

**NEW HAVEN
DEPARTMENT OF POLICE SERVICE****GENERAL ORDERS**

GENERAL ORDER 8.07

EFFECTIVE DATE: October 17, 2016

**EVIDENCE, FOUND PROPERTY
STORAGE AND HANDLING****8.07.01 PURPOSE**

The purpose of this General Order is to establish Department policies and procedures regarding the receiving, recording, handling, storage, and disposal of evidence and property that is seized by law enforcement personnel during the course of their duties.

8.07.02 POLICY

It is the policy of the New Haven Department of Police Service 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 the Department and its employees who are authorized to remove and/or destroy property.

8.07.03 DEFINITIONS

CONTRABAND: Any item defined by law as illegal to possess.

EVIDENCE: Any physical item seized by a member of the department in connection with a criminal investigation.

FOUND PROPERTY: Abandoned or unattended property that has no apparent evidentiary value, which is found by or turned over to Department employees, of which the owner may be known or unknown.

PROPERTY: All items of evidence, found property, and items taken for safekeeping.

RIGHTFUL POSSESSOR: The person or business with legal standing to have custody of the property, by the permission of the owner, by rule of law, or on other reasonable grounds.

SAFEKEEPING: Items of a non-evidentiary value which are seized by officers to insure they will be kept from harms way and returned to the rightful possessor.

UNCLAIMED PROPERTY: Property for which the rightful possessor cannot be identified or located, or property that the rightful possessor has not claimed within 60 days of documented notice that the property is in the Department's possession.

ANNEX ROOM/TEMPORARY LOCKERS: The facility designated by the Department for the temporary storage of evidence and other property.

PROPERTY ROOM: Secure rooms and areas designated for the storage of evidence/property until final disposition of the evidence or property.

8.07.04 PROPERTY HANDLING

Whenever any member of this Department, who during the course of their duty, takes possession of any evidence or property, they shall deliver it or cause it to be delivered to the Property Room in an expeditious manner. In the event the Property Room is closed, such evidence or property will be secured in the Property Room Annex in the proper locker or safe. The Property Room Annex is a locked facility and is under the custody and control of the Property Room Supervisor. Only the Front Desk Supervisor, Property Room personnel, Bureau of Identifications (B of I) personnel, and Internal Affairs personnel will be permitted to enter the Annex room to secure evidence or property in the proper manner.

- The Front Desk Supervisor shall be responsible for accurately checking all narcotics and monies, and verifying the amount. Further, it shall be the responsibility of the Front Desk Supervisor to insure that Officers have properly and legibly completed all necessary evidence forms, property logs and paperwork that accompanies the evidence or property submitted.
- All evidence and property must be entered into the Property Room or the B of I evidence storage room prior to the termination of the officer's shift, unless otherwise approved by their immediate supervisor. The retention of evidence or property by a member of this Department is prohibited.

- The Property Room accepts evidence and property from the following agencies who shall adhere to the policy and procedures set forth by this Department:
 - New Haven Department of Police Service (NHPD)
 - Yale University Police Department (YPD)
 - Board of Education
 - Office of the Chief Medical Examiner
 - State's Attorney's Office

8.07.05 TURNING IN EVIDENCE OR PROPERTY

Officers turning in evidence or property will observe the following guidelines:

- Complete the State of Connecticut form JD-CR-18, describing each item of evidence or property separately, listing all serial numbers, weight and/or amount of drugs, owner's name, finder's name, and other identifying information or markings.
 - The following evidence sheets are also available for officer use: Lost/Found Property, Safekeeping, and General Investigations.
 - Evidence or property turned in as the result of a search and seizure warrant will require State of Connecticut form JD-CR-52, along with the property seized inventory form (page 6) of the search warrant affidavit.
 - The following will be the procedure with respect to the JD-CR-18:
 - Officers will no longer hold onto JD-CR-18s for pending arrests.
 - For arrests, JD-CR-18s will be submitted with reports, and a copy of the form should be affixed to the evidence.
 - For all non-arrest cases (excluding pending drug arrests), the JD-CR-18 (original) should be affixed to the evidence.
 - For all pending drug arrests, a copy of the JD-CR-18 will be affixed to the evidence, and the original will be given to the Front Desk Supervisor. The Front Desk Supervisor will place the original JD-CR-18 in the annex room.
- List all items entered on the appropriate log forms.
- Review all forms with the Front Desk Supervisor and relinquish custody of the items to the care of the Front Desk Supervisor.

- A written report will be generated whenever property is taken into the possession of the Department.
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8.07.06 PROPERTY REQUIRING SPECIAL PROCEDURES

Certain evidence or property items require a separate process for entry into the Property Room.

- Items soiled by bodily fluids or other liquids shall be dried in the Blood Drying Cabinet located in the Bureau of Identification and sealed in paper bags once dry.
- All items that are placed into the property room that pose a biohazard threat should be clearly marked biohazard with either a biohazard sticker or "Biohazard" should be clearly written on the packaging.
- All cash shall be counted in the presence of the Front Desk Supervisor and entered separately from other items.
- Knives shall be secured in knife boxes, large edged weapons will be secured in a manner that will make the sharp edge safe.
- All narcotics and dangerous drugs shall be counted and weighed on a scale in the presence of the Front Desk Supervisor and entered separately from other items.
 - Syringes or other sharp objects shall be stored in plastic tubes
 - Narcotic and dangerous drug seizures of large/ oversized amounts that do not fit into the storage safe or a locker will require the notification of the B of I Supervisor, in order to properly secure them within the Property Room vault.
 - In cases where an officer/detective seized drugs as "found property" and no additional investigation is expected, a found property form will be completed and attached to the drug evidence. The officer/detective will write "To Be Destroyed" on the found property form. No JD-CR-18 will be completed. The form must be initialed, dated, and include the officer's badge number.
 - In cases where an infraction has been issued for possession of a controlled substance (under 4 ounces), the Original JD-CR-18 will be completed and attached to the drug evidence. The investigating officer/detective must write on the original JD-CR-18, "Infraction Issued," along with the infraction number.

- Firearms shall be secured in special cardboard boxes, with the cylinder or slide in the open position. All firearms must be unloaded and made safe prior to being entered into the Property Room. Loaded firearms will not be accepted in the Property Room. Firearms that can not be made safe will be secured in the Department's armory by the armorer or a member of the Special Emergency Response Team (SWAT). Ammunition and magazines should be placed in the same box as the firearm.
 - When firearms are seized/surrendered due to domestic violence arrest guidelines and are not seized as evidence, use the surrender firearms log sheet as an evidence form. Under the slot for Case #, in the upper left hand corner, include a four-digit incident code and the employee number. This form can also be used for voluntary surrender by a firearm owner.
 - A National Crime Information Center (NCIC) report print-out must accompany all firearms turned over to the property room. If the firearm is stolen, two NCIC printouts should accompany the firearm: one which confirms the firearm is stolen and the other that confirms the firearm was cancelled out of COLLECT (if it was stolen from New Haven) or a locate message (for a firearm stolen outside of New Haven).
- Flammable liquids and items with engines that require fuel will be secured in a storage area at the Police Garage. The Superintendent will be notified. The JD-CR-18 or other relevant property form will be marked, "Held at 710," and the item will be placed on the evidence log.
- Explosives that are known or suspected to be armed or live, other than fixed ammunition shall not be entered into the Property Room. All fireworks, road flares or fuses that are considered safe will be secured at a pre-designated location by personnel from the Hazardous Devices Unit.
- City property, unless connected to a known criminal case, should be released directly to the appropriate City Department by the Property Room Supervisor.
- Property Room personnel have the right to refuse an item(s) that are suspected of infestation with roaches, bed bugs, etc. These items can be stored in a locked storage container located at 710 Sherman Parkway.
- All vehicles that are seized as evidence must be listed on a JD-CR-18. If an arrest is made and a vehicle(s) has been seized as evidence, it cannot be released unless authorized by a judge.
 - Vehicles must not be seized unless they are involved in a serious or fatal accident, or with the approval of the B of I Supervisor.

8.07.07 PACKAGING OF EVIDENCE OR PROPERTY

In order to keep a secure chain of evidence and prevent contamination, the officer entering the evidence or property into the Property Room will use suitable containers for the materials. Packaging materials will be available from the Property Room during regular business hours and behind the front desk during times when the Property Room is closed. Property shall be properly labeled on the outside of all items or group of items packaged together, sealed and accompanied by a JR-CR-18 or other appropriate evidence forms.

8.07.08 PROPERTY CONTROL

- All property and evidence in possession of the NHPD will be barcoded by Property Room personnel or B of I personnel to ensure proper tracking, chain of custody, and disposition.
- Each time the Property Room or B of I personnel receives or releases property to the control of another person, the item will be properly logged indicating the name, date, case number, and description of the evidence or property. Officers in need of property for court shall give the Property Room sufficient prior notice of the item requested. If court will hold onto an item of evidence, the officer will obtain the printed name and signature on the property sign-out sheet of the individual in court who will maintain custody of the evidence. A copy of this sign-out sheet will be provided to the Property Room. When court is finished with an item of evidence, the item will be returned to the Property Room by the officer or court personnel.
- Evidence being transported to the State of Connecticut Crime Laboratory will be signed out by the employee who is transferring the items and properly logged by the Property Room personnel. Property, along with any accompanying paperwork, being returned will also be logged into the Property Room by the employee who transports the item back from the State of Connecticut Crime Laboratory.

8.07.09 AUTHORITY TO RELEASE EVIDENCE AND PROPERTY

The authority to release property which is not evidence will be the responsibility of the lead investigator in a case. The release of evidence seized in conjunction to a criminal case will be the responsibility of the Property Room personnel or B of I personnel, following legal notification from the court.

8.07.10 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation. Property Room personnel shall release the property upon proper identification being presented by the owner or rightful possessor for which an authorized release has been received. Sworn personnel may also verify a person's identity when proper identification is not available. A signature of the person receiving the property shall be recorded on the original property release form and the release shall be documented on the Property Log.

8.07.11 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the property involved.

8.07.12 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

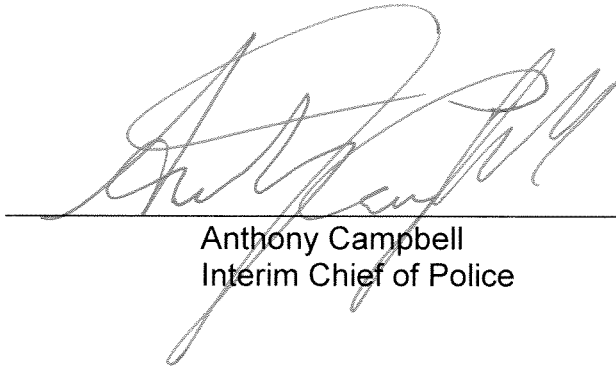
The Supervisor of the Bureau of Identification and the Detective assigned as the Drug Custodian shall be responsible for the storage, control, and destruction of all drugs coming into the custody of this Department, including seized drug paraphernalia.

Upon retrieval from the Property Room Annex all narcotics and dangerous drug related evidence shall be stored in the Bureau of Identification's drug storage facility. Access to the storage facility shall be limited to the Supervisor of the Bureau of Identification, the Drug Custodian, the Assistant Chief of Investigations, the Chief of Police and the Officer in Charge of Internal Affairs. This facility is to remain locked, and videotaped at all times. Keys shall only be issued to the Supervisor of the Bureau of Identification, the Assistant Chief of Investigations and the Officer in Charge of Internal Affairs.

8.07.13 DISPOSAL OF EVIDENCE AND PROPERTY

- All property seized will be retained according to the State of Connecticut Retention Schedule.
 - If seized evidence is associated with Murder/Manslaughter, Kidnapping or Sexual Assault it shall be retained indefinitely, unless a court order authorizes the disposal.

This General Order supersedes General 8.07 with effective date of June 16, 2016.



Anthony Campbell
Interim Chief of Police

10/17/2016
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Date