



# **POLICY AND PROCEDURE NO. 417**

## **Drug Related Evidence**

Date Issued: August 16, 2018  
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3 Pages

### **PURPOSE:**

The purpose of this policy is to establish guidelines for maintaining the integrity and security of the evidentiary chain of custody involving all drug evidence.

### **POLICY:**

It is the policy of The Worcester Police Department to ensure that evidence in its custody is properly secured and stored, readily retrievable, and that any changes in its custody have been properly and fully documented.

### **PARALLEL REGULATIONS:**

Policy # 522 Seized Money and Investigative Funds

WPD Rule # 1509.1 Prohibited Conduct, Mishandling of Evidence

### **DEFINITIONS:**

**Chain Of Evidence:** The continuity of the custody of physical evidence from the time of original collection to final disposal.

**Impounding Officer:** The member of The Worcester Police Department who initially receives the evidence and initiates the chain of custody

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

**Evidence Custodian:** Worcester Police Vice Squad Officer who is accountable for controlling and maintaining all controlled substances and narcotic evidence seized in the course of an arrest or investigation.

**Record:** A written or electronic log maintained by the Evidence Custodian

**Drug Vault:** Vault used by this department to store drug evidence

**Agent for the Purposes of Drug Destruction:** An Agent designated by the Massachusetts Department of Health in accordance with M.G.L. 94C § 47A.

### **PROCEDURES:**

#### **Collection of Drug Evidence:**

All drugs seized by Police Officers are to be placed in an official Worcester Police Department evidence bag and sealed. These bags will be located in all Divisions and will be utilized exclusively to secure drug evidence. All drugs seized by Police Officers are to be placed into

the appropriate plastic evidence bag, sealed, and then deposited into the drop box located in the Service Division. The Investigating Officer will write all pertinent information on the bag. Only the drug evidence is to be put inside the bag. All reports and other physical evidence are to be secured according to the appropriate department policy. A Service Division Official will sign the evidence bag as to the authenticity of the drug evidence deposited within as well as acknowledging that proper procedures were followed in packaging the evidence. In the event that a Service Division Official is not available, it will be the responsibility of the appropriate Sector Sergeant to sign off on the drug evidence. Officers assigned to the Vice Squad and Gang Unit may use the drop box located in the Vice Squad office to deposit drug evidence. Each morning the Vice Squad Evidence Custodian will retrieve all drug evidence that has been deposited in the drop box in the Service Division and the Vice Squad. The drop box located in the Service Division is to be used only for the depositing of drug evidence and it is not to be used for seized money or to return evidence which has been signed out of the Vice Squad for Court.

### **Drug Evidence for Court:**

The Evidence Custodian shall be responsible for maintaining a record that documents all changes in the custody of drug evidence. These records shall be capable of readily identifying the individual or organization currently maintaining the custody of the evidence. Members of the Worcester Police Department who have custody of drug evidence from the drug vault bear full responsibility for ensuring its security, proper storage, and maintenance and are responsible for the immediate retrieval of such evidence upon demand.

### **Drug Evidence Vault:**

All drug evidence seized by Worcester Police Officers will be stored in the Vice Squad drug vault. Upon receipt of drug evidence the evidence custodian will verify the contents that appear through the plastic baggie. This bag will not be opened unless an accurate count cannot be made without opening the bag. The evidence officer will then create a record of the submitted evidence. On a weekly basis, the Vice Squad Evidence Custodian will transport all seized drug evidence to UMASS for chemical analysis. Also on a weekly basis, the evidence officer will transport from UMASS all drug evidence that has been tested and certified. Every time drug evidence is removed from the vault the evidence custodian will be required to log the evidence out and then log the evidence back in along with an explanation as to the reason the evidence was removed. All pertinent information concerning the evidence will be transcribed to the appropriate record. The original certification will be attached to the drug evidence stored in the vault. All drug evidence will be assigned a storage location and this information will be recorded by the evidence custodian. The vault itself will have a coded alarm, along with a ProxkeyII programmable key, with entry only available to Vice Squad Evidence Custodians and their officials. A keypad register along with the ProxkeyII will control access.

### **Destruction of Drug Evidence:**

All evidence slated for destruction will be kept in a separate area in the drug vault. All adjudicated cases in which drug evidence will be destroyed must have the appropriate destruction form signed by a Judge. All destruction and disposal of drug evidence will be in accordance with M.G.L. 94C section 47A. On a quarterly basis, the evidence custodian and the shift supervisor will destroy said evidence. For security purposes, S.W.A.T. members or

other officers of this department may assist in the transportation and or safeguarding of the evidence officer and all evidence. Upon completion of the destruction of said evidence, all appropriate paper work will be submitted to the District Attorney's Office.

**Inspection of the Evidence Room:**

On a monthly basis, the supervisor of the Evidence Custodian shall inspect the evidence storage facilities (drug vault and drop boxes) to ensure adherence to appropriate policies and procedures. Unannounced inspections of the drug vault and associated records shall be conducted periodically or as directed by the Chief of Police. Unannounced inspections may consist of random examinations of storage locations and record keeping or other procedures deemed appropriate.

Per:

*Steven M. Sargent*  
Chief of Police

Policy #417 Vice Apr 06, 1994 was revised February 06, 2004.)

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