

Burleson Police Department

Administrative Policy and Procedures

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CALEA Standards Referenced: 84.1.1; 84.1.2; 84.1.3; 84.1.5; 84.1.6;

ISSUING AUTHORITY: _____

I. Procedures for Receiving Property

The Burleson Police Department will take every measure available to ensure the security and control of seized, recovered, evidentiary, abandoned, lost, or found property. The following are procedures for receiving all in custody and evidentiary property taken into agency control. Every item of property obtained by an employee during a shift should be checked for possible stolen through the computer and then placed under the control of the property and evidence function prior to shift's end. This should allow the property to be officially recorded in the agency's records in a timely manner. Any exception to this procedure must have a supervisor approval and a descriptive inventory must be accomplished in writing or by electronic means and a copy forwarded to the Property/Evidence Coordinator. [84.1.1a/b]

- A. The employee shall prepare a written report or supplement describing:
[84.1.1c]
 - 1. How, what, when, and where they came into possession of the property.
 - 2. A physical description of the property itself including quantity, weight, and length of knife blade if applicable.
 - 3. The employee shall also prepare a descriptive property voucher.
- B. All officers shall carefully scrutinize all items of evidence to determine their evidentiary value. Items with no apparent value should not be seized. If an item is needed for investigative purposes, only then should it be retained.
- C. Evidence connected to theft cases may be photographed and released. The photograph will be uploaded into the department's records management system. (Texas Code of Criminal Procedures)
- D. Property recovered that belongs to another jurisdiction, may be released to that jurisdiction at that time.

II. Guidelines for Packaging and Labeling Property [84.1.1d]

- A. Property and evidence to be logged in will be described on a property voucher and property placed in a heat-sealed plastic bag. If property is obtained from an offense, the property voucher is to be placed in the tray of the Property Coordinator's door.

- B. Each bag should not contain more than six (6) compartments. Only one (1) item or “like items” such as bullets, prints, etc, per compartment or bag. Each bag should relate to one CFS number, which appears on the property/evidence voucher. Each compartment or bag should be marked numerically and those same numbers correspond with the numbers on the property voucher listed description, the submitting officer’s initials, and the date should be written over each sealed edge. The property voucher should be descriptive and should include when applicable:
1. make
 2. model
 3. serial numbers
 4. color
 5. quantity
 6. weight
 7. length of blade

In addition, the case number should be written clearly on each compartment or bag with a permanent marker. Seals should be double sealed in the event one of the items needs to be sent to the lab or checked out. This prevents cutting the seal to the next compartment. Each compartment will then have a bar-code number placed on the upper right side of the property by the property coordinator.

- C. Some property will need to be bagged into paper bags, as plastic does not breathe. Organic Evidence such as shoes or clothing that contains any amount of moisture may create condensation, decay, and destruction of the evidence. In addition to organic materials, latent fingerprints on firearms or other items may also be destroyed if condensation is present in the evidence bag. In these cases, it is necessary to thoroughly dry the evidence before packaging and it is preferable to use porous evidence storage containers such as paper or cardboard. The bags should be marked in the same way as the plastic bags and each item bagged individually. Use evidence tape for sealing.
- D. All items need to be bagged unless too large. Large items will need to be tagged with a metal ID tag with the case number embossed on it and bar-coded.
- E. All license plates submitted shall have the registration from MVD attached.
- F. Recovered stolen property, if possible, should be photographed and the property returned to the owner. Seized fireworks and food items shall also be photographed. These photographs shall be uploaded to the department’s records management system as evidence in place of the original property.
- G. Occasionally, property or evidence needs to be checked out for investigation, court, or printing etc. The evidence checked out will need to be signed out by the requesting officer and the purpose for doing so documented. Upon return of the property or evidence, it must be packaged and sealed. The officer shall put his initials and date over the new seal.

- H. In addition to the previous guidelines for packaging and labeling, certain items require specific handling due to their nature and should be stored in the following manner: [84.1.1e]
1. Firearms – Guns, Rifles, and Shotguns will be packaged in boxes. The item will be secured through the holes in the box. In securing the items use the nylon ties. The submitting officer will unload the weapon and make a visual inspection to ensure the weapon is safe. All firearms shall be submitted with chamber open, clip/magazine removed, and safety on. Revolvers shall have cylinder open and blocked from accidental closure during handling and storage. Place a nylon cable tie through the barrel cylinder of each gun to show the weapon has been checked and cleared. These boxes will be re-used so do not seal or mark on them. The only time marking and a seal will be placed on a box is if the gun is needed for further investigation or analysis. The bar codes will be placed on the item directly by the property coordinator. The only other items that may go in the boxes are the magazines and bullets that go with that item. The items will still each have a separate bar code placed on it. Do not put loose bullets in the boxes. They should be bundled or secured first. Seal the loose bullets in plastic to form a pouch to hold the ammo and then place it in the box. If a firearm is not confiscated do not use the boxes for just bullets or a magazine, these items will be packaged in the plastic packaging as in normal evidence/property. Firearms seized for major felony crimes should be marked where it would not devalue the weapon. The officer may mark a weapon in a non-exposed area; the stock may be removed for this purpose. No seized ammunition will be returned to the owner at the time of the gun's release. All ammunition will be destroyed. Ammunition will be released to this agency's Range Master for safe disposal.
 2. Sharp Instruments – Instruments such as razors, scissors or broken glass should be encased before being placed into an evidence bag. The items may be wrapped with cardboard or inserted into Styrofoam. Large knives will be packaged in the boxes dedicated for that item. Butterfly and pocketknives are to have tape placed around the knife to ensure that it cannot open. It will then be placed in plastic packaging. There are nylon ties available to secure the item inside the knife box. The bar code should be placed on the handle of the knife by the property coordinator. The length of the knife blade should be noted on the property voucher and report. Photos or a photocopy of the knife should be placed with the offense or arrest report for case filing.
 3. Biohazard Materials –When packaging such items, disposable rubber gloves and/or aprons should be worn. Cuts or abrasions should be covered by bandages or dressings, hand contact with mouth, eyes or nose should be avoided. An eyewash and anti-

microbial soap is provided in the Prep Room should you be exposed to any potentially infectious material. All biohazard material shall be labeled "Biohazard". All of these types of evidence samples will be packaged in breathable paper, which may be subject to DNA testing. The sample shall be stored in a climate-controlled room, away from sunlight.

- a. Bloodstained items – The submitting officer should use caution in handling bloodstained items due to the possibility of disease and contamination. Bloodstained items shall be allowed to air dry before being placed in paper sacks. Plastic bags should not be used for bloodstained items. Care must be taken to package items separately to avoid cross contamination of other evidence.
 - b. Blood Samples – In the event that a blood sample is taken as the result of a D.W.I arrest, the officer shall obtain a blood sample kit from the Prep Room. This kit will be provided to the hospital personnel taking the blood sample. The officer will complete the report provided in the kit and secure the blood sample into the locked refrigerator inside the Prep Room. Then secure the two locks on the outside of the refrigerator. The refrigerator will remain locked at all times. The Sergeant on duty will sign the log in dispatch for the key, unlock the refrigerator and place the sealed blood kit inside, secure the two locks and return the key to dispatch and sign the log. The Property Coordinator will release the sample to the crime lab at the Police Department for testing.
 - c. Semen/Urine Samples – Samples should have evidence seal placed over the container, which is initialed and dated to prove integrity. Package and tag according to guidelines. Samples should then be placed in the refrigerator in the Prep Room with both locks secured. The property coordinator will then forward the samples to the lab for testing.
 - d. Samples for DNA testing – Evidence samples that may be subject to DNA testing should be allowed to air dry to avoid deterioration. Wet items should be air dried before packaging. Never use dry heat; it will destroy any evidence for DNA testing. These items should be bagged in paper and labeled according to guidelines. Place the lab instructions in the "notes" section of the voucher. These items will then be forwarded to the laboratory by the Property Coordinator.
4. Currency:
- a. Sort all bills by denomination

- b. Arrange each stack so the bills are face up. The figurehead should be looking the same direction on all bills.
 - c. Count currency and record on currency sheet provided in Prep Room. Have another officer witness and then have them recount. The witnessing officer should sign their name on line “verified by”. The submitting officer will sign the line “entered and sealed by”.
 - d. The submitting officer shall then seal the currency/coins in a heat-sealed bag with their initials and date. Witnessing officer shall also place their initials and date on the seal. Currency/coins should be sealed in compartments separated by denominations
 - e. The currency sheet shall be attached with the property voucher and placed in the tray on the Property Coordinator door.
 - f. All items should then be placed in the drop slot locker #5 or available evidence locker.
5. Fireworks:
 - a. Photograph all fireworks held as evidence prior to packaging.
 - b. The photo will be uploaded to the department’s records management system as evidence.
 - c. Package fireworks.
 - d. In addition to the proper packaging guidelines, mark the bag with the citation number and name of defendant. This information is for the Fire Marshall whom the fireworks will be given to hold and dispose of.
 - e. Once packaging and photos are completed, officers will contact the Fire Marshall during business hours. After hours, officers will transport the fireworks to the Fire Department for safekeeping. Officers will then leave a message for the Fire Marshall of the fireworks location. The fireworks will then be held by the Fire Marshall until the case is disposed of by the courts.
*Do not leave fireworks inside the police department.
6. Food:
 - a. Photograph items recovered and upload photos to the department’s records management system as evidence.
 - b. Return items back to owner or contact owner for pickup.
 - c. Do not attempt to store perishable items.
 - d. Food items may attract mice, ants, or other insects should never be submitted into storage.
7. Found Property- Items, which have been intentionally abandoned by their owners DO NOT fall within the definition of found property. Discarded items ARE NOT found property. Please dispose of properly. DO NOT SUBMIT TO EVIDENCE.

- a. Personnel shall complete a property voucher and forward a copy to records at which point a cover sheet will be added. All found property calls will be cleared code 12. Report is required.
 - b. All found property shall be tagged and packaged correctly.
 - c. Any drugs turned in as found property shall be counted and weighed.
 - d. If any found property has a serial number, it must be checked through NCIC and the results noted in the report.
 - e. If an owner of found property can be identified, it is permissible to return the property to the owner without entering it into property/evidence. A property receipt should be completed documenting the date, item, service number, and who is receiving and releasing the property.
[\[84.1.1f\]](#)
8. Bicycles
- a. Check the bicycle for serial numbers, owner engraved ID, etc. Bicycle serial numbers are usually on the front frame or under the pedal casing. Short numbers are usually the model number and longer numbers are more likely the serial number.
 - b. Serial numbers must be checked on the NCIC system for stolen. If determined stolen the employee must advise the owner to call the Property Coordinator to arrange for release of the bicycle. The officer may at their option, release the bicycle to the property owner if the bicycle has not been submitted into the property records at that time.
 - c. When taking a stolen bicycle report always encourage the owner to register any bicycle(s) they might still have through the Community Services Section. This is a free service that labels the bicycle(s) with a non –removable sticker carrying a City of Burlson registration number. The number is recorded and kept on file to help in recovering stolen or lost bicycles.
 - d. Complete a metal tag and attach to front of bicycle. Do not use paper tags due to weather conditions. The metal tag should have the case number inscribed into it. A bar code will be placed by the property coordinator on the front of the bicycle. Use a detailed description of the bicycle on the property voucher. The property voucher will be placed into the tray in the Prep Room.
 - e. Bicycles should be placed neatly into the storage area. Use kickstand when possible.
9. Jewelry
- a. Photograph jewelry before packaging and upload photos into the department's records management system.

- b. Place jewelry items in separate compartments by heat seal.
 - c. DO NOT list jewelry as gold, silver, or diamond. Jewelry should be described as gold in color, silver in color, or clear stone.
 - d. DO NOT list “misc. jewelry” – account for how many pieces, etc.
 - e. Describe each piece.
10. Forgeries
- a. Make copies for CIS (front and back).
 - b. Place check in check protectors located in Prep Room.
 - c. Affidavits should be placed with original report and placed into the records attachments box.
11. Receipts, Papers, Photos, Drivers License, Credit Cards, Pawn Tickets
- a. Make copies for CIS
 - b. Place items so they may be viewed without opening the bag.
 - c. Be descriptive in listing these items, such as names, numbers and any other pertinent information relating to these items on the evidence voucher and offense report.
12. Alcohol/Tobacco
- a. When issuing a citation for an alcohol or tobacco related offense, the defendant will dispose/destroy the contraband on video using the audio/video recording device whenever possible. The video will be saved as “RT-Retain Video”. The alcohol containers, tobacco packaging, etc will be disposed appropriately. When a report number is not generated, the officer shall document all information on the call card including the citation number used. The officer and defendant will complete the Destruction Affidavit on the back of the citation.
 - b. If alcohol is stolen from a place of business, return alcohol to owner at that time. Photograph before releasing and upload photos in the records management system.
 - c. In any other instance, if alcohol is still in original packaging, tag each pack or bottle or it may be packaged in paper bags or plastic.
 - d. If cans or bottles cannot be resealed, mark the level of fluids remaining and then pour them out. Place a paper towel into opening of container to absorb any liquid and fumes.
13. Flammable/Explosives
- a. Explosives may not at any time, under any conditions be submitted into property.

- b. For flammables, photograph the container and upload the photos in the department's records management system as evidence.
 - c. Contact the Fire Marshall for disposition.
14. Drugs/Paraphernalia
- a. All drugs will be counted and weighed, if applicable, before being placed in a property bag. This includes weighing pills.
 - b. When submitting an unknown type of drug, the officer shall perform a presumptive test using the test packets located in the Prep Room. The result of this test will be noted in the offense or supplemental report.
 - c. Package each item separately to ensure non-contamination.
 - d. When a report number is not generated and no criminal charges are to be filed and drugs are seized for destruction, the call card must be documented appropriately. Documentation at a minimum will include the owner's information, type of drug including quantity and weight in grams (ounces and grams for Marijuana) and the locker number used to store the drugs. The drugs will be packaged in plastic, double sealed with officer initials, date, and event number. A printout of the call card with the event log and notes will be attached to the package. The officer must sign the cover page of the call card printout. Photos are not required when no citation is issued.
 - e. When a report number is not generated for the destruction of drug paraphernalia, the call card must be documented appropriately including the citation number if issued. If a citation is issued, photograph the item and upload the photo into the department's records management system. A copy of the photograph should be attached to the citation to be forwarded to the Municipal Court. Locker number #12 should be used for items of destruction that fit through the hole including drugs or drug paraphernalia.

If the drug paraphernalia does not fit through the hole of Locker #12, any available secured evidence locker may be used. (If the paraphernalia is too large to package and seal in plastic, then place the item in its own evidence locker with the call card. Write the appropriate information on a blank adhesive label and place it on the item).

Paraphernalia will be packaged in plastic, double sealed with officer initials, date, and event or report number if applicable. A printout of the call card with the event log and notes will be attached to the package. The officer must

sign the cover page of the call card printout. Photos are not required when no citation is issued.

If drugs and drug paraphernalia are seized for destruction purposes only and they are seized from the same owner, then all items may be put together in one package.

The Sharp's Container should only be used for discarding needles, razorblades, and syringes. If drug paraphernalia is cracked/broken which might pose a safety concern, then place the item in a paper bag prior to packaging the item in the sealable plastic.

- f. Syringes should be packaged only after needles have been removed or completely covered with needle covers or small corks. The needle should then be placed into a Sharps Container located in the Prep Room. Syringe tubes are also provided in the Prep Room for syringe evidence. If any types of nick or puncture occur, immediately report the injury and seek medical treatment.
 - g. For items needing to go to the lab, the officer will indicate what testing is to be done in the notes section of the voucher. The evidence will be mailed or released to the lab by the coordinator.
 - h. Fresh or damp marijuana should be air dried before packaging. Marijuana is not sent to the lab unless requested by the court or a large amount was confiscated. Weigh all marijuana; this includes even marijuana cigarettes and butts. When weighing marijuana in multiple bags, list the weight for each individual bag, not total weight of all. The weight must be recorded in both grams and ounces.
 - i. If you are submitting water bong, make sure you drain all the water out.
 - j. Package according to guidelines.
- III. Availability of 24-hour secure facilities for property. [\[84.1.2\]](#)
- A. When the Property room is closed all property/evidence will be placed into the lockers provided in the Property Preparation Room. [\[84.1.3\]](#)
 - B. The locker will be locked by the officer securing the property. The locks provided are padlocks and once locked, re-entry cannot be made. The only personnel authorized to have keys will be the Property Coordinator and the Deputy Chief. There is a drop slot available for small items (locker #5).
 - C. In the event that all lockers are full and an employee requires secure storage for an item or items, the following shall apply:

1. During normal business hours, the Property Coordinator shall be contacted to take control of the property and place it directly into the property room. In the absence of the Property Coordinator, the Deputy Chief shall be contacted to perform this function.
2. During non-business hours, the Property Coordinator or the Deputy Chief shall be summoned to the Police Department to take possession of the property and secure said property in the Property Room.
3. In the event that neither the Property Coordinator nor the Deputy Chief are available, the on-duty supervisor shall be made aware of the situation and secure a lockable storage room/bin at a private storage facility. A high security padlock shall be used to lock the rented storage facility or bin. The on-duty supervisor has the authority to purchase the necessary lock and to enter into an agreement with the storage facility owner or manager. A detailed report of the reason for securing the property in this manner shall be submitted to the Property Coordinator along with all keys and evidence vouchers relating to said property. The evidence voucher and any or all keys shall be placed in an envelope and secured in a property locker in the prep room area.

IV. In-Custody Property and Evidence Storage Security

- A. Property and evidence will be secured behind two (2) locked doors. The hinges are on the inside of the doors and likewise on the temporary storage lockers for prevention of the hinges being removed. The first locked door leads into the property office and the second locked door into the property room. The only access to the property room itself is through the property office. The Property Coordinator and the Deputy Chief are the only authorized personnel to have keys. They and the Criminal Investigations Clerk are the only personnel authorized to be in the property room. Anyone entering the property room other than the authorized personnel must sign in and out on a log.
- B. Lockers are provided in the property prep room. A locked refrigerator is provided in the prep room for perishable items such as, blood, urine, and semen specimens. A key is located in the key box in dispatch.
- C. The department provides a locked storage area for items such as bicycles and any other large items. The key for the officers to place such items is kept in dispatch. The property coordinator will hold the other key.
- D. The packaging used for evidence is heat-sealed bags in a 4 mil. and 6 mil. strength. This type bag provides viewing without opening the bag and the weight of the bag is not easily torn and does not leak. Officer's marks are placed on sealed edges to show that the bag has not been tampered with.

V. Property Records [\[84.1.5\]](#)

Property records will be maintained by a bar-coding system for property management. The system reflects the location of the property; date and time when

the property was received or released; type of property and amount of property on hand; and chain of custody from the time the property was stored until its destruction or final disposition.

VI. Inspections of the Property Storage Area

A. Semi Annual [84.1.6a]

The Deputy Chief will verify that inspections are conducted of the evidence storage facilities to ensure adherence to appropriate policies and procedures at least semi annually.

1. An inspection is conducted to determine that the property room is being maintained in a clean and orderly fashion, management systems are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly.

B. Unannounced Inspections [84.1.6d]

Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police. This is to ensure the continuity of custody and not to require the accounting of every single item of property. The inspection should be sufficient to ensure the integrity of the system and the accountability of the property.

C. Annual Inspections [84.1.6c]

At least once annually, a supervisor not connected with the property and evidence function will conduct an inventory to ensure compliance with proper procedure.

1. The purpose of the standard is to ensure the integrity of the system, not to require an accounting for every item of property. The person named to conduct the inventory should be appointed by the agency's Chief of Police. Under no circumstance should that inspector be appointed by supervisory or command officers having the property function under their control.
2. Upon the completion of the inspection, a detailed report shall be submitted to the Chief of Police.

D. Inspection Upon appointment of new coordinator [84.1.6b]

1. Should a new Property Coordinator be designated, an audit will be conducted to ensure that records have been properly maintained and are correct. This audit will be conducted, by the new Property Coordinator, the Chief's designee and, if possible, the outgoing Property Coordinator.
2. During the joint audit, a significant representative sampling of property including high-risk items should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property should ensure that all records are current and property annotated.

3. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian.

VII. Disposition of property held by this agency

Found, recovered or evidentiary property will be disposed of as soon as possible.

[84.1.1g]

A. Procedure for releasing property:

Proper identification is required when releasing property. The owner must sign and date the property release voucher. Any owner that is known and entitled to his property will be contacted by phone and if no response is made, a certified letter will be sent to the last known address. If the owner does not respond within the required time, the property may be transferred to the municipal purchasing agent (finance director) for final disposition. Any property found to have no value will be destroyed.

1. Safekeeping and Found property:

May be returned to the owner at any time.

2. Recovered Property:

If the property recovered belongs to another jurisdiction, it may be released to that jurisdiction at that time. If recovered property is not claimed within thirty (30) days from the conviction of the person accused of illegally acquiring it, the same procedure will be followed as with any abandoned/unclaimed property. If there is no case pending, any judge may order the property disposed of.

3. Evidence:

Officers bringing in evidence with no value, or for printing, may be disposed of after being printed, or upon the detective's approval that it would no longer be needed. The prints, if any, will be placed into evidence. Property to be returned to the owner may be released once the detective in charge of the case has given their approval. Evidence connected to theft cases may be photographed and released back to the owner. The photograph will be attached to the case report. Evidence where the statute of limitations is up may be disposed of provided there is no case pending and no warrant outstanding for the defendant. If a court order is needed, you may have to file an order to the court for disposal.