



# FIELD ORDERS

Chapter

**BASIC FIELD OPERATIONS**

Subject

**Releasing Evidence**

## POLICY

To make reasonable efforts to release or return a person’s property as soon as possible.

## FIELD PERSONNEL

**RETURN** property or evidence to the owner if the item is not needed as evidence.

1. Using your On-Body Camera (OBC), document the property and the return of it to the owner.
2. Document the property and owner’s information in a Supplement.
3. If an OBC is not available, document the property on a Scottsdale Police Department Property Supplement. Have the claimant sign the form and scan it into the DR.
4. **Vehicles** – Attempt to contact the owner by phone and mail a letter notifying the owner the vehicle is available for release.

**REMOVE** – Police personnel may remove items from the Property and Evidence Unit for court or investigative purposes. The case officer must give written approval when another employee removes property for investigative purposes.

1. Notify the Property and Evidence Unit at least 72 hours in advance to arrange for pickup. Police personnel can arrange to pick up the property outside regular business hours with advance notification.
2. Contact the Property Technician in person and sign for the item.
3. Do not store evidence at a personal residence. If temporary storage is required, secure it within a PD facility. Use a district property locker and place the key in a secure area.
4. Maintain a valid chain of custody until the item is returned.
5. **Court**
  - a. When removing property for court, document the case number (e.g., the CR# listed on the criminal subpoena) for tracking purposes.
  - b. If the court retains the item, obtain a receipt and give

it to the Property Technician.

- Your supervisor will be notified if you do not obtain a receipt, and you will be subject to disciplinary action.
- Supplements will not serve as an alternative to the receipt.

**LAB** – Property Technicians take the property to the lab after completing the Forensic Laboratory Examination Request form. In exigent circumstances, employees may hand carry the item to the appropriate lab but must complete the proper chain of custody documentation.

#### **RELEASE**

1. Release property by emailing the Property and Evidence Unit with the following:
  - DR number.
  - Item number.
  - Claimant name and address, including zip code.
  - Statement asking the Property and Evidence Unit to release the items.
2. The email is printed and attached to the Property Invoice form to show the property is releasable.

#### **DETECTIVES**

Detectives routinely evaluate the necessity of retaining evidence and are responsible for authorizing the release of property.

- When possible, photograph evidentiary items and return the items to the owner.
- The supervisor authorizes the release if the case detective is unavailable.

#### **ATTORNEY or PROSECUTOR**

1. The Property and Evidence Unit does not usually release property to an attorney or prosecutor without the case officer's knowledge.
  - a. Property and Evidence Unit personnel will contact the case officer whenever possible.
  - b. If the case officer cannot be contacted, Property personnel may contact the case officer's supervisor.
2. The case officer may authorize the release in writing or by emailing the Property Technician.

#### **FORMER EMPLOYEES**

Former employees are not permitted to take custody of impounded evidence. When a former employee is subpoenaed or the court requests evidence for a court proceeding, a case officer must remove the property from impound and deliver it to court.

**COURT PROCEEDINGS**

1. When introducing property into evidence, obtain a receipt from the person at court taking possession of the property and return it to the Property and Evidence Unit to be attached to the original Property Invoice.
2. If required to mark the property, obtain labels from the bailiff and ensure the DR and court case numbers are clearly marked.
3. When opening an item of evidence, attempt to open the packaging away from the original seals to maintain the integrity of those seals should they be called into question later. When re-impounding, seal the open package at the new opening or add the original package to a new envelope.
4. Items of evidence to be admitted in court that are contaminated with any type of bodily fluid must be thoroughly dried and repackaged in clear, sealed plastic to protect court personnel.
5. Officers are responsible for transporting evidence to and from court.

**DECEASED PERSONS**

When available for release, a deceased person's property is released to the next of kin or other designated person who has the correct information after signature from the case officer.

**UNDERCOVER OPERATIONS**

The Professional Standards/Investigative Services Bureau (PS/ISB) Assistant Chief or designee must approve in writing evidence released for reverse drug stings or other undercover operations.

**DEPARTMENT USE**

Items no longer needed for evidence or pending disposal may be converted to department use in accordance with Scottsdale Revised Code Chapter 23. Commander approval is necessary for items under \$2500 in value. An assistant chief must authorize the conversion if the value exceeds \$2500 or the item is a firearm.

1. A request for conversion is submitted as set forth in Scottsdale Revised Code Chapter 23. Items authorized for conversion are permanently removed from the Property and Evidence Unit. The signed authorization is attached to the Property Invoice for tracking.
2. Forward a copy of the signed authorization to the Police Resource Management (PRM) Unit. PRM adds the item to their property control tracking system so it is accounted for in subsequent annual inventories as required in General Order

[1111/Managing Department Property.](#)

3. Weapons – The Training Section/Range Master inspects and logs converted weapons. If SWAT or the Special Investigations Division (SID) is to use the weapon, it is transferred to the SID Weapons List after inspection. SID tracks the weapon until it is no longer needed. Training is notified when it is taken out of service.

