Property & Evidence Control

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The IACP Law Enforcement Policy Center creates four types of documents: Model Policies, Considerations Documents, Concepts & Issues Papers, and Need to Know one-page summaries. Typically, for each topic, either a Model Policy or a Considerations Document is created, supplemented with a Concepts & Issues Paper. This file contains the following documents:

- **Considerations Document**: Offered as an alternative to the bright-line directives found in a Model Policy. Instead of providing exact policy language, the Considerations Document outlines items that agencies should address and provides options that agencies should examine when developing their own policies on the topic.

- **Concepts & Issues Paper**: Designed to provide context and background information to support a Model Policy or Considerations Document for a deeper understanding of the topic.
Considerations Document

Property & Evidence Control

I. PURPOSE

The proper collection, transportation, and storage of evidence are crucial to ensure the chain of custody is maintained. Agencies should ensure evidence is properly handled so it can be used in court proceedings.

This document is intended to provide agencies with items for consideration when developing their policies regarding evidence control.

II. POLICY

Agencies should develop a policy statement to adequately explain the agency’s policy on evidence control to agency personnel and the public.

Sample: It is the policy of this law enforcement agency to protect the integrity of a crime scene; preserve, collect, and process evidence; and maintain the chain of custody to maintain the integrity of evidence for legal disposition.

III. DEFINITIONS

Audit: An official examination and verification of property and evidence accounts, documents, records, policies, and processes intended to verify and improve the integrity of property and evidence procedures. An audit ensures compliance with existing laws, regulations, and policies and identifies any corrective action necessary.¹

Chain of custody: Chronological documentation of the seizure, custody, control, transfer (temporary or permanent), and disposition of evidence, either physical or electronic.²

Crime scene: Any location that may be associated with a crime. It can be the place where the crime took place, or any area where evidence of or from the crime itself may potentially be found.

Disposal: The disposition of an item classified as evidence once the prosecutorial and judicial process is concluded; when used in reference to property, it is the act of transferring or relinquishing that property to another’s care or possession.

² IAPE, Professional Standards.
Disposition of property/evidence: The process of permanently releasing property/evidence from the custody of the property facility to the agency, city, or county for authorized public use.

Evidence: Items taken or recovered in the course of an investigation that may tend to prove or disprove the facts of a case; may include documentary or oral statements, material objects admissible as testimony in a court of law, and digital evidence.

Found/abandoned property: Any item held by law enforcement for storage to determine ownership or to prevent a criminal act.

Inventory: A procedure whereby items held in a property facility or specifically described storage location are verified with agency records to confirm that there is an exact match and that all items are accounted for.

Property: A generic term that includes all items held in the custody of the property facility, including evidence, items for safekeeping, and found property.

Property for disposal: Property that has been approved for a final disposition and staged in the property facility.

Property report: The primary form that documents all property/evidence that is submitted to this agency, including such information as type of crime, names of owners/suspects, dates, times, description of property, chain of custody, storage locations, approvals to release or destroy, and signature of receiving parties.

Property facility: An identified location, such as a designated room, for the secure storage of property/evidence in the custody of this agency.

Property/items held for safekeeping: Any non-evidentiary item that is in the custody of the law enforcement agency for temporary protection on behalf of the owner.

Release of evidence: The formal process, including authorization and documentation, of releasing evidence for court purposes or to the crime lab, other agency, or owner.

Temporary storage: Areas such as lockers that are used to secure property/evidence that has been packaged, documented, and tagged when it cannot be personally presented to the property officer.

IV. PROCEDURES

A. Personnel

Agencies should first identify available resources regarding crime scene processing and evidence collection. This may include:

1. Identifying which tasks first responders are qualified to perform and the manner in which to do so, while ensuring the preservation of life and safety takes precedence over evidence collection. For example, some trained responders may be qualified to:
   a. Collect and preserve evidence, such as:
      ● Fingertips
      ● Trace evidence
      ● Body fluids
   b. Photograph or audio/video record the scene and/or individual items of evidence.
   c. Collect measurements and create sketches/diagrams.
   d. Utilize luminescent chemicals to identify and/or visualize items of evidence.

2. Identifying other personnel with specialized crime scene/evidence collection training. Additional specialized experience may be necessary for safely:
   a. Performing forensic testing.
b. Processing, collecting, and preserving:
   ● Traffic scenes.
   ● Specialized evidence, to include:
     ▪ Digital evidence, such as computers; mobile electronic devices; digital records, including those generated by body-worn cameras or in-car cameras; or gaming consoles.
     ▪ DNA evidence.
     ▪ Biohazardous evidence.
     ▪ Flammable or explosive evidence.
     ▪ Weapons and firearms.
     ▪ Valuable evidence, such as currency or jewelry.
     ▪ Drugs and narcotics, controlled substances, and/or unidentified substances.

3. Determining what services are provided by the agency crime laboratory or evidence technicians or the crime scene unit.

4. Developing and/or locating a handbook or manual for evidence collection, to include guidance on crime scene response, laboratory submittal forms, and the collection and preservation of evidence.

All employees should receive training and stay current regarding evidence and/or property control within the scope of their job duties. Every employee should be aware of the range of evidence that they are equipped and/or trained to handle and information regarding the correct personnel to contact if specialized assistance is required.

B. Crime Scene

Agencies should develop policies and procedures related to collecting evidence at crime scenes. These should address:

1. Arrival, to include:
   a. Instructing first responders to:
      ● Secure, preserve, and protect the scene.
      ● Search the scene to locate potential evidence.
      ● Identify if additional assistance or backup, such as crime scene technicians or other specialized units, is required for the collection of evidence.
      ● Request additional assistance or backup, when necessary.
      ● Refrain from handling evidence or entering the scene unnecessarily to avoid damaging, altering, or destroying evidence.
   b. Outlining role of specialized personnel, to include:
      ● Determining items that are suitable for forensic testing.
      ● Locating, protecting, and securing specialized evidence.

2. Collection and preservation of evidence, to include:
   a. Ensuring that evidence preservation standards and procedures are followed.

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3 Consider referring sensitive items such as found firearms that appear to be connected to a crime to the investigative unit for follow-up investigation. It is not recommended that found firearms be released or disposed of without the approval of the assigned investigator.

4 For example, local laboratories may provide handbooks or guidelines. Agencies should consider utilizing guidelines, manuals, or handbooks provided in their local jurisdictions, as appropriate to their organization and standards.
b. Coordinating the release of the crime scene after all evidence has been collected in accordance with the agency crime scene management protocols.

3. Transportation of evidence, to include:
   a. Packaging and labeling evidence appropriately considering the type of item being transported, analysis being requested, and the location to which it is going, such as storage facility or a laboratory.
   b. Ensuring:
      i. Items such as hazardous substances, drugs, controlled substances, or firearms evidence are transported safely.
      ii. Evidence that requires specialized handling, such as digital evidence, DNA evidence, explosives, or biohazards, are packaged, logged, and transported appropriately.
      iii. Accountability procedures are in place for dangerous or valuable items.
   c. Transporting items without undue delay and logging and obtaining receipt to maintain the chain of custody.

C. Storage

Agencies should develop policies and procedures regarding the storage and safekeeping of items, to include the following:

1. Booking should be completed in a timely manner. Policies/procedures should specify any:
   a. Temporary storage spaces.
   b. Deadlines to storage such as by the end of an officer’s shift.
   c. Any inappropriate storing areas such as an employee’s desk, locker, vehicle, or other personal containers at any time.

2. Storage facilities:
   a. Are appropriately staffed, such as having persons available after hours for special storage needs.
   b. Are equipped to be accessible to appropriate personnel 24/7, such as secure storage when staff are unavailable.
   c. Have security appropriate to the items in the custody of the agency, such as:
      i. A list of authorized personnel.
      ii. Video surveillance.
      iii. An access log.
      iv. Alarm systems.
      v. Procedures for special circumstances in case of after-hours requests for evidence or emergency situations.
      vi. Routine testing of security measures.
   d. Are routinely inspected and inventories with reports documented to supervising leadership on storage security.

3. Items are stored under correct conditions, for example, atmospheric pressure, temperature, and/or humidity.

4. Items that require separate or sensitive storage conditions such as digital evidence, DNA evidence, explosives, or potential biohazards, are recorded, packaged, classified, and stored appropriately.
5. Additional safety considerations for the handling of items such as drugs, narcotics, controlled substances, currency, valuables, and firearms.

6. Additional accountability procedures are in place, such as inspections and audits of items, with considerations for:
   a. Frequency of inspections and audits to include scenarios in which a change of storage facility personnel is made.
   b. Personnel who will conduct these accountability procedures.
   c. Reports to leadership on audit and inspection results.

7. Accommodations are available for large or bulky items, such as vehicles or bicycles.

8. Employees are cognizant of agency record-keeping procedures:
   a. Address instances in which evidence is not yet documented or packaged in accordance with department policy.
   b. Establish a timeline for record-keeping, such as having an officer properly document items by the end of their next scheduled workday.

D. Release, Transfer, and Disposition

1. No matter the scenario, always keep the following three, general considerations in mind when developing policies surrounding the release, transfer, and disposition of evidence or property:
   a. Ensure that applicable legal requirements and regulations are met.
   b. Require that the chain of custody is documented.
   c. Outline the steps to be taken to manage disputed claims to items.

2. Regarding the temporary release of items, agencies should develop policies and procedures that detail:
   a. Authorized personnel for temporary releases.
   b. Type of authorization needed whether it be from an assigned investigator or a supervisor.
   c. Documentation of the temporary release event to include:
      ● The identity of the officer receiving or transferring evidence to another entity with a signature.
      ● Date and time on a receipt of evidence form.
      ● The identity of the property officer who released the item(s).
   d. Any special legal considerations such as subpoenas and/or additional written authorization for more sensitive items like currency, narcotics, or firearms.
   e. Follow-up as to the status of temporarily released evidence.
   f. Time periods, as determined by departmental policy, that an item may be released for investigative purpose.

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5 Note that items which require specialized storage conditions may require the presence of staff to facilitate the processes necessary to safely store the items.

6 Consider assigning personnel that are not connected to the interests and responsibilities of certain units, to prevent any inappropriate handling of evidence and property.

7 The signature may be on a paper document, or it may be electronically captured in a computerized tracking system.
3. For permanent transfer and release of evidence, agencies should consider developing policies to address:
   a. Protocol for authorizing evidence to be released\(^8\) to include ensuring the item(s) are no longer needed for investigative use.
   b. Documentation of the release of evidence, to be filed with all other documents and receipts to show the chain of custody.
   c. Any potential legal impediments that may exist for the release of the items such as releasing a firearm to an owner with a felony conviction or a court order of protection.

4. In instances of disposition of evidence to departmental or governmental use, policies should consider:
   a. Legal authority to arrange disposition.
   b. Request procedures to include type of authorization needed.
   c. Record keeping for any dispositioned item(s).

E. Disposal

Due to space limitations, agencies should consider developing guidelines for the disposal of items. These guidelines should take into account:

1. Departmental capacity for storage.

2. Any departmental notification and authorization procedures prior to disposal or destruction of items. This could include:
   a. Responsibilities of assigned investigators and personnel in charge of disposal in this process to ensure improper disposal does not occur.\(^9\)
   b. Timeline that both parties must abide by to ensure timely decisions are made.
   c. Frequency of property review notifications.
   d. Information needed from the assigned investigator that may include:
      - Whether the item(s) are requested to be retained, released, or destroyed.
      - Justification for retention\(^10\) or information of any release of item(s).
      - Any supervisor approval.

3. Methods of disposal to include:
   a. Returning it to the rightful owner, if allowed by law.
   b. Legally forfeiting the item for use by the law enforcement agency.
   c. Physically destroying it.

4. Type of item.

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\(^8\) Following proper and official protocols is recommended in any instance in which evidence is being transferred out of the possession of a department, including to the courts, the prosecutor’s office, another law enforcement agency, or the lawful owner of the property.

\(^9\) Consider requiring frequent property review notices by the unit in charge of disposal and requiring timely review and documentation of an authorized disposal by the assigned investigator of the case.

\(^10\) For example, required for prosecution, warrant issued, civil case pending, internal investigation pending, case under appeal, and/or statutory mandates.
5. Status of the case associated with the item(s) to include considerations for:
   a. Unassigned cases.
   b. Procedures for tracking court dispositions or information from the prosecutor’s office that a case has been adjudicated.\(^{11}\)

6. Statute of limitations, where appropriate.
7. Legal and court requirements.
8. Safety and environmental considerations.

**F. Found Property & Property for Safekeeping**

Agencies should consider developing additional guidelines regarding the proper collection, transportation, storage, and disposition of found property and property for safekeeping. These guidelines should address:

1. Reclassifying items collected as the case develops.
2. Reporting and documenting the property in an incident and/or property report.
3. Providing the finder or owner with an authorized receipt of property and guidance on how to legally claim it.
4. Storing property in appropriate and official holding facilities or areas.
5. Labelling and storing separately from general evidence; the purpose of this separation is to enable the timely release and/or disposal of property for safekeeping before the criminal case has been adjudicated.
6. Investigating to determine the rightful owner(s) of found property.
7. Documenting any attempts to contact the rightful owner(s) of found property.
8. Obtaining a release form and signature from the owner, finder, or designee when the property is claimed. If found property is returned to the lawful owner prior to being submitted to the property and evidence unit, the submitting officer should still verify the owner’s identity via a governmentally issued identification, complete a general release form, and obtain the owner’s signature.
9. Prohibiting members of the department from personally claiming any items of found property.
10. Any exceptions that can be made and under what conditions.
11. Disposing of the property according to agency policy and local laws and regulations.

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\(^{11}\) Consider developing a protocol in which assigned investigators and other relevant units are copied and/or the information is forwarded to them for review and disposition.
I. INTRODUCTION

A. Purpose of the Document

This paper is designed to accompany the Considerations Document on Property and Evidence Control published by the IACP Law Enforcement Policy Center. This paper provides essential background material and supporting documentation for greater understanding of the recommendations and guidance provided in the Considerations document. This material may be of value to law enforcement executives in their efforts to develop their own policies that meet the requirements and circumstances of their communities and their law enforcement agencies.

B. Background

Law enforcement agencies must protect the integrity of crime/disaster\(^1\) scenes through the preservation, collection, processing, storing, and maintenance of the chain of custody of evidence in order to promote effective legal disposition. Crime scenes are unique and require planning and organization that allow adaptability and flexibility with respect to evidence collection.

In most cases, law enforcement personnel are not forensic technicians or experts. However, they may be required to carry out basic evidence recovery procedures before the arrival of, or in lieu of, crime scene investigators. Also, some crime scenes may be in remote locations or other places where skilled crime scene investigators are not readily available. Therefore, law enforcement agencies must bridge the potential gap through collaboration, policies, and training in support of effective evidence control.

C. Definitions\(^2\)

- **Chain of custody** refers to the chronological documentation of the seizure, custody, control, transfer (temporary or permanent), and disposition of evidence, either physical or electronic.\(^3\) Maintaining the chain of custody can help ensure that evidence is admissible in court.

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\(^1\) Please note that this document refers to crime scenes throughout. Much of the following guidance may also apply to scenes of disasters or terrorist incidents.

\(^2\) For additional definitions, see the accompanying Considerations Document.

• **Evidence** refers to items as defined herein, including documentary or oral statements, material objects admissible as testimony in a court of law, and items taken or recovered in the course of an investigation that may tend to prove or disprove the facts of a case, including digital evidence.

• **Property** is any object of value, however slight, whether tangible or intangible. An example of intangible property is intellectual property. A crime can be committed by misuse of intellectual property; however, there are cases where this evidence cannot be collected. Property may be divided into:
  
  o **Found/abandoned property** – any item held by law enforcement for storage in order to determine ownership or to prevent a criminal act.
  
  o **Item held for safekeeping** – any non-evidentiary item that is in the custody of the law enforcement agency for temporary protection on behalf of the owner.

II. RECOMMENDATIONS

When addressing evidence and property collection capabilities, agencies should consider developing policies, procedures, and training that ensure they have the appropriate equipment, trained personnel, and established relationships with outside agencies. Agencies should also identify clear lines of communication among responders. Lack of coordination can lead to misunderstanding, duplication of effort, or incorrect assumptions that someone else is responsible for completing a task. This could lead to overlooked, unrecognized, or lost items.⁴

A. Identification of Agency Capabilities

Agencies should first identify available resources regarding crime scene processing and evidence collection. For this purpose, agencies should identify what tasks first responders are qualified to perform as well as the procedure for how to complete them. All law enforcement personnel who may come in contact with a crime scene should receive a basic level of evidence collection training; officers and other first responders arriving at a crime or disaster scene are responsible for making reasonable efforts to preserve the scene. Officers shall also consider officer safety and public safety; this includes reasonable efforts to render medical aid to any obviously injured parties, including the offender, if it is safe to do so.

Responders should handle only evidence that they are trained and equipped to safely collect and preserve (with exception for exigent circumstances where situational or environmental conditions might imperil the existence or quality of the evidence). If an agency does not have the ability to respond to and collect certain types of evidence, they should summon responders with specialized training and experience. For example, agencies should determine whether they have trained responders who are qualified to properly collect and preserve evidence such as biological materials including blood, fingerprints, and bones; document crime scenes; and use luminescent chemicals.

Responders with more specialized crime scene/evidence collection training may be qualified to engage in activities such as processing, collecting, and preserving evidence. Types of specialized evidence may include:

• Digital evidence
• DNA evidence
• Biohazardous evidence
• Flammable or explosive evidence
• Toolmark, weapons, firearms, and ballistics
• Valuables
• Drugs, narcotics, controlled and/or unidentified substances.

In determining initial response, agencies should consider what services are provided by the agency crime laboratory, evidence technicians, and/or crime scene unit. The agency should monitor its laboratory and laboratory personnel to ensure that they meet established standards.5 If agencies do not have an in-house crime laboratory, they should consider partnering with a neighboring law enforcement agency with certified forensics capabilities. Regional crime laboratories serving multiple agencies may also be used.

For assistance in determining appropriate evidence collection procedures, agencies should develop and/or identify a handbook or manual for evidence preservation and collection to be followed by all agency personnel. This handbook or manual should include guidance on crime scene response, laboratory submittal forms, packaging, and the collection and preservation of evidence.6

B. Crime Scene Response – Arrival at the Scene

Officers and other first responders arriving at a crime scene should take necessary steps to secure, preserve, and protect the scene from tampering or contaminations. This may require restricting access and setting perimeter(s). Care should be taken to avoid unnecessary handling of evidence or unnecessarily entering the scene in an effort to avoid damaging, altering, or destroying evidence. Officers should identify hazards or dangerous conditions to responding personnel and evacuate the area if necessary. Officers should always be mindful that the preservation of life and safety takes precedence over evidence collection.

Additionally, first responders should:

- Notify a supervisor and/or request their presence.
- Establish a list of individuals authorized to enter the scene.
- Keep a chronological log identifying any person present at, entering, or leaving the scene, as well as any changes that take place as a result of activity undertaken by first responders.
- Identify and isolate victim(s) and witness(es) to preserve the credibility and accuracy of information.
- Determine basic facts of the incident, and classify the crime, if possible.
- Notify and/or request investigative specialists if required, such as the force investigation team, homicide unit, or special victims’ unit.
- Prevent unauthorized access of personnel, the media, or the public.
- Conclude scene investigation and processing; release the scene.

Properly trained officers should search the scene to locate potential evidence and protect items of apparent evidentiary value. Perishable evidence should be prioritized. Based on initial and preliminary review of the scene, officers should identify whether additional assistance or backup, such as crime scene technicians, investigators, or other specialized units, such as a canine unit, coroner, medical examiner, or crisis intervention team, are required for the collection of evidence and request the appropriate assistance or backup, as necessary. However, if officers are unsure or in doubt of proper evidence identification procedures, they should immediately request specialized assistance.

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5 For instance, those established by the International Organization for Standardization (ISO), https://www.iso.org/standards.html; or, in the United States, the International Association for Property and Evidence, Inc., https://drive.google.com/drive/folders/1RNNWwxhvT-dpR95-p3n-WHMs2sqlg3QKx; the Commission on Accreditation of Law Enforcement Agencies (CALEA), https://www.calea.org; and/or the Federal Bureau of Investigation Director’s Quality Assurance Standards, https://strbase.nist.gov/QAS/Final-FBI-Director-Forensic-Standards.pdf.

6 For example, local laboratories may provide handbooks or guidelines. Agencies should consider utilizing guidelines, manuals, or handbooks provided in their local jurisdictions, as appropriate to their organization and standards.
C. Evidence Collection and Preservation

Agencies should ensure evidence is appropriately collected and preserved, whether that process is conducted by the responding agency, or by a neighboring agency with greater capabilities. Agencies with limited capabilities should ensure that they have an established agreement with another agency who can provide crime scene preservation and processing services as needed.

If an agency has the capability to provide, preserve, and process scenes internally, they should account for training and certification requirements, as well as evidentiary requirements, including maintaining chain of custody and ensuring evidence may be presented in court. Agency response should include:

1. **Documenting crime scenes.** All crime scenes should be thoroughly documented. Documentation produces a permanent, objective record of the scene and any physical evidence, and is the beginning of the chain of custody. Therefore, it is imperative that agencies take photographs and/or audio/video recordings of the scene and individual items of evidence, collect measurements, and create sketches/diagrams.

2. **Mapping the scene.** Thorough digital documentation of the scene, especially for evidence that cannot be physically collected, and measurement of the scene with mapping equipment and/or electronic surveying equipment such as a 3-D laser scanner (LiDAR) should be considered, if available. This will allow for the ability to reconstruct the scene through precise measurements, if necessary, and can be especially helpful for agencies that do not have their own trained investigator.

3. **Fingerprints:** Agency personnel should be trained to collect and preserve fingerprints at a scene.

4. **Utilizing luminescent chemicals.** These chemicals react to blood, biological materials, or other oxidizing agents by emitting light, allowing trained personnel to identify items of evidence that would otherwise be impossible or difficult to see with the unaided eye. This may be helpful for examining small amounts of blood or areas that have been cleaned up prior to the arrival of the crime scene technicians. By using luminescent chemicals, trace amounts of biological material can be visualized and documented. Luminescent patterns observed on surfaces through chemical usage could indicate drag marks, attempts to clean up blood, or travel patterns within the crime scene. Follow-up presumptive tests should be conducted to rule out other oxidizing agents (e.g., bleach or some metals) that may cause luminescent chemicals to react.

5. **Collecting and preserving large items.** Some agencies may also require specialized assistance for handling/retaining large items. To facilitate forensic testing and support trial/post-conviction proceedings, it is important to consider long-term evidence retention of large/bulky items. If agencies cannot maintain storage of large items due to space or cost constraints, it may be more feasible to retain samples taken from large items. In such cases, photographs and/or other documentation of the original item should be maintained. The decision to store samples instead of the entire item should not be made by the agency or the evidence custodian alone. Rather, agencies should consider consulting with investigators, prosecutors, and/or laboratory analysts, as applicable.

6. **Digital and electronic evidence.** This may include computers, mobile electronic devices, digital records, and gaming consoles. Agencies that do not have forensic examiners/analysts on staff and/or may be unable to utilize one in a timely manner should consult with experts and receive training on current technology and types of possible evidence to protect the viability of electronic evidence for use in prosecution.

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7. **DNA evidence.** Officers should attempt to locate and preserve DNA evidence according to agency capability. This may include hair, bodily fluids, or other biological materials.

8. **Biohazardous evidence.** Officers should have an adequate supply of personal protective equipment (PPE) available in their patrol vehicle to protect against exposure to pathogens they may encounter. Agencies should consider supplying PPE such as masks, gloves, coveralls, and shoe/boot covers. Agencies should also ensure that agency-issued PPE can effectively protect officers from any drugs they encounter.

   In addition, agencies should equip personnel with needle syringe keepers and biohazard bags. Law enforcement may also respond to scenes where there are hazardous substances that will not be classified as evidence but need to be disposed of properly. Protocols should be established to safely remove those substances to the appropriate disposal sites.

   Officers and/or their equipment may become contaminated during response to a scene. Agencies should provide facilities, equipment, and necessary chemicals for decontamination and/or disposal of items. This may include uniform cleaners, car detailers, or other designated vendors with the appropriate expertise.

9. **Hazardous materials (HAZMAT).** These can be deadly for first responders and may be encountered in criminal activity as well as natural or accidental disasters. Agencies should plan with local stakeholders to identify the best methods for safely collecting these types of evidence. HAZMAT includes but is not limited to toxic chemicals; flammable materials; explosives, to include unexploded ordinance and fireworks; chemical, biological, radiological, nuclear, and explosive agents (CBRNE); and materials found in clandestine laboratories. Agencies should ensure that up-to-date contact information for specialty response teams, such as the bomb squad, is always readily available and easily accessible. Agencies should also consider developing procedures for notifying the evidence custodian to prepare for hazardous evidence.

10. **Weapons and firearms.** Specialized procedures for the collection and preservation of firearms and other weapons evidence should be developed. For example, responders should be instructed to handle ammunition and shell casings appropriately to avoid destroying evidence. Some firearms evidence, such as toolmarks, may be altered or destroyed by improper evidence collection techniques.

11. **Valuable evidence, such as currency or jewelry.** Due to the need for extra caution when documenting, transporting, and storing this type of evidence, agencies should consider requiring at least two personnel to count currency or inventory items of value. Witnesses should be identified on documentation and should sign evidence forms to confirm the quantity of currency or valuables. Agency procedures may dictate that valuables be identified as either “evidence” or for “safekeeping.” The latter should be returned to the owner as soon as possible. After appropriate processing, currency should be placed in a public bank account rather than kept on hand. Currency suspected of being counterfeit should be identified and appropriately labeled. Agencies should consider storing items of obvious extreme value in a 24-hour manned facility, where available.

12. **Drugs and narcotics, controlled substances, and/or unidentified substances.** When documenting drugs found at the scene and in preparation for the request for laboratory examination, officers should list items found in order of priority for examination. Officers should identify “suspected” substances and refrain from definitively identifying any substance. A consistent method for counting and weighing as well as the certification of the scales should be clearly articulated to increase accountability and reduce the chances of contamination or cross-contamination. Additionally, agencies should ensure drug paraphernalia is packaged separately from the substance.

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D. Packaging

All evidence should be packaged and labeled according to the type of item being transported, analysis being requested, and the location where it is going, such as a storage facility or a laboratory. The type of evidence will determine appropriate packaging procedures. For instance, personnel responsible for collecting biological, firearms, and HAZMAT evidence should be aware of the specific procedures related to packaging these items in order to maintain their safety and integrity.

E. Transportation

Agencies should ensure that all evidence is transported safely and immediately after collection. In order to maintain security and chain of custody, as well as prevent potential cross-contamination, evidence should not be held in the transportation vehicle for longer than necessary for transportation. Agencies should develop specific procedures for effectively accounting for dangerous or valuable items. Evidence that requires specialized handling, such as digital evidence, DNA, explosives, and biohazards, should be logged and transported appropriately. Officers should always obtain receipt of transported items to maintain the chain of custody.

F. Storage

Agencies should develop policies and procedures regarding the storage and safekeeping of items. Storage facilities should be appropriately staffed with persons available after hours for special storage needs. Storage should also be equipped to be accessible to appropriate personnel around the clock, including secure storage when staff are unavailable. Facilities should also have appropriate security for items in the custody of the agency, such as video surveillance. All storage facilities should be routinely inspected to ensure that items are stored under proper conditions. For example, when selecting a storage facility, agencies should consider the atmospheric pressure, temperature, and/or humidity. Agencies should be prepared to accommodate items of varying size, including large or bulky items such as bicycles, furniture, vehicles, or carpet. The quantity of evidence that may be collected and the need for both long-term and short-term storage should also be considered. Outdoor storage may sometimes be an option if the environment will not damage the evidence.

Agencies and officers should be aware that some types of evidence, such as digital evidence, DNA evidence, explosives, and potential biohazardous material, may require separate or sensitive storage conditions. These items should be recorded, packaged, classified, and stored appropriately. For example, electronic evidence should not be stored near magnets, radio transmitters, or other potentially damaging elements. Digital evidence should be stored according to vendor specifications with consideration for privacy concerns and agency access. Additional safety and accountability procedures, including regular inspections and audits of property and evidence, should be established for the storage and handling of items such as drugs, narcotics, controlled substances, currency, valuables, and firearms.

Specialized training may be necessary for these types of evidence. This is particularly important for any persons who have the responsibility for intake and/or storage and disposition of evidence. Agencies should also remain current on any scientific changes or advances in the area of evidence collection and storage.

Record keeping. Specific record-keeping procedures should be developed for receiving evidence. This procedure should be readily available to all employees, especially those associated with the storage facilities.

13 For more information, see the Policy Center documents on Implementing Technology at https://www.theiacp.org/resources/policy-center-resource/implementing-technology.
Access. Access to evidence and property, in general, and to those items such as currency, jewelry, narcotics, and firearms under higher security restrictions within the property and evidence storage facility, should be restricted to the fewest number of personnel necessary to perform the required functions. Routinely providing access to supervisory personnel should be discouraged. Unless supervisory access is necessary to operations, granting it can complicate issues with chain-of-custody and subsequent legal proceedings. Personnel no longer authorized access should be immediately removed from access rosters to the physical facility and digital records. In the event of a staffing change, agencies should ensure that electronic access, such as combinations on gun vaults, and/or keys are changed promptly.

Auditing. Agencies should conduct regular inventories and audits of evidence storage facilities to ensure accountability and accuracy of documentation. This should include more frequent audits of high-value items such as drugs, firearms, and valuables. In addition to inventory of physical items, audits should also examine property records and access logs. Agencies should establish accountability procedures for inspections and audits—including specifying the frequency of such audits and the personnel responsible for conducting the audits. Audit results should be reported to agency leadership. After any staffing change, an objective external party should take inventory of the evidence, and the inventory records should be acknowledged and signed by agency stakeholders.

G. Disposal

Due to space limitations, agencies should develop guidelines for the disposal of items. Potential methods of disposal, if allowed by law, may include forfeiting the item for use by the law enforcement agency; physical destruction; and use of public auctions with proceeds going to the jurisdiction. If ownership of the item is unknown, a reasonable attempt should be made to ascertain ownership, and the effort should be documented. Efforts should include, among other things, reviewing all reports and documents relevant to the case, looking for identifying marks on items, advertising in public media, and providing enough notice for the owner to have time to file a claim. Documented efforts should be kept on file for at least the minimum time required by local laws. Unlawful items—that is, items which have been unlawfully taken from the proper owner and later seized as evidence—should be disposed of within the timeline designated by the agency’s jurisdiction.

Other considerations when determining if, when, and how items should be disposed of are whether the item is evidence or property; the type of item, such as trace evidence or contraband; the type of case, such as murder, rape, aggravated kidnapping, or armed robbery; the status of the case; the statute of limitations; and legal and court requirements. Agencies should also determine whether policies differ regarding unclaimed items and items belonging to an owner who is deceased. Agencies should seek legal counsel to ensure that they adhere to local laws and regulations regarding the disposal of items.

Specific consideration should be given to the disposal of firearms. Disposal options may include destruction; sale to licensed firearms dealers or another law enforcement agency; and release to a police laboratory for research, training, and comparison. Agencies that wish to provide justification for the disposal method may consider obtaining a resolution from a governing body prior to disposing of firearms.

Agencies should also be mindful of safety and environmental considerations. For example, agencies may wish to avoid storing chemicals and/or controlled substances collected from a crime scene; these should be handled, preserved, and disposed of by a trained examiner.

Prior to destroying evidence or other items, it is recommended that a second, independent person verify and account for items on a destruction list, inspect for tampering, and confirm that processes were followed to attempt to locate owners and notify them of the impending destruction. Verification by this individual promotes transparency and accountability. Documentation should be kept regarding disposal of all evidence and property.
H. Non-Evidentiary Property Collection and Management

Agencies should develop guidelines regarding the proper collection, transportation, storage, and disposition of items other than evidence, to include found items and items submitted for safekeeping. These guidelines should ensure that these items are labeled and stored separately from general evidence. When items not classified as evidence are seized, agencies should ensure they are reported per agency policy and the finder or owner is provided with an authorized receipt of property and guidance on how to legally claim the item.

If the item is claimed, agencies should obtain a release form and signature from the owner, finder, or designee. In situations where the owner is unknown, agencies are responsible for investigating to determine the rightful owner(s) of the found item. Agencies who fail to use due process to locate owners may face repercussions should the item be destroyed or sold. Agencies should dispose of items according to agency policy and local laws and regulations and should maintain a receipt policy consistent with statues to ensure compliance.

Agencies should also develop policies and procedures that ensure that applicable legal requirements and regulations related to the disposal of property are met. This should include requiring that the chain of custody is documented and should outline the steps to be taken to manage disputed claims to items.

Agencies should determine if different release criteria will apply to different types of property. For instance, agencies may elect to return evidence collected from stolen property cases in an expedited manner. If property is returned, it should be photographed, logged, approved by the appropriate legal entity, and verified by the owner before release. Most evidence should be retained until the conclusion of pending court action; however, agencies should always consult their legal advisor to identify any statutes of limitations or other applicable evidence control guidelines.

The perishability of the item might require different disposal criteria. Items subject to spoilage, such as consumables, often cannot be held in large quantities as agencies lack the capacity to store them. Expedited processes should be developed to notify owners and set a time limit for retrieval with notice of disposal after the time limit. Agencies may check with legal authorities on their ability to “donate” the perishables (i.e., food) to charitable organizations in lieu of destruction.

I. Training

All employees should receive training regarding evidence and/or property control and should be provided with information regarding the correct personnel to contact if specialized assistance is required.

Agencies should consider requiring specialized training for personnel assigned to property and evidence control. Training topics may include review of written policies on storage, handling, and disposal of items; applicable legal codes/statutes; computer skills and software training; firearms safety; and biohazardous, HAZMAT, and pathogen training.

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15 For more information on the distinction between property and evidence, see Definitions (Section I.C.).