



Alexandria Police Department

Directive 10.28



PROPERTY AND EVIDENCE

Effective Date: 06-16-2017	Cancels: 04-28-2016
Updated Date: 03-16-2018	Section(s): 10.28.07. J
Updated Date: 11-02-2018	Section(s): 2,5,6,7, and11
Updated Date: 04-25-2019	Section(s): 2,5, and 6
	SME Review Date: 2022

CONTENTS

- 10.28.01 PURPOSE AND POLICY
- 10.28.02 DEFINITIONS
- 10.28.03 STORAGE AREAS
- 10.28.04 RESPONSIBILITIES
- 10.28.05 FORMS
- 10.28.06 PROPERTY REQUIRING SPECIAL PROCEDURES
- 10.28.07 PACKAGING
- 10.28.08 TURNING IN PROPERTY AND EVIDENCE
- 10.28.09 RECEIVING, DOCUMENTING AND STORING PROPERTY
- 10.28.10 SIGNING OUT PROPERTY AND EVIDENCE
- 10.28.11 DISPOSING OF PROPERTY
- 10.28.12 DRUG DESTRUCTIONS
- 10.28.13 GUN/WEAPON DESTRUCTION
- 10.28.14 UNCLAIMED PROPERTY
- 10.28.15 CONVERTING ITEMS TO POLICE USE
- 10.28.16 DRUGS RELEASED TO K-9 FOR TRAINING
- 10.28.17 INSPECTIONS
- 10.28.18 EMERGENCY/BACKUP PROCEDURES

10.28.01 PURPOSE AND POLICY

The purpose of this directive is to establish procedures for receiving, recording, handling, storing, and disposing of property and evidence coming into this Department's possession.

Regarding property and evidence, it is the policy of this Department to safeguard the rights of property owners, to provide a strong evidentiary chain of custody for prosecutions, to safeguard and clearly document property, and to protect the integrity of this Department and its employees.

10.28.02 DEFINITIONS

Contraband – Any item defined by law as illegal to possess.

Chain of Custody-The unbroken trail of accountability of a particular item that is documented in writing, which shows the order in which the item is handled, as it is passed from person to person until the final disposition of the item. Officers must document a clear chain of custody in their narratives.

Dangerous Property – Any item which would present a threat to persons or property if handled, packaged, or stored using normal procedures for property or evidence. The on-duty patrol commander and the Property and Evidence Section Supervisor will determine the manner of handling dangerous property.

Evidence – Any item which may be used or needed to secure arrests and/or convictions for violations of the law, to complete investigations of employee conduct, or for civil proceedings. Evidence will be held for as long as the officer or Commonwealth's Attorney requires the items for a case. However, officers should consult the evidence destruction schedule attached to this directive and the retention guidelines listed below.

Evidence Number (EVD) - A unique number automatically generated for each piece of evidence placed into police custody. The EVD number is also the documented reference number of the evidence used when referring to the evidence in reports.

Found Property – Abandoned or unattended property found by Department employees or by citizens, excluding property that is or may become evidence in a criminal proceeding. The owner may be known or unknown. Found property will only held for 60 days, unless an officer notes otherwise in his/her report by providing an articulatable reason why the property should be held beyond 60 days. After the determined number of days has passed, the property will be destroyed.

Heat-Sealed Bag – A Department-issued clear plastic bag with a preprinted heat-sealed label containing a preprinted control number, for use when the officer deems it desirable to further protect the item or chain of custody, especially in cases of a sensitive nature.

Owner – The person or business that has a title, evidence of purchase or other reasonable proof of ownership, or whom the responsible officer identifies and documents as the owner.

Primary Investigating Officer – The officer who has the main responsibility for investigating the case to which the property and evidence relates. This person is also responsible for determining what items are to be collected as evidence and the final disposition of items (i.e., destroy, return to owner).

Property and Evidence Section Supervisor – The employee designated as the property custodian, who is held accountable for all property stored in the storage areas under the Property and Evidence Section’s control and has the overall responsibility for the operation of the section.

Recovering Officer – The officer who collects the property or evidence.

Report Management System (RMS) - The electronic database that manages the Department’s reports, property, and evidence.

Responsible Officer – The officer who is responsible for instructing whether property be retained or disposed of; this is the primary investigating officer unless there is a documented transfer of responsibility to another.

Rightful Possessor – The person or business with standing to have custody of the property, by permission of the owner, by rule of law, or on other reasonable grounds.

Special Evidence – Any evidence or items of property related to police shootings, use-of-force incidents, in-custody death incidents, administrative or criminal investigation of City employee conduct, or any other matter related to employee conduct. When advised that property already in custody is now designated as special evidence, the Property and Evidence Section Supervisor will ensure that the affected APD-39(s) and Evidence Sheets are labeled as special evidence. This evidentiary selection should only be utilized by the Office of External Affairs and Professional Responsibility.

Submitting Officer-The submitting officer is the officer who submits the evidence to the Property and Evidence Section for storage.

Unclaimed Property – Property for which the owner cannot be identified or located, or property that the owner has not claimed within 60 days of documented notice that the property is in the Department’s possession. Departmental employees are required to notify owners that items turned in with a disposition of “Return to Owner” will not be kept longer than the 60-day period listed above. This notification is especially important for subjects being taken to booking whose items are turned into the property section. Employees must document their notifications to owners in their report narratives.

Items turned in with a disposition of “Destroy” will not be kept longer than 60 days, unless the officer can articulate the need to keep it past the 60-day period.

Employees must document their notifications to owners in their report narratives in addition to completing the Property Retrieval Process form (APD-0140). This form must

be completed for any person who has had property taken as evidence or safekeeping and is stored with the APD Property & Evidence Section.

10.28.03 STORAGE AREAS

- A. **Access to Secure Areas of the Property and Evidence Section:** All areas where evidence is stored are secure areas and may be entered only as provided in this directive. When persons outside the Property and Evidence Section staff or its chain of command enter any Property and Evidence Section secure storage area, they must be accompanied by Property and Evidence Section employee(s) and must document their entry in the log provided. [84.1.2]
- B. **Central Storage Area** – The main storage location for property and evidence held by this Department and is currently located in Police Headquarters on the first floor.
- C. **Evidence Laboratory** – The facility used by the Crime Scene Investigations (CSI) Section to secure evidence in their custody for processing. [84.1.2]
- D. **Overflow Storage Areas** - Secure storage locations outside of the central storage area used for the storage of Department purchased equipment and supplies. No Department weapons or ammunition may be stored in these areas. No evidence can be stored in these areas.
- E. **Overnight Storage Area** – This area is for secure, temporary storage of items during hours the Property and Evidence Section is closed and is accessible without entering the central storage area. It contains individual securable lockers for use when appropriate, four forensic drying cabinets for damp clothes or cloth materials, locking refrigerators for body fluids or other items that must be kept cool, and property and evidence packaging materials.

Officers may gain access to the overnight storage area at all times by using their electronic access card. [REDACTED]

[REDACTED] Only items related to property and/or evidence will be stored in this area. [84.1.3]

- F. **Storage Shed** – A secure area behind the Bicycle Patrol Unit garage at Police Headquarters for the storage of large items and items inappropriate for inside storage, such as bicycles, large vehicle parts, or tires. The storage shed contains one large securable cage for temporary storage of large items or items having a strong odor or contaminated by items such as bed bugs or roaches. Cables and locks are provided to further secure individual items within the cage area. Whenever possible, evidence will be stored in an indoor location. Extremely hazardous items such as those of a toxic or explosive nature will not be placed in the

shed and will be handled as directed by the Watch Commander. Because the storage area is outdoors, officers should consider the use of special packaging to protect items stored there.

G. Vault – Secure areas within the central storage area used for the storage of drugs, money, guns, and items of high value such as jewelry.

H. Vehicle Processing Bay – An area of the garage designated to be used by and controlled by the CSI Section. Use of this area by non-CSI staff must be approved by the CSI Section Supervisor or, after hours, by an on-duty Crime Scene investigator. Non-CSI Section staff entering this area must be accompanied by or have authorization from CSI Section staff. **[84.1.2]**

10.28.04 RESPONSIBILITIES

A. All employees (including temporary or contract employees):

1. Who in the course of their duties come into possession of any property (except vehicles, which are addressed in Police Directive 11.22, Impounding/Removing Vehicles), will document and submit the property to the Property and Evidence Section in accordance with this directive by the end of their tour of duty. This includes all property, whether found, turned in for disposal, seized as evidence or contraband, or being held in connection with civil litigation; **[84.1.1a,b]**
2. Are responsible for the safekeeping of any items of property that come into their possession during the course of their duties;
3. Will determine, to the extent possible, and document ownership, to include complete address, zip code, and telephone number when possible, of items of property. Employees turning in any item of property that bears a serial number will ensure that a VCIN/NCIC stolen check is made on the item. The VCIN/NCIC check response will be attached to the Evidence Sheet(s); **[84.1.1, f]**
4. Will ensure that all evidence collected and turned over to the Property and Evidence Section is properly marked and packaged in order to keep a secure chain of custody and to prevent contamination or possible injury to the Property and Evidence Section staff while processing and storing evidence;
5. Will respond promptly to Property and Evidence Section requests for correction or information related to property in the Department's custody;
6. Will document each occurrence when property in Department custody passes from one person to another; and

7. Are prohibited from taking personal possession of any item of property that has come into this Department's custody, regardless of whether the property is designated for destruction and regardless of whether or not the property has any monetary or other value.

B. The Property and Evidence Section Supervisor will ensure that:

1. Items in custody are secure;
2. Drugs, money, weapons and jewelry are stored in a vault;
3. Items received, temporarily signed out, and disposed of are properly documented on both the evidence and property sheets as well, as in the RMS computer database;
4. Records documenting property held in custody are protected and backed up;
5. Regular quality control measures are adhered to;
6. Periodic roll call training of officers in property procedures is conducted; and
7. A record of the names and sample signed initials of all staff whose initials are entered on office Property records, is maintained.

C. Commanders and supervisors will ensure that employees comply with the requirements for handling property and evidence and will take action to correct errors brought to their attention.

10.28.05 FORMS

A. Evidence Sheet(s):

1. The purpose of the Evidence Sheet (also referred to as an EVD Sheet), is to replace the former APD-39 Property and Evidence Inventory Sheet. The APD-39 should only be used as a backup form in the event the RMS is down for officers to print the necessary evidence form. The Evidence Sheet is generated automatically based on the information that is entered within the report. Because the Evidence Sheet is generated based on the information in the report, it is important for officers to enter as much information and be as descriptive as possible when entering evidence into their reports.
2. Evidence Sheets should be printed prior to the submission of the report to a supervisor for approval. Failure to do so may delay the entry of evidence into the overnight storage lockers and the processing of evidence.

3. Evidence Sheets must be signed by a supervisor prior to submission to the Property and Evidence Section.
4. Evidence Sheets must accompany each piece of evidence submitted into the Property and Evidence Section's custody.
5. Officers should make and retain a copy of the Evidence Sheet for their needs (i.e. case jacket).
6. A separate Evidence Sheet will be used for the following items: **[84.1.1, d-e]**
 - a. Guns - use a separate Evidence Sheet for each gun;
 - b. Ammunition - must be packaged separately from any accompanying weapon or weapon parts and listed on a separate Evidence Sheet;
 - c. Money;
 - d. Drugs, suspected drugs and/or drug paraphernalia containing drug residue; and
 - e. Each bicycle or moped where ownership is unknown, or owners are different; and
 - f. Items involving different officers, case numbers, persons seized from, or dates seized. **[84.1.1d-e]**
7. Each item requiring laboratory analysis will be listed separately.

B. Property Inventory Form (APD-39)

The backup property inventory form, the APD-39 can be used for items that are stolen, lost, abandoned, found, seized as evidence in criminal or civil proceedings, turned in for disposal or taken for safekeeping.

1. A separate APD-39 will be used for multiple owners of the items listed.
 - a. Example: If there are two owners to the different pieces of property collected, two separate APD-39s are needed.
 - b. Multiple items (including guns, drugs, jewelry, and money) can be placed on the same APD-39 as long as they belong to the same owner.

C. Vehicle and Property Release Form (APD-79)

1. The APD-79 is the official inventory form for documenting all property coming into police custody (including vehicles) that is returned to its owner or a person taking custody of the listed items.
2. The purpose of the form is to document the release of property by officers to citizens while officers are on the street and unable to report to APD Headquarters.
3. Officers must place an EVD number on the form for the item(s) or vehicle, and note the item as being released to the owner in their report. The form can then be turned into the Property and Evidence Section.
4. Officers will complete this form legibly, accurately, and completely. **[84.1.1c]**
5. The case number will be placed on the APD-79,
6. The APD-79 is used and distributed as follows:
 - a. Original (white): Returned to Property and Evidence Section staff, who will upload it to RMS.
 - b. Second Page (yellow): The officer completing the form will retain the yellow copy.
 - c. Third Page (pink): The owner, or the person taking custody of the items, will be given this copy.

D. Property and Evidence Disposition Report (APD-129) - The form on which the recovering or responsible officer documents release of property information or updates instructions on dispositions of property.

1. Whenever the disposition instruction changes, the employee will update the disposition instruction using the APD-129.
 - a. An APD 129 form must be completed to document items permanently **released** to court as the final disposition and must include the name of the person the item was released to.
 - b. An APD-129 form must be completed to document items **temporarily held** at court and the name of the person maintaining custody of the item.
 - c. If the item is released to the owner, the APD-129 should contain as much identifying information about the owner as possible.

2. The APD-129 is used and distributed as follows:
 - a. Original (white): Property and Evidence Section staff will upload a copy to the RMS.
 - b. Second page (yellow): The officer completing the form will retain the yellow copy.
 - c. Third page (pink): Will be given to the owner or person the property is being released to.

E. Property and Evidence Disposition Review (APD-129B): The form on which periodic reviews of disposition instructions are documented.

1. At least annually, reviews are conducted at the time of employee performance evaluations. Reviews are also conducted in advance of an employee's separation from the Department. The separating employee must complete an APD-129B and submit it to his or her supervisor for approval. The Property Section Supervisor must receive the approved form prior to signing the Employee Clearance Report (APD-30V). If the separating employee is a new recruit officer, the recruit officer or his or her Police Training Officer (PTO) will complete the APD-129B. The PTO the recruit officer was assigned to at the time the evidence or property was collected should be assigned the item(s). The PTO will ensure the form is signed by a supervisor.
2. Special reviews to ensure timely disposition of property may be initiated by employees or the Property and Evidence Section Supervisor as needed.
3. The APD-129B is used and distributed as follows:
 - a. Original (White): Property and Evidence Section staff will maintain a copy of the most recently completed APD -129 in each officer's equipment issue file.
 - b. A photocopy of the employee's APD-129B will be retained in the officer's squad file.

F. Property Retrieval Process Form (APD – 0140): *The form to be completed for any personal property taken for safekeeping or evidence and stored in the property section.*

1. *Officers will:*
 - a. *Complete the form in its entirety, ensuring all the information provided by the owner of the property is correctly written.*
 - b. *Explain the form in its entirety to the owner.*

- c. *Scan a copy the form into WEB-RMS and attach the form to the incident report.*
 - d. *Provide a copy of the form to the owner (yellow copy).*
 - e. *Provide a copy of the form to the property section (white copy).*
 - f. *Retain a copy for their records (pink copy).*
2. *Supervisors shall ensure that the report narrative contains the proper documentation as listed above.*

G. Corrections to Forms:

1. Corrections to any property forms will be made by drawing a single line through the entry being deleted so that the entry remains readable. Use of white-out or any other method that obliterates the entry is prohibited. Employees making corrections will initial beside the correction and will make a brief notation of the reason for the correction, if the reason is not obvious.
2. Property and Evidence Section staff are prohibited from correcting or modifying information that other employees have entered on APD-39s or Evidence Sheets. If corrections are needed, Property and Evidence Section staff will notify employees to make any needed correction. Only the Property and Evidence Section Supervisor will make corrections to an original APD-39 or Evidence Sheet if necessary.
3. When employees make corrections to the front of an original APD-39, it is their responsibility to make the same correction on all copies in the Department's possession, including the appropriate computer databases.
4. Corrections needed to evidence information in the RMS will require a supplement documenting and requesting the necessary changes.

10.28.06 PROPERTY REQUIRING SPECIAL PROCEDURES

A. Evidence

1. The officer recovering the evidence is responsible for that evidence. **[83.3.2.a]**
2. If evidence is recovered by a CSI for processing or retention, he/she is responsible for the evidence until a secondary designation is made.

When there is a transfer of evidence from one officer to another, a supplement documenting the transfer shall be completed. The officer who is taking responsibility for the evidence shall be notified of the transfer.

3. If the Department no longer employs the officer responsible for the evidence, a disposition review will be conducted by forwarding an APD-129B to the supervisor of the former officer for a responsibility assignment. The form will be forwarded to the Property and Evidence Section for appropriate updating of records. **[83.3.2a, 83.2.1]**
4. Officers will ensure that evidence needed in court is transported to and from court in an appropriate manner.
5. In the event an officer wants recovered evidence processed either by a CSI or by the State Consolidated Laboratory, the officer must package it separately and document it in the report. The officer will indicate in his/her report the type of analysis required and stipulate that laboratory results be in writing. After receiving copies of the Evidence Sheet or APD-39s, Vice/Narcotics and Crime Scene Investigation Section staff will complete the requested analysis or will request analysis at the State Consolidated laboratory by completing the Request for Laboratory Examination (RFLE) Division of Forensic Science (DFS) Document 100-F100. **[83.3.2.b, c, e]**
6. The Property and Evidence Section Supervisor will ensure the CSI Section is notified of all processing requests for items coming into the Property and Evidence Section's custody. **[83.3.2, b-c]**

B. Bicycles

1. Bicycles must be tagged separately from other items, regardless of the circumstances of how they came into the Department's possession.
2. Employees must attempt to identify owners. Every serial number or other number should be checked to determine the owner or any stolen status. **[84.1.1.f]**
3. **Note:** Mopeds are considered vehicles and should be turned in using an Impound form (APD-52) or the automatically generated impound sheet and transported or towed to the appropriate location.

C. Dangerous Property

1. Any property coming into an employee's possession, that could reasonably be considered a threat to persons or property if handled by regular procedures, **will not be brought into any part of the Police Department** and will be handled by an appropriate alternative method. The final determination of what is dangerous and the appropriate alternative method for handling it is the responsibility of the Watch Commander. **[84.1.1.e]**

2. Other directives (such as 11.4, Bomb Incidents and 13.2, Hazardous Materials) as well as military, federal, state, and local experts should be consulted when appropriate.
3. The primary concern in these situations is the safety of persons and property. Decisions regarding the handling of suspected dangerous property must be made on a case-by-case basis and determined by the circumstances.
4. Items suspected of being contaminated by bed bugs or similar circumstances shall be stored outside of Headquarters. These items will not be brought into the Property and Evidence overnight storage area.

Any employee who has questions about the potential danger of a piece of property should consult a supervisor or the Property and Evidence Supervisor.

5. Dangerous property may include, but is not limited to:
 - a. Explosives;
 - b. Military ordnance;
 - c. Highly flammable liquids or gases;
 - d. Contaminated biological material;
 - e. Large quantities of fireworks or pyrotechnics; or
 - f. Harmful or lethal gases.

[84.1.1e]

D. Death Cases

1. In circumstances indicating a possible death by overdose, or any suspicious death where a large number of prescription drugs are at the scene, all such drugs will be collected by a CSI technician or investigating officer and submitted to the Property and Evidence Section in a heat-sealed bag or box with a heat-sealed label affixed for toxicological analysis. **[83.2.1]**
2. When a person dies or is killed away from home and it becomes necessary for this Department to assume responsibility for the deceased person's property, the officer handling the preliminary investigation of the death will inventory and turn in all items of value.
3. The responsible officer approving release of the deceased person's property will document the name of the person (next of kin, guardian, executor, personal

representative, etc.) to whom the property may be released and will specify what documentation is required (personal identification, court order, will, etc.).

4. To minimize hardship on surviving family members attempting to recover a deceased person's property, employees notifying relatives will advise them of the Property and Evidence Section's operating hours and what documentation will be required for release of items.
5. In cases when the owner or rightful possessor cannot be readily identified, the responsible officer will place a "hold" on the property until designation of the owner or rightful possessor is made.

E. Property in Impounded Vehicles

[61.2.3.f]

1. When a vehicle is impounded, the impounding officer will inventory all property located in the passenger area and, if the keys are available, in the vehicle's locked compartments (trunk, glovebox, console, etc.). All property of any value must be listed in the report. Valuable property will be turned over to the Property and Evidence Section for safekeeping. Any property deemed to have little value must be secured out of view, such as in the vehicle's locked trunk. The report must indicate which items (if any) were turned in and which were left in the vehicle.
2. Items mounted, installed or normally considered vehicle accessories do not need to be turned over to the Property and Evidence Section.

F. Found or Abandoned Property

1. Virginia Code §15.2-1722 requires a police report on all found property. **[84.1.1,c]**
2. If an officer comes into possession of abandoned or found property, that officer must make a reasonable effort to locate and return the property to its owner or rightful possessor. If such a person is found prior to the property being turned in, the officer may release the property at the scene, documenting the transaction on an APD-79. Officers will complete the appropriate sections of the APD-79 and have the receiving person sign the receipt portion and accept the property. The APD-79 will then be signed by a supervisor, and it will be submitted to the Property and Evidence Section. If the officer has any reason to believe that the found property may be evidence in a criminal investigation, the found item(s) should be collected as to preserve the property for analysis (photographs, fingerprints, DNA, etc.) **[84.1.1,f]**
3. When a citizen finds property for which an owner cannot be immediately found, the officer who receives the property should complete a police report and ask if the finder wishes to claim the property if no owner can be found. If the finder

wishes to make a claim, the officer is to note this in the appropriate location in the report. The officer is to advise the finder that if no one claims the property within 60 days, the finder may claim the property at the Property and Evidence Section. The found item should then be submitted through normal procedures.

4. There are types of property that would be inappropriate to turn over to finders (contraband, weapons, alcohol, etc.). The officer should advise the finder that this property cannot be claimed.
5. When turning in abandoned or found property, officers must complete the Condition of Release field of the report. If the owner or rightful possessor is known, the recovering officer must indicate either "Proof of Ownership" or, in the case of contraband, "Destroy after 60 or ___ days." The officer must provide a full name and complete address (including zip code) for the owner or rightful possessor. Once the disposition decision has been made, the officer has no further responsibility as to the disposition of the property.
6. If the owner or rightful possessor is unknown, the Condition of Release field that should be checked is "Destroy after 60 or ___ Days." When that disposition is made, the officer has no further responsibility as to the disposition of the property, unless that officer should subsequently identify the owner. Property Section staff will file these separately to await the specified time limits after which the item(s) will be disposed of as soon as practical. Items turned in with no known owner will be destroyed after 60 days.
7. In unusual situations dealing with abandoned or found property, officers may check "Other" in the Condition of Release field. When doing so, officers must provide specific instructions as to what is to be done with the property in the "Other" section of the report.

G. Electronic Evidence

1. When data residing on computer systems, recording devices, and media are being sought as evidence, the services of a computer forensic investigator will be sought. No Department personnel, except those under the direction of a computer forensic investigator, shall power off, disconnect, power on, or access a computer system, recording device, or recording media that is to be seized. Computers seized by personnel as evidence related to burglary, larceny, or other crimes will not normally require the services of a computer forensic investigator.

[83.2.5]

2. *In some circumstances, electronic media devices will need to remain turned on to extract the data they contain. Officers should familiarize themselves with the various instances that may require the procedures listed below. Should officers find the need to keep an item charged and turned on for the purposes of conducting a data extraction, the below listed steps will be followed:*

- a. *Write the proper notations on the outside of the packaging being utilized, do not secure the item inside the packaging.*
 - b. *Place the EVD sheet, the item, and packaging into an open Device Charging Locker (DCL). The DCL is in the overnight storage room. Ensure the item is plugged into the outlet located inside the locker.*
 - c. *Secure the item(s) in the locker by turning the knob on the locker.*
 - d. *Notify the Electronic Investigations Unit (EIU) that you have placed an item in the DCL and provide a case number and EVD number to the detective and/or supervisor.*
3. *The Property Section will coordinate with and then release the item(s) to the EIU through the normal evidence check-out procedures. Upon completion of the data extraction, the EIU will return the item sealed in the original packaging that was provided by the submitting officer.*

Please note that once the data extraction has been completed, typically the phone will not remain in the charging locker. Only under special circumstances will this happen in coordination with Criminal Investigations and the Property Section.

H. Conducted Electrical Weapon (CEW)

Upon the deployment of a Conducted Electrical Weapon (CEW), the supervisor will:

1. Collect the probes (wires still attached), the discharged air cartridge and a few of the Anti-Felon Identification Tags (AFIDs) from the discharge area to confirm and verify the identity of the CEW that was discharged. Probes will be stored in a "sharps" tube.

Any probes known or suspected of penetrating a human body will be treated as a biohazard and labeled and stored as appropriate.

2. Accidental discharge deployments of the CEW do not require the packaging of the AFIDs, air cartridge probes and wires. It is the supervisor's discretion in these instances.
3. Deployments where probes make contact with a suspect or bystander will need to be retained for at least a minimum of two years until the conclusion of all criminal and civil matters.

I. Less Lethal Munitions (LLM)

Upon the deployment of a Less Lethal Munition (LLM), the supervisor will:

1. Collect any discharged projectiles and their components to be turned in to the Property and Evidence Section.
2. Accidental discharge deployments of LLMs do not require the packaging of the projectiles or its components. It is the supervisor's discretion in these instances. Supervisors should be aware of any damage created by an unintentional discharge and the likely need of the projectiles in the future.
3. Deployments where projectiles or their components make contact with a suspect or bystander will need to be retained for at least a minimum of two years until the conclusion of all criminal and civil matters.

J. Special Evidence Procedures

1. Any item marked as special evidence will be directly brought to the Property and Evidence Supervisor or his or her designee to be checked in and stored through normal evidence intake procedures.
2. Only the Property and Evidence Supervisor shall have access to the evidence in the RMS to manage the specific items marked as special evidence.
3. Any items marked as special evidence will be stored in the bin marked "Special Evidence" or the "SPEC" bin for short.
4. The special evidence storage location will be locked separately and only accessible by the Property and Evidence Supervisor or his/her designee.
5. Should an item that is collected initially not be marked as Special Evidence but later be deemed to be Special Evidence, the Property and Evidence Supervisor shall be notified so the appropriate changes to the RMS and the storage location is made.
6. Special Evidence will be destroyed by the Property and Evidence Supervisor or his/her designee.

10.28.07 PACKAGING

- A.** In order to keep a secure chain of custody and prevent contamination, officers will ensure that all evidence that is collected and turned over to the Property and Evidence Section is properly marked and packaged. **[83.2.1, 84.1.1d]**

B. Every item will be given a separate “EVD” number listed in the report and each item must be packaged separately. The EVD number, case number, officer’s name and identification number will be written on the items packaging, (For example, EVD#123456, case# 17-100123, Officer Smith, ID#5007). The exception to packaging items individually are:

1. Items refused at booking with no significant monetary value;
Example: Large bulk items (backpacks, luggage)
2. Items kept for safekeeping with no significant monetary value; and
3. Found Property items with no significant monetary value.
Example: Homeowner reports that someone left items or trash on their property and want it removed.

C. Every item, such as bags and boxes, **MUST** be searched prior to its submission to police property.

In instances where items are found inside of bags and boxes, officers must document their findings, regardless of an item’s monetary value. If no items are located inside, officers will also document that information in their report narrative.

D. Packaging materials (boxes, paper bags, envelopes, etc.) are available in the storage areas. Suitable alternative secure containers may be used for large items.

[83.2.1]

E. Packaging Procedures for a Single Item:

1. Single items in a criminal case or police information cases will be packaged separately with the EVD number, case number, officer’s name and serial number written in on it.
2. The item will then be placed into an overnight storage locker with the Evidence Sheet.
3. Property will not accept items individually submitted in paper bags. All items individually submitted, must be submitted in either an envelope, heat-sealed bag, cardboard box or individually tagged.

F. Packaging Procedures for Multiple Items Related to the Same Case:

1. Multiple items in a criminal case or police information cases will be packaged separately with the EVD number, case number, officer’s name and serial number written on them.

2. Once all the items are packaged individually, they will be placed into an overnight locker with the Evidence Sheets.
3. If the item is large and requires a large box, it can be packaged independently with the appropriate information documented on it.

G. Heat-Sealed Bags**[83.2.1]**

1. Separate heat-sealed bags are required for narcotics, dangerous drugs and money. Officers using heat-sealed bags will complete a heat-sealed bag label, attach the label to the bag and enter the heat-seal bag number in the report. The officer will write his/her name, serial number and the date inside the top portion of the heat-sealed bag prior to sealing it.
2. Supervisors will visually inspect all money or drugs before they are sealed in heat-sealed bags and will verify the amount of money placed in the bags. Whenever practical, bills will be fanned and stapled together so they can be verified in the future without opening the bag. **[84.1.1e]**
3. Supervisors will initial the heat-sealed label in the space provided.
4. Items submitted for laboratory analysis must be placed in separate heat-sealed bags.
5. Hypodermic needles or other sharp objects must be placed into the capped plastic tubes provided prior to being placed in heat-sealed bags.
6. Items that require refrigeration (PERK kits, fluid or blood samples, etc.) should not be placed in heat-sealed bags.
7. If a heat-sealed bag needs to be opened (analysis, court, etc.), the bag should be slit at the bottom and the item(s) removed. The item(s) will be returned to the same bag, the slit secured with sealing tape, and initialed. Employee(s) entering the bag must note on the bag label their name, the date, time, and reason for each entry.
8. If a bag is damaged beyond repair and a new bag is required, the remains of the old heat-sealed bag must be placed inside the new bag. The new heat-sealed bag control number, and the reason for it, must be noted in the report.
9. Coins shall not be taped together.
10. Counterfeit money is not considered real money. Therefore, it does not need to be in a heat-sealed bag. If an officer is unsure of the authenticity of the currency, it should be treated as real.

H. Body Fluids and Perishables

[83.2.1]

1. Body fluids and perishables should never be placed in plastic bags.
2. Clothing or other material dampened by body fluids should never be sealed in airtight containers. They should be hung and locked in a forensic drying cabinet in the overnight storage area.
3. The officer must return to package the item(s) after the material is dried.
4. The officer will use disinfectant to wipe down and decontaminate the forensic drying cabinet from which the property was removed.

I. Biohazard Labels

The officer will securely fasten a biohazard label (available in the overnight storage area) to all boxes, packages or other containers which contain or may be contaminated by blood, body fluids or any animal tissue or organs, and will check the biohazard box in the report. [84.1.1, e]

J. Firearms, Ammunition and Magazines

1. Officers will assure that firearms are unloaded, and the approving supervisor will personally verify that the weapon is unloaded.
2. Each gun will be packaged separately in a gun box. Guns will be secured in the box with nylon ties (locking end inside the box) and if available, further secured by placing a trigger guard through the barrel. When the gun is secured in this manner, tape should be placed over the holes in the box to keep other DNA from entering the box and contaminating the gun. **Officers will note, neatly in black marker, on the outside of the box “UNLOADED by Officer (last name and serial number).”** This is a requirement by the State Laboratory.
3. Ammunition will be packaged separately. If it is not contained in its original container, it will be secured in a soft material to cushion and shield it from impact before being placed into an evidence envelope or box.
4. It must be assumed that additional evidentiary processing will be required in the future. Therefore, extreme caution should be exercised to protect the integrity of the evidence (i.e., the surface of the cartridge or casing should be protected/preserved to facilitate the possible recovery of latent prints and/or DNA evidence). When packaging cartridges or casings tape should never be applied to the surface, but rather to the bubble wrap or other wrapping material.
5. All BB guns, air rifles and similar weapons will be treated like firearms and placed in the appropriately sized gun box.

6. Conducted Electrical Weapons (also referred to as Electronic Control Devices, Tasers and Stun Guns) must be placed in a cardboard (knife or gun) box.
7. "Live ammunition" should be written on the packaging and documented in the description field.
8. Magazines:
 - a. Magazines collected with weapons may be packaged with the weapon, so long as, the magazine is empty of ammunition.
 - b. Magazines collected with weapons containing ammunition must be packaged separately.
 - c. Magazines collected without weapons and with or without ammunition must be packaged separately from other items.

K. Narcotics and Dangerous Drugs

1. When handling any suspected controlled substances, employees will wear protective gloves.
2. Officers turning in narcotics or any drugs must place them in a completed heat-sealed bag (or a suitable secure container in cases of large seizures). Property staff will store items of this type in a separate and secure vault. **[84.1.1.d]**
3. Officers should submit drugs to the Property and Evidence Section in the original packaging, packaged in a heat-sealed envelope. Employees should package the drugs in a heat-sealed envelope and weigh the entire heat-sealed envelope. Once this weight is obtained, it should be noted in the report "Estimated weight includes packaging." The chemist at the Forensic Laboratory will remove the drugs from the packaging/heat-sealed to obtain an accurate weight.
4. All suspected drugs will be noted as suspected drugs (for example: "suspected drugs, white powdery substance") in the police report evidence blocks.
5. If the suspected drugs have field-tested positive for an illegal substance, the name of the drug (for example, cocaine) and "field tested positive" will be entered in the police narrative and the description field in the report.

L. Fragile Items

Glass and other fragile/breakable items will be packaged as to protect the item from breaking.

10.28.08 TURNING IN PROPERTY AND EVIDENCE

A. **Submitting officers will** obtain the signature of a supervisor after completing and printing the Evidence Sheets from the report.

B. **Supervisors will, prior to approving the Evidence Sheets:**

1. Visually inspect all property listed;
2. Verify the amount of money if any;
3. Ensure the property is adequately described and correctly packaged;
4. Ensure the proper forms are complete, accurate, and legible; and
5. Sign, date and print their name and serial number on the Evidence Sheet.

C. **Turning in property:**

[84.1.1.g]

1. Submitting officers, including CSIs, will take the completed and approved Evidence Sheets to the Property and Evidence Section overnight storage area to be turned in. Officers, except CSIs who need to have evidence processed, will then immediately secure the property, together with the original Evidence Sheet, in an overnight evidence locker. **[84.1.3]**
2. Officers and CSI's shall utilize a "Chain of Custody" sticker to document their evidence being sent or held for analysis to be conducted prior to the item being submitted to the Property and Evidence Section. **[84.1.1,g]**
3. CSIs who need to have evidence processed will complete the temporary release of property section in the report and on the Evidence Sheet's "Chain of Custody" sticker, place the original in an overnight evidence locker, and retain a copy of the Evidence Sheet and the evidence.

D. **The submitting officer will:**

1. Review the Evidence Sheet to ensure it is complete, and accurately describes the items being turned in.
2. Ensure each and every item being recovered and seized is packaged separately, with the exceptions as previously mentioned. **[84.1.1,a;84.1.5]**

10.28.09 RECEIVING, DOCUMENTING AND STORING PROPERTY

- A.** Property and Evidence Section staff will review and process receipt of all items turned in by verifying that:
1. The Evidence Sheet accurately describes the property, is complete, correct, and was approved by a supervisor.
 2. The property is properly packaged or if not present, has been properly signed out.
 3. Property with a serial number has the VCIN/NCIC return teletype attached.
 4. Biohazardous material has a biohazard label affixed to the packaging and the appropriate box is marked on the Evidence Sheet.
 5. A copy of the APD-39 or Evidence Sheet for seized firearms is forwarded to the Violent Crimes Supervisor for entry into E-Trace.
 6. All of the identifying information on weapons, to include make, model, serial number, caliber/gauge, finish and importer, if applicable, is documented on the APD-39 or an Evidence Sheet.
 7. All firearms are unloaded if possible. If unable to unload, notify the Property and Evidence Supervisor.
- B.** If a weapon that is seized by a patrol officer needs to be taken to the State lab for analysis (function test, NIBIN, etc.), the weapon will be transported by a Criminal Investigations Section (CIS) detective. When the results are received from the lab, they will be forwarded to the officer for his/her records.
- C.** Property and Evidence Section staff will not accept any items where there are discrepancies with packaging or completion of the Evidence Sheet. When items with such discrepancies are received in overnight evidence storage, Property and Evidence Section staff will immediately notify the officer's supervisor, the approving supervisor, and their corresponding commanders that a correction is needed. The case review officer will also receive a copy of this notification to complete an Email Summary Report (7Q) for the error. After a minimum of five (5) days (including at least one day the officer and supervisor are working and the Property and Evidence Section is open) with no response, the Property and Evidence Section Supervisor will forward a second notification to the corresponding division or sector commander, who will ensure that any discrepancies are corrected. If a third notification is necessary, it will be forwarded to the Deputy Chief of Patrol.

- D. The Property and Evidence Supervisor will safeguard property in accordance with State and City laws, Police Department directives, and good practices, and will record and document the handling of property in such a manner as to satisfy an independent auditor who may inspect property and records.
- E. Any property or evidentiary packaging that is opened for any reason will be resealed and the person opening the package will initial the package and note the date, time and reason for the opening.

10.28.10 SIGNING OUT PROPERTY AND EVIDENCE

- A. Once received by the Property and Evidence Section, items may be removed only for a valid reason and in strict compliance with the sign-out procedures contained in this section.
- B. In order to preserve and minimize the chain of custody, an officer will normally sign out only those items for a case in which he or she is directly involved. An exception to this is section H below.
- C. Property and Evidence Section staff will release items only to the recovering or investigating officer, a CSI technician or a designated representative of the Commonwealth Attorney, or, in the case of drugs, to the Vice/Narcotics Administrative Sergeant or designee.
- D. The narcotics supervisor will ensure all narcotics evidence, excluding death cases, is delivered to and from the State Consolidated Laboratory. When the evidence is returned from the laboratory, it will be returned to the Property and Evidence Section to be stored until needed for court or until authorized for destruction. **[83.3.2,a]**
- E. Evidence in a white-collar crime (worthless check, forged documents, embezzlement, credit card fraud, false pretenses and welfare fraud) may be signed out by investigators for transport to the State Consolidated Laboratory during the investigation. In order to ensure that all evidence is properly accounted for, it must first be turned in. Evidence should not be allowed to remain in a case jacket, because it is not removed during the archival process of the case jackets. **[83.3.1;83.3.2,d]**
- F. Officers removing property must complete the appropriate sign-out blocks on the Evidence Sheet "Chain of Custody" sticker. Property and Evidence Section staff will document on the original Evidence Sheet to whom and when property is released and returned. Property and Evidence Section staff will also ensure the items are released and returned electronically in the RMS. **[84.1.5]**

- G.** Officers releasing items they have signed out – whether permanently or temporarily and whether to the owner, rightful possessor, other law enforcement agency or any other person – will document the release and obtain a signature on the APD-129 or APD-79. Officers will promptly return the completed APD-129 or APD-79 to the Property and Evidence Section. **[84.1.5]**
- H.** When officers taking items to court are required to leave the items with the court, (either temporarily or permanently) they will obtain the signature of a court or Commonwealth's Attorney official on the APD-129, documenting that the items have passed into the court's custody. Officers will promptly return the completed APD-129 to the Property and Evidence Section. The Property and Evidence Section staff will update in the RMS.
- I.** Officers signing items out for court must return the property and/or a signed APD-129 to the Property and Evidence Section (or overnight storage if the Property and Evidence Section is closed) the same day.
- J.** Once the items are no longer needed for investigation, evidence processing, court or other purpose, officers will return them to the Property and Evidence Section without delay. If the items are no longer needed for the investigation or court purposes, the officer will complete an APD-129 authorizing the release or destruction of the item.
- K.** All returned property will be accompanied by an updated APD-129 if the status of the property has changed, except items returned by Vice/Narcotics detectives and Crime Scene Investigators returning items after laboratory analysis.
- L.** Officers returning property will re-seal and initial the package in which the property is contained, ensuring that the identifying bar code label is displayed.
- M.** If the Property and Evidence Section is closed when property is returned from court, officers will secure the property (re-sealed with bar code label displayed, initialed and with an updated APD-129, if required) in a locker in the overnight storage area. Officers will not store property returned from court in any other location.
- N.** Property and Evidence Section staff will accept for return only property that has an updated APD-129, if required, and has been re-sealed and initialed by the returning officer.
- O.** Officers signing property out to a specific location are prohibited from taking the property to a different location, unless they return to the Property and Evidence Section to document the change in location.

10.28.11 DISPOSING OF PROPERTY**A. Authority and Responsibility****[84.1.1,g, 84.1.7]**

1. The Property and Evidence Section is responsible for the custody and safekeeping of property and will dispose of property only with the documented instruction of the responsible officer and other required approvals if any. When it appears that the instruction to dispose of property may for any reason be premature or irregular, Property and Evidence Section staff will obtain further review and clarification before carrying out the disposition.
2. Officers may instruct Property and Evidence Section staff to hold, release, or dispose of property. The Property and Evidence Section Supervisor will ensure that property is disposed of by the proper method. The authorized types of disposition are: auction, convert, release, destroy, donate (bicycles and mopeds) or transfer to the Commonwealth.
3. The responsible officer or detective has authority to instruct that property be disposed of and is responsible for disposition instructions for property in their assigned cases and in any other cases for which they have been designated as the responsible officer/detective. If appropriate, the responsible officer will consult with CIS, Vice/Narcotics, or the Office of the Commonwealth's Attorney before determining disposition.
4. Special evidence requires approvals in addition to the responsible officer's approval before it is authorized for disposition. Required is the signature(s) of the Office of External Affairs and Professional Responsibility (OEAPR) investigator and commander, and if a criminal case, the Investigations commander on the Property and Evidence Disposition Report (APD-129). All property acquired through civil process function must be accounted for in Department records and will be disposed of pursuant to legal authority. **[84.1.8]**
5. Responsibility may be transferred to the primary investigator by using the Property and Evidence Disposition Report or, when the responsible officer has separated from the Department, the officer's former supervisor will designate a new responsible officer.
6. Investigators/detectives may choose to assume the responsibility for cases that are not assigned for active investigation.
7. Before authorizing the return of items to victims of a sexual assault or other violent crime, the investigating officer will verify with victims that they want the items returned and will document this verification on the Evidence Sheet or APD-129.

8. Officers instructing that property be released to the owner or rightful possessor will ensure that complete contact information for that person is documented on the Evidence Sheet or APD-129. If the information is not present, Property and Evidence Section staff will not process the request.
9. Items to be held very long term will be classified as “active” and left in the Property and Evidence Section storage area. There is no “inactive” status for property: property is either “open” or “closed.”

B. Destruction of Property

1. Evidence will be destroyed in accordance with the destruction schedule below. Evidence may be destroyed prior to the time period outlined in the below schedule only with the concurrence of the Commonwealth’s Attorney’s Office and an Investigations Bureau supervisor. Any piece of evidence may be held longer than is outlined in the below schedule at the discretion of the responsible officer/detective or the Commonwealth’s Attorney’s Office.

OFFENSE	CASE CLOSED (Arrest, Exceptional, Terminated or Unfounded)	CASE PENDING
Murder, Felony Sex Offense, Abduction	Hold until all judicial proceedings (including ALL appeals) have been completed and CA concurs with destruction of evidence	Hold all evidence for 75 years*
Robbery, Felonious Assault, Arson	Hold until all judicial proceedings (including ALL appeals) have been completed and CA concurs with destruction of evidence	Hold all evidence for 15 years*
Burglary, Grand Larceny, GLA, Felony White Collar offenses, Felony Drug Offenses	Hold until all judicial proceedings (including ALL appeals) have been completed	Hold all evidence for 7 years*
Misdemeanors	Hold until all judicial proceedings (including ALL appeals) have been completed	Hold all evidence for 18 months*

2. Officers/detectives will authorize the destruction of evidence using an APD-129. When concurrence of the Commonwealth’s Attorney’s Office is required (see above schedule), the officer/detective will attach documentation of concurrence (email or memorandum) to the APD-129.
3. Evidence in cases that are in an “open” status will not be destroyed.

C. Long Term Storage of Evidence

1. When a case is in a “pending” status and the evidence cannot be destroyed per the above destruction schedule, officers/detectives shall transfer assignment of the evidence to the appropriate category listed below. The officer/detective should indicate the date (month, date, and year) until which the evidence must be retained. For example: a pending homicide from 2000 should be transferred to “CIS-Homicide” in the “Transfer Responsibility” section of the APD -129. The disposition on the APD – 129 should be “Hold” and the officer/detective should note “Hold until 1/1/2075.”
 - a. CIS - Homicide – Any evidence related to a pending homicide being retained for 75 years will be assigned to this category.
 - b. CIS – Violent Crimes – Any evidence related to a pending violent crime being retained for 15 years will be assigned to this category.
 - c. CIS – Special Victims – Any evidence related to a pending special victim’s case being retained for 15 years will be assigned this category.
 - d. CIS – Domestic Violence – Any evidence related to a pending domestic violence case being retained 7 years will be assigned this category.
 - e. CIS – White-Collar – Any evidence related to a pending white-collar case being retained 7 years will be assigned this category.
 - f. CIS – Property Crimes – Any evidence related to a pending property crime case being retained 7 years will be assigned to this category.
2. Upon the disposition of property, Property and Evidence Section staff will document and initial on the APD-39 or Evidence Sheet the type and date of disposition, taking special care to establish a clear record when different items on the same APD-39 are disposed of by different methods and/or on different dates. Once an APD-39 or Evidence Sheet is completely closed, Property and Evidence Section staff will promptly update the Property and Evidence Log (APD-39B) or the RMS with the disposition information.
3. All Department staff participating in dispositions will personally and clearly initial documents as required.

D. Disposition Review

1. Officers will initiate periodic updates of disposition instructions as appropriate based on the progress and status of the related case.

2. The CSI Section supervisor will ensure that CSI technicians review and update property dispositions periodically to ensure timely dispositions.
3. Supervisors will ensure the annual reviews of their officer's property and evidence dispositions are conducted. The annual reviews will be conducted when the officer's evaluation is being completed.
4. Officers reviewing drugs that have been in police custody for at least one year and have not been needed in court will give a reason why the drugs should be kept and not destroyed.
5. Upon first notice of a sworn officer's (of all ranks) intended separation from the Department, the officer's supervisor will initiate a review of property for which the officer is responsible. The review will be completed in accordance with the instructions contained in the Property and Evidence Disposition Review (APD-129A), giving particular attention to designating a new responsible officer for the property that is to remain in the Department's custody. The Property and Evidence Section Supervisor will certify completion of the officer's exit processes only after completion of this Review.
6. Recruit officers who separate from the Department during training should have property and evidence transferred to the PTO whom they were with at the time of the incident.
7. The Property and Evidence Section will request disposition updates from officers as needed to ensure the timely disposition of property.

E. Returning Property

[84.1.7]

1. Officers may release property directly to its owner, rightful possessor or to other law enforcement agencies, where the receiving party is known or shows identification. Officers may not dispose of property by any other means unless temporarily assigned to assist the Property and Evidence Section.
2. Employees will not release property to any party without a signature on the Vehicle/Property Release Form (APD-79), APD-129 or other official report, clearly documenting receipt of the property.
3. Once authorized, Property and Evidence Section staff will release property after verifying by photo identification that the recipient is the person authorized to receive the property. In some instances, Property and Evidence Section staff may release items to another party who is designated and authorized in writing by the owner or rightful possessor to receive the property. The written authorization must be notarized or be a properly signed court document releasing the item. Property and Evidence Section staff will exercise due caution in ensuring that release of items to a designee is properly authorized.

4. The Property and Evidence Section staff will request the recipient to open the package and verify its contents. Once the contents are verified as described on the APD-39 or Evidence Sheet, Property and Evidence Section staff will obtain the signature of the recipient.
5. When returning cash, two Property and Evidence Section staff employees will count the money in the presence of the recipient, and offer the recipient the opportunity to do the same, in order to verify that the amount is as described on the APD-39 or Evidence Sheet. When after review and re-count a discrepancy or other issue remains, the Property and Evidence Supervisor will retain custody pending further investigation. Once the package is opened, the money is to remain in full view of the recipient and Property and Evidence Section staff until the receipt is signed or the package is resealed.

F. Release of Firearms**[84.1.7]**

1. Before releasing any firearm, ISS staff will complete a criminal history check of the owner. In accordance with federal law, firearms will not be released to persons convicted of a felony or crime of domestic violence, or to persons for whom there is an active protective order.
2. Virginia Code Section 18.2-308.1:3 prohibits the possession or transportation of firearms by persons involuntarily admitted or ordered to mandatory outpatient treatment, or who were the subject of a temporary detention order and subsequently agreed to voluntary admission. Firearms will not be released to individuals who meet any restriction of Virginia Code Section 18.2 – 308.1:3.
3. The Property and Evidence Section Supervisor or his designee must approve the release of all firearms. **[84.1.1g]**
4. A Firearm Return form (APD-529) must be completed for any individual taking possession of a firearm.

G. Elimination of Property With No Evidentiary/Investigatory Value**[84.1.7]**

1. The Property and Evidence Section Supervisor shall conduct periodic inventories of property held by the Department for the purpose of recommending the elimination of those items determined to no longer have any evidentiary value. He/she shall review the records and police report (APD-7) associated with the particular item of property and consult with the employee that originally placed the item in the Property and Evidence Section. If the employee is no longer available, the Commander of the Criminal Investigations Section will be consulted, and an investigator assigned to determine the evidentiary value of the item(s).

2. The Property and Evidence Section Supervisor shall have authority to recommend the elimination of items of property related to:
 - a. Any misdemeanor case more than five (5) years old in which no arrest has been made.
 - b. Any case in which all the defendants are deceased.
 - c. Any case that has been fully adjudicated by the courts, and the Commonwealth Attorney's Office has approved destruction.
 - d. Any felony case, other than homicide, sexual assault or robbery, that is more than 10 years old that is not related to any other active felony investigation, as determined by the Commander of the Criminal Investigations Section and approved by the Office of the Commonwealth Attorney.
3. The Property and Evidence Section Supervisor shall identify those items to be eliminated and prepare a report for the approval of the Deputy Chief of the Administrative Services Bureau. The Deputy Chief shall review the report and approve or disapprove the elimination of the items listed in the report.
4. Items approved for elimination will be returned to the owner, if known; or destroyed, or converted to Police Department use in accordance with other relevant sections of this directive or City Code.

H. Administrative Closing of the APD-39 and Evidence Sheets

[84.1.7]

1. In order to restrict open property files to those items that are in Police Department custody or are signed out for a temporary, short-term period of time, Property and Evidence Section staff may, upon approval by the Chief of Police, administratively close certain APD-39s and Evidence Sheets.
2. The Property and Evidence Section Supervisor may initiate requests by memorandum to administratively close items in the following circumstances:
 - a. Items held by court for an indefinite period, when the prosecuting attorney believes return of the item by the court is unlikely. The request must be accompanied by written documentation (APD-129) from the responsible officer and signed by the judge, prosecutor, or clerk of the court.
 - b. Items not found during an official audit/inventory of the Property and Evidence Section. The request must be accompanied by documentation from the audit report.

3. The APD-39 or Evidence Sheet for administratively closed items will be filed in a separate "Administratively Closed" file with the memorandum attached documenting the approval of the Chief of Police.
4. Administratively closed items that are subsequently located in the Property and Evidence Section will be re-opened using the original EVD number and Evidence Sheet, documenting the recovery of the item. The original "administratively closed" APD-39 or Evidence Sheet and approval memorandum will be attached.
5. Administratively closed items that are returned or recovered from outside the Property and Evidence Section will require a new Evidence Sheet and property number, documenting the circumstances of the item's return or recovery, and referencing, if possible, the original property number or EVD number.

10.28.12 DRUG DESTRUCTIONS

- A.** At least twice a year, the Property and Evidence Section Supervisor will prepare and forward to the Vice/Narcotics commander a schedule of narcotics and dangerous drugs that are authorized for destruction. The Vice/Narcotics commander will present the schedule to the Commonwealth's Attorney and request a destruction order from the Circuit Court. **[84.1.7]**
- B.** Once the order is received, the person to whom it is directed will dispose of the narcotics and dangerous drugs as required by the order. Property and Evidence Section staff, witnessed and assisted by at least one employee each from OEAPR and Vice/Narcotics, will prepare the drugs for destruction, verifying the item and property number or EVD number of each item to be destroyed, packaging and sealing the items, transporting them to the place of destruction and observing the destruction. The date and method of destruction and the signatures of the witnesses will be placed on the original APD-39 or Evidence Sheets. These witnessing employees will inform the court by affidavit that the ordered destruction took place. **[84.1.5]**
- C.** Property and Evidence Section staff will enter "Destroyed," the date of destruction, and their initials on the original APD-39 or Evidence Sheet of each item destroyed. The Office of External Affairs and Professional Responsibility and Vice/Narcotics witnesses will also enter their initials on each original APD-39, and Evidence Sheet, and will inform the court by affidavit that the ordered destruction took place. **[84.1.5]**

10.28.13 GUN/WEAPON DESTRUCTIONS

- A. The destruction of guns and other weapons will be performed by Property and Evidence Section staff and witnessed by an employee of OEAPR and one employee of the Criminal Investigation Section. **[84.1.7]**
- B. The destruction will be prepared and carried out in the same manner as drug destructions, except there is no court order or affidavit.
- C. Property and Evidence Section staff will write "**Destroyed**", the date of destruction and their initials on the original APD-39 or Evidence Sheet of each item destroyed. Witnesses will also sign their initials on each original APD-39 or Evidence Sheet.

10.28.14 UNCLAIMED PROPERTY

- A. Property that is unclaimed by the owner after the owner has been notified is eligible to be destroyed after 60 days in police custody.
- B. Transferring to the Custody of the Commonwealth**
1. In accordance with The Uniform Disposition of Unclaimed Property Act, the Property and Evidence Section Supervisor will annually, by November 1st, report and remit to the Commonwealth of Virginia any unclaimed funds and valuable jewelry from the fiscal year ending the previous June 30. No later than October 21st of each year, the Property and Evidence Section Supervisor will request a City check in the amount due.
 2. At least quarterly, Property and Evidence Section staff and Fiscal Management staff will jointly (someone from the Property and Evidence Section must be present) process funds to be transmitted to the Commonwealth by:
 - a. Opening heat-sealed envelopes;
 - b. Counting the money;
 - c. Verifying the amount is the same as entered on the APD-39 or Evidence Sheet;
 - d. Recording on a deposit summary the property number and amount of each item, and the date the summary page is completed;
 - e. Documenting on each APD-39 or Evidence Sheet the date, amount of cash and initials; and

- f. Updating the RMS with the appropriate disposition of the money.
3. The Property and Evidence Section staff will retain the funds prior to their deposit.
4. Both a Property and Evidence Section and Fiscal Management representative will be present with the cash from the time the heat-sealed envelopes are opened until the funds are relinquished to Fiscal Management in exchange for a cash receipt and a photo copy of the deposit summary.
5. Both a Property and Evidence Section and Fiscal Management representative will sign the packaging seals of the deposit, ensuring the deposits integrity.
6. Due to the large amount of the cash deposits, both a representative from Fiscal/Fleet Management and an uniformed officer will be present during the transporting of all Police Department deposits to the City treasurer's office.

C. Converting to Police Use

1. In accordance with Virginia Code section §15.2-951 and City Code 4-1-16, abandoned property that would otherwise be auctioned or disposed of may be converted to police ownership or use in undercover/sting operations.
2. Following the procedures in Section 10.28.15 below, commanders will periodically review and request available items and the Property and Evidence Section Supervisor will process conversions approved by the Chief of Police.

D. Bicycle Donations

1. As authorized City Code Section 4-1-16, the Department, following the required advertising and claim period, may donate to a charitable organization any bicycle which has been in custody and unclaimed for more than sixty (60) days.
2. The Property and Evidence Section Supervisor or his/her designee will select and schedule donations in such a manner as to prevent the storage shed from becoming over-crowded and, to the extent possible, coordinate bicycle donations, designation of the recipient charitable organization and any associated events with a representative of the City of Alexandria Human Services Department.
3. The Property and Evidence Section Supervisor will forward a listing of bicycles to be donated, with their descriptions and serial numbers, if any, to the Chief of Police for approval of the donation; and will document the donation on the APD-39 or Evidence Sheets, including the date, and their initials.

E. Auctions

1. Unclaimed property of any monetary value may be sold at public auction (typically, GOVDeals.com) after:
 - a. The requirements of transfer to the Commonwealth and conversion police use have been met;
 - b. Selection of bicycles for donation; and
 - c. The required advertising if any.
2. The Property and Evidence Section Supervisor will coordinate with the Department's Fiscal Division Chief to auction items as needed to prevent storage areas from becoming over crowded.

F. Destroying Unclaimed Property

1. Unclaimed property of no monetary value, other than narcotics, dangerous drugs and firearms may be destroyed by Property and Evidence Section staff without witnesses. When non-Property and Evidence Section staff assists such destructions, a Property and Evidence Section staff member will be present at all times.
2. If for any reason property having a monetary value is to be destroyed, its destruction must be authorized by the Property and Evidence Section Supervisor and witnessed by someone from a unit other than the Property and Evidence Section.
3. No property, even if it has no value, is permitted to pass into the possession of police employees or any other person unless authorized by the procedures within this directive.
4. The Property and Evidence Section Supervisor will schedule destructions so that unclaimed items are destroyed within six months after all legal and procedural requirements have been met. **[84.1.7]**

10.28.15 CONVERTING ITEMS TO POLICE USE
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- A.** In accordance with Virginia Code §15.2-951, and City Code §4-1-16, abandoned property that would otherwise be auctioned or disposed of may be converted to police ownership or for use in undercover/sting operations. The following process will be conducted prior to public auctions. **[84.1.7]**

- B.** Any converted property no longer needed by the Department will be turned in to the Property and Evidence Section on a new Evidence Sheet for immediate destruction. Informal disposition of converted items is prohibited.

C. General Conversion Procedures

[84.1.4]

1. Property that has been by State and City law declared legally abandoned may be converted to Department ownership or for use in undercover/sting operations, as bait property.
2. Commanders wishing to convert items for police ownership or use may request the item in a memorandum through the chain of command to the Chief of Police. The memorandum will contain the following:
 - a. Item(s) requested;
 - b. Serial number(s);
 - c. Property number(s);
 - d. Purpose for requesting the property;
 - e. Approximate cost of each item; and
 - f. Savings, if any, to the Department.
3. If the Chief of Police approves the request, the memorandum will be forwarded to the Property and Evidence Section Supervisor. The Property and Evidence Section Supervisor will attach a copy of the approved request to the APD-39(s), or Evidence Sheets and notify the commander when to pick up the property.
4. The commander or designee will sign out the approved item(s) on the APD-39s or Evidence Sheet. The APD-39 or Evidence Sheet will be filed in the closed file.
5. The Property and Evidence Section Supervisor will ensure that the property is added to the appropriate unit file.
6. The Property and Evidence Section Supervisor will retain APD-39s and Evidence Sheets with attached approved conversion requests for at least five years.
7. Commanders will be responsible for storage and inventory control of property in their possession.

10.28.16 DRUGS RELEASED TO K-9 FOR TRAINING

- A.** Drugs marked for destruction may be used for K-9 training, with the written approval of the Special Operations Division commander. **[84.1.7]**

- B.** A maximum of twelve (12) drug items that are scheduled for destruction may be checked out at a time. The K-9 sergeant or designee will document on each APD-39 or Evidence Sheet the removal of the drugs from the Property and Evidence Section and will also maintain a separate log of the EVD number, type of drugs, quantity, and dates signed out and returned. The sergeant will keep the drugs secure and ensure all items are returned.
- C.** The original packaging of the drugs should be used when returning the drugs to the Property and Evidence Section for destruction. If new packaging is required, the original packaging should be placed with the drugs in a new heat-sealed bag. The original property or Evidence Sheet number will still be used.
- D.** The Property and Evidence Section staff will make necessary notations or comments on the original or Evidence Sheet documenting any new packaging and/or new heat-sealed bag.
- E.** When drugs are returned, they will be added to the next drug destruction.
- F.** If there is a supervisory K-9 change, the drugs should be returned and reissued to the new K-9 supervisor.

10.28.17 INSPECTIONS

- A.** Semi-annually, in June and December, an inspection will be conducted to determine adherence to the procedures used for the control of property and evidence. The person responsible for the property and evidence function or a designee will complete this inspection. **[84.1.6,a]**
- B.** Annually, the Property and Evidence Section Supervisor will conduct an audit of all currency stored in Property and Evidence. A report detailing the results of the audit will be submitted through channels to the Chief of Police in February.
- C.** An audit of property and evidence is conducted whenever there is a change in the Property and Evidence Section Supervisor position. The audit must be conducted in accordance with the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) standard jointly by the newly designated supervisor and the designee of the Chief of Police to ensure that records are correct and properly annotated. The newly appointed custodian will record all discrepancies prior to the assumption of property accountability. **[84.1.6,b]**
- D.** At least annually, a supervisor not connected to the property and evidence function will conduct an audit of property and evidence held by the Department, in accordance with the CALEA standard. **[84.1.6,c]**

- E. At least annually, the Property Supervisor will conduct an audit of long-term stored evidence.
- F. At least annually, the Support Services Division Commander will conduct an unannounced inspection of the property storage areas to ensure correct security measures are being followed. **[84.1.6,d]**

10.28.18 EMERGENCY/BACKUP PROCEDURES

- A. Should the RMS system fail and evidence needs to be submitted, the following procedures will be followed:
 - 1. The Property and Evidence Supervisor should be notified that the emergency/backup procedures have been initiated;
 - 2. Officers will continue to properly package items as described above;
 - 3. In the event officers are able to obtain an EVD number but are not able to print the Evidence Sheets, they will complete an APD-39. The appropriate APD-39 will require the EVD numbers to be written on them. The APD-39 will need to be filled out completely; and
 - a. Upon completing the APD-39 the officer will submit both the APD-39 and the evidence into an overnight locker.
 - b. Officers shall retain a copy of the APD-39 to complete the necessary reports when the RMS is back in operation.
 - 4. In the event officers are not able to utilize the system to obtain an EVD number, the officers will complete a APD-39. The APD-39 will be completed with as much possible (understandably the EVD number will not be available to the officer).
 - a. Upon completing the APD-39, the officer will submit the original APD-39 and the evidence.
 - b. The officer will retain a copy.
 - c. Upon obtaining the EVD numbers from the RMS, the officer will write in the EVD numbers on the APD-39 copy and resubmit the copy.

By Authority of:

**Michael L. Brown
Chief of Police**