

THE EVIDENCE LOG[®]

is the Official Publication of the International Association for Property and Evidence, Inc.

FILED & FORGOTTEN ? LONG-TERM STORAGE SOLUTIONS



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- *IAPE Standards Section 7 Long-Term Storage*
- *Search Fails to Find Missing Evidence in Murder Case*
- *Giles Files: Organization for Long-Term Benefits*
- *Evidence Search Reveals Forgotten Box of Guns*

Volume 2011, Number 1

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Volume 2011, Number 1

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BOB GILES

EVIDENCE LOG EDITOR

EDITOR'S CORNER

THE GILES FILES



STORAGE ORGANIZATION FOR LONG-TERM BENEFITS

In this issue we will spotlight IAPE Standard #7, Long Term Storage of Evidence. This particular standard may help to organize your evidence room and maximize your storage space, or it will completely frustrate you because it means completely re-designating where your evidence is stored, and most evidence custodians don't have that kind of time available.

Many evidence storage facilities are under-utilized by virtue of not segregating items by size and type. When mixing different size items together, there is an inherent loss of storage space that results from putting a small item where a large one is designed to fit. See page 15 for my recommendations on using different standardized packaging sizes. Once you have decided on a standard packaging size, then you can adjust your shelves to minimize the lost space between containers. This is where inches can quickly add up to hundreds of linear feet, even in modest size evidence rooms.

One inherent advantage to using standardized packages is that the evidence label may be placed in a uniform location on all the same size items. This permits the use of a barcode and a portable scanning device to leaf through the items in each container and quickly scan them when conducting an inventory. The advantages in time and accuracy of using such a system is enormous.

This same principle is valid whether you are planning to store an envelope a bag, or a box. All the containers should be filed in an orderly manner and all the space on the shelf should be taken up with containers, not haphazard placement of "stuff".

In addition to segregating by size, the obligatory segregation of evidence by type should always remain at the forefront when configuring long-term storage space. The segregation of firearms, money, and narcotics because of their high profile nature and need for enhanced security is always a necessity. In addition to like size items, we should segregate DNA related evidence, biohazards, hazardous materials, homicide and Officer Involved Shooting evidence, digital images, and latent fingerprints. These items all share some special consideration; temperature, lengthy anticipated storage time, protective enclosures needed, etc.

I hope that this glimpse into evidence room organization sparks your interest in order to make your agency more efficient. Please refer to the IAPE website for more information on different types of containers and shelving options at www.iape.org.

Bob Giles,

Evidence Log Editor

IN THE HEADLINES

The Bartlett Press

Bartlett, Illinois

POLICE ANNOUNCE IAPE MEMBER AS EMPLOYEE OF THE YEAR

The Bartlett Press reports on February 22, 2011 that the Bartlett Police Department selected property control custodian and court liaison officer Dean Norman as its 2010 Civilian Employee of the Year.

Police officials said Norman was chosen because of his six-year dedication to the police department, his willingness to help police officers submit evidence and his job performance and work ethic during the past year, as well as providing mentoring to police department members.

“Not only does Dean Norman keep his supervisors apprised of the outcomes of important traffic and criminal cases, but he

also attempts to provide valuable guidance while police officers prepare for their upcoming courtroom testimony,” Bartlett police Sgt. Geoff Pretkelis said.



The IAPE congratulates Dean Norman in receiving recognition from his agency. IAPE members routinely receive awards and we are proud to share in their accomplishments.

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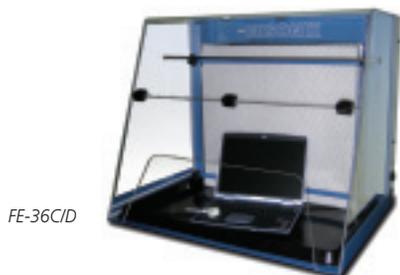


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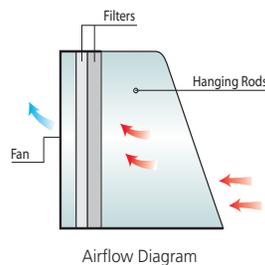


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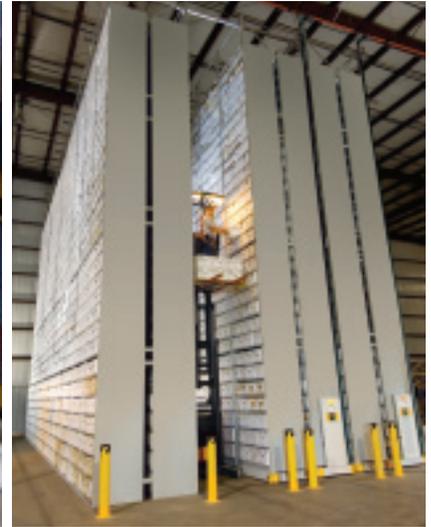
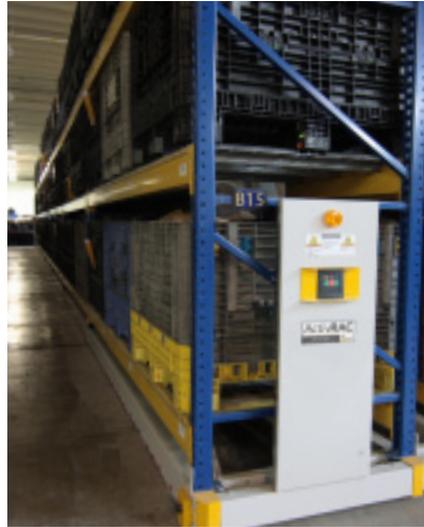
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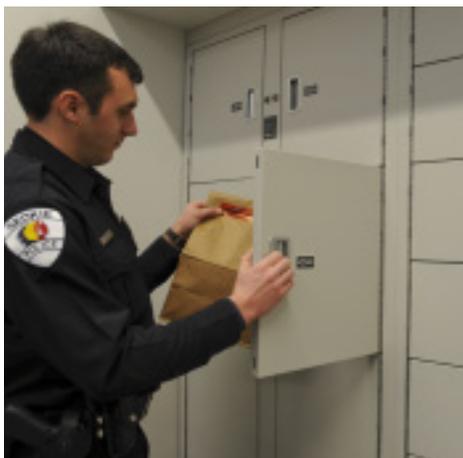
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In the last issue of the Evidence Log, we discussed the need for temporary evidence storage location, where evidence is securely kept from the moment it is submitted by the person who collected it, until it is received by the evidence custodian. In this issue, we will focus on the need for having appropriate locations for the long-term storage of evidence. - Ed.

IAPE STANDARDS SECTION 7 LONG-TERM STORAGE

www.iape.org/certStandards.html

Standard 7.1: Storage - Long-Term

Standard: Buildings, rooms and shelves/bins should be provided for the long-term storage of property/evidence for the duration of time it is held in the custody of the property room.

Definition: A long-term location is designated to keep items retained in the custody of the agency until they are diverted, sold, released or destroyed.

Reasoning: Appropriate storage facilities are needed to accommodate the long-term storage of property and evidence. Building(s) or rooms should be large enough to secure all evidence. Additionally, enhanced security storage should be acquired for the storage of high profile items such as firearms, money and narcotics.

Standard 7.2: Storage - Evidence

Standard: Evidence held in the custody of a law enforcement agency should be stored in a manner that facilitates efficient use of space, permits quick retrieval, minimizes safety hazards, prevents cross-contamination and facilitates conducting an inventory.

Definition: A long-term storage of evidence is a place designated to keep evidence items segregated

from other types of property retained in the custody of the agency until they are disposed, sold, released or destroyed.

Reasoning: Evidence may be held in the property room anywhere from just a few days to years. Most items need to have a long-term location designated for various categories of evidence, until the item reaches its final disposition for release, destruction, auction or diversion.

Envelope Storage: Storage space should be allocated for various sizes of envelopes designated for small items. These envelopes should be filed by the tracking number. Providing shelves for different size envelopes make for easy storage, retrieval and inventories.

Paper Bag Storage: Storage space should be allocated for various sizes of bags designated for medium size items. These bags should be filed by the tracking number that is visible without having to move the bag. Providing shelves for different size bags that are only one bag deep makes for easy storage, retrieval and inventories.

Box Storage: Storage space should be allocated for various sizes of boxes designated for larger items. These boxes should be filed by the tracking number. Providing shelves for different size boxes makes for easy storage, retrieval and inventories.

Continued on page 11

PHOENIX DETECTIVE ACCUSED OF STEALING OXYCODONE

CBS5 News reports on March 8, 2011 that a detective with the Phoenix Police Department has been arrested and accused of stealing Oxycontin from the evidence room. Former Detective Bill McCartney, a 12-year veteran, resigned after being arrested Monday morning. He was released pending further investigation, police said.

Police said they were alerted to a potential problem during an internal audit of evidence in January. So far, they have identified 83 evidence bags that appear to have been tampered with. The evidence was in line to be destroyed. As part of normal procedure, random tests are done on the soon-to-be-destroyed evidence to make sure it matched what was seized. Police estimated they've identified 2,500 pills that were stolen and replaced with over-the-counter pills, such as Aleve. They are continuing to test the pills in the evidence bags they found compromised. Investigators served search warrants Monday at several locations, including McCartney's work area and computer.

The department's Professional Standards Bureau does regular audits of drug evidence and a recent narcotics audit destined for destruction revealed "that some had been swapped out." Most of the pills were Oxycodone, he said, although other types of drugs were missing. Oxycodone is a highly addictive painkiller.

Phoenix Police Sgt. Trent Crump said that the detective had access to the department's case-management system, making it easy to see what drugs might be available. He had authority to check drugs out of the evidence room, making them easy take, swap over-the-counter drugs into the bottles and return the containers, Crump added.

In January, the police department conducted a routine audit of evidence that had been cleared for destruction. This procedure takes place every three months but the timing is random, as is the focus on items that have been taken as evidence.

The Phoenix P.D.'s Professional Standards Bureau noticed a pattern and investigators were able to trace some of the discrepancies back to at least one detective.

"At this point we believe that over 2,400 pills have either been removed or swapped out," Phoenix Police Sgt. Trent Crump said.

COMMENTARY

Once again, an entrusted employee has unfettered access to controlled substances. This often leads to a problem such as what is described here. Fortunately, the Phoenix Police Dept.'s policy of auditing drugs for destruction lead to the discovery of the items that were tampered with.

Could tighter internal controls have prevented this from occurring? Possibly. The first question to ask is why did the Detective need to check out 83 packages of drugs? Did anyone notice that one person was checking out a large quantity of drugs over time? What purpose did checking this evidence out serve? If the items were needed for investigation, perhaps a supervisor's approval might have confirmed this. If the items were needed for court, perhaps requiring a subpoena would have been sufficient to deter this activity. Regardless, we must exercise adequate supervision over all forms of evidence, especially high profile items. – Ed.



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IAPE Standards Section 7: LONG-TERM STORAGE

Standard 7.2:

Storage - Evidence *cont'd.*

Narcotics, Money, and Firearms should have specialized storage locations with enhanced security. (See Section 9, Section 10, and Section 11 respectively regarding those items.)

Homicide Evidence: By its very nature, homicide evidence has no statute of limitations and is frequently retained for decades, and in some cases forever by statute. Given the lengthy storage requirement, homicide evidence should be grouped together and relegated to those areas that are least accessible in the property room. Otherwise, the property officer will walk past the homicide evidence to get to other items that need to be accessed more often.

A large percentage of homicide evidence may contain DNA and trace evidence. Special attention should be given to ensure that all biological and trace evidence is preserved in a manner that protects it from cross-contamination and degradation. Each agency should obtain a written protocol from the forensic lab that it utilizes on how to store and preserve biological and trace evidence.

If the evidence is submitted to the forensic lab for analysis and returned, property room policy should define how the returned item(s) should be stored for long-term preservation.

Homicide related firearms, narcotics, and money should be stored in the respective designated storage areas, not with the homicide evidence. The reason for segregating these items from other homicide evidence is to place them in enhanced security (see Sections 9, 10, and 11 regarding enhanced security) and to permit the items to be routinely accounted for in an inventory.

Tapes: Audio and video tapes should be placed in a location that is temperature and humidity-controlled, and free from magnetic fields. High voltage wires, transformers, speakers, and electric motors may generate strong magnetic fields that could harm the magnetic data.

Hazardous Materials and Flammables: These items generally do not belong in the confines of the property room; however, small quantities and samples may be stored in adequate containers in an area designated for such storage. Hazardous and flammable storage may be in a specially designed cabinet that is placed in a location where fumes would not pollute the air in the room or the building.

Syringes and Sharps: Syringes and sharps should only be stored in an approved sharps container and should be stored in a designated area for employee safety. Sharps containers should not be commingled with other items of evidence to prevent accidental cuts or needle sticks.

Syringes and needles are generally being booked into evidence less frequently due to the potential hazard of a needle stick injury. Agency policy may permit syringes and needles to be photographed and destroyed in lieu of being booked as evidence. Any liquid present in a syringe should be emptied into a small glass vial for subsequent analysis, if appropriate. Always dispose of the syringes and needles in a manner approved for medical waste, which differs by state.

Cold Storage: Items that need refrigeration or freezing should be placed in a respective refrigerator or freezer designated for evidence storage only, depending upon the requirements of the type of evidence and the crime lab's recommendation. Any refrigerators or freezers used to store evidence should be equipped with a temperature monitoring and recording device that can provide storage temperature fluctuation information to the forensic lab for their quality control requirements.

Liquids should generally not be frozen in any glass or hard plastic containers, as the container may break.

Evaluation criteria should be developed to ensure that only those items that require refrigeration or freezing are in fact being stored in those locations.

Continued on page 13

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IAPE Standards Section 7: LONG-TERM STORAGE

Standard 7.2:

Storage - Evidence *cont'd.*

Once the item has been tested, consult with the crime lab to determine if it can be stored at a room temperature controlled environment. This may alleviate the need to acquire additional refrigerator or freezer space in the future.

Future crime lab requirements may direct collecting agencies to freeze larger amounts of evidence than is presently needed, and this may lead to an increase in the demand for freezer space. In the event that a new facility is being designed, it is suggested that the servicing crime lab be consulted to determine their evidence preservation recommendations for long-term storage.

Bulky Items: A bulky item can be defined as any item that cannot be conveniently stored readily on shelves and bins due to size or shape. Bulky items may include tires, vehicle parts, carts, lawn equipment, large TVs, hydroponic grow equipment, etc.

Storing bulky items on the floor within painted grids is an acceptable option. The use of cargo containers, pallet racks, or a satellite facility may be required depending upon the size and quantity of items.

Long, Slender Items: The storage of long items such as poles, clubs, shovels, sticks, and similar items are difficult to store in an organized manner. Three ways to make these items easily retrievable are:

- 1) items can be stored vertically by constructing a box with a wire crosshatch at the top and near the bottom to allow items to stand up in an identifiable grid section;
- 2) items may be stored vertically in a container made of large diameter agricultural PVC pipe; or
- 3) items may be stored horizontally on a deep shelf with hang tags on one end making them easy to identify.

Bicycles: Bicycles should be stored in a manner that is both space efficient and permits easy retrieval of individual items while not compromising the safety of the property officer. Using hooks on an overhead rack to hang bicycles is one of the most space efficient methods commonly used. Separate bikes by evidence, found property and safekeeping to facilitate the timely purging of the bikes. Interior storage should be provided to avoid potential liability for damage due to weather exposure.

Latent Fingerprints: Latent fingerprints that are stored inside the property room should be segregated from other evidence and filed in a systematic manner.

There is no specific standard or requirement that latent fingerprints must be stored inside the property room, only that they should remain secure, tracked, and documented as evidence. Storing fingerprints in some type of locked file cabinet in a location outside the property room, such as an agency's Identification Section, is an acceptable practice.

Photographs: Photos, film canisters, negatives, and prints should ideally be packaged in a uniform size envelope, and store in a drawer, bins, or on a shelf, that only contains photographic evidence.

Digital Images: Digital images do not need to be stored in the property room if they are stored in a password protected computer/server. It is imperative that access these photos is limited in order to protect the chain of custody and unauthorized access. A backup copy of the digital image may be downloaded onto a CD or DVD and stored in the property room as a duplicate or multiple original.

Electronic Media:

When storing CDs and DVDs:

- Keep dirt or other foreign matter away from the disc.
- Store discs upright (book style) in plastic cases specified for CDs and DVDs.

Continued on next page

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IAPE Standards Section 7: LONG-TERM STORAGE

Standard 7.2:

Storage - Evidence *cont'd.*

- Leave discs in their packaging (or cases) to minimize effects of environmental changes.
- Store discs in a cool, dry, dark environment in which the air is clean.

Computer equipment, flash drives, and hard drives should be protected from dust, moisture, sunlight, heat, and static electricity. Consider wrapping computer equipment in anti-static bags prior to placing on shelves.

Electronics: Large bulky items, such as TVs, sounds systems, computer towers, printers, speakers, etc. may require tall and deep shelves. Consider placing all like items together to best utilize space.

Vehicle Storage: A vehicle held as evidence should be stored in a secure location where it is protected from potential tampering and from the outdoor elements, whenever possible.

In the event that vehicle storage cannot be accommodated, a contract with a reputable tow yard for towing and storage may be acceptable; however, the site must remain secure from the public and tow yard employees. Periodic inspection to ensure the preservation of this evidence is suggested. An alternative is to have a cargo container for the temporary storage of a vehicle used in a major crime. This will ensure controlled access, but containers do have the possibility of extreme temperature variations.

Standard 7.3:

Storage Locations - Found Property

Standard: Found property should be segregated from general evidence items and placed in a location easily accessed and close to the public release area.

Definition: Found Property storage is distinguished from general evidence by its short turnaround time and by designating its location where it can easily be viewed and retrieved.

Reasoning: Found Property storage is needed because law enforcement agencies are generally required by statute to temporarily take property into custody when citizens and public officials

report finding items that belong to others.

When found property is turned into the property room, the items should be held the minimum amount of time mandated by laws and policy/procedures. For this reason, Found Property should generally be kept segregated from evidence due to its short-term storage requirements and the possibility of commingled items being overlooked for years.

Exception Firearms should be stored with other firearms, but conspicuously labeled as Found Property. Found money should also be stored in a segregated location with other packages of money, but conspicuously labeled as Found Property.

Standard 7.4:

Storage Locations - Property for Safekeeping

Standard: Property for Safekeeping should be segregated from items of general evidence and placed in a location that is easily accessed.

Definition: Property for Safekeeping consists of non-evidentiary items of personal property that have value and are temporarily stored for the owner due to incapacity or arrest.

Reasoning: Safekeeping storage is distinguished from general evidence by its short turnaround time and by designating its location where it can easily be viewed and sorted according to time retained.

When Safekeeping items are submitted to the property room, the items should be held the minimum amount of time mandated by laws and policy/procedures. Safekeeping should generally be kept segregated from evidence due to its short-term storage requirements and the possibility of commingled items being overlooked for years.

Exception Firearms held as Safekeeping should be stored with other firearms, but conspicuously labeled as Safekeeping. Money held for Safekeeping should also be stored in a segregated location along with other packages/envelopes of money, but conspicuously labeled as Safekeeping. Narcotics are generally not held for Safekeeping, but temporarily storing prescription medication is a possibility and should be conspicuously marked. ■

COMMENTARY:

IAPE Standards Section 7 - Long-Term Storage

By: Robert Giles, Evidence Log Editor

In this issue of the Evidence Log, I am focusing on the need for having appropriate locations for the long-term storage of evidence. Once evidence is submitted, each item should be received and catalogued by the evidence custodian. The item's packaging should be inspected for compliance with the agency's packaging practices, and identification labels or barcodes should be affixed.

The evidence custodian must also designate a location where the item is to be stored. This step is one that causes many agencies problems if they are not segregating items according to size and type. IAPE recommends that all property and evidence items should be segregated by type, then according to the size of standardized packages.

First, all firearms narcotics, and money should be segregated and placed in its own designated location that has enhanced security. More information on the storage of high profile items will be forthcoming in future issues of the Evidence Log. Additionally, biohazards, hazardous materials, edged weapons, and homicide cases should all be segregated as well.



The remaining general evidence "stuff" should be stored using the most space efficient packaging. For example, small items like identification cards, driver licenses, credit cards may all fit into the smallest envelope size. You can call this envelope anything you want, like Small Envelope, A Envelope, Size 1 Envelope, Alpha size....the name is up to you. An agency without any space problem whatsoever may chose to use only large envelopes in trays or bins, but this is not the most efficient use of storage space. These envelopes may then be filed in order in a tray or drawer. Trays on a shelf for small, and medium envelopes are illustrated at left. Filing by a control number is best, but filing by barcode number, by case number, and even chronological are all acceptable methods as long as it remains consistent throughout the evidence room.

Larger items, such as clothing or shoes, may fit best in a kraft paper bag. Bags should be stored on shallow shelves that do not allow for one bag to be placed in front of another. Bags should be filed on edge, left to right, top to bottom in the same numerical order as envelopes. This method allows for quickly locating the bags without handling when they have the number prominently written on the side.



When one case has multiple items consisting of envelopes or bags, they may all be consolidated into one box. File boxes are commonly placed on shelves, but larger box sizes should be placed in oversize warehouse shelves that are deeper and taller. Boxes are available in a variety of sizes.

The longer items, depending upon the quantity, should be placed horizontally on a shelf according to the same filing system used for envelopes, bags, and also boxes.



The oldest item would be placed on the top left, the newest item is at the "end of the train", at the bottom right. Smaller quantities of long items may be stored vertically using varying lengths of drainpipe in a drawer, and filed by a grid coordinate system (A-1, B-1, C-1, etc.).

Larger items should be placed on warehouse shelves in an area designated for oversize evidence. Heavy or bulky items may be placed on pallets and located by a grid coordinate system painted on the ground.

Bicycles are unique because they take up a significant amount of room, yet they generally never

Continued on next page

Continued from previous page

COMMENTARY: IAPE Standards Section 7 - *cont'd.*

go to the court. Therefore, bikes shouldn't be kept any longer than the minimum required period of time. This means that there needs to be a



supply of hooks, racks, hangers, or any other method used to file bikes. This space is usually located in the oversize evidence storage area.

Items requiring cold storage should be identified as soon as possible. Check with the local crime laboratory for their recommendations. The lab may return dried blood samples on filter paper that may be stored at room temperature as an alternative to

returning a liquid blood sample. Dried semen and other body fluids are also examples of items that might be stored at room temperature instead of needing cold storage. Again, the local crime lab protocols will determine what the acceptable storage methods are. Frozen and refrigerated storage is very limited in most agencies; therefore, alternative storage should be used whenever possible.

These methods of storing items will generally suffice for the majority of items submitted, however contingency plans should be made for the infrequent cases that may require the temporary rental of a 40' refrigerated trailer or portable storage container. Having access to a pallet jack or a forklift might also be desirable in some instances. The key word is temporary, as these rentals are expensive and should only be used as a short-term solution.

Just when you thought it couldn't get any worse ...

New Orleans has struggled with so many recent hardships; they thought they were on the road to recovery and had taken steps to secure their evidence when this internal theft set them back down a different road. It appears that they still have work to do...

In this case, NOPD used a double-keyed box for valuables, effectively making a rule of two necessary for items to be retrieved. The money was logged in, but was the cash actually deposited? Having two key-holding persons working in concert to steal is unlikely. IAPE recommends having security cameras to continuously monitor and record the deposit of evidence as well as the retrieval by the evidence room personnel. This recording will protect the evidence personnel from unwarranted accusations from the booking officer when evidence that was allegedly submitted if determined to be missing. - Ed

\$606 missing from NOPD evidence room

AP reports on February 9, 2011 that New Orleans Police Superintendent Ronal Serpas states that they've opened a criminal investigation of money missing from the department's property warehouse.

Serpas says the evidence commander discovered that \$606 was missing when she checked to see whether drugs had accidentally been put into a double-keyed box for seized valuables.

He says commander Rose Duryea and officer Earl Johnson found the drugs - but not money logged in 12 days earlier. The incident is being investigated as a theft, but Serpas says the money might have been misplaced.

Metropolitan Crime Commission president Rafael Goyeneche says there are only supposed to be two keys to the lock box. He says an even bigger problem is that there aren't any cameras where sensitive evidence is kept.

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IAPE CITED AS LEADING RESOURCE FOR EVIDENCE HANDLING PROCEDURES

The State of Minnesota's Office of the State Auditor recently published their model property and evidence room policies. IAPE was prominently mentioned in the literature review as a leading source of information in the field along with CALEA, California POST, and Minnesota's Bureau of Criminal Apprehension. This document in its entirety may be found at: <http://www.auditor.state.mn.us/default.aspx?page=20110215.003>

We thank Rebecca Otto, the Minnesota State Auditor, for her vision in providing agencies within Minnesota with some of the tools necessary for them conduct their own audits and improve evidence handling procedures. – Ed.

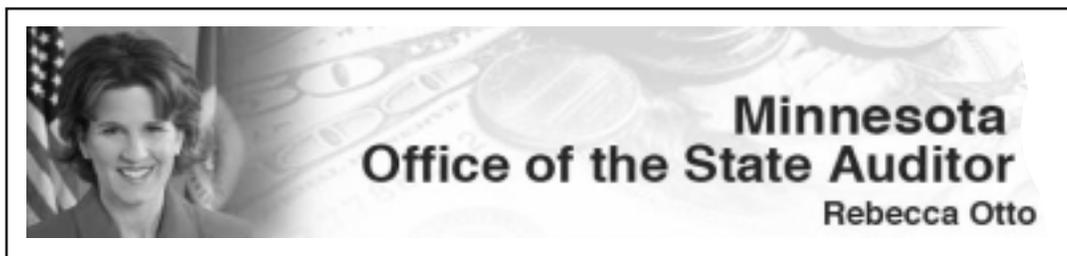
STATE AUDITOR RELEASES POLICE EVIDENCE ROOMS REPORT

KAAL-TV in Austin, Minnesota reports on 2/16/11 that State Auditor Rebecca Otto has released a review of property and evidence room policies for Minnesota law enforcement.

A survey found that 62-percent of responding agencies with evidence rooms said they have a specific policies and procedures manual. However, the survey also revealed that 80-percent of police evidence rooms in Minnesota have not done

independent audits. The State Auditor's Office says the integrity of recording and tracking of evidence and the security of the holding rooms are paramount.

In the review released Wednesday, the State Auditor outlines the best practices for handling evidence including how to maintain a secure facility, implementing policies and procedures, as well as how to perform regular reviews and audits.



Best Practices Review: Property and Evidence Room Policies and Procedures Manuals

The Office of the State Auditor conducted a literature review to identify model property and evidence room policies and procedures. This included a review of standards, recommendations, and procedures from, among other entities, the International Association for Property and Evidence (IAPE); the Commission on Accreditation for Law Enforcement Agencies, Inc.

(CALEA); the California Commission on Peace Officer Standards and Training (CA - POST); the Minnesota Bureau of Criminal Apprehension (BCA); and law enforcement agencies in Minnesota and elsewhere.

Finally, a review of Minnesota statutes governing the seizure, storage, and disposition of property and evidence by law enforcement agencies was performed. During its review, the Office of the State Auditor met with representatives from the Minnesota

Continued on next page

Continued from previous page

MINNESOTA STATE AUDITOR RELEASES REPORT - cont'd.

County Attorneys Association, the Minnesota Chiefs of Police Association, the Minnesota Sheriffs' Association, the Minnesota Board of Peace Officer Standards and Training, the City of Minneapolis Police Department's Property and Evidence Unit, the City of St. Paul Police Department, and other law enforcement personnel

The Office of the State Auditor extends sincere thanks to all of these organizations and entities for their interest in and assistance during this best practices review.

The following are additional resources for developing a property and evidence room policies and procedures manual.

RESOURCES: Policies & Procedures

International Association for Property and Evidence, Inc. (IAPE)

The IAPE is a non-profit association offering training and certification to law enforcement agencies involved in operation, supervision, and management of property and evidence rooms. The IAPE website is found at: <http://www.iape.org/>.

IAPE Professional Standards:

This 79-page document, authored by Joseph T. Latta and Robert E. Giles, revised in March 2010, contains the professional standards adopted by the IAPE for a number of property room and evidence handling procedures. It is found at: <http://www.iape.org/pdfFiles/IAPE-standards-2-10.pdf>.

IAPE Sample Property Manual and IAPE's Sample Forms:

The IAPE's Sample Property Manual and Generic Forms are found at: <http://www.iape.org/resourcesPages/downloads.html#iapepropMan>.

Sample Policies & Procedures Manuals:

The IAPE also provides various free, downloadable manuals and policies from other law enforcement agencies. These resources are found at: <http://www.iape.org/resourcesPages/downloads.html>.

The following are organizations that offer training on property and evidence room issues:

RESOURCES: Technician Training

Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA)

CALEA offers accreditation-related training and presentations on current issues in law enforcement. More info. available at: www.calea.org.

International Association for Property and Evidence, Inc. (IAPE)

The IAPE offers training in best practices for property and evidence room management. More information can be found at: <http://www.iape.org/classes/index.html>.

International Association of Chiefs of Police (IACP)

The IACP is a non-profit membership organization of police executives that offers training.





Property & Evidence Management Course for Law Enforcement Agencies - Year 2011

This 2 day course provides a unique training opportunity for Law Enforcement Personnel responsible for, or actively involved in, the operation, supervision or management of a Property and Evidence Unit.

Special attention will be given to:

- DNA Storage / Handling
 - Accreditation Standards
 - Management Concepts
 - Policies & Procedures
 - Packaging Standards
 - Chain of Custody (Documentation)
 - Automation / Bar Coding
 - Purging and Disposition
 - Auctions / Diversion
 - Destruction Processes
 - Audits / Inventories
 - Design and Layout Criteria
 - Environmental Concerns
 - Space Standards
 - Storage / Shelving
 - Firearm Storage / Handling
 - Narcotics Storage / Handling
 - Currency Protocols
 - Bio-Hazards
 - Case Studies / Liabilities
-

• Training Format

The class is an intensive sixteen hour classroom style course designed to maximize learning sound property room concepts. Extensive PowerPoint and video collections illustrate properly designed facilities and systems.

• Keeping Up and Staying Ahead

Training has been designed to help recognize and avoid the pitfalls that can lead to court challenges, lawsuits, poor press relations, disciplinary action, termination and indictments.

• Instructors

Instructors are recognized experts in the field, with both professional and academic credentials.

• Certification of Attendance

Students will receive a Certificate of Attendance, in addition to the class materials and valuable knowledge received in the class.

• Class Composition and Size

Limited size classes of both sworn and civilian personnel involved in the operation, supervisors, managers, and administrators of the property function. Classes fill up quickly - Sign Up Early!

• Tuition Fee

Course fee includes tuition, membership, student workbook, CD of forms and property manuals. Discount tuitions are available to returning members and when additional students from the same agency attend the same class.

• Transportation and Lodging

Training is usually held at hosting department's training facility or at the listed hotel. Transportation, food, and lodging are the responsibility of each participant.

• Exchange Ideas

Network with property room professionals from agencies across the United States and Canada.



BOLO

BE ON THE LOOKOUT

2011

PROPERTY & EVIDENCE CLASSES

- Freehold, NJ *Sold Out* April 12 - 13
- New Orleans, LA - May 3 - 4
- Toledo, OH - May 18 - 19
- Winston-Salem, NC - May 25 - 26
- Richmond, VA - June 7 - 8
- Palm Bay, FL - June 21 - 22
- Frankfort, KY - July 12 - 13
- Londonderry, NH - August 17 - 18
- Springfield, MO - August 30 - 31
- Sykesville, MD - September 8 - 9
- Albuquerque, NM - September 13 - 14
- Stroudsburg, PA - September 26 - 27
- Minneapolis, MN - October 5 - 6
- Bay City, MI - October 12 - 13
- Ottawa, Ontario, Canada - August 22 - 23
- Cape Coral, FL - October 25 - 26
- Portland, OR - November 8 - 9
- Tucson, AZ - November 15 - 16
- Nashville, TN - December 1 - 2
- Burbank, CA - December 6 - 7

Hotel Reservation Information

- When making reservations, ask the hotel for the International Association for Property and Evidence, Inc. participant's special discount rate.
- To be guaranteed a room at the discount rate, make reservations 30 days in advance.
- Training sessions from 8 a.m. - 5 p.m. daily.
- Questions ??? Call (800) 449-IAPE (4273)

Registration Information

- Completed registration forms should be submitted 2 weeks prior to the training session along with credit card, check, money order or purchase order, made out to *IAPE Training* at the address shown below.
- Refunds will be made with 14 days notice. Substitutions may be made at any time.

Membership / Registration Form

Course Location: _____ On-Line:

Name: _____

Title: _____

Agency: _____

Mailing Address: _____

City: _____

State: _____ Zip: _____

Telephone: () _____

FAX: () _____

E-mail: _____

Mail completed form with payment to:

International Association for Property & Evidence, Inc.
Attention: Training Division
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- \$ 350 Non-Member Rate *
- \$ 325 Additional Attendee *
- \$ 300 IAPE Current Member Rate (1st time attending)
- \$ 275 IAPE Current Member Rate (Previously attended)
- \$ 275 IAPE Current Member, Addt'l. Attendee
- *(incls IAPE 1 year membership & Evidence Log)*

TOTAL ENCLOSED \$ _____

\$ 50 Annual Membership Only \$ _____
(incls. subscription to Evidence Log)

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IAPE: KEEPING IN GOOD FORM

Robert Giles, Evidence Log Editor



Golf form is the term commonly used to describe the current performance of a player. An individual in "good form" will be playing better, and, in all probability, getting better results than one said to be in "poor form". As far as betting on golf is concerned, it always makes sense to put money on those players currently in good form, and avoid betting on those who aren't.

In keeping with this golf analogy, IAPE is betting on "good forms" that may be used our members to increase internal controls and provide redundancy that ensures an adequate paper or computer trail exists to account for the whereabouts of evidence when it's not physically in the evidence room.

The theme for this issue of the Evidence Log is where to permanently store submitted items. It seems appropriate to consider what to do with improperly packaged or documented evidence items that have been submitted and need correction prior to long-term storage. It is very important to consider the organizational culture of the agency when answering this question. Some evidence custodians have no problem with sending items back for correction to the officer that are improperly packaged because they have been empowered by their supervisors to do so. Other custodians would never think about questioning an officer's work

because they don't believe they would receive any support from the command staff.

For this reason, it is incumbent upon the evidence custodian to have written instructions and photos illustrating how to submit items before considering sending a correction notice. How can one possibly expect compliance with non-existent instructions? This is why the IAPE strongly recommends that a packaging manual needs to be an important of the agency's policy. In this manner, any failure to adhere to departmental policy then becomes a supervisory issue that does not put the evidence custodian between the officer and the supervisor.

Once a proper correction procedure has been established by the command staff, the routing of this form needs to be written into the policy. Some agencies may want the form to go to the supervisor for action, some agencies may just want to supervisor informed but the form sent directly to the officer. Your agency's organizational culture will determine the appropriate method to notify the officer.

This form lists eight of the most common errors in a checkbox, and leaves an open text field for an "other" situation to be described. When corrected, the item should be resubmitted along with this form for a paper trail of where the item went when it was not in the evidence room. The form should then be filed or scanned, depending upon how technologically advanced the evidence room procedures are. – Ed.

See example on following page 

C.P.E.S. Recertification Requirements

C.P.E.S. initial certification is valid for a period of 5 years. To maintain certification, C.P.E.S. designees must complete continuing training during the five year period. The I.A.P.E. Board of Directors has established the following criteria for recertification:

- Continued dues paid membership in I.A.P.E.
- Completion of continuing education through 1 of 2 options:
 1. Attendance of another 2 day "Property & Evidence Management" course during the 5 year period (for a class schedule go to: <http://iape.org/classes/classRegistration.php>)
 2. Completion of On-Line Video Training (equivalent to class attendance) Found at: http://iape.org/pdfFiles/20081129_CPES_Online_Class_Registration_Form.pdf
- Submission of a Recertification Application along with payment (\$100) and proof of completion of required training.

NOTE: *Recertification is for another 5 year period.*

(Recertification application can be found at: http://iape.org/pdfFiles/20081129_Recert_Application_FormFill_v5.pdf)

Questions: Billing or payment for recertification or classes, call I.A.P.E. at: 1-800-449-4273

Technical questions regarding the online classes, call Kiley Associates at: 1-631-628-2823

CORRECTION NOTICE

Case Number _____

Item Number _____

Date _____

To: Officer _____

From: Property Room Manager

EXAMPLE

On: (date) _____, Officer: _____
submitted evidence/property that needs to be corrected.

The problem(s) checked below need to be corrected and the evidence returned by the end of your next shift. Please make the necessary corrections and re-submit the property. The item is temporarily stored in locker _____. The locker is secured with a combination lock, combination = _____.

- The tracking number has already been used.
- The wrong case number was used.
- Money was booked with other item(s) in the same container. Since money is stored or deposited separately, the money must have a separate tracking number and be packaged separately.
- The amount of money listed on the Property Record is not the amount contained in the envelope.
- The property/evidence is not properly packaged and/or tagged. (See Manual)
- All of the property/evidence listed on the property form is not accounted for.
- Paperwork regarding this case needs to be corrected. (See Property Officer)
- The weight of narcotics or number of pills, etc. is not indicated.

Other: _____

* Send to the officer's supervisor
** Send correction notice from Property Room supervisor/manager



WE GET MAIL...

Editor's Note: *We try to respond to as many letters as we can, with information which may be relevant to the broadest audience possible. However, on occasion, we are unable to come up with a suitable response, as in the letter below, and open up the question to you, our membership, in an effort to broaden use of the Evidence Log as a resource and open forum. We thank you for your continued participation in this process.*

Hello!

I attended an IAPE class 2 years ago and learned a lot about storage of evidence. The issue I have is the Blood / Alcohol kits our officers bring in. We have a small refrigerator for temporary storage that is available, but no way to securely put the kits in it. Do you have any suggestions? I would like to have this issue rectified before our next CALEA certification. Our budget is extremely tight, so buying new equipment is out of the question. I'm trying to figure out a way to use the refrigerator we have available without having to spend a lot of money.

Donna L Rogers,
Property & Evidence Clerk
Columbia Police Department, Columbia, TN

Donna,

We picked a couple of examples from our extensive photo files for solutions to the problem you described. We believe our members are most ingenious when it comes to problem solving. There are several features to discuss. First, are there lockable compartments within the refrigerator that prevents one person from tampering with evidence from another case? Secondly, are the individual compartments secured to the refrigerator to keep them from being removed as a whole with evidence inside? Some officers may argue that this type of security is unnecessary. I will ask the question, has a relative or an employee ever been arrested for DUI or a sex crime? There are examples where evidence from such cases has "disappeared". - Ed

IAPE Standard #6: Secure temporary storage for all size items should be provided to protect property and evidence from tampering, theft, contamination, and the environment.



This photo illustrates how a simple file cabinet can be used as an individual storage compartment. The padlocks should be chained to the file cabinet, and the file cabinet should be bolted to the refrigerator to keep the entire file from being removed.



Note the keys inserted into the lock to indicate which compartments are empty. "Slam lock" doors would prevent keys from being removed and duplicated. As unlikely as this seems, all an attorney needs to do is raise reasonable doubt, not prove that tempering really occurred.

Continued on page 31

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Who?

Who has ever had possession of the item in question?

What?

What is the item? What is significant about it? What are its characteristics?

When?

When was the item recovered? When was it entered? When did any transactions occur?



Where?

Where is the item now? Where was it found? Where has it ever been?

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Continued from page 26

WE GET MAIL... cont'd.



IAPE Standard #6: Examples - *conr'd*



This photo shows four small compartments, and one larger one. Again, keys are left in the locks, permitting someone to remove one and have it duplicated.



This design uses individual compartments that may be locked with the padlocks shown hanging on the door. Both the individual compartments and the locks may be removed. This is not recommended.



This is a commercially manufactured unit with slam lock doors.

Hi Joe,

I attended the training this past week in Vegas. It was the most interesting and captivating training I have attended yet! You touched on so many of the issues we have right here in our warehouse, and thanks to some of your suggestions, they are being addressed by upper-management as we speak! Was very interesting. I'm hoping to attend more such training.

Maria Wright #5954
Arizona Department of Public Safety
Northern Regional Crime Lab
Flagstaff, AZ



Thanks for the rave review, Maria! Our aim is always to stay current within our industry so future training will continue to be fresh and relevant.

Continued on page 45

100-BOX SEARCH FAILS TO FIND MISSING EVIDENCE IN LINCOLN MURDER CASE

The Lincoln Journal Star in Nebraska reports on Friday, January 21, 2011 that a pair of court employees spent a day sifting through boxes and boxes of old court files but found none of the evidence missing from a 55-year-old murder case.

On Jan. 14, a judge gave the clerk's office 15 days to produce evidence and old court documents in the 1955 murder case against Darrel Parker, who is seeking \$500,000 from the state under its wrongful conviction and imprisonment law.

Two deputies were sent to the office's off-site storage on Thursday with instructions to look at every file. They opened box after box -- about 100 in all -- even though none was labeled as the Parker case. Some of the documents dated to the 1950s, although most were generated in the past 30 years.

Parker, Lincoln's first city forester, was accused of raping and killing his 22-year-old wife, Nancy, in December 1955. He confessed to the crime -- he said he was coerced but soon recanted and since has maintained his innocence.

After serving 13 years, he was paroled in 1970 and pardoned in 1991.

He is 79 now, living in Moline, Ill., and trying to formally clear his name. Parker and his lawyer are seeking the evidence from his case, including semen samples taken from his wife's body and their bed. They hope DNA testing could eliminate Darrel Parker and, possibly, confirm Wesley Peery as the killer.

Peery was on death row for the 1975 killing of a Havelock woman when he told a pair of Lincoln lawyers he had killed more than a dozen people -- including Nancy Parker.

Many of his claims never were substantiated, but he had been a suspect early in the Parker case and he gave a convincing and detailed account of the crime.

Peery died of a heart attack in 1988.



.....

The above article illustrates why court evidence storage facilities should be held to the same standard as law enforcement evidence facilities. If the court clerk had maintained even the most basic tracking system consisting of what evidence was received and what evidence was released and to whom, there would be no embarrassing questions to ask. If these records were kept, the court would know today whether the evidence was still available to test or not.

IAPE strongly recommends that Court Clerks who are in charge of small quantities of evidence storage initiate at least a basic tracking system, such as a ledger, that logs items in and out, and to whom they were released. Courts with larger quantities of evidence may consider an evidence tracking computer with software that is compatible with contributing agencies that can use the same barcode. -- Ed.

.....

See related search results in article on page 48



YEAR 2011 I.A.P.E.
MEMBERSHIP APPLICATION
 International Association for Property and Evidence, Inc.
 903 North San Fernando Boulevard, Suite 4
 Burbank, California 91504-4327

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Active Members - (a) The following persons shall be eligible for active membership: (1) Property/evidence officers, technicians, specialists, clerks, or custodians directly assigned to the property/evidence function, or supervisors having actual supervision of the property/evidence function, and receiving salaries from any legally constituted national, state, provincial, county, municipal, or other duly constituted law enforcement agency/jurisdiction including railroad police system, or public police or sheriffs department. Active members retain their active status upon retirement, provided there is no interruption in membership.

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have all the privileges of active membership, except for holding office and voting. (c) The following classes of persons are eligible and qualify for associate membership: (1) Personnel employed by a public law enforcement agency. (2) Employees of city, county, state, provincial, and national agencies with technical responsibility for law enforcement related storage of property/evidence. (3) Prosecuting attorneys and their deputies of city, county, state, provincial, territorial, and national governments. (4) Employees of accredited colleges and universities engaged in teaching, research and other phases of criminal justice. (5) Staff or employees of crime institutes, governmental research bureaus, coordinating councils, law enforcement associations, and similar agencies engaged in research involving the property/evidence storage function. (6) Persons who have made a significant contribution to the field of law enforcement property and evidence. (7) Any retired member of a law enforcement agency.



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- Requirements:** There are five criteria that must be met in order to become a Certified Property & Evidence Specialist:
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 2. Applicant must have served in the Property function for either:
 - a. One year as a full time assignment, or
 - b. A total of 2080 hours (one year equivalent) as a part time assignment

NOTE: The period of service must be certified by the Chief of Police, Sheriff, or his/her designee
 3. Submit an application & testing fee for the Online CPES Certification Test
 4. Achieve a satisfactory grade on the CPES Certification Test
 5. Be a current, dues paid member of I.A.P.E. & maintain membership during the period of certification.

- Procedures:** Here are the steps for the CPES application procedure:
1. Complete the CPES application form
 2. Have your Chief of Police, Sheriff, or agency CEO, or his/her designee, sign the confirmation of your length of serve in the Property Officer function (see the CPES application form)
 3. Send your completed CPES application form along with either a check or money order in the amount of one hundred and fifty dollars (\$150.00) made payable to: "I.A.P.E." Credit Card payment can be made using MasterCard, VISA, or AMEX credit card authorization for the same amount, to:
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903 N. San Fernando Blvd. (Suite 4)
Burbank, CA 91504

CPES Online Test Information: Once your application and payment have been received and processed you will be sent an e-mail message containing the online test administration information and login procedures. To take your online test you will need a computer that has Internet access for a period of sixty (60) minutes. When the test is completed you will be notified of the test outcome. (Note: Should you not pass the test, you will be given one opportunity to take another version of the test. The second exam is covered in your initial fee) The online exam contains fifty (50) multiple choice questions and all of these questions are based upon the I.A.P.E. Professional Standards that can be found on the I.A.P.E. Web site at: www.iape.org

VERY IMPORTANT: Your online test is a timed assessment, once you log into the actual test the clock begins to run. Do Not open the test until you are ready to actually take and complete the exam.

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Questions: Should you have any questions, please contact us at the numbers below:

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Questions regarding technology and the online test: 1-631-628-2823

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Month: _____ Year: _____

Location(City/Town)where you attended the course: _____

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Certified by: _____ (Signature) _____ (Date)

Print Name & Title: _____

Application & Testing Fee Payment:

Options for Fee payment

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Exact Name on Card: _____ **Expiration Mo/Yr:** _____

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How to prepare for your online exam:

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A BIG EVENT

This volume of the evidence log is about long term storage. On March 7, 2011 the US Supreme Court ruled in a 6 – 3 decision that allows prisoners to sue for and obtain DNA evidence that went untested at the time of their trials. We are always searching the news for “Events” and “Trends” that could affect the long term storage of property and evidence. Does this ruling suggest that we are going to be searching our property rooms for decades old evidence? Do we still have it? What are the consequences if we don't?

Charlotte Observer
North Carolina

March 8, 2011

COURT RULES FOR TEXAS INMATE SEEKING TO GET DNA EVIDENCE

Byline: David G. Savage; Tribune Newspapers

The Supreme Court on Monday gave a Texas prisoner who was nearly executed last year the right to seek DNA evidence from the crime scene that he says could prove his innocence. The 6-3 decision opens a narrow window for prisoners to sue for and obtain DNA evidence that went untested at the time of their trials.

In recent years, most states have enacted laws that allow prisoners to seek DNA testing of evidence that could prove crucial to their cases.

The high court ruling is expected to add to the momentum for DNA testing and help prisoners in those states that have resisted new testing of old evidence.

Last March, Hank Skinner came within hours of being put to death for the murder of his live-in girlfriend and her two sons in 1993. Skinner maintained that he was innocent, even though his blood was found on one of the victim's clothes and his bloody palm prints were found throughout the house.

EVENT OR TREND ?

DNA Under Scrutiny in 1972 Case

The Rochester Democrat and Chronicle reports on March 9, 2011 that lawyers for murder suspect James Kimble tried to discredit the investigation of a 1972 case for which he's now on trial in the New York State Supreme Court. Assistant Monroe County District Attorney Sandra Doorley called seven witnesses, including three current and retired police officers and **a retired evidence room clerk**, to describe the crime scene, evidence they found and **how it was stored**.

Questioning from defense lawyers Michael Doran and Kevin Karnyski suggested the crime scene may have been contaminated because officers did not wear gloves and shoe coverings - practices uncommon at the time.

Testimony from Monroe County Medical Examiner Caroline Dignan and forensic biologist Stephanie Honeycutt re-vealed that some of the victim's blood-stained clothing has been discarded, but a key piece of evidence, a blanket with semen stains, was preserved. Honeycutt said she found blood, semen and saliva on the blanket. Doorley is expected to present more testimony that Kimble's DNA is on the blanket.

Although Kimble was a prime suspect at the time of the original investigation, police didn't have enough evidence to charge him. But the case was reopened in 2009 and the DNA evidence led to his arrest.

This case has an interesting factor where attorneys are now challenging how storage of DNA related evidence may have impacted the results of the DNA test. It is plausible to see that DNA evidence may have not been found because it was degraded due to storage methods used; however, the positive finding of DNA in semen and saliva on a blanket at the crime scene is harder to explain. Regardless of the outcome, the possibility of cross contamination will become a defense strategy as soon as one case is successfully argued. Strict adherence to written packaging guidelines and good documentation of decontamination practices is the best method to counter this challenge. - Ed.

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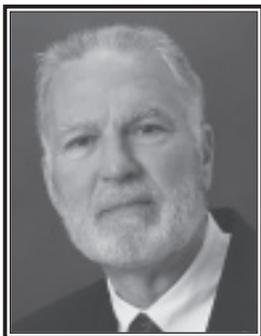
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The Bowers Brief



Gordon Bowers, IAPE President

The International Association for Property and Evidence (IAPE) has completed 18 years of service since its incorporation, and it is gratifying that progress is still being made in so many avenues of service. Many of the Association's achievements are due to the exceptional leadership demonstrated by our Association's Board of Directors over those years. I am extremely honored to serve as President of that Board for 2011.

Especially considering that our Property and Evidence profession has such significant turnover because of rotating assignments, promotions, budget issues, etc., it is noteworthy that our Association membership continues to show growth, in spite of our country's recent economic struggles. Our Board last year approved and released updated professional standards for the property and evidence field, and those standards are being widely accepted and utilized on several levels. The Certified Property and Evidence Specialist (CPES) program remains strong, and efforts are continuing related to expansion of the corporate version (CCPES). Our membership outside the United States is growing stronger as well, primarily through the increasing number of classes and members in Canada.

Our Board has grown as well, with a ninth Board Member position being added during our 2010 Annual Meeting. Joe Moralli was selected for that new position, and is already hard at work for the Association. Joe is manager of the Property Unit and the Crime Scene Investigation Unit of the Chico (CA) Police Department. He has served as Chapter President and as Conference

Director for the California Association for Property and Evidence (CAPE), and is a CA Director for the International Association for Investigation.

Earlier in 2010, Kerstin Hammarberg was selected for Board membership to take the Board position vacated by the retirement of Steve Berdrow. Kerstin is a Certified Property and Evidence Specialist. She has supervised the Minneapolis (MN) Police Property and Evidence Unit for 10 years, and has served on the Board of the Minnesota Property and Evidence Association. She already is hard at work, having been elected as IAPE Board Secretary at her first Annual Meeting.

Living up to IAPE's history of consistent professional progress will be a challenge this year, but the Board has committed to do so. A focus identified through our long-term planning efforts is to multiply our efforts through selective cooperative efforts with other professional organizations. Key to those efforts will be establishing ongoing relationships between our Board members and those of Associations that we determine have goals that impact our specialty field of property and evidence. An example is that two representatives of the IAPE are currently participating on a subcommittee of a Department of Justice, National Institute of Standards and Technology (DOJ NIST) Committee looking at issues that specifically include the impact of evidence handling and control. We will publicize the success of those efforts in future articles for The Evidence Log®, so look forward to exciting news as the year progresses!

INQUIRY INTO STOLEN DRUGS HITS DEAD END

No leads in oxycodone theft from police facility

The Boston Globe reports on February 10, 2011 that three years after Boston Police revealed that hundreds of bags of drugs had been stolen from an evidence warehouse - the case has quietly gone cold.

Investigators have been unable to find any physical evidence tying a specific person to the theft, and no one has come forward with information that could incriminate a suspect, according to police. No one has been arrested or disciplined in connection with the case.



The probe, which at one point included 25 to 30 investigators, including FBI agents, now has none. The inability to crack the case suggests that officers can be as reluctant as witnesses on city streets to help police solve crimes.

Police released a 164-page internal audit in January 2008 that detailed the theft of drugs — including heroin, cocaine, and marijuana — from 265 cases. Most of the drugs stolen were prescription pills, mainly oxycodone. The audit's results strongly criticized lax security and a highly disorganized, flawed record-keeping system at the Hyde Park warehouse.

Commissioner Davis said that since the audit, officials have adopted almost all the recommendations made by the Police Department's auditing and review division, including installing 21 cameras throughout the drug depository, moving the drug vault into a room that is constantly lit, and replacing its computerized record-keeping system with a more sophisticated software program. Officials take quarterly audits of a small, random sampling of the inventory, Davis said.

But some of the problems that plagued the depository have worsened. At the time of the

audit, 40,000 old cases that contained drug evidence remained in the depository, creating a logjam that was also a potential source of corruption. Many of the drugs that were stolen came from cases investigated between 1991 and 1997. The depository now holds more than 45,000 cases with drug evidence that is at least 10 years old and that officials say should be destroyed. Three years ago, auditors said there was an urgent need for a "purging unit," a group of several officers dedicated to destroying drug evidence. The department has yet to form one.

Davis said that under the current law, older drug evidence cannot be destroyed without a court order. He said city officials have urged the Legislature to change the law so departments could more easily destroy older drug evidence.

The audit began in September 2006, sparked by a scheduled transfer of drugs from one part of the depository to the other. During the inventory count, investigators found that someone had stolen drugs from cases, even substituting substances such as aspirin or Tylenol to cover the theft of drugs from 90 cases.

Even more disturbing, someone had stolen drugs after the audit began. That discovery led to the transfer of the 10 officers working in the depository. Some of those officers have since retired. Some still work for the department, but Davis declined to say how many remain at work or where they have been assigned.

Davis said dozens of people were questioned in connection with the theft. Asked whether the 10 officers were lead suspects, he said the poor surveillance system at the depository made it difficult to focus on them. At the time, only one camera recorded who entered and left the facility. "Without cameras, we couldn't see without any doubt that it was simply the 10 people who worked there," he said. "What if somebody had keys and access to the facility after hours? It could have been someone who worked there years ago. We can't rule that out as a possibility." Police say the locks and combinations to the entrances of the warehouse were changed after they realized that thefts continued well after the audit was under way.

Almost all of the drugs were stolen from cases that were closed, officials said.

Continued on page 43

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BOSTON INQUIRY HITS DEAD END - Cont'd.

Asked whether he considered an independent audit following the investigation, Davis said he did not.

“The auditing process worked really well,” he said. “It’s designed to uncover flaws like this, and that’s exactly what it did.” One criminal justice specialist said an outside audit following such a large theft would have helped the department ensure it had done everything correctly to prevent more corruption. “If things go wrong in this scope and magnitude, it’s good to bring a professional organization that can say, ‘This is how you can do it best,’” said Maki Haberfeld, a police science professor at the John Jay College of Criminal Justice in New York. “This is a matter of public trust. It’s not just a matter of internal investigators against one or two officers.” Police officials can improve on that by making subsequent audits more easily available to the public.

Despite the lack of leads, Davis said he remains hopeful that police will eventually find whoever was responsible. “There are all sorts of reasons why people come forward with information, sometimes months, sometimes years after the investigation has occurred,” he said. “There is a distinct possibility that this could be solved.”

COMMENTARY

The previous article illustrates some of the Boston Police Department’s efforts to correct its lack of internal controls and lax security that enabled the theft of narcotics to go undetected and unsolved. Although the article lacks specificity, there is ample reason to suggest that the Boston Police evidence room did not adhere to IAPE’s Professional Property Room Standards, as noted below. Note: it is possible that many of these recommendations have already been initiated, but not reported in the national media.

- *IAPE is an advocate of removing high profile items from the evidence room as soon as practical because the mere presence of large quantities (over 40,000 items) of narcotics belonging to closed cases creates a target for theft. Old closed-case items that are no longer*

needed for court are the most vulnerable, as the chance of these being asked for is almost nil.

- *IAPE advocates a purge review system that will effectively remove evidence from old closed cases from the inventory in a systematic and timely manner.*

- *IAPE is an advocate of providing enhanced security for high profile items; firearms, narcotics and money. Enhanced security may consist of restricted access, video surveillance, alarms, electronic access restrictions, redundant locks that effectively creates a rule of two to access the storage area. Video surveillance should be recorded on a server that is secure from unauthorized access and has emergency power. Automatic back-up of the security feed to another remote server is recommended. Retention of recordings should be maintained for years because property room issues may not be discovered for years.*

- *IAPE recommends that a yearly supervisory audit of keys is conducted to account for each assigned key. The keys should be a high-security type that are not easily copied, and locks should be changed whenever a key-holding employee is reassigned.*

- *IAPE recommends that all narcotics items that are submitted should be packaged in standard-size, uniquely colored container and labeled with a barcode. All movement in or out of the narcotics storage area should be scanned and documented.*

- *IAPE recommends that a yearly inventory of the narcotics unit is conducted and that a portion of these items are spot-audited by supervisors to ensure compliance with policy and that all paperwork is complete. Due to the large quantity of narcotics on hand, an on-going inventory may be necessary to complete portion of the storage area every month. An independent outside audit is recommended every five years to maintain the public trust and integrity of the evidence*

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Please give a brief explanation why a tuition scholarship to attend the Property and Evidence Management Class for this person is needed, or why the CPES or Membership fees should be waived. (copy this page and contine on reverse if necessary.)

Four horizontal lines for providing a brief explanation.

Signature of agency head or designee _____

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IAPE has a history of providing assistance to evidence professionals in time of need. The IAPE Board of Directors recently voted to provide a limited number of scholarships at each class for those evidence professional who can justify a need.

If you know someone from an agency that can't fund the training and is in need of the training, have them complete this scholarship application. All Applications will be subjectively reviewed by the IAPE Scholarship Committee to access the level of need.

Continued from page 31

WE GET MAIL... cont'd.



Joe,

Can you tell me by what you've seen and learned over the years, what is the most common practice/procedure and cost effective method of handling evidentiary photos? We are a smaller agency and have been trying to find the best procedure for us. Currently, officers take digital photos, email them to me and I put them onto a disc if necessary when requested.

Thanks - Sandra Hays
Property & Evidence
Zephyrhills Police Department

Sandra:

The importance of law enforcement digital photography as evidence in both criminal and civil cases is enormous. Mishandling of images can create a situation where the evidentiary value of compromised photos may be significantly reduced, or prohibited from being introduced as an exhibit. There have also been a series of lawsuits with very expensive judgments against public agencies when their employees have sold or released photos improperly, or when there was some limited expectation of privacy.

It is very important for the agency to have a written policy that clearly states that no employee while on duty, or off duty in a restricted location accessed only by their law enforcement employee status, may take photos with a personal camera or cell phone. Furthermore, all digital images that are captured pursuant to the employment are the property of the agency and should not be released or sold without proper authorization. The policy should be clearly explained and disseminated to all employees. The reason this is important stems from a series of lawsuits objecting to the improper release of celebrities' photos and photos of crime and accident victims that have been published or posted on the internet.

Issuing officers departmental digital pocket cameras is among one of the most cost effective methods of protecting crime scenes and preserving evidence available. These cameras are not a substitute for technical crime scene photos with annotated measurements and lighting, but may be the only images available of a crime scene or traffic collision before vehicles are moved or medical personnel treat injured parties.

Images taken in the field should be downloaded directly into a password protected departmental server, and the memory should be erased immediately after downloading. All images should be downloaded in series, do not delete any images - this avoids the defense argument - what was on the deleted image that was favorable to the defendant? The data on the primary server should be backed up to another secure off-site location. The officers should not download or e-mail images into a non-secure PC. These steps all permit images to be altered or copied, and may diminish the images' evidentiary value.

Official copies of images should be made on CDs from the password protected server only by an authorized person who has been trained. Images may be made available online for read-only viewing to persons on a need to know basis (investigating officers, prosecutors and attorneys, for example). Making a duplicate original CD of the all the images pertaining to a single case and booking it into evidence is a good practice. Controlling who has access to CD and DVD recorded images is much more difficult to limit and should be discouraged. - Ed.

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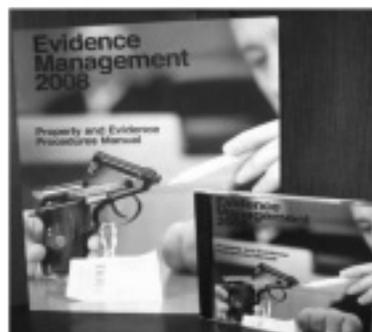
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EVENT OR TREND ?

Search for Evidence Reveals Box Full of Long-Forgotten Guns

The Lincoln Journal Star reports on February 27, 2011 that County employees are trying to figure out which cases the guns belong to, and how to dispose of them. A pair of court employees were searching for missing evidence when they found the box. It was marked, simply, "files." But there's nothing simple about a box of guns - some dating to criminal cases nearly 40 years old - in a room that's supposed to contain only court files.

"They lifted off the lid and oh, my, there they were," said Sue Kirkland, Lancaster County District Court clerk. The evidence consists of mostly .38-caliber handguns, but .22s and .44s, too, and one rifle.

The court employees called Kirkland: What do we do with these? Kirkland told them to leave them there, in a locked room in a locked storage building. They wouldn't want to try to wander back into the courthouse carrying a bunch of guns. Now, more than a month later, the county's top prosecutor is trying to match the firearms to old cases - and determine how to dispose of the discoveries. It takes a court order to destroy a gun seized in a criminal case, said Lancaster County Attorney Joe Kelly. And he assumes most of these were seized, entered into evidence and later stashed in storage.

"Rather than have those guns sit there for another long period of time, I'm doing with them like I do with any other type of property," Kelly said. "From time to time, we look to see if a case is over ... and go ahead and get rid of the property." The court employees made the discovery in January, after a judge ordered Kirkland's office to produce records and evidence missing in a 55-year-old murder case. Kirkland directed her staff to conduct a box-by-box search of her office's storage area in a building near the courthouse. Her two deputies were in a locked room - where the clerk's most important files are stored - when they found the guns. A couple were in manila envelopes. Some had evidence tags on them, but most didn't. All were unloaded, although there were full magazines and an envelope full of ammunition. Kirkland sent Kelly a list of the guns and any identifying information she could find: exhibit numbers, case numbers, serial numbers.

"Just a few were tagged. The rest were just sitting in there. Whatever identifier we could find, that's what we sent Joe." Kelly's early check showed some guns were used in crimes in which the defendant has since died or was released from prison long ago. He recognized cases from the early 1970s. But others aren't so easy to trace. "A few of them, based on numbers I have, I can't figure out what case they belong to." His work is just beginning, but he hopes to connect each weapon to a criminal case and get a court order granting permission to get rid of them. He didn't think it was unusual for the era that the guns ended up in that box. These things were handled differently in the past, he said, sometimes at the preference of the judge or court reporter.

See related story on page 32

COMMENTARY

This article illustrates yet another example of a Court finding lost or forgotten evidence in a dark corners of their evidence storeroom. Courtroom evidence in previous years was handled with far less attention to tracking and documentation than what we are presently demanding from our evidence custodians. While law enforcement agencies are feeling the heat from mishandling evidence, Courtrooms have escaped similar scrutiny. Whether this is a result of politics or local influence remains unclear. One thing is clear, improvement in how we track and catalog and store Courtroom evidence is needed. – Ed.

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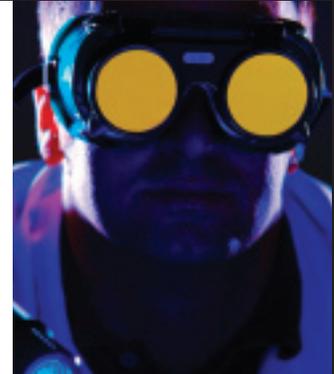
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Nelson, Terri	North Pole Police Dept.	Alaska



Bits and Pieces

This page is designed for members who would like to publicize up-coming property and evidence related events. Please contact us via the web-site if you have something to include for the future.

PROPERTY ASSOCIATION WEBSITES

International Association for Property & Evidence

www.iape.org

Arizona Association for Property and Evidence

www.azape.org

Arkansas Association for Property and Evidence

www.arproperty.org

California Association for Property & Evidence

www.cape-inc.us

Colorado Association of Property & Evidence Technicians

www.capet.com

Property & Evidence Association of Florida

www.peaf.net

Illinois Association of Property and Evidence Managers

www.iapem.org

North Carolina Association of Property & Evidence

www.ncape.net

Texas Association of Property,
Evidence & Identification Technicians

www.tapeit.net

California Association for Property and Evidence

22nd ANNUAL C.A.P.E. TRAINING CONFERENCE

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Illinois Association for Property & Evidence Managers

ANNUAL CONFERENCE

When: May 11, 12 & 13, 2011

Where: Bloomington-Normal Marriott Hotel
Normal, IL

For more more info. and details, visit:
www.iapem.org

Arizona Association for Property and Evidence

17th ANNUAL SEMINAR

When: June 9 & 10, 2011

Where: Wyndham Garden Hotel
Prescott, AZ

For more more info. and details, visit:
www.azape.org

Please refer to Page 23 for the most current schedule of up-coming IAPE classes.

Check here as more details become available for up-coming 2011 conferences.



SAY IT AIN'T SO, JOE

THE CASE OF THE MISSING RACK

The Billings Gazette reports on February 25, 2011 that a Shepherd man accused of killing trophy elk seeks to have charge dropped because investigators can't produce the animal's antlers.

Jimmy Roberts, 61, is facing trial in April on charges related to the killing of two elk - a cow and a bull - on a Musselshell County ranch. Roberts' attorney, Jeff Michael, recently filed a motion seeking to have the felony charge related to the bull elk dismissed. In his motion and at the hearing Friday, Michael argued that the felony accusation should be dismissed because the antlers from the bull elk were inadvertently sold to a Billings recycling company before trial. As a result, Michael said, his client is unable to independently determine through a defense expert whether the antlers meet the criteria of a trophy animal under state law.

Musselshell County Attorney Kent Sipe argued that a photograph and other evidence, including the measurements of the antlers by a certified expert, are sufficient to establish that the antlers meet the criteria of a trophy animal under state law. Wildlife investigators Lee Burroughs and Jeff Scott testified at the hearing Friday. Burroughs explained that the agency's evidence room in Billings is cleaned and sorted about twice a year. As many as 30 sets of antlers from criminal investigations or road kills can be held in the room, Burroughs said.

In this case, Burroughs cleaned out the evidence room last June and noticed on one set of elk antlers an evidence tag with the name of the property owner where the elk was killed. Burroughs said he mistakenly believed the antlers came from another bull elk killed on the same property that was part of a closed case.

Scott explained that most of the antlers no longer needed as evidence are sold in bulk by weight to Pacific Recycling in Billings. Scott said he discovered the antlers were missing last November when he went to collect the evidence from Roberts' case in preparation for the trial that was scheduled to begin that month.

The inadvertent disposal of evidence should not happen if there is a systematic review and approval process in place. The system should require that the investigating officer sign off on the disposal of the item in writing – not verbally. In this case, the investigators may have been the same as the evidence custodians making the written authorization that much more important, as there is no other person to double check the items being disposed of. – Ed.

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