



NORTH MIAMI POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES



PROPERTY AND EVIDENCE 300.10

EFFECTIVE DATE: 08-04-23

APPROVED: _____

Chief of Police

SUPERSEDES: 08-29-22

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I. PURPOSE

To establish a policy and procedures for the collection, processing, storage, inventory, and disposition of impounded property and evidence to maintain its integrity, safekeeping, and chain of custody.

II. POLICY

It is this Department's policy to follow all Florida State Statutes (FSS) referenced in this policy, and all Commission for Florida Law Enforcement Accreditation (CFA) standards, when handling evidence and/or property. The Property and Evidence Unit Custodian will maintain all property and evidence in a secure manner and will account for the whereabouts of said property and/or evidence at all times while in the Unit's custody. All other Department members handling property and evidence, to include during the collection, packaging, and documenting of said collected items, shall do so with the utmost care for its integrity and chain of custody.

III. SCOPE

This policy applies to all members of the Department.

IV. DEFINITIONS

Examination: The examination of records and activities to ensure compliance with established controls, policies, and operational procedures.

Chain of Custody: The documentation of the sequence of custody, control, transfer, analysis, and disposition of property and/or evidence.

Evidence: Property which is related to a crime, or which may implicate or clear a person of a criminal charge; used in the investigation and/or prosecution of criminal cases.

Property/Evidence Custodian: The employee responsible for maintaining the secure chain of custody, storage, and control of all property and evidence items submitted to the Property and Evidence Unit. A backup or alternate employee may be assigned to assist the Custodian by the Chief of Police, or his/her designee, who may have the same authority and responsibilities. The Property/Evidence Custodian is also the Agency's **Quartermaster** responsible for storing, purchasing, and maintaining an inventory of equipment, supplies, and provisions for the Department's personnel, sworn and civilian.

Property: Items to be held as abandoned, lost/found, recovered, or for safekeeping for claim by the rightful owner.

Inspection: Conducted to ensure the property room is being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that provisions of agency standard operating procedures or other directives concerning the property/evidence management system are being followed, that property/evidence is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property/evidence having no further evidentiary value is being disposed of promptly.

Inventory: To ensure the continuity of custody. The inventory should be sufficient to ensure the integrity of the system and the accountability of property. During the inventory, all high-risk items, e.g., money, precious metals, jewelry, firearms, and drugs, should be reviewed carefully, focusing on the proper documentation and accountability.

Firearm Eligibility System (FES) - A computerized system, maintained by the Florida Department of Law Enforcement, and utilized prior to the release of any firearm. The system will complete a check on an individual wishing to reclaim a

firearm that was placed into the Property/Evidence Unit. The system will give approval or disapproval for the release, based on the person's past history.

Language Clarification:

- Should: Indicates a general or expected action, absent a rational basis for failing to conform.
- Shall or Will: Indicates a mandatory action.

V. STORAGE FACILITIES & SECURITY

A. Property/Evidence Unit and Related Facilities:

1. The Property/Evidence Unit is located on the first floor of the Police Department. The Unit is secured by locked doors and is accessible to limited personnel with both key card and a key. Only the Property/Evidence Custodian, and other authorized members, will have access to those areas used for the storage of in-custody evidence and property.
2. Unauthorized members will be prohibited from entering any property and evidence storage area, unless accompanied by the Property/Evidence Custodian, or authorized member, and will sign the designated entry/exit log.
3. The Property/Evidence Unit is the primary storage facility for property and evidence impounded by members of the Department. The Unit consists of the following: **CFA 27.06**
 - a. Property/Evidence Storage Room - Used for the storage of property and evidence submitted to the Unit.
 - b. Property/Evidence Vault - Used for the storage of special risk property/evidence, including: **CFA 27.15F**
 - 1). Money and/or negotiable instruments.
 - Money that is pending placement in the vault (Administrative Major presence required), or awaiting the impending return to its owner, may be temporarily held in a locked safe within the Property/Evidence Unit for said purpose only.
 - 2). Valuables, including precious metals, jewelry, and

gemstones.

3). Trafficking amounts of narcotics and other controlled substances.

- All other drugs will be placed in a separate locked area within the Property/Evidence Unit.

- c. Property/Evidence Refrigerator – Secured inside the Property/Evidence Unit, is used for the storage of perishable items of evidence including, but not limited to, blood and other bodily fluids. To maintain the integrity of the evidence, the electrical outlet for the refrigerator is connected to the emergency back-up generator in the event of a power failure. Additionally, a digital thermometer that can remotely notify authorized personnel of a temperature change detrimental to the preservation of evidence shall be installed within the refrigerator. Both the property/evidence refrigerator, and the evidence refrigerator utilized for temporary storage by Crime Scene Technicians will adhere to these guidelines.

CFA 27.08

- d. Firearms Storage - Guns will be stored in a separate, locked area within the Property/Evidence Unit.
- e. Indoor Garage - Utilized for all over-sized items, both Property and Evidence. This room is only accessible by the Property/Evidence Custodian, or other authorized personnel. The room is secured by both a lock and an alarm.
- f. Property/Evidence Lockers - Used for the temporary storage of property/evidence during hours when the Property/Evidence Custodian is off-duty or the Unit is closed.
- Keys to the individual Property/Evidence Lockers will be secured in the Key Box located in the squad room.
 - The Key Box will be locked at all times, except when being utilized by a supervisor.
- g. Bulk Item Temporary Storage (BITS) - Used for the temporary storage of bicycles and other large items of property/evidence which will not fit into the Property/Evidence Lockers when the Unit is closed; located adjacent to the sally port.
- The key to the BITS and the BITS Log, will be secured at

all times inside the Key Box located in the squad room.

- h. Bulk/Large Item Storage Shed (BLISS) – Used by the Property/Evidence Custodian to store large items, to include those that have been moved from the BITS, and that have already been logged into the Property/Evidence computer system.
- i. Sally Port - Temporary storage of vehicles, boats, or other large item(s).
- j. Evidence Preparation Area - Used for the packaging and labeling of property and evidence, which will be turned into the Property/Evidence Unit. A Property/Evidence Packaging Guidelines manual will be maintained in the preparation area located in the temporary holding facility. **CFA 27.15E**

VI. EVIDENCE PROCESSING AREA

- A. Evidence Drying Room - Located adjacent to the sally port, is used by Crime Scene Technicians for drying and/or processing of “wet” evidence. The room is accessible by Crime Scene personnel and Investigative Section supervisors only.
- B. To maintain the integrity of the evidence, the refrigerator inside the evidence drying room will be used to store perishable evidence when the Property/Evidence Unit is closed. The same is connected to the emergency generator. **CFA 27.01F, 27.08**

VII. PROCEDURES

- A. Personnel responsible for the Property/Evidence Unit:

Department personnel responsible for the Unit, including the Property/Evidence Lockers, BLISS and BITS include the following:

- 1. Administrative Major - Responsible for overseeing the property/evidence management process.
- 2. Property/Evidence Custodian - Accountable for handling and maintenance of all property and evidence accepted and stored in the Unit.
- 3. Shift Supervisor - Responsible for overseeing that proper procedures are followed when officers impound evidence/property.

- a. Supervisors will ensure that the Key Box, Property/Evidence Lockers and BITS logs, and Property Receipt documentation procedures are followed.

B. Access to Property/Evidence Room:

1. Hours - The Property/Evidence Custodian is available 24 hours a day for emergencies or special circumstances.
2. Security - The main entry doors to the Property/Evidence Unit will remain locked, as well as the vault door and all other locked areas within the Unit (such as for firearms and drugs) when not in actual use. The window to the Custodian's office may be kept open when the Custodian is in the office. Video cameras in the Property/Evidence Unit are monitored by Communications personnel.
3. Entry Authorization - Entry to the Property/Evidence Unit is limited to authorized personnel only, including:
 - a. Property/Evidence Custodian
 - b. Chief of Police or Administrative Command Staff may be temporarily authorized for the purposes of conducting a property and evidence inventory, examination, and inspection, or for other necessary support services.
 - c. Other authorized personnel as deemed necessary by the Chief of Police, or his/her designee.

C. Collection/Impoundment of Property/Evidence (General):

1. Departmental Personnel: Property and/or evidence may be collected/impounded by any of the following personnel, according to the function being performed:
 - a. Sworn Members
 - b. Crime Scene Technicians
 - c. Public Service Aides
2. Members seizing and/or impounding property and/or evidence, will ensure that it is properly secured under the control of the Property/Evidence Unit by the end of their tour of duty. Members are prohibited, at all times, from storing property in their personal desks, lockers, vehicles (other than for transport to the station), homes, or other unauthorized places that would interrupt the integrity of the chain of custody. **CFA 27.15B**

- a. Personal use of any property or evidence under the Agency's custody is strictly prohibited.
 3. Property and evidence that cannot be immediately returned to the rightful owner, shall be submitted to Property/Evidence Unit, and will be inventoried and recorded into Department records within 24 hours, excluding weekends and holidays. **CFA 27.15A, B**
 4. Members encountering property that appears to have been abandoned or lost should make an effort to find a rightful owner.
 5. Crime Scene personnel impounding property/evidence at a crime scene will ensure the property/evidence is stored in a secure manner. Evidentiary items requiring refrigeration, will be placed in the Crime Scene Unit's secure Evidence Drying Room refrigerator, with supervisory approval, until it can be delivered to the Property/Evidence Unit, or released to an authorized entity, i.e., lab, lead detective, next of kin, etc. **CFA 27.09**
- D. Exceptional circumstances:
1. Given the inability, for any exceptional reason (such as incapacitation) where a member is unable to secure evidence and/or property in his or her possession, the items will be secured and submitted to the Property/Evidence Unit with documented supervisory approval, via City email to the Shift Commander, by an on-duty supervisor, or his/her designee, by the end of his/her shift. **CFA 27.15C**

VIII. TYPES OF PROPERTY/EVIDENCE

EVIDENCE:

- A. Evidence – Items lawfully collected in relation to a law enforcement investigation, which include, but are not limited to:
1. Contraband - Any item that was used or was attempted to be used in the commission of, or in the aiding and abetting of the commission of any felony, or any other item which possession of is illegal.
 2. Forfeiture Property - Any property, real or personal, which has been used, is being used, was attempted to be used, or was acquired with proceeds in violation of any provision of the Florida Contraband Forfeiture Act, Florida Statutes 932.701 - 932.704 (refer to Forfeiture policy, 300.04).

3. Vehicles/Vessels - Vehicles (including automobiles, trucks, trailers, motorcycles, etc.) and vessels (including boats and other watercraft) that are impounded under one of the above-listed categories and may require storage at a facility outside of the Department (refer to Towing Policy Administrative Regulation 110-6).
4. Civil Citation Impounded Property – Issued for minor offenses, i.e., littering, theft of shopping cart, illegal use of a dairy case, possession of cannabis 20 gm. or less, and possession of drug paraphernalia.

PROPERTY:

- A. Abandoned Property – All tangible personal property, with no identifiable owner, which has been disposed of on public property in good condition or which has no apparent intrinsic value to the rightful owner; as defined by Florida Statutes, Chapter 705.
- B. Lost (Found) Property - All tangible personal property, with no identifiable owner, which has been mislaid on public property, public conveyances, or other places open to the public, in a substantially operable, functioning condition or which has an apparent intrinsic value to the rightful owner; as defined by Florida Statutes, Chapter 705.
- C. Safekeeping Property - Non-evidentiary property in the custody of the Department for temporary protection or storage on behalf of the owner.

NOTE: Unless specifically requested, or for investigative purposes, property and evidence impounded or released is not photographed.

IX. PROPERTY/EVIDENCE FORMS

Whenever property/evidence is impounded, Department members taking such action shall document the same on the appropriate field report (Offense, Incident, Supplemental, etc.). Additionally, one or more of the following forms is required to be completed, as circumstances dictate:

- A. Property Receipt - Required for all property/evidence collected and/or impounded.
- B. Lab Analysis Request - Required when evidence is sent to a crime lab to be processed.
- C. Request for Latent Comparison - Required when latent evidence is sent to a crime lab for processing.

- D. Property Disposition Form - Issued by the Property/Evidence Custodian to the concerned investigator.

X. EVIDENCE and PROPERTY PROCEDURES (GENERAL)

- A. To maintain the integrity of the chain of custody for prosecution, all items collected, seized, or received at the initial crime scene will be recorded on Property Receipt(s). All items will be packaged and marked, or placed in an appropriate container(s). The container or package will be sealed and/or labeled to prevent tampering or unauthorized access. Members will also be cognizant when handling collected items of the potential for exposure to infectious diseases and will follow the guidelines promulgated in the Infectious Diseases/Exposure Plan policy, 300.05. **CFA 27.15E**
- B. Mandatory listing of evidence/property: For all items of evidence/property, a Property Receipt form will be completed and will include the following: **CFA 27.15D**
1. Date and time the property was impounded.
 2. Case number.
 3. Type of case.
 4. Description of the item (including make, model number, serial number (if any), and color).
 5. Source (from whom and the location where obtained).
 6. Name and ID number of member collecting the items.
 7. The reason the property/evidence was impounded, i.e., evidence, safe keeping, prisoner property, etc.
- C. Each time the transfer of custody of physical evidence takes place, to include its placement into a numbered Property/Evidence Locker, BITS, for further investigation, court, release, or other official purpose, the following information will be included on the Property Receipt:
CFA 27.02 A-C / 27.15H
1. Date, time and method of transfer.
 2. Receiving person's name and function.
 3. Reason for transfer.
 4. Releasing person's name and function.
- D. Evidence transferred to the Miami-Dade Crime Lab, or to any other concerned outside agency, shall be done by a police officer, or a Crime Scene Technician, and at no point will a common carrier service be utilized. The following information will be documented on a Property

Receipt and/or a Laboratory Analysis Request Form to maintain the chain of custody: **CFA 27.02 A-F**

1. Date and time of any transfer.
2. Receiving person's name and responsibility.
3. Reason for transfer.
4. Name and location of the laboratory, and examinations desired.
5. Date and time of receipt in the laboratory.

E. Chain of Custody:

When personnel impound evidence, they shall deliver the item(s) to the Property/Evidence Unit, its Property/Evidence Lockers, or the BITS, as soon as possible.

1. Property/Evidence Lockers and BITS:
 - a. If the Property/Evidence Custodian is on duty, the officer transporting the property/evidence will contact him/her.
 - b. If the Custodian is not on duty, or is not available to receive the property/evidence, the officer will use the Property/Evidence Lockers (or the BITS, if needed). **CFA 27.09**
 - c. For all property/evidence being placed into the Property/Evidence Lockers, or BITS, the officer will contact the Shift Supervisor, who will:
 - 1). Open the Key Box where the Property/Evidence Lockers and BITS keys and logs are secured. The officer will select a key for the most appropriate-sized locker. Both the supervisor and the officer will sign out the key in the Property/Evidence Locker or BITS log.
 - d. The officer will then place the items in the Property/Evidence Locker or BITS.
 - 1). At no time will a supervisor relinquish control of the Key Box key to any officer.
 - e. When the property/evidence and accompanying Property Receipt have been placed into a Property/Evidence Locker or BITS, the key(s) will be dropped into the one-way drop slot. The one-way drop slot is located adjacent to the Property/Evidence Lockers.
2. In rare instances where the property consists of exceptional,

valuable, or sensitive items of property, e.g., large sums of money, negotiable instruments, numerous items of valuable jewelry, precious metals or other highly valuable items, said items shall be directly submitted to the Property/Evidence Custodian for secured storage in a separate, secured area within the main vault, if on duty. **CFA 27.15F**

3. If the supervisor on duty deems that the items are of such high value that the security of the property would not allow for temporary storage in the usual manner, and the Property/Evidence Custodian is not on duty, then the Property/Evidence Custodian shall be called in to take possession of the item.

F. Reception and Storage:

The Property/Evidence Custodian and/or authorized designee will:

1. At the beginning of his/her shift, check the key drop and mailbox to determine which Property/Evidence Lockers have been used and whether any items have been placed in the BITS.
2. Check the Property Receipt to ascertain the locker or BITS contents.
3. Remove the evidence from the lockers and/or BITS and ensure that all Property Receipts and other necessary forms are attached.
4. Check the Property Receipts for accuracy and completeness.
 - a. If the Custodian encounters errors on the Property Receipt, he or she will notify the on-duty shift supervisor for follow-up. If necessary, corrections and/or additions shall be entered in the description section of the Property Receipt and initialed by the person making the modification.
 - b. If the Property Receipts are accurate and complete, make entry in the computerized tracking program in Property/Evidence within 24 hours. **CFA 27.15A**
5. Tag each item or container and mark it with the case number. A bar code label will be generated and affixed to the property, and the white copy of the Property Receipt will be filed in the Unit.

6. Ensure that all batteries are removed from all items and stored in separate containers.
- G. The Property/Evidence Custodian will complete the bin information (location), as well as the date and time received/released, a description of the property/evidence, and the chain of custody from time of receipt until final disposition. If an item is placed in the vault, it will be so recorded and marked "Vault."
 1. Vault access will be restricted to the Property Custodian and the Administrative Major, and will require both:
 - a. A security card; and
 - b. Two (2) keys.
 - c. The Property / Evidence Custodian will be in possession of a security card and one key, the Administrative Major will be in possession of a security card and the other key. Neither person can gain entry to the secured area without the other (two-person rule). **CFA 27.06 / 27.15D**
- H. The Miami-Dade SAO will periodically send Court Disposition forms to the Records Unit on cases that have been closed. Records will scan the form and forward a copy to the Property/Evidence Unit. The Property/Evidence Custodian will then fill out a Property Disposition Form and forward it to the officer/investigator to confirm the closure of the case and obtain authorization to release the property to the owner or purge by lawful methods.

XI. SPECIAL EVIDENCE HANDLING

- A. Special Evidence Handling:
 1. Money - Personnel who come into contact with large sums of money that appear to exceed \$1,000, will notify the on-duty supervisor immediately. If the officer's immediate Unit supervisor or Section supervisor is not available (off-duty, etc.), the on-duty Uniform Patrol Section Shift Supervisor will be notified immediately and will ensure that the following procedures occur:
 - a. The money will be counted by the impounding officer in the presence of a supervisor.
 - b. The money will be listed on the Property Receipt by denominations (e.g., ten (10) fifty (50) dollar bills, five (5) twenty (20) dollar bills, etc.).

- c. The money will be designated on the Property Receipt as evidence or property (safekeeping).
 - d. The money will be placed in an appropriate container (envelope, paper bag, cardboard box, etc.) and sealed with evidence tape. One (1) supervisor and one (1) officer shall remain with the money until these procedures are completed. Both the supervisor and the officer will initial the Property Receipt.
 - e. The practice of using staples to close evidence bags and affix Property Receipts creates a risk for all personnel who must handle evidence packages and should be avoided.
2. Explosives and Flammable Liquids: No explosives (including firecrackers) will be placed in the Property/Evidence Unit, lockers, BITS, or anywhere in the police building. In the event an incident/offense involves explosives or flammable liquids, Miami-Dade Fire Department, or the Miami-Dade Bomb Squad, will be contacted by Miami-Dade Dispatch.
- a. Impounded ammunition is not considered an explosive and will be placed in the Property/Evidence Unit.
3. Sexual offense evidence: The Property/Evidence Custodian and Investigators alike must be cognizant that, pursuant to FSS 943.326, a sexual offense evidence kit, or other DNA evidence, if a kit is not collected, must be submitted to the Miami-Dade Crime Lab, or other FDLE approved facility, **within 30 days after:**
- a. Receipt of the evidence by this Department, if a report of the sexual offense is made; **or**
 - b. A request to have the evidence tested is made to the medical provider or this Department by:
 - 1). The alleged victim.
 - 2). The alleged victim's parent, guardian, or legal representative, if the alleged victim is a minor; or
 - 3). The alleged victim's personal representative if the alleged victim is deceased. **CFA 27.14A**
 - c. Be maintained and stored in a secure, environmentally safe manner until the prosecuting agency has approved its destruction. **CFA 27.14D**
4. Firearms and Weapons: Weapons of any type acquired by any member during his/her tour of duty will be submitted to the

Property/Evidence Unit and held by the Custodian until properly disposed. Personnel are strictly prohibited from remaining in possession of impounded weapons for personal protection.

- a. All sharp items, such as knives and razors, will be enclosed in cardboard, or hard plastic, and clearly labeled as a "sharp item" on the outer packaging.
- b. Officers should refrain from handling firearms that are of evidentiary value. If exigent circumstances exist, or to ensure the safety of others, the following should be noted before handling.
 - 1). The position of the hammer, position of slide mechanism (automatic), and position of safety.
 - 2). If handling is required to determine the firearm's condition, it should be picked up by the edge of the trigger guard or textured finish of the handle, which would not ordinarily retain an identifiable print.
 - 3). The make, model, serial number, caliber, and other descriptive information should be recorded.
- c. In all other cases, when a loaded firearm is recovered, all ammunition will be unloaded from the weapon prior to removal from the scene. In addition:
 - 1). Ammunition will be placed in a separate envelope and turned in with the firearm.
 - 2). Revolvers shall be placed in the Property/Evidence Locker with their cylinders open.
 - 3). Semi-automatic and automatic weapons shall be placed in the Property/Evidence Locker with their actions open.
 - 4). Bolt-action weapons shall have their bolts open or removed.
 - 5). Breech loading weapons, such as a 40mm, shall be "broken open."
 - 6). All weapons will be made safe by inserting a flex-cuff or provided tie through the cylinder, action, bolt, or barrel.
 - 7). When unloading a firearm, the following should be noted:
 - Condition of ammunition beneath the firing pin.
 - Position of fired/unfired ammunition.
 - Number of rounds left in the magazine.
 - Whether or not a round is in the chamber.
 - Clip/magazine fed weapons will have all rounds

removed from the clips/magazines.

8). Clips/magazines, ammunition, and weapons will be separated but placed in the same Property/Evidence Locker.

d. Officers recovering firearms they are unfamiliar with and do not know how to unload or make safe, shall contact a supervisor who may request assistance from an officer who is familiar with the type of weapon.

e. If the Property/Evidence Custodian discovers any loaded firearm in the lockers, the weapon will be left as is and a supervisor will be requested to respond to the Unit as soon as possible. The supervisor will unload the weapon and will notify the concerned Section Major.

5. Controlled Substances: **CFA 27.07**

a. All suspect narcotics, marijuana and other controlled substances, and all narcotics paraphernalia impounded, will be transported to the Police Station. It will be counted (to maintain quantity control), weighed, field tested (when possible), and sealed to prevent unauthorized tampering, prior to being stored in the Property/Evidence Unit. Field-testing of suspect narcotics will be done prior to being impounded. Thereafter, the results will be noted and the kit disposed of.

b. When required for investigation or prosecution, the arresting officer will transport the suspect narcotics or controlled substances (if a large quantity, only a sample) in a sealed, tamper-proof package to the Miami-Dade Police Department Crime Lab for analysis as soon as possible.

c. Misdemeanor amounts of marijuana evidence will not be transported to the lab until the case is set for trial and subpoena is issued.

1). Upon receipt of the subpoena, the arresting officer, or designee, will transport the sealed evidence to the lab accompanied by a copy of the subpoena.

2). Trafficking amounts will be transported by sworn personnel only.

d. Narcotics or other controlled substances may be released to

police personnel for official law enforcement purposes only, such as approved sting operations. Release of these substances for police investigations shall only take place with prior approval from the Investigative Major, Assistant Chief, or Chief of Police.

- e. When narcotics or other controlled substances are released for investigation, the property will be reweighed and/or counted by the receiving officer. A supervisor or Property/Evidence Custodian shall witness this procedure.
 - 1). An exception to this weighing requirement would pertain to substances officially sealed in tamperproof packaging or pre-sealed by the manufacturer.
 - 2). Narcotics and other controlled substances containers will be inspected for tampering. This will safeguard against the substitution of materials having the same weight.
- f. Following the authorized release, the controlled substance will be returned to the Property/Evidence Unit, or other authorized agency, and counted again to maintain quantity control. When the controlled substance is returned to the Property/Evidence Unit, personnel will indicate the status of the case and the instructions for the disposition of the evidence.
- g. The handling of body fluids and/or dried blood will follow the procedures delineated under the Investigations policy, 300.07, and Infectious Diseases policy, 300.05.

XII . PROPERTY RETURN PROCEDURES

Chapter 705 of the Florida State Statutes governs the handling of lost, unclaimed, and abandoned property, which is impounded. In particular, the Property/Evidence Custodian must familiarize him/herself with FSS 705.103 and 705.105 accessible through the following link:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0705/0705ContentsIndex.html

A. Release of Property procedures: CFA 27.15G,H

- 1. A Property Receipt shall be completed for all recovered property and evidence. Items returned to the owner shall be noted with appropriate

signatures affixed. In all cases, a copy of the signed Property Receipt shall be scanned and uploaded into the records management system for inclusion in the case record.

2. Department members acting as agents for the City are not considered as the finder entitled to the return of any lost or abandoned property. The disposition of lost, abandoned, or unclaimed property shall be in accordance with established procedures and governing statutes.

B. Title to lost or abandoned property, pursuant to FSS 705.103:

CFA 27.15G,H

1. Authorized Release:
 - a. Return is authorized if the member having jurisdiction marks the Return to Owner disposition of the Evidence/Property Receipt and documents the name of the rightful owner in the owner's section of the form. The impounding member shall attempt to identify and notify the property owner prior to submitting the property into the Property/Evidence Unit. All attempts, whether successful or not, shall be noted in the applicable offense, incident, or supplemental report.
 - b. If located, the owner must present proper identification for all property being returned: state driver's license, state identification card, passport, or military identification card.
2. The Property/Evidence Custodian will attempt to locate and notify the owner of the property sent to him/her by utilizing available databases.
3. If an owner, or possible owner, is not located, a post card will be sent to the last known address advising them of the location of their property.
4. Abandoned property:

Pursuant to Florida law, abandoned property may be retained, traded to another government agency, donated, sold (through the Purchasing Department for auction) or disposed/destroyed.

5. Lost property:

If after ninety (90) days no owner is located, or has not responded to the contact attempts made by the Property/Evidence Custodian, pursuant to law, after published notice of the intended disposition (within the first 45 days of the 90-day period), the lost property may be retained, donated, surrendered to the finder, sold (through the

Purchasing Department for auction), traded to another agency or destroyed. **CFA 27.15H**

- C. Title of unclaimed evidence or property seized during a lawful investigation, pursuant to FSS 705.105:
1. The Property/Evidence Custodian will attempt to locate an owner for unclaimed evidence/property utilizing available databases.
 2. If an owner, or possible owner, is not located, a post card will be sent to the last known address advising them of the location of their property.
 3. If, after sixty (60) days, after the conclusion of the legal proceedings, no owner has responded to the contact attempts made by the Property/Evidence Custodian, the Department may elect to:
 - a. Retain the property.
 - b. Transfer the property to another government agency.
 - c. Donate the property to a charitable organization.
 - d. Sell the property.
 - e. Notify the appropriate refuse removal service.

XIII. EVIDENCE DISPOSAL (WEAPONS)

- A. Firearms, knives, edged and exotic weapons:
1. Serial numbers of each firearm will be queried by Communications Personnel prior to disposal.
 2. Prior to disposal, an inventory of firearms will be taken by the Property/Evidence Unit Custodian.
 3. The Property/Evidence Custodian, and two (2) sworn members, will transport the firearms to a designated foundry, where the items will be destroyed by being melted down.
 4. Knives, swords, brass knuckles, saps and martial arts weapons, etc. will be disposed of in an appropriate manner.
 5. The date and method of disposal will be listed on the Property Receipt. The Property Receipt will be retained in the Records Unit.
- B. Controlled Substances, Accessories, and Paraphernalia:

1. Any controlled substance eligible for disposal, will be verified as the item described on the Property Receipt. A court order will be obtained for destruction of the controlled substance.

XIV. EXAMINATION, INVENTORY and INSPECTION OF PROPERTY and EVIDENCE

A. Physical Inventories:

1. An annual examination of both, the Property and Evidence functions of the Property/Evidence Unit shall be conducted by a supervisor not routinely or directly connected with the control of property and evidence, as directed by the Chief of Police, or his/her designee, to ensure conformance with legal mandates, agency controls, and policies and procedures, such as, but not limited to: **CFA 27.13A**
 - a. Property and evidence storage is maintained in a safe, orderly and secure manner, to include the maintenance of logs, lockers and outside storage containers.
 - b. The location of property and evidence is properly documented on Property Receipts, as well as the designated electronic system.
 - c. All property and evidence items are protected from becoming damaged or deteriorated, to include refrigeration requirements.
 - d. Property and evidence items whether of no evidentiary value, or abandoned, are disposed of properly.
2. An annual inventory, consisting of two parts: 1) a full inventory of all items stored inside the Vault and all firearms, and 2) a partial accounting of a minimum of 200 items of Evidence, and a minimum of 25 items of Property stored in other areas within the Unit, shall be conducted by the Property/Evidence Custodian, and a designee of the Chief of Police not routinely or directly connected with the control of the Property/Evidence Unit, as follows: **CFA 27.13C**
 - a. The partial accounting of items of evidence and property will be physically chosen at random covering different sections of the room.
 - b. Items chosen will be inspected for proper packaging, labeling and accuracy of documentation.
 - c. If a container is sealed with evidence tape, it will not be opened and another item will be selected for inspection instead.
 - d. If the container is not sealed with evidence tape, a physical inspection of quantity and description will be performed.
3. Unannounced inspection: The Chief of Police, or his designee, will conduct an unannounced inspection throughout the calendar year of

both, the Property and Evidence function of the Unit, consisting of a review of property storage areas to ensure that: **CFA 27.13B**

- a. The rooms are clean and orderly.
 - b. The property and evidence containers are protected from tampering, damage, and deterioration.
 - c. The property and evidence accountability procedures have been followed.
 - d. That any property and evidence, having no potential or further evidentiary value, is being properly disposed of per this policy and lawful methods. **CFA 27.13E**
4. Whenever a new Property/Evidence Custodian is assigned to the Unit, and the outgoing Custodian is still available, a joint inspection of the stored property and evidence will be conducted to ensure records are correct and properly annotated. If the outgoing Custodian is not available, the inspection will be conducted by the incoming Property/Evidence Custodian and a designee of the Chief of Police. Any discrepancies or issues revealed will be recorded prior to the assumption of accountability by the newly-appointed Custodian and forwarded to the Administrative Major for follow up.

B. Lost, missing, or stolen items procedures:

1. If during any property or evidence function processing, to include examination, inspection, inventory, retrieval, or disposal procedures an item cannot be located (lost, missing or stolen), the Property/Evidence Custodian will contact the lead investigator, the Miami-Dade Crime Lab, etc., in an attempt to locate the property or evidence. If unable to locate, the Property/Evidence Custodian shall notify the Administrative Major, in writing, of the discrepancy. The Major will then initiate an internal investigation. **CFA 27.13D**

XV. RECORDS

- A. Property/Evidence Records: The Property/Evidence Custodian will maintain a records system (manual and computerized) that reflects the status of all property and evidence held by the Department, to include: **CFA 27.10A-D**
1. Location of property/evidence.
 2. Date and time when property/evidence was received and released.
 3. Description of the property/evidence.

4. Chain of custody from the time the property/evidence was stored in the Unit until final disposition.

XVI. EQUIPMENT

- A. The Property/Evidence Custodian is responsible for the purchase, storage, and documented issuance/tracking of all uniforms and equipment issued to sworn and civilian members, and for maintaining an adequate inventory of said equipment he/she is responsible for purchasing, such as flairs, fire extinguishers, first aid kits, crime scene tape, PPE, evidence packaging supplies, etc.
- B. The Property/Evidence Custodian will also maintain office supplies in stock for the day-to-day operations of the Agency's administrative function.
- C. The Property/Evidence Custodian will ensure that all property/equipment is stored and maintained in a state of administrative and operational readiness and inspected at regular intervals.
- D. The Property/Evidence Custodian's supply room is to be kept locked at all times. All requests for equipment and office supplies will be made through the Property/Evidence Custodian .
- E. Unique items, not commonly kept in stock, must have the approval of the Administrative Major prior to being ordered.
- F. Any item(s) purchased by the Property/Evidence Custodian must be processed through the established purchasing guidelines.