

## DEKALB POLICE DEPARTMENT

Subject: **Custody and Storage of Property**

Policy #: **305.1**

Effective Since: 8-21-03

Originally Issued As: General Order #23 of 6-27-91

Revision Effective: 1-1-19

Reference Material: NA

FTO Training Task: # 31

ILEAP Standards Covered: ADM.16.01

**Page 1 of 2**

**PURPOSE:** Whenever a police officer takes custody of any property, the responsibility for storage, security, and disposition of that property is typically established by state statute or rules of evidence. Successful prosecution for criminal acts based on physical evidence is dependent upon the proper handling of evidence. The purpose of this policy is to provide general guidelines for the retention and custody of property. Prompt return of property to its lawful owner after a case has been adjudicated is necessary to cultivate public confidence in our system of justice.

**POLICY:** The department will maintain control of all property in its possession, preserving the evidentiary chain when applicable. It shall maintain custody of such property only as long as necessary for prosecution or other lawful purposes and will release property upon order of the Court or when otherwise possible to return property to its lawful owner. A property inventory system is maintained by the department to assure proper identification and location of all property in custody.

**CITY ORDINANCE 4.08(a), Seized Property:** It shall be the duty of the policemen to report and deliver to the Chief of Police all property seized or found by them immediately after the same shall have come to their possession, which property with the date delivery and the description of the same, and the name of the policemen depositing the same, shall be entered in books kept for that purpose by the Chief of Police, who shall be held responsible for same." This procedure, as it pertains to physical evidence or other seized items, is established as described below.

### **DEFINITIONS:**

**RMS:** Records Management System

**PROCEDURES:** Any physical evidence or property received by this department that is not appropriate to be placed in the Lost and Found system will be processed in the following manner:

#### **A. Receipt of Property :**

1. Evidence: Whenever an officer confiscates as evidence any property that may be eligible to be returned at a later date, he shall give a signed Evidence Receipt to the person relinquishing the property or to the property owner. All seized property will be assigned a unique identifying number, and a description of the property must be listed on the receipt. The long portion of the receipt (blue copy) must be turned in with the case report.
2. Recovered Property: If an officer receives property other than illegal contraband or evidentiary items, the officer shall log the items in accordance to this policy, and make attempts to identify and notify the owner if the owner's identity is known. [ILEAP ADM.16.01(e)]
3. Lost and found property procedures are outlined in Policy 305.3.
4. Lost and found bicycle procedures are outlined in Policy 305.4.

#### **B. Property Intake Procedures :**

1. All recovered property must be logged into agency records and placed under the control of the property and evidence control function before the officer's tour of duty. [ILEAP ADM.16.01(a)]

DEKALB POLICE DEPARTMENT

Subject: **Custody and Storage of Property**

Policy #: **305.1**

Effective Since: 8-21-03

Originally Issued As: General Order #23 of 6-27-91

Revision Effective: 1-1-19

Reference Material: NA

FTO Training Task: # 31

ILEAP Standards Covered: ADM.16.01

**Page 2 of 2**

2. Items will be logged in a uniform manner, utilizing packaging and processing procedures as outlined in Policy 305.2, Evidence Packaging & Processing Procedures.
  3. A written report will detail the circumstances by which the property came into the department's possession and documenting each item of property in the RMS system. [ILEAP ADM.16.01(b)]
- C. **Temporary Storage of Property** : All evidentiary property will be stored in the designated temporary evidence lockers pending logging and filing by a Property Control Officer. Items too large or bulky for retention in this locker will be stored in the Auxiliary Evidence room located in the Evidence Lab, or at Area 6.
- D. **Duties of the Property Control Officer(s)** :
1. Remove items from the temporary storage lockers and place them in a permanent evidence storage area in such a manner that they can be readily identified and retrieved.
  2. Maintain a property record log in RMS of all property received in accordance with department policy.
  3. Retrieve evidentiary items for officers as necessary for court proceedings, release, or otherwise.
- E. **Disposition of Property** : Upon notification that property may be returned or destroyed, the Property Control Officer shall promptly dispose of the property. If the property is returned to the owner, the person receiving the property shall be required to sign and date the evidence receipt or release sheet. If the officer disposes of the property in any other manner, he shall indicate the method and date of disposal in RMS.

**Policy originally issued 8-21-03; this revision becomes effective on 1-1-19 by authority of the Chief of Police.**

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.