

DEKALB POLICE DEPARTMENT

Subject: **Evidence Collection, Packaging & Processing Procedures**

Policy #: **305.2**

Effective Since: 8-21-03

Revision Effective: 1-1-19

FTO Training Task: # 31

Reference Material: NA

ILEAP Standards Covered: ADM.16.01, 16.02, 16.03, 16.04

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PURPOSE: The purpose of this policy is to outline the department's general evidence procedures.

POLICY: It is the policy of the department to properly identify, collect, secure, retain, package and log evidence, in accordance with legal regulations, chain of custody procedures, and this policy.

DEFINITIONS:

RMS: Report Management System

DNA: deoxyribonucleic acid

PROCEDURE: Evidence shall be seized and retained in accordance to legal standards. Evidence seizure should always be documented on the corresponding case report and recorded in the RMS Property module. An evidence receipt should be issued to the owner if the property could be eligible to be returned after case disposition. Questions about evidence procedures should be directed to an Evidence Officer or a Commander.

I. Evidence Collection

- A. Many crime investigations will include the collection of evidence. Proper identification, collection, packaging, and processing is vital to the value and integrity of the evidence for court purposes.
- B. All officers will be trained in the basic collection and packaging of evidence. Officers may receive more advanced training in evidence collection procedures, particularly if assigned to the Targeted Response Unit or detective division.
- C. In most cases, the initial investigating officer will be responsible for the collection and packaging of evidence.
- D. In homicide cases, significant felony cases, and cases where a supervisor has determined there is a need for advance evidence processing, an officer or detective with advanced evidence training will be used.
- E. A qualified evidence technician will be available at all times, whether it be an on-duty or on-call officer or detective.
- F. In some cases, the department may request the services of an evidence technician from another agency who has specific technical skills required or preferred for a particular incident.

II. Evidence Equipment and Supplies

- A. The department maintains the equipment and supplies necessary to process a crime scene, including:
 - 1. Fingerprint recovery supplies
 - 2. Cameras and video cameras
 - 3. Materials for crime scene sketches
 - 4. Evidence packaging products
- B. Basic fingerprint kits are available for patrol officers and detectives.
- C. The department maintains an evidence van, equipped with most items necessary for processing crime scenes.
- D. Officers using crime scene processing materials will notify a supervisor of items needing replaced.
- E. The Investigations Division Commander or his designee will be responsible for maintaining necessary crime scene processing supplies, evidence intake (bag & tag) supplies, and may also approve the purchase or rental of items required to process a specific scene.

II. Photography

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- A. Officers are encouraged to take crime scene photos whenever possible.
- B. Actual items of evidence, even if collected away from a crime scene, should be photographed for documentation.
- C. In any homicide case, or significant felony case with physical evidence at a crime scene, it is preferred that an officer or detective with advanced training in photography take the photos.
- D. Basic photography techniques:
 - 1. Be sure the camera is working correctly.
 - 2. Be sure adequate lighting or flash is available.
 - 3. Begin with an overall photo of the scene:
 - a. If the crime scene is in indoors, begin with a photo of the structure from outdoors.
 - b. Take an overall photo of the area or room.
 - 4. Photograph the actual evidence or items in place. Do not move items just to get a better photo.
 - 5. Photograph items next to a scale, such as a ruler, to show actual and/or comparative size.
 - 6. Once the item is photographed in place, it can be moved for additional photos or packaging.
 - 7. In cases involving a large area, multiple items of evidence, or to better record the entire scene, a supervisor or evidence technician may direct the use of a video recording to document the scene.
- E. Digital photography is the preferred standard. If conventional 35 mm photography is used, the film should be immediately removed, labeled in an envelope, and forwarded to the department's vendor for developing. Negatives and a printed photo will be logged into evidence.
- F. Digital images will be downloaded as soon as possible to the department's RMS or digital photo file. Digital images will be recorded by case number. No employee shall manipulate or alter any digital images unless necessary to enhance an image for better visibility, in which case a copy of the image in its original form will also be maintained. Any alteration or enhancements will be noted in the case report.
- G. In some cases involving crowd control situations, a supervisor may direct an officer or detective to videotape the actions of a crowd in anticipation of recording any criminal action that may occur.

III. Crime Scene Sketches, Drawings, and Diagrams

- A. In cases involving a traffic accident or a sizeable crime scene, it will likely be best for the investigating officer or detective to record the scene on paper. (Additional information regarding traffic accident investigation is located in Policy 403.4)
- B. There are various methods of recording scenes on paper:
 - 1. Crime scene sketches refer to rough drawings of the scene to establish an outline of the event.
 - 2. Crime scene drawings refer to more in-depth documentation of a crime scene, including: dimensions, measurements between objects, locations of physical evidence, distances from geographic features, labeling, date & time prepared, name of person preparing the drawing, etc.
 - 3. Crime scene diagrams refer to exact, scale drawings of the scene and usually show every item or object as it appeared.
- C. A supervising officer may direct the investigating officer on which method of documentation will be performed.
- D. Documentation in the prescribed forms should be made in conjunction with photographs and video.

IV. Fingerprint Collection

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- A. Many crime scenes may have the offender's fingerprints available on scene. Officers should think through the events of a crime and determine likely areas where fingerprints may be present at the scene.
- B. Officers will receive basic training in the collection of fingerprint evidence. Advanced training will usually be provided for officers assigned to the detective division.
- C. Areas to be checked for fingerprints should be dusted with the appropriate fingerprint powder and dusting brushes.
- D. Visible fingerprints and/or fingerprints made visible with fingerprint powder should be photographed if possible and then lifted onto the appropriate fingerprint card.
- E. Fingerprint cards should be labeled by case number, date, officer number, item number, and the location where the fingerprint was lifted from, if practical.
- F. If the identity of the offender is known or suspected, elimination fingerprints should be obtained for comparison purposes.
- G. Elimination fingerprints should also be taken from others who may have touched the objects or items, including a property owner, complainant, victim, witness, or police officer.
- H. Elimination fingerprints can be taken digitally on a Livescan machine or on an inked fingerprint card.
- I. All fingerprint evidence, including elimination fingerprints, should be logged into evidence, following the procedures established in this policy. Fingerprint cards will NOT be kept in the case file.
- J. Fingerprint evidence should be stored in manila evidence, dividing inked fingerprints with paper if necessary to prevent bleeding or smudging.
- K. Fingerprints entered into evidence are not automatically sent to the crime lab or through AFIS. This requires an evidence lab submittal form completed by the case officer.
- L. **The crime lab will refuse evidence where elimination prints have not been obtained from all people who had access to the crime scene, including police officers if they have handled the evidence without gloves .**

V. DNA Evidence

- A. Due to advancements in the use and capabilities of DNA evidence, officers should be aware of the possibility of identifying and collecting DNA evidence such as hair, blood, saliva, or other bodily fluids.
- B. Officers must be trained in the proper collection of DNA evidence before attempting DNA collection.
- C. The department maintains trained officers and supplies for collecting DNA evidence.
- D. Officers collecting DNA evidence should use safety precautions to protect from contamination or disease.
- E. DNA evidence will be collected following the prescribed procedures outlined in training and/or by the techniques prescribed by the manufacturer of DNA collection devices.
- F. DNA evidence shall be stored in a secure envelope, baggie or container in a secure location, consistent with the evidence packaging and storage procedures established in this policy.
- G. Collecting DNA evidence from an actual person will require that person's consent or a search warrant.
- H. DNA analysis and comparisons must be performed by an accredited laboratory.

VI. Comparative Evidence

- A. Some evidence is collected that can be compared to its source, such as:
 - 1. Paint chips from a vehicle, building, or object
 - 2. Fabrics from clothing or carpet

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3. Soil from a particular location
 4. Fibers from a variety of items
 5. Hairs from a particular person or animal
 6. Glass from a specific pane
 7. Wood from a specific source
 8. Metal shavings from its original source
 9. Tool marks from a particular tool
 10. A liquid from its original source
- B. When gathering evidence that can be compared to its source, officers should also collect the source or a sample from the source for comparison purposes.
- C. Potential matches should be photographed whenever possible.
- D. Documentation of the evidence and potential source must be made.
- E. Certified comparisons must be made at a designated crime laboratory.
- F. Any evidentiary items to be compared by a crime laboratory must be marked and packaged consistent with this policy and have the laboratory submittal form completed.

V. Computer Seizure

- A. Some cases may involve the seizure of computers and related equipment.
- B. In most cases, the seizure of computers and related equipment will require the owner's consent or a search warrant.
- C. If necessary, an officer can stand by at the location of the items to be seized while a search warrant is obtained.
- D. Since powering a computer or other data storage device either on or off can potentially overwrite significant amounts of data, do not turn on a computer that is already off. Turn off the computer using the method described below only when legally able to seize the computer, unless it is thought or apparent that the computer is actively destroying or deleting files, in which case the computer should be turned off immediately.
- E. Do not put any seized storage devices into the computer for examination.
- F. Do not make any changes to the software or configurations of the computer.
- G. It is preferred that someone with computer knowledge and training handle computers to be seized as evidence.
- H. When powering off a computer, the following method should be used:
1. Do not attempt to close any files, programs, or applications before turning off.
 2. If the computer is powered by a cord, unplug the cord from the computer first, then unplug the cord from the outlet.
 3. Some computers powered by a cord may automatically switch to battery power when the power cord is unplugged from the computer.
 4. If the computer is powered by batteries, remove the batteries.
 5. Do not turn the computer off with the standard power button.
- I. Use care when transporting computers to avoid jarring, tipping, or bumping.
- J. All extraction and analysis of data stored on a device seized as evidence should be performed by persons that have received training in data forensics, and are familiar with legal aspects of seizure for such evidence.
- K. Computers or storage devices to be searched for data evidence will not be connected to the city's main server unless express consent is given by the IT System Administrator.

VI. Processing Evidence

- A. Evidence should always be collected in a manner consistent with this policy.

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- B. Evidence collection may be performed by an investigating officer or detective. Major crime scenes will be processed by a detective or designated evidence technician.
- C. Whoever processes a crime scene or major accident scene must document relevant elements of the processing in the case report, including:
 - a. Date and time of arrival and processing;
 - b. Location of the crime scene;
 - c. Names of those involved;
 - d. Action taken at the scene;
 - e. Documentation and logging of evidence;
 - f. Documentation and logging of photographs taken;
 - g. Compilation of any measurements taken;
 - h. Completion of any sketches, drawings, or diagrams;
- D. Processing evidence usually includes a progression of tasks:
 - 1. Identifying the evidence.
 - 2. Protecting and preserving the evidence.
 - 3. Photographing the evidence.
 - 4. Documenting the evidence on any sketch or drawing.
 - 5. If necessary, measuring the evidence and its distance from other objects.
 - 6. Collecting and packaging the evidence.
- E. Control over evidentiary property and chain of custody must always be maintained.
- F. The case report should indicate who discovered the evidence, who collected the evidence, and who packaged & logged the evidence.
- G. Any transfers of custody of evidentiary property should be noted in the case report, whether it be in the field, at the police station, or transferred to another facility. Once the item has been logged with a property record (PR) number, the RMS record should also document any transfer of custody.

VII. Logging & Packaging Evidence

- A. All items of evidence must be logged into agency records with an evidence voucher before the officer ends his tour of duty, unless under unusual or exceptional circumstances as approved by a supervisor. [ILEAP ADM.16.01(a)]
- B. Evidence receipts should be issued to the owner of any evidentiary property except for illegal contraband.
- C. All evidence will be logged & inventoried using the evidence record system in RMS.
 - 1. Each piece of evidence will be assigned a unique identifying number in RMS, referred to as the Property Record Number (PR number).
 - 2. Items of the same type can be logged and packaged together, with an indication of the quantity on the packaging.
 - 3. All applicable fields in the RMS evidence system must be completed.
 - 4. All defendants shall be listed in the RMS record. This avoids evidence being discarded before all the defendants have gone to trial.
- D. **Evidence Packaging:**
 - 1. Make sure the evidence is properly packaged according to this procedure.

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2. Do not use staples. Due to concerns over bloodborne pathogens, the crime lab will not accept packages that are stapled shut.
3. Use packaging large enough to be able to properly seal the package. This also allows room for lab personnel to open the package, examine the evidence, and reseal it.
4. When packaging small items, use 5x7 manila envelopes, or 8x10 manila envelopes. Do not use envelopes smaller than 5x7 as the final packaging size.
5. Paper bags of various sizes are also available in the evidence intake area. Do not use plastic bags as a final packaging item except for certain volatile substances such as fentanyl.
6. Sturdy cardboard boxes may be used for irregular or oversized items, or to contain a large number of the same type of items.
7. Mark each item with an identifying number (different from the PR number). Examples of approved methods to number individual items of evidence are:

a) D2/1, D2/2, D2/3, etc. (detective's badge number/item number)

b) 45-1, 45-2, 45-3, etc. (officer's badge number/item number)

8. **Properly mark and describe evidence on its packaging so it can be readily identified without the need to open it:**

Example:

Case #: 07-12345

Item #: 45-1

Item: Unloaded S&W 9mm semi-auto handgun s/n 12345

Date: 12-11-07

You may also include where the item was located and the date & time it was located.

Again, make sure evidence is marked so it can be identified without opening it.

9. Properly seal evidence using evidence tape, or any other type of tape that has the word "Evidence" on it. If stronger tape is necessary to seal the package, scotch tape, masking tape, or duct tape may be used, but then place "Evidence" tape over the other tape.
10. Make sure the evidence tape is initialed and write the date that the evidence was sealed on the tape.
11. Properly sealed, packaged, logged property, whether evidentiary or not, will be retained in the secure one-way lockers designated for the storage of evidence in the evidence intake area. [ILEAP ADM.16.02(a)&(b)]
12. The one-way evidence lockers are available for the securement of incoming property 24 hours a day. [ILEAP ADM.16.02(c)]
13. **EVIDENCE WHICH DOES NOT CONFORM TO THESE STANDARDS WILL BE REJECTED BY THE EVIDENCE OFFICER AND RETURNED TO THE OFFICER IN A TEMPORARY LOCKER FOR PROPER PACKAGING.**
[ILEAP ADM.16.01(c)]

- E. All items of property and evidence must be secured under the secure control of the evidence function before the officer ends their tour of duty, unless under unusual or exceptional circumstances as approved by a supervisor. [ILEAP ADM.16.01(a)]
- F. The officer's written report will detail the circumstances by which the property or evidence came into the agency's possession. The property sheet will specifically describe each item of property obtained. [ILEAP ADM.16.01(b)]
- G. **Evidence Procedures for Specific Types of Evidence:**

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1. Firearms: Make doubly certain every retained firearm is unloaded. Every firearm taken into evidence must have an ATF trace run. It should also be submitted to the State Crime Lab for analysis if it is suspected to have been used in the commission of a crime. All retained firearms will be packaged in a box designated for the securement of firearms. Pistol boxes and long gun boxes are available in the evidence intake area. Whenever possible, firearms should be boxed with the firing chamber open with a zip tie placed through the open chamber and secured to the box. All retained firearms will be secured by the Evidence Officers in the designated vault for firearms.
2. Knives: Knives or other bladed weapons should have their blades shielded by a knife sheath, cardboard, or other protective material. All retained bladed weapons will be packaged in a box suitable for the securement of weapons.
3. Currency: Currency should be double-counted for accuracy in the presence of another officer; each officer should count currency twice and observe the other officer when they are counting the currency. Record the number and denomination of bills as well as the overall amount. Bills may be photographed or photocopied for documentation purposes. If taking currency into evidence that is believed to be subject to forfeiture, a seizure form should be completed and forwarded to the State's Attorney.
4. Drugs: Drugs should be field-tested when possible for confirmation of suspected drug type. Drugs should always be handled with latex gloves. Be aware of additional procedures regarding the safe handling of particularly hazardous drugs such as fentanyl. Drugs should be packaged in a sealable clear baggie and then double-packaged with ordinary envelopes or boxes.
5. Valuable Items: Handle particularly valuable items with due care and package in such a way that damage does not occur. For currency and valuable items such as jewelry, two officers shall be present for the inventory and securing of the property. Currency over \$100 in total as well as particularly valuable items will be secured by the Evidence Officers in the designated vault for valuable items. [ILEAP ADM.16.01(d)]
6. Large Items: Large items of evidence can temporarily be placed in the Auxiliary Evidence room located in the Evidence Lab. See a supervisor for access. Otherwise, very large items should go to Area 6. "Large" is anything bigger than a box of copier paper or over 4' tall.
7. Sensitive Items: Particularly sensitive items may require additional packaging, labeling, or security measures. See the Investigations Commander or a designated Evidence Officer for guidance as needed. [ILEAP ADM.16.01(d)]
8. Drying of Blood-Soaked Items:
 - a. Under **no** circumstances should an unsecure area be used for the drying of evidentiary items. The drying machines located in the Evidence Lab will be the **only** place to hang blood-soaked items.
 - b. If you have items that are blood-soaked and need to be dried, contact the Investigations Commander or a designated Evidence Officer to operate the drying machines. Only those individuals with training in the use of the drying machines will be authorized to use them.

H. Items to Be Sent to the Crime Lab:

1. The investigating officer or other designated officer may prepare items to be sent to the crime lab. A supervisor can always be consulted for guidance on whether or not an item should be submitted to the crime lab.
2. If an officer has items to be submitted to the Crime Lab, package and label the evidence consistent with this policy, complete an online electronic lab submittal form, and direct a

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note or e-mail to an Evidence Officer that there are items to go to the lab. Place the items and submittal forms in an evidence lockers.

3. For the submission of blood, urine or other bodily fluids for a DUI kit or sex assault kit, be sure to place the packaging slip inside the kit before sealing it. The lab **requires** that the package be sealed. This needs to be written on the lab submittal form under evidence description for each item submitted.
4. The evidence officer will electronically document the transfer of evidence to the crime lab. The crime lab will provide documentation that they have received the evidence.
5. The crime lab will submit results in the form of an official written report.

I. Items to be Processed for Finger prints by a Detective or Evidence Officer :

1. When an officer has an item(s) to be processed for fingerprints by a detective or evidence officer, the officer shall package the item and submit it into evidence with a note indicating the need for fingerprint processing.
2. Notify the Investigations Commander by note or e-mail indicating the need for processing. Attach a copy of the case report to the note or e-mail along with any pertinent information not contained in the report. If there is a rush to have the item processed, please indicate this. After the item has been processed, the detective that processed it will leave a copy of the findings with the officer that requested the processing. The officer submitting the evidence for processing will then determine if it is to be retained in evidence, destroyed, or returned to the owner.
3. If an officer would like to process their own evidence but feel that guidance is needed, contact a supervisor or evidence officer for assistance.

V. Evidence Storage

- A. Officers will secure incoming evidentiary and non-evidentiary property in the one-way lockers located in the evidence intake area. Access to the evidence storage area is limited to authorized police personnel. Access is controlled through the building's electronic lock system which requires an ID or fob with the approved credentials. [ILEAP ADM.16.02(c)]
- B. All evidentiary and non-evidentiary property will be stored in designated secure areas within the evidence area, with access limited to authorized personnel as described above. [ILEAP ADM.16.02(a) & (b)]
- C. Documented, escorted entry into the property and evidence storage areas will be made for persons not routinely associated with the property and evidence function. [ILEAP ADM.16.02(e)]
- D. The department maintains secure storage at Area 6 for large items such as vehicles, bicycles, furniture, etc. Access to the garage bay at Area 6 is limited to authorized police personnel. Within the garage bay is a locked cage area for long-term storage; this area is accessible only to designated Evidence Officers and the Investigations Commander.
- E. Evidence rooms located at the police department are accessed only by designated Evidence Officers and Support Division Commanders. [ILEAP ADM.16.02(d)]
- E. Retrieving evidence from storage: After evidence has been securely stored, an officer needing to retrieve evidence for court or other official purposes should contact a designated Evidence Officer for such temporary removal. Assistance can also be provided if necessary by the Investigations or Support Division Commander. Unless transfer is made in person, the temporary evidence lockers shall be used, utilizing a unique access code assigned by the Evidence Officer and provided only to the requesting officer. Chain of custody shall be documented in RMS, and evidence shall be promptly returned to an evidence locker for re-filing. [ILEAP ADM.16.02(g)]
- F. If an employee wishes to utilize seized or forfeited evidence such as controlled substances, weapons, or explosives for training or research purposes, permission must be obtained from the

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Chief utilizing the chain of command. A written memorandum will document what evidence is being used, for what purpose, and who will maintain security over the items. Dates of removal and return to evidence storage will be included.

VI. Records, Inventory, and Audits

- A. The department will maintain records of all property stored in evidence. The records system will document the location of the property; date and time when the property was received or released; character, type, and amount of property; and chain of custody from the time the property was stored until its destruction or other final disposition. [ILEAP ADM.16.02(f)]
- B. The Investigations or Support Commander or his designee will conduct a quarterly inspection to determine adherence to procedures used for the control of evidentiary property. [ILEAP ADM.16.03(a)]
- C. An inventory of property occurs whenever a primary Evidence Officer is assigned to and/or transferred from the position and is conducted jointly by the newly designated Evidence Officer and a designee of the Chief to ensure that records are correct and properly documented. [ILEAP ADM.16.03(b)]
- D. An annual audit of property and evidence held by the agency is conducted by a supervisor not routinely or directly connected with control of property and evidence. [ILEAP ADM.16.03(c)]
- E. Unannounced inspections of property storage areas are conducted, as directed by the Chief, at least twice per year. [ILEAP ADM.16.03(d)]

VII. Disposition of Evidence :

- A. After the statute of limitations has expired on a case where charges have not been filed, or for a case that has been adjudicated or otherwise disposed of, a designated Evidence Officer will securely dispose of such evidence or arrange for its return to the owner. Any property disposal or return will be documented in RMS and/or requisite report. [ILEAP ADM.16.02(h)]
- B. Final disposition of found, recovered, and evidentiary property will be accomplished within six months after legal requirements have been satisfied and in accordance with the Illinois Compiled Statutes. [ILEAP ADM.16.04]
- C. All property acquired through the civil process function or asset forfeiture property or proceeds are accounted for in agency records and are disposed of or allocated for use by the agency in accordance to legal authority.

Questions about evidence procedures should be directed to an Evidence Officer or a Commander.

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.