



# EVIDENCE & RECOVERED PROPERTY – REPORTS & PACKAGING

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## **I. POLICY**

It is the policy of the department that all acquired property (found, recovered, or evidentiary), property which is in custody of the department, and property which is owned and used by the department will be diligently protected and secured by the strict adherence to the procedures set forth in this directive. All evidence and/or recovered property taken into custody by department personnel will be logged, tracked and managed through the department's property & evidence control function. Property Management is required to log all recovered property and evidence into agency records as soon as possible.

Personnel who take into their possession "recovered property" will make every reasonable effort to identify the owner of the property. If the owner of the "recovered property" can be positively identified, every reasonable effort should be made to return the property to the owner. In cases when (1) the ownership of "recovered property" cannot be determined or is in dispute; (2) the owner of the property cannot be located or is not available to have the property returned to them; (3) the property taken into custody needs to be held as "evidence;" or (4) the property is "contraband"- then the recovering officer will package and submit the property to the appropriate District Property Room or Property Management before the end of the recovering officer's tour of duty.

In many cases, stolen property that has been recovered (and is therefore "evidence") may be released to the owner after photographs of the property have been taken and submitted to Central Records for evidentiary purposes. Such photographs should document serial numbers, make and model information, and any other distinctive features of the property, so that witnesses can properly identify the item(s) depicted at a later court proceeding.

In all cases when property has been taken into custody by police department personnel and is returned to the owner, the owner must provide identification and acknowledge receipt of the property through the Department's Records Management System. The Chain of Custody will be recorded through the Department's computer systems. If recovered property is released to the owner prior to being accepted by Property Management, recovering officers will ensure the release is noted in the Narrative Card of the report; and the Property Status, "Released to Owner" is added to the individual item of property on the Property Side Panel; and the appropriate attribute is selected from the Reason for Police Custody drop down list; and "Released before storage > Returned to Owner" is selected from the Property/Evidence Storage Locations list in the records management system.

## **II. DEFINITIONS**

### **A. Property Status**

Firearms, Drugs and Other Property in custody of the police department may have one or more of the following Property Statuses associated with it being law enforcement custody:

1. Asset Seizure – Related to civil asset/forfeitures typically related to drug and/or financial investigations.

2. Evidence – Property which believed or known to be related to a crime or which tends to prove the guilt or innocence of a person suspected or accused of committing a crime.
3. Found – Property that has been found and the owner is either unknown or cannot be located (not recovered stolen property).
4. Recovered Stolen – Property that had previously been reported stolen and has been recovered.
5. Returned to Owner – Property that has been returned to the owner. (See Section I. for additional information).
6. Safekeeping (Release to Owner) – Property that is being held for safekeeping on behalf of the owner; and does not need to be held as evidence.
7. None – Used if no other property status is applicable.

**B. Reason For Police Custody**

1. ABANDONED/FOUND – Finder WILL Claim (Can be released)
2. ABANDONED/FOUND – Finder WILL NOT Claim (Can be released)
3. DESTROY/DISPOSE
4. EVIDENCE (Civil/Non-Criminal)
5. EVIDENCE (Criminal – Forensic Services Pending)
6. EVIDENCE (Criminal)
7. SAFEKEEPING – Domestic Violence (Release Pending Review)
8. SAFEKEEPING – ERPO (Release pending order & review)
9. SAFEKEEPING – Protective Order (Release pending order & review)
10. SAFEKEEPING – Recovered Stolen/Lost (Can be released)
11. SAFEKEEPING – Safekeeping (Can be released)

**C. The BEASTILIMS Property Management Program**

The BEASTILIMS is a database that stores all property information and tracks its location. The program creates an electronic chain of custody using barcodes.

**D. Contraband**

Any item which cannot be lawfully in the possession of a citizen.

**III. CHAIN OF CUSTODY**

**A. The Chain of Custody will be recorded through the Department's computer systems.**

The chain of custody begins with the first officer to take custody of the item and will document all persons who subsequently take possession of the item(s) and the containers (locker, drop box, etc.) where the item(s) were stored.

**B. Use of the BEASTILIMS System**

Upon receipt of all evidence and/or recovered property, Property Management Unit and Forensic Services personnel will enter all applicable information into the BEASTILIMS.

Vehicles seized as an asset seizure or held as evidence shall be entered into the BEASTILIMS by the component which controls the particular permanent lot where the vehicle is stored. The "Traffic Safety Lot" is controlled by the Traffic Safety Section. The "Asset Seizure Lot" is controlled by the Narcotics and Special Investigations Section, and "Evidence Lot" is controlled by the Evidence Collection Unit.

**C. Required Information When Taking Custody of Evidence and Property:**

In addition to information required for completing an Offense/Incident, Missing Person, Supplement or Field Interview Report Type, the following information must be entered into the records management system on the Property Card/Property Side Panel when submitting property or evidence:

1. Associated People & Organizations: Any person(s) or organization(s) associated with the item of property, including their Association Type. There may be more than one person or organization associated with each item of property (finder, owner, in possession of, etc.). Each person's or organization's information will be fully identified, including contact information.

If the owner is unknown, it is the recovering officer's responsibility to make reasonable efforts to determine ownership. If ownership is determined after the property is submitted, the officer will submit a Supplement Report, adding the owner as an Involved Profile and adding the owner as an Associated Person to the specific

- item of property on the Property Card/Side Panel. The officer MUST notify the Property Management Section within 48 hours that an owner has been identified to prevent the property from possible disposal/destruction. Note: The URL of the report in the records management system can be copied and pasted in an email as a link for easy reference to the report.
2. Property Status(es): Any Property Status that is relevant to each item of property. Each item of property or evidence may have multiple relevant statuses. The date the status was entered will also be documented. Property Status(es) should not be deleted, but additional Status(es) can be added/updated on subsequent Supplement Reports.
  3. Custody Status: If "In Police Custody" is "Yes": The Recovering Officer will indicate the "Reason for Police Custody" and the "Property/Evidence Storage Location."
  4. Recovering/Submitting Officer: The officer who is the last person to possess the property/evidence when submitting the item(s). Chain of custody prior to this point will be documented on the Chain of Custody form and the Narrative Card of the reports written by officers involved in the chain of custody. Each Recovering Submitting Officer will document the submission of property and the property items they are submitting on a Supplement Report if they are not the officer writing the Offense/Incident Report.
  5. Recovery Date & Time: The date & time the Recovering/Submitting Officer took possession of the property/evidence. (not the date & time the incident was reported or call dispatch time.) Chain of custody prior to this point will be documented on the Narrative Card of the reports written by officers involved in the chain of custody.
  6. Recovery location: Address or intersection
  7. Statement of Facts: There is a free-text field for each item of property in the records management system. This free-text field is not the "narrative" of the report, but a place where notes can be added specific to each item of property. This field is used to further describe how and where an item of property/evidence was recovered. For example, specifically where each item of property was located when recovered (pants pocket, under car seat, etc.).
  8. Verification the item was checked in NCIC & MD Gun Center (if applicable). Officers are required to check anything with a serial number through NCIC. This will be documented by selecting the applicable Property Status associated to the item of property.

#### **D. Multiple Owners**

The same case number can be used if different owners have property involved in the same case.

#### **E. Multiple Items**

Each separate item contained in a larger item must be separately identified on the Property/Evidence Report. For example: credit cards, currency and coins contained in a wallet must all be separately identified on the Property/Evidence Report.

#### **F. Report Required**

A report with a Report Number will be submitted whenever any property or evidence is recovered. The report will be submitted for supervisor review and approval. If an Offense/Incident Report (or Missing Person Report) has already been written, the report may be a Supplement Report type. If non-evidence property is recovered during a consensual encounter or stop & frisk, the Field Interview Report type is sufficient. The report will document the property and the details of its recovery; the results of the NCIC/MILES stolen check; the date and time of the recovery; the location of recovery; the complete name, address, and telephone numbers of the finder(s); the identity of the owner; and the results of the officer's attempts to notify the owner of the recovery of the property.

#### **G. Teletype Notification Required**

Officers who recover property reported stolen to MILES or NCIC are responsible for informing teletype of the recovery and requesting a cancellation.

#### **H. Property/Evidence Labels**

The recovering officer will affix a Property/Evidence Label printed from the records management system on any envelope, box or other container an item of property or evidence is packaged in. If multiple packaged items are secured in a larger container, such as a box, labels of all items in the box will be placed on the outermost container.

#### **I. Vehicles**

1. All vehicles seized as an asset seizure or held as evidence shall be secured in the designated permanent storage lot as soon as possible. (See Index Code 1201.1 for the temporary storage of vehicles). Each permanent storage lot has a controlling component.
2. All vehicles will be labeled with a Property/Evidence Label printed from the records management system.

#### **IV. PACKAGING OF PROPERTY**

##### **A. Property of Different Owners**

Property of different owners will be packaged separately and will not be mingled.

##### **B. Property Envelopes**

*Except for DUI Blood Kits*, property will be placed in the appropriate envelope as follows:

1. Evidence requires manila envelope
2. Recovered property requires blue envelope

Property/Evidence Labels printed from the records management system may be affixed to the envelopes in lieu of handwriting the information.

##### **C. Recovered Property Boxes**

Item(s) too large for envelopes will be placed in an approved Recovered Property Box and the appropriate label(s) will be affixed to the outside of the box. (Evidence/Property Boxes can be obtained from Property Management).

##### **D. Large Items**

Item(s) too large for a Recovered Property Box will be packaged as securely as possible and labeled.

##### **E. Package Seals**

All boxes must be sealed with packing/evidence tape. The officer must initial all seals. All envelopes must be sealed with strapping tape. The officer's initials must be placed across the seal. Packages not properly sealed will not be accepted in Property Management.

##### **F. Special Packaging Requirements**

Jewelry and money must be packaged separate and apart from all other evidence. Money, jewelry, firearms, and CDS will be packaged as follows:

1. Money, currency and coin (including suspected counterfeit currency) will be photographed and a record made of the serial number of each seized item. A copying machine copy of currency will meet these standards (Make sure the serial number of each bill, on the "face side," is copied). Photocopies of currency will be submitted per Index Code 1203.2. In cases of an unusually large amount of U.S. currency bills, the Narcotics & Special Investigations Section has access to a high volume currency counter/copier and can be contacted for assistance. Money, currency and coin will be counted independently, by both the packaging officer and a supervisor. These counts will take place in the presence of both persons. Money will also be packaged and sealed in the presence of both the officer and the supervisor. The officer's and supervisor's initials will be placed across the seal. Money which is not properly sealed will not be accepted by Property Management.
2. Jewelry will be inventoried, photographed, packaged and sealed, and the officer's initials will be placed across the seal. Photographs of jewelry will be submitted per Index Code 1203.2. Each piece of jewelry will be entered into the property management system as separate/individual items of property. Jewelry which is not properly sealed will not be accepted by Property Management.
3. Firearms will not only be packaged separate from other property, but also separate from any recovered ammunition. If the firearm is semiautomatic, the empty magazine will be packaged with the firearm. (For further instructions on firearms, see Index Code 1201.2.)
4. Controlled Dangerous Substances (CDS) will only be processed through the Crime Lab. It will never be processed through Property Management. (For further instructions on CDS, see Index Code 1202).

5. CDS paraphernalia which requires analysis and is crucial to a case will also be submitted to the Crime Lab. CDS paraphernalia which does not require analysis will be submitted through the property management system.
  6. *DUI Blood Kits: Officers must package DUI Blood Kits for analysis in accordance with the instructions contained in the box. Before submission, officers must affix an evidence label to the rear of the DUI Blood Kit box. DUI Blood Kits will be submitted as evidence consistent with Index Code 1201.1*
- V. PROPONENT UNIT:** Property Management Section.
- VI. CANCELLATION:** This directive cancels Index Code 1201, dated *06-06-22*.