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|  | Operational General Order | 15.01 Property and Evidence | PAGE 1 OF 4 |
| | SUBJECT | | EFFECTIVE DATE |
| | Virginia Beach Police Department General Order Chapter 15 – Property and Evidence | | 09/14/2020 |
| | | | ORIGINATOR/REVIEW |
| DISTRIBUTION | | Support Division | |
| ALL | | CALEA: 83.3.2, 84.1.1, 84.1.2, 84.1.3, 84.1.4, 84.1.5, 84.1.6, 84.1.7 | |
| BY THE AUTHORITY OF THE CHIEF OF POLICE: | | |  |

Purpose

The purpose of this directive is to establish guidelines that regulate the control and accountability of all evidence and recovered or found property acquired and stored by this department.

Policy

It shall be the policy of the Virginia Beach Police Department to maintain strict control over all evidence and property that comes into the possession of department personnel. Appropriate procedures will be followed, to ensure the integrity of physical evidence and the proper storage, return and disposal of property.

Property and Evidence Unit

The Property and Evidence Unit will coordinate the property and evidence function. Specific procedural processes will be delineated in the Evidence Collection and Field Guide. The supervisor of the Property and Evidence Unit will be responsible for reviewing and updating the guide as necessary, but at least annually.

Storage Facilities (CALEA 84.1.1 E, 84.1.2, 84.1.3)

The Property and Evidence Unit operates two facilities, one at Police Headquarters and the other on Leroy Drive. Each facility maintains property and evidence that is submitted to the Property and Evidence Unit. The headquarters location is open during normal business hours, while the Leroy Road location is available to officers and citizens on a part-time basis. Each facility is available after hours by contacting the Property and Evidence supervisor. Facilities are secured with conventional lock and key systems, Lenel door access systems, security cameras, and electronic monitoring when not staffed.

Secure and designated vaults are maintained within the unit for the following items:

- Narcotics
- Currency
- Firearms
- Jewelry
- Refrigerated items
- Separate area for Bicycles and Large Items
- Flammable liquids vault
- Electronics

Access (CALEA 84.1.2)

Access to the Property and Evidence facilities is controlled and limited to those members of the Virginia Beach Police Department assigned to the Property and Evidence unit. Under no circumstances will other members be granted unescorted access without the permission of the Property and Evidence Supervisor or his designee.

On the occasion that members or others involved in the prosecution or adjudication of criminal or civil cases must view evidence in the custody of the Property and Evidence Unit, escorted access may be granted. If the evidence is to be viewed within the facility, visitors will sign a log documenting the times of the visit and will be escorted at all times by a member of the unit. The property/evidence will be brought to a designated area and viewed by the officer/detective in the presence of a member of the Property and Evidence Unit. A prior notice of forty eight hours is required for the viewing/ examination of property or evidence.

Key Control

Keys to the Property and Evidence Unit are issued only to members assigned to the unit. Keys and high-security locks for the Property and Evidence Unit are manufactured by MEDECO or Schlage and will not be duplicated without the written consent of the Support Division Manager. When a member of Property & Evidence leaves the unit or if a key is misplaced, the Property and Evidence supervisor shall be notified and the locks to the facility will be changed or rekeyed immediately. There will be only one key issued per member with only one spare key maintained in a lock box within a vault by the unit supervisor. Members will not loan or provide their issued keys to other members of the Department outside of the Property and Evidence Unit.

Records Management (CALEA 84.1.5)

The department's automated property and evidence system allows the department to track the status and location of all property and evidence. The following information shall be maintained in computerized form:

Property/Evidence

- Property or Evidence Location
- Date and time property or evidence was received or released
- Item description, identifying numbers, owner
- Chain of Custody from the time the property or evidence was recovered until its final disposition

The automated property and evidence system has the capability of providing an accurate report of the type of property or evidence on hand at any given time.

Final Disposition of Items within 6 Months (CALEA 84.1.7)

This policy directs the supervisor of the Property and Evidence Unit to assure that property and evidence items are disposed of in a timely manner to prevent an overload on the property management system and to provide the citizenry with quality customer service.

All federal, state, and local laws will be followed when handling and disposing of any property or evidence.

The final disposition of found property is to be determined within the period of 90 days, which is 30 days longer than required by Virginia State Code 15.2-1719.

The final disposition of narcotics as evidence or otherwise will be in compliance with Virginia State Code 19.2-386.23. Additionally, prescription medications collected through the Prescription Medication Take Back Program will be disposed of in the same manner as all other narcotics.

Inspections (CALEA 84.1.6 A, D)

The supervisor of the Property and Evidence Unit will conduct two inspections yearly (mid and end of year) to determine that the property room and remote property and evidence storage operations are being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that provisions of orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly.

- a) Twice per year, a comprehensive evidence disposition form will be disseminated to every sworn member of the police department to determine if the status of evidence can be changed. The goal will be to create a uniform and constant verification of evidence status to prevent the build up of items that have served their evidentiary purpose. Supervisors will be accountable for their subordinate personnel to have this task completed in a timely fashion.
- b) When a member of the department is retiring or leaving the department, all of the items stored in Property and Evidence shall be disposed of or reassigned to an active duty officer or supervisor. This will prevent items from being stored and/or destroyed without accountability.

The Office of Internal Affairs will conduct at least one unannounced inspection of the Property and Evidence Unit and function (to include remote property and evidence storage operations) each year.

Audits (CALEA 84.1.6 C)

The Office of Internal Affairs will conduct an audit of property on an annual basis. The City's Audit Services Department may participate or coordinate this audit if available. The annual audit will be a random sampling of property held to satisfy that policy and procedures are being followed. The property and evidence bank records will be reconciled by the departments Police Accountant. Reconciliations will be performed no later than within the subsequent calendar month of receiving the bank statements. Additionally, an annual audit of the financial records, accounting records and supporting documentation will occur so that all records can be verified.

Inventory (CALEA 84.1.6 B)

An inventory of property will be completed whenever the supervisor of the Property and Evidence Unit is transferred or otherwise separated from the unit and/or when a new supervisor is assigned to the unit. The new supervisor will conduct the inventory along with a representative appointed by the Chief of Police. At the discretion of the Support Division Manager, the inventory could be a random sampling of evidence or a full inventory. If a random sampling is selected, 100% of money and jewelry will be accounted for and a percentage of all other property and evidence will be inventoried. The percentage of property selected will meet or exceed CALEA requirements. During the joint inventory, a sufficient number of property records should be reviewed carefully with respect to proper documentation and accountability. The new supervisor of the property should ensure that all records are current and properly annotated. The newly appointed supervisor should record all discrepancies prior to the assumption of property accountability.

Training Aids (CALEA 84.1.4)

Property and Evidence does not house or maintain explosives and therefore they are not given for training purposes. Only on a limited basis, drugs/narcotics may be turned over for training purposes to Special Investigations pursuant to Virginia State Code 19.2-386.23. The transfer of such will be reflected in the Property and Evidence Management Software. The accounting for such items once in the custody of Special Investigation will be done on a monthly basis in accordance with Special Investigations Unit Order 1.05, Drug Detection Canine Training Aides. Upon return Property and Evidence will monitor and document the return and final disposition of these items.

Commands using purchased or confiscated (from P&E after cleared for disposal) weapons as training aids will store them in a secure location, assign each an asset inventory number in the PISTOL RMS asset management module and inspect each asset quarterly. Quarterly inspections will be documented using the PISTOL RMS. Prior to any firearm being used as a training aid the Property and Evidence Unit will have that firearm rendered inoperable by the Firearms Training Unit. From time to time firearms will be turned over to the Virginia Division of Forensic Science. This will done with the approval of the Chief of Police. The transfer of weapons will be reflected in the Property and Evidence Management Software. The transfer of weapons to a command must have prior approval from the Support Division Manager and Deputy Chief of the division receiving the weapons, or their designee.

Laboratory Submission of Evidence (CALEA 83.3.2 A-E)

All evidence that must be taken for laboratory submission shall be the responsibility of the Property & Evidence Sergeant. This will routinely be accomplished by sworn members of the Property and Evidence unit or forensics technicians, however any sworn officer may transport evidence to the lab when needed. Evidence may be transported in boxes, bags, sealed plastic, or hard containers in a city vehicle. No unauthorized stops shall be made during transportation.

All items shall be accompanied with the Request for Laboratory examination (RFLE) to document the chain of custody.

Hard Copies of the lab results shall be sent to the involved officer and the Commonwealth Attorney's office.