WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Procedures for Receiving Property and Evidence		Policy # 3.6.1
Accreditation 3.6.1		
Effective Date: October 8, 2008	Revised Date: April 17, 2013	
By Authority Of: Chief A. Dale Mabry	Signature:	

3.6.1 PROCEDURES FOR RECEIVING PROPERTY AND EVIDENCE

A. POLICY:

It is the policy of the West Norriton Township Police Department to ensure that evidence in the department's custody is properly secured and stored, readily retrievable, and that any changes in its custody have been properly and fully documented.

B. PURPOSE:

The purpose of this general order is to provide for the establishment of administrative and operational guidelines for property and evidence control by personnel of the West Norriton Township Police Department. These procedures will maintain the integrity of the evidentiary chain of custody.

C. Officers shall fill out a West Norriton Township Police Department Property Record and enter all property/evidence into the Property/Evidence system as soon as possible and before the end of their shift.

D. Whenever an Officer takes property into custody for any reason, he/she shall fill out a detailed report on the reason for the custody, what property was taken, from whom and when.

E. Officers shall keep all property/evidence from each case together and keep the Property Record with the evidence until it can be processed into the Property/Evidence system.

F. Once property/evidence is entered into the Property/Evidence system it shall be placed into the West Norriton Township Police Department Evidence Room. The property/evidence shall be placed in a numbered bin. No property/evidence shall be kept in any Officer's desk, locker, vehicle, home or any other place. Exceptions to this policy are as follows:

1. No flammable items, explosives, dangerous chemicals, unknown biological specimens, nuclear material or other dangerous material or property is to be put into the Evidence Room. Items such as this shall be stored in the hazardous materials box located outside the building. Officers shall unlock the box, place the item(s) in the box and then secure it with the lock found inside the box. Officers shall notify the evidence custodian that property has been placed in the hazardous materials box.

2. Temporary storage of vehicles and their contents will be made by the Evidence Custodian. The vehicle will be stored at the authorized storage facility. The Officer shall not force open a locked glove compartment or trunk unless pursuant to a valid Search Warrant or when a Consent to Search form is properly signed.

3. Recovered bicycles shall be secured to the chain located at the rear of the station. The evidence custodian shall then secure the bicycle in the garage area provided.

G. If the property/evidence is of exceptional value or is a controlled substance then it shall be placed in a separately secured area inside the Evidence Room. Examples of property/evidence of exceptional value is, but is not limited to, the following;

1. Precious Metals

2. Jewelry

3. Gemstones

4. Cash Money

H. When an Officer needs any piece of property/evidence for court or other lawful purpose they shall contact the Evidence Custodian to have the property/evidence released to them. If the property/evidence is being released to the Officer for court the Officer shall fill in the appropriate spaces to indicate what was taken, when it was taken, by whom it was taken and for what purpose. If the property/evidence is to be returned to the Evidence Room the Officer shall fill in the Property Record as required.

I. If the evidence/property is returned to the owner, the owner's name and address shall be entered on the Property Record. The owner shall sign the Property Record indicating that they received the property on the form and the owner should date the Property Record.

J. Whenever the property/evidence is being stored as "Found" or is no longer needed as evidence in a court case, the West Norriton Township Police Department shall make every reasonable effort to contact the owner of the property/evidence and expedite the return of the property/evidence to the rightful owner.

K. Additional Security Measures for Certain Property

1. Money

a. All money submitted shall be listed on the Property Log with the total amount of money indicated. The money shall be counted by the submitting Officer in the presence of the Shift Supervisor or OIC. It is preferred that a breakdown of the bills be listed. For example, five (5) 20's, two (2) 10's, three (3) 5's and nine (9) one's for a total of $144. Change need only be counted and a total indicated. The money shall then be properly sealed in an envelope with evidence tape and

indicate the date the money was counted. The Property Record and the envelope shall then be placed into the Property/Evidence system.

b. When money is obtained with other property, such as with a wallet, the money shall be packaged separately.
c. Upon retrieval of the money items, if put in the Temporary Evidence Locker, the Evidence Custodian shall open the envelope containing the money and verify the amount in the envelope. A witness shall be present when this is done. The package shall then be resealed with evidence tape, initialed and dated.
d. All money submitted shall be stored in a separately secured area inside the Evidence Room.

2. Precious Metals, Jewelry and Gemstones

a. All precious metals, jewelry and gemstones shall be listed on a Property Record and properly packaged. Proper packaging may be an envelope of sufficient size to accommodate the items. The envelope shall be sealed with Evidence Tape and signed and dated. Precious metals and gemstones shall be counted and/or weighed in the presence of a witness.
b. The envelope shall then be placed into a Temporary Evidence Locker and then placed into the Property/Evidence system and the Evidence Room.
c. If the Evidence Custodian is not available the Officer shall place the envelope in the Temporary Evidence Bin through the mail slot.
d. Upon retrieval of the precious metals, gemstones or jewelry the Evidence Custodian shall open the envelope containing the items and verify the count and description of the jewelry and the count of any gemstones or precious metals.
e. Upon verification of the contents of the package the Evidence Custodian shall place the package into the Evidence Room in the separately secured area inside the Evidence Room.

3. Weapons

a. All weapons shall be listed on the Property Record. All weapons shall be submitted UNLOADED with all ammunition being packaged separately. The make, model and serial number of each weapon shall be listed on the Property Record and all weapons shall be checked through N.C.I.C. and C.L.E.A.N.prior to submission.
b. The weapon shall be submitted to the Evidence Custodian for storage.
c. Upon retrieval of the weapon the Evidence Custodian shall verify the make, model and serial number of all weapons and secure them in the Evidence Room.

4. Narcotics and Dangerous Drugs

a. All narcotics and dangerous drugs obtained and submitted for storage shall be listed on the Property Record and packaged in the presence of a witness. The package shall be secured with evidence tape, initialed by the submitting Officer and dated. In addition, if the substance is in pill or capsule form the total count

of the pills or capsules shall be listed. If the substance submitted is individually packaged, the total number of packages shall be listed. The Property Record and package(s) shall then be submitted to the Property Custodian to be entered into the Property/Evidence system. If the Evidence Custodian is not available the package(s) shall be put into the Temporary Evidence Locker.

b. Upon retrieval of the package(s) the Evidence Custodian shall verify the contents and recount all pills and/or capsules or packages.
c. Exceptions to weighing narcotic and dangerous drugs is permissible when the auditing evidence that is officially sealed in evidence tape. All containers of narcotics and dangerous drugs shall be inspected at the annual audit for tampering as a safeguard against the substitution of materials having the same weight.

5. Perishable Property

a. A locking refrigerator is located in the Temporary Evidence Room of the West Norriton Township Police Department.
b. Officers who have any kind of perishable evidence shall store such evidence in the refrigerator until such time as it is transported to a testing laboratory. When Officers put perishable items into the refrigerator they shall put the Property Record and all completed paperwork necessary for the laboratory work to be done with the property/evidence.
c. When Officers put perishable evidence into the refrigerator they shall lock the evidence in one of the lock boxes inside the refrigerator and then lock the key to the lock box into temporary evidence. If both lock boxes are being used the officer shall put the evidence in the refrigerator and then lock the refrigerator with the pad lock and put the key to the pad lock into temporary evidence. If the refrigerator is already locked up and an officer has evidence that needs to be refrigerated they shall contact one of the evidence custodians to come in and make arrangements for the storage of the evidence.
d. Examples of perishable evidence includes, but is not limited to, the following;

i. Blood specimens
ii. Urine specimens
iii. Rape Kits
iv. DNA Evidence

L. Marking Evidence

1. Identification marks should be placed on the Evidence as soon as possible and ALWAYS before the evidence changes custody. Each article of an evidentiary nature should be carefully marked for identification, preferably on the article itself, in a manner so as not to injure the evidence. Guidelines for marking evidence:

a. Mark the item with the initials or the individual mark of the recovering officer, NEVER with an "X" or similar non-individual type of marking. Identification markings should also include the date and incident number if possible.
b. If the item is small or easily damaged, seal it in an appropriate protective container and mark the container for identification. Use the most appropriate container available.
c. All Evidence containers shall be sealed with tamperproof evidence labels. The officer shall sign and place the date and time on the seal so that part is on the container if possible. Paper bags shall be properly filled out and sealed by stapling.

M. Property/Evidence Disposition

1. Final disposition of property, whether found, confiscated, evidence or safekeeping, shall be accomplished within six (6) months after all legal requirements have been satisfied. Final disposition of property shall be properly logged on the Property Record and in the Evidence Control Number Log book. After the final disposition of the property the Evidence Custodian shall retain the Property Record for at least two (2) years.

2. Release of property/evidence

a. Release to the rightful owner

i. Property may be released to the rightful owner once all police use of the property is satisfied and the Officer who submitted the property has approved the property for release. It is the responsibility of the submitting Officer to notify the Evidence Custodian that the property can be released and to arrange for the rightful owner to claim the property.
ii. If the owner fails to claim the property within fourteen (14) days of being notified, a letter shall be prepared by the submitting Officer notifying the owner that they have thirty (30) days to claim the property or the property shall be disposed of by the Department. This letter shall be sent by certified mail to the owner's last known address. A copy of the letter shall be given to the Evidence Custodian and a copy of the letter, along with the green receipt for the certified mail shall be placed with the Property Record. If the owner does not respond in this thirty (30) day period, the property shall be disposed of in a manner according to law.

b. Release to Finder

i. Found property, except for weapons and contraband, may be released to the finder of the item if the rightful owner is unknown or cannot be located. The property must be held for a period of one (1) year to allow the owner to make a claim of it. The finder must have contact with the West Norriton Township Police Department stating that they want to claim the property if it is not claimed by the rightful owner, and provide an address and phone number

where they can be contacted. No member of the West Norriton Township Police Department may make claim as the finder of any property.

c. Evidence

i. Evidence will not be released by the Evidence Custodian until notified by the submitting Officer that the case is completed and it may be returned to the owner or destroyed. Evidence, other than contraband or weapons used in a crime, will be returned to the rightful owner following the procedure listed above in 1 (release to the rightful owner).

d. All evidentiary material, such as alcohol, narcotics, dangerous drugs, contraband, etc., upon completion of the cases involving these items shall be destroyed on a prescheduled date that is approved by the Chief of Police, by the Evidence Custodian and at least one other officer assigned by the Chief of Police. The method of disposal shall be approved by the Chief of Police.

A report of the disposal shall be completed itemizing all the evidentiary materials destroyed and the destruction of the evidentiary materials shall be appropriately recorded on the Property Record pertaining to the destroyed property. Those Property Records and the report shall be kept in a separate file established solely to store these records.

e. Disposition of Unclaimed Property/Evidence

i. Unclaimed property/evidence is regulated by state law, State Law (The Act of April 9, 1929 P.L. 343, No. 176 as amended by the Act of November 9, 2006, P.L. 1335, No. 138) requires that unclaimed or abandoned property coming into the possession of municipalities and their police agencies be turned over to the Pennsylvania Department of Revenue under certain conditions. Property, other than bicycles and that property being held for the owner, must be unclaimed for three (3) years. Property which is held for safekeeping for the owner must be unclaimed for five (5) years. Bicycles may be donated to charitable organizations or sold at public auction by the municipality after unclaimed for more than ninety (90) days. The Escheats Division of the Pennsylvania Department of Revenue should be contacted when there is a question concerning the proper disposition of unclaimed property.

ii. Contraband and unclaimed property, other than that held for safekeeping for the owner, which the Department of Revenue refuses in writing can be disposed of after being held for more than one (1) year. Unclaimed property held for safekeeping for the owner which the Department of Revenue refuses in writing, may be disposed of after being held for five (5) years. Disposition can be either donation to a charitable organization, auction or destruction in an approved manner.