

# Property and Evidence Management

## 700.1 PURPOSE AND SCOPE

To establish standards for seizing, handling, preserving, storing, and disposition of evidence and other property, to ensure proper control and security, and to maintain the integrity of the evidentiary chain of custody by persons authorized within this policy to handle, remove or destroy property.

## 700.2 APPLICABILITY

This policy applies to all Department employees.

## 700.3 POLICY

It is the policy of the department to effectively and efficiently manage and control all found, recovered and evidentiary property and to ensure that evidence and property in its custody is properly collected, secured and stored, is readily retrievable, and that any changes in custody have been properly and fully documented. Sworn personnel shall take the initiative to return property to its rightful owner or owners. Furthermore, it is the department's policy to dispose of property and evidence that are no longer useful or are potentially dangerous, as provided by law and the associated procedures. The department shall maintain strict accountability for all property or evidence.

### 700.3.1 RESPONSIBILITIES

The Chief Probation Officer will designate an Evidence and Property Manager (EPM) responsible for the management of all property held by the San Diego County Probation Department. The EPM will:

- (a) Maintain procedures for the safety, security and chain of custody for all property held by the Department, including procedures for packaging, submitting, storing, transferring, releasing, and disposing of property.
- (b) Maintain procedures for property storage facility security and access control, including access logs.
- (c) Maintain emergency procedures and supplies for the continuity of operations if the facility must be evacuated or moved (e.g. for hazardous spills, fires, floods), including protective equipment for personnel, lighting and ventilation.
- (d) Develop and make available appropriate evidence and property management forms.
- (e) Maintain procedures for the use of property for investigative or training purposes.
- (f) Conduct inventories and participate in audits and inspections as provided in this policy and subsequent procedures, addressing identified issues as appropriate.
- (g) Submit an annual report regarding money that is presumed to have been abandoned to the Chief Probation Officer and the County department responsible for auditing property.

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- (h) Establish agreements with other appropriate organizations that have resources and expertise to store and destroy hazardous materials, flammable materials, narcotics and dangerous drugs, and other materials requiring specialized destruction.

#### 700.3.2 SECURITY

Only the EPM, ETO or designated supervisor will have access to property once it has been booked into custody. Department employees authorized to access secure property storage areas will take reasonable steps to prevent access by unauthorized persons. This includes preventing others from accessing related keys, access codes, passwords, or access cards and reporting any possible breaches or security concerns as soon as practical.

#### 700.3.3 AUDITS AND INSPECTIONS

The Chief Probation Officer or designee will ensure that periodic, unannounced inspections of the storage facilities are conducted to ensure adherence to appropriate policies and procedures.

The Chief Probation Officer or designee will ensure that an audit of all property and evidence is conducted at least annually. Inspections and audits will be conducted by an employee of this Department who is not routinely connected with property operations.

Whenever a change is made in personnel who have authorized access to stored property, an inventory of all property under the scope of that person's responsibility must be conducted by a person who is not associated with the stored property, or its function. This is to ensure that all property is accounted for and the records are correct.

#### 700.4 DEFINITIONS

**Property** includes all items of evidence, items taken for safekeeping and found property.

**Evidence** is defined as any item that constitutes a violation of supervision (also known as "contraband") that has been seized pursuant to court order or is otherwise illegal to possess, and may be used in a subsequent court hearing, either to support the prosecution of a new offense or to substantiate cause for revocation of supervision.

**Safekeeping** includes the following types of property:

- Personal property of an arrestee not taken as evidence
- Property obtained by the department for safekeeping such as a firearm
- Property taken for safekeeping under the authority of law (i.e. – Welfare and Institutions Code §5150, Mentally Ill Persons)

**Found property** is defined as property located during the course of official duties that has no apparent evidentiary value and where the owner cannot be readily identified or contacted

**Evidence Technician Officer (ETO)** The Division Chief for each region shall designate an Evidence Technician Officer (ETO) for each Probation office/site. The ETO is responsible for ensuring all items booked into evidence at the location are packaged, documented and tracked according to sections 316.1 – 316.3. The ETO will monitor evidence-related equipment needs and assist the EPM with property and evidence-related functions as assigned.

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**Evidence Property Manager (EPM)** Under the direction of a Division Chief, this employee is responsible for supervising and coordinating the activities of the property and evidence section of the Department, to include collection, transportation, classification, processing, logging, preservation, release, destruction and disposition of evidence and property under the Department's control.

**Chain of Custody** is the movement and location of real property and/or evidence, and the history of those persons who had it in their custody, from the time it is obtained to the time it is presented in court. This includes chronological documentation that records the sequence of custody, control, transfer, analysis and disposition of property.

#### **700.5 REFERENCES**

For further guidance, see Field Services Procedure Manual—Property and Evidence Management.