



UNIVERSITY OF KENTUCKY POLICE DEPARTMENT GENERAL ORDER NO. 8

EVIDENCE AND PROPERTY

EFFECTIVE DATE
07/01/00

REVISION DATE
09/30/2015

CALEA STANDARDS

KACP STANDARDS
27.1, 27.2, 27.3, 27.4

I. PURPOSE

The purpose of this Order is to establish policies and procedures for the security and maintenance of all evidence and found property.

II. POLICY

It shall be the policy of the University of Kentucky Police Department to establish and maintain procedures for the handling of property and evidence. (KACP 27.1, 27.2)

III. PROCEDURE

A. INCOMING PROPERTY AND EVIDENCE

1. PACKAGING OF PROPERTY AND EVIDENCE

- a. Packaging materials are located at the evidence workstation. Officers should wear latex gloves and other protective eyewear/clothing as necessity demands for safety when handling any property/evidence which might be of a hazardous or bio-hazardous nature.
- b. All property and evidence must be placed in a regular evidence envelope, Ziploc type plastic container, paper sack or box. Each package will be marked to indicate what item numbers are contained therein. Any property and evidence that cannot be packaged shall be properly marked or tagged with evidence and item number to avoid loss or misplacement.
- c. All hazardous evidence should have the appropriate warning labels applied to their containers (e.g., biohazard, sharp).

2. COMPLETION OF EVIDENCE AND PROPERTY FORM

- a. All evidence and property received by personnel in the Department shall be booked in using Evidence Tracker to assure that all items are accounted for. You must enter at least the name of all victims/suspects/owners in the "Add Person" section. If known, the person who turned in found property to the Department must also be entered in this segment. If the owner or suspect is unknown, put "unknown" in this segment. After completing the form in Evidence Tracker, officers must print off a copy and attach it to the container in which the property or evidence is placed.
- b. All evidence and property shall be booked into property and evidence by an officer before the end of the same shift that the officer has worked. All property and evidence is placed in the bank of lockers inside of the Room 103. The officer places the property or evidence in a locker and secures the locker by turning the handle and pushing the button. The property officer(s), Support Services Captain, Accreditation Manager and designee(s), and Administration Major have the only UK IDS that allow admission into the evidence room. If an owner of found property arrives before the property has been placed in a locker, the officer can release it to the owner. The officer should be sure to verify the identification of the owner and have them sign the Evidence and Property Form that was printed out and put the date and time the property was released to the owner.
- c. The property officer(s) will check for newly booked property and evidence when he/she arrives for duty. The property officer(s) will assign a permanent location for all evidence and property, print out a label that is attached to the property and place it in the assigned location within the Evidence Room.
- d. If for any reason officers confiscate more evidence or property than can be secured in the Evidence lockers, the officer(s) should sign out the key to gun locker #004 which is located in the

communications office. A key to the locked cage inside the police room at Parking Structure #5 is in this locker so that the evidence or property can be directly place in this secured cage. All currency, weapons, jewelry, and drugs must be booked into the Evidence Room at headquarters. If for some reason there is too much to fit in the lockers, the officer must contact the property officer to come in and place the evidence in the Evidence Room.

3. BOOKING COINS AND CURRENCY (KACP 27.4)

- a. Coin and currency must be counted and verified by two people and packaged separately from other evidence, using separate property tags.
- b. The denominations should be described, and the amount totaled on the face of the currency envelope.
- c. Funds taken from multiple suspects involved in one case are booked into evidence using separate property tags and separate currency envelopes.
- d. Place money in a secured locker in the evidence lockers. The records officer will place money in the closet with an additional lock in the Evidence Room.

4. BOOKING WEAPONS (KACP 27.4)

- a. Unloaded firearms may be secured in a paper bag or gun box or with a tag attached.
- b. In cases involving the impounding of firearms, no other property, e.g., holster or ammunition, is listed on the same tag.
- c. **NO LOADED WEAPONS SHALL BE BOOKED INTO PROPERTY.**
- d. For all weapons other than firearms, the type, brand name, color and serial number (if any) will be listed.
- e. Knives, ice picks and other sharp objects should be encased in cardboard for safe handling or placed in appropriate knife box and marked "Sharp Object" on cardboard. **Never leave sharp objects laying out in the lockers where they could fall on the property officer(s) or cause a puncture wound when reaching for them.**
- f. Place weapons in a secured locker in the evidence lockers. The property officer(s) will place weapons in a closet with an additional lock in the Evidence Room.

5. BOOKING JEWELRY (KACP 27.4)

- a. Jewelry is packaged individually (each with its own tag), with only one piece per bag and packaged and stored separately from other property. Jewelry should never be identified as "one jewelry box containing misc. jewelry".
- b. Place jewelry in a secured locker in the evidence lockers. The property officer(s) will place jewelry in a cabinet with an additional lock in the Evidence Room.

6. BOOKING NARCOTICS AND DANGEROUS DRUGS (KACP 27.4)

- a. Narcotics and dangerous drugs are packaged separately and sealed with evidence tape; the tape is initialed by the booking officer. Officers shall wear latex gloves while handling any type of drugs or narcotics.
- b. **ALL DANGEROUS DRUGS AND NARCOTICS SHALL BE WEIGHED.**
 - 1) Capsules/pills are to be counted and weighed.
 - 2) Hits of LSD are to be counted.
 - 3) Marijuana plants in pots are to be uprooted and the dirt removed, the plants are to be counted and weighed.
 - 4) Processed marijuana and powdered drugs should be weighed in their container and so noted on the property form.
- c. All found narcotics and dangerous drugs are booked in the same manner as evidence and noted as found property.
- d. All syringes are to be placed in a small box and labeled as "SYRINGE".
- e. Place drugs in a secured locker in the evidence lockers. The property officer(s) will place drugs in a closet with an additional lock in the Evidence Room.

7. BOOKING ALCOHOLIC BEVERAGE CONTAINERS

- a. Officers should avoid booking opened alcoholic beverage containers into evidence if this evidence is not crucial to their case.
- b. When it is necessary, open containers will be accepted as evidence when empty, capped, or with other covering in place.
- c. Place alcoholic beverage containers in a secured locker in the evidence lockers. The property officer(s) will place these containers in the Evidence Room.

8. BOOKING EVIDENCE THAT REQUIRES REFRIGERATION

- a. Perishable items of evidence, such as blood samples, urine specimens and Physical Evidence Recovery Kit (P.E.R.K) will be placed in the locked evidence refrigerator in the Evidence Room.
- b. The property officer(s) will need to be notified to unlock the refrigerator. The keys to this lock is maintained in the records officers locked office.

9. OTHER SPECIAL REQUIREMENTS FOR BOOKING EVIDENCE

- a. Explosives, fireworks, flammable liquids or materials must be stored in compliance with fire safety regulations. This evidence may be stored at a location designated by the University Safety Officer or at the facility provided by the Division of Fire, Station 1.
- b. Wet evidence (e.g., blood or semen-stained clothing) should be tagged and taken to Lexington-Fayette County Division of Police to be hung to dry in their secure facility.
- c. Vehicles that are evidence may be stored in the Lexington-Fayette County Division of Police facilities.
- d. Dry clothing, bedding, shoes, etc., having value as evidence should be placed with only one article to a paper bag to avoid cross-contamination.
- e. Documents should be duplicated and a copy included with the original report. This type of evidence may be packaged in a Ziploc bag or envelope.
- f. Checks should also be copied, and a copy included with the original report. Checks can be placed in a Ziploc bag and tagged.
- g. Keys to impounded vehicles should be turned in with paperwork only in cases where vehicle is to be held as evidence.

B. RELEASING EVIDENCE

- 1. With the exception of IIIA2b and IIIB4a, property and evidence shall not be released by anyone except the property officer(s) or his/her designee.
- 2. Officers should inform anyone inquiring about property or evidence to contact the property officer(s) weekdays between 8:30 a.m. to 4:00 p.m. to make an appointment for the release of property. Officers should never tell the public to just come in between those hours as the property officer(s) may not be available to release property at that time.

3. EVIDENCE EXAMINATION

- a. Officers requesting evidence to be sent to the KSP Lab must fill out a KSP Lab request form and/or email to the property officer(s) or place the form with reports to be collected by Central Records.
- b. Evidence requiring testing at KSP Lab will be hand-carried by the property officer(s) or his/her designee only, with the exception of D.U.I. blood alcohol test kits which may be taken to the U.S. Post Office on High Street at Lexington Avenue and mailed.
- c. Evidence requiring testing at Lexington-Fayette County Urban County Government Division of Police will be hand-carried by the property officer(s) or his/her designee.
- d. All evidence transfers should be carefully noted on the Chain of Custody portion of Evidence Tracker.

4. PHOTOGRAPHING RELEASED PROPERTY

- a. Officers should arrange for photographs of recovered property that is likely to spoil or ruin if booked into evidence, and arrange for its immediate return to the rightful owner.

- b. Officers who recover stolen items that are unusually bulky, large or are a necessity to the victim should photograph the item and contact the property officer(s) to release it to the owner as soon as possible.
 - 1) Photos taken of recovered property should be booked into evidence. Photos are in digital format and should be downloaded onto a medium such as a disc or thumb drive.
 - 2) Crime scene videotapes/disks should be booked into evidence.
 - 3) Photographed items should be properly described and owners identified in all reports.
 - 4) If there is any doubt about the necessity of having the actual evidence rather than a photograph, the County Attorney's Office should be contacted for guidance.

5. CHECKING OUT EVIDENCE FOR COURT OR INVESTIGATIONS

- a. Evidence may be checked out of the Evidence Room only by the case officer, officers who have a subpoena to court which requires them to present the evidence, and/or investigative personnel assigned to the case.
- b. Evidence Checked Out for Court
 - 1) Officers needing evidence for court should send an email or a memo along with a copy of their subpoena for court to the records officer at least 10 days prior to the court date. If an officer is not given notice of court prior to 10 days, he/she should notify the records officer in the same manner as stated above as soon as he/she is served.
 - 2) The officer signing evidence out for court will return it to the records officer as soon as the court is through with it. If the records officer is not available to accept it, the evidence should be placed in a secure locker in the evidence lockers. The officer should complete an ENIBRS Case Status Report, Section III Final Disposition of Property Form, print off a copy and turn it in to the records officer.
 - 3) If the court retains, confiscates, or orders the release of evidence, then the officer will attach a copy of the court order signed by the prosecutor to the ENIBRS Case Status Report turn it in to the records officer.
 - 4) When property is returned to the property officer, he/she will check to see that all contents listed on the evidence form are present if the package has been opened.
 - 5) Any time an item of evidence is released, it will be noted in Evidence Tracker in order to maintain the chain of custody.

C. DISPOSITION OF EVIDENCE

1. EVIDENCE MAY BE DISPOSED OF IN ONE OF THE FOLLOWING WAYS:

- a. Authorization from the case officer.
- b. Authorization from the detective assigned to the case.
- c. Authorization from the case officer's commander.
- d. A court order directing the disposal, forfeiture or release of evidence.
- e. Dangerous drugs and narcotics:
 - 1) Destruction will be done a minimum of twice annually.
 - 2) The records officer will contact State Drug Control to have a representative from that agency to accompany him/her to the designated facility incinerator. The records officer may also utilize the Kentucky State Police Post 12 or Post 7 evidence/drug burn facility following KSP's prescribed methods for evidence destruction, under their on-site direction.
- f. After 90 days, all found and/or unclaimed property will be destroyed or disposed of at University Surplus Auction. When a citizen turns in found money to the Police Department, be sure and note his/her name in the "Add Persons" segment of Evidence Tracker. That person is eligible to claim the found property if unclaimed by the original owner within 90 days. It is the responsibility of the person who found the money to contact the property officer. If unclaimed by the finder within an additional 90 days, the money will be handled as other money in evidence. The money from these items will be disbursed in accordance with the policies of the University's Business Procedures Manual.
- g. Firearms in evidence will be disposed of in accordance with Kentucky Revised Statutes.
- h. When there is evidence in a case generated by a former employee, the former employee's last commander will be responsible for the release or disposal of remaining items in evidence. When an employee gives notice that they are leaving, the commander should review all evidence booked in by the officer for status on cases and proper disposal of evidence.

2. REVIEW OF OFFICER'S EVIDENCE FILE

- a. To eliminate the hazards of overcrowded conditions caused as a result of an excessive amount of stored property, it is the responsibility of each officer to make proper disposition of all property entered by himself/herself within six months after legal requirements have been satisfied.
- b. It is the officer's responsibility to give final disposition on cases or items that have no evidentiary value.
- c. A copy of all evidence in each officer's file will be sent to the officer quarterly. It is the responsibility of each officer to inform the records officer of any property/evidence that he/she has booked in that can be released.
- d. In cases involving forfeiture, it is the officer's responsibility to ensure that a court order is issued and delivered to the Department. The court order should be obtained as soon as possible after final disposition of the case.

D. EVIDENCE ROOM MANAGEMENT CONTROLS

1. CHIEF OF POLICE IS RESPONSIBLE FOR THE CUSTODY OF ALL PROPERTY

The Chief of Police is responsible for the custody of all property taken in by any member of the Police Department, or designated outside agency, that is suspected of being the proceeds of a crime, contraband, found property, or certain types of personal property.

- a. The Chief of Police will appoint a records officer who is accountable for control of all property accepted by, or stored in, the Department's Property and Evidence storage areas.
- b. In the event the records officer is on vacation, holiday, extended sick leave, or in training, he/she, upon approval of the Chief of Police, will designate a sworn officer, to be responsible for all the duties of the property officer. If possible, advance notice should be given to all officers so they can address property/evidence memos to the proper authority.

2. RECORDS

- a. The records officer shall maintain the Property and Evidence System and Forms that reflect the status of all property and evidence currently being held by the Department. These records shall include, but are not limited to; date and time received or released description of items, and chain of custody.
- b. The records officer will maintain these records in a separate file for safekeeping.
- c. The records officer should maintain records concerning inspections and inventories of property and audits of records for a period of five (5) years.

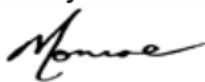
3. ACCESS TO PROPERTY STORAGE AREAS

- a. All personnel entering the agency's property storage area will be escorted by the records officer or his/her designee. **(KACP 27.4)**
- b. After hours, officers will deposit property and evidence in the evidence lockers, Room 103 of Headquarters. Proper booking procedure shall be used as outlined previously in this General Order (see III A. Incoming Property and Evidence).

4. INVENTORIES AND AUDITS **(KACP 27.3)**

- a. Inventories and Audits will be performed at random intervals, minimum of two (2) per year, by an outside qualified individual (e.g., Assistant County Attorney or a records officer from another department) not to be the property officer, to insure the integrity of the Evidence Room.
- b. Whenever a new records officer is designated by the Chief of Police, the new clerk, along with the outgoing clerk, will jointly inventory property, evidence and records. This joint inventory will be conducted prior to the newly designated clerk assuming the duties and responsibilities of the property officer.

By order of



CHIEF OF POLICE
Upon Approval of

UK LEGAL COUNSEL