

## **Cobb County Police Department**

### **Policy 3.12**

#### **PROPERTY/EVIDENCE DOCUMENTATION AND STORAGE**

<b>Effective Date:</b> March 2, 2023	<b>Issued By:</b> Chief E.S. VanHoozer
<b>Rescinds:</b> Policy 3.12 (October 1, 2019)	<b>Page 1 of 5</b>
The words “he, his, him,” which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.	

The purpose of this policy is to inform employees of the documentation and storage requirements whenever property comes into the possession of the Department.

#### **I. DOCUMENTATION**

The following reports will be completed whenever property is taken or received by Department personnel:

##### **A. Incident Report**

An incident report will detail the circumstances by which property has come into the Department’s possession.

##### **B. Shared Archive for Evidence (SAFE)**

Items documented in SAFE will contain the following information:

##### **1. Case Information**

The incident number, offense type, case officer, offense location, and offense date and time should be entered when adding a new case into SAFE.

When adding a person, their full name, race, sex, address, phone number, and name type (suspect, victim, owner, possessor, etc.) should be entered. Owner information, if known, should be listed for all property types to expedite the return of property to the rightful owner.

When adding an item, the incident number, item category, recovering officer, recovery date and time, recovery location, owner, and storage location should be entered. Certain items, such as firearms, will have additional required fields that must also be filled out.

##### **2. Classifications**

Each item will be classified in one of six ways.

a. Evidence

Property classified as evidence is an item which can be used in court to prove or support the charge of a criminal act.

b. Hold for 90 Days Only

Ninety-Day hold property is an item that has the potential of becoming evidence or recovered stolen property. If it is determined during the 90-day period that the property can be used for evidence in the prosecution of a crime, the Property and Evidence Unit must be contacted via a task in SAFE and a request made to change the status of the property to evidence; or the property will be released to the listed owner or disposed of.

c. Safekeeping

Safekeeping is property with a known owner, where the property has been accepted by an officer to ensure its protection or protect the owner or others from harm due to the situation. The owner's information must be listed in SAFE or the property will not be processed by the Property/Evidence Unit.

d. Found Property

Found property consists of items of monetary value, other than contraband or evidence, found by an employee of the Department, or turned over to an employee by a citizen. If the owner is known, their information should be listed.

e. Send to Crime Lab

Property which is evidence in a criminal charge and needs to be scientifically tested or analyzed should be marked with this designation. Items needing testing or analysis should be submitted to the Georgia Bureau of Investigation (or other accredited) crime lab in accordance with the accepted delivery procedures set forth by the receiving crime lab. Normally, the Property and Evidence Unit will be responsible for the delivery and pick-up of crime lab items.

f. Destroy

Items of contraband that were seized, where no criminal charges have been filed, can be sent to the Property and Evidence Unit for destruction.

**3. Chain of Custody**

The Chain of Custody must be completed anytime property is checked in, checked out, transferred, moved, or disposed of.

- a. If property or evidence is placed into a temporary storage locker the item(s) must be checked into a locker in SAFE.
- b. If property or evidence is moved to a detective hold locker the item must be moved in SAFE. Each time an item is checked out from and checked into a detective hold locker it must be tracked in SAFE.
- c. If property or evidence in the possession of the Property and Evidence Unit is to be checked out for investigative/laboratory examination, court proceedings, etc., the item(s) must be checked out in SAFE.
- d. If Department personnel transfer property or evidence to another person or court, the item(s) must be transferred in SAFE.
- e. When an item is released or returned to the Property and Evidence Unit, the item must be tracked accordingly in SAFE.

If proper procedures in the collection, packaging, and/or documentation have not been followed, the evidence technician will notify the employee by creating a task in SAFE. Officers will respond to inquiries from the Property and Evidence Unit within four (4) days from receipt of the task. If no response is received, a reminder will be sent to the officer. If no response is received to the reminder within three (3) days, a "Failure to Respond" notice will be sent to the officer's Precinct/Unit Commander. The collecting employee is required to report to the Property and Evidence Unit before the end of the employee's tour of duty to make any correction(s) needed.

At no time will an employee sign into SAFE using another officers' credentials.

**II. STORAGE OF PROPERTY AND EVIDENCE**

All property and evidence collected during an officer's shift will either be placed in a temporary storage locker or placed in the custody and/or control of the Property and Evidence Unit, prior to the end of the officer's shift. The only exception to this shall be on major crimes (e.g. – a homicide) where the crime scene technician is required to process many items. These items shall be placed in secure storage until the necessary documentation can be completed and items turned over to the Property and Evidence Unit.

- A.** All property and evidence to be stored at the precinct must be viewed and approved by a supervisor prior to storing.

- B.** The officer may place property and evidence into a temporary storage locker. Each locker will hold only one case.
- C.** The chain of custody shall be completed in SAFE showing the item has been submitted to a locker for temporary storage or turned over to the Property and Evidence Unit.
- D.** No property and evidence will remain in the temporary storage locker after scheduled pick-up unless approved by the Property and Evidence Unit Commander.

### **III. “DETECTIVE HOLD” LOCKERS**

Each precinct has lockers designated as “Detective Hold” lockers. All property and evidence being held for follow-up investigation at any Precinct/Unit must be secured in “Detective Hold” lockers and will not be secured in individual work areas or desks. Each “Detective Hold” locker will hold only one case. “Detective Hold” locker keys shall not be duplicated and will be maintained by the respective Investigative Unit Commander.

- A.** Items for “Detective Hold” should be clearly marked requesting the item(s) be placed in a “Detective Hold” locker. A note may be placed with the item inside the temporary storage locker or attach a “Place in Detective Hold” magnet on the front of the locker door. Property and Evidence Unit personnel will move the item(s) into the “Detective Hold” locker and the chain of custody will be updated in SAFE.
- B.** Detective supervisors have an access key for each of the three “Detective Hold” lockers and will be responsible for ensuring the chain of custody of items is updated in SAFE by the assigned detective. In the event property or evidence is returned to “Detective Hold”, the chain of custody will be updated in SAFE to reflect the movement of the item. Upon completion of processing or review, the “Detective Hold” property or evidence should be placed in a temporary storage locker for pickup by Property and Evidence Technicians and the chain of custody updated to reflect the movement.
- C.** No property and evidence will be held in a “Detective Hold” locker for more than 10 days without the approval of the Property and Evidence Unit Commander.

### **IV. INSPECTIONS AND INVENTORIES**

Inspections and inventories of the Property and Evidence Unit shall be conducted to ensure the continuity and integrity of the Unit, not to require an accounting for every item of property. All discrepancies, as well as other results of the inspections, shall be recorded and submitted to the Chief of Police and the Records Unit Commander. Inspections shall be conducted as follows:

- A.** The Commander of the Property and Evidence Unit, or their designee, shall conduct semi-annual inspections to ensure the following requirements are being met:
  - 1.** The property room is being maintained in a clean and orderly fashion.

2. The integrity of the property is being maintained.
3. Provisions of Department orders or directives concerning property and evidence management system are being followed.
4. Property is being protected from damage or deterioration.
5. Proper accountability procedures are being maintained.
6. Evidence which is no longer of value to a criminal case, or property which has met the maximum storage requirements, is being disposed of properly.

**B.** An audit of property shall be conducted whenever there is a change of assignment involving the evidence custodian. When such change occurs, the new evidence custodian, along with a designee of the Chief of Police, will:

1. Account for a selection of high-risk items (i.e. – cash, precious metals, jewelry, firearms, and drugs);
2. Account for a sufficient number of other evidence and non-agency property; and
3. Ensure that records are correct and properly annotated.

A two-tailed random sampling method should be applied; tracing evidence from the item to the records, and accounting for items listed in records. If the sampling reveals a discrepancy rate greater than 4%, a 100% inventory must be completed on all high-risk items, and additional sampling of items in general storage to the satisfaction of the Chief of Police, to re-establish the accuracy of all records.

**C.** An annual audit of property will be conducted by a person not routinely or directly connected with the functions of the Property and Evidence Unit. The audit will consist of a significant representative sample of property, including high risk items.

**D.** Unannounced inspections of the Property and Evidence Unit storage areas shall be conducted as directed by the Chief of Police, at least once a year.