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Effective Date: July 1997	Revision Date: June 2012
Amends/Supercedes: 900.220/July 2007	Approved by: Chief Kevin Higdon
Meets Accreditation Standard:	Chapter 27

Section 1000.160 Property Room Procedures

Policy

The Policies and procedures set forth in this section pertain to the proper collection, identification, preservation, documentation and transfer of evidence or property obtained by members of the Shively Police Department.

Any real property or evidence obtained as a result of an arrest, investigation or any other circumstance that results in police action, on or off duty, shall be properly dispensed within this policy to ensure adequate processing and handling of chain of custody issues.

Time Limitations on Placement of Items into Property Room

All evidence or property seized in the course of official duties by a member of the Shively Police Department shall be placed into the property room before the end of the officers' tour of duty, except as follows:

- Officer releases the evidence/property to the rightful owner.
- Officer obtains permission from his/her commanding officer to retain custody of the items as long as there is just cause to do so.
- Officer transfers custody of items to another authorized agency for just cause.

Completion of Proper Forms

Officers placing evidence or property into the Property Room shall complete:

- Evidence/Property Tracking Envelope or sheet as completely as possible.

Officers placing evidence into the Property Room that requires laboratory testing shall:

- Complete Kentucky State Police Laboratory Examination Request.
- Attach a copy of the Evidence/Property Tracking envelope or sheet.
- Place request in the mailbox by the Property Room.

Listing Evidence on Reports

When evidence has been collected and logged, any related offense or collision reports should include a list of items that were placed into property. It is the responsibility of the depositing officer to maintain property receipts in the case file.

Packaging of Evidence/Property

Officers shall package and seal all evidence/property in appropriate envelope(s) or attach an evidence tag to the evidence/property if the item is too large for an envelope. Prior to sealing the envelope a second party shall verify the contents of the envelope. The officer should then seal the envelope and place his/her initials on the seal.

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The following are guidelines for the way most items are to be packaged:

- Currency or securities shall be packaged separately.
- Jewelry shall be packaged separately.
- Suspected drugs shall be packaged separately; Suspected substances such as cocaine or marijuana shall be weighed. Weight shall be listed on the tracking form and envelope.
- Handguns shall be packaged separately.
- Long guns shall be packaged separately.
- Long items shall be packaged separately.
- Evidence requiring lab testing shall be packaged separately.
- Biohazard evidence shall be packaged separately from other items in a paper bag and labeled BIO HAZARD.
- Sharp objects shall be packaged so as to protect from accidental injury.
- Sexual Assault kits shall be packaged separately and have the case number written on the end of the kit.
- Any precautions (bio hazard, sharps, etc.) shall be clearly marked on the tracking form and envelope or tag.
- Photographs/Film shall be packaged separately.

Depositing of Evidence/Property

Evidence/Property shall be deposited into the Evidence/Property drop box, after all required forms have been completed, except as follows;

- Bicycles, mopeds, lawnmowers and etc. are to be chained to the bicycle rack by using the chain and lock provided. The key for the lock can be obtained in the designated area.
- Evidence/Property to large or too heavy, that may cause damage to items already stored in drop box shall be secured in a wall locker next to the drop box and secured with padlock.
- Evidence/Property too large for a wall locker will go into the interview room and the Property Officer will be notified.

Hazardous Materials as Evidence/Property

When it becomes necessary to seize hazardous materials as evidence or property, officers will proceed with due regard to the potential hazards posed by these material.

- The Shively Fire Department shall be notified upon the discovery of hazardous

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materials to provide instruction or recommendation on the collection, handling and storage of hazardous materials.

- **CHEMTREC** can be contacted at **1 (800) 424-9300** for assistance on the identification and handling instructions for hazardous materials.

Storage of Evidence/Property

Evidence/Property deposited for storage shall be removed from the drop box, wall lockers, temporary bicycle rack and or telecommunications office by the Evidence/Property Control Officer(s) and:

- Narcotics will be locked in the narcotics safe located in the property cell.
- Handguns will be locked in the gun safe located in the property cell.
- Currency/Securities will be locked in the top drawer of the gun safe in the property cell.
- Large items will be stored in the property room or other designated location.
- Major case evidence shall be stored in the property cell.
- Bicycles, Mopeds, lawnmowers, etc. will be stored on the bicycle rack.
- Evidence/Property not covered by above (1-6) will be stored in the property room or other designated storage area by month/year.

Tracking Data

The information on the Evidence/Property Tracking Form information shall be entered into a log or database system and labeled. A receipt will be issued to the depositing officer.

Removal of Evidence/Property

Below are situational guidelines for removing evidence or property from the property room. In any manner proper documentation of the chain of custody must be applied.

- Evidence may be removed by the control officer for transportation to the Kentucky State Police Laboratory for examination if a request has been properly completed.
- Evidence may be removed by the control officer for transportation to authorized agencies for examination or analysis.
- Evidence may be removed by the control officer and signed out to an authorized officer for required court room presentation or further investigative purposes.
- Evidence/Property may be removed for the purposes of depositing US Currency into approved bank accounts.

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Release of Evidence/Property

It shall be the responsibility of the originating officer to make a good faith attempt to contact the owner of evidence/property seized and if applicable to release evidence or property to the rightful owner in lieu of depositing the item(s) into the property room.

It shall be the responsibility of the Disposal Officer to notify the Evidence/Property Control Officer when evidence is no longer needed and by what means it is to be released.

Any court orders for the seizure, release or destruction of evidence or property will be listed in the database.

Disposal of Evidence/Property

Property that is no longer needed by the Shively Police Department and/or the agency for which the items are being held and is not subject to any court orders shall be disposed of as follows:

- The Kentucky State Police will destroy/auction off firearms or weapons per court order.
- Unclaimed Evidence/Property, with the exception of weapons and narcotics may be disposed of in the following manner only after it has been retained for more than 90 days and reasonable efforts have been made to ascertain the name of any true or lawful claimants (pursuant to KRS 67.597(4):
 - Remove items from envelopes or tags and shred envelopes or tags, and then deposit evidence or property into garbage receptacle.
 - Sell items at a public auction per court order with proceeds going to the Shively Police Department.
 - Make special arrangements for the proper disposal of hazardous material (biohazard, etc.)

Security

All Evidence/Property in the custody of the Shively Police Department shall be stored in a secured area with access limited by key and/or combination locks. Only persons authorized by the Chief of Police, as Evidence/Property Control Officers shall have access to the keys and or combinations.

Syringes and other "Sharps" Items

The Kentucky State Police Forensic Laboratory will **NOT** process syringes or their contents due to the risk of accidental punctures and potential exposure to blood borne pathogens. Therefore the following guidelines should be adhered to:

- Syringes should only be deposited as evidence when needed for a criminal investigation and/or criminal proceedings.

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- Syringes that are found property should be properly disposed of at an authorized medical waste facility or service. The sharps should not be turned in as found property.
- Extreme caution should be used when dealing with syringes and any sharp objects. Use appropriate barrier device.
- Syringes and any sharp object should be packaged in a protective container before being deposited as evidence.

Inventories and Audits

At the discretion of the Chief of Police, personnel other than the Evidence and Property Control Officers shall take an inventory and audit of the Evidence and Property Control Division. During the inventories and audits, property control officers shall be present to witness the process in order to maintain proper chain of custody and security.

- At least once a year a complete audit and inventory shall be conducted.
- Following any audit a report shall be filed with the results of the audit sent to the Chief of Police.

Appointment of Evidence and Property Control Officer(s)

The Chief of Police shall appoint an officer (or officers) to assume the responsibilities of the Evidence and Property Control Division. The Evidence and Property Control Officer shall have complete control over matters concerning evidence and property and furthermore shall report directly to the Chief of Police.

Reference Statutes

Refer to KRS 67.592, KRS 67.594, KRS 95.435 and KRS 95.845.