - iii. Once the Prisoner Personal Property Receipt is completed, the prisoner shall be asked to sign the Form. **The prisoner shall NEVER sign a blank or incomplete form;**
 - iv. Notify the on-duty supervisor if the prisoner refuses to sign the form. The refusal shall be documented on the Prisoner Personal Property Form by writing "Refused to sign" on the form;
 - v. Detach and issue the Prisoner's Copy of the Prisoner Personal Property Receipt to the prisoner;



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- vi. Ensure that all prisoner information is clearly documented, and each item is listed, on the front of the Personal Property bag;
 - vii. Affix the related CEMS label onto the front of the bag without obstructing any labeling or documentation.
 - viii. Affix the related CEMS label onto the front of the Prisoner Personal Property Receipt.
 - ix. Place the property inside the property bag and seal by affixing the self-adhesive tape portion to the bag. Seal the bag in the presence of the prisoner.
 - x. Attach the Prisoner Personal Property Receipt to front of the Personal Property Bag.
 - xi. Inform the prisoner on how to retrieve their personal property. This information is also explained in writing on the Prisoner Personal Property Receipt.
- d. Personal property of a prisoner that **does not fit** in the standard property bag or **items that are prohibited by rules governing standard personal items that can follow the prisoner** shall be handled as such:
- i. A separate, appropriately sized, Personal Property bag shall be used for the oversized/prohibited property.
 - ii. If the item(s) will not fit into any bag, they shall have a tag affixed that clearly displays the year and case number. The corresponding CEMS label shall be affixed to the tag.
 - iii. Accurately inventory and document the oversized/prohibited property on a Property Evidence Report (DP1:152) only. Oversized/prohibited items **shall not** be documented on a Prisoner Personal Property Receipt.
 - iv. Oversized/Prohibited items will not be allowed to follow the prisoner. Instead they will be stored at the command and then collected and stored by the Property Division.
 - v. Inform the prisoner on how to retrieve their oversized/prohibited personal property items. This information is explained on the Prisoner Personal Property Receipt.
 - vi. Personal identification, cellular phone, money, etc. and any other items that are permitted to follow the prisoner shall only be placed into a Personal Property bag that will follow the prisoner. They shall never be placed in a bag that will not follow the prisoner such as oversized/prohibited items or evidence.
- e. The Arrest Report (DP1:800) for the prisoner shall include:
- i. The corresponding control number from the Property Bag in the “PROPERTY BAG” box, just above box #45;
 - ii. The appropriate reports checked off in box #47 for reports that were executed related to the arrestee, (i.e., DP1:802, DP1:152);
 - iii. State if the prisoner had property and the manner in which it was submitted (in the lower right corner of box #45);



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- iv. How much currency was submitted in the prisoner's personal property (in box #68);
 - v. Have the appropriate CEMS label affixed in an area that does not cover documented information on the report.
- f. It shall be the **Desk Officer's responsibility** to search each prisoner prior to placing him or her in a temporary holding cell, and prior to transport to MAPS.

2. Desk/Section Supervisor Responsibilities:

- a. Review the Arrest Report (DP1:800) submitted by the arresting Officer to ensure:
 - i. Prisoner's personal property is inventoried, serving as the second person in the two-officer rule;
 - ii. The Prisoner's Personal Property Receipt shall be completed in its entirety. Only the items listed on the DP1:1755 shall be submitted in the property bag;
 - iii. Accurate accounting of all listed items;
 - iv. The signing of the Prisoner Personal Property Form by the prisoner. **The prisoner shall NEVER sign a blank or incomplete form;**
 - v. Determine a prisoner's rationale for refusing to sign the Prisoner's Personal Property Receipt and thoroughly document the incident.;
 - vi. The property is placed inside the property bag and sealed by affixing the self-adhesive tape portion to the bag.
 - vii. The appropriate CEMS label is affixed to the bag and Personal Property Receipt.
- b. Inspect the Property Bag to ensure that it has been properly sealed and untampered with, information entered and the accompanying Prisoner's Personal Property Receipt (DP1:1755) has been completed and signed.
- c. When it has been determined that all reports are complete, the property shall be secured in the designated temporary storage container used to store prisoner personal property prior to the end of the officer's shift.
- d. The Desk/Section Supervisor shall record in the Property Journal (or CEMS if available) the following information:
 - i. The receipt/deposit of all evidence.
 - ii. The transfer of property to MAPS with the prisoner.
 - iii. Ensure that whenever a prisoner is moved to another facility, that their personal property is transported with the prisoner.
 - iv. Ensure that if a prisoner is being released from custody, that their personal property is immediately released to them in accordance with this order.



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B. AT MUNICIPAL ARREST PROCESSING SECTION (G.O. 2016-03):

1. Arresting Officer Responsibilities:

- a. When a prisoner is transported to MAPS for processing, the prisoner's personal property shall be inventoried using the two-officer rule, and the Prisoner Personal Property Receipt (DP1:1755) shall be completed in its entirety. **Only the items listed on the DP1:1755 shall be submitted in the Property Bag.** The arresting officer shall ensure the following:
 - i. Accurate accounting of all listed items;
 - ii. Corresponding CC# and CA# numbers are listed on the receipt;
 - iii. Have the prisoner sign Prisoner Personal Property Form. **The prisoner shall NEVER sign a blank or incomplete form;**
 - iv. Notify on-duty supervisor if the prisoner refuses to sign the form (refusal shall be documented on the Prisoner Personal Property Form);
 - v. Issue a copy of the Prisoner Personal Property Form to the prisoner; and
 - vi. Place the property inside the property bag and seal by affixing the self-adhesive tape portion to the bag.
- b. Personal property of a prisoner that **does not fit** in the standard property bag or **contains prohibited items** shall be handled as such:
 - i. A separate, appropriately sized, Property Bag shall be used for the property and a Property Evidence Receipt (DP1:152) shall be completed;
 - ii. A Prisoner Personal Property Receipt (DP1:1755) shall be fully completed.
 - iii. Accurately inventory and document the property to be submitted at the command;
 - iv. Inform the arrestee how to retrieve their property upon release from custody.
- c. A prisoner's personal identification, cellular phone, money, etc. and all other items that are allowed to follow the prisoner must be listed on the DP1:1755 and sealed in the bag going with the prisoner. DO NOT include those items in the prisoner's oversized property bag.
- d. The Arrest Report (DP1:800) for the prisoner shall include:
 - i. The corresponding control number from the property bag in the "PROPERTY BAG" box, just above box #45;
 - ii. The appropriate reports checked off in box #47 for reports that were executed related to the arrestee, (i.e. DP1:802, DP1:152);
 - iii. State if the prisoner had property and the manner in which it was submitted (in the lower right corner of box #45);
 - iv. How much currency was submitted in the prisoner's personal property (in box #68).



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- e. It shall be the **MAPS Housing Officer's** responsibility to ensure each prisoner is searched before he or she is placed in a holding cell.

2. MAPS Supervisor Responsibilities:

- a. Upon the arrival of a prisoner at the Municipal Arrest Processing Section, **having already been processed at another Command/Section**, the Floor Supervisor shall:
 - i. Verify that the control number on the Arrest Report corresponds with the Property Bag and Prisoner's Personal Property Receipt (DP1:1755);
 - ii. Inspect the property bag to verify that it is sealed;
 - iii. When entering into the desk blotter the arrival of a prisoner, note the Property Bag control number in the desk blotter.
- b. In the event a discrepancy is found in the control number, items on the Arrest Report (DP1: 800), or items on the Prisoner's Personal Property Receipt (DP1:1755), the Floor Supervisor shall:
 - i. Attempt to rectify the discrepancy with the arresting officers or by contacting the Command/Unit from which the prisoner originated;
 - ii. Initiate an Investigation of Personnel (IOP), if the discrepancy is not resolved;
 - iii. Document actions taken in the desk blotter.

3. MAPS Property Officer Responsibilities:

- a. The Property Officer will receive the Property Bag and Prisoner's Personal Property Receipt (DP1:1755) after the supervisor has reviewed it and shall:
 - i. Verify the Property Bag is sealed and untampered with. If it is not, the Property Officer shall notify the on-duty supervisor immediately;
 - ii. Verify that the Prisoner Personal Property Receipt (DP1:1755) is complete and has the Property Bag control number in the upper right hand corner;
 - iii. Log the following information in the BEAST:
 - 1) Date property received
 - 2) Prisoner name
 - 3) Central Arrest Number
 - 4) Precinct where prisoner was arrested
 - 5) Property Bag control number
 - v. Secure the property bag in the room designated specifically to house/store prisoner property at MAPS;
 - vi. Ensure that when the prisoner is transferred from MAPS, the prisoner's Property Bag is attached to corresponding reports.



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C. RELEASE OF PRISONER PERSONAL PROPERTY:

1. Release of Personal Property to Prisoner:

Every effort shall be made to release personal property to a prisoner at the time of their release from custody by the Newark Police Division. To release personal property back to a prisoner, personnel shall:

- a. Verify the identity of the owner, preferably by an official form of identification. This may be contained within the personal property bag and may need to be retrieved and verified prior to releasing the remaining property to the prisoner.
- b. In the presence of the prisoner, open the Property Bag by cutting open the bottom and removing all the property.
- c. Have the prisoner verify the contents of the property bag and sign the bottom portion of the Prisoner Personal Property Receipt (DP1: 1755), or electronically acknowledging receipt of their property by signing on the electronic signature pad if available.
- d. After the prisoner signs the Prisoner Personal Property Receipt, acknowledging receipt of property, the officer releasing the property shall sign the bottom line of the Prisoner Personal Property Receipt, verifying the return of property.
- e. Should the recipient dispute the contents being returned, a supervisor shall be immediately notified to attempt to resolve the issue or explain the discrepancy (e.g., item was confiscated as evidence item was forfeited, etc...). If the matter cannot be resolved, the matter shall be documented by the supervisor and forwarded through the chain of command to the Office of Professional Standards.

2. Release of Personal Property to Someone Other than Prisoner:

- a. Authorization shall be obtained from the on-duty supervisor. This authorization shall be documented by the officer by writing the supervisor's name and ID on the comment section of the DP1:1755.
- b. Consent shall be obtained from the prisoner prior to the release of the property.
- c. Contents of the property bag shall be verified utilizing the two-officer rule.
- d. The Prisoner Personal Property Receipt (DP1:1755) shall be signed by the person receiving the property, listing their name, relationship to the prisoner, address and telephone number of the person receiving the property.
- e. Due to the security nature of the Property Bag, once the seal has been broken, its integrity has been compromised. Therefore, when property is released, it shall be released in its entirety. **Partial release of property is not authorized.**
- f. Appropriate notations are to be made in the CEMS/BEAST and a copy of the signed Prisoner Personal Property Receipt shall be electronically uploaded and attached to the case file in the BEAST.



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3. In the event that a property bag must be opened:

- a. Approval must be obtained from the on-duty supervisor.
- b. Personnel opening the Personal Property Bag must submit a Continuation Report (DP1:795) under the same case number of the arrest explaining the reason for opening the bag and listing what items were removed. This report must be submitted prior to the end of the officer's shift.
- c. Entry shall be made in the Desk Blotter indicating the time, circumstances and personnel involved in the opening of the bag.
- d. A new property bag shall be utilized when re-securing the prisoner property. Additionally, a Continuation Report (DP1:795) shall be completed indicating the cross referencing of the Property Bag numbers so as to be able to track in the BEAST and/or RMS.
- e. The opened Property Bag control number shall be noted on the new Property Bag below "Date of Arrest".
- f. The new bag serial number shall be entered into the CEMS (i.e. BEAST) and a label shall be affixed to the new bag.
- g. The opened Property Bag shall be attached to the Continuation Report (DP1:795) and forwarded to the Division Commander where they shall be reviewed and retained.

4. Unclaimed Property

Personal Property shall be returned to a prisoner immediately prior to their release from custody. When a prisoner is transferred to the custody of another agency, the prisoner's personal property shall be transferred with the prisoner to that agency following the procedures outlined within this order.

In the event a prisoner's personal property cannot be immediately returned to them upon their release or transfer from Newark Police Division custody:

- a. If transferred, the personal property shall be transferred as soon as possible to the agency having current custody of the prisoner.
- b. The personal property shall be held for not more than five days after the prisoner's release to allow the prisoner an opportunity to claim their property.
- c. The Property & Evidence Division shall collect and transfer all unclaimed personal property to the Property Division.
- d. The Property & Evidence Division personnel shall document the removal from the command and the delivery to the Property Division in the CEMS, or Property Journey should the CEMS not be available.
- e. The Property & Evidence Division shall retain all personal property for not less than the retention periods set forth in the prevailing New Jersey Attorney General Guidelines and Newark Police Division policy.



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- f. Unclaimed personal property shall be destroyed in accordance with the prevailing New Jersey Attorney General Guidelines and Newark Police Division Policies governing the destruction of personal property.

VI. CRIME SCENE EVIDENCE (G.O. 1999-05)

- A. When a gun is seized, Central Communications shall be notified to have a crime scene clerk respond to take possession of the gun for delivery to the Ballistics Unit.
- B. Upon arriving on a crime scene, the officer(s) shall:
 - 1. Render immediate aid in accordance with officer's training and notify E.M.S. if injured persons are at the scene.
 - 2. Notify Central Communications of the situation and request for the appropriate:
 - a. Investigative Detectives to respond to the scene, and;
 - b. Request Crime Scene Response Unit for the collection and preservation of evidence, as directed by the investigating detective or the on-scene supervisor.
 - 3. Provide immediate protection measures that include:
 - a. Prevent the unnecessary entry into or disturbance of the crime scene especially in areas where footwear/tire impressions are present;
 - b. Only in the event that there is a high likelihood/risk that evidence may be lost/destroyed; then the member may retrieve/move evidence for the purposes of safeguarding it. In these cases the member SHALL document the reason why there was a need to move/safeguard the evidence;
 - c. Items in the crime scene shall not be moved and the bodies of deceased persons shall not be disturbed.
 - 4. Relinquish the crime scene to the Detective in charge or ranking supervisor once either arrives at the scene.
- C. Procedures for cases where the officer must collect and submit evidence; whether due to exigent circumstances, or upon direction by a supervisor or investigating detective:
 - 1. **Responsibilities of Officers/Detectives:**
 - a. The officer shall maintain control and safeguard all evidence/property until properly inventoried, documented, secured in the appropriate storage container, and stored within a temporary storage location.
 - b. The responsible officer/detective shall provide an explanation of the circumstances of the property/evidence coming into police custody via an Incident Report (DP1:802).



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- c. The officer/detective shall inventory the evidence/property using the two-person rule and document the evidence/property on a Property Evidence Receipt (DP1:152). Officers should fill in **ALL APPLICABLE** boxes in detail.

2. Responsibility of Supervisor Receiving Property:

- a. All property submitted shall be accompanied by a Property Evidence Receipt and other reports pertaining to that case.
- b. Desk Supervisors will ensure that all pertinent information is contained on the Property Evidence Receipt.
- c. The property shall be inspected to ensure that it is properly packaged and labeled. All items will be verified with the entries on the corresponding Property Evidence Receipt.
- d. After inventory and verification, the property shall be secured in the designated temporary storage container.

VII. PROPERTY & EVIDENCE DIVISION RESPONSIBILITIES (G.O. 2018-24)

A. Commanding Officer:

The Property & Evidence Division Commander is responsible for:

1. The management of the Newark Police Division's Computerized Evidence Management System (CEMS).
 - a. The training of personnel in the proper use of the CEMS.
 - b. Authorizing personnel to have access and use of the CEMS.
 - c. The immediate removal of access to the CEMS by personnel who have separated from the Police Division, or personnel who pose a threat to the integrity of the CEMS.
 - d. The monitoring and proper use of the CEMS by all Police Division personnel.
 - e. The upkeep and maintenance of the CEMS through the authorized vendor.
2. The management of all personal property and evidence collected at the various commands, ensuring integrity through proper internal controls through the entire process.
3. The coordination of the release and destruction of evidence and property in accordance with the prevailing New Jersey Attorney General Guidelines and Newark Police Division policies.

B. Property & Evidence Division Officer/Clerk Responsibilities:

1. Respond to all Division Commands/Units that have an authorized temporary property/evidence storage container/locker on a regular basis for property and evidence collection.
2. Make sure all property/evidence is packaged properly and not tampered with.



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3. Make sure there is a Property Evidence Receipt (DP1:152) for each piece of property/evidence and inspect for accuracy and completeness.
4. When property/evidence is collected at the site, scan each item out in the command's CEMS.
5. If the command/unit does not have a CEMS, then enter the date, their identification number and initials next to the corresponding item in the Command/Unit Property Journal (the supervisor will then sign and date below the last entry in the Command/Unit Property Journal).
6. In the event of a discrepancy and/or missing items, the Property and Evidence Officer/Clerk shall immediately advise the on-duty supervisor.
 - a. The on-duty supervisor shall make every attempt to resolve the discrepancy prior to the departure of the Evidence and Property officer/clerk.
 - b. If the discrepancy cannot be resolved, the on-duty supervisor shall immediately initiate an Investigation of Personnel (IOP) with notifications to their Commanding Officer and the Office of Professional Standards.
 - c. All discrepancies shall be documented by the Desk Supervisor in the Command's property journal. The property in question shall remain at the Command until properly accounted for.
 - d. The Property & Officer/Clerk shall notify the Property & Evidence Division Commander immediately by documenting same on an Administrative Report (DP1 1001).
7. Transport all collected property/evidence to the Property & Evidence Command "Intake Area", documenting its arrival, securing it prior to the end of officer/clerk's shift.
8. All property/evidence movement conducted by Property & Evidence Division Personnel will be entered into the Newark Police Division's Computerized Evidence Management System (CEMS). The only exception will be if the CEMS stops functioning, and would require manual entry of information into the Section's Property Journal, which will be entered into the CEMS once functioning resumes.

VIII. EFFECT OF THIS ORDER

All Division Orders, Memoranda, and sections of Rules and Regulations concerning the custody of evidence and property that are inconsistent with this policy are hereby rescinded and repealed.

By Order of:


BRIAN A. O'HARA
PUBLIC SAFETY DIRECTOR

BAO/CM/MA:rme