

CITY OF ANDERSON POLICE DEPARTMENT

Anderson, South Carolina

DIRECTIVE TYPE General Order	EFFECTIVE DATE May 2, 2008	NUMBER 2506
SUBJECT Procedures for Submitting Evidence to a Forensics Laboratory		
REFERENCE SCLEA 25.3.1 & Series 2600	AMENDS/SUPERSEDES All Others	
DISTRIBUTION All Personnel	RE-EVALUATION DATE Annual	NO. PAGES 9

A. PURPOSE

The purpose of this general order is to establish uniform guidelines for submitting evidence to a forensic laboratory.

B. POLICY

The submission of perishable and non-perishable evidence to a forensic laboratory will be prepared in a uniform manner that is safe and consistent with the requirements of the receiving laboratory. Items which may be submitted to a forensics laboratory include but are not limited to fresh blood, blood-stained objects, other physiological stains, tissue which potentially contain physiological stains, biological materials, large and/or bulky items, firearms, drugs, and other items of evidentiary value. The Chain of custody will be carefully maintained. Verbal reports from the laboratory may be accepted, but must be followed up by a written report.

C. PROCEDURE

1. Submission of Evidence to SLED or other Forensic Lab 25.3.1 (CALEA 83.3.2)
 - a. The case officer is responsible for requesting the evidence be submitted to a forensics lab and is responsible for completing and submitting the paperwork that the lab requires. (SCLEA 25.3.1, B-1) (CALEA 85.3.2)
 - b. The type of packaging required for specific types of evidence is determined by the specific lab.
 - c. Evidence sheet or chain of custody forms must be signed and kept up with as well as the lab request forms. Receipts for all transfers of evidence must also be

maintained. The Evidence Custodian gets copies. For more information on this subject please refer to series 2600. (SCLEA 25.3.1, B-3 and 4) (CALEA 83.3.2)

- d. The lab is to be notified in writing on the request form that the case officer is to be notified of all results.
- e. Some forensic lab processing may require a written request letter, request form, copy of the incident report and/or evidence sheets.

- (1) On the written request specify what processes are being requested.

- (a) DNA, fingerprinting, GSR, etc.

2. Methods for Packaging and Transmitting Various Types of Evidence (SCLEA 25.3.1, B-2) (CALEA 83.3.2)

a. Liquids

- (1) No flammable liquid will be brought into the Department.

- (a) If there is flammable liquid evidence that is of evidential value a Crime Scene Investigator and/or Arson personnel will handle the liquid.

- (b) Flammable liquids will be stored in a designated locker/area that meets OSHA standards.

- (c) If necessary, the Anderson County Arson can be notified for the storage of hazardous evidence.

- (2) The collecting officer will place all evidence in a proper container with the appropriate identifying information listed on the container.

- (a) The collecting officer will seal all evidence with case number, date and officer's name.

- i. If the liquid is flammable, the word "flammable" must be written on the container.

b. Drugs

- (1) All drugs collected by the Anderson Police Department will be turned in to the Evidence Custodian and stored in accordance with State and Federal Guidelines.

- (2) All narcotics that are submitted will be initialed, dated, and timed like all other evidence. If the nature of the evidence prohibits this, the evidence sheet will be initialed instead.

- (3) All Marijuana submitted to the evidence custodian will be tested by the custodian or Crime Scene Technicians who are “Certified Marijuana Analysts”.
- (4) All drugs other than Marijuana will be submitted to the Anderson Police Department Evidence custodian and be taken to SLED.
- (5) All drugs except marijuana will be submitted in a plastic “BEST BAG” evidence envelope sealed with the proper information, placed into the “Best Bag” and secured in the evidence locker.
- (6) When large amounts of narcotics are recovered, the Captain, Lieutenant or Sergeant of Vice/Narcotics and the Anderson Police Department Evidence custodian will be notified in order to assist in packaging and to provide the proper storage area.
- (7) Methamphetamine Laboratories
 - (a) When dealing with clandestine laboratories “i.e. Meth labs”, or when this type of lab is suspected, the Captain over Narcotics will be notified and that person will contact the proper agency or agencies so that trained qualified personnel will make the determination of whether a DEHEC certified HAZARDOUS MATERIAL clean up team will be needed to remove suspected chemicals, or items.
 - (b) When taking these types of drugs into custody, and any chemicals or Lab type equipment is present the equipment and chemicals are to be treated as “**HAZARDOUS MATERIAL**”.
 - (c) No **HAZARDOUS MATERIAL** will ever be taken and turned into the City of Anderson Police Department Evidence Room or Evidence Lockers.
 - (d) No **HAZARDOUS MATERIAL** will ever be taken into the City of Anderson Police Department.
 - (e) SPECIAL NOTE: IF CHEMICALS ARE TAKEN WITHOUT FOLLOWING THE PROCEDURES OF HANDLING HAZARDOUS MATERIALS THE POLICE DEPARTMENT AND POSSIBLY THE OFFICER VIOLATING THE POLICY, MAY HAVE TO INCUR THE COST OF CLEAN UP.

c. Firearms

- (1) The reporting officer on all firearms collected will make an NCIC inquiry. The original Teletype message will be attached to the property sheet or check the appropriate box on the evidence sheet.
- (2) If there is no serial number on the firearm, this will be noted on the property sheet.
- (3) All ammunition will be placed in a separate container from the firearm and be appropriately packaged, unless the ammo is to be processed for latent prints.
 - (a) If ammo is to be processed for latent prints, DO NOT HANDLE the ammunition. Request assistance from a Crime Scene Investigator.
 - i. Immediately inform the CSI personnel that the weapon is “loaded” verbally and by documenting that the weapon is loaded by clearly tagging, labeling and/or making other appropriate markings.
- (4) All firearms are to be “cleared” when possible or an evidence tech will be notified ASAP to make the weapon safe for handling and/or processing.
- (5) **After the weapon is determined to be safe**, it may then be turned over to the Evidence Custodian or secured in a property locker before the end of shift.

d. Bloody Clothing/Fabric

- (1) All bloody items will be handled using the proper personal protective equipment and procedures outlined in the Department’s Policy on *Blood Borne Pathogens*.
- (2) Wet items will NOT be placed in plastic bags for storage; only for transportation from Scene gathered to the Crime Scene division’s blood drying area. Where they will be dried and then placed into paper for long-term storage in Evidence.
- (3) All items will be marked or the paper bag or box will be marked when feasible with case number, date, victim name, description of contents and collecting officer’s name, along with evidence sheet.
- (4) No clothing or fabric will be stapled with a tag.
- (5) Any bloody clothing or fabric to be submitted to SLED for analysis will have a written report prepared and sent with the items.

e. Rape (*Criminal Sexual Conduct*) Evidence

- (1) All victim and suspect collection kits will be placed in the specified evidence refrigerator.
- (2) The submitting officer will mark the victim's name and case number, date, and victim name on the outside of the submitted kit.
- (3) An incident report and evidence sheet will accompany all evidence submitted. "Also booking sheet also if suspect is arrested".
- (4) The evidence custodian or a crime scene tech. will be notified in order to place rape kit into the evidence refrigerator.
- (5) The case investigator will give the evidence custodian a notice to submit the kit to SLED or give a DISPOSITION on the case ASAP.

f. Perishable evidence

- (1) Perishable evidence such as meat, live plants, etc., will not be kept.
 - (a) A photo will be made of the item(s).
 - (b) The collecting officer will return the items to the rightful owner.
 - i. If the owner is not found the items will be destroyed.
 - (i) The only exception will be Marijuana plants, "after being photographed they will be pulled from the pots and stored until the case is cleared".
- (2) Perishable evidence such as blood, urine, criminal sexual conduct kits, and suspect kits will be turned over to Crime Scene personnel or the evidence custodian immediately for refrigeration.
 - (a) If this situation occurs during off-work hours, the on-call personnel will be contacted to receive and store such evidence.

g. Documents (Checks, Notes, etc.)

- (1) All checks will be placed in an envelope or "Preferably" (clear plastic bag/ or sleeve). All evidence documents will be handled as little as possible by as few officers and victims as possible.
- (2) All documents will be placed in separate containers, envelopes or sleeves.
- (3) Do not staple any evidence or place tape on any evidence.

h. Money

- (1) Large amounts of money evidence will be turned over to the Evidence custodian.
 - (a) If the money is to be processed for prints it should be handled as little as possible.
 - (b) If the money is to be processed for prints a "LAB REQUEST" form must be filled out and submitted with the evidence sheet.
- (2) On the evidence sheet the money will be broken down into denominations.
 - (a) i.e., (2) ten-dollar bills=\$20.00; (5) one dollar bills=\$5.00; etc.
- (3) Two officers should be present when counting the money and it should be counted at least two times, sealed in an evidence bag and initialed by all before turning it over to the evidence custodian or the evidence locker.
- (4) Any unusual markings on the money should be noted.
- (5) Money may be stored as evidence at the Anderson Police Department except in cases where it has been deemed necessary to deposit the money into a bank.
 - (a) If deposited, the money will be deposited into an account at a bank in Anderson, South Carolina until its return to the rightful owner upon clearance of the case.
 - (b) The amount of money will be returned as either a check or currency, but "not necessarily the same currency".
- (6) The case officer will be responsible to authorizing/dispositioning the release of money/evidence.

i. Computer Equipment

- (1) The investigating case officer will ensure that one of the following circumstances is present prior to seizure of any computer equipment or software:
 - (a) probable cause,
 - (b) signed consent to search or
 - (c) a valid search warrant.

- (2) Care will be taken in the seizing of computer equipment to ensure that the evidence is preserved (not erased or destroyed).
 - (a) Separate the victims or suspects from the equipment and pull the power plug from the wall or power supply.
 - i. If there is a battery back up, disconnect the power plug to the computer from the battery back up.
 - ii. DO NOT ATTEMPT TO SHUT DOWN THE COMPUTER USING PROPER SHUT DOWN. IN MOST CASES THE PULLING OF THE PLUG SIMULATES A POWER OUTAGE AND ALL SAVED MATERIAL WILL BE SAFE UNTIL STARTUP:
- (3) If the computer is being used at the time of it seizure and connected to a network or modem, contact tie City of Anderson Police Department computer personnel for advise in saving any evidence at risk of being destroyed.
 - (a) IF FILES ARE IN PROGRESS OF BEING ERASED, PULL THE PLUG.
- (4) Take extreme care in the handling of computer hardware and software to prevent the loss of data.
- (5) Labeling and tagging of computer equipment will be performed in accordance with evidence collection.
- (1) Analysis or investigation of the computer or software may only be performed by an authorized Anderson City Computer Technician and/or by personnel provided for that purpose by the FBI, ATF, US SECRET SERVICE OR SLED. This is to ensure that all evidence with in the computer will be admissible in court and to keep from destroying evidence.

j. Bicycles

- (1) Bicycles recovered or found will have their “stolen status” checked against all available records.
- (2) Reasonable attempts will be made to locate the appropriate owner.
 - (a) If the owner can not be determined, the bike will be turned into evidence
- (3) If the bicycle is taken into possession, notify the evidence custodian.

- (a) The bike will be placed into a secure storage area maintained by the City of Anderson Police Department.
 - i. If the officer can not get the bike into the designated secure storage area for bicycles, the shift Lieutenant or Sergeant will notify the appropriate city garage personnel to bring a truck/wrecker to transport.
- (4) Bicycles involved in an arrest - if not stolen - may be turned over to a family member, and documented in the report.
 - (a) If no one is available, turn in the bicycle as described in this section.

3. Types of Packaging and Marking of Evidence (Also refer to Series 2600)

a. Packaging Materials

- (1) It is recommended to use paper (i.e. paper bags or envelopes) in the packaging of most evidence.
 - (a) Due to the size and nature of evidence it may be conducive to use different sizes of boxes.
 - (b) Drug evidence should be kept in “its existing package”, weighed and then placed into paper, and turned in, when feasible.
- (2) The type of packaging selected should be determined by its ability to keep the evidence as neat as possible for long-term storage.
 - (a) The package should also be as close to the same size as the items to be stored in it as possible to save space in the storage area.

b. Evidence Tags (Also refer to Series 2600)

- (1) Evidence tags and/or containers will be properly attached and filled out by the collecting officer.
- (2) The officer who takes the initial custody of any evidence is responsible for filling out the evidence sheet and establishing the primary chain of custody.
 - (a) The incident report and the evidence sheet should reflect this information.
 - (b) If a case develops wherein the initial officer does not fill out the evidence sheet, the incident report should explain why.

- i. I.e., "Officer Jones confiscated narcotics from suspect (A), while arresting suspect (A) he was injured and had to be transported to the AAMC/ER for treatment. I took the narcotics from Officer Jones and turned it into evidence".
 - (c) Each person who touches the evidence will be listed on the chain of custody.
- c. Evidence Sheets (Also refer to Series 2600)
- (1) Evidence sheets will be filled out on all evidence and property that is confiscated, recovered or turned in.
 - (2) A description of the item(s) should be on the evidence sheet along with the date and time of collection, case number, victim or suspect name, address when applicable, and a description of where the item was collected.
 - (a) This information must be on the evidence sheet and/or on the incident report.
 - (b) For more information on this subject refer to the entire 2600 series of general orders.

By order of:



Martin D. Brown, Chief of Police

4-29-2008
Date