

2.500 EVIDENCE & PROPERTY MANAGEMENT

- A. The agency's evidence and property management functions are organizationally coordinated and assigned consistent with **1.200 Organization**. These functions include, but are not limited to:
 - 1. Administrative control over the disposition and secure storage of evidence, found property, and recovered property; and
 - 2. Procurement and requisition control over agency owned property.
- B. Agency employees having custody of evidence, found property, or recovered property are responsible for those articles when in their custody.
 - 1. Evidence, found property, and recovered property will be safeguarded from loss, misuse, theft, damage, or destruction.
 - 2. Evidence will be handled and maintained to preserve its evidentiary value and maintain its chain of custody.
- C. Agency employees assigned responsibility for stored agency property and/or supplies are required to maintain same in states of operational readiness with respect to care and cleaning, preventive maintenance, repair, workability, and responsiveness.

2.502 PROPERTY CUSTODIAN

- A. The chief will designate one officer assigned consistent with **1.200 Organization** as the agency's Property Custodian.
- B. Duties and responsibilities of the Property Custodian include, but are not limited to:
 - 1. Ensuring that all evidence, found property, and recovered property is controlled, documented, and secured upon receipt from recovering employees;
 - 2. Ensuring that agency owned property is distributed, issued, or reissued to authorized users;
 - 3. Ensuring that stored articles of agency property are maintained in states of operational readiness, e.g., care and cleaning, preventative maintenance, repair, workability, and responsiveness.
- C. The Property Custodians' bureau commander serves in short term capacity as the alternate Property Custodian. Extended absences of the primary Property Custodian will result in the chief appointing a replacement Property Custodian.

2.504 PROPERTY & EVIDENCE SECURITY

- A. The Logistics Unit is designated a limited access area consistent with **1.412.25 Logistics Unit**.
- B. The Logistics Unit is the agency's only permanent evidence storage area and is the primary storage area for other property owned or under control of the agency.
- C. Personnel permitted to be present in the Logistics Unit are:
 - 1. On-duty employees or interns assigned to the Logistics Unit;
 - 2. Specific agency employees granted key access by the appropriate bureau commander; and
 - 3. Personnel who are escorted by on-duty employees assigned to the Logistics Unit.
- D. Other designated, securable agency facilities, e.g., the shed to the rear of Headquarters and the North Gatehouse, under control of Logistics Unit personnel, may be utilized to store non-critical property that includes, but is not limited to:
 - 1. Recovered bicycles;
 - 2. Large or bulky articles of recovered property with no evidentiary value;
 - 3. First aid supplies; and
 - 4. Unusual occurrence equipment and supplies.

- E. The property vault inside the Logistics Unit is a separately secured room that is utilized to store and secure all:
 - 1. Money and negotiable instruments;
 - 2. Precious metals;
 - 3. Jewelry and gemstones;
 - 4. Weapons;
 - 5. CDS; and
 - 6. Articles constituting increased security risks.
- F. Separately locking lockers within the property vault are utilized to provide extra security for the storage of exceptional, valuable, or sensitive evidence and property.
- G. The property vault door will remain closed and locked whenever Logistics personnel are not actively engaged in adding, removing, or inventorying articles stored in the vault.
- H. Articles of evidence requiring refrigeration will be stored in the Logistics Unit's secure refrigerator.

2.506 PROPERTY & EVIDENCE RECEIPT & STORAGE

Directives contained herein prescribe the duties, responsibilities, and actions of agency employees who individually come into possession of property/evidence.

2.506.10 Submitting Property/Evidence to Logistics

- A. Excluding exemptions described herein, all articles of found, recovered, evidentiary, or other property coming into agency custody, excepting motor vehicles, will be entered into the RMS and submitted directly to the Logistics Unit or placed in temporary, secure storage areas under control of the Logistics Unit by the end of collecting employees' tours of duty.
- B. Employees will not store property or evidence in their personal desks, lockers, vehicles, homes, or other places that are not secure or would interrupt the chain of custody.
- C. Personnel assigned to the CIU will enter evidentiary articles into the RMS and place the articles in temporary, secure storage areas under control of the Logistics Unit no later than COB of the next business day following collection of the articles.
 - 1. Interim storage will be made in temporary, secure storage areas under control of the Investigations Unit.
 - 2. Permission for CIU personnel to utilize their unit's temporary, secure storage areas must be obtained from supervisory or administrative ranked personnel.
 - 3. Property receipts must be completed, and RMS entries made, for all articles stored in temporary, secure storage areas under control of the CIU pending submission to the Logistics Unit.
- D. Employees will, as applicable, have Communications personnel check articles against NCIC/MILES records prior to submitting articles to Logistics.
- E. Temporary, secure evidence storage areas are the: 1. Evidence lockers; and 2. Property drop-box.
- F. Non-evidentiary property will be stored consistent with **2.506.40** in the:
 - 1. Property closet;
 - 2. Evidence lockers; and 3. Property drop-box.
- G. Articles will be secured in temporary, secure storage unless:
 - 1. Articles are released to property owners or custodians;
 - 2. Articles are submitted directly to Logistics personnel;
 - 3. Articles are collected as evidence and taken by Investigations personnel directly to forensic facilities for processing;
 - 4. Articles are released to other agencies; or
 - 5. The chief or appropriate bureau commander is contacted and grants permission for personnel to store articles in other facilities for space or logistical reasons.

- H. Articles must be labeled or tagged.
- I. Small, unbreakable articles may be deposited in the property dropbox.
- J. Evidentiary articles, breakable articles, and articles unable to fit in the property drop-box will be placed in evidence lockers. For property and evidence placed in the evidence lockers, the keys must be deposited into the property mailbox.
- K. Articles too large to be deposited either in the property drop-box, evidence lockers, or bicycle lockers will be placed in the outdoor storage shed with descriptive email messages sent to **LOGISTICS**.
- L. Perishable articles of evidence, such as blood or urine, will be stored in the Logistics Unit's secure refrigerator.
 - 1. Perishable articles will be submitted directly to Logistics personnel when they are on-duty.
 - 2. When Logistics personnel are not on-duty or available, either the Property Custodian or other personnel with key access to Logistics will be notified in order to allow placement of articles in the secure refrigerator.
- M. Foodstuffs will not be retained by Logistics.
 - 1. Foodstuffs will be photographed and immediately returned to owners or custodians, if known.
 - 2. If owners or custodians of foodstuffs are not known, the articles will be photographed and submitted to Logistics for immediate destruction.
 - 3. Perishable foodstuffs will be packaged to prevent leakage or contamination until they can be disposed of by Logistics personnel.

2.506.20 Property Tag Numbers

- A. Property Tag Numbers will be generated and utilized, in addition to CCNs, Property Receipt Records, MSP 67s, and on-line computer applications to track articles, excepting motor vehicles, taken into custody by the agency.
- B. Property Tag numbers are auto-generated and required for each item listed on the property receipt.

2.506.30 Property Receipts

- A. Employees will utilize agency Property Receipt Records to list and assist in tracking the status of all property and evidentiary articles taken into agency custody, excepting CDS that will be analyzed by MSP and motor vehicles. CDS that will not be analyzed by MSP must be listed on agency Property Receipt Records.
- B. Property Receipt Records are utilized to record information that includes, but is not limited to:
 - 1. Circumstances by which the articles came into agency custody;
 - 2. Complete descriptions of articles, including make, model, and serial number as available;
 - 3. Sources from whom, or locations from where, articles were obtained; and
 - 4. Names and ID#s of persons collecting the items.
- C. Property Receipt Records are to be completed and distributed consistent with **1.1004 Property Receipt Records**.

2.506.40 Lost & Found

- A. The agency is responsible for the collection and safekeeping of lost or abandoned property on university property consistent with **UMCP Procedures for Lost or Abandoned Currency or Tangible Personal Property on University Premises**.
 - 1. With the exceptions described herein, agency employees will accept for safekeeping only those lost and found articles that

would be capable of being appraised at an actual or approximate real value by a reasonable and prudent person.

- 2. Agency employees will attempt to refer finders of single items that are issued and tracked by other university organizations to those organizations. Those items and their responsible UM organizations include, but are not limited to:
 - a. Student and staff/faculty ID cards - Office of Registrations; and
 - b. Meal cards - Dining Services.
- B. Lost and found articles will be in-processed by receiving officers into the RMS and submitted to the Logistics Unit consistent with **2.506.1**. On the first business day following receipt of lost and found articles being entered on-line, Logistics Unit personnel will:
 - a. Verify the information; and
 - b. Place only those articles containing $\leq \$100$ cash or negotiable instruments and/or having a high probability of owner notification and property return in the lost and found closet.
- 2. Eligible property will be stored by Logistics Unit personnel for ready access in the lost and found closet for at least 10 business days, but not greater than 15 calendar days.
- 3. Ineligible property will be stored in other designated, secure facilities by Logistics Unit personnel.
- 4. Logistics Unit personnel will ensure property stored in the lost and found closet is arranged chronologically by Property Number and CCN.
- C. Personnel assigned to Logistics and Police Communications Operators will be granted electronic key access to the lost and found closet. Employees issued electronic keys will not loan them to other persons, even if those persons are otherwise authorized access to the lost and found closet.
- D. Employees receiving lost and found property inquiries will check the RMS to assist in determining if the agency is in possession of the property in question.
 - 1. Lost and found articles listed on-line and located in the lost and found closet may be accessed by an employee issued a card key and released to rightful owners.
 - 2. Lost and found articles listed on-line and located in the Logistics Unit can be released only when:
 - a. Personnel authorized to access the Logistics Unit are available; or
 - b. Appointments are made with property owners, the property is placed in the property closet located in Communications.
 - 3. Property Receipts for lost and found property released to rightful owners will be completed and distributed consistent with related directives.
 - 4. Employees releasing lost and found property to rightful owners will update the RMS to reflect the change in the status of the property.

2.506.50 Owner/Custodian Notification

- A. Agency employees will make reasonable attempts to notify or locate owners/custodians of lost and found or recovered property held by the agency.
- B. Officers taking custody of lost and found or recovered property for which owner/custodian information is available should attempt to contact or notify owners/custodians prior to the end of impounding officers' tours of duty.
- C. Logistics Unit personnel will make all reasonable attempts to notify owners or custodians of articles or property that the agency has custody of same. Certified or registered mail may be utilized to

notify owners or custodians or articles or property may be shipped to owners or custodians.

2.506.60 Requesting Property & Evidence for Court

- A. Officers needing to request articles held by the Logistics Unit for court or hearing purposes should request articles, via the UMDPS Portal Application, not later than 1500 hours, two business days in advance of their need.
- B. Officers picking up evidence from Logistics will sign for custody of the evidence and receive Property Disposition Reports from Logistics personnel.
- C. Property Disposition Reports will be completed by officers and submitted to Logistics when evidence is returned.
- D. If Logistics personnel are not on-duty and available to receive evidence from officers, evidence will be submitted to Logistics as described in **2.506.10**.

2.510 PROCESSING FUNCTIONS AT INCIDENT SCENES

- A. Incident scenes requiring processing must be secured as soon as possible after they have been declared safe by initially responding officers.
- B. Employees entering incident scenes will not disturb, touch, or handle physical evidence unless actively involved in incident scene processing or entering scenes because evidence:
 - 1. Must be made safe;
 - 2. May be lost; or
 - 3. May be destroyed prior to processing.
- C. Incident scenes under the command of the CIU require completion of Incident Scene Access Logs.
 - 1. The initial investigator arriving at the scene will provide an Incident Scene Access Log to a uniformed officer who will remain at an access point and require all personnel entering the scene to sign the log.
 - 2. All personnel who enter secured incident scenes and take any investigative actions will complete reports or statements detailing their actions.
 - 3. Completed Incident Scene Access Logs will be included in the investigative case file.
- D. Evidentiary functions of agency personnel at incident scenes may include, but are not limited to:
 - 1. Protecting scenes to prevent destruction or contamination of evidence;
 - 2. Documenting entry of persons into incident scenes;
 - 3. Locating evidence;
 - 4. Collecting evidence;
 - 5. Preserving and packaging evidence;
 - 6. Preparing or submitting evidence for analysis;
 - 7. Locating witnesses;
 - 8. Photographing and sketching scenes; and
 - 9. Preparing initial offense reports.
- E. Employees should only collect evidence if they have been trained in evidence collection for specific articles (i.e. DNA, blood, body fluids, etc.).

2.511 EVIDENCE COLLECTION, STORAGE, and ANALYSIS PROTOCOLS FOR THE INDEPENDENT INVESTIGATIONS DIVISION FOR ALLEGED OR POTENTIAL POLICE-INVOLVED FATALITIES

The Office of the Attorney General's (AG) Independent Investigations Division ("IID") and the Maryland State Police ("MSP") will

lead the investigation of all alleged or potential officer-involved deaths of civilians as mandated in State Government Article, § 6-106.2. In this document, the "Independent Investigations Division" or "IID" refers to the entity created by that legislation, consisting of both AG and MSP personnel.

Special Order 21-0001 Evidence Collection, Storage and Analysis for Police Involved Fatalities contains the protocols to govern the gathering and preservation of evidence at those scenes. Because no protocol can cover all situations, supervisors should contact the MSP Headquarters Duty Officer or the AG's Independent Investigations Division with any questions that arise prior to IID's arrival on scene.

2.512 EVIDENTIARY ASSISTANCE

- A. Officers initially responding to incident scenes have the responsibility for assessing incidents and recommending to supervisory personnel if additional assistance is necessary to process evidence.
- B. Supervisory personnel will determine if additional assistance is needed for processing scenes and ensure notifications and requests are made as soon as possible, but in no cases, greater than one hour following the agency becoming aware of such needs. 1. Notifications will be made consistent with **2.442 Notifications**.
 - 2. Agency investigators, evidence technicians, and collision reconstructionists are available 24 hours a day while either on-duty or in a first-call status.
 - 3. Additional, or back-up, incident scene processing assistance may be requested from PGPD or MSP or other agencies as appropriate.
 - 4. Incident scenes will be secured, made safe, and not disturbed after additional evidence processing assistance has been requested unless evidence may be lost or destroyed prior to the arrival of requested assistance.
 - 5. Collision investigation and reconstruction is to be conducted in accordance with unit **2.240 Collision Investigation**.
- C. Agency investigators arriving at incident scenes assume command authority of the scenes, incidents, and agency personnel assigned thereto.
- D. Personnel from other agencies and providing incident scene processing assistance will act at the direction of agency officers responsible for the scenes.
- E. Initially responding officers may investigate and process incidents with supervisory approval so long as such approval is consistent with agency directives.
- F. The agency's major crime scene processing kit will be stored in the CIU when not being utilized. The kit contains, at the minimum, equipment used to:
 - 1. Recover latent fingerprints;
 - 2. Photograph incident scenes;
 - 3. Sketch incident scenes; and
 - 4. Collect and preserve physical evidence.
- G. Minor crime scene processing kits are issued to each officer. Kits contain, at the minimum, equipment used to:
 - 1. Recover latent fingerprints; and
 - 2. Photograph incident scenes.
- H. Consistent with **2.110.05 General Equipment & Supplies**:
 - 1. Agency patrol cruisers are equipped with supplies and equipment necessary to investigate most collisions; and
 - 2. Collision reconstructionists have access to supplies and equipment necessary to conduct specialized collision investigations.

2.514 INCIDENT SCENE PROCESSING

- A. Employees should avoid touching or contacting articles of evidence with anything that might contaminate or destroy the evidentiary value of the articles.
- B. Perishable evidence should be collected first.
- C. If damage or destruction of evidence by natural or outside sources is not a concern, employees should work through incident scenes collecting evidence in a logical sequence, attempting to avoid disruption of other evidence. Processing requirements will determine the progression of processing tasks, such as photograph, sketch, fingerprint, mark and collect.
- D. Agency employees will comply with applicable directives established in the MSP Crime Lab **Guidelines for Submitting Physical Evidence**, the **FBI Handbook of Forensic Science**, and US DOJ **Federal Guidelines for Searching and Seizing computers** or as synopsised in the FBI Washington Field Office **Searching and Seizing Computers** for incident scene processing, evidence packaging, and submitting evidence to respective laboratory facilities. These reference materials are maintained in the Investigations Unit.
- E. Agency employees are reasonably expected to collect available evidentiary information, materials, and substances for comparison purposes in forensic laboratory analyses. Evidence that can be submitted for comparison analyses includes, but is not limited to:
 1. Hairs;
 2. Fibers;
 3. Fabrics;
 4. Paint;
 5. Glass;
 6. Wood;
 7. Soil;
 8. Tool marks;
 9. Fingerprints; and
 10. DNA(deoxyribonucleic acid).
- F. Agency employees will collect materials and substances from known sources whenever possible for submission to forensic laboratories to facilitate comparison with physical evidence collected.

2.514.05 Photographs & Video Recordings

- A. Primary officers processing incident scenes are responsible for ensuring incident scenes are photographed or videotaped when it is believed that such processing will benefit incident investigations.
 1. Videotaping may supplement, but not replace, the use of still photography. Video recording equipment is maintained in the Investigations Unit.
 2. The agency's digital camera equipment will be utilized to photograph serious crime scenes, serious traffic collisions, and other major incidents as determined by supervisory or administrative ranked personnel.
 3. Digital cameras, maintained in the Property Closet, CIU, Arrest Processing Area, Logistics Unit, and with the Crime Prevention unit will be utilized when photographing prisoners, minor crime scenes, traffic collisions, and other minor incidents.
- B. Two photographs of articles or areas will be made when exact sizes comparisons are needed.
 1. One photograph will be taken with nothing introduced in the field of vision.

2. One photograph will include a scale placed in the field of vision.
3. Both photographs will be taken utilizing the same equipment, settings, position, and lighting.
- C. If articles to be photographed are fixed objects, the dimensions of those objects should be recorded to provide scales of reference.
- D. Digital Camera media cards used in incident scene processing will be placed in a labeled envelope, marked and recorded as evidence on property receipts, and submitted to the Logistics Unit for processing. E. Requests for prints will be submitted to the Logistics unit.
- F. Video cassettes used in incident scene processing will be marked and recorded as evidence on property receipts and submitted to Logistics unit.
- G. Reporting officers will include details relating to incident scene photography and video recording in reports of incidents. Dates, times, locations, and CCNs should be recorded on the Digital Photography Information cards.

2.514.10 Sketches

- A. Sketches will be made whenever circumstances indicate that readers of case reports would benefit from sketch information and detail.
- B. Employees processing incident scenes will take measurements, make rough sketches, and include sufficient additional information so that scale drawings can be made at a later time by CIU personnel.
- C. Rough sketches have evidentiary value and will be included in case records.
- D. Some basic elements that should be included in sketches include, but are not limited to:
 1. Dimensions;
 2. Relation of scenes to other buildings, geographical features, or roads;
 3. Addresses, floors, or room numbers as appropriate;
 4. Locations of significant features of the scene, including victims;
 5. Dates and times of preparation;
 6. Names of persons preparing sketches;
 7. Direction of north;
 8. Location of articles of physical evidence recovered; and
 9. Notations if drawn to scale or not to scale.

2.514.15 Marking Property & Evidence

- A. Employees taking evidence or property into custody are responsible for sealing, marking, labeling, or tagging articles as they are taken into custody or as soon thereafter as practical in order to initiate and maintain chain of custody.
 1. Property/Evidence tags and adhesive labels are available from Logistics and are to be utilized by personnel to tag or label articles of evidence or property as appropriate.
 2. Plastic envelopes and a heat sealer are maintained by patrol squad commanders for sealing appropriate evidence or property, such as CDS or money.
- B. Employees should establish habits of marking similar articles in similar locations. Instruments which may be used for marking physical evidence include, but are not limited to:
 1. Permanent markers;
 2. Felt tip pens;
 3. Scribes; or
 4. Where labels are used, ball point pens. C. When evidence is marked, marks will be:

1. Distinctive;
 2. As small as practical; and
 3. Made with markers and placed in locations that will not reduce articles' evidentiary value.
- D. Evidentiary articles will not be marked when:
1. They bear serial numbers;
 2. The marking would alter their evidentiary value; or
 3. They are capable of being identified through distinctive markings or other recorded information.

2.514.20 Perishable or Deteriorating Trace Evidence

- A. Articles containing trace evidence that may deteriorate quickly, e.g., blood, semen, DNA, etc., should be transported to accredited forensic laboratories on the same day they are collected.
- B. Personnel assigned to the Logistics Unit are responsible for transporting evidence to accredited forensic laboratories. The appropriate bureau commander may authorize other agency personnel to transport evidence in exigent circumstances.
- C. Officers will call accredited forensic laboratories in advance of taking same-day evidence in order to determine if immediate receipt is available.
- D. In those situations when same-day perishable evidence receipt is not available, employees will:
1. Notify Logistics and CIU personnel; and
 2. Refrigerate evidence or air-dry articles and transport them to accredited forensic labs as soon as possible.
- E. Trace evidence, other than physiological fluids, will be submitted to Logistics pending collection of comparison samples.
- F. Whenever delays occur in submitting evidence or property to Logistics, submitting employees will prepare reports, or continuation reports as applicable, detailing reasons for delays and location of the evidence.

2.514.25 Latent Fingerprints

- A. Primary officers processing incident scenes are responsible for ensuring incident scenes are processed for latent fingerprints when it believed that such processing will benefit incident investigations.
1. Latent fingerprints will be processed, developed, lifted, and labeled consistent with agency directives, directives established in the MSP Crime Lab **Guidelines for Submitting Physical Evidence** and the **FBI Handbook of Forensic Science**, and training.
 2. Latent prints will be affixed to 3" X 5", or larger, index cards. The back sides of latent print cards will be completed in accordance with the CIU latent print stamp.
- B. In order to successfully process scenes for latent fingerprints, employees should consider and evaluate:
1. Size of the articles to be dusted;
 2. Type of surfaces to be dusted; and
 3. If moving or transporting objects will destroy latent fingerprints.
- C. Officers requesting latent fingerprint examinations through MSP must:
1. Complete latent fingerprint card information;
 2. Place latent print cards in MSP Latent Evidence Envelopes;
 3. Complete MSP form #67 for Latent Fingerprint Examinations; 4. Complete MSP Transmittal Sheets; and
 5. Arrange for completed packets to be hand carried to MSP by Logistics personnel.

- D. Requesting officers must obtain fingerprints directly from those agencies not on-line with MSP in order to request comparison fingerprint analysis.
- E. Latent fingerprint cards with possible evidentiary value, but not submitted to MSP, will be submitted to Logistics.
- F. The FBI staffs, on a 24-hour basis, the Special Processing Center in order to assist law enforcement agencies making urgent or critical identification of unknown subjects, arrestees, or decedents based on fingerprint information. See also **2.628.10 FBI Special Processing Center**.
- G. Fingerprints for comparison or elimination purposes may be acquired by obtaining search warrants consistent with 548 A.2d 183, *DAVIS v. STATE* or by obtaining voluntary consent from individuals to be fingerprinted. Fingerprints collected for comparison purposes become components of Investigations Unit case files.

2.514.30 CDS Evidence

- A. CDS articles will be sealed in heat sealed envelopes utilizing plastic envelopes and sealer maintained in the Watch Commander's Office.
1. Evidence involving wet vegetable matter, such as marijuana, must be dried prior to sealing and submission.
 2. Plastic bags or envelopes other than those specifically supplied for the heat sealer will not be used.
 3. Original CDS containers must be submitted in heat sealed envelopes unless the CDS containers have been processed for latent fingerprints.
 4. Sealed envelopes will be marked with completed adhesive evidence labels.
- B. Hypodermic syringes will be sent for analysis at the MSP Crime Lab only after obtaining written requests from OSA personnel stating such analyses are critical for the successful prosecution of major cases. The Crime Lab Director must also approve requests prior to evidence being submitted.
- C. The Property Custodian, upon receipt of packaged CDS will:
1. Inspect packages for tampering; and
 2. Inspect packages to ensure contents were properly packaged, sealed, and labeled.

2.514.35 Currency & Coins

- A. Photocopies will be made of each bill's serial number and denomination and submitted to the Records Unit. CCNs and page numbers will be recorded on each photocopy.
1. Only one denomination will be photocopied per sheet in cases where a large number of bills are involved. Denominations may be mixed when small numbers of bills are involved.
 2. Currency must be handled carefully when photocopying. Photocopying does not damage latent prints on currency.
 3. Money orders and other negotiable instruments will be processed similar to currency.
 4. Photocopying requirements may be waived by the CIU Commander, Patrol Commander, or bureau commanders in instances wherein extremely large quantities of bills are involved.
- B. Coins will be listed according to value and amount on Property Receipt Records. Old or rare coins and their mint dates, if readable by ordinary methods, will be listed individually on Property Receipt Records.
- C. Monies from different persons will not be co-mingled in single envelopes or containers.

2.514.40 Hazardous Substances

- A. Evidentiary articles which are potentially toxic, explosive, or highly volatile, e.g., artillery shells, pipe bombs, chemicals utilized in the manufacture of CDS, etc., will be photographed where they are found, if possible.
- B. Hazardous substances that do not establish probative values will not be submitted for analyses.
- C. Environmental Safety and the State's Fire Marshall's Office will be contacted for assistance with hazardous substances.

2.514.45 Stolen Vehicles

- A. Stolen vehicles containing probative evidence will be processed as all other crime scenes.
- B. Other directives relating to auto theft investigation and processing are to be found in:
 - 1. **2.458.12 Vehicles Impounded for Evidence Purposes;**
 - 2. **2.458.14 Stolen Vehicles;**
 - 3. **2.350.15 Vehicle Processing;** and 4.
 - 2.350.20 **Vehicle Owner Notification.**

2.514.46 Computer Equipment

- A. Computer equipment will be seized and processed consistent with the US DOJ Federal Guidelines for Searching and Seizing Computers or as synopsized in Searching and Seizing Computers, FBI Washington Field Office by the Computer Analysis Response Team.
- B. Officers anticipating seizing computers or related equipment as evidence will attempt to ensure they have on-scene computer forensic assistance. Contact information for the MSP Computer Crimes Unit is contained in CAD and RMS.

2.514.47 Firearms

- A. All firearms, discharged bullets, cartridge cases, shotgun shells, and ammunition seized as evidence will be submitted to an appropriate forensic facility for examination, testing and typing.
- B. Firearms that need to be test fired for court purposes will be submitted to appropriate forensic facilities for that testing and typing.
- C. Firearms that are turned into UMDPS by protective order respondents should be accepted and held for safekeeping. A copy of the property receipt for the firearms shall be submitted to the District Court. UMDPS should also notify the agency designated in the protective order that the firearms have been taken into custody and should take steps to transfer the firearms to the designated agency if an arrangement can be mutually agreed upon.

2.514.50 Packaging Evidence

- A. Agency employees will comply with applicable directives established in the MSP Crime Lab **Guidelines for Submitting Physical Evidence** and the **FBI Handbook of Forensic Science** for evidence packaging. These reference materials are maintained in the Investigations Unit.
- B. Employees collecting evidence should choose containers suitable to the type of evidence being collected. Considerations include, but are not limited to:
 - 1. The size and weight of articles; and
 - 2. Whether the articles are moist and could rot or deteriorate if packaged incorrectly.
- C. Evidentiary articles will be packaged separately in order to avoid contamination.

- D. Fluids or stains should be carefully packaged to prevent cross contamination.
- E. Articles will be packed to minimize interior movement within packages.
- F. Markings or labels should be placed on seals and on packages or containers.
- G. Whenever possible, packages should be labeled before placing evidence in them to prevent damaging evidence when writing on packages.

2.514.55 Reporting Requirements

- A. Employees processing incident scenes will complete agency incident or continuation reports, as appropriate, giving accurate accounts of events that occurred and the actions taken.
- B. Information to be contained in reports includes, but is not limited to:
 - 1. Case number;
 - 2. Date and time of arrival at the scene;
 - 3. Location of the incident;
 - 4. Name of victims, if known;
 - 5. Name of suspects, if known;
 - 6. Actions taken at the scene;
 - 7. Date and time additional or specialist assistance is requested and received;
 - 8. Name of investigating officer;
 - 9. Number of photographs taken;
 - 10. Listings of physical evidence recovered;
 - 11. Disposition of physical and photographic evidence;
 - 12. Crime scene measurement information; and, if applicable,
 - 13. Reasons why photographs were not taken or physical evidence not recovered at scenes of serious crimes against persons or property.

2.520 REQUESTING & OBTAINING LABORATORY ANALYSIS

- A. Submitting evidence and requesting laboratory analysis is normally the responsibility of the officer or investigator who actually processed incident scenes and took custody of the evidence.
- B. Requests for forensic laboratory analyses must be approved by agency supervisory or administrative ranked personnel.
 - 1. Requests may be approved either verbally, in writing, or via email.
 - 2. Requesting officers will contact Logistics in order to coordinate and facilitate transport and submittal.
- C. In those cases where there may be more than one employee processing scenes, one officer will be appointed by the CIU Unit Commander or patrol squad commander to take custody of all evidence collected and to be responsible for submitting it for analysis.
- D. All evidentiary articles needing to be analyzed will be submitted for analyses as soon as possible.
- E. Written laboratory reports are provided by the accredited MSP Crime Lab and FBI Laboratory as the result of requests filed as part of the MSP 67 or FBI evidence invoicing procedures.
- F. Agency employees will comply with applicable directives established in the MSP Crime Lab **Guidelines for Submitting Physical Evidence** and the **FBI Handbook of Forensic Science** for submitting evidence to the respective laboratories.

2.522 TRANSFERRING CUSTODY

- A. Employees will utilize agency Property Receipt Records, MSP Request for Laboratory CDS Examination Chain of Custody

Log/Laboratory Report (MSP 67), or invoicing instructions promulgated by the FBI, as appropriate, to record each time custody of physical evidence takes place.

- B. The MSP 67 form is utilized when submitting evidence to the MSP Crime Lab in order to record prior custody information that includes, but is not limited to:
1. Name of the officer last having custody of the evidence;
 2. Date and time of submission or mailing and method used for transmission;
 3. Date and time of receipt in the laboratory; and
 4. Name and signature of the person in the laboratory receiving the evidence.

2.530 PROPERTY & EVIDENCE INSPECTIONS

2.530.10 New Property Custodian Inventory

- A. Documented inventories of property, evidence, equipment, and records thereof under control of the Logistics Unit will be conducted whenever a new Property Custodian is designated.
- B. At least 50% of all high-risk property and 100% of all high-risk evidence will be subject to inventory. High risk items include firearms, precious metals, monies, non-marijuana CDS, marijuana with a total weight over one pound and items with a value over \$500.
- C. Inventories will be conducted by the new and outgoing Property Custodians and another employee designated by the controlling bureau commander.
- D. All discrepancies will be recorded in inventory reports and investigated prior to the assumption of property accountability by the new property custodian. If an error rate of more than 4% is discovered when conducting the audit, a complete inventory of all property & evidence should be completed.

2.530.20 Yearly Audits

- A. Documented audits of property, evidence, and equipment under control of the Property Custodian will be conducted yearly to determine if related property and evidence directives are being followed.
- B. A representative sampling of at least 100 high risk items (property & evidence) should be selected for the annual audit. If there are fewer than 100 high risk items, then the audit should review all high-risk items, plus a representative sample of other items to bring the total reviewed to 100.
- C. Audits will be conducted by an administrative ranked officer specifically designated by the Bureau commander who is not routinely or directly connected with control of property.

2.530.30 Semi-Annual Inspections

- A. Documented inspections of the Logistics Unit will be conducted semi-annually by the administrative supervisor of the Logistics Unit.
- B. A random sampling of 25 property & evidence items, and records thereof that are under control of the Logistics Unit will be subject to inspection.
- C. The cleanliness of the logistics area & temporary storage areas should also be inspected and documented in the report.

2.530.40 Unannounced Inspections

- A. Unannounced inspections of the Logistics Unit will be conducted and documented as directed by the Bureau Commander or the inspections coordinator annually.
- B. Inspections will randomly examine 25 property & evidence items, and records thereof under control of the Logistics Unit.

- C. The cleanliness of the logistics area & temporary storage areas should also be inspected and documented in the report.

2.530.50 Reports

- A. Reports will be reviewed, commented on, and approved by the Inspections Coordinator prior to being submitted to the appropriate bureau commander and the chief.
- B. Inspection reports will be retained in the Logistics folder of the shared drive for at least seven years and stored in a secure read-only format.

2.540 DISPOSAL OF PROPERTY & EVIDENCE

- A. All articles of evidence and recovered or seized property held by the agency will be disposed of by Logistics personnel in accordance with applicable laws and university policies.
- B. Articles will not be disposed of until all legal or administrative procedures and requirements have been met.
- C. Property and evidence will be disposed of within six months following the fulfillment of all legal or administrative procedures and regulatory requirements.
- D. Employees originally taking custody of articles are responsible for promptly informing the Property Custodian of changes in the disposal status of articles.
- E. When authorized by OSA personnel, officers may photograph articles of evidence and release the articles to lawful owners or custodians.
1. Photographs will be labeled with the date, time, and CCN.
 2. Agency reports will contain the names of OSA personnel authorizing evidence release.

2.540.05 Disposal of Firearms

- A. Seizure and forfeiture of handguns will be consistent with CR 5621, CR 4-303(Assault Pistol), and CR 4-402(Machine Gun).
- B. Seized or forfeited handguns will be submitted to an appropriate facility for ballistics testing and typing.

2.540.10 Disposal of Weapons

- A. Non-firearms weapons will be returned to their owners or custodians, when legally permissible.
- B. Non-firearms weapons that are not returned to owners or custodians will either be converted to agency use or destroyed by crushing or incineration.
- C. Weapons converted to agency use for investigative or training purposes will be secured and accounted for by the appropriate bureau commander or their designee.

2.540.15 Disposal of Alcohol Products

- A. The contents of containers holding alcohol products such as beer, wine, and liquor will be drained into sewage receptacles.
- B. Bottles and cans will be discarded or destroyed.
- C. Kegs or other returnable containers will be returned or donated to alcohol beverage distributors.

2.540.20 Disposal of CDS

- A. CDS articles will be disposed of consistent with CR 5-309.
- B. The chief may authorize small amounts of CDS or articles of paraphernalia to be converted to agency use for educational or investigative purposes.
- C. CDS articles that are not converted to agency use for educational or investigative purposes will be disposed of by incineration. Paraphernalia will be disposed of by crushing or incineration.

- D. CDS articles converted to agency use for investigative or training purposes will be secured and accounted for by the Logistics unit.

2.540.25 Disposal of Driver's Licenses, Plates, Registrations

- A. Drivers' licenses, license plates, vehicle registration cards, etc., will be promptly returned to appropriate custodians or motor vehicle agencies following fulfillment of all legal or administrative procedures and requirements.
- B. The chief may authorize that fake, fraudulent, fictitious, or altered driver's licenses be converted to agency use for educational or investigative purposes.
- C. Fake, fraudulent, fictitious, or altered drivers licenses converted to agency use for investigative or training purposes will be secured and accounted for by the appropriate bureau commander or their designee.

2.540.30 Disposition of Found Articles or Property

- A. Persons finding articles or property and submitting same to the agency for safekeeping are to be given goldenrod copies of the Property Receipt Record documenting agency receipt of those articles.
- B. The agency will make reasonable attempts to notify owners or custodians of articles consistent with **2.506.50**.
- C. Found articles or property that remain unclaimed are retained by the agency for a period of one year from date of receipt.
1. Found articles or property may be claimed by finders within 30 days after the one-year anniversary of the property being received by the agency, provided that owners or legal custodians have not reclaimed the articles or property.
 2. Found articles or property will not be released to finders if:
 - a. Items are weapons of any type;
 - b. Items are contraband; or
 - c. Items were found by persons acting in law enforcement capacities.
- D. Found articles or property not claimed by owners, custodians, or finders will be disposed of:
1. By selling it through the Terrapin Trader or pawn shops;
 2. By auctioning it;
 3. With proper documentation, by transferring it, including by donation, to other institutions or major components within the University System, nonprofit organizations, the State, or local governments;
 4. By dismantling it for recovery of parts; or
 5. By destroying it if it has no other value.
- E. Proceeds from the disposal of lost or abandoned property will be submitted to Fiscal Services for deposit into the University's general fund.

2.540.35 Disposal of Deceased Persons' Property

Officers responding to scenes of unattended, non-criminal deaths occurring at locations other than hospitals will take custody of the personal property of decedents for safekeeping until released to next-of-kin.

2.550 EXCULPATORY EVIDENCE

The purpose of this policy is to ensure exculpatory evidence is provided to prosecuting authorities in current and post-conviction investigations.

- A. It is the policy and obligation of this department to provide all potentially exculpatory evidence to prosecuting authorities.
- B. Evidence known to the prosecution that is favorable to a defendant's case and material to the issue of guilt or punishment

must be disclosed per the landmark Supreme Court decision *Brady v. Maryland*, 1963.

- C. It is the responsibility of the Chief of Police, or a designee thereof, to review the disciplinary history of all personnel to determine if any contents therein could affect the officer's credibility as a witness.