


<b>POLICY 105.2</b>	<b>EVIDENCE/PROPERTY REQUIRING SPECIAL HANDLING</b>	
	REVISED: 05/98, 11/00, 02/05, 02/09, 04/14, 09/14, 03/18, 07/20, <b>08/23</b>	RELATED POLICIES: <b>105.1, 105.3, 105.4, EVIDENCE SOP</b>
	CFA STANDARDS: <b>Chapter27</b>	REVIEWED: AS NEEDED  <b>THIS VERSION PUBLISHED: 08/21/2023</b>

**A. NARCOTICS EVIDENCE**

When any narcotics are taken into custody, it will either be weighed on a scale provided or counted. Whenever possible, the weighing/counting shall be verified by a supervisor (if available), otherwise by another sworn officer in the presence of the seizing officer. The evidence will be entered into the FileOnQ System by the officer for any amount of narcotics taken into possession, regardless how small. All non-sworn personnel will immediately and as discreetly as possible without alerting the suspect or disturbing the evidence, notify a supervisor regarding any illegal contraband (i.e., drugs or firearms) observed during an investigation.

In order to enhance quality control, to be submitted and accepted, narcotic evidence:

1. Must not be submitted in the same package as non-narcotic evidence.
2. Must not be mixed with any other narcotic evidence. If several types are to be included in the same package, each must be individually packaged, sealed, clearly marked, and listed separately on the evidence form.
3. When large quantities of narcotics are seized, samples must be taken and submitted for testing. Storage for large seizures of narcotics, such as 10 bales of marijuana, should be coordinated with the Special Investigations Division (SID). Smaller quantities may be submitted as outlined in Policy 105.1. **EXCEPTION:** If cocaine or heroin seized exceeds 1/2 pound, the Evidence Unit Supervisor or his/her designee shall be called out.
4. The FileOnQ System must show that the contents have been field-tested.
5. The package **MUST** be sealed with EVIDENCE TAPE and initialed.
6. All containers will be inspected to protect from contamination.
7. The Lab Exam Section of the EPF will be checked for any Controlled Dangerous Substances (CDS) evidence requiring analysis.

The name of the arrestee must be recorded. If no arrest has been made and there is the likelihood of an arrest or the CDS evidence will be used to support an arrest/search warrant, the seizing officer's supervisor will record approval of the

action on the face of the EPF and indicate "Ongoing Investigation" in the space provided for the name of the arrested.

8. Narcotic evidence not held for trial evidence, or for follow up by the submitting officer, will be marked for destruction and disposal in accordance with governing status.
9. Prescription medication or other controlled substances that are not to be used in a criminal case or are of no evidentiary value will be marked for destruction and disposed of in accordance with established procedures and governing statutes. The Department will not release prescription medication once in our control and custody, except to the person for whom the prescription was originally written, their documented legal guardian/ representative or to the parents if the prescription was written to a minor child.
10. Quantity Control:
  - a. The submitting officer is responsible for properly packaging and weighing narcotics prior to submitting them to the Evidence Section.
  - b. Digital scales will be utilized for weighing of drugs. Scales are located in the Write-up Room and the Property Room.
  - c. Weights shall be measured in grams. If weights include baggies, a notation of this MUST be included in the FileOnQ System.
  - d. The supervisor's or witness sworn officer's name will be entered into the FileOnQ System in the box labeled "Wt. Verified By". A label will then be printed and signed by the impounding officer and the supervisor or witness sworn officer. The label will then be affixed to the evidence package.
  - e. Capsules, pills, and tablets must be counted unless the volume/number creates an unreasonable task. In that event, the weight of the pills shall be recorded in the FileOnQ System.
  - f. Cannabis plants shall be counted and weighed based on the condition and number of plants.
  - g. Accurate weight readings can be obtained from the Crime Lab at the time of analysis and will be reflected on the returned analysis report.
  - h. The Evidence Technician must inspect all narcotics evidence being submitted to assure that proper procedures have been followed. Any discrepancies shall be reported to the Property Supervisor so that corrective action can be taken.
  - i. Any time narcotic evidence is temporarily released (court, lab, etc.), the Evidence Technician will inspect the container before it leaves and after it is returned to assure that the seals are intact and no apparent tampering has

occurred. In addition, the entire package containing narcotics shall be weighed when leaving and upon return to the Evidence Section to assure no significant change in weight has occurred (keeping in mind that weight may differ slightly after laboratory testing due to sample consumption). Any discrepancies shall be immediately reported in writing to the Evidence Supervisor.

## **B. MONEY AND JEWELRY**

Money/Jewelry is to be handled in an effective and efficient manner to avoid questioning of the officer's integrity and to minimize the amount of cash to be stored.

### **1. General Guidelines:**

- a. All money will be separated from all other evidence and submitted in a plastic evidence envelope. It shall be documented in the FileOnQ System.
- b. ALL packages containing money or jewelry must be sealed with evidence tape and initialed.
- c. Sufficient notations regarding denominations shall be made in the FileOnQ System. In the case of jewelry, include sufficient descriptions of the items, including denoting color of the metal or stone, (i.e. yellow metal, clear stone, etc.). NOT the suspected metal or stone type.
- d. If known, the legal owner shall be listed.
- e. Witnesses must be present when money is counted to minimize the question of officer integrity. The witnesses name will be entered into the FileOnQ System in the box label "Total Verified By". A money label will then be printed and signed by the impounding officer and the witnesses. The money label will then be affixed to the evidence package.
- f. Amounts less than \$10,000.00 must be placed in the drop safe. Unusual circumstances may require the presence of an evidence Supervisor or his/her designee. For amounts over \$10,000.00 the evidence section Supervisor or his/her designee will be called out.

### **2. Money as Evidence:**

Money which is specifically needed as evidence should be marked as evidence.

### **3. Money to be Confiscated:**

- a. Money to be confiscated, either prior to or after the criminal case has been settled, must be marked in the forfeiture section of the FileOnQ System. NOTE: The Confiscation Unit must be notified separately of monies, etc. marked for confiscation. Notation in the FileOnQ System alone is not sufficient. Money seized by SID will not be confiscated or handled without the express permission of the SID Captain or their designee.

- b. The Evidence Unit shall e-mail the Confiscation Unit of the seizure of monies over \$750.00 within 24 hours of said seizure notification. The e-mail shall be sent to the Police Legal Advisor, the Paralegal, the Legal Assistant, and the Forfeiture Coordinator.
    - c. The final disposition of monies marked for confiscation will be the responsibility of the Confiscation Unit.
- 4. Found Property Money:
  - a. Money found by a citizen, must be counted in the citizen's presence and a receipt (gold copy of the evidence form) issued to the citizen after signing. See Policy 105.1.
  - b. Found property money will be deposited if not claimed within six (6) months of being submitted. The finder will have 30 days following the 180 day holding time, to exercise a claim for the money. See Policy 105.1
- 5. Depositing Monies:
  - a. Whenever monies are deposited, two receipts will be retained.
  - b. One receipt from deposits(s) and a Miscellaneous Receipt depicting amount(s) will be forwarded to the City Director of Finance.
  - c. Copies of the deposit(s) and Miscellaneous Receipt depicting amount(s) will be sent to the Police Finance Section and the Forfeiture Coordinator.
  - d. All deposits will be made into the General Fund account. The Miscellaneous Receipt(s) will depict the amount separated for the Law Enforcement Trust Fund.
- 6. Return of Monies Already Deposited:
  - a. When it becomes necessary to return monies, which have been deposited, a check will be issued via the City Finance Office.
  - b. The request must be made in memo form, written by the person making said request and directed to the Support Services Bureau Assistant Chief via channels. The Police Finance Section will coordinate the issuance of the check.

## **C. SEXUAL BATTERY EVIDENCE**

- 1. All sexual assault exam kits received from the Nancy J. Cotterman Sexual Abuse Treatment Center (S.A.T.C.) or any other sexual assault treatment center will be sealed and placed into evidence. When a toxicology exam is collected, the toxicology samples (urine and blood) must be placed into the evidence refrigerator.

Note: Sexual assault exam kits no longer need to be refrigerated but must be stored in a climate-controlled area.

2. Sexual assault exam kits will be entered into the FileOnQ System.
3. BSO will not test any sexual assault exam kits that are not accompanied by the Medical Report of Sexual Abuse/Assault Examination Form, which is provided when the sexual assault kit is ready for pick up.
4. The Special Victims Unit supervisor will be responsible for reviewing the monthly FileOnQ rape kit report generated by the Evidence Unit.
5. Sexual assault evidence kits (rape kit) shall be entered in the FDLE Track-Kit system in compliance with FSS 943.326., each rape kit comes with a unique barcode. SVU detectives will collect the rape kit from SATC/NJCC once they are notified the kit is ready for pick-up, which is typically 10 days after the collection date. SVU detectives are responsible for the entry of the rape kit into Track-Kit. Subsequently, BSO Lab personnel will enter the rape kit into track-kit when it arrives at the lab and FLPD evidence personnel will update the rape kit status once the kit arrives back at FLPD from the BSO lab.

**D. STORAGE OF EVIDENCE (After Hours)**

Lockers and a night deposit are available for after hours including a refrigerator for pathogen items.

**E. FILEONQ INOPERABLE**

During exigent circumstances (i.e. FileOnQ down, etc.), handwritten Evidence Property Forms shall be utilized.