

# CITY OF ANDERSON POLICE DEPARTMENT

## Anderson, South Carolina

<b>DIRECTIVE TYPE</b> General Order	<b>EFFECTIVE DATE</b> February 2, 2011	<b>NUMBER</b> 2601.2
<b>SUBJECT</b> Receiving Property	<b>REVISED</b> February 2, 2011	
<b>REFERENCE</b> SCLEA 21 2 <sup>nd</sup> Edition	<b>AMENDS/SUPERSEDES</b> 2601 and 2601.1	
<b>DISTRIBUTION</b> All Personnel	<b>RE-EVALUATION DATE</b> Annual	<b>NO. PAGES</b> 7

### A. Purpose

The 2600 Series of General Orders applies to *Property and Evidence Control*. The purpose of the 2600 series is to provide management and control of found, recovered, seized and evidential property that comes into the custody of the City of Anderson Police Department and to establish an evidence management system that will ensure a traceable chain of evidence and strict accountability with respect to the handling, storage, security and disposition of evidence and property.

### B. Policy

It is the responsibility of the City of Anderson Police Department's Investigative Services Division (ISD) to manage and control all evidential property as well as all other property directed to the City of Anderson Police Department for safekeeping. As a part of this responsibility, accurate, up-to-date records will be maintained. Property will be stored, released, and disposed of according to policies and procedures outlined in this procedure and the applicable South Carolina Code of Law. **Personal use** by any member of the City of Anderson Police Department **of any** such **property seized and/or received** by any member of the City of Anderson Police Department **subsequent to official police work is strictly prohibited.**

### C. Definitions

- Case agent - The lead-officer in charge of a particular case. For purposes of this series of general orders, this term may also be referred to as the case officer.
- Case number - This is the call-for-service number provided by dispatch. It is to be affixed to all paperwork and property associated with a particular case or property must

be placed in a container which is marked with this number. This number references a specific place, date and time in Central's Computer Aided Dispatch system and can generally be tied back to a specific officer, phone number, address and often a specific witness or victim. For purposes of this general order, the "*case number*" can also be referred to as the incident report number.

- Disposition - What is to be done with items of evidence or property turned in to the evidence custodian (i.e. return, destroy, hold for court, put to department use).
- Drop Box - Also referred to as a *temporary property holding container*. This is a medium for securely storing evidence and/or other types of property until it can be turned in to the evidence room. This medium of storage will typically be utilized when the Evidence Room is closed for the day and/or when an Evidence Custodian is unavailable.
- Evidence Custodian - The person or persons designated by the Chief of Police to have responsibility for the City of Anderson Police Department's property management system. This position may be referred to synonymously as the *Property Custodian*.
- Incident Report # - This is the *case number* (i.e. call-for-service number) that is received from central Dispatch for a particular call-for-service.
- Property - For the purposes of this general order, the following terms may be used synonymously: property, found property, seized property, confiscated property, contraband, evidence, or any other term that refers to an item that is taken onto possession by any member of the City of Anderson Police Department for any reason related to the member's employment as a police officer.
- Property Custodian - Synonym for *Evidence Custodian*.

#### **D. Accountability and Responsibility for Property Management**

1. Responsibility for the City of Anderson Police Department's property management system is assigned by the Chief of Police. The person or persons designated by the Chief of police will be termed the "**Evidence Custodian**".
2. Responsibility for the City of Anderson Police Department's in-custody and evidential property management functions are assigned to the *Evidence Custodian*. The *Evidence Custodian* will carry out the tasks associated with the City of Anderson Police Department's Property Management System.
3. The assigned Evidence Custodian(s) shall function as the Custodian(s) of all property that is seized or received into possession by any and all members of the department during the course of and/or as a result of official police work. The Evidence Custodian(s) are responsible for the control and management of all property accepted by or stored in the



property room, temporary property holding containers and outside storage area(s), if any, and any other location designated as a proper storage area by the Chief of Police.

4. Ultimate responsibility and accountability for property
  - a. The officer who originally receives the property and/or the Case officer are responsible for all property received by the City of Anderson Police Department. Subsequent to those personnel's separation from employment or other absence, the responsibility for the property will lie with the personnel who was the receiving officer's or case agent's supervisor at the time the property was received. In that person's absence, responsibility moves up the chain until a supervisor or manager is located who was in the original receiving officer's or case agent's chain of command when the property was taken.
5. When property of any kind or of any nature is taken into custody by a member of this department, the final disposition of the property is the responsibility of that member or the case officer. The evidence and/or property will be stored and maintained in the City of Anderson Police Department evidence room pending other instruction(s) to the Evidence Custodian.
  - a. Instructions must be written.
    - (1) Email may suffice but if the evidence custodian requires hard copies or original signatures and/or dates, and or any other type of documentation, the request must be accommodated.
  - b. Instruction(s) can include request for processing (i.e. fingerprinting or sending to SLED etc.) by filling out a Lab request form.
  - c. Other instructions may be submitted in writing by the appropriate officer or case agent.

## **E. Procedure**

1. All property that is taken into custody, (seized, found, recovered, and/or etc.) by City of Anderson Police Department personnel or when any personnel from any other agency turns evidence or property in to the City of Anderson Police Department, those personnel must promptly fill out all required paperwork for tracking, reporting and documentation purposes. An evidence sheet will be filled out "*in accordance with proper evidence collection procedures*", and specifically describe the property.
2. All property must be logged into the City of Anderson Police Department's evidentiary records and paperwork (evidence sheets, reports, etc) must be completed and turned in to the City of Anderson Police Department's evidence custodian by the end of the officer's tour of duty or as soon as possible.

3. All property, except when immediately released to the owner, must be turned in to the Property Room by the end of the officer's tour of duty.
  - a. Any evidence not turned in by the end of the officer's tour of duty must be referenced in writing to the evidence custodian by the officer's immediate supervisor. The reasons(s) for the failure to surrender the property by the end of the tour of duty must be duly addressed.
    - (1) A hard copy memo with original signature(s) & date will suffice as will email. Emails set for this purpose must be sent from the supervisor's email address so as to provide proper tracking and referencing of correspondence.
  - b. If a situation arises where the officer can not fill out the proper paper work and notification has been made in accordance with the general order the evidence custodian will safe guard the evidence until the said paper work is completed.
4. Written report to be filled out detailing property received by department personnel.
  - a. An incident report shall be written detailing the circumstances associated with the property being taken into departmental custody. A case # and the officer's and/or case agent's name must be affixed to all paperwork and evidence. This includes all reports, written correspondence and other references to reports. In addition to the case number, officer/case agent's name, the incident must include:
    - (1) a description of each piece of property
      - (a) If seized items are identical in nature, or from the same case, they may be listed on one line and referenced as a group as long as they are accounted for.
        - i. For instance, \$1,000 in \$20 bills may be referenced as "\$1,000 in currency: 50 - \$20 Bills".
    - (2) a detailed synopsis explaining the circumstances surrounding how the property came into the City of Anderson Police Department's possession.
5. Packaging
  - a. Prohibitions
    - (1) NO explosives, dangerous chemicals, unknown biological specimens, nuclear material, flammable material, or other dangerous material or property are to be turned into or accepted into the property room.
  - b. Property must be packaged and labeled prior to storage.
    - (1) Evidence to be submitted to the property room must be packaged in accordance with written guidelines set forth by the evidence custodian,



tagged and clearly marked as evidence, found property, safekeeping, seized, recovered or *other* designation by the submitting officer.

- (2) If evidence is not properly tagged or marked, the submitting officer's supervisor will be notified and arrangements made to have the evidence properly tagged or marked by the lowest-ranking supervisor in the officer's chain-of-command who is available when the mistake is discovered.
  - (a) It is the responsibility of the submitting officer to properly tag, mark, and package and/or photograph evidence submitted to the property room.
  - (b) Evidence should be placed inside the temporary property storage lockers. If too large for the lockers, the property room custodian will be notified to come out and open the property room. If in need of refrigeration, evidence should be placed in the temporary property refrigerator.
- (3) The property room custodian will accept all evidence, if all required paperwork is complete, and log the evidence into the property room. If the evidence is improperly packaged, marked, or handled by the submitting officer, the property room custodian will notify the submitting officer's supervisor to evaluate the situation. In every case, every effort will be made to maintain the integrity of the evidence and the chain of custody.
- (4) Weapons, narcotics/dangerous drugs, money, items having a very high value, or evidence of an especially sensitive nature will be placed in a temporary property storage locker by the submitting officer. On the following working day, the property room custodian will open the locker and check the property into the property room.

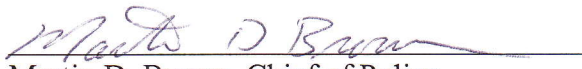
6. General rules and regulations regarding turning evidence in to the Evidence Custodian

- a. Note: This list is not all inclusive and may be expanded upon by the Evidence Custodian at any time – either verbally or in writing, including via email - for any reason deemed necessary by the Evidence Custodian.
  - (1) The Evidence Custodian may issue additional requirements to the requirements listed in this section at any time that the Evidence Custodian deems it necessary for good business. This may occur as a “blanket requirement” or as a single requirement in a single case.
- b. Members of the City of Anderson Police Department are strictly prohibited from storing property in their vehicles, offices, desks, file cabinets, homes or any location other than the designated department property room, temporary holding containers and /or outside storage area.

- c. All evidence must be turned in with all required evidence sheet(s) completed OR the evidence must be photographed and the evidence sheet turned in with disposition(s) filled out.
  - (1) If pre-approved by the Evidence Custodian, this may be accomplished by dropping evidence into a designated temporary evidence locker.
  - (2) Exceptions to turning in evidence must be noted in writing by the officer's supervisor to the evidence custodian.
    - (a) A hard copy memo or email will suffice. If emailed, the supervisor should request a read receipt.
    - (b) A written exception must state all of the information that would normally be required if the evidence was turned in to the evidence custodian, including but not limited to: case #, officer's and/or case agent's name, type of evidence, where seized, time, date, day of week, suspect (if known), and charges.
- 7. Valuable property or property requiring additional security
  - a. See General Order 2602.
- 8. Identity of property owners to be sought by officer who initially receives property and/or case agent
  - a. When non-departmental property is taken into the custody of the City of Anderson Police Department a reasonable attempt should be made to locate owners of that property and notify the owners of its status. If possible, release back to the owner should be affected as expeditiously as is consistent with applicable law.
  - b. The officer who receives any property for any reason must make every reasonable effort to identify the rightful owner of the property. This includes but is not limited to *found property, property that is voluntarily turned over* to the City of Anderson Police Department as well as *items of an evidentiary nature*.
- 9. Temporary and final release of property
  - a. The Officer who turns in the evidence and/or the Case officer are responsible for the final disposition of all property. The Evidence Custodian may return, destroy, put to department use or hold the property subsequent to the respective officer's disposition of that property.

- b. All items will be properly receipted on an evidence sheet and/or in the evidence database showing custody when evidence is signed out of the evidence area. This applies to temporary and permanent release of evidence. Property released to owner or property that is released subsequent to a final disposition will be listed on an evidence sheet and signed by owner or other person who receives the property when the sheet turned in to the evidence custodian to be logged in and out of custody.

By order of:

  
Martin D. Brown, Chief of Police

2-2-2011  
Date