

Cobb County Police Department

Policy 3.11

PROPERTY/EVIDENCE COLLECTION AND PACKAGING

Effective Date: October 1, 2019	Issued By: Chief C.T. Cox
Rescinds: Policy 3.11 (January 6, 2019)	Page 1 of 9
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 provide guidelines for employees when collecting and packaging property or evidence taken control of by the Department.

I. POLICY

All personnel handling property are responsible for the proper collection, management, packaging, documentation, and storage of the property while in their possession. Officers shall not retain recovered property or evidence for their own use.

II. TRAINING

Every employee who is responsible for collecting evidence will receive training on the collection of evidence. If certain items require specialized training for proper collection, only personnel who have received training should collect those items.

III. GENERAL PACKAGING PROCEDURES

- A.** Unless size or other specific attributes dictate differently, items will be packaged in 10” X 13” plastic submission bags. The submitting officer will initial the bag seal.
- B.** All property in the submission bag will be documented on an Property/Evidence Information Slip, which will be placed inside the bag in such a manner that it can be read without opening the bag.
- C.** Property too large to fit into the plastic submission bags will be packaged in a suitable paper bag or box and made as compact as possible. A Property Control Tag should be fastened to all packages that do not have pre-printed information areas, or attached to items that are not submitted in packaging. The tags are color coded to correspond with the different types of property (i.e. evidence, found property, safe keeping, etc.).

IV. PROCEDURES FOR SPECIFIC ITEMS

A. Large/Bulk Property

- 1. Large and/or bulky items will not be packaged if they can be handled in a

safe manner by personnel. A Property/Evidence Control Record will accompany the item and the item will be tagged with the appropriate Property Control Tag. Anchor points, cables, and padlocks have been provided for items that can not be secured in a temporary storage locker.

2. The Property and Evidence Unit will be requested to pick up items that cannot be handled by precinct vehicles, or are too large to secure in a precinct or temporary storage locker. After hours, the on-call evidence technician should be requested by a Department supervisor through the Communications Center. No items, regardless of classification, will be left unsecured on the precinct/unit evidence room floor.

B. Wet Items

Unless otherwise specified, wet items should be placed in an unsealed plastic bag, in the lowest temporary storage locker. All paperwork should remain outside of the plastic bag.

C. Found/Abandoned Property

1. Property that is reported as abandoned and has no evidentiary, monetary, or serviceable value should not be collected by the Department. Examples of items not normally collected, unless they pose a safety hazard, are newspaper boxes, cardboard boxes, abandoned appliances, broken televisions, real estate signs, traffic barrels, traffic cones, etc.
2. Property with a monetary value, or items that appear to be stolen property, will be recovered. The employee must make a substantial effort to determine the owner of the property. If an owner is identified he must be contacted to pick up the property. If property needs to be shipped or mailed to the owner, the Property and Evidence Unit will assist in getting this accomplished.

D. Currency

Currency is the metal or paper medium, domestic or foreign, used for the exchange of goods or services (change/coins, dollar, euro, franc, etc.).

1. Currency, no matter the amount, must be packaged in plastic submission bags separately from other property.
2. Currency will be counted by the seizing officer and verified by a second employee. Both the seizing officer and witness will sign, date, and record the currency total on the Property/Evidence Currency Slip prior to it being placed inside the submission bag. The Property/Evidence Currency Slip will take the place of a Property/Evidence Information Slip for currency.

3. Both the seizing officer and witness will initial the bag seal.
4. Currency will be documented on the Property/Evidence Control Record by the totaled amount only.
5. Currency amounts of \$5000 or less can be secured in a precinct or unit evidence locker. Amounts greater than \$5000 will be turned over to an evidence technician for immediate storage in the Property and Evidence Unit.
6. Counterfeit currency shall be handled in the same manner as authentic currency.

E. Controlled Substances

All seizures of drugs or contraband will be documented and turned into the Property and Evidence Unit, regardless of amount or if an arrest is made. If items seized are not to be used as evidence, authorization to destroy the items will be indicated on the Property/Evidence Control Record. Only Property and Evidence Unit personnel will dispose of controlled substances.

1. All drugs will be packaged in the 10" X 13" plastic submission bags. The only exception will be light sensitive LSD, mushrooms, or green, moist botanical material. These items will be packaged in a paper container. Drug evidence/paraphernalia will be packaged and recorded separately from each other.
2. If items are to be sent to the State Crime Laboratory for testing, each individual item must be packaged in a small zip-lock plastic bag before being placed in the 10" X 13" plastic submission bag. Light sensitive items, such as LSD, will be put in a small paper bag prior to being secured in the 10" X 13" plastic submission bag. The plastic submission bag must be sealed with evidence tape and the seal initialed by the submitting officer. Mushrooms will be submitted in paper bags only (no plastic).
3. When multiple drug items are packaged together under the same suspect's name and sent to the State Crime Laboratory for testing, only the item that represents the most serious offense will be tested.
4. Marijuana is not to be sent to the State Crime Laboratory for testing, but should be carried by the investigating officer to the marijuana testing section at the Cobb County Adult Detention Center. The testing section will provide the officer with the required storage bag. Marijuana not being tested will be submitted to the Property and Evidence Unit.
5. Hypodermic needles, syringes, and razor blades will not normally be tested by the State Crime Laboratory. If the liquid in a syringe is to be tested, the contents will be transferred into a plastic vial and packaged as described in

this section. The syringe will be discarded in a sharps container. Note on the Property Evidence Control Record that vial contains a liquid substance (suspected heroin, suspect meth, etc.) from a syringe.

F. Firearms

1. Firearms are to be submitted unpackaged with the Property Control Tag attached with a plastic tie to the trigger guard. Ties will be not be inserted through the barrel or chamber. The only exception to this will be firearms which have been exposed to bio-hazardous material, or firearms which require fingerprint analysis. These types of firearms should be packaged in paper bags and the bag marked prominently with a bio-hazard sticker or “To Be Fingerprinted” printed boldly on the package.
2. Firearms will be unloaded before submitting to the Property and Evidence Unit. If the weapon can not be cleared, the Property and Evidence Unit will be contacted.
3. The seizing officer is responsible for ensuring that NCIC checks are made on all weapons prior to submission to the Property and Evidence Unit. Found weapons will be entered onto NCIC by the collecting officer.
4. The seizing officer will complete an eTrace Submission Form and attach it to the Property/Evidence Control Record.
5. If the firearm is seized in relation to a Family Violence incident, it shall be noted on the Property/Evidence Control Record.
6. If the weapon was used to commit a felony it must be seized.

G. Edged Items

1. Knives and other edged items will have the cutting edge and points covered with thick cardboard and tape to protect handlers from injury.
2. Most edged items, after having the cutting area covered, and which do not require further testing or preservation of fingerprints, do not need any further packaging and can be submitted with the Property Control Tag attached.

H. Jewelry

1. Unless jewelry is authenticated by an expert, it should be listed by its generic appearance only, such as “one yellow metal necklace.”
2. Jewelry will be itemized by line (e.g. – Item1: one yellow ring, Item 2: one pair yellow earrings with blue stones, etc.). Smaller items such as earrings and rings will be placed in a small zip-lock plastic bag before being placed

in the 10" X 13" plastic submission bag. Each small zip-lock bag will have the corresponding item number from the Property/Evidence Control Record printed on it so that it is plainly visible.

3. Jewelry will be packaged separately from other property.

I. Bio-Hazard

1. Items that have been exposed to bodily fluids such as blood, urine, semen, etc., are classified as bio-hazards.
 - a. If dry, these items should be packaged in a paper bag.
 - b. If wet, the Property and Evidence Unit should be contacted for guidance.
2. Bio-hazardous items must be packaged securely. If the item is too large for packaging, the contaminated area must be covered.
3. Property must be clearly marked in red as being a bio-hazard. Biohazard labels will be affixed to both the packaging and the Property/Evidence Control Record

J. DNA Evidence

1. All body fluids and tissues must be assumed to be infectious regardless of the source. All personnel should exercise universal precautions for body fluids.
2. If an officer believes DNA evidence is present, a detective will be notified. Normally, the detective will respond to collect the DNA evidence. However, the detective may authorize field personnel to collect DNA evidence if the suspected crime is a property crime with no known suspects.
3. If field personnel are requested to collect the evidence it must be done using the Blood Stain Collection Kit provided by the Department. No specialized training is required to use the kits; instructions for use are provided with the kit itself. The kit will be inspected prior to use and if any of the following exist, the detective will respond to collect the evidence:
 - a. The kit is expired or contains no expiration date.
 - b. The kit is not properly sealed or appears to have been tampered with.
 - c. Items from the kit are missing or defective
4. DNA evidence will be packaged according to the bio-hazard procedures and submitted to the Property and Evidence Unit. Only a detective will make the determination as to whether the evidence will be submitted to the crime lab.

K. Sexual Assault Kits

Sexual assault kits will be collected and entered into evidence. They should be classified as “send to crime lab” and accompanied by a copy of the completed on-line crime lab submission form. In the case of an unknown/anonymous victim, the Property/Evidence Control Record will reflect the following information:

1. The hospital employee submitting the kit will be listed as the finder
2. The hospital will be listed for the collection location.
3. The code number from the kit will be listed in the description.

L. Alcohol

1. All seized alcohol will be placed in an upright position, in tightly closed containers, and packaged securely in paper bags or cardboard boxes as small as the contents will allow. For open bottles, the current level of its contents should be marked and initialed on the bottle by the seizing officer.
2. Ice chests, coolers, etc., will not be accepted unless seized as evidence or found property.

M. Fingerprints

Fingerprints must be packaged separately from other property. They will be packaged in small clasp envelopes with the case number, officer’s name, badge number, and the Property/Evidence Control Record number written on the outside of the envelope.

N. Photographs

Photographs taken during the course of business, of business related activity, will be considered Department property and handled in accordance with policy, whether captured via Department owned or personally owned cameras.

1. Photographs generated by officers as part of their investigation are considered records, and should be attached to the appropriate case number/report in the records management system (RMS). This can be accomplished by one of the following methods:
 - a. Upload them directly to the PISTOL RMS (not MFR) and attach them to the report.
 - b. Create a case number folder on the designated network folder, and upload the pictures to that folder. Central Records will then attach the photos to the report.
 - c. Send a CD of the photos to Central Records. Label the CD with the case number and submitting officer’s name/badge number. Central

Records will then attach the photos to the report.

2. Photographs of evidence from property crimes (burglary, theft, etc.) may, in most cases, be used in criminal prosecutions in lieu of the actual items. The investigating or recovering officer should photograph:
 - a. Recovered stolen property which has a known owner and which can be returned to the owner without processing through the Property and Evidence Unit.
 - b. Items which have no evidentiary value, such as rocks, sticks, etc. After photographs are taken the items can be disposed of or left at the scene.
 - c. Items which are part of a crime scene, but do not require any further processing, testing, or analysis such as alcohol containers, needles, syringes, and razor blades.
3. Photographs obtained from another person, or that are considered contraband (e.g. – still shots of surveillance video, screen shots, printed photos, child pornography, etc.), should be considered evidence and packaged accordingly. Copies of seized photographs can be maintained in the case file.
4. Film containing photos should be submitted to the Cobb County Sheriff's Department Photo Lab for development. A note should be made in the incident/supplemental report that the film was dropped off for processing.
5. Polaroid and film photographs must be protected from moisture, extreme temperatures, and direct sunlight. They should not be packaged in plastic bags; paper bags or envelopes should be used.

O. Audio and Video Recordings

Audio/video recordings taken during the course of business, of business related activity, will be considered Department property and handled in accordance with policy, whether captured via Department owned or personally owned recording devices.

1. Audio/video recordings must be guarded from coming in close proximity to any strong magnetic field such as speakers. They also must be protected from moisture, extreme temperatures, and direct sunlight.
2. All audio/video recordings seized as evidence will be turned in to the Property and Evidence Unit for storage. Copies of seized tapes should be made in order to be used during the case investigation, thus preserving the original evidence tape for court presentation. Copies of tapes may be maintained in the case file storage area of the unit.

3. Audio/video tapes generated by officers as part of their investigation, may be kept with the case file as long as the case file is maintained in a locked storage area.

P. Written Statements

1. Witness Statement Forms generated at the request of an officer/detective are not considered evidence. They will be labeled with the case number and number of pages and submitted to the Records Unit or placed in the case file.
2. Suicide notes, and demand notes used in the commission of a crime, are considered evidence and will be processed accordingly.

Q. Vehicle Tags

1. Vehicle tags will be packaged in the 10" x 13" plastic submission bags. The registered owner's name will be documented on the Property/Evidence Control Record.
2. Tags may be released directly to a Cobb County Tag Office. However, the Property/Evidence Control Record must still be completed and the Tag Office employee receiving the tag must sign the Property/Evidence Control Record as part of the chain of custody.

R. Vehicle Parts

1. Vehicle parts that are bulky can be submitted as unpackaged individual items, as long as a Property Control Tag is attached.
2. Small parts should be bagged in the plastic submission bags. Sharp objects may puncture through the single plastic bag and should be double-bagged using the smaller zip-lock bags.

S. Gasoline Powered Equipment/Perishable Items

If these items must be collected, or the owner cannot take possession or is not known, an evidence technician must be contacted to arrange for appropriate storage.

T. Signs

1. Most road signs are the property of the Department of Transportation and need not be turned into the Property and Evidence Unit unless needed as evidence. Found road signs should be turned over to the Department of Transportation, rather than the Property and Evidence Unit.
2. Real estate signs, unless evidence of a crime, should not be turned into the Property and Evidence Unit.

U. Dangerous Materials

1. The Property and Evidence Unit will not handle or store dangerous materials such as chemicals, explosives, flammables, etc. An appropriate specialist, such as the Bomb Squad, Fire Department, etc., will be contacted to handle and dispose of dangerous items.
2. The only exception to this is gasoline powered equipment with fuel tanks containing gasoline as stated in this policy.

V. Fireworks

Property and Evidence Unit personnel should be contacted if fireworks are to be confiscated. Generally, fireworks are transferred to the Bomb Squad for destruction.

W. Computer Equipment and Electronic Storage Devices

Before taking a computer system or electronic storage device into evidence you first need to verify that the equipment is not on or connected to a power source (i.e. - plugged into a wall or charger).

1. Should the computer or other device be connected to a power source, or connected to a networked system, contact a member of the Technology Based Crime Unit before proceeding any further.
2. If the equipment is both powered off and disconnected from any power source then it will be collected and packaged noting the make model and serial numbers of any/all components (e.g. - main computer unit, mouse, keyboard, monitor, etc.). Use anti-static bags, paper bags, or cardboard boxes. Do not use plastic bags as they can create static electricity and destroy data contained on magnetic storage media (i.e. - hard drives, floppy disks, etc.). All computer equipment and electronic storage devices need to be transported in the passenger compartment and away from all radio equipment.