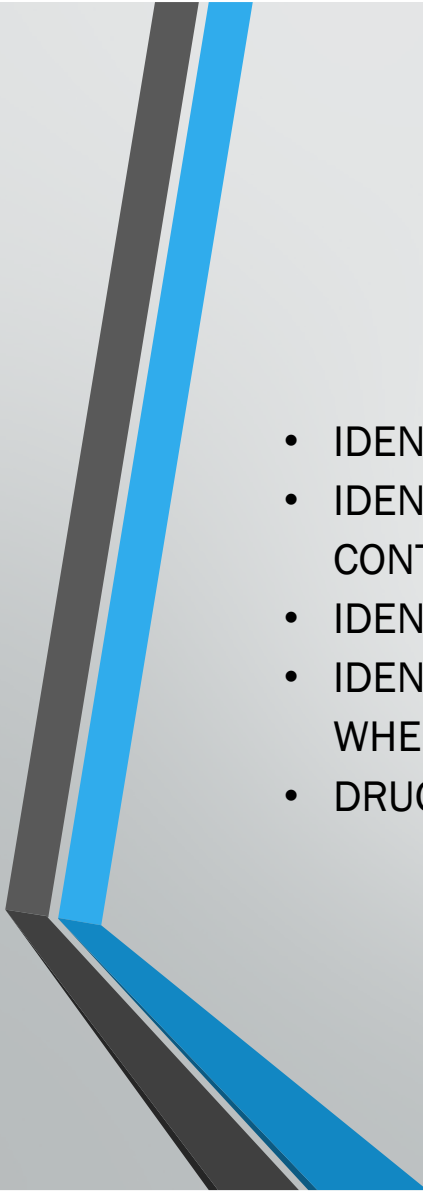


DPO CORE ACADEMY
CONTRABAND AND
EVIDENCE

San Diego County Probation

San Diego County Probation



OBJECTIVES OF TRAINING

- IDENTIFY STEPS TO PRESERVE SCENE AND/OR ANY EVIDENCE
- IDENTIFY UNIVERSAL SAFETY PRECAUTIONS WHEN HANDLING CONTRABAND AND EVIDENCE
- IDENTIFY POTENTIALLY DANGEROUS SITUATIONS
- IDENTIFY SITUATIONS WHERE OFFICERS SHOULD CALL FOR ASSISTANCE WHEN DISCOVERING EVIDENCE OR CONTRABAND
- DRUG PARAPHERNALIA AND PURPOSE

San Diego County Probation

EVIDENCE / CONTRABAND

- Contraband : Illegal or prohibited items

Two types

- Soft : Items that violate Administrative / Institutional rules but would otherwise be legal. *Examples...*
- Hard : Items which are illegal regardless of location or administrative rules. *Examples*

NARCOTICS



- PARAPHERNALIA
- CAMERAS
- CELLPHONES
- PAY/OWE SHEET
- CURRENCY
- SCALE
- SURVEILLANCE CAMERAS
- PACKAGING

San Diego County Probation

FIREARMS

- AMMUNITION
- MAGAZINE
- HOLSTERS
- GUN CLEANING EQUIPMENT
- PICTURES
- REGISTRATION



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STOLEN PROPERTY

- SERIAL NUMBER
- IDENTIFICATION
- DOCUMENTATION
- SOCIAL MEDIA
- QUESTIONING



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TERMS

- Burden of Proof: Duty of a party to substantiate an allegation or issue.
- Persuasion Burden: The party will not prevail if the Jury or Judge remains in doubt or is not convinced to the degree required.
- Burden of Evidence: Duty of Plaintiff to produce sufficient evidence to avoid dismissal, non-suit.

EVIDENCE / CONTRABAND

Continued

- Evidence: Means by which an alleged fact is either proved or disproved. (EC sec. 140)

Forms of Evidence

- Real: Demonstrative / Physical Objects that can be touched
- Documentary: Writings
- Testimonial: Oral Evidence under Oath
- Judicial Notice: Public Laws

San Diego County Probation



REASONS EVIDENCE IS INTRODUCED IN COURT

- Prove a Crime or Violation
- Impeach a Witness
- Confront testimony of a Witness
- Assist Court in determinations.

San Diego County Probation



Tests Evidence Must Pass

- Relevant to matter at hand.
- Competently presented in Court.
- Legally obtained.

Tests Evidence Must Pass

Continued

Related to Probation

- Relevant to matter at hand:
Related to Probation Conditions/Crime
- Competently presented in Court:
Properly seized and maintained
- Legally Obtained:
Court Order

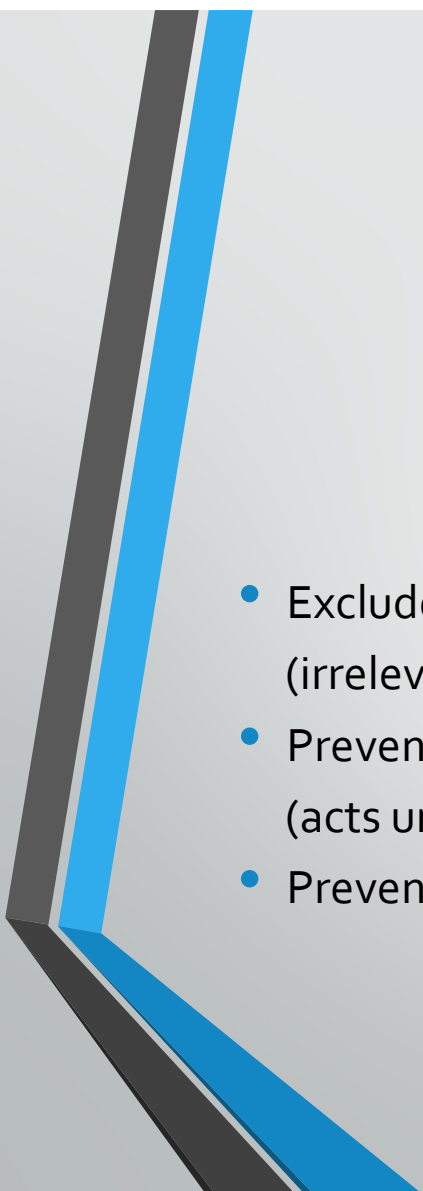
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RULES OF EVIDENCE

- Basic legal principles, not legislature, that are applied to determine whether a trial would be fair with or without a piece of evidence in question.

San Diego County Probation



RULES OF EVIDENCE

Continued

Main Purpose

- Exclude evidence likely to confuse the issue
(irrelevant or unreliable)
- Prevent introduction of unfairly prejudicial evidence
(acts unrelated to charges)
- Prevent introduction of evidence unduly time consuming for the Court

San Diego County Probation

CHAIN OF CUSTODY

- Definition :

“Every person and/or location who has come in contact with a particular item, and its condition and/or storage, from the time of its discovery, until the present.”

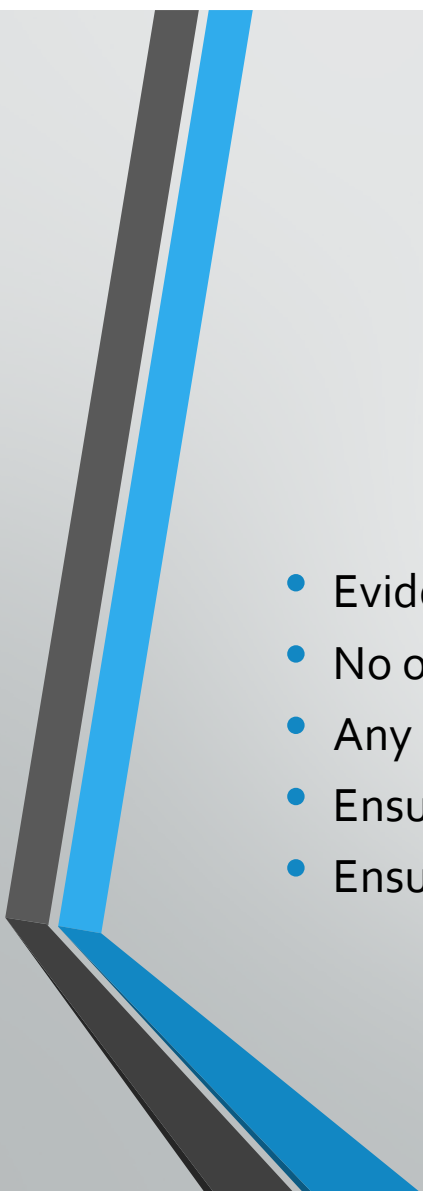
CHAIN OF CUSOTDY

Continued

- Basic Principle:

“When a question arises as to the authenticity of an item offered as evidence or its possible alteration or contamination, the location and condition of the item from the time of its discovery can be proved.”

San Diego County Probation



CHAIN OF CUSTODY

Continued

Proof of Chain of Custody Demonstrates.....

- Evidence offered is the same evidence found.
- No opportunity to replace or alter.
- Any change in condition can be explained.
- Ensures physical integrity.
- Ensures Legal integrity.

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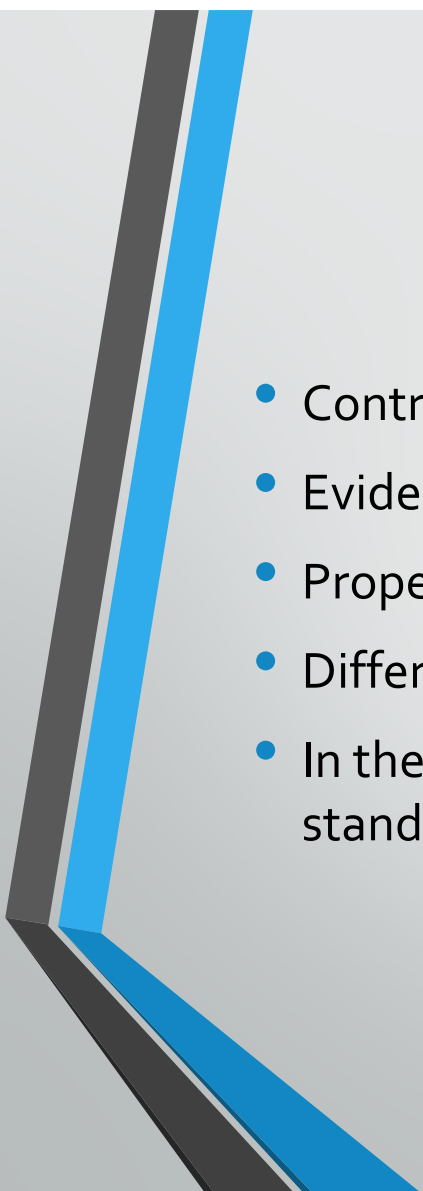
CHAIN OF CUSTODY

Continued

Elements of chain of Custody

- Photography: Location / Condition / Photographer
- Documentation: Location / Finder / Witnesses / Identification #'s
Storage / Handlers / Date and Time
- Storage: Sealed / Secured to prevent contamination or alteration location

San Diego County Probation



Forms

- Contraband Receipt
- Evidence Log
- Property Release Form
- Different procedures for each office
- In the process of creating a uniformed contraband / evidence collection standard

San Diego County Probation

Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule: A Guide for Law Enforcement

What is the HIPAA Privacy Rule?

The Health Insurance Portability and Accountability Act of 1996 (*HIPAA*) Privacy Rule provides Federal privacy protections for individually identifiable health information, called protected health information or PHI, held by most health care providers and health plans and their business associates. The HIPAA Privacy Rule sets out how and with whom PHI may be shared. The Privacy Rule also gives individuals certain rights regarding their health information, such as the rights to access or request corrections to their information.

Who must comply with the HIPAA Privacy Rule?

HIPAA applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically (e.g., billing a health plan). These are known as covered entities. Hospitals, and most clinics, physicians and other health care practitioners are HIPAA covered entities. In addition, HIPAA protects PHI held by business associates, such as billing services and

others, hired by covered entities to perform services or functions that involve access to PHI.

Who is not required to comply with the HIPAA Privacy Rule?

Many entities that may have health information are not subject to the HIPAA Privacy Rule, including:

- employers,
- most state and local police or other law enforcement agencies,
- many state agencies like child protective services, and
- most schools and school districts.

While schools and school districts maintain student health records, these records are in most cases protected by the Family Educational Rights and Privacy Act (FERPA) and not HIPAA. HIPAA may apply however to patient records at a university hospital or to the health records of non-students at a university health clinic.



San Diego County Probation

Diseases of High-Consequence Pathogens and Pathology



Centers for Disease Control and Prevention
National Center for Emerging and Zoonotic Infectious Diseases

Prion and Public Health Office

Bovine Spongiform Encephalopathy (BSE) (Mad Cow)	Gerstmann-Straussler-Scheinker Syndrome
Sporadic, Genetic, and Iatrogenic Creutzfeldt-Jakob Disease (CJD)	Reye Syndrome
Chronic Wasting Disease	Fatal Familial Insomnia
Guillain-Barre Syndrome	Kawasaki Syndrome/Disease

Bacterial Special Pathogens Branch

Actinomycoses and Nocardiosis	Hansen's Disease (Leprosy)
Anthrax	Leptospirosis
Brucellosis	Melioidosis (Burkholderia pseudomallei)
Buruli Ulcer	Pasteurella sp. Infections
Capnocytophaga	Rat-Bite Fever
Glanders (Burkholderia mallei)	

Chronic Viral Diseases Branch

Myalgic Encephalomyelitis/Chronic Fatigue Syndrome (ME/CFS)	Human Papillomavirus (HPV) Testing
Post-Infectious Fatigue	HPV Associated Cancer and Pre-cancer

Viral Special Pathogens Branch

Family Filoviridae	Family Arenaviridae
Ebola Virus	Lassa Virus
Sudan Virus	Luján virus
Bundibugyo Virus	Lymphocytic Choriomeningitis Virus
Tai Forest Virus	Madupo Virus (Bolivian Hemorrhagic Fever)
Reston Virus	Junin Virus (Argentinian Hemorrhagic Fever)
Marburg Virus	Guaranito virus (Venezuelan Hemorrhagic Fever)
Ravn Virus	Sabia Virus (Brazilian Hemorrhagic Fever)
Family Bunyaviridae	Chapare Virus
Rift Valley Fever	Family Flaviviridae
Crimson-Congo hemorrhagic fever	Tick-borne encephalitis (TBE) complex viruses
Hantavirus Pulmonary Syndrome (HPS) associated viruses	TBE virus
Hemorrhagic Fever with Renal Syndrome (HFRS) associated viruses	Far-eastern TBE virus
Family Paramyxoviridae	Omsk Hemorrhagic Virus
Nipah virus	Kyasanur Forest Disease virus
Hendra virus	TBE virus

Poxvirus and Rabies Branch

Family Poxviridae	
Bovine Papular Stomatitis Virus	Raccoonpox Virus
Cowpox Virus	Skunkpox Virus
Molluscum Contagiosum Virus	Tanapox
Monkeypox Virus	Vaccinia Virus (Smallpox Vaccine)
Orf Virus	Variola Virus (Smallpox)
Pseudocowpox Virus	Volepox
Family Rhabdoviridae	
Non-rabies Lyssavirus	Rabies Virus

Infectious Diseases Pathology Branch

Autopsy-Medical Examiner	Pathology and Telepathology
Histopathology Laboratory-Tissue	Sudden Unexplained Death
Immunohistopathology Laboratory	Unexplained Fatal Illness

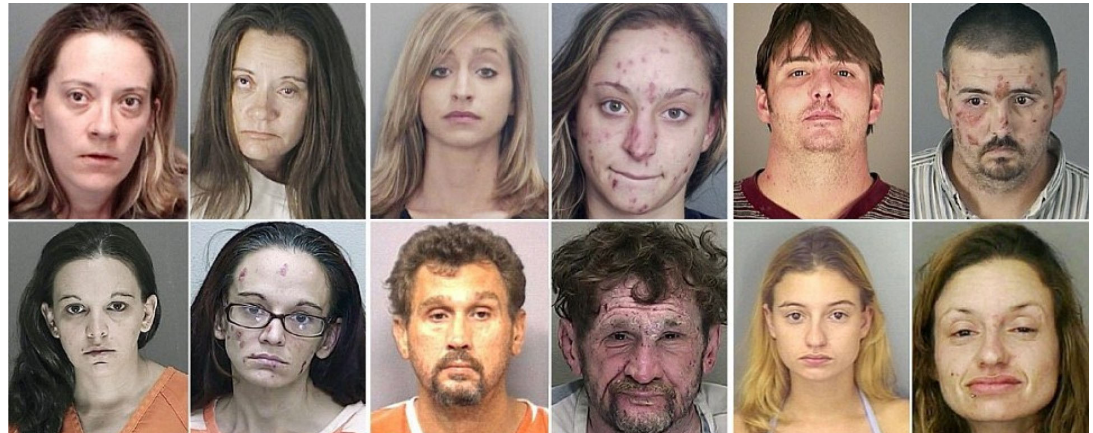
September 2015

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San Diego County Probation

ACTIVITY #2

- **GROUP 1**
- IDENTIFY DANGEROUS SITUATIONS THAT CAN OCCUR WHEN DEALING WITH CONTRABAND AND/OR EVIDENCE
- **GROUP 2**
- IDENTIFY WHEN IT WOULD BE IMPORTANT TO UTILIZE UNIVERSAL



San Diego County Probation

- DISCUSS
DANGEROUS
SITUATIONS WHEN
DEALING WITH
EVIDENCE AND
CONTRABAND



San Diego County Probation

IDENTIFY
SITUATIONS
WHERE
OFFICERS
SHOULD CALL
FOR
ASSISTANCE

- CHILD PROTECTIVE SERVICES
- LAW ENFORCEMENT AGENCIES
- CODE ENFORCEMENT
- MENTAL HEALTH
- MEDICAL

San Diego County Probation

Current trends in seizing narcotics

- Changes to the way we seize and process narcotics
- Review current policy
- Department wide memos directing new procedures in the way we deal with locating narcotics in the field

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