

GENERAL ORDER 95-13
Department Operational Policies and Procedures: Property/Evidence Procedure Manual
DATE EFFECTIVE: October 3, 1995 DATE REVIEWED: October, 2007

I. POLICY STATEMENT

This policy is designed to effectively and efficiently record, store, and dispose of property (either found or evidence) coming into the University Police Department in accordance with established legal requirements.

II. OBJECTIVES:

The property control system at the University Police Department can be defined as having five objectives:

- A. Meet federal, state, and local legal standards for storage, handling, and disposition of property.
- B. Adhere to all administrative requirements, policies and procedures, proper reporting, inventory procedures, and audits of department operations.
- C. To provide for the safe and efficient handling and storage of various classifications of property including:
 - 1. Weapons/ammunition
 - 2. Narcotics/drugs
 - 3. Flammables
 - 4. Perishables
 - 5. Bulk Storage
 - 6. Retention Periods
 - 7. Biohazard
- D. Protect property owners' rights. A property owner retains all rights in property until a court of competent jurisdiction orders a forfeiture.
- E. Aid in the solution of crimes and prosecution through crime analysis and preservation of the chain of evidence.

III. OFFICE OF PROPERTY CUSTODIAN

Lori Lipinski, Resources Supervisor, is hereby appointed property custodian. This position involves the receipt, recording, custody, security and disposition of found property, evidence, and contraband within the custody of the Department. The property custodian shall be responsible for the following tasks:

- A. Manage the operation of the Property Control Room to ensure safekeeping, accurate recording, and disposition of all lost, abandoned, recovered, and unclaimed property.
- B. Report any discrepancies in property custody reports and irregularities in the processing of property to his administrative supervisor.
- C. Maintain property control logs, files, and reports in a complete and efficient manner.
- D. Notify any and all persons owning or having legal right to possession of property in the custody of the department.
- E. Return or cause to be returned, property to its owner or another having legal right to possession.
- F. Dispose of unclaimed and contraband property in the manner established by Department policies and procedure.
- G. Process and route evidence for appropriate testing and analysis as required.
- H. Testify in court as to the policies, procedures and methods used in the handling, storage, and security of property, evidence, and other materials coming within or under his/her control.

IV. PROPERTY INTAKE PROCEDURES

- A. Receipt of Property
 - 1. All property coming into the Department must be logged into the property /evidence log book.
 - 2. A property/evidence tag or bag is required to be completed and attached to each item.
 - 3. Property entered into the log book will contain the date, complaint number, officer name, location stored, and special circumstances, e.g.-DO NOT TOUCH: PRINTS.
 - 4. Officers will secure locker once the property is placed in a temporary storage locker. An exception to this may be the owner has agreed to come to the department that day to claim the item. All evidence will be securely locked.

- B. The Property Custodian on a frequent basis will remove property from the temporary storage lockers and place the property in the permanent storage room. The date of transfer, officer and location will be written in the log book.
 - 1. Property released to the owner will be noted in the log book and highlighted in yellow, indicating the property is no longer in the department's possession.

V. PROPERTY STORAGE AND HANDLING

- A. All property submitted as evidence, found, or safekeeping will be stored in the property control room. Such items shall be removed from the property room only by the property custodian, and records for such removal shall be completed.
 - 1. Court Evidence: Any officer needing evidence for court shall notify the property custodian at least three days in advance of the court date. Arrangements will be made so the evidence can be released to the investigating officer.
 - 2. Evidence in Unsolved Cases: Any evidence submitted into the property room where the case is unsolved will remain in the property room for a minimum of:
 - a. misdemeanor - one year
 - b. felony - generally seven years
 - c. crimes with no statute of limitations - indefinitely
 - d. DNA evidence: indefinitely
 - 3. Bulk Storage: Any evidence or found property too large for the property control room will be placed in the department sign room in the '66 '68 building until a permanent storage area is located.
 - 4. Evidence Processing: If evidence is to be submitted to the crime lab, the original investigating officer should note this on the property log book. It is the officer's responsibility to see that the item is taken to the crime lab.
 - 5. Removal by Other Law Enforcement Agencies: If evidence or found property is to be released to another police agency, the appropriate forms shall be completed.
 - 6. Owner Notification for Found Property Return: The property custodian will make every effort to obtain the property owner's name. If the owner of the property is known, the property custodian will make sure the owner has been notified that the property is in the Department's possession.

- a. Property can be released to the owner upon showing identification or proof of ownership (if applicable). The owner will sign and date the property tag.
 - b. No evidence will be released to the owner without authorization from the original investigating officer.
7. Return of Property: If the property owner is notified of property in the Department's possession and does not wish to retain the property, a letter will be sent to the owner stating the same and the property will be disposed of.
 8. Receipt from Crime Lab: Any evidence submitted to the crime lab and returned to the Department shall be accompanied by a report from the lab indicating time/date, and officer returning the evidence. The evidence will be placed back in storage until the case is closed.
 9. Property such as firearms and other dangerous weapons will be stored in a locked file cabinet inside the property room.

VI. PROPERTY DESTRUCTION/DISPOSAL

A. Property to Be Destroyed

1. The property custodian will frequently monitor property to be destroyed, returned, converted to department use, or given away. The following guidelines will be followed to ensure proper compliance with Michigan Law.
 - a. Found Property - Keep for 90 days, (minor items)
Keep for 120 days,(major items)
 - b. Evidence - No longer needed when case is closed.
 - c. Appeals - Indefinite
2. The property custodian will notify the original investigating officer, or the Director, of evidence from an incident that is closed or is no longer under investigation. The police officer will complete a form indicating what disposition to be taken on the evidence.
 - a. Destruction of controlled substances will be in the presence of two officers.

B. Property to be Disposed

1. Any found property that is kept within the department for the above time periods can be disposed by any of the following:
 - a. Place the item in a public auction with the proceeds deposited in the SVSU general fund.
 - b. Retain the property for use by the law enforcement agency according to Act 169.
 - c. Release property to a public organization as a donation. (e.g.: eyeglasses to Lions Club, clothing to Goodwill, etc.)
 - d. Any other method of disposal or use of property must receive advance authorization by the Director of University Police.
2. Incidents where property is disposed of shall be noted on the property tag and the tag shall be attached to the original report.

C. Whether property is destroyed or disposed of, such indication will be noted on the property/evidence log. The appropriate lines will be highlighted in yellow to indicate the property is no longer in the department's possession.