

COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

Subject: EVIDENCE AND PROPERTY CONTROL

Date of Issue: 02-08-2003

Number of Pages: 9

Policy No. I065

Review Date: 06-01-2007

Distribution: Departmental

Revision Date: 12-05-2022

I. Purpose

To establish standardized procedures for receiving, processing, storing, releasing, and disposing of property or other items of physical evidence acquired by members of this department.

II. Statement of Policy

It shall be the policy of the Covington Police Department to process, store, maintain, account for, and dispose of all property seized, found or possessed by department personnel.

III. Definitions

ALTERNATE EVIDENCE CUSTODIAN – A member of the department assigned to act in the capacity of the primary Evidence Custodian during temporary absences of the primary Evidence Custodian.

CHAIN OF CUSTODY – A chronological written record of those individuals who have had custody of the evidence from its initial acquisition until its final disposition.

EVIDENCE – Anything that tends to assist in ascertaining the truth of a matter or furnishes proof of a fact. Normally, evidence is classified as either physical or testimonial. Procedures for testimonial evidence will not be covered in this SOP.

EVIDENCE LEDGER – A bound ledger, record type book, or computer program maintained by the Evidence Custodian to provide double accountability control, through cross-reference with the evidence voucher.

FOUND PROPERTY – Any item, not considered physical evidence, acquired by members of the Covington Police Department which appears to have been lost/misplaced, or for which ownership cannot be established.

PRIMARY EVIDENCE CUSTODIAN – A member of the department assigned the primary responsibility for the property and evidence room and the individual accountable for control of all property accepted or stored in the evidence room.

PROPERTY RECEIPT – The form used by members of this department to record the acquisition of property or other items considered evidence during the course of their official duties.

IV. Responsibility

The Chief of Police shall designate a primary and alternate Evidence Custodian for the management of all evidence functions. The Evidence Custodians shall have sole authority for the maintenance of property and evidence records and shall be accountable for the control of all property stored in the property/evidence room.

V. Evidence Room

A. The police department shall maintain a secure evidence room for the purpose of storing all evidence recovered or any property that is found or held by the department. This department will maintain the highest level of security for handling exceptional, valuable, and/or sensitive items by keeping these items in extra secured areas within the evidence room. The cardkey entry door will always be closed. The alarm system will be armed when the evidence room is closed. All internal evidence room doors will be locked at the end of the workday. Keys to the evidence room will be locked in the secure key box and will only be accessible by the Evidence Custodians. Access to the evidence room will be limited only to the Evidence Custodians.

B. In the absence of the Primary Evidence Custodian (i.e., vacation, extended sick leave, training, etc.), the Alternate Evidence Custodian shall be responsible. In the event of unusually large or special security, the shift supervisor may request the Evidence Custodian be called in to assist in securing of evidence or property.

C. Inspections, Inventory and Audits

To maintain a high degree of evidentiary integrity, the following documented inspections, inventory, and audits shall be completed:

1. A semi-annual inspection of the Evidence Room will be conducted by the CID Captain or his designee. Such inspection will be to:
 - a. Determine that Evidence Room is maintained in a clean and orderly fashion.
 - b. Ensure that policies and procedures concerning evidence/property are being followed.
 - c. Ensure that property/evidence is protected from damage or deterioration.
 - d. Ensure that accountability procedures are being maintained.
 - e. Ensure that property with no evidentiary value is being disposed of promptly.

Semi-annual inspection reports shall be maintained by the CID Captain and copied to the Accreditation Manager.

2. Unannounced inspections of the Evidence Room and records will be conducted as directed by the Chief of Police. Such inspection will

include a random inspection of records with physical property. Unannounced inspection reports shall be maintained by the Chief with copies forwarded to the CID Captain, Evidence Custodian and Accreditation Manager.

3. Inventory

- a. An annual audit of property held by the police department will be conducted by a ranking supervisory officer appointed by the Chief of Police not directly associated with the evidence function. A report of the audit will be forwarded to the Chief of Police and copied to the Accreditation Manager.
- b. An inventory of property held in the Evidence Room will be conducted whenever a new Evidence Custodian is appointed. The inventory will be conducted jointly by the in-coming and out-going custodians to ensure that records are correct and properly annotated.
- c. If any items of evidence are found to be missing, the Chief of Police shall initiate a written action plan to correct the deficiency.

VI. Rules and Regulations

A. General

1. All property that is seized as either evidence, personal, or found property shall be transferred to the control of the Evidence Custodian. Officers shall enter all property and evidence into the Evidence Room as soon as possible; however, all property and evidence must be entered before the end of the officer's tour of duty.
2. Each item collected on property receipts will be entered in the property involvement table of the Spillman report, before the end of the officer's tour of duty. The Spillman report will detail the circumstances of why the property was collected.
3. All weapons, evidence, or non-evidence shall be released to the control of the Evidence Custodian.
4. If personal property (i.e., money, wallet and contents, jewelry, etc.) is taken from an arrestee, police personnel shall place the property into an envelope or bag. Any money must be counted, and a property receipt will be completed.
5. All property removed from a vehicle shall be released to the control of the Evidence Custodian and so noted in the officer's report.
6. Any controlled substances or weapons used for investigative, or training purposes must be handled according to the guidelines set forth in this policy to ensure the security and integrity of such materials. Controlled substances used for K-9 training are discussed in [SOP P221](#), Section V.E.
7. Any time computers or computer equipment are seized as evidence of a crime or for the further investigation of a crime, due care should be taken

to ensure the safe transport and storage of such computer equipment. If CID personnel have reason to believe that information contained within the computer or on a disk or other storage media may be difficult to retrieve or is beyond their expertise, no attempt should be made to retrieve it. Investigators may request assistance from the GBI. All computer equipment and storage media shall be properly tagged and turned over to the Evidence Custodian. Also see [I060- Crime Scene Processing.doc](#)

B. Evidence to Court

1. Evidence required in court will be released to the officer presenting the evidence.
2. The evidence will be returned to the Evidence Custodian immediately after all legal requirements have been satisfied.
3. When returned, the evidence will be resubmitted in the original packages with the property receipt attached. In the event the court retains the evidence, the presenting officer will notify the Evidence Custodian so that the records may be cleared, and the receipt so noted.
4. The chain of custody will be signed by the officer accepting control of the evidence and by the Evidence Custodian when receiving the evidence upon its return.

VII. Property Receipt

A. The CPD Receipt for Property is to be completed by the officer taking official custody of any evidence. It may be completed in the officer's legible handwriting or printing, or the receipt may be typed. The case number will be entered in the upper margin.

1. The receipt is to be completed by the officer taking official custody of physical evidence at the location where he finds, seizes, receives, or otherwise comes into physical possession of the physical evidence.
2. The name of the person from whom the evidence was received will be entered on the receipt in the space provided. The officer should indicate, with an "x" in the appropriate box, whether the person was the owner of the item(s) or was other than the owner. If items were not obtained from a person to claim or exercise custody, the word "none" will be entered in the space provided for the "Name of Person from Whom Property Was Obtained" and marks will be made in either of the two boxes.
3. The address of the person from whom evidence is obtained is to be entered on the receipt in the space provided. If no name is shown, the address space may be left blank.
4. The location where the officer assumed custody of the evidence is to be entered in the space provided.
5. Enter the date and time the evidence is obtained in the spaces provided.

6. When evidence is collected from one person, place or at the same time, all items should be listed on the same property receipt, bagged and kept together, whenever possible.
7. Drugs must be bagged inside two clear bags at least 8x10 on outside bag to meet State Crime Lab requirements.
8. Each separate item of evidence listed on a property receipt will be numbered consecutively (beginning with number one) in the space provided. The number of pieces of each item obtained will appear in the quantity column. The description of Property section will be completed in sufficient details to enable easy and certain identification of the item(s) described. Examples of entries follow:

Item No.	Quantity	Description of Property
1	14	Cartridges; .38 caliber, brass casings; wadcutters' W-W SPEC." on base of each cartridge, each marked: CLM 6-1-79
2	1	Rings; ladies; gold-color metal; plain band, tiffany-type setting, green stone in setting surrounded by eight smaller white stones; JMB engraved inside band
3	10	U.S. Federal Reserve Notes; \$10.00 denominations; serial numbers F090237993B consecutively through F00900ww238802B; each marked: CLM 6-1-79
4	1	Revolver; S&W; "Air weight" .38 Caliber; unloaded; serial number 23j446; marked on wooden grips: CLM 6-1-79
///LAST ENTRY///		

9. The officer assuming custody of the physical evidence listed on the receipt will enter his signature and badge number in the spaces provided.
10. The pink copy of the receipt will be given to the individual from whom the evidence is obtained. If no person is present at the location where the evidence is obtained and the location is indoors, the pink copy of the receipt will be left at the location by the officer. If the location where physical evidence is obtained is outdoors and no on-the-scene owner of the evidence can be identified, the officer will retain the pink copy of the receipt in the case file. For example: a plaster cast is made of a tire track near a murder scene, a rifle found hidden in a wooded area, burglar tools found in a dumpster behind an apartment house, unclaimed marijuana found growing in an open field.
11. When making returns of search warrants, photocopies or the pink copy of the receipts can serve as inventories of seized property.

- B. Establishing the chain of custody record is initially the responsibility of the officer who signed the receipt. As changes in custody occur, each new custodian assumes responsibility for the maintenance of the chain of custody when he/she assumes custody of the evidence listed and described on the receipt.
- C. The white copy of the property receipt is to remain with the evidence. The yellow copy of the property receipt may be maintained in the case file or turned in with the incident report.

VIII. Property Control

A. General

It is the responsibility of the arresting or reporting officer to properly package and tag all property and/or evidence with a property receipt and to establish the chain of custody record before transferring the property to the control of the Evidence Custodian. The arresting or reporting officer will ensure the following steps have been taken prior to releasing the property to the Evidence Custodian.

1. Evidence and non-evidence property will not be mixed in the same property bags. All bags containing evidence or property shall have a property receipt attached, before releasing to the Evidence Custodian.
2. A separate property receipt must be attached to any property/evidence, which is too large to be put in a property bag.
3. Officers submitting evidence will prepare a report in Spillman detailing the circumstances by which the property came into their possession and describe each item of property in the report.
4. Supervisory officers are responsible for maintaining an adequate supply of property receipts and shall make them available to all personnel under their command.
5. It shall be the responsibility of the officer or investigator placing property into evidence to release the property from evidence after the disposal of the case in court or the property is no longer necessary to the prosecution of the case. Officers confiscating property have the responsibility of notifying the person of record when said property is released from evidence if that person is legally entitled to receive such property.
6. Officers receiving found property will make every attempt to identify the rightful owner and notify them that the property is being held for safekeeping.
9. Unclaimed property will be disposed of after ninety (90) days.

B. Storing of Evidence

After property or evidence is properly tagged with a property receipt, the officer will secure the item in the appropriate metal lockboxes. The Evidence Custodian will routinely transfer evidence from the lockboxes to the Evidence Room.

IX. Duties of Evidence Custodian

- A. The Evidence Custodian will receive, barcode, store and release evidence and other property in a timely, efficient, and accountable manner, avoiding any unnecessary delay in receiving and releasing property.
- B. The Evidence Custodian will follow established procedures, which minimizes loss, theft or destruction of property or any other actions that might lead to loss of evidentiary value of the property.
- C. All procedures will be followed to maintain a proper chain of custody and to document the transfer of property to the point of release from police control.
- D. Every legal effort will be made by the Evidence Custodian to prevent the unnecessary accumulation of property in the Evidence Room.
- E. Receiving of Property
 - 1. General. Evidence and property will be received by the Evidence Custodian only after items have been recorded on the property receipt and each item listed has been properly packaged.
 - 2. Weapons. Weapons will be received as indicated above; however, all firearms will be unloaded with the ammunition packaged and properly marked.
 - 3. Drugs. Drugs will be transferred to the control of the Evidence Custodian along with a properly executed property receipt.
- F. Recording and Storing

Upon the receipt of evidence or property, the Evidence Custodian will date and initial the property receipt and log the items into the Evidence/Property Records Management System. A barcode label will be attached to the property or the property container and the property receipt.

X. State Crime Lab

The property receipt will accompany any item of evidence/property taken by the Evidence Custodian to the State Crime Lab. The property receipt will be stamped at the Crime Lab and then be returned to the police department files. Transfer will also be noted in the Evidence/Property Records Management System.

XI. Evidence and Property Room Procedures

- A. The Evidence Custodian will date and sign the property receipt attached to the evidence or property.
- B. All evidence will be logged into the Evidence/Property Records Management System, to include the date, report number, officer's name, evidence number, date and time of receipt, and description of evidence/property.
- C. Upon placement of the evidence or property in the Evidence Room, the file number is recorded in the Evidence/Property Records Management System.
- D. Any item of evidence taken to the Crime Lab will be accompanied by the property receipt along with a Crime Lab Submission Form. The receipt will be stamped at the Crime Lab. The receipt will then be returned to the police department's files.

- E. Narcotics and dangerous drug evidence (capsules, pills, etc.) shall be counted. Additionally, all containers of narcotics and dangerous drugs shall be inspected for tampering to safeguard against the substitution of material having the same weight. Officers should use rubber gloves for personal protection.

XII. Disposition of Property and Evidence

A. Release from Evidence Status to Property

The impounding officer will release evidence to property status as soon as possible after the case has been tried. When the evidence is released by the impounding officer, it is that officer's responsibility to notify the owner that they have thirty (30) days to claim the property. All officers shall notify property owners that they may reclaim released property between the hours of 9:00 am and 4:30 PM, Monday–Friday.

B. Court Order

Evidence will be disposed of by court order from a court of competent jurisdiction. Destruction of contraband will also be carried out after receipt of a signed court order.

C. Public Sale

Unclaimed property may be sold in accordance with applicable statutes.

D. By Conversion to City Use

Conversion to use by the City of Covington will be by an order of the court.

E. By Return to Rightful Owner

Property may be released to the person in whose name the property is listed upon proper identification of the legal designee. Found property may or may not be released to the finder, dependent upon the circumstances of the case and nature of property found. In all cases of found property, the department reserves the right to secure legal determination before releasing property. Criminal history will be obtained before returning a firearm to an owner.

F. Found or unclaimed property may be released to the Salvation Army, Goodwill Industries or other nonprofit organization.

G. Every effort will be made to dispose of all found, recovered and evidentiary property within six months after all legal requirements have been met.

XIII. Department Property and Equipment

All equipment must be clean, in good working order, and conform to department specifications. Equipment maintained in storage must be maintained in a state of operational readiness. Employees are responsible for the proper care of department property assigned to them. Damaged or lost property may subject the responsible individual to reimburse charges and appropriate disciplinary action.

A. Damaged – Inoperative Property or Equipment

Members and employees shall immediately report to their commanding officer any loss of, or damage to, department property assigned to or used by them. The immediate supervisor will be notified of any defects or hazardous conditions existing in any department equipment or property.

B. Care of Department Buildings

Members or employees shall not mar, mark, or deface any surface in any department building. No material shall be affixed in any way to any departmental equipment without specific consent from a commanding officer.

C. Notices

Members and employees shall not mark, alter, or deface any posted notice of the department. Notices or announcements shall be posted on bulletin board without permission of commanding officer. No notices of a derogatory nature will be posted at any time.

D. Policy Manuals

All members and employees that are issued CPD policy manuals, are responsible for their maintenance, and will make appropriate changes or inserts as they arise. Every employee will be provided with a CD of the policy manual. Policies and procedures will also be available to each employee on the "S" drive of the server.

E. Surrender of Department Property

Members and employees are required to surrender all department property in their possession upon separation from the service. Failure to return non-expendable items may cause the person to reimburse the department for the fair market value of the article(s).

This SOP supersedes any SOP previously issued.

BY ORDER OF THE CHIEF OF POLICE:

Stacey L. Cotton

Stacey L. Cotton
Chief of Police