

**GENERAL ORDERS MANUAL
WESTERN MICHIGAN UNIVERSITY
DEPARTMENT OF PUBLIC SAFETY**

I. PURPOSE

The purpose of this general order is to establish procedures for the proper collection, packaging, preservation, documentation, storage, management, and security of evidence and other property. This policy also provides guidelines for the disposal, audit and integrity functions of the evidence room.

II. POLICY

All property held for safekeeping or that is evidentiary in nature will be cared for in a manner so it can be expeditiously returned to the owner, maintained for return at a future date, preserved for evidentiary or law enforcement purposes, or destroyed, as permitted by law.

III. CHAIN OF CUSTODY PROCEDURE/DOCUMENTATION

- A. Officers are responsible for completing an IOR or CFS report for any incident in which evidence/property is taken. The report should include:
 - 1. How evidence/property was obtained by the officer. (4.3.1.b)
 - 2. How search and seizure laws were followed, if applicable.
 - 3. The chain of custody prior to submission to the evidence room (e.g., store personnel, nurse, officers). (4.3.1.f)
- B. All property submitted shall be logged in the evidence/property module. This includes serial numbers, owner's or finder's name (when known), and other identifying information or markings. In addition, the complete chain of custody following evidence submission will be documented in the evidence/property module, including all times that evidence/property is checked out, checked in, and released (4.3.1.f).
- C. Any complex or special handling needs should be documented on the evidence label or on a letter attached to the property (4.3.1.d). All property must be secured into an evidence locker or alternative temporary storage location, as described in this policy, prior to the officer going off-duty (4.3.1.a). Supervisor approval is required for any exceptions.
- D. The owner, if known, shall be notified about any evidence/property held by this agency (4.3.1.e). The process/timeline for the return should also be explained to the owner, if known.

II. EVIDENCE/PROPERTY CUSTODIANS AND ROOM SECURITY

- A. The Lieutenant/Emergency Manager is the WMU PD command officer designated to oversee and supervise the evidence/property room operations as the designated primary evidence/property room custodian (4.3.2.a). In the lieutenant's absence, the

Administrative Sergeant will oversee and supervise the evidence/property room and its operations as the alternate evidence/property room custodian (4.3.2.b). Other officers may be assigned by the Chief/Director of Public Safety to assist with evidence/property room operations under the direction of the Lieutenant/Emergency Manager and the Administrative Sergeant.

B. EVIDENCE/PROPERTY ROOM SECURITY

Only evidence/property room custodians have authorized access to the evidence/property room (4.3.2.c). Other individuals may only enter the room for a necessary and specific purpose (maintenance, visual inspection, etc) and under direct and constant supervision of an evidence/property room custodian. The evidence/property room is secured by biometric and electronic key-card access devices installed by university electronic locksmiths, with the additional security of a mechanical key deadbolt lock installed by a non-university locksmith. All three security features must be used to unlock the door to the evidence/property room. The evidence/property custodians all have biometric and electric key-card access. The mechanical keys to the deadbolt lock were issued to the Lieutenant/Emergency Manager and the Administrative Sergeant. In the event of their absence the key may be provided to other evidence/property room custodians listed in this policy or as assigned by the Director/Chief of Public Safety.

C. EVIDENCE PROCESSING ROOM

The evidence processing room is adjacent to the main evidence/property room. This room contains drying lockers, packaging materials, and storage lockers for evidence submission. After being locked, storage lockers can only be unlocked from the main evidence/property room. They are unlocked by evidence/property room custodians after accepting evidence/property into the main evidence/property room. The evidence processing room is restricted by electronic key-card access to sworn police officers from this agency.

D. ENHANCED SECURITY MEASURES (4.3.2.d)

All areas of the evidence/property room where exceptional, sensitive, or valuable evidence/property is stored shall be monitored by recorded video surveillance. Examples of exceptional, sensitive, or valuable property includes, but is not limited to, the following: currency, jewelry, precious metals, controlled substances, firearms, ammunition, explosives (including fireworks), and flammable materials.

III. STICKERS AND LABELS

A. Property Stickers

1. Use the appropriate colored sticker on the property packaging.
 - (a) Red – Evidence
 - (b) Green - Forfeiture
 - (c) Blue – Safekeeping
2. Colored stickers should be affixed to the upper left corner of bags and envelopes, opposite the sealed opening. Leave a small gap around the top and side so the packaging can be opened by the crime lab without damaging the sticker.

B. Biohazard Stickers

Biohazard stickers shall be placed on any packaging containing biological evidence or evidence known to have been in contact with a bodily fluid, unless the packaging already has a biohazard warning printed on it.

C. Evidence, Forfeiture and Safekeeping Labels (4.3.1.c)

1. Complete all applicable fields in the Evidence Module to ensure the property label is complete. The label should include:
 - (a) Property Type (evidence, contraband, forfeiture, found, other or safekeeping)
 - (b) Case Number, Item Number and bar code
 - (c) Offense Description, Date/Time collected and officer name
 - (d) Brand, model, color and serial number (if known)
 - (e) Property description and collection location
2. The property label should be affixed to the upper right area of bags and envelopes, opposite the sealed opening. Leave a small gap around the top and side so the packaging can be opened by the crime lab without damaging the label.

IV. GENERAL SEIZURE, PACKAGING AND STORAGE PROCEDURES (4.3.1.c)

A. Evidence Marking

Evidence should be packaged and submitted in a manner that will minimize potential damage and prevent interference with lab analysis. Labels, evidence tape and markings shall never be placed directly on the evidence, unless no other options are available. Markings and labels on the evidence packaging should, at minimum, include initials, badge number, date, and case number.

B. Tagging and Storing Evidence

Officers shall promptly tag evidence and secure it in an evidence storage locker. All evidence shall be secured before going off-duty. Under no circumstances shall criminal evidence be left unattended. When possible, all evidence shall remain in the custody of the collecting officer until tagged and secured in an evidence locker. Drug and money evidence shall remain in the custody of the seizing or tabulating officer's custody, and that officer shall promptly tag the items and place them in an evidence locker. Visual examples are provided in the evidence packaging room.

C. Sealing of Packages

1. **Staples and cellophane tape (e.g. Scotch tape) are prohibited.** Clear packaging tape may be used to secure the package prior to use of tamper-proof evidence tape.
2. Evidence packaging must be sealed with tamper-proof evidence tape. Using evidence tape along the bottom of a sealed envelope is not required.
3. The packaging officer(s) shall sign across the taped seal with permanent black marker. The case number, officer's number and date shall also be neatly written on the package with permanent black marker. Do not write or sign where the sticker is going to be placed.

D. Envelopes, Bags, and Boxes

1. Small envelopes or bags may be used to organize evidence, but they shall then be put into one of the following packages:
 - (a) 6 x 9 manila envelope
 - (b) 9 x 12 manila envelope

- (c) Large paper bag provided by the department
 - (d) Covered boxes provided by the department
 - (e) Money envelopes shall be used for all money
 - (f) DNA and blood samples shall be placed in a 9x12 manila envelope
 - 2. Odd size items (e.g., chainsaws) that do not fit in one of the above containers shall have a sticker affixed to a cardboard tag, and the tag secured to the item using a string or other manner so as not to permanently alter the evidence. Do not use tamper-proof evidence tape directly on any piece of evidence.
 - 3. Rolled paper packaging is available for long objects that will not fit into an envelope or bag (one item per rolled package). The rolled package shall be sealed along all openings with clear packaging tape, then tamper-proof evidence tape.
 - 4. Do not overstuff a bag. Use an appropriately sized box or multiple bags.
 - 5. Use caution to avoid cross-contamination. Property from different people shall be packaged separately. Different types of drugs shall be packaged separately.
- E. Property Crime Evidence (including B&E)
Most property can be photographed, described in the report, and returned to the owner, including TVs, VCRs, stereos, tools and jewelry.
- F. Serious Crimes
All applicable evidence shall be seized in serious crimes (e.g., homicide, CSC, armed robbery, etc.). The Deputy Chief, or designee, will decide when evidence may be released.
- G. Hit & Run Accidents
- 1. Minor H&R: Photograph evidence, but do not seize.
 - 2. Serious H&R/Fatal: Photograph and seize evidence.
- H. Safekeeping
Weapons and other property held for safekeeping due to a rule violation shall be packaged with a safekeeping label and sticker before being secured in an evidence locker. The owner will have the opportunity to claim the items in accordance with General Order POL-24 (Found Property).

V. COLLECTION AND PACKAGING OF SPECIFIC ITEMS (4.2.2.d)

- A. License Plates
- 1. Generally, Public Safety will only keep plates involved in serious cases (e.g., CSC, A/R, Homicide) or for Safekeeping. If seized, the officer shall attach a photo or photocopy of the plate with the report.
 - 2. Officers shall promptly destroy improper plates and plates reported as replaced by cutting them diagonally through the center of the plate. The pieces shall be discarded in the metal recycling bin in the evidence process room.
 - 3. Altered plates shall be kept only if a confession is obtained admitting to the felony. Minus a confession, cite for Improper Plate, and destroy the plate.
- B. Bottles and Cans
- 1. Generally, bottles and cans shall not be seized.
 - 2. Minor in Possession, Open Intoxicants and OWI cases: Containers shall be emptied and returned to the owner. The report shall describe the container, level of contents, appearance, odors and, if taken, PBT results.

3. Liquor License Violations: Intoxicants seized during a Sale to Minors undercover operation shall be photographed and returned to the store.

C. Money

1. Prior to packaging, photograph money to show serial numbers. List the denominations in the report. **DO NOT PHOTOCOPY MONEY**. Some copiers have a security feature built-in to prevent counterfeiting. The copier could be disabled and require a service call.
2. All money shall be packaged in a money envelope. Two officers must individually count the money and sign the money envelope. Both officers shall ensure the denominations and total on the money envelope are correct.
3. Use the green forfeiture sticker when packaging drug forfeiture money.
4. Use the red evidence sticker when packaging money with evidentiary value (i.e. latent prints, contraband residue or biological evidence) or non-drug related investigations (i.e. counterfeit, gambling, prostitution or liquor violations).
5. Use the blue safekeeping sticker when packaging found money.
6. All money shall be secured in an evidence locker.

D. Checks and Documents

A photocopy of paper items seized as evidence shall be included with the report. Originals may be placed in separate plastic protectors if additional processing may be needed. Multiple checks or documents may be put into one evidence envelope.

E. Clothing

1. If used for identification, clothing shall be taken as evidence in serious crimes (e.g., homicide, CSC, A/R) and a full-length photo shall be taken of the suspect prior to seizing the clothes. In minor crimes, a full-length photo shall be taken, but do not seize the clothes.
2. Never place clothing from different people in the same container.
3. Wet clothing shall be handled as follows:
 - (a) Separate wet items and hang them on the metal hangers provided in a drying locker.
 - (b) Lock the locker with the lock provided.
 - (c) When dry, the original officer shall package, seal, label and secure the evidence in accordance with normal evidence procedures.

F. Biological Evidence Kits

1. Affix all stickers and labels to the bottom of the kit in locations matching normal evidence procedures.
2. When a biological evidence kit is prepared, print the case number on the top right corner of the forms included with the kit (e.g., the pink copy of the Assault Victim Medical Report Patient Examination Form in CSC kits).
3. If hospital personnel have already sealed the paperwork in the kit, open the kit, carefully remove the forms and seal the kit as you would seal any other piece of evidence, documenting your actions in the report or evidence module.

G. Bats, Sticks, Rocks, Other Blunt Objects

1. Photograph such items, but do not seize unless used as a weapon in a serious injury assault case. Serious Injury: Injury that requires treatment at a medical facility or that causes disfigurement or impairment. Do not seize weapons used in misdemeanor assault cases.
2. Use rolled paper, firearm box if applicable.

3. If evidence is a biological hazard and will not fit into a rolled paper packaging or firearm box firmly tape a paper bag over the contaminated area and affix Bio Hazard stickers.

H. Drugs

1. Different types of drugs or taken from different persons must be submitted in separate packages with separate evidence labels.
2. Drugs of the same type taken from the same person but different locations (e.g. backpack, pockets), but under the same case number, can be placed in separate small envelopes listing each location found. These labeled envelopes can then be sealed in a larger envelope with one evidence label.
3. When assessing a count of the same drug in individual coin size zip-lock bags, do not count loose rocks or pieces, count the bags.
4. If latent print processing is needed, do not initial the property. Seal the items in an envelope or bag. Use a large enough package to prevent over filling.
5. Drugs shall be kept separate from paraphernalia, unless residue that needs testing can't be removed. Some labs will not accept drugs mixed with papers, pipes, etc. Do not package paraphernalia unless it is directly linked to the drugs, or it is needed to establish probable cause for a manufacture/delivery charge. Seized paraphernalia in a possession case shall be photographed and destroyed. These actions shall be documented in the narrative of the report. It does not need to be entered in the property section of the report.
6. The Lab shall heat seal drug evidence after analysis. Officers should confirm drugs are heat sealed when checking it out for court.
7. The lab does not accept whole plants. Large amounts of marijuana shall be videotaped or photographed. When seizing live marijuana plants, separately package a portion of the leaves, stems, and roots for lab testing. The remaining bulk of marijuana shall be packaged separately and secured in an evidence locker as well.
8. Abandoned Drugs: Package and secure found or abandoned drugs in an evidence locker with a "Safekeeping" label. Document these actions in a CFS report.
9. When drugs are seized from any bodily orifice (mouth, buttocks etc.), officers shall place a biohazard sticker on the evidence container.

I. Syringes

Seize syringes only when **critical** to the case. Syringes that must be retained shall be placed in syringe tubes as soon as possible and each tube in its own envelope.

J. Guns, Bullets, Knives

1. Boxes are provided for packaging handguns, long guns and knives with exposed blades. These items shall be secured in the boxes using nylon flex straps. Folding knives shall be sealed in an envelope.
2. If the long gun is too big for the standard box use a larger box if available, or use more than one box. Combine them together to fit.
3. Officers should ensure firearm serial numbers are documented correctly. Officers shall ensure the serial number is present on the property label.
4. The firearm shall be queried in LEIN/NCIC. The owner history shall be printed, documented, and attached to the report
5. Guns shall be unloaded unless latent print examination is needed. Loaded guns shall have a clear warning written on the packaging as well as clear markings indicating the direction of the muzzle.

6. When bullets need to be processed, they shall be placed individually in small envelopes, which then shall be packaged in 6 x 9 or 9 x 12 envelopes. **Bullets must be packaged separately from gun.** Magazines shall be emptied and placed in the box with the gun. Never initial bullets or spent casings.
- K. Motor Vehicles
Refer to General Order TLE 2 (Impounded Vehicles) about the storage of vehicles involved in crimes, including UDAA's and forfeited vehicles. Vehicles are typically secured at the WMU Impound lot under recorded video surveillance.
- L. Fireworks and Small Arms Ammunition
 1. Officers shall not bring suspected or known explosives (excluding fireworks) into a station
 2. Chemicals and incendiaries needed for evidence or lab testing shall be photographed in their original containers and a Bomb Technician shall preserve as evidence a small amount of the contents in an airtight container. This evidence shall be stored in the explosive storage boxes.
 3. Officers may recover small arms ammunition up to .50 cal. military rounds and fireworks.
 4. Fireworks shall be thoroughly described in the report.
- M. Video Evidence
 1. When possible, officers shall retrieve video evidence at a crime scene.
 2. When investigating an incident in which video evidence may be obtainable and the officer is unable to obtain the evidence, the following shall be in the report:
 - (a) The name of the employee who can access the system and when they may be available to access the system
 - (b) How long will the information be kept on the system before it is recorded over.
 - (c) The date, time (starting & ending) for the incident.
 - (d) Description of suspect(s).

VI. ALTERNATE/TEMPORARY STORAGE LOCATIONS

- A. Whenever an alternate storage location is used (e.g. evidence/property not secured in the processing room lockers due to being at capacity or lacking in size) an evidence custodian shall be notified (4.3.3b).
- B. When deck boxes are secured with evidence-cored padlocks, or when the overflow evidence room is secured with the one-way locking key, the keys shall be secured in a processing room evidence locker with a note describing the situation, or directly turned over to an evidence custodian. Once the overflow evidence room is secured with the one-way key, the room can only be unlocked using a special key held by the evidence/property room custodians (4.3.3.a).
- C. Items that are too large to be properly secured in the evidence lockers in the processing room, should be secured in the large deck boxes in the overflow evidence room, if possible. If the item is too large for the deck boxes, then the overflow evidence room can be secured by a one-way key.
- D. If the evidence/property room or the processing room is closed or not accessible, the deck boxes in the overflow evidence room, or the overflow evidence room itself, should be utilized for temporary evidence storage.

- E. Evidence that may be foul in odor or bug infested should be secured in the deck box in the bike room at the impound lot. The key to the deck box should be secured in an evidence locker with a note directed to the evidence custodians explaining the evidence.
- F. Perishable or dangerous items requiring special environments not immediately available at this agency (e.g. refrigerator, freezer, explosive resistant containers, etc) may be stored at another agency's secure evidence facility with supervisor approval. Evidence custodians should be immediately notified, and the information shall be properly documented in the incident report.

VII. EVIDENCE REJECTION

When evidence is rejected, the reporting officer will receive an email from an evidence room manager indicating the reason for the rejection and the return locker in which the evidence will be located. The reporting officer will retrieve the evidence, make the appropriate corrections, and place the evidence into a standard evidence locker. The officer shall reply to the property manager's email indicating the corrections have been made and reporting the locker number of the resubmitted evidence.

VIII. EVIDENCE RETRIEVAL (4.3.1.f)

- A. When an officer needs to check out evidence from the evidence room, the officer must email the evidence room managers indicating:
 - 1. The case number
 - 2. Description of the evidence (include the evidence number, if possible)
 - 3. The reason it is needed (e.g., court, labs, further investigation)
 - 4. The date it is needed
- B. If possible, the officer shall make the request with at least 10 days advance notice. Otherwise, the request shall be made as soon as possible.
- C. An evidence room manager will try to plan to meet the officer at the evidence room to have the officer sign out the property using the procedure in the evidence property module.
- D. If an evidence room manager is not available to meet the officer, the evidence may be secured in a return locker only accessible by the officer. If so, an evidence room manager will notify the officer via email.
- E. Once the officer gains custody of the evidence, at no time shall the evidence be left unattended or in an unsecure location. Evidence shall not be stored in desks, or any other location not intended for the explicit use for the storage of evidence.
- F. When the officer returns the evidence, the evidence shall be secured in an evidence locker. The officer must email the evidence property managers indicating the return of the property so a custodian can properly document the chain of custody.

IX. PROPERTY USED FOR INVESTIGATIVE AND TRAINING PURPOSES

To ensure the security and accountability of any evidentiary item or in-custody property used by the agency for investigative or training purposes, the following criteria shall be met prior to use:

1. Written permission from the Chief/Director of WMU Public Safety, (4.3.4.a)
2. Items of evidence must be from a final adjudicated case, (4.3.4.b)
3. Items have exceeded the required retention period and owner notification requirements (4.3.4.c) and
4. For contraband items, the Chief/Director of Public Safety must provide written permission for each specific item. (4.3.4.d)

X. EVIDENCE DISPOSAL

All evidence/property to be disposed/returned will be approved by the Lieutenant/Emergency Manager or the Administrative Sergeant. The Lieutenant or the Administrative Sergeant will ensure the return/disposal meets Michigan's standards for disposal (4.3.1.g).

- A. All disposals/returns shall be supplemented in the in the evidence module (4.3.1.f).
- B. All property disposals shall be witnessed by two persons, generally the Lieutenant/Emergency Manager or the Administrative Sergeant will be one of the two persons.
- C. When property is donated to an agency, such as Goodwill, a list of the items will be logged in a spreadsheet and held by records personnel.

XI. QUALITY CONTROL

- A. All Inspections, inventories and audits of the evidence/property room and related areas should be documented and maintained in agency files. The primary evidence/property custodian or the Chief/Director of Public Safety may conduct or request an inspection, inventory or audit at any time.
- B. A semi-annual inspection of evidence/property storage areas shall be completed by an evidence/property room custodian to ensure adherence to agency procedures governing storage of evidence/property (4.3.5.a). The storage areas should be maintained in neat and organized manner that protects the integrity of evidence/property. The inspection does not require an inventory or audit.
- C. A complete inventory of evidence/property shall occur:
 1. Whenever there is a change in evidence/property room custodians, or Chief/Director of Public Safety (4.3.5.b).
 2. Whenever there is any indication or suspicion of a breach of the evidence/property repository (4.3.5.c).
 3. At least once per calendar year.
- D. An annual representative audit of evidence/property held by the agency is conducted by a supervisor outside of the chain of command for the evidence/property control function (4.3.5.d). This audit may be completed by the Chief/Director of Public Safety or his/her designee. The audit should be meaningful but there is no requirement for specific amount or percentage of total number of items for this audit. Samplings may

include evidence/property from different years, different types of cases, different shelves/cabinets, or different rooms/areas (4.3.5.d).

- E. An annual unannounced inspection of the evidence/property storage areas shall be conducted by the Chief/Director of Public Safety or his/her designee (4.3.5.e)

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