24-Hour Evidence/Property Function Management Course
COURSE outline

day 1: Blocks 1, 2, 3 & 4/ 8 Hours Classroom – 1 Hour Lunch

Expanding the Outline – This outline may be expanded as needed. However, no part of the original outline
can be deleted. The presenter lesson plan must incorporate all content listed.

► BLOCK 1: INTRODUCTION *– 1 Hour*

learning need

Instructor(s) must ensure that students are properly enrolled in the course and that all administrative paperwork and processes are complete.

By the end of course, E/P personnel will become familiar with the guidelines established in the POST Evidence & Property Management Guide, and will be able to relate those guidelines to the E/P functions in their respective agencies.

PowerPoint Presentation

Course Title *– Slide 1*

Block Intro *– Slide 2*

Course Schedule *– Slide 3*

* NOTE: The **Rubric: Best Practices/Exceeds Standards** (Day 3) is a required activity. The other activities noted in this outline are suggestions. Instructors may use the activities suggested, or seek approval of the POST program manager for this course to use alternate activities that will serve the purpose of the class and instructors. Files of approved activities will be established to assist the instructors.
* See **Slide 3** notes for additional information regarding learning activities.
* See specific **Learning Activities** for additional details and instructions.

learning objectives

A. Course Purpose *– Slide 4*

Provide E/P personnel with an understanding of policies, procedures, documentation, storage, disposition, purging, laws, liabilities, audits and inventories related to the evidence/property function.

1. Complete all required paperwork, including registration forms and POST documentation

2. Provide course overview *–* ***Slide 5***

3. Instructor(s) should provide their personal and professional background to the class.

4. Discuss handouts provided to students, including the *POST Evidence & Property Management Guide.*

B. Student Introductions *– Slide 6*

*Slide 6*

LEARNING ACTIVITY 1.1
*Ice Breaker (20 min)*

Instructions: Prompt students to answer the following, giving them the opportunity to introduce themselves and their background to the class:

• *Name and agency*

• *Sworn or civilian*

• *E/P background and experience*

• *Hobbies*

• *What do you want to gain from this class?*

► BLOCK 2: ORGANIZATIONAL CONSIDERATIONS *– 3 Hours*

Block Intro *– Slide 7*

learning need:

E/P personnel must understand how the E/P function fits into an organizational structure, and duties of E/P personnel must be clearly defined. Qualification standards, ongoing training, and E/P storage area hours of operation must be established. E/P personnel must recognize, report, and mitigate problems in the E/P function, and must be familiar with emergency and disaster response procedures. The importance of adequate budgets and pertinent policy and procedure development must be understood.

learning objectives:

A. Organizational Structure *– Slide 8*

1. Have a clearly defined chain of command. Identify chain of command and assignments

2. Sample Organizational Chart *–* ***Slide 9***

a. E/P function should be under Support Services:

Using the sample org chart, discuss the best practice placement of the E/P function and the reason for that placement.

b. Eliminate any potential conflict of interest issues:
***Slide 10*****Video**: ***Police Officer Charged with Stealing Drugs*** *(1 min 24 sec)*

c. Conflict of Interest discussion:

Provide students with real-life examples of a conflict of interest story (e.g., Rafael Perez and the Rampart Scandal) or current scandal involving an E/P function).

B. Personnel Assignment, Staffing, and Training *– Slide 11*

*Slide 11*

LEARNING ACTIVITY 2.1
*Staffing Considerations (15 min)*

Instructions: *Break into two groups to identify considerations for staffing E/P rooms. Students will discuss and list items on easel pads and present their findings. Instructor will generate discussion to consider the following:*

* + *Agency size • Compliance w/ packaging/bookkeeping standards*
	+ *Size of inventory • Documentation and processing*
	+ *Size of property room • Other responsibilities*
	+ *Technology utilized • Distance covered to dispose of evidence*
	+ *Purging efficiency • Other considerations?*
	+ *Property review/release*

*Also see Additional Considerations listed in notes.*

1. Identify the Evidence/Property Manager (EPM) and make this position a mid-level management position.

2. Clearly outline the desired qualifications to meet the needs of the department.

3. Establish adequate staffing for E/P function:

a. Clearly define job description

b. Position should be permanent (not routinely rotated)

c. Remove ancillary duties which are not part of the E/P function

4. Ensure all personnel receive necessary training to remain current on best practices, statutes, and regulations.

5. Review recommended training options:

a. FEMA IS-5 “Hazardous Material Awareness Training”
http://training.fema.gov/emiweb/is/is51st.asp (10 hours online)

b. POST Evidence/Property Management Course (32 hours classroom)

c. IAPE/CAPE Courses

C Facility Access / Hours of Operation *– Slide 12*

1. Restrict access to your facility and track key control:

a. Limit access to evidence/property personnel only

b. Best practice for emergency key is to assign it to one of your on-duty command personnel

1) Another consideration is to have a sealed envelope under lock and alarm

2. Establish a call-out procedure for after-hours emergencies.

3. Establish public and internal hours of operation.

D. Emergency and Disaster Planning *– Slide 13*

*Slide 13*

LEARNING ACTIVITY 2.2:
 *EP Storage Room Hazard – Facility Damage/Evacuation (30 min)*

**Instructions:** *Break into* ***two*** *groups. Each group will review one news article. Students will evaluate their own organizations and use easel pads to list considerations they would make to inventory, transport, and relocate their E/P storage area in the event of an emergency. Be as detailed as possible.*

Handout 1: NY Times article/New Orleans: “*Rust and the Wheels of Justice”*

Handout 2: NY Times article/New York: *“Flooding of Two Police Warehouses Destroys Evidence Needed for Criminal Trials”*

1. Duress alarm the E/P facility.

2. Evidence degradation.

3. Establish procedures for removal, transportation, and relocation of personnel and/or E/P items in the event of evacuation.

4. Identify alternate storage facility.

E. Budget Allocation/Tracking *– Slide 14*

1. Separate budget for E/P function.

2. EPM should have input on spending:

a. Understand agency purchasing procedure

b. Organize/maintain vendors and costs

3. *Purchase Proposal:* Problem statement, recommendation, police/procedure development, fiscal impacts, project details, alternatives, implementation/timeline

F. Policy and Procedures Development *– Slide 15*

Handout 3: *SAMPLE Policies for Department E/P Manual*

Handout 4: *SAMPLE Evidence Packaging Manual*

1. Every agency should have a policies and procedures manual:

a. Manual should be updated annually

2. Every agency should have an evidence/property packaging manual:

a. Safety of personnel should be taken into consideration

3. Use POST Evidence and Property Management Guide (available online) as a reference/ roadmap.

4. Check IAPE guidelines as a resource

G. Identifying and Mitigating Problems *– Slide 16*

*Slide 16*

LEARNING ACTIVITY 2.3
*Case Studies – E/P Failures (30 min)*

Instructions: *Using easel pads and the E/P Management Guide, students will identify trial failure case studies (from internet) that can be linked to evidence collection, storage, and/or chain of custody issues. Consider liability, loss of evidence, loss of public trust, etc. They should identify liability issues regarding the following:*

• *Chain of Custody* • *Drugs*

• *Collection* • *Firearms*

• *Court Considerations* • *Handling*

• *Currency/High-Value* • *Packaging*

 • *Disposition*

1. Understand your agency’s procedures for reporting/correcting issues relating to the evidence/property function.

2. Document all problems (from water leaks to missing evidence).

3. Document supervisor notification and resolution.

*Slide 17*

*Block 2: Law Review*

* PC 1413

Reference:  *POST Evidence & Property Management Guide*

*Section 1 – Organizational Considerations*

► BLOCK 3: DOCUMENTATION AND FORMS *– 1.5 Hours*

Block Intro *– Slide 18*

learning need:

E/P personnel must understand best practices related to the safety, security, and storage of evidence/property items. The E/P storage facility must be designed with security and safety in mind. All storage areas (temporary lockers, refrigerators/freezers, DNA cool-room storage, and storage for items needing special concern) must be secure and protected, and proper security policies and procedures must be enacted.

learning objectives:

A. Property Receipts *– Slides 19–20*

1. *Defined:* A document for establishing a record of the evidence/property collected.

***Class brainstorming to identify components:***

2. Should include owner/finder information

3. Should include information on the retrieval of the evidence/property.

4. Complete list of components ***– Slide 20***

B. Legal Requirements *– Slide 21*

LEARNING ACTIVITY 3.1
*Legal Requirements for Receipts (30 min)*

Instructions: *Break into groups for each code listed in the slide. Each group will research their assigned code and summarize it. One member from each group will present their summary to the class.*

1. Recognize that there are codes which require receipts when evidence/property is taken:

• Penal Codes: PC 1412, 1413, 1535, 18250

• Civil Code: CIV 2080.10

• Welfare & Institutions Codes: WIC 8102, 8103

C. Chain of Custody *– Slide 22*

1. Establishing and Maintaining Chain of Custody:

a. Capture all names and signatures of personnel having control of evidence/property

b. Have a unique number associated with all items

c. In order to safeguard the chain of custody, all items should be maintained in a secure location at all times

2. Chain of Custody Stamps, Labels/Property Tags, and Sealing Packages:

a. All packages should have initials and date across the seal

b. Best practice would include a chain of custody log stamped, affixed, or pre-printed on all packages

D. Firearms Documentation/Forms *– Slide 23*

Handout 5: *Contact Information for California DOJ Bureau of Firearms*

References: *CA DOJ Dept. of Firearms website: www.oag.ca.gov/firearms*

 *Guidelines 2.4 and 6.3 (POST Evidence & Property Management Guide)*

1. Firearms are a unique part of the evidence/property function and require special handling and documentation.

2. Follow legal statutes and maintain up-to-date forms to satisfy those legal requirements.

E. Evidence/Property Release *– Slide 24*

1. How do I get my stuff back?

2. All releases of evidence/property require thorough documentation:

a. Property release includes: return to owner, diversion for official use, auction, and destruction

b. Evidence release to DA/officers for court

3. *Additional topics (optional):*

a. Sample receipt for PC 18250

b. Sample receipt for CC 2080.10

c. Sample receipt for WIC 8102, 8103

F. Annual Forms/Procedures Review *– Slide 25*

1. Conduct an annual review of all evidence/property forms.

2. A representative from all departments utilizing forms should be involved in the process.

G. Visitor’s Log *– Slide 26*

1. Any person (other than assigned evidence/property personnel) entering and departing the facility should be required to sign a visitors’ log.

2. All visitors must be escorted at all times.

H. Automated Property Management *– Slide 27*

LEARNING ACTIVITY 3.2
*RMS Survey (20 min)*

Instructions: *Call on students to conduct a verbal in-class survey regarding which systems are being used and how well they are being integrated with the agency’s RMS. Follow up with a class discussion.*

1. Best practice is to have an electronic property management system that integrates with the agency’s records management system.

*Slide 28*

*Block 3: Law Review*

* PC 1412, 1413, 1535, 18250
* CC 2080.10
* WIC 8103

References:  *Receipt requirements pursuant to each code.*

► BLOCK 4: SAFETY, SECURITY, AND STORAGE *– 2.5 Hours*

Block Intro *– Slide 32*

learning need:

E/P personnel must understand best practices related to the safety, security, and storage of E/P items. The E/P storage facility must be designed with security and safety in mind. All storage areas (temporary lockers, refrigerators/freezers, DNA cool room storage, and storage for items needing special concern) must be secure and protected, and proper security policies and procedures must be enacted.

learning objectives:

A. What Problems Do You See? *– Slide 33*

LEARNING ACTIVITY 4.1
*E/P Storage Problems (20 min)*

Instructions: *Instructor will display a photograph (in slide and/or other photos) of an E/P room in crisis. Break into groups. Identify five problems students observe in slide photo and develop solutions. Instructor will go around the room soliciting one suggestion from each group until suggestions are exhausted.*

1. This block will introduce students to E/P facility design considerations.

2. Problem areas related to storage and how to solve them.

B. Temporary Storage *– Slide 34*

1. Ideally these are self-locking pass-thru lockers where only authorized staff can access items for processing.

2. Lockers should be of various sizes.

C. Receiving and Processing Areas *– Slides 35–37*

1. Provide an area used solely for the processing and packaging of evidence/property.

2. Provide appropriate supplies and personal protective equipment (PPE).

3. List of PPE items *–* ***Slide 37***

D. Safety Policies/Procedures *– Slide 38*

1. E/P room considerations:

a. Appropriate storage and safety methods.

b. E/P room personnel safety and efficient storage and workflow.

c. Issuance of PPE

d. Maintain eye wash, hand wash, and shower facilities for decontamination

e. Syringe and biohazardous materials disposal containers

1) Facilitate pick-up of containers by outside vendors

2) Photo/destroy policy for syringes/needles

E. Special Storage Concerns *– Slides 39–40*

4. Special Storage Concerns:

a. Found/Safekeeping items:

1) Should be stored separately for easy retrieval, release and disposal

b. High-risk items:

1) Firearms, currency/high-value, and narcotics

a) Should be stored separately in a secured/alarmed/monitored location

b) Narcotics storage should have its own ventilation system

c. DNA/Biological evidence:

Reference: *NIJ “Biological Evidence Preservation Handbook”*

1) Firearms, currency/high-value, and narcotics

a) Secured, temperature-controlled storage areas may be created to store biological/DNA evidence

b) Refer to matrix from Chapter 4 of Guidebook for specific detail

d. Homicide evidence:

1) Separate from all other evidence/property:

a) Could be in a separate long-term storage area

e. Bulk items/bicycles

f. Electronic media/photos/digital

g. Hazardous materials:

1) Ensure safety of all personnel with regard to hazardous materials

2) Preferably in an open-air environment

h. Vehicles

F. Facility Design and Storage Areas *– Slides 41–44*

1. The E/P storage facility should be designed and constructed with security and safety in mind:

a. Facility construction should make walls impervious to all intrusion

b. Ventilation should be stand-alone systems, constructed to prevent entry

2. All E/p workstations should be adjacent, but apart from the storage locations.

3. High-risk items should be maintained in a separate locked and secured area within the main E/P facility.

4. Consideration should be given to providing a controlled area for the viewing of evidence by the district attorney, investigator, and the public.

***Slide 42*****Video**: ***Lake Charles Police Department*** *(2 min 36 sec)*

*Depicts working with a full E/P room.*

*Slide 43*
LEARNING ACTIVITY 4.2
*Flip This E/P Room! (45 min)*

Instructions: *Break into groups and draw on easel pad an optimum E/P layout. Engage students in discussing the challenges they face in their local E/P rooms.*

***Slide 44*****Video**: ***Breaking Bad*** *(2 min 5 sec)*

*Pertains to security of evidence, positioning of E/P room.*

G. Security Policies/Procedures *– Slide 45*

1. Chain of custody and security considerations.

2. Facilities should be alarmed and video monitored.

a. Limited access

b. Fire and carbon monoxide detectors

c. Secure all access doors at all times

 *Slide 46*

*Block 4: Law Review*

* GC 34090.6

Store internal video surveillance recordings for one year.

**END DAY 1**

 day 2: Block 5, 6, 7, & 8 / 8 Hours Classroom – 1 Hour Lunch

*Slides 30–31*

*REVIEW of day 1 – 30 min*

**Review questions:**

1. Where does POST recommend the E/P Room function be located in the organization?
2. Name *four* staffing considerations discussed.
3. What are *two* things we discussed about the hours of operation in the E/P Room?
4. What are *three* things you need to consider in an E/P emergency or problem situation?
5. What are *three* things we discussed about budget?
6. Why are policies and procedures necessary?
7. List the code sections discussed that require a property receipt.
8. Name *five* things that should be listed on a property receipt.
9. How often should you conduct a forms review?

► BLOCK 5: HANDLING PROCEDURES *– Day 2 = 3 hours*

Block Intro *– Slide 47*

learning need:

E/P personnel must be aware of the legal requirements and best practices related to the receipt and handling of evidence and property items, including those requiring special concern, such as explosives, firearms, narcotics, currency, and wet-evidence items.

learning objectives:

A. Intake Packaging *– Slides 48–49*

LEARNING ACTIVITY 5.1
*Would You Accept This? (10 min)*

Instructions: *Students will view examples of improperly packaged evidence/property. Instructor will solicit comments from students identifying why the packaging is improper and how the item should be packaged.*

B. General Handling Procedures *– Slides 50–51*

1. Evidence/Property intake.

a. Ensure chain of custody is established and maintained at all times.

b. Establish a dedicated area for processing and packaging with all necessary supplies.

c. Determine personnel responsible for entry of serialized property.

d. “Two-person” rule for currency/high-value:

1) May also be applied to narcotics

e. Right of Refusal/Corrections notices.

f. Intake: Packaging

g. Notification to property owner.

h. Receipt to person from whom the property was taken:

1) Statutory requirements

C. Evidence/Property Storage *– Slide 52*

*Slides 52–58*

LEARNING ACTIVITY 5.2
*Intake, Storage, and Handling (20 min)*

Instructions: *Break into six groups, one for each category listed below. Instruct each group to select the appropriate steps for intake, storage, and handling of their assigned category and note the steps in proper sequence. Instructor will use student responses and the following slides to facilitate discussion.*

• *Hazardous Materials – Slide 53*

• *Firearms – Slide 54*

• *Narcotics – Slide 55*

• *Currency/High-Value Items – Slide 56*

• *Electronic Media/Photos/Digital – Slide 57*

• *DNA/Biological Material – Slide 58*

1. Long-term and short-term storage consideration:***– Slide 59***

a. Storage locations should be based on item size and classification.

b. Chain of custody tracking methods should be established.

c. Release procedures:

1) Require release by appointment only

2) Confirm/document identification of person receiving property

D. Hazardous Materials Handling Procedures *– Slide 60*

1. Procedures for handling:

a. Explosives

b. Ammunition

c. Flammables

d. Hazardous

2. Flammables, explosives, pyrotechnics, and ammunition should be handled and stored in a manner approved by the fire department, bomb squad, and agency rangemaster.

3. Disposal of hazardous materials should be in accordance with local and state environmental health and OSHA regulation.

E. Narcotics/Controlled Substances Handling Procedures *– Slides 61–62*

1. Ensure chain of custody is established and maintained at all times

2. Presumptive testing and weighing must be conducted solely by field personnel

3. Should be packaged in tamper-proof protective packaging

4. Drying and packaging of green, wet, or fresh plant material

5. Should be stored separately in a ventilated/secured/alarmed/monitored location

F. Currency/High-Value Items Handling Procedures *– Slides 63–64*

1. Ensure chain of custody is established and maintained at all times

2. Detailed descriptions of high-value items

3. “Two-person” rule for handling of items

4. Depositing of currency

a. Requirements for maintaining currency of evidentiary value

b. Monetary threshold

c. Time threshold

5. Maintain a running balance of all currency stored

6. Should be stored separately in a secured/alarmed/monitored location

G. Electronic Media/Photos/Digital Handling Procedures *– Slide 65*

1. Use of anti-static bubble wrap or Faraday bags

2. Separate storage location

3. Shared system for storing digital media

a. Separate secured server

4. Properly dispose of e-waste

H. Biological/DNA Evidence Handling Procedures *– Slides 66–67*

1. Biological material intake:

a. Personal protection equipment and exposure plan

b. Proper packaging and labeling

1) Biohazardous stickers

2) Breathable packaging

c. Ensure all items are completely dry prior to packaging

d. Do not freeze liquid blood

2. Evidence/property storage and disposal:

I. Biological/DNA Evidence Handling Procedures *cont’d*

1. Evidence/property storage and disposal:

a. Temperature controlled storage location

1) Temporary Storage Conditions Matrix***– Slide 71***

2) Long-Term Storage Conditions Matrix ***– Slide 72***

b. Understand statutory requirements and maintain items as required

c. Safely dispose of biohazardous materials pursuant to statutory requirements

J. Blood Drying and Wet Evidence Drying Equipment *– Slide73*

1. Protocol for when to use the equipment.

2. Detailed instructions on use of equipment.

3. Detailed instructions and documentation on cleaning of equipment to prevent cross-contamination

a. Maintain documentation indefinitely

4. Procedures for the packaging/submission of items after the drying process is complete.

*Slides 74*

LEARNING ACTIVITY 5.3
*Intake, Storage, and Handling (15 min)*

Instructions: *Divide students into groups. Students will design a property release area and create a policy dealing with property release and public interaction. Students will present their findings to the class.*

*Slides 75–76*

*Block 4: Law Review*

* CC 2080-2080.10
* PC 680 – Cal DNA Databank / Combined DNA Index (CODIS)
Also PC 261, 261.5, 262, 288(a), 289
* PC 803, 803(c)
Also PC 290(c)
* PC 1414(a), 1417.9(a)
* PC 33855
* LEGR Application

Reference: *POST E/P Management Guide
Section 4 – Evidence and Property Handling Procedures*

► BLOCK 6: MORE ON FIREARMS *– 0.5 Hour*

Block Intro *– Slide 77*

learning need:

Students need to be familiar with E/P best practices regarding firearms, and need to be informed
of the DOJ E-trace program.

learning objectives:

A. Firearms Intake – Slides 78–79

***Slide 78*** *Additional E/P Records Information (5 min)*

*[Description…].*

1. Firearms intake procedures***– Slide 79***

a. Ensure chain of custody is established and maintained at all times

b. Ensure field personnel photograph serial number and packaging condition of the firearm prior to booking

c. Require proper packaging:

1) Best practice is the use of gun boxes:

a) E/P personnel should not insert themselves into the chain of command
or custody by opening/checking sealed gun boxes

d. Verification of completed data entries:

1) Determine personnel responsible for entry and verification of serialized firearms

e. Receipt to person from whom the firearm was taken:

1) Statutory requirements

2. Firearms processing and storage***– Slide 80***

a. Special handling procedures and processing requirement:

1) NIBIN/IBIS

2) DNA

3) Latent print processing

b. Should be stored separately in a secured/alarmed/monitored location

c. All firearms must be submitted unloaded and rendered safe

3. ATF and eTrace***– Slide 81***

a. ATF: The Bureau of Alcohol, Tobacco, Firearms and Explosives

b. eTrace: Electronic firearms tracking

c. About ATF:***– Slides 82–84***

1) ATF is a law enforcement agency in the US Department of Justice which protects communities from:

a) Violent criminals

b) Criminal organizations

c) Illegal use of trafficking of firearms

d) Illegal use of storage of explosives

e) Acts of arson and bombings

f) Acts of terrorism

g) Illegal diversion of alcohol and tobacco products

2) Authorized by Congress

3) National Tracing Center (NTC)

4) Gun Control Act of 1968

3) Latent print processing

d. What is firearms tracing?***– Slides 85–91***

1) eTrace website

 2) Benefits of eTrace:

a) Develop investigative leads

b) Significantly reduce the turnaround time required to process a trace request

c) Improve quality of trace-related information because of real-time data validation

d) Monitor the status of traces

e) View/print completed trace results

f) Generate statistical reports and perform online analytical research

e) eTrace and Federal Firearm Licensee ***– Slides 92–94***

f) Straw purchaser***– Slide 95***

g) Serial Numbers:***– Slides 96–98***

1) Human error / illegal acts

h) “Everyone needs one of these!!”***– Slide 99***:

1) *Standard Catalog of Firearms*

i) Counterfeit firearms ***– Slide 100***

j) Tracing Seized Mexican Guns: ***– Slide 101***

1) *Project* Gunrunner

k) Services of NTC:***– Slide 102***

1) ATF Form 3312.1 (NTC Trace Request) ***– Slide 103***

l) eTrace limitations***– Slides 104–107***

m) ATF Firearms Database:***– Slides 108–112***

1) Multiple Sale Reports:

a) ATF Form 3310.4

2) Multiple Sale Reports

3) Suspect Guns

4) Out-of-Business Records:

a) ATF Form 4473

5) Theft Guns:

a) National Crime Information Center (NCIC)

n) National Integrated Ballistic Information Network (NIBIN) ***– Slides 113–114***

1) To use NIBIN ***– Slides 115–116***

2) NIBIN aids in nabbing murdering drug dealer ***– Slides 117–118***

3) How does NIBIN make law enforcement more effective? ***– Slide 119***

*4*) NIBIN locations by agency ***– Slides 120–122***

*Slide 123*

*Block 6: Law Review*

* FC 6389
* PC 11108
* PC 18265
* PC 18400
* WIC 5150, 8100–8103

Reference: *POST E/P Management Guide (various sections)*

► BLOCK 7: AUDITS, INVENTORIES & INSPECTIONS *– 1.5 Hours*

Block Intro *– Slide 124*

learning need:

E/P personnel must understand the definition, scope, and procedures for audits, inventories, and inspections of the E/P function.

learning objectives:

A. Policy/Procedures *– Slides 125–127*

*Slides 125–127*

LEARNING ACTIVITY 7.1
*Policy Development (30 min)*

Instructions: *Break into three groups, one for each topic: 1) Audits, 2) Inventories, and
3) Inspections. Each group will write (using pen & paper) an agency policy/procedure for their assigned topic. Using the POST Evidence/Property Management Guide and input from group members, the policy/procedure should address each of the issues listed:*

* What potential problems or discrepancies might arise?
* What will you do if a potential problem/discrepancy is discovered?
* How will the potential problems be mitigated/resolved?
* When problems occur, who will be notified?
* What documentation will be completed at the conclusion of the activity?
* To whom will the documentation be submitted?

***Slide 128*
Video**: ***Evidence Room Guilty Plea*** *(1 min 39 sec)*

*In the spring of 2011, evidence was discovered missing from the Asheville Police Department Evidence/Property Facility. The video depicts issues that could surface without the performance of audits, inventories, and inspections in the E/P facility.*

B. Audits *– Slides 129–130*

1. DEFINITION: Focus on the systems in place to locate, track, and account for items of evidence/property in the custody of the agency.

2. Review selected stored items and their corresponding completed transactions quarterly:

a. Place emphasis on sensitive items

1) Firearms

2) Narcotics

3) Currency/High-value items

3. Ensure all seals are intact and items are protected from damage and deterioration.

4. Ensure all standards and policies are routinely followed.

5. Document findings of audit and direct the results to the agency head.

C. Inventories *– Slides 131–133*

1. DEFINITION: Accounting of all items of evidence/property in the custody of the agency.

2. Should be conducted based on agency policy:

a. May be conducted under the following conditions:

1) Suggestion of a breach of system integrity

2) Change in agency head

3) Change in E/P personnel

4) Annually

5) Perpetually:

a) Inventory sections of the evidence/property facility throughout the year

3. Account for all items under the control of the E/P function.

4. Ensure integrity of all storage locations and associated documentation.

a. Place an emphasis on sensitive items:

1) Firearms

2) Narcotics

3) Currency/High-value items

5. Routine inspection of “Unable to Locate” (UTL) file.

6. Utilization of RMS/CAD/Electronic tracking systems to assist in the process.

7. Document findings of inventory and direct the results to the agency head.

D. Inspections *– Slides 134–135*

1. DEFINITION: Deal with safety, cleanliness, functionality, and efficiency related to an agency’s E/P facilities.

2. Establish a policy for the frequency of inspections:

a. Scheduled

b. Random

3. Create a list of those responsible for inspections.

4. Should inspect for:

a. Cleanliness, order, and functionality of storage facility

b. Quality assurance

5. Document findings of inspection and direct the results to the agency head.

***Slide 136*
Video**: ***APD Evidence Room Shake-up*** *(1 min 58 sec)*

*The video portrays the end result of discovering inventory problems in the Asheville Police Department E/P Facility.*

► BLOCK 8: AGENCY SELF-EVALUATION *– Day 2 = 2.5 Hours*

Block Intro *– Slide 137*

learning need:

Instructor(s) must ensure that students have understood and can apply the information provided in this class, and know the importance of the guidelines noted in the *POST E/P Management Guide*.

learning objectives:

A. Policy Development

*Slides 138*

LEARNING ACTIVITY 8.1
*Agency Self-Evaluation & Policy Development*

Instructions: *Break class into three groups. 1) Students will examine Guide Sections 3, 4, and 6, asking each other the evaluation questions and comparing their respective agencies against the best practices noted in the Guide. 2) Pairs will choose one of the sections to create a policy that would improve their E/P function and relate that policy to the class:*

* *Section 3 – Safety, Security, and Storage*
* *Section 4 – Evidence and Property Handling Procedures*
* *Section 6 – Evidence and Property Disposition and Purging*

A. Policy Development *cont’d*

*Slides 142*

LEARNING ACTIVITY 8.1 *cont’d*
*Agency Self-Evaluation & Policy Development*

Instructions: *Resume previous groups. 1) Students will continue examining Guide Sections 3, 4, and 6, asking each other the evaluation questions and comparing their respective agencies against the best practices noted in the Guide. 2) Pairs will choose one of the sections to create a policy that would improve their E/P function and relate that policy to the class:*

* *Section 3 – Safety, Security, and Storage*
* *Section 4 – Evidence and Property Handling Procedures*
* *Section 6 – Evidence and Property Disposition and Purging*

**END DAY 2**

day 3: Blocks 9, 10, & 11/ 8 Hours Classroom – 1 Hour Lunch

*Slides 69–70*

*REVIEW of day 2 – 30 min*

**Review questions:**

1. What are *three* things you should look for when purchasing an automated property management system?
2. How should you store biological evidence?
3. Where should you store homicide evidence?
4. Name *three* important things needed when considering an E/P room layout.
5. What rule should you use when handling currency?
6. Name *three* things to consider before releasing property back to the owner.
7. What PC section requires you to enter a gun in AFS?
8. Prior to releasing a gun with a DOJ clearance, what should you check?
9. What is an audit, inventory, or inspection?
10. How often should you conduct an inventory?

► BLOCK 9: DISPOSITION AND PURGING *– 3.5 Hours*

Block Intro *– Slide 143*

learning need:

E/P personnel must understand the legal requirements, safety issues, and best practices related to the disposition and purging of items of evidence and property.

learning objectives:

A. Define “Disposal” *– Slide 144*

1. Disposition Process

2. Final Disposition

B. General Considerations for All Property *– Slide 145*

1. Determine case status

2. Obtain proper authorization

3. Return items to identified owners

4. Lawfully dispose of evidence/property

5. Reconcile all records

C. General Considerations for Evidence *– Slide 146*

1. Determine if court order is needed:

a. Items taken as part of a search warrant

b. Items held as court exhibits

2. Maintaining evidence in adjudicated cases:

a. Maintain items through the appeal period

b. Refer to Guideline 6.2 of Guidebook (page 6-6)

3. Return items to identified owners:

a. Use only when there is no suspect

1) General rules:

a) Misdemeanors: 1 year

b) Felonies: 3-6 years

c) Sexual assaults: 10 years

d) Homicide: Indefinitely

*Slides 147–161*

LEARNING ACTIVITY 9.1
*Evidence/Property Disposition (45 min)*

Instructions: *Break into eight groups corresponding to the categories listed below. Instruct each group to select the appropriate steps from initial authorization for disposal to final disposition for each category and note the steps in the proper sequence.*

• Found property • Evidence: *Electronic Media/Photos/Digital*

• Safekeeping • Evidence: *DNA/Biological*

• Evidence: *Narcotics* • Evidence: *Hazardous/Biohazardous*

• Evidence: *Currency/High-Value Items* • Evidence: *Firearms*

D. Methods of Disposal and Classifications of Property

1. Found Property: ***– Slides 148–149***

a. Follow legal statutes with regard to handling of found property items

b. Returning to owner:

1) Notify rightful owner of property

2) Allow reasonable time for retrieval of property

c. Returning to finder:

1) If valued at $250 or more, cause an advertisement to appear in a local newspaper of general circulation if item meets the requirements outlined in section 2080 of the California Civil Code

2) Right for finder to claim item, if rightful owner is not located

d. Adoption of local regulations:

1) Any agency may adopt reasonable regulations for the care, restitution, sale, or destruction of unclaimed property in its possession

e. Abandoned property:

1) There is no requirement for any law enforcement agency to take possession of items which are intentionally abandoned by its owner

f. Other claims of ownership:

1) Be aware of potential civil proceedings or claims against held items

2. Property for Safekeeping: ***– Slides 150–151***

a. Follow legal statutes with regard to handling of safekeeping items

b. A receipt and instructions should notify the owner or person from whom the property was taken that the property must be claimed within 60 days

1) Notify rightful owner of property

E. Narcotics: Special Procedures for Disposition/Purging *– Slides 152–153*

1. Obtain proper authorization prior to the disposal/release of items:

a. Separate and document all items removed from active evidence

b. “Two-person” rule on narcotics pending destruction

c. Random audit prior to destruction

2. Court order requirement for destruction:

a. Obtain release for narcotics seized by search warrant

3. Destroyed at a state-approved facility

4. Temporary diversion for canine training purposes:

a. Clearly document and weigh all narcotics converted for canine training purposes

F. Currency/High-Value Items: Special Procedures for Disposition/Purging *– Slide 154*

1. The disposition/purging of high-value items should be conducted in a similar manner as general items of evidence/property.

2. Abandoned/unclaimed funds.

G. Electronic Media/Photos/Digital: Special Procedures for Disposition/Purging *– Slides 155–156*

1. Items considered e-waste (examples: computers, televisions, cellular phones, etc.):

a. Physically destroy prior to sending to authorized disposal site

2. Other digital media (examples: computer discs):

a. Shred

H. DNA/Biological Items: Special Procedures for Disposition/Purging *– Slides 157–158*

1. Dispose of adjudicated case evidence per PC 1417.

2. Use approved medical waste vendor/facility.

I. Hazardous/Biohazardous: Special Procedures for Disposition/Purging *– Slide 159*

***Includes: Explosives / Ammunition / Flammables / Pyrotechnics***

1. Ensure compliance with all applicable local and environmental health agencies.

2. Use qualified/approved disposal vendors.

J. Firearms: Special Procedures for Disposition/Purging *– Slides 160–161*

***Includes: Explosives / Ammunition / Flammables / Pyrotechnics***

1. Releasing/destroying firearm ***– Slide 161***

a. Establish criteria for approval from the district attorney’s office and/or the investigating officer

b. Query all firearms through appropriate systems and databases

c. Conduct a DOJ Law Enforcement Gun Release and criminal history inquiry on owner claiming custody of firearms

1) Consider creating a checklist for the release of firearms process

d. Ensure firearm is not considered an assault weapon prior to release

e. Ensure firearms for destruction are made unserviceable

2. Disposing of firearms not subject to destruction:

a. Auction through a federally licensed firearms dealer

b. Convert for agency use

1) Document in database as institutional use

2) Court order is required for the retention of firearms previously ordered destroyed

c. Transfer to other agency for official use

1) Requires court order

2) Document transfer

3. Firearms disposition ***– Slide 162***:

a. Do you release?

b. Why or why not?

Handout 6: *2014 Basic Firearms*

K. Cases with Special Circumstances *– Slides 163*

1. Establish a policy for handling cases involving:

a. Suicide or unattended deaths

b. Crimes against children

c. Domestic violence/elder abuse

d. Fatal accidents

e. City/county as a party to the case

f. Death penalty

g. Sexual assaults

*Slides 164–168*

*Block 9: Law Review*

*Slide 164*

* CC 2080–2080.10 (and PC 1411

*Slide 165*

* CRC 8.320, 8.782
* CRC 66261.4
* FC 6389

*Slide 166*

* HC 11473, 11479.1, 11479.2, 11479.5
* HS 11760 and PC 1417.9

*Slide 167*

* BPC 729 (Chapter 9, Codes 7027–7189)
* PC 368, 647.6, 803(c)
* PC 1405, 1407–1411 (and PC 537e)
* PC 1417, 1417.9, 1420
* PC 1536, 11108
* PC 18005, 18265, 18275, 18400
* PC 34005, 34005(c), 34010

*Slide 168*

* WIC 217 (and CC 2080.5)
* WIC 5150, 8100–8103
* WIC 6600

Reference: *POST E/P Management Guide
Section 6 – Evidence and Property Disposition and Purging*

► BLOCK 10: TRIAL PREP/BEST PRACTICES/ROUND TABLE ON EMERGING ISSUES *– 1.5 Hours*

Block Intro *– Slide 169*

learning need:

Instructor(s) must ensure that students have have the ability to prepare for and properly testify about their role within the criminal justice system.

This is also a time for a group discussion of best practices, and a round table of emerging issues in evidence and property management.

learning objectives:

A. Trial Prep – *Slide 170*

1. *“Please take the stand…”*

2.FAQs: Court preparation and testimony

3. Court preparation and testimony: ***– Slide 171***

a. I received a subpoena — now what?

b. What questions will they ask me?

c. What should I expect from cross-examination?

d. What is redirect examination?

e. What else should I know about courtroom testimony?

4. Tips for success: ***– Slide 172***

a. Look the jurors in the eye.

b. Be polite and courteous?

c. Verify a few days before that your testimony is needed.

d. Allow sufficient time to park.

e. Talk to others in your department who have testified before.

► BLOCK 11: FINAL PRESENTATIONS *– 2 Hours*

Block Intro *– Slide 173*

learning need:

Instructor(s) must ensure that students have understood and can apply the information provided in this class, and know the importance of the guidelines noted in the *POST Evidence & Property Management Guide*.

A. Rubric: Best Practices/Exceeds Standards

learning objectives:

*Slide 173*

LEARNING ACTIVITY 10.1 (*This is a required activity*)
*RUBRIC: E/P Functions – Best Practices/Exceeds Standards (2 hrs)*

Instructions: *Break into small groups. Each student will apply his/her organization to one of the functions. Comparing the rubric and E/P Management Guide to their organizations, they will make three proposals for improvement to submit to their organizations and share with the class.*

1 – Organizational Considerations

2 – Documentation and Forms

3 – Safety, Security, and Storage

4 – Handling Procedures

5 – Audits, Inventories, and Inspections

6 – Disposition and Purging

1. Use evidence/property rubric to evaluate students in their knowledge of the E/P function and information presented in this class:

a. What does “Good” look like – and why?

***Reference: The Rubric serves as the answer key AFTER the activity is completed.***

► REVIEW/EVALUATIONS *– 0.5 Hours*

learning need:

Instructors must dedicate time to formally conclude the material presented in this course and allow the students time for questions and course evaluation.

learning objectives:

A. Final Review Questions *– Slides 175–190*

1. Six areas of the E/P function:

**1 – Organizational Considerations** ***– Slides 176–177***

1) Where does POST recommend the E/P function be placed in the organization?

2) What does POST state regarding personnel who collect evidence and property and those who are charged with storing evidence and property?

3) Your written directive addressing facility access procedures, staff call-out procedures, and hours of operation should include, at a minimum, what four items?

4) What are the *four* bullet points discussed in the POST Guide regarding emergency and disaster planning?

5) The E/P function should have a stand-alone \_\_\_\_\_\_\_\_\_\_\_?

6) What *six* E/P functions, outlined in bold, should be included in your policy and procedure directives?

7) How often should you review your policies and procedures?

**2 – Documentation & Forms *– Slides 178–179***

1) Where does POST recommend the E/P function be placed in the organization?

2) What is the purpose of the property receipt, and what should be included and explained on the receipt?

3) Employees who seal evidence packages should put their \_\_\_\_\_\_\_\_\_\_\_ across the package flap, and place clear tape (or preprinted tape) across the \_\_\_\_\_\_\_\_\_\_\_.

4) How often should you review policies and procedures?

5) What *four* categories address the release or destruction of property or evidence?

6) In addition to staff assigned to the E/P Room, what should be required of ANY person entering and leaving any agency E/P Room?

7) An automated property management system facilitates a \_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_ process for the generation and retention of critical documentation related to the \_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_ of evidence and property.

8) What are *three* access level recommendations for an automated property management system?

**3 – Safety, Security & Storage *– Slides 180–181***

1) \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_, and \_\_\_\_\_\_\_\_\_\_\_ systems should be stand-alone, constructed to prevent entry.

2) What does POST recommend for the office space for E/P personnel?

3) What does POST recommend regarding lockers, and what to have for small items?

4) The receiving and processing area should be stocked with what type of equipment?

5) What should the E/P Room be equipped with to facilitate the best utilization of space?

6) \_\_\_\_\_\_\_\_\_\_\_ Room storage areas may be created to store biological/DNA evidence in place of, or to supplement, refrigeration units, and should be maintained between \_\_\_\_ and \_\_\_\_ degrees, with less than \_\_\_\_ percent humidity.

7) What areas of the body should personal protective equipment cover (list *five*) to comply with OSHA standards?

8) How long should you store video surveillance, and what is the Government Code section?

**4 – Handling Procedures*– Slide 182–184***

1) In the event the item booked is not properly packaged or documented, the agency should utilize a “\_\_\_\_\_\_\_\_\_\_\_” or “\_\_\_\_\_\_\_\_\_\_\_” document.

2) Evidence/property should never be stored in a \_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_\_, or any other location that would potentially interrupt the chain
of custody.

3) Flammables, explosives, pyrotechnics, and ammunition should be handled and stored in a manner approved by the \_\_\_\_\_\_\_\_\_\_\_ Department, \_\_\_\_\_\_\_\_\_\_\_ squad, and agency \_\_\_\_\_\_\_\_\_\_\_.

4) E/P personnel \_\_\_\_\_\_\_\_\_\_\_ be allowed, under any circumstances, to open sealed \_\_\_\_\_\_\_\_\_\_\_ boxes to check firearms for safety or to confirm condition or serial numbers.

5) Who should be entering firearms into AFS?

6) Prior to packaging narcotics and/or controlled substances, what type of test should be performed on the drugs, and what else should you do with the narcotics?

7) When handling currency or high-value items, you should use the \_\_\_\_\_\_\_\_\_\_\_ rule.

8) What Penal Code section outlines Sexual Assault Victims and DNA Bill of Rights?

9) What Penal Code section outlines Retention of Biological Material?

**5 – Audits, Inventories & Inspections*– Slide 185–186***

1) What are the definitions for Audit, Inventory, and Inspection?

2) How often should you review selected items and their corresponding competed property transactions, including special emphasis on sensitive items?

3) In case of \_\_\_\_\_\_\_\_\_\_ audits, the audit staff should ensure that selected items have been chosen \_\_\_\_\_\_\_\_\_, without any personal bias.

4) What are the *two* types of inventories you can conduct in your E/P room?

5) Periodic inspection of the E/P facility is important to ensure the \_\_\_\_\_\_\_\_\_\_\_ , \_\_\_\_\_\_\_\_\_\_\_, and safety of the facility.

**6 – Disposition & Purging*– Slide 187–190***

1) Who should be involved in decisions involving E/P disposition?

2) Before a computer, smartphone, or tablet can be auctioned, its \_\_\_\_\_\_\_\_\_\_\_ or \_\_\_\_\_\_\_\_\_\_\_ media should be removed and recycled by a bonded recycler.

3) What does PC 537e state about serialized property?

4) If the property is valued less than $\_\_\_\_\_\_\_\_\_\_ , and no owner claims the property within \_\_\_\_\_\_\_\_\_\_ , the title shall vest on the person who found or saved the property without the requirement of published notification.

5) What Civil Code section applies to Abandoned Property, Safekeeping Property?

6) In cases involving items for Safe Keeping, the agency is responsible for the care, \_\_\_\_\_\_\_\_\_\_ , \_\_\_\_\_\_\_\_\_\_ , and disposition of the property.

7) What is the appeals period on adjudicated cases for Misdemeanor and Felonies, and what is the advisable additional waiting period?

8) What are the statutes of limitations on Misdemeanor cases, Misdemeanor Exceptions, Felony cases, and cases that involve Homicide, Public Funds, or Public Documents?

 9) What is the Penal Code section for court exhibits and what needs to happen with court exhibits?

10) What does PC 18265 state regarding firearms?

11) List the five disposal methods for firearms and which Penal Code section allows agencies to retain firearms for departmental use.

12) What is the statute of limitations on Misdemeanor cases, Misdemeanor Exceptions, Felony Cases, and cases that involve Homicide, Public Funds, or Public Documents?

13) When transporting “sharps” and other hazardous waste, the transporting agency falls under the category of “small quantity generator” under HS Code \_\_\_\_\_\_\_\_\_\_, and a permit is required from the Department of Health Services.

B. Take-Away Discussion *– Slide 191*

1. Refer to items 2–4 below to facilitate student responses for each of the following E/P functions:

1 – Organizational Considerations

2 – Documentation and Forms

3 – Safety, Security, and Storage

4 – Handling Procedures

5 – Audits, Inventories, and Inspections

6 – Disposition and Purging

2. What lessons were learned?

3. Review key topics and course materials.

4. Facilitate discussion/feedback/concerns.

B. Conclusion *(15 min)* *– Slide 192*

1. Instructor’s final comments.

2. Solicit student questions.

3. Facilitate discussion of student questions.

C. Course Evaluation *– Slide 192*

1. Distribute/collect Course Evaluations forms.

D. Course Certificates

1. Distribute POST Training Certificates to each student.

**END DAY 3**

**CLASS DISMISSED!**