

	<b>DELMAR POLICE DEPARTMENT</b>	
	<b>Policy 12.3 Withdrawal and Return of Property/Evidence</b>	
	<b>Effective Date: 07/27/14</b>	<b>Replaces: 2-15-3</b>
	<b>Approved: <u>Ivan Barkley</u> Chief of Police</b>	
<b>Reference: N/A</b>		

## I. POLICY

Proper documentation, collection, preservation, and submission of physical evidence to forensic laboratories may provide the key to a successful investigation and prosecution. Through evidence located at the scene, suspects are developed or eliminated, investigative leads are established, and theories concerning the crime are substantiated or disproved. It is imperative, therefore, that each officer carefully process a crime scene not to overlook or contaminate or destroy evidence. Physical evidence appears in many shapes, sizes and forms, thereby necessitating various recovery, preservation, and submission techniques. The officer or investigator shall be prepared to collect, identify, and package the evidence so that it will not be changed in form and value when it reaches the laboratory. The officer collecting the evidence shall maintain a chain of custody of that evidence in order to ensure that it is presented to the court professionally and in compliance with the law.

## II. PURPOSE

To establish procedures for withdrawal and return of property/evidence.

## III. WITHDRAWAL AND RETURN OF PROPERTY/EVIDENCE, GENERALLY

### A. Withdrawal:

1. Property/evidence may be temporarily withdrawn from the property storage area for:
  - a. Intra-agency reasons (e.g.; for purposes of identification), or
  - b. Inter-agency reasons (e.g.; for laboratory examination or use in court).

### B. Return:

Return of property/evidence, as used in this order, means return to the custody of the property custodian.

#### **IV. WITHDRAWAL OF PROPERTY/EVIDENCE**

##### **A. Personnel authorized to withdraw property/evidence**

Only the employees assigned to investigate a case or an employee authorized by that person is permitted to withdraw property/evidence.

##### **B. Procedures for the withdrawal of property/evidence**

###### **1. The following procedures shall be completed in all instances:**

- a.** The property custodian shall scan the property/evidence label with the use of the Tracker PDA device indicating the proper disposition and in the case of Maryland State Police property forms, sign his or her name and note the date and time in the chain of custody at the bottom of the property report, when releasing property to an employee from a property storage area.
- b.** An authorized employee of this department receiving property from the property custodian shall sign the Tracker PDA device capturing their electronic signature and in the case of Maryland State Police property forms, sign his or her name and note the date and time in the chain of custody located at the bottom of the property report.

#### **V. RETURN OF PROPERTY/EVIDENCE**

##### **A. Procedures for the return of property/evidence**

###### **1. Property/evidence withdrawn from the property storage areas, but not retained at its destination, shall be returned to the property system as follows:**

- a.** When the property custodian is present, the property custodian will scan the property/evidence label with the use of the Tracker PDA device, indicating proper disposition and sign the Tracker PDA device capturing his or her electronic signature, and in the case of Maryland State Police forms the property custodian shall sign his or her name and note the date and time in the chain of custody located at the bottom of the property report. The property custodian will then place the property/evidence back into the property storage area. The property custodian will then download the scan information into the Tracker system updating the case information.
- b.** When the property custodian is absent, the person returning the property/evidence shall log into Tracker Products and update the returned item's disposition, and in the case of Maryland State Police forms, shall sign his or her name and note the date and time in the

chain of custody located at the bottom of the property report, and shall place the returned property/evidence in a secure temporary storage locker.