
KANSAS CITY, KANSAS POLICE

GENERAL ORDER

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SUBJECT: Found, Safekeeping, and
Evidentiary Property

REFERENCE: CALEA Ch. 84

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I. PURPOSE

- A. To regulate control of evidence and in-custody property, and to establish an inventory procedure for all items which come into the custody of the Department from any source.
- B. To guarantee the property rights of owners, provide for the proper identification of evidence, define guidelines for the security of evidence and in-custody property, establish records of all evidence and in-custody property, and protect the integrity of the Department.
- C. To identify the responsibilities and establish procedures associated with the maintenance of chain of evidence and requests for laboratory analysis.

II. DEFINITIONS

- A. Chain of Custody: A record of persons having charge, control or possession of evidence from the time it is received until disposal.
- B. Chain of Evidence: The continuity of custody of material and items collected as evidence, whether at the crime scene or not.
- C. Constructive Possession: In cases where the suspect does not exclusively possess the premises upon which the evidence is found, it cannot be inferred that the defendant knowingly possessed the evidence unless there are other incriminating circumstances linking the defendant to the evidence.
 - 1. Constructive Possession is not exclusive to narcotics. It also includes items such as; stolen property, weapons, or any other items deemed illegal.

- D. Contraband: Items which are unlawful to possess by anyone.
- E. Controlled Substances: All substances where the possession and/or sale is restricted or controlled by law.
- F. Evidence: Items which may be related to a criminal or quasi-criminal offense, or which may implicate or clear a person of a criminal charge.
- G. Found Property: Any item of value held in police custody which has been found, turned in, abandoned, or held for safekeeping, and is not believed to be connected to, or part of, a criminal or quasi-criminal offense. Items are maintained so a reasonable effort to locate an owner may be made.
- H. Safekeeping: Property held in police custody because the lawful owner is unable to temporarily maintain custody, or is unwilling to assume custody.

III. NON NARCOTIC PROPERTY PROCEDURES

- A. The Logistics/Property Supervisor, under the authority of the Criminal Investigations Division Commander, is responsible for the accountability for the inventory and all policies and procedures pertaining to: property in custody which is found, recovered, safekeeping, and evidentiary in nature.
- B. All property will be stored within the area controlled by the Logistics/Property Supervisor.
- C. Property storage lockers are inspected each weekday morning, except holidays. A verification of both the item(s) submitted and the Property Receipt accompanying the item(s) is completed prior to logging the property into the unit record keeping system.
- D. Whenever officers come into possession of any evidence or property, whether it be found or seized for safekeeping, they will immediately complete a Property Receipt explaining the facts under which they came into possession of such property. A list and detailed description of the property must be included on the receipt. All pertinent information will be included in the report, and will be logged into agency records as soon as possible.
 - 1. Items of contraband which are turned into the Logistics/Property Unit and are marked as found property may be immediately destroyed or disposed of.
- E. Each item of property will be listed separately on the Property Receipt. The following information will be supplied, whenever applicable:
 - 1. Type of property, color, size, weight and/or other identifying characteristics.
 - 2. Unique numbers, serial numbers and model numbers.
 - 3. The circumstances by which the property came into the Department's possession.
 - 4. If the property is determined to be stolen based on a NCIC (National Crime Information Center) hit, the officer will ensure that a copy of the NCIC Hit printout is placed into property with the stolen property. The officer will record the reporting agency ORI number, OCA number, and the NIC number in the narrative of the Property Receipt.
 - a. ORI= Identifier for the agency reporting the loss.
 - b. OCA= Original complaint number.
 - c. NIC= NCIC issued number.

NOTE: Each of these numbers is located on the printout available from Communications and must be recorded at the time of recovery before they are deleted from the computer file.

 - d. The printout will be faxed to Logistics/ Property by communications as well as to the division that the reporting officer reports to. The officer will then place the NCIC printout with the stolen property in the Logistics/ Property Unit.
- F. Property will be labeled, packaged and marked according to guidelines specified in the Logistics/Property Unit SOP. It will be placed in a standard property envelope, or, if it is too large or awkward, it will be labeled with a property tag, showing the complaint number, etc. The original Property Receipt will be attached to the envelope, or, if it is not in an envelope, it will be attached to the property itself. Special consideration will be given to open containers and firearms.
 - 1. Firearms will not be placed in property until they are cleared. If necessary, the Range Master or Assistant Range Master will be contacted to clear the weapon. A property tag will be wired to all rifles & shotguns, on or near the trigger guard before being placed into a locker.
 - 2. Open containers will be sealed with rubber gloves, plastic, or another material that will stop spillage. Open containers will not be placed in envelopes. A property tag will be attached to the property, along with the original Property Receipt.
- G. Officers will place all property in the property room or the after-hours property locker room before the end of their tour of duty.
 - 1. The door to the after-hours property locker room is secure. Each officer will use his or her personal proximity card for access.

2. Property placed in the after-hours property locker room will be locked in the individual lockers with the padlocks provided. A large locker is available for larger property that will not fit in the individual lockers. Unusual items, such as bicycles, that cannot fit in the locker can be secured in the room.
 3. If property is recovered after hours, which is of such unusual size, volume, or value that it renders the usefulness of the storage room impractical, a designee from the Property/Logistics Unit will be contacted to assist with securing the property.
- H. Upon fulfilling legal obligations, every reasonable effort will be made to identify and ensure the return of the property to the legal owner.
- I. Once the property has been officially placed under Departmental control, procedures for removal will be followed (see section XV of this order).
1. Under no circumstances will property be subject to personal use or stored in employees' personal office, desk, locker, vehicle, home, or other places that would permit the chain of custody to be interrupted.

IV. CURRENCY AND VALUABLES PROCEDURES

- A. Currency (cash or coin) that is taken into custody, whether for evidence, found property, or for safekeeping, will be packaged separately from all other types of property.
- B. Currency can be included on the same Property Receipt as the non-currency property, if it was recovered from the same person as the other property being turned in.
1. When currency is recovered from more than one individual during an incident, a separate Property Receipt will be completed for each person from whom currency has been seized and will be packaged in its own property envelope. This will ensure that currency belonging to different individuals will be kept separate.
- C. Currency will be itemized on the Property Envelope by denomination, with a total for each clearly written in the value column of the report. The denomination totals will be combined to get the total of all currencies listed. The total dollar amount will be clearly written on the Property Receipt.
- D. A Field Supervisor will verify the currency. The verifying supervisor will place his or her initials next to the total dollar amount on the Property Envelope to indicate his or her verification.
- E. A copy of the Property Receipt will be placed inside the property envelope with all currency prior to the envelope being sealed.
- F. The recovering officer will seal the property envelope containing the currency with evidence tape and initial the seal. A Property Receipt will be affixed to the outside of the sealed envelope.
- G. Prior to being submitted to the Logistics/Property Unit, the recovering officer will ensure that the currency total is also written on the property envelope.
1. The Logistics/Property personnel are required to report all funds submitted that are not in a securely sealed envelope or have broken seals. Any envelopes or seals that appear to have been tampered with will also be reported.
 2. The Logistics/Property personnel will place the unsealed envelope and funds into a new envelope and seal and initial it
 3. A Case Supplement Report will be generated by Logistics/Property personnel any time an unsealed envelope is received. The Case Supplement Report, along with a copy of the Property Receipt will be forwarded to the appropriate Bureau Director, through the Logistics / Property Unit's chain of command, for appropriate follow-up action.
 4. Currency will be either turned into the Logistics/ Property Unit directly or placed in the valuables drop box in the after-hours property locker room.
- H. Property that is not currency which requires extra security measures (exceptionally valuable or sensitive items) will be placed in the valuables drop box in the after-hours property room at Police Headquarters if the Logistics/Property Unit is closed.
- I. The Logistics/Property Unit will secure currency separately from all other types of property. Currency will be disposed of by the Logistics/Property Unit as soon as legally possible. In some instances, it may not be necessary to furnish the original currency evidence for a criminal case. In such instances, the currency may be released or placed in a specified account, as appropriate.

V. FIREARMS PROCEDURES

- A. Firearms that are taken into custody, whether for evidence, found property, or for safekeeping, will be packaged separately from all other types of property.
- B. All handguns will be packaged individually, each in its own property envelope. Any magazine or bullets contained inside the handgun at the time of its recovery can be packaged with that handgun.
- C. All extra ammunition, extra magazine, holsters, or any other accessories will be packaged separately from the handgun.
- D. All rifles & shotguns will have a completed property tag affixed to it before turning it into the Logistics/ Property Unit.

1. The firearms can be included on the same Property Receipt as the non-firearm property, and a copy of the property report will be attached to the firearm or the envelope containing the firearm.
 2. Firearms will be described by make, model, caliber or gauge, serial number and identifying characteristics.
- E. Firearms will not be turned into Logistics/Property until they have been cleared. If necessary, the Range Master or Assistant Range Master will be contacted to clear the weapon.
1. The Logistics/ Property unit will store firearms separately from other types of property.

VI. HANDLING OF COMPUTERS AND COMPUTER EQUIPMENT

- A. Special precautions must be taken when seizing computer equipment in the field, when officers believe the computer contains data that is evidence. This is done to prevent damage or data loss due to improper shutdown or handling. In many cases, the data evidence on the computer may be crucial.
- B. Be cautious if you have reason to believe that the computer is programmed to automatically erase files if not shut down a particular way. Help can be sought through the chain of command. If the problem warrants it, the Staff Support Division Commander may be contacted for assistance.
- C. Officers will avoid exposing computers, disks, and hard drives to areas where they will be exposed to magnetic or electrical fields, since this can affect data.
- D. Peripheral equipment (printers, extra disk drives, monitors, etc.) will also be treated as fragile. Peripheral equipment will be kept together with the entire computer system and all items will be listed on a single property receipt.
- E. Computer systems or computer equipment will be either turned into the Logistics/Property Unit directly or secured in the after-hours property room.
- F. When data on a seized computer is evidence, the computer will be started up and shut down by an employee skilled in computer operation to avoid data corruption or deletion.

VII. HANDLING AND SECURITY OF CONTROLLED SUBSTANCES

- A. All narcotics property that is discovered in the field under any circumstances will be turned in as evidence or found property. It will not be destroyed on the scene. All officers will report the recovery or seizure of suspected narcotic property or controlled drug evidence or contraband to their supervisor immediately.
 1. Evidentiary property will be weighed before being placed in the narcotics drop box. The scale will be located in the after-hours property room located in Police Headquarters.
- B. With the exception of officers assigned to the Narcotics Unit, the officer's supervisor should respond to the scene of the recovery or seizure of a substance that is suspected to be an illegal drug which has evidentiary value and:
 1. Determine if the suspected contraband is believed to be marijuana, methamphetamine, heroin, or cocaine (including "crack").
 2. If the property is evidence and suspected to be cocaine (including "crack"), heroin, marijuana, or methamphetamine, a supervisor certified by the field test kit manufacturer to perform field tests should use a small quantity of the suspected contraband to perform a field test. The field test procedure and results should be recorded by the supervisor on the protocol form.
 3. A copy of the protocol form will be placed in the property envelope after the officer fills out the weight section with the recovered narcotics. The form will not be enclosed inside the clear evidence bag containing the narcotics.
 4. Only personnel certified to conduct the Department authorized field tests shall conduct field tests, although non-certified personnel, preferably the recovering officer, can act as a witness to the test.
 5. All officers should wear disposable latex gloves whenever they handle any suspected controlled drug contraband or narcotic property evidence.
 6. Used field-test kits and latex gloves must be disposed of in a trash receptacle which is inaccessible to children.
 7. If the substance is evidence, but suspected to be contraband other than marijuana, heroin, methamphetamine, or cocaine (including "crack"), no field test will be performed.
 8. If the substance is evidence, regardless of whether or not a field test has been performed:
 - a. A Narcotic Property Information Card will be completed and will be signed by both the recovering officer and the supervisor conducting the field test.
 - b. The suspected contraband should be separated from any container which it was recovered, and placed in a separate clear evidence bag, reference section VII, G, of this General Order. The exception to this would be the lightweight plastic bags or plastic wrap type materials that contained the narcotics.

- c. An attempt will be made to count quantities of "rocks," tablets, pills, cigarettes, etc., prior to being placed in the clear, plastic, self-sealing evidence bag.
- C. When a substance or paraphernalia is found property only, it is not necessary for a supervisor to respond to the scene, nor does the property require a weight. No field test will be performed, and it is not necessary for the supervisor to sign the Narcotic Property Information Card.
- D. Prior to approving any arrest for an offense related to the possession, use, or sale of controlled substances, the on-scene supervisor will:
 - 1. Review the totality of the circumstances surrounding the recovery of the evidence to determine if Department policy was followed and that constructive possession by an individual suspect can be shown and articulated (see GO 1.04, Search and Seizure).
 - 2. Review the probable cause for arrest for any individual suspect, remembering that in those instances where the suspected contraband is believed to be a controlled substance other than methamphetamine, marijuana, heroin, or cocaine (including "crack"), and therefore no field test results are available, the probable cause for arrest must be supported solely by the facts of the circumstances and the training and experience of the arresting officer and the approving supervisor.
 - 3. If an arrest is approved, ensure that the recovering/arresting officer's probable cause and all other facts surrounding the seizure and arrest are clearly articulated in the officer's reports.
 - 4. Arrestees taken into custody for mere possession of narcotics should be interviewed following Miranda warning. Subsequent findings will be documented in a Case Supplement Report, included but not limited to any admissions / denials of arrestee. An interview will not be conducted if arrestee's narcotics possession is in conjunction with any crime being investigated by the Criminal Investigation Division (refer to General Order 1.8, Detention and Arrest Procedures defining prohibited instances of felony suspect interviews).
- E. In cases when it is impossible for a supervisor who is trained to conduct field tests to respond, or if the substance is suspected to be a drug for which the supervisor is not certified or equipped to test, the arrest still requires supervisor approval and must be based on sound probable cause.
- F. If the field test result for a suspected substance is negative or inconclusive, the suspect will either be released, or if probable cause exists, the suspect may be arrested for misdemeanor possession of a simulated substance.
- G. Packaging Narcotic Property
 - 1. Regardless of the results of any field test, the suspected contraband should be placed in a clear, plastic, self-sealing evidence bag along with the narcotics weight receipt, the completed and signed Narcotics Information Card. That bag will be placed in a second self-sealing plastic bag and sealed after the officer weighs the controlled substance.
 - 2. If the narcotic property is found property, only the officer will sign the evidence card. All narcotic property, including drugs or paraphernalia, found or evidentiary property will be placed in a self-sealing plastic bag. That bag will be placed in a second self-sealing plastic bag before being placed in the narcotics drop box. Paraphernalia, found property, liquid, and pills do not have to be weighed prior to being placed in the drop box.
 - 3. Under no circumstances will syringes, needles, or glassware associated with smoking narcotics be placed loosely in the property envelope. These items will be placed in a clear, plastic, self-sealing evidence bag, and needles / syringes will be enclosed inside a Department approved plastic syringe container to eliminate biohazard exposure. Syringe containers should be placed inside a clear, plastic, self-sealing bag. All bags should then be placed in second, outer, plastic, self-sealing bag.
 - 4. Any small container in which the suspected drug contraband was found (e.g. cigarette pack, film canister, etc.) should be placed in a separate clear, plastic, self-sealing evidence bag. Within the description section of the Property Report, officers will notate that the item once contained narcotics.
 - a. Officers will not package different types of narcotics together (i.e., marijuana will not be packaged with cocaine, etc).
 - b. Narcotics recovered from different locations (i.e., arrestee's pocket versus vehicle floorboard) will be packaged separately, although they may be included on the same Narcotic Property Receipt with the total weight.
 - 5. If a larger container is recovered, it should be handled as any other evidence.
 - 6. After weighing the narcotics, officers will need to print a weight receipt from the scale. This receipt will be placed in the evidence bag before the officer seals it. The recovering officer will initial the evidence seal of the clear, plastic, self-sealing evidence bag to memorialize the he / she packaged said item(s). This should be done with permanent marker. The officer will also notate in the Remarks section of the Property Receipt where the items were recovered from (i.e., left front pants pocket, driver front seat, etc). Any paraphernalia or other recovered narcotics property will be placed in a clear, plastic, self-sealing evidence bag unless the evidence bag will not accommodate the size of the item. That bag will be placed in a second, plastic, self-sealing bag. No evidence will ever be loosely placed inside a property envelope before being placed in a clear, plastic, self-sealing evidence bag.
 - 7. The above procedures will be followed for each suspect, container of contraband, and type of suspected drug contraband.

Examples are as follows:

- If two rocks of suspected crack are located in a suspect's pocket: one set of plastic bags / one card.
 - If a plastic film container holding five rocks of crack is located in a suspect's pocket. Two plastic bags are required. One card will be placed into the clear bag with the five pieces of crack-cocaine. The film container that originally contained the crack will be placed in a separate clear evidence bag along with a card. The Narcotic Property Report will notate the film container once held the narcotics.
 - If one rock of suspected crack and one baggie of suspected marijuana are located in a suspect's pockets: one bag and card for the crack / one bag and card for the marijuana.
 - If one bag of suspected crack is found in one suspect's pocket and another bag of suspected methamphetamine is found in a second suspect's pocket on the same car stop: one plastic bag and card for each suspect, separate property reports, separate manila Department evidence envelopes and separate clear, plastic evidence bags will be utilized, the same complaint number can be used if the incident is related.
 - If ten bags of suspected marijuana are recovered from a suspect's car trunk: one plastic bag containing all ten bags of marijuana and one card.
8. The clear, plastic, self-sealing bag, and copies of all reports associated with the arrest will be placed in a standard, manila Department evidence envelope with the information section on the outside of the evidence envelope completed. Do not staple reports to either the clear, plastic, self-sealing bag or the manila envelope. Use only the metal clasp to close the manila envelope, do not seal or staple it shut.
 9. When an officer seizes a large quantity of suspected controlled drug contraband or narcotic property which will not fit into a clear, plastic, self-sealing bag, a Narcotic Unit officer can be contacted for assistance.
 10. Any related evidence (guns, knives, etc.) will be sent to the Logistics/Property Unit in accordance with policy established in this order with a copy of the Property Receipt placed in the envelope containing the narcotic property.
 11. Drug paraphernalia may be listed on the same Property Receipt as narcotics property; however it will be packaged separately in a clear evidence bag, and forwarded to the Logistics/Property Unit. Paraphernalia that is evidence will be accompanied by a card signed by the officer and a supervisor.
 12. All currency taken as evidence shall be placed on a Property Receipt separate from all other property.
 - a. All currency should be taken to property or dropped in the after-hours valuables drop box, NOT the narcotics drop box.
- H. All narcotic evidence will be documented from the time of acquisition to the time of disposal via LERMS. If the Narcotics Unit or District Attorney's Office requests the narcotics identified through laboratory testing, the property will be sent to the Johnson County Crime Lab. This will entail the completion of a KBI Evidence Custody Receipt. This receipt will be completed by the Narcotics Unit personnel upon narcotics being sent for testing at the appropriate facility. These applicable forms will be used to document the chain of custody after the narcotics leave Logistics for testing.
- I. Officers will place all narcotic evidence/property in the narcotics drop box at Headquarters before the end of their tour of duty. All narcotics will be deposited in the after-hours property room narcotics drop box. A narcotics scale will be located in the after-hours property room.
1. All narcotic evidence will be properly marked, weighed, and packaged prior to being deposited. All evidence will be accompanied by a properly completed copy of the Property Receipt and the original Narcotics Protocol Test Form
 2. Narcotic evidence relating to the arrest of an individual will have the completed copies of the Kansas Incident Based Report (Offense Report), along with any copies of all related reports (Arrest, Investigative, etc.) inside the property envelope prior to placement in only the narcotics drop box in the after-hours property room.
 - a. A supervisor will review and approve by signature any applicable report accompanying the narcotic evidence.
 - b. A copy of the Offense and Narcotic Property Report will be forwarded to Case Screening along with all associated reports.
 - c. Narcotics property classified as found property will not be weighed, and does not need an accompanying Incident Based Report (Offense Report) prior to placement in a narcotics drop box.
 3. All officers will transport their narcotics to Police Headquarters after-hours Property Room. Where they will count and weigh all controlled substances.
 - a. The officer will weigh and record accurate weights on the original Offense Report and Property Report prior to forwarding this document to the Records and Technology Unit.
- J. No property will be turned in at the Narcotic Unit.
1. It is the responsibility of the Narcotic Unit personnel to record in the inventory log and maintain the chain of custody of all controlled substance evidence that comes into possession of the Narcotics Unit personnel.

2. At no time will any officer destroy, retain, or in any way dispose of any controlled substances or paraphernalia regardless of whether there will be formal criminal charges preferred, unless directed, in writing, by a court of competent authority.
 - a. All controlled substances will be stored in a locked, secured area under the control of the Logistics/Property Supervisor.
- K. Whenever a felony narcotics related arrest (or misdemeanor arrest for state charges) is made and the arrestee is booked into the Wyandotte County Detention Center, a copy of all related reports will also be taken to the Narcotic Unit immediately after completion to expedite prosecution of the arrestee.
 1. Whenever such an arrest takes place between 0800 and 1700 hours, a Narcotic Unit personnel will immediately be notified by the arresting officer or his/her supervisor.
- L. Detectives may be certified in preliminary field tests in the same manner as supervisors. Detectives not certified, who recover suspected controlled drug evidence or contraband in the course of their duties will contact a certified field supervisor or narcotics officer to perform a field test on the suspected contraband as necessary and adhere to the other procedures in this order. In those circumstances, the detective will be responsible for determining constructive possession and probable cause for arrest, and for articulating all supporting facts in appropriate reports. The detective will complete all necessary reports connected to the recovery of the contraband. Exceptions will be made in major case situations (homicides, etc.).
- M. Officers working off-duty that recover contraband under any circumstances will contact the Communications Center to advise they need a Supervisor and an on-duty officer at their location. The Supervisor will field test the substance and fill out the necessary reports. The on-duty officer will take possession of the substance, fill out the chain of custody on the Narcotics Property Report, and transport the items to Headquarters to record the weight.
- N. Under normal circumstances, suspected narcotic property contraband which field tests positive for the presumptive presence of a controlled substance will not be sent to a laboratory for further testing unless such testing is requested by the Wyandotte County District Attorney's Office or the Unified Government Legal Department. At the direction of a Narcotic Unit supervisor, detective, or officer, laboratory testing may be requested for any suspected narcotic contraband.
- O. Narcotic evidence shall not be released unless so ordered by a Narcotic Unit supervisor, detective, or by the court.
- P. Narcotics evidence bags and Field Test Kits will be available from the Narcotic Unit. Division and Unit Commanders are responsible for maintaining an adequate supply of the kits and evidence bags for their personnel.

VIII. NARCOTICS EVIDENCE AND COURT PROCEDURES

- A. Officers needing to present narcotics evidence in court will notify the Logistics/Property Unit Supervisor 48 hours prior to the time the evidence is needed.
- B. Officers will respond to the Logistics/Property Unit immediately prior to the scheduled court appearance with the subpoena substantiating the need for the evidence.
 1. The Property officer or Unit Supervisor will check the evidence out to the officer, and the officer will complete and sign the chain of custody on the Narcotic Property Report. The original report depicting chain of custody will remain in the Logistics/Property Unit, and the officer will be provided with a copy of the original report. Upon the narcotics being returned, the officer will sign in the evidence on the original Narcotics Property Report that remained in Logistics/Property. Logistics/Property will then affix the original report back to the narcotics.
- C. Once narcotic evidence is checked out, officers will immediately respond to the prosecutor's office, or courtroom as directed by the prosecutor. Officers will not stop at any other location(s) while in possession of narcotics evidence checked out for court.
- D. If the evidence packaging is opened for official purposes in court, the officer will reseal, initial, and date the packaging prior to returning it to the Logistics/Property Unit. Upon returning the narcotics to Logistics/Property the officer will document the reason for opening the evidence on the original report.
- E. If in cases where the prosecutor assigned to the case requests the narcotics evidence be secured in the District Attorney's Evidence Storage Facility, the following procedure will be followed:
 1. The property will be returned by the officer to the Logistics/Property Unit and signed back in by the applicable officer. A District Attorney Investigator or the Prosecutor will then check the evidence back out in their name to maintain appropriate chain of custody.
 2. The original Property Report signed by the Prosecutor will remain in the Logistics Unit, and a copy of the Narcotics Report will be given to the Prosecutor checking out evidence. The evidence will later be checked back into the Logistics Unit by the District Attorney's office personnel after court proceedings are finished. Personnel will sign the evidence back into the Logistics Unit, and the original Property Report will be affixed to the narcotics.
- F. Officers will immediately return narcotics evidence to the Logistics/Property Unit upon being released from court by the presiding judge or the prosecutor.
 1. If the Logistics officer is available to check the evidence back into the Logistics Unit, officers will immediately return the evidence to the Logistics officer.

2. If the Logistics officer is unavailable, officers will immediately deposit the narcotic property in a locker in the after-hours property locker room, documenting such in an Investigative Report. A copy of the Investigative Report will be kept with the narcotic property until the original Narcotic Property Report can be updated.
- G. Whenever evidence of substantial volume is needed for court purposes, officers should request assistance from the Logistics/Property officer in order to facilitate transporting the evidence to court.

IX. EVIDENCE AND FORENSIC ANALYSIS PROCEDURES

- A. It shall be the duty of the field supervisor or investigator having responsibility for the investigation of a case to submit to the Crime Scene Investigation Unit a request for laboratory analysis and technical assistance of those items of evidence pertinent to the successful investigation and/or prosecution of the case. For serious crimes, the lead investigator will submit the request.
1. All requests will be made in writing on official Police Department form(s).
 2. Requests will be made in a timely manner.
- B. All Sexual Assault kits turned into the Logistics/Property Unit will be sent to the KBI for DNA Analysis. The results will be entered into the KBI Database. Logistics/Property officers will complete the KBI sheets for sexual assault kits only.
- C. If the evidence has to be sent away for analysis, steps will be taken to prepare the evidence so that it will be least likely to be damaged. Officers and investigators will strive to maintain evidence in the same condition as when received, and to preserve the evidentiary integrity of evidence, which has been retained for forensic purposes. The Crime Scene Investigation Unit or the laboratory may be contacted for advice on specific packaging instructions.
- D. Special handling procedures must be followed to maintain the chain of custody when evidence is mailed to an outside laboratory. The evidence custody sheet will be copied and updated appropriately so that the evidence will retain its trial value. The original chain of custody receipt and the request for processing must accompany the evidence to the facility.
- E. If a fee is associated with an analysis, approval by a Criminal Investigations Bureau supervisor must be obtained prior to the transfer of any evidence.
- F. When evidence is processed or analyzed by personnel of the Crime Scene Investigation Unit, their findings will be documented in a written report. This report will be distributed as follows:
1. Original to the Records Unit file.
 2. Copies to the investigating officer and Crime Scene Investigation Unit file.

<u>Evidence</u>	<u>Possible location</u>	<u>Possible source of DNA</u>
Baseball bat or similar weapon	Handle, end	Sweat, skin, blood, tissue
Hat, bandana, or mask	Inside	Sweat, hair, dandruff
Eyeglasses	Nose or ear pieces, lens	Sweat, skin
Facial tissue, cotton swab	Surface area	Mucus, blood, sweat, semen, earwax
Dirty laundry	Surface area	Blood, sweat, semen
Toothpick	Tips	Saliva
Used cigarette	Cigarette butt	Saliva
Stamp or envelope	Licked area	Saliva
Tape or ligature	Inside/outside surface	Skin, sweat
Bottle, can, or glass	Sides, mouthpiece	Saliva, sweat
Used condom	Inside/outside surface	Semen, vaginal, or rectal cells
Blanket, pillow, sheet	Surface area	Sweat, hair, semen, urine, saliva
"Through and through" bullet	Outside surface	Blood, tissue
Bite mark	Person's skin or clothing	Saliva

Fingernail, partial fingernail	Scrapings	Blood, sweat, tissue
Firearms	Grip, serrated areas	Skin, sweat, tissue, blood

- G. Reports from outside laboratories will be in the case file with a copy to the Crime Scene Investigation Unit.
- H. The Narcotic Unit Officer / Asset Manager have responsibility for the requesting and handling analysis of suspected narcotics.
- I. DNA (Deoxyribonucleic Acid) Evidence - To prevent contamination, officers shall be extremely careful when handling possible DNA evidence
 - 1. DNA is the fundamental building for an individual's entire genetic make-up.
 - 2. DNA collected from a crime scene can either link a suspect to the evidence or eliminate a suspect.
 - 3. DNA evidence can be collected virtually anywhere.
 - a. The following chart is to serve as a guideline as to where officers might find DNA evidence at a crime scene.
 - 4. Avoiding contamination of evidence that may contain DNA.
 - a. Contaminated gloves will be changed prior to handling other evidence to avoid cross-contamination
 - b. Use disposable instruments or clean them thoroughly before and after handling each sample
 - c. Avoid touching the area where you believe DNA may exist.
 - d. Avoid talking, sneezing, and coughing over evidence.
 - e. Avoid touching your face, nose, and mouth when collecting and packaging DNA evidence.
 - f. Air-dry evidence thoroughly before packaging.
 - g. Put evidence into "new" paper bags or envelopes, not into plastic bags. Do not use staples.
 - 5. Transportation and storage.
 - a. When transporting evidence that may contain DNA, it is important to keep the evidence dry and at room temperature.
 - b. Once the evidence has been secured in paper bags or envelopes, it should be sealed and transported in a way that ensures proper identification of where it was found and proper chain of custody.
 - c. Never place evidence that may contain DNA into plastic bags; doing so will retain damaging moisture.
 - d. Direct sunlight and warmer conditions may also be harmful to DNA, so avoid keeping evidence in places that may get hot, such as a room or police car without air conditioning.

X. EVIDENCE AND PROPERTY STATUS RECORD SYSTEM

- A. The Logistics/Property Unit Supervisor is responsible for access control to secure evidence and property storage areas. Access is authorized for Logistics/Property Unit and Crime Scene Investigation Unit personnel. All other access to secure evidence and property storage areas without prior approval of the Logistics/Property Unit Supervisor is prohibited.
- B. All items of evidence or property will be recorded in the appropriate inventory log by the Crime Scene Investigation Unit or Logistics/Property Unit personnel. The following information will be maintained in the log:
 - 1. The current location of the evidence or property.
 - 2. The date and time when the evidence or property was received.
 - 3. The date and time when evidence and property was released.
 - 4. The character, type and amount of evidence or property.
 - 5. The chain of custody for each item from the time it was first stored until its final disposition.
- C. The following information will also be maintained:

1. The dates and results of inspections, inventories, and audits.
2. The dates and results of Department auctions.
3. Weapon and ammunition destruction information.

XI. HANDLING LATENT FINGERPRINT EVIDENCE

- A. Fingerprint evidence developed in the field will usually be accomplished with the use of fingerprint powder, brushes, fingerprint tape and white fingerprint cards.
- B. After the latent prints have been transferred from the surface they were collected from onto the white latent print cards, the information blanks on the back of the card must be completed by the officer collecting the prints.
- C. When the latent print cards have been filled out, the cards are to be placed into a 5x7 Fingerprint Card Envelope and a separate Property Receipt will be completed.
- D. The Fingerprint Card Envelope will be sealed with evidence tape and turned in to the Logistics/Property Unit with the completed Property Receipt attached.
- E. If the Logistics/Property Unit is closed, they will be placed in the large after-hours property drop box, located in the after-hours property room at Police Headquarters.
- F. It shall be the responsibility of the Logistics/Property Unit to store recovered Latent Print Card evidence.
- G. It shall be the responsibility of the Crime Scene Investigation (C.S.I.) Unit Latent Print Examiner to check out the latent print envelopes from the Property/Logistics Unit each day. All latent prints with sufficient friction ridge detail will be entered into the Automated Fingerprint Identification System (A.F.I.S.) before being returned to the Property/Logistics Unit for storage.
- H. The Latent Print Examiners will also be available to do cold comparisons of latent prints on the cards to the ten print records of known suspects upon request.

XII. HANDLING COMBUSTIBLE / FLAMMABLE OR HAZARDOUS MATERIALS

- A. Combustible Materials - are substances where ignition occurs above 100 degrees Fahrenheit. (E.g. Diesel fuel, kerosene)
- B. Flammable Materials - are substances where ignition occurs below 100 degrees Fahrenheit. (E.g. Aviation fuel, gasoline)
- C. Hazardous Materials - are substances which are dangerous to the safety of citizens or officers and pose a health risk to anyone exposed (E.g. Battery acid, insecticides, poisons)

Note: If chemicals are encountered by officers suspected of being used for a clandestine drug lab, officers will follow procedures in accordance with General Order 50.16.

- D. When suspected combustible / flammable / hazardous materials are encountered in the field, as evidence or found property, officers will have the Communications Center contact the Fire Department to respond. An officer will stand by until the Fire Department personnel determine what type of material is present and final disposition has been determined and arranged. If the material is classified as evidence, a Property Receipt will be completed.
- E. When Fire Department personnel have determined what type of material is present and if it will be stored at their facility, the Department of Public Works will be notified to respond and transport the material. If the material is too hazardous and cannot be stored by the Fire Department, Public Works will sign for custody and immediately arrange for disposal.
 1. Once it has been determined that the material is evidence, the Fire Department will store the material. Public Works will transport the material to Fire Station #1, at 815 North 6th Street, where it will be placed in a combustibles evidence locker by the Fire Department. The reporting officer will follow Public Works to Fire Station #1 to maintain the proper chain of custody.
 2. Upon arrival the material will be signed over to the custody of the Fire Department. The chain of custody receipt on the reverse of the police Property Report will be completed to show a transfer of custody. The officer will sign the Fire Department's chain of custody form, which is kept and maintained by the Fire Department at that location.
 - a. It is the responsibility of the Fire Department to maintain the chain of custody of all combustible/flammable or hazardous material while it is housed in their Flammable/Combustible Evidence Locker.
 - b. The Flammable/Combustible Evidence cabinet is a secured area for temporary storage of combustible/flammable or hazardous materials collected for safekeeping or as evidence of a crime.
 - c. Whenever combustible/flammable or hazardous materials are to be stored with the Fire Department, a copy of the Property Receipt will be left with the property.
- F. If any combustible / flammable / hazardous material is taken for immediate destruction by the Public Works Department, the chain of custody section of the Property Report will be completed showing they have taken custody. Officers are not required to accompany the Public Works Dept. to the destruction facility. Officers will complete all reports related to the incident. (See appendix A)

- G. The Logistics/Property Officer will log the property and issue the item(s) Police Department control number(s) then respond to Fire Station #1 to label the property.
- H. If any combustible / flammable / hazardous materials are considered found property, the Fire Department will take custody of the material and Department personnel will complete an Incident Supplement Report documenting the incident.

XIII. HANDLING EXPLOSIVE MATERIALS

- A. Officers will have the Communications Unit contact members of the Explosive Ordinance Disposal (EOD) Unit any time they come into contact with materials they believe to be explosive.
- B. The following items should be considered explosive or potentially explosive:
 - 1. Commercially manufactured items marked dangerous or highly explosive (i.e., Dynamite, blasting caps or detonating cord).
 - 2. Military ordinance (rockets, mortars, grenades, etc).
 - 3. Any item recognized as a possible improvised explosive device (pipe bomb, suspicious package, etc).
 - 4. Gunpowder, black or smokeless, in any container other than a manufactured bullet.
- C. EOD Unit personnel are responsible to render safe, collect, store, destruct, or otherwise dispose of all explosive materials taken into possession by the Department.
- D. All combustible/explosive evidence or property will be documented from the time of acquisition to the time of disposal using the police Property Report.
- E. Fire/EOD personnel will notify the Logistics/Property Officer upon the destruction of any item of evidence/property in their care.

XIV. INSPECTIONS AND INVENTORIES

- A. Quarterly Inspection: Conducted by the Logistics/Property Unit for narcotic and non-narcotic property areas. Evidence and property storage areas will be inspected to ensure:
 - 1. Procedures and guidelines are adhered to.
 - 2. Evidence and property storage areas are maintained in a clean and orderly fashion.
 - 3. Provisions of Department directives concerning the evidence/property management system are followed.
 - 4. Evidence and property are protected from damage or deterioration.
 - 5. Accountability is maintained.
 - 6. Evidence and property having no further evidentiary value are disposed of properly and promptly.
- B. Evidence and Property Inventory: Occurs when the Logistics/Property Unit Supervisor is transferred and a new property custodian is assigned. The inventory will be conducted by newly assigned personnel, together with the departing personnel, to ensure that records are correct and properly annotated.
- C. Annual Inspection: A police supervisor not routinely or directly connected with the control of evidence and property will be annually assigned to conduct a formal inspection and audit of evidence and property held by the Department. This inspection will be scheduled to occur during the month of November. The purpose of this inspection is to ensure the integrity of the Logistics/Property Unit, not to require an account of every item of evidence or property.
- D. Unannounced Inspection: A police supervisor not routinely or directly connected with the control of evidence and property will inspect all storage areas annually. This inspection will be unannounced at the direction of the Chief of Police.
 - 1. Spot inspections will generally consist of random comparisons of the records kept with the evidence and property being held.
 - 2. Evidence and property accountability, and security procedures will receive primary attention during these inspections.
 - 3. Results of the annual inspection will be documented and forwarded to the Chief of Police and the appropriate Bureau Director.
- E. Discrepancies discovered as a result of an inventory or inspection will be brought to the attention of the appropriate Bureau Director who will initiate an investigation and prepare a written report of the findings.

XV. DISPOSITION OF EVIDENCE AND PROPERTY

- A. Evidence and property should be disposed of in accordance with state statute KSA 22-2512 and/or other applicable laws.

1. Safekeeping and found property should be disposed of within six (6) months after the legal requirements pertaining to these items have been satisfied.
 2. Items may be disposed of by return to legal owner, public auction, destruction, or conversion to Departmental use.
 - a. Found property that remains unclaimed by its rightful owner may be released to the citizen who located the property.
 - b. There will be a minimum six (6) month waiting period to ensure the found property has been released from any criminal investigations and to give department personnel time to locate the owner.
 - c. A citizen wishing to claim found property must contact the Property Room Supervisor for the disposition of the property.
 - d. Found property may be acquired for up to thirty (30) days following the waiting period. Found property not claimed after this time period will be disposed of in accordance with state statute KSA 22-2512 and/or other applicable laws.
 - e. Items that may pose a potential threat to the health or safety of the public, or any item which may contain any personal identification information of another person will not be released. This may include, but is not limited to; explosives, alcohol, contaminated items, any weapons, wallets, cellphones, and computers.
 3. The Logistics Unit will make a reasonable effort to identify and notify the owner of releasable property in their possession, within all applicable legal parameters, prior to disposing of it in any other manner.
- B. The disposition records of each item of evidence and property will be maintained.
- C. Evidence and property may be disposed of following:
1. Expiration of statute of limitation for prosecution.
 2. Court order.
 3. Upon confirmation with the District Attorney's office that the property will no longer be needed as evidence.
 4. Authorization has been given by way of an Evidence Reclassification Form.
 - a. An Evidence Reclassification Form (#341) will be completed by the case detective when it is learned through the course of the investigation that the property initially seized as evidence is no longer of any evidentiary value in any criminal proceedings. The evidence can then be reclassified to the status of safekeeping.
 - b. Evidence reclassification must be approved by a Commander in the Criminal Investigation Bureau.
- D. Narcotics evidence/property will be disposed of in accordance with state statute and the procedures established in the Logistics Unit Standard Operating Procedures Manual.
- E. Release of evidence and property will be as follows:
1. Items may be returned to their legal owner after authorization, and upon presentation of proof of ownership and proper identification.
 2. The release of items will normally take place Monday through Friday, 0800-1600 hours, excluding holidays.

XVI. INSTRUCTIONS FOR FILLING OUT THE PROPERTY RECEIPT

- A. The Department's Property Receipt will be used to inventory all property that is recovered (confiscated, collected, received, found, etc.) and to indicate how this property came into the officer's possession.
- B. All recovered property will be inventoried through LERMS Property Quick Entry form. Narcotics property will be physically separated from other property. In addition, narcotics will be separated from narcotics paraphernalia.
- C. The following guidelines will be used to complete the Property Receipt. These sections of the receipt will be completed.
 1. Entry Date
 2. Entry Time
 3. Officer ID
 4. Case Number
 5. Property Type
 6. Property Code(s) – When checking “Recovered (Stolen)”, “Evidence” or “Found Property” must be checked as well.
 7. Facility
 8. Storage Location
 9. Other Location
 10. Recovered Location
- D. Anytime officers recover property, and the owners name is known. it will be listed in the Description box.