

Hamden Police Department General Orders

Policy Number: 016-003

Effective Date: August 01, 2005

Section: Property Management

Rescinds:

Title: Property Seized as Evidence

Approved By:

Approval Date:

PURPOSE

To establish guidelines for the Department when handling seized evidence. All officers will use these guidelines in accordance with this policy.

POLICY

The establishment and maintenance of correct evidence handling procedure is most important to the successful prosecution of a case in court. The aim of this policy is to protect officers from any claims of mismanagement or misdirection of evidence or property.

Procedures

A. Seizures without a Search Warrant.

1. Evidence seized without a warrant will be secured by the officer making the seizure.
2. The chain of custody will be maintained at all times.
3. A JDCR-18 "Inventory of Property Seized without a Search Warrant" form will be filled out when evidence is seized with an arrest, referral, or with an arrest pending.
 - a. The JDCR-18 will be then be attached to the arrest paperwork, (i.e. arrest card, referral or misdemeanor summons), to be forwarded the court/detention officer.
 - b. Officers should attach the "Yellow" page of the JDCR-18, (or a photo copy of the JDCR-18), to the evidence when it is secured in the property room temporary storage lockers.
 - c. Officer should fill out the JDCR-18 as completely as possible and sign the bottom of the form with their name and badge number. The court will return JDCR-18s that are not completed properly and signed.

Hamden Police Department General Orders

4. A JDCR-42 "Receipt for Seized Property" form will be completed in duplicate by the investigating officer, with a copy being left with the person from whom the evidence was seized, or any persons with an ownership interest in the seized evidence. The property officer will mail a copy of the JDCR-42 to any persons not available to receive the form from the investigating officer.
5. Evidence seized that has a possible evidentiary value, with an owner being unknown, does not have to be listed on a JDCR-18 until an arrest is made, or pending.
6. The property officer will attach outstanding JDCR-18's to approved arrest warrants as the court/detention officer returns them from the court. The JDCR-18 will be forwarded to the court as the warrants are served. (as described in #3(a.) above)

B. Seizures with a Search Warrant.

1. Under normal circumstances, a supervisor should be present at the scene of the Warrant service. Absent a supervisor, the ranking officer should direct the search.
2. After properly entering the area to be searched, the supervisor of ranking will:
 - a. Assign one officer to photograph the premises prior to the search, after the search, as well as photographing each item at its recovery point.
 - b. Assign an officer as a recording officer.
 - c. Direct the search in a methodical manner, covering only one or two rooms at a time.
3. Upon locating an item to be seized, the locating officer will call for the photographer, who will number the item and photograph the item where it was found, including the number in the photo.
4. The locating officer will then take the item to the recording officer who will record the item. The recording officer will then attach an evidence tag to the item with the following information. Chronological evidence number, brief description, recovery location, date, time, and recovering Officer's name and badge number.
5. Items that are assigned an "Evidence" number will be referred to by that number on all the paperwork for the case in question.

Hamden Police Department General Orders

6. The recording officer will secure all seized evidence so that the chain of custody can be maintained at all times.
7. After the evidence has been properly packaged and logged into the property section of the department's computer the recording officer should secure the evidence in one of the high security lockers outside the property room. A copy of the page-8 of the search warrant return must accompany all evidence submitted to the property room when evidence is seized with a search warrant.
8. After the search warrant has been served the recording officer will file a Return for and Inventory for Property Seized with a Search and Seizure Warrant with the court.(See: JDCR-51 and CCP-7c forms)
9. If no arrest is made at the scene of the Search Warrant and items are seized as Evidence the recording officer should complete a JDCR-53 Receipt for Seized Property in duplicate with a copy going to:
 - a. The person the property was seized from or the person having an ownership interest in the property seized. If that person(s) is not available the recording officer will make arrangements for the receipt to be mailed to the person(s) in question. A copy of the receipt should also be forwarded to the records room.