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**CSU FULLERTON POLICE DEPARTMENT  
GENERAL ORDER NUMBER 6-2**

**EVIDENCE HANDLING & CONTROL PROCEDURES**

- SUBJECT:** Evidence Control Procedures
- PURPOSE:** To establish guidelines for receiving, safeguarding and disposing of property received as evidence by the University Police.
- POLICY:** It is the policy of this Department to ensure that all property seized as evidence, which comes under its control, is handled in an appropriate manner. The transfer of custody of all evidence will be officially documented to record the chain of custody and records will reflect the status of all property held by the Department. This Department will handle evidence and property in a manner to guarantee successful prosecution, will facilitate the timely return of property to its rightful owner, and will dispose of property, that is no longer of evidentiary value in accordance with the law.

**PROCEDURE:**

**I. Collection & Handling of Evidence Items**

1. Every package containing evidence or property should be marked with an identifier (e.g., case number, item number) which corresponds to the item description noted on the evidence/property report. Each package submitted shall be sealed across the evidence property flap, initials of the officer shall be written over the seal.
2. Gloves and other appropriate collection aids should be utilized when collecting evidence or property.

**II. Collection & Handling Procedures of Fentanyl and other unknown substances:**

- A. Communicate with officers & other first responders regarding unknown substances that are present.
- B. When possible, all controlled substances should be collected with two officers present. Nasal Naloxone should readily be available.
- C. The handling officer shall use the following personal protective gear:
  1. Pair of Nitrile gloves

2. Face mask
3. Eye Protective Gear

D. NIK testing of suspected Fentanyl, substances' that could be laced with Fentanyl and other unknown substances shall not be performed.

E. Exposure Procedures to Fentanyl

1. Exposure to Fentanyl may cause the following symptoms: Respiratory depression, drowsiness, sedation disorientation, pinpoint pupils, skin rash and clammy skin or loss of consciousness.
  - i. If exposure occurs (whether ingested, inhaled, or absorbed through skin) move exposed individual(s) from the contaminated environment (fresh air), have medics dispatched to the scene and immediately wash the exposed area of the individual with soap and water.
  - ii. Be prepared to administer nasal naloxone. If an individual exhibits overdose symptoms, immediately administer nasal naloxone. Be prepared to apply additional doses of nasal naloxone every 2-3 minutes and perform CPR if the situation warrants itself.
2. If you believe you have been exposed to Fentanyl immediately notify your supervisor.

III. Packaging of Seized Items:

- A. Any Officer, who seizes, receives or otherwise takes custody of any property or evidence will log all property into Department records management system (RIMS) before the end of the officers' tour of duty and properly process the property/evidence.
- B. Each evidentiary item will be properly packaged, identified individually, entered into the property section within RIMS, tagged with a property placed in an evidence locker in UPD report writing room 124, and fully described in the report including how the property came into the Department's possession.
- C. When any evidence is placed in a locker, the key will be removed and dropped in the key drop box. The only exception is when evidence is taken into custody by an investigator outside of the Department, i.e, the coroner's office. Every effort will be made to identify and notify the owner or custodian of any property in the Department's possession Officers will process only that quantity of evidence necessary for case prosecution.
  1. Property may be returned to its owner in instances where the rightful ownership of the property can readily be determined and case prosecution will not be jeopardized.

2. A photo of the property and the Property Invoice and Return form completed prior to the release of the property.
  3. The photo(s) will be entered into the photos section within RIMS
- D. Property held for Safekeeping will be entered into RIMS and secured in the 24 hour Property Lockers if the owner is not available to retrieve the property prior to the end of the watch in which the property was found.
- E. All items booked into evidence will have an appropriate connecting report. [CALEA 84.1.1b]
1. The report will describe the property and how, where, when and by whom it was recovered.
  2. All evidence will be properly entered into the property section within RIMS, packaged, and tagged with a sticker
  3. Vehicle code misdemeanors shall have the item booked into evidence attached to the connecting report, i.e., tabs, placards and license plates. All serialized property will be entered in the Automated Property system (APS).
- F. Employees shall not, under any circumstances, store property or evidence in their personal locker or any other unauthorized location. The packaged and labeled items will be placed in a pass-through evidence locker and the key will be dropped into the same locker prior to the end of the officer's tour of duty.
- G. Evidence/property items too large to fit into the temporary evidence storage lockers will be booked and stored in the UPD Sally Port. The collecting officer or on-duty Watch Commander will notify the evidence technician via email of any property or evidence that is booked in UPD Sally Port.
- H. All flammable material will be placed in the approved container provided for this purpose.
- I. All hazardous material (HazMat) items will be placed in the approved container provided for this purpose and will be clearly labeled as "Hazardous Material."
- J. Evidence requiring cold storage for chemical analysis, such as blood, saliva or urine, will either be transported immediately to the lab or be secured in the evidence refrigerators.
1. Such evidence will be refrigerated no later than six hours after being obtained. If an item is placed in the refrigerators Evidence technician will be notified by email by the collecting officer or the on-duty Watch Commander.
  2. Employees shall not, under any circumstances, unplug the evidence refrigerators without the prior authorization of the Evidence- Custodian.
- K. Narcotics and/or controlled substances should be packaged in tamper proof protective packing to eliminate the need for content verification during exchanges of custody.

1. All controlled substances shall be transported in vehicle trunks or in the rear cargo area of police vehicles.
2. FENTANYL & Other Unknown Substances shall be processed outside of the station prior to booking the items into evidence.
3. FENTANYL & Other Unknown Substances: Shall be packaged by means of doubled bagging with an appropriately sized tamper proof plastic evidence bag. Each individual bag shall be sealed. The doubled bagged item shall be sealed with the officer's initial, badge number and date across the seal. In addition, a neon yellow - sticker that says "Danger: Suspect Fentanyl shall be placed on top of the bag.
4. Handling officer or the Handling Officer's Watch Commander shall send an email prior to end of shift to the Property & Evidence Technician.

#### IV. Marking of Evidence

- A. All items of evidence will be marked by the Officer for later identification with the following exceptions:
  1. Items that bear a serial or OAN. Items will not be dismantled to locate these numbers.
  2. Items that can be easily identified by distinctive markings.
  3. Where marking the item would destroy its evidentiary value.
- B. Evidence should be marked in the following manner:
  1. Make mark(s) as small as practical.
  2. Make the mark distinctive and recognizable to the person making the mark.
  3. Mark in a place unlikely to reduce the value of the item.
  4. Spent cartridge cases may be marked in the inside of the casing or on the outside near the opening.
  5. Bullets may be marked on the base.
  6. Documents shall be marked by placing the case number, in ink, on the front upper right hand corner of the document. The Booking employee should then initial the reverse side of the document.
  7. Where marking the item is impractical, it will be packaged with an evidence bag labeled with a barcode and sealed.

#### V. Packaging and Labeling of Evidence

- A. Officers may use envelopes, bags or boxes, whichever is most appropriate, for packaging. Officers should always use the smallest packaging possible.
- B. Evidence, which contains body fluids, such as blood and semen, are not to be packaged in plastic bags. These items should be air dried and placed in paper

bags then sealed, tagged with a barcode, and signed with initials, date and badge number...

- C. Always package money, drugs and guns separately and not with any other items.
  - 1. Money must be counted and verified by two officers. The verified total of currency and coins will be entered in the records management system under the property tab with the denomination breakdown in the description box, and the total amount verified by the on-duty Watch Commander. Drugs and drug paraphernalia will be secured in tamper-proof protective packaging.
  - 2. All firearms must be made safe (ammunition removed with slide back cylinder out), packaged in a gun box and sealed with the date, packaging Officers initials, badge number and date.
- D. Officers shall carefully evaluate the circumstances when seizing large quantities of controlled substances or ingredients used in the production of controlled substances. Potential hazards can exist, such as harmful vapors, explosive chemicals or flammable/combustible materials that have the capacity to induce unreasonable risk to health, safety or property. The on-duty Watch Commander will notify the respective agency and request assistance when a situation exists beyond the resources of this Department (i.e., Fullerton Fire Department, Fullerton Police Department, Environmental Health and Safety).
- E. Officers will weigh narcotic substances in grams or pounds prior to packaging. The weight will be noted on the package and in the property section within RIMS report. The officer will specify if the measurement is taken with or without the container. Marijuana plants will be counted and weighed. Specify if weight is taken with or without soil and the container. If taken prior to removing from a growing stage, photograph the plants.
- F. Use HazMat stickers for all items containing body fluids, such as blood, semen, urine, feces, saliva or any other potentially dangerous items.
  - 1. PCP should be handled with extreme caution. Avoid unnecessary contact with the container containing PCP or any cigarette(s) dipped in PCP. Handle these containers with Cal OSHA specified protective gloves. Do not unnecessarily inhale fumes. Keep PCP in well-ventilated areas outside the building.
  - 2. Employees will not handle any chemical or mixture of chemicals, which may be toxic, corrosive, volatile, explosive or flammable and pose any risk to public health or safety. Calls involving these materials will be handled by the Fullerton Fire Department or Environmental Health and Safety. Employees will have no contact with these materials unless the specialist determines them to be safe.
  - 3. Employees will not book hazardous materials into this Department's evidence system.
- G. Firearms:

1. Use extreme caution in unloading any weapon. Firearms will be unloaded and made safe for handling. Officers unfamiliar with the operation of a weapon will seek assistance from an officer more familiar with the weapon's functioning.
  2. The original condition of the weapon shall be noted in the report, including position of the clip or cylinder, position of the safety, hammer, live and empty rounds in the weapon.
  3. The clip, magazine or ammunition will not be stored with the weapon.
  4. All firearms will be packaged in a gun box and tagged with a barcode. Long guns, including sawed offs, will be tagged with a barcode.
  5. All firearms with serial numbers will be checked through AFS, DOJ and NCIC to check for wants and registration information. This information will be attached to the case report. Once a serial number is run in the above mentioned database, officers are responsible for obtaining printouts and including it in their case file.
- H. Knives and other sharp objects will be packaged in the following manner:
1. Pocketknives will be folded closed and packaged in a manila envelope.
  2. Fixed blade knives will be stored in knife box and marked accordingly. Razor blades will be placed in a sharp collection tube.
  3. Syringes or hypodermic needles will be placed in a syringe tube.
- I Sexual Assault Evidence – Officers collecting cloth materials, such as clothing, bed sheets, towels, etc., containing wet blood, semen or chemical stains will air dry these articles before placing them into a clean paper bag. Each item will be packaged separately to avoid contamination.
- J. All other evidence will be properly packaged, tagged with a barcode, secured in evidence lockers, and entered into the property section within RIMS listing the case number, date, time, crime, suspect, officer and location found. No staples will be used.
- VI. Evidence To Lab
- A. All Evidence that is submitted to the O. C. Sheriff's Forensic Lab for examination by CSU Fullerton Police Department will designate the results be tendered in writing.
  - B. An Investigator or Evidence Custodian assigned to the case will be responsible for maintaining the chain of evidence and safeguarding the delivery to the Orange County Sheriff's Forensic Lab. Evidence released to the crime lab will include date/time, person releasing the property and the receiving technician with the lab.

1. The Investigator or Evidence Custodian will insure the evidence is properly packaged and labeled and sign agency documents indicating that the property was submitted to the Lab.
  2. The Investigator or Evidence Custodian will fill out O. C. Sheriff's Request for Evidence Examination form and tag the evidence as required. He/she will deliver the evidence and documentation to the Lab and obtain the appropriate signatures.
  3. If the Investigator or Evidence Custodian is retrieving evidence from the O. C. Lab, he/she will sign and convey the appropriate documentation and ensure the Evidence Custodian has signed for the return of the evidence.
- C. Blood evidence drawn by Forensic Science Services will be submitted to the laboratory for examination by the technician drawing the blood. This Department will receive a Report of Toxicological Examination containing the analytical results.

#### VII. Evidence to Court

- A. Officers requiring evidence for a court case will make, in writing or e-mail, a request for the evidence 24 hours in advance to the Evidence Custodian.
- B. Officers transporting evidence to court will be responsible for safeguarding the evidence until the court has formally received it.
  1. If evidence is turned over to the court, the officer will ensure the court clerk has signed the property form.
  2. If the officer is returning evidence from court, the officer will ensure the Evidence Custodian has signed for the return of the evidence.

#### VIII. Storage of Evidence and Property

- A. The Evidence Custodian assigned the responsibility for evidence will be accountable for the storage, filing, movement and disposition of all evidence maintained in the evidence system.
- B. The Evidence Custodian will monitor all temporary evidence lockers each workday and ensure all evidence is packaged and tagged properly. All items in pass through storage will be moved to designated storage in the evidence room.
  1. All items of Evidence should be stored together in the same box whenever possible.
  2. Items considered to be sensitive, high in value, or otherwise constituting an increased security risk shall be secured as follows:
    - a. Money, Jewelry and other valuable items will be in a locked drawer.

- b. All Firearms will be stored in the designated firearm locked cabinet.
    - c. Drugs and drug paraphernalia will be secured in the locked bin designated for narcotics.
  - C. The Evidence Custodian shall account for all movement of evidence in and out of the evidence room.
  - D. Entry to the facility will be tightly controlled. Only the Evidence Custodian and the assistant Evidence Custodian will have keys permitting access to the evidence storage room. At the direction of the Chief, designated individuals will be allowed entrance to perform the required, periodic audits. No other individuals will be allowed access to the facility.
  - E. Any person entering the Evidence Room for any reason will complete the Evidence Entry Log noting the date, time-in, time-out, and reason for entry.
- IX. Disposition of Evidence Property
  - A. The Evidence Custodian will ensure that final disposition of all items booked into the evidence system is accomplished within six months after notification that legal requirements have been satisfied, and that all California statutes and requirements are followed regarding the disposal of property and evidence. Such property can be disposed of in four possible ways
    - 1. Returned to the legal owner with documentation.
    - 2. Sold in accordance with legal requirements.
    - 3. Converted to use by this Department of official use with documentation.
    - 4. Destroyed in accordance with legal requirements.
  - B. Any time an item is destroyed there should be a witness to the destruction. An inventory of all property destroyed will be prepared by the Evidence Custodian and maintained with other property records. The Evidence Custodian shall note the final disposition as “destroyed” along with the date and time within RIMS
  - C. Under no circumstances will evidence or property be converted to personal use by any member of this Department.
- X. Inspections, Inventory and Audits
  - A. An inspection to determine adherence to procedures used for the control of property will be conducted semi-annually by the person responsible for the property and evidence control function.
  - B. An audit of property will occur whenever the Evidence Custodian is assigned to and/or transferred from the position. This audit will be conducted jointly by the newly designated property Evidence Custodian and the outgoing property Evidence Custodian to ensure that records are correct and properly annotated.



- C. A supervisor not directly connected with property and evidence control will conduct an annual audit of property and evidence held by the Department.
- D. Unannounced inspections of the Evidence and Property storage areas shall be conducted as directed by the Chief of Police at least once each year.