

# THE EVIDENCE LOG<sup>®</sup>

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

## HOT TOPIC: LATEST NEWS ON DNA

### IN THIS ISSUE

*Proper Packaging & Storage of DNA Evidence*

*New DNA Advances (including Rapid DNA)*

*Supreme Court Approves DNA Swabs*

*Making Sense of DNA Backlogs*

NONPROFIT ORG  
U.S. Postage  
PAID  
N. Hollywood, CA  
Permit No. 803

Vol. 2013 No. 2



*"EvidenceOnQ gives our evidence personnel, staff, city, and county departments so much more capability than we have ever had before with regard to property and evidence."*  
 Rick Krueger, Lieutenant, Rochester PD, MN

# Providing Positive Outcomes...

## Control and Command Excellence - Crime Scene to Court Room

Today's television shows about cold cases, crime scene investigation, and forensics have caused an increase in the public's perception and expectations of evidence management. As a result, there is a pressing need for law enforcement agencies to implement solutions to ensure the **security** and **integrity** of evidence from the initial crime scene to the court room.

- ✓ **Integrity**
- ✓ **Peace of Mind**
- ✓ **Excellence**

FileOnQ, Inc. provides agencies with these guarantees through a 100% customizable software solution: EvidenceOnQ. Agencies at the local, state, and federal level have successfully implemented the system to manage not only evidence, but also officer equipment, assets, crime scenes, fleet, and more. They discovered it was much more than a software system, it provided the **tools they needed to work together and increase efficiencies** throughout their entire jurisdiction.

### ✓ **Investigators**

Hand-written evidence documentation should be a thing of the past and replaced with an automated, intuitive system that is customizable to meet the needs of each agency. Evidence collected at crime scenes should be immediately entered into the system electronically, creating an automated chain of custody that literally starts at the crime scene. This sets the stage for a successful investigation and prosecution.

### **Prosecutors** ✓

With ever increasing caseloads, prosecutors need time-saving tools to help them manage their cases. Technology today enables them to access evidence information from a Web connection; they can print the chain of custody, view photos, play audio and video recordings, read lab reports, and submit requests and authorizations. This eliminates phone calls and requests for information and time-consuming trips to the property room to view evidence.

### ✓ **Courts**

It is imperative that evidence brought to court have an inherent integrity, professionalism, and security. It must have a solid, unalterable chain of custody with multiple levels of security. Once admitted as a court exhibit, the chain of custody should continue on while in the custody of the courts and throughout the appellate process.

### **Public** ✓

The public has never been more critical of the criminal justice system and evidence management. DNA is solving decades-old cases that provide long-awaited justice, and convicted people are being proven innocent as well. Law enforcement agencies have been successfully sued because the evidence was mismanaged, which stalled their exoneration for many years. It is imperative that agencies understand the importance of managing not just incoming evidence, but evidence they have had for decades.



**To Learn More:** [www.fileonq.com](http://www.fileonq.com) | 1.800.603.6802

**THE INTERNATIONAL ASSOCIATION FOR PROPERTY & EVIDENCE, INC.**

903 North San Fernando Boulevard, Suite 4, Burbank, California 91504-4327

**IN THIS ISSUE**

The Giles Files - Editor's Corner Bob Giles, Evidence Log Editor	Page 3	Property & Evidence by the Book Order Form	Page 37
		IAPE Scholarship Application	Page 38
Proper Packaging & Storage of DNA Related Evidence	Page 7	How to Move A Large Evidence Room Conversation with Nancy McKay-Hills	Page 39
New DNA Advances - Dennis Harris, Ph.D.	Page 11	Say It Ain't So Missing Evidence May Prevent Appeal	Page 43
FBI Eager to Embrace Rapid DNA	Page 14	In The News - Victims' Groups Furious	Page 44
Hot Off The Press - Court Allows DNA Swabs	Page 17	A Special Thanks... from IAPE	Page 44
Destroying Evidence?	Page 18	2013 IAPE Membership Application	Page 45
In The News - Inadmissable DNA	Page 19	In The News - Rape Kits Still Going Untested	Page 46
In The News - CSFPD Audits Sexual Assault Kits	Page 20	Say It Ain't So - Yuma Money Theft	Page 46
CPES Recertification	Page 21	Smoking Can Shorten Your Life... From Being Free!	Page 47
In The News - Marin Drug Squad Tightens Policies	Page 23	In The News - Practice of Post-Arrest DNA Testing	Page 48
IAPE Courses & Registration	Pages 24 & 25	And More News - New Law Bans Gun Destruction	Page 48
IAPE Property & Evidence Room Accreditation Program	Page 26	Policies & Procedures - Drug Drop Box Regulations Adopted	Page 50
Evidence Log Seeks Submissions	Page 26	Bits & Pieces	Page 53
Making Sense of DNA Backlogs Mark Nelson, NIJ Special Report	Page 31	Congratulations! New CPES Designees	Page 54
CPES & CCPES Application	Pages 32 - 33	Sorry 'Bout That Chief!	Page 55
We Get Mail...	Page 34	Evidence Log Show & Tell	Page 55
		Advertiser Index	Page 56

**IAPE WEB-SITE LINKS & RESOURCES:**

The extensive IAPE web-site offers something from everyone in our field. Up-dated links to numerous law enforcement agencies, programs and pertinent resources. Newsworthy topics include latest DNA handling practices, training opportunities, on-line classes, latest products and vendors; plus the most current headlines and blog entries filled with hand-selected material, all to keep you up-to-date and informed.

Law Enforcement  
Serving the Needs  
of Law Enforcement

[www.iape.org/resourcesPages/downloads.html](http://www.iape.org/resourcesPages/downloads.html)



# THE EVIDENCE LOG<sup>®</sup>

*Established to further the education, training  
and professional growth of  
Law Enforcement Property and Evidence Personnel.  
Published quarterly  
as part of a continuous program of I.A.P.E., Inc.*

**JOSEPH T. LATTA**  
*Executive Director  
by contract with ECS, Inc.*

**ROBIN LYNN TRENCH**  
*I.A.P.E. Founder*

**ROBERT E. GILES**  
*Editor*

## BOARD OF DIRECTORS

*President*  
**Joyce Riba**

*1st Vice President*  
**Stephen R. Campbell**

*2nd Vice President*  
**Robert E. Giles**

*Treasurer*  
**Suzanne E. Embree**

*Secretary*  
**Kerstin Hammarberg**

*Directors*  
**Gordon A. Bowers**  
**Kevin Fallon**  
**William Kiley**  
**Joe Moralli**  
**Joyce Vasquez**

*Legal Counsel*  
**Ernest P. Burger**

The objective of The Evidence Log<sup>®</sup> is to provide education and training related to all aspects of the handling, storage, maintenance and disposal of law enforcement held property and evidence. As with all information of a legal nature, please confer with your agency legal advisor on the applicability of any item in relationship to your specific situation.

**The Evidence Log<sup>®</sup> 2013.** This publication and all contents within are protected by copyright laws. Reproduction of any part of this magazine is permitted for internal use only within the agency of a member.

Articles are contributed by practitioners in law enforcement or related fields. Contributors statements and opinions are not purported to define or express the official policy of IAPE or to imply IAPE endorsement.

IAPE has been recognized by the Internal Revenue Service as a tax-exempt nonprofit corporation. Donations are deductible as a charitable contribution for tax purposes to the extent allowable by law. Payment for services received are not considered a donation, but may be a business expense. Consult with your tax expert for specifics.

We invite comments on our format and the contents within. Submitted items should be mailed to the attention of the The Evidence Log<sup>®</sup> staff, and are subject to editorial review for appropriateness of content and length.

*Please address all inquiries concerning this publication  
to the mailing address below.*

Volume 2013, Number 2 - July 15, 2013

The Evidence Log

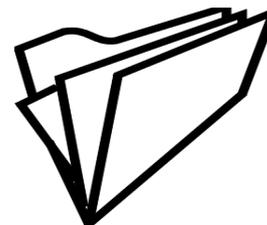
*Published Quarterly by:*

The International Association for Property & Evidence, Inc.  
903 North San Fernando Boulevard, Suite 4  
Burbank, California 91504-4327

BOB GILES

EVIDENCE LOG EDITOR

EDITOR'S CORNER



# THE GILES FILES

---

## LEARNING FROM OTHER'S MISTAKES

This month we have spotlighted coming DNA related changes and I would like to spend a moment to reflect on how proper or improper evidence handling impacts the weight of the evidence from the moment it is collected to when it introduced in the courtroom. When DNA was first introduced to the legal system, it was desirable to have a strong high profile case that would allow all the defense arguments to be made and ruled on all at one time. But, as we now know, the case chosen in California was the O.J. Simpson trial, and the rest is history, as they say.

I look at the defense challenges to the DNA evidence as a learning experience, because I believe law enforcement, in general, had been so "cavalier" about its handling of trace evidence. A large majority of cases are disposed of without the evidence ever being challenged. The defense in this case did its job in the OJ case and created a doubt, although an argument on both sides can be made that it was or was not a reasonable doubt.

Let's look at what was alleged by the defense that impacts the evidence handling. Many of the allegations of cross-contamination may have been inadvertent, but the defense suggested this was intentional contamination based upon the work of racist investigators. Careful handling of the evidence could have eliminated this harmful contention or prevented the argument from getting any traction.

Careful handling of the blood sample might have avoided the blood spill testified to in the crime lab. Careful handling of bloody swatches in the lab and changing of gloves between collecting samples might have prevented the cross contamination argument. The argument that the DNA degraded and could not reveal the true identity of the killer because it was put in plastic bags in a hot truck has been refuted by years of tests documented by TWG/NIST.

Adherence to written protocols should be paramount when handling evidence, or be prepared to illustrate why the protocols are obsolete. Evidence handling procedural errors were noted in the courtroom demonstrations, especially when testimony of placing initials on paper bindles was refuted by the absence of such initials. The inconsistency with written protocols opened the door for the defense to present an alternative theory of corruption and evidence planting. For example, the failure of a blood drawing nurse to properly seal and initial a vial of blood gives the defense an opportunity to suggest that blood was removed and planted elsewhere. A discrepancy in the volume of blood recorded initially and subsequently that found in the lab gives credence to the blood removal theory.

Access to the Bronco by non-authorized persons while in the evidence storage facility opened the door to O.J.'s additional challenges. The exclusive contract (OPG - Official Police Garage) for any tow service that does not have a secure location for vehicles held as evidence should be cancelled. In fact, as a term of getting this exclusive contract, a secure space behind lock and key for a pre-designated number of cars should be required.

*Continued on Page 4*

Cont'd from Page 3

## THE GILES FILES - cont'd.

Storing evidence (O.J.'s Bruno Magli shoes, for example) in the trunk of a police car or in a desk prior to booking as required by policy created doubt as to why policy was not followed. This leads to the allegation of mishandling that is very difficult to refute.

These are the major lessons that can be learned from OJ Simpson, but not limited to just his case. This failure to challenge can lead to other abuses. For example, a San Francisco lab technician doing drug testing found that her tests were never challenged in court, so she simply started certifying that the seized materials were illegal drugs without doing any tests at all. Her fraudulent tests resulted in over 200 convictions before she was exposed.

So where does this leave us? I will discuss the proper handling and packaging of DNA related evidence in another part of this publication.

Robert Giles,  
*Robert E. Giles*  
Evidence Log Editor

# LOCK IT UP!

with Woven Wire Partition from WireCrafters



**Build any size evidence storage enclosure quickly and economically**

**Features:**

- Uses standard size panels
- Installs fast with standard hand tools
- Can relocate and expand as needs change
- Self-supporting ceilings available
- Design prevents tampering with assembly hardware from exterior
- All stock orders ship within 48 hours

**Also Available:**

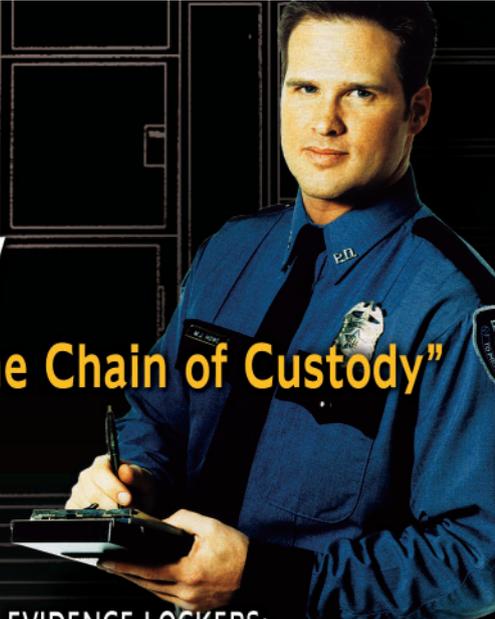
- Extra-heavy gauge woven wire mesh
- Solid sheet metal sections

**Call today for a quick-quote or brochure!**

# WireCrafters

# Sentinel<sup>®</sup> SLAM-SHUT SECURITY

Evidence Lockers to Maintain "The Chain of Custody"



- EVIDENCE LOCKERS:  
Pass Thru & Non-PassThru
- SLAM SHUT AUTOMATIC  
LOCKING DOORS
- SINGLE CONTROL SIDE DOOR FOR  
ACCESS TO ALL COMPARTMENTS
- REFRIGERATED MODULES
- WIDE RANGE OF MODULE  
CONFIGURATIONS

Sentinel<sup>®</sup> Security Lockers has been serving law enforcement for over 30 years.

■ Evidence Lockers

■ AIRFLOW<sup>™</sup>  
WARDROBE LOCKER

■ Weapons Storage



[www.tiffinmetal.com](http://www.tiffinmetal.com)

Manufacturing Quality Metal Products Since 1903

Tiffin Metal Products | 450 Wall Street | Tiffin, Ohio, 44883 | Phone: 800-537-0983 or 419-447-8414 | Fax: 419-447-5175

MYSTAIRE® | MISONIX®

FORENSIC  
SOLUTIONS



# SecureDry™

## Forensic Evidence Drying Cabinets



SecureDry™ evidence drying cabinets are designed to provide a secure and dedicated area for drying wet evidentiary items while creating a barrier to keep out the potential threat of cross contamination. The cabinet utilizes pre-filtration, HEPA and carbon filtration to minimize the potential for environmental cross contamination and employee exposure to putrid odors or biological material.

### Options:

- Modular waste removal pump with timed shut-off
- Removable UV light with timer for cabinet irradiation

### Available Sizes:

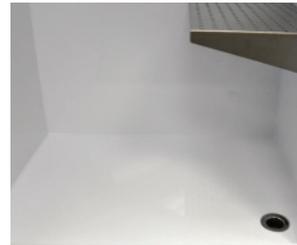
- 32, 36, 48, 64 and 72 inch
- single and dual configurations

### Features:

- Seamless polypropylene construction with blue epoxy-coated steel door
- Stainless steel drying rod and removable shelves
- Four-stage filtration including dual pre-filtration, HEPA filtration and gas phase filtration
- Locking casters for added mobility
- Two-speed blower operation - airflow is increased when door is opened
- Notification lights alert operator for pre-filter and main filtration changes



Optional timed UV light is available for irradiation between cases.



Seamless polypropylene construction for easy cleaning between cases.



Stainless steel shelves and hanging rod are standard.

MYSTAIRE® | MISONIX®

QUALITY SAFETY SERVICE

1-877-328-3912 • [www.mystaire.com](http://www.mystaire.com)



Made in  
the USA



GS-07F-6103R

# PROPER PACKAGING AND STORAGE OF DNA RELATED EVIDENCE

By Robert Giles, Evidence Log Editor

## Long Items

DNA and biological evidence has been the theme for this issue of the Evidence Log, so it only makes sense that I should devote some space to how the advent of so much more DNA evidence will probably impact the evidence room. In past years, the pool cue that was used as a weapon was protectively packaged only if it had evidence of whom it struck and if it could be identified in the hands of the suspect. Sometimes there could be blood transfer on it, but this just meant the blood could be typed for A or B protein, or O, the absence of A or B. Now with the advent of DNA technology, we can tell whose blood it is if there is a known profile, or we can use it for comparison or elimination. In addition, the opposite end can be examined for epithelial cells to compare whose DNA belongs to the person who wielded the cue stick. These same advantages also create a moral responsibility for us to store and protect that evidence from cross contamination or being removed by careless handling.



The handling of the pool cue (or any such long item) should include drying any wet body fluids, then carefully wrapping in a kraft paper sleeve or kraft paper roll wrapping. Do not use plastic. Marks and labels should ideally be placed on the outside of the package if it has not been forensically examined yet.

Once the item has been carefully wrapped and labeled, place it on a shelf with other long items. Don't forget to place biohazard labels on the outside.

## Long Guns / Rifles

Long guns represent a unique challenge because they offer a wealth of information if they have been used in a crime. First of all, they have the ability to possess latent fingerprints on the shiny metal and smooth surfaces of the stock. If the stock is checkered, it may contain epithelial cells (also known as contact DNA) from the shooter.

The ammunition may also contain latent prints or epithelial cells (contact DNA). Additionally, the entire handgun may have been exposed to body fluids.

Once the determination has been made that the long gun contains evidence that is will be examined



forensically, it should be handled and protected with great care. The first challenge is carefully unload the firearm and make it safe to handle with gloves, trying not to contaminate the surfaces with your DNA.

Once this has been done, ascertain if a NEW long gun box is available. A NEW box is recommended to avoid any suggestion that there was cross-contamination from a previous long gun. If a new box is not available, consider wrapping the long gun in kraft paper, or inserting it in a kraft paper sleeve. This wrapping should be adequate to counter any defense argument about cross-contamination, but check with your forensic experts who would need to testify to this fact. The exterior of the box should contain the item label, a biohazard label if contaminated by blood, instructions to hold for forensic exam, and any color-coded sticker if the firearms has been used in a homicide.



## Handguns

Handguns also represent the same challenges because they offer a wealth of information if they have been used in a crime. First of all, they have the ability to possess latent fingerprints on the shiny metal and smooth surfaces of the grip. The ammunition may also contain latent prints. Additionally, the entire handgun may have been exposed to body fluids. Additionally, epithelial cells may be available from the grip.

It is important that all ammunition must be removed from the handgun and should be packaged separately. Protocols for booking loaded guns into evidence (ex: jammed or malfunctioning) should be in place for such a contingency. If it cannot be forensically examined, unload the firearm using gloves and place the handgun in a NEW handgun box with very prominent marking to hold for prints/ DNA exam. A NEW handgun box is recommended because an argument can be made by the defense that there was cross-contamination from the prior firearm in the box.



*Continued on Page 8*

Cont' from Page 7

## PROPER PACKAGING AND STORAGE OF DNA RELATED EVIDENCE - cont'd.

### Handguns (cont'd.)

Again, this is not a likely scenario, but the defense only needs to raise a reasonable suspicion in the mind of one juror. If a new handgun box is not available, place the handgun in a paper bag or envelope, then inside a handgun box. This wrapping should be adequate to counter any defense argument about cross-contamination, but again, check with your forensic experts who would need to testify to this fact.

### Unmarked Stuff

Almost every evidence room we have seen has something like this. There is no record of what it was, since it has no label. Is it a tool, is it a weapon, or is it a doorstop? All kidding aside, if it's not labeled, it's not going to the lab, and therefore possibly valuable evidence might be lost, such as blood samples or epithelial cells. If it was a weapon, we might possibly get blood to run DNA. The important thing is, when admitting similar objects into evidence, to protect the surface and prevent cross-contamination. Placing the rock in a heavy duty paper bag (or double bag it due to its weight) with labels on the outside should preserve the surface of the rock until it is tested.



### Clothing

Clothing may generally be dried hanging and then folded (using PPE gloves and a mask) with kraft paper between folds. The folded garment may then be placed in a kraft paper bag. The bag should always be handled using PPE gloves due to the potential for biohazards in items soaked with blood or other body fluids. Place label on the outside of the bag and include biohazard stickers.



Be sure to photograph the item thoroughly showing all holes and tears before it is packaged. The items should not be opened and displayed in court because the dried blood is

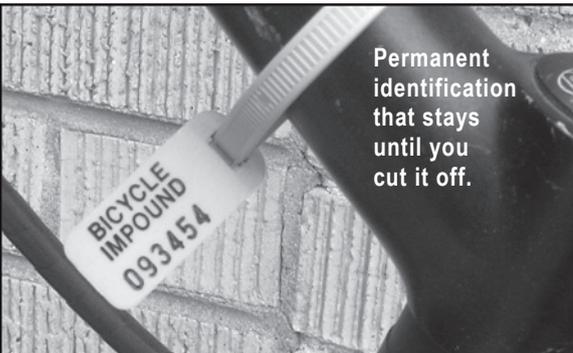
subject to becoming an aerosol, a fine powder that can transmit bloodborne pathogens to all in the room.

### Storage

Storage of DNA related biohazards should be done in a well-ventilated area that is considered to be a "room temperature controlled area." This can be an air conditioned room that does not exceed 75 degrees and has no more than 65% relative humidity.

### Other Items

Almost any item may contain contact DNA, and if the crime is serious enough to warrant DNA examination, it is serious enough to properly package and preserve the item.

**One-piece self-locking  
Tamper-evident  
Easy to use**

*Assorted colors and lengths • Customization available*

Manufactured in the USA by

**Peter Mangone, Inc.**  
INDUSTRIAL PRODUCTS DIVISION

800-338-2448 • mail@petermangone.com • www.petermangone.com

# Evidence Manager



## Fast, simple, evidence control using Barcode technology

**Evidence Manager** is designed to provide immediate access to information and maintain a chain-of-custody log on all items under Property Room control. This is achieved through the use of the latest in Windows™ technology, sophisticated database design and utilization of proven barcode technology. Over 250 police agencies depend on Evidence Manager.

### Barcode Technology

Barcode technology provides a rapid and simple method of data collection that is extremely accurate. Additional information such as Description, Officer # and Name, Date etc. are included on the label to further aid in the fast identification of the item.



### Chain of Custody

**Evidence Manager** controls all items of evidence and property coming into custody and records every movement of that evidence until final disposition or disposal. Signature bearing receipts can be easily created for an additional audit trail if required. Courtroom ready reports are also an integral part of Evidence Manager.

### Evidence Manager Components

Basic Package includes:

- Evidence Manager software
- Network Remote Module for use on a network
- Field Module for data collection in the field
- Thermal transfer bar code label printer
- Barcode laser scanner
- One year of Technical Support
- 10,000 bar code labels

Optional Equipment Includes:

- Digital tablet for digital signature capture
- Handheld data terminal for Inventory
- Digital drug scale

### NEW Optional Modules

Digital Photo Module

- Attach digital images to items of evidence

Digital Signature Module

- Capture and store digital signatures

Digital Drug Scale Module

- Automatically enter drug weights into system

To Order **Evidence Manager**, or to learn more about our products, please visit our website at [www.percs.com](http://www.percs.com) or call us directly at 1.866-461-4669 to receive your **FREE multi-media CD**.



**The PERCS Index Inc.**  
 960 Thermal Drive  
 Coquitlam, BC V3J 6S1 Canada

**Phone: 604.461-4669**  
**Fax: 604.469.7342**  
**Toll Free: 1.866.461.4669**  
**Email: info@percs.com**

# TUFLOC®

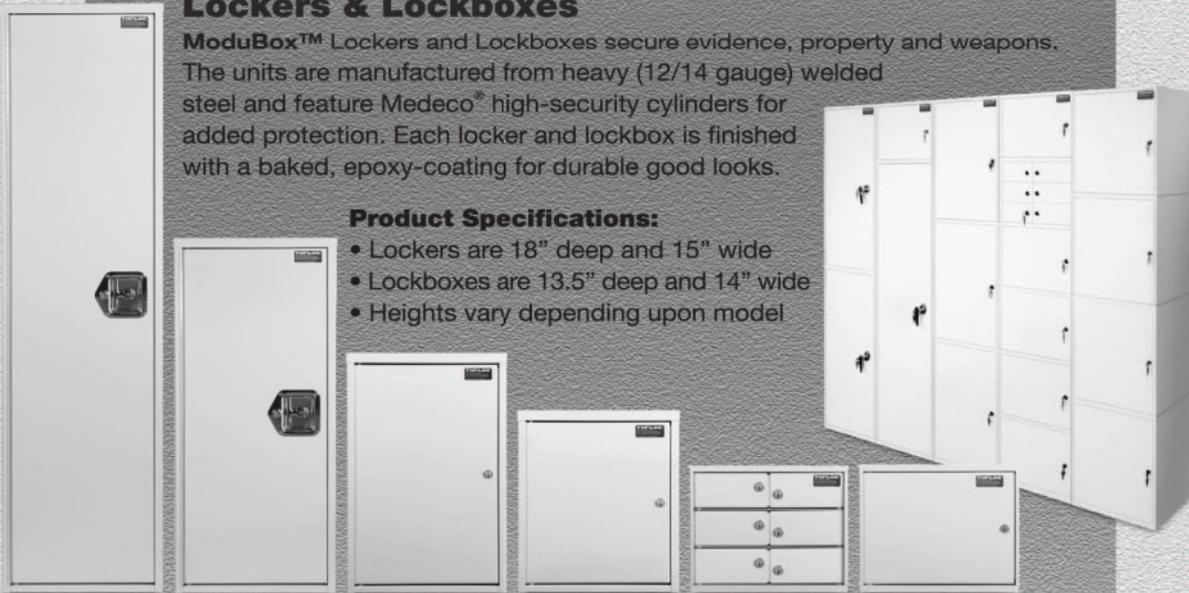
## High Security Storage

### Lockers & Lockboxes

**ModuBox™** Lockers and Lockboxes secure evidence, property and weapons. The units are manufactured from heavy (12/14 gauge) welded steel and feature Medeco® high-security cylinders for added protection. Each locker and lockbox is finished with a baked, epoxy-coating for durable good looks.

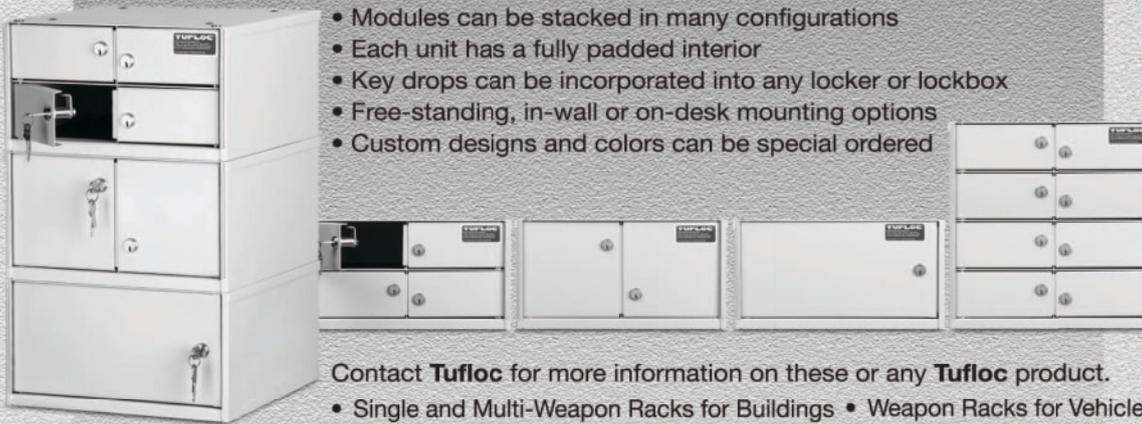
#### Product Specifications:

- Lockers are 18" deep and 15" wide
- Lockboxes are 13.5" deep and 14" wide
- Heights vary depending upon model



#### Important Features:

- Medeco® cylinders can be: keyed alike, differently or master keyed
- Combination locks are available for all lockers and lockboxes
- Modules can be stacked in many configurations
- Each unit has a fully padded interior
- Key drops can be incorporated into any locker or lockbox
- Free-standing, in-wall or on-desk mounting options
- Custom designs and colors can be special ordered



Contact **Tufloc** for more information on these or any **Tufloc** product.

- Single and Multi-Weapon Racks for Buildings
- Weapon Racks for Vehicles
- Pull-Out Drawers for Vans, SUV's & Cruisers
- Lockers for Property, Evidence, and Weapon Storage
- Vehicle Partitions

**1406 Fifth Street, SW • P.O. Box 9238 • Canton, Ohio 44711 USA**  
**330-452-9132 • Fax 330-452-2557 • info@esmet.com • www.esmet.com**

**1-800-321-0870**

*When it comes to safety, security and service, count on Tufloc to rise above the others.*

# NEW DNA ADVANCES

By: Dennis Harris, Ph.D.

(Appeared in Evidence Technology Magazine Jan/Feb 2013)

BIOLOGICAL EVIDENCE would not be nearly as useful without DNA databases. In some cases, officers may have both the offender and the crime scene evidence to directly compare the DNA match; in this situation, no database is needed. But that is rare. In general, DNA profiles from crime scenes must be uploaded into a database and the database must be searched. If the offender's profile is already in the database, there will be a match when the evidence is searched. If there is no match, then the profile sits in the database and waits for another piece of evidence with the same profile or the actual offender's profile to be uploaded and matched.

In the United States, the most well-known DNA database system is CODIS, or the Combined DNA Index System, managed by the FBI. CODIS includes DNA profiles uploaded from federal, state, and local forensic laboratories that have been certified or accredited as meeting certain standards for quality control and operating procedures. The criteria for uploading a DNA profile to CODIS are quite stringent and often require lengthy review periods. In some studies of this process, DNA profiles generated from crime scenes were still awaiting upload to CODIS more than a year later due to these review requirements (Inspector General, 2004).

Demand to add profiles has only increased: In 2009, the end-of-year backlog of profiles waiting to be uploaded to CODIS had reached nearly 1 million. As a result, the National Institute of Justice (NIJ) launched the DNA Backlog Reduction Program, a funding initiative to help accelerate these uploads. In the period between 2004 and 2010, NIJ funding for this program totaled nearly \$395 million.

While this program is certainly helping, it is still true that any delays in uploading DNA profiles to CODIS postpone the ability of law enforcement agencies to get hits, preventing them from closing cases and prosecuting suspects.

For police departments which are adding DNA evidence to their property crime investigations, another challenge in using CODIS is that it contains very few profiles from similar, local crimes, since DNA analysis has mostly been restricted to violent crimes. Because of this, a new trend of local databases is emerging. Police in some jurisdictions are building their own DNA databases, sometimes with the help of private companies. These databases tend to be jurisdiction-specific, which helps with property crime in particular, as offenders tend to work the same area over and over. They also are not burdened with the CODIS review requirements, so DNA profiles can be uploaded quickly and matches can be found much faster. While these databases are less likely than CODIS to link crimes committed in distant states, proponents say that having local, focused resources is helping police get criminals off the street faster.

## Case Study: Bensalem

Bensalem, Pennsylvania is a community just north of Philadelphia. There, local law enforcement officials have partnered with DNA:SI Labs, accredited as a private provider of DNA analysis and databases. The company is able to guarantee Bensalem police a three-week turnaround time on the

evidence or samples submitted - which is something that most government-funded crime labs are unable to do (Asplen, 2012).

The local database project in Bensalem has been working for non-violent crimes precisely because the offenders in property crimes tend to repeat their crimes in a small geographic region. The faster Bensalem police can get burglars and other offenders off the streets, the more crimes they are able to prevent. In its first two years of use, the database generated more than 55 hits on cases for local law enforcement. By contrast, they saw fewer than 12 hits from the national CODIS database in that same time period (Asplen).

According to Fred Harran, director of public safety in the Bensalem Town-ship Police Department, the CODIS delay can be so long that "many times these criminals are already in jail for other crimes by the time you're getting your DNA results back on the crime that you submitted for." He said that faster turnaround times will do more than help lock up criminals; it could help prevent more victimization by those offenders.

Making the most of DNA advances, from local databases to Rapid DNA technology, has given Harran and his team success in crime-fighting.

"Criminals are starting to get the idea that if you're coming to these towns that have these [DNA] initiatives, that you're going to get caught," Harran said. "This is going to be the future of law enforcement."

## Arrestee DNA Samples

Another important factor in improving DNA databases is adding more offender profiles so that more matches are found for unsolved crimes. U.S. federal law permits collection of DNA samples from persons arrested or detained under federal authority (42 U.S.C. § 14135a). Many states have moved to the model of arrestee DNA collection for certain offenses in the same way that police currently gather someone's name, Social Security number, photo-graphs, and fingerprints during the booking process. While law enforcement officials contend that this is a proven, expedient way of catching criminals, organizations such as the American Civil Liberties Union (ACLU) argue that DNA collection should take place after conviction, not on arrest.

In studies of the impact of this timing, a number of jurisdictions have determined that many crimes could have been prevented if DNA collection occurred at arrest instead of at conviction. In 2005, the City of Chicago reported to its state legislature that a study of just eight offenders who were arrested but then released for lack of evidence found that those offenders went on to commit 60 violent crimes - including 22 murders and 30 rapes - after being released. The study determined that those 60 crimes could have been prevented if DNA samples had been collected upon arrest. Allowing arrestee DNA collection would have matched the arrested-but-not-convicted offenders to prior crimes for which DNA samples had been recovered and entered in a database awaiting a match (Chicago Study, DNAResource.com).

*Cont'd on Next Page*

*Cont'd. from Previous Page*

## **NEW DNA ADVANCES - cont'd.**

### **Arrestee DNA Samples (cont'd.)**

In Maryland, a targeted study of three offenders demonstrated that 20 crimes could have been prevented if DNA samples had been collected upon arrest. These three offenders were arrested but released. If their DNA had been entered into a database at the time of arrest, officers would have been able to link them to past crimes and the offenders likely would have gone to prison.

Instead, in the time between their release and eventual prosecution, the offenders committed 20 more crimes, including murder, rape, burglary, and assault (Maryland Study on Preventable Crimes).

Across six states, case studies of 19 offenders found that 168 crimes could have been prevented by collecting DNA at the time of arrest instead of at conviction.

### **Challenges in DNA Forensics**

Despite the effectiveness of using biological evidence in crime investigations, there are still challenges to implementing DNA forensics at a broader scale. Time and capacity are two of the most serious challenges: between CODIS upload requirements and the volume of samples submitted, many crime labs have more DNA evidence than capacity to test it. In its report on the DNA Field Test, the Urban Institute noted that "crime laboratories are severely constrained in their ability to process biological evidence in volume." It is not unusual for government crime labs (whether organized at state, county, or local levels) to have backlogs of several months to more than a year in the processing of DNA evidence.

As a result, the idea of adding DNA analysis to property crime investigations raises concerns about overwhelming an already strained lab system. Jurisdictions like Bensalem have decided to work with private labs that can process the samples faster, even if their databases are outside of the CODIS system.

### **Rapid DNA Testing**

The latest technology breakthrough in forensic DNA testing is the development of platforms that can produce a DNA profile compatible with standard databases from evidence or a sample in less than 90 minutes - compared to a typical turnaround time of 30 to 90 days. In the U.S., federal agencies or groups including the Department of Homeland Security, Department of Justice, Department of Defense, FBI, and U.S. Army have committed funding to make Rapid DNA possible. The first commercial Rapid DNA technologies were launched in 2012 and are already being used by agencies in law enforcement.

Faster DNA analysis will be used for a number of fields, such as: familial relationship verification in citizenship and immigration; law enforcement investigations; and human-remains identification in mass disasters.

Along with the possibility of Rapid DNA results comes the likelihood that samples could be collected by trained police officers in addition to crime scene technicians. In the Bensalem partnership with DNA:SI, officials noted that police officers are trained to collect DNA samples and that this has caused no detrimental effect on downstream analysis of the samples (Asplen). After concluding the DNA Field Test, the

Urban Institute analysts reported that DNA collected by police officers or detectives was just as likely to yield useful profiles as DNA collected by crime scene technicians.

The expansion of sample collection will be important as Rapid DNA allows for more powerful applications of DNA testing. For example, this technology could be used to quickly eliminate suspects from an investigation, directing police manpower toward more fruitful avenues.

Profiles of arrested offenders could enable police to link criminals to other unsolved cases where DNA evidence had been saved in a database. During a burglary spree, law enforcement agents could determine quickly whether the crimes were isolated incidents or part of a pattern by the same offenders. This would help them put a stop to the crimes faster than if each of the crimes had to be investigated independently.

### **Case Study: Palm Bay**

Law enforcement officials in Palm Bay, a city of more than 100,000 people in east central Florida, have been early adopters of many advances in DNA analysis. In 2007, Palm Bay contracted with a private lab to build its own local DNA database (Blackledge, 2012). Since then, police in Palm Bay have been using DNA testing as an investigational tool for non-violent crimes, which represented 80 percent of the reported crimes in the city. During the first four years of this program, Palm Bay's crime rate fell by 25 percent, with a 40 percent decrease in burglaries, and the case clearance rate rose from 19 percent to 35 percent. This is compared to a national case clearance average of only 13 percent.

In 2011, the Palm Bay Police Department performed a three-day field trial of a Rapid DNA prototype instrument developed by IntegenX Inc., called the RapidHIT system. The technology - based on established DNA analysis processes using PCR and capillary electrophoresis - analyzed five samples simultaneously in less than 90 minutes. During the course of the trial, participants analyzed more than 36 DNA samples, including samples that had been stored for up to four years at the police department, and generated full, database-compatible profiles from all of them. The Palm Bay team also installed the instrument in a mobile crime van and used it on-site at a mock crime scene. Members of the crime scene unit analyzed several samples, producing partial profiles that yielded a match in the database. An analysis of the field trial noted that the time elapsed from the arrival of the crime scene technicians to the correct identification of the suspect from the DNA match was less than five hours (Blackledge).

Based on those results, Doug Muldoon, police chief of the Palm Bay Police Department, decided to add this technology to his department's set of tools - in part because of its ease of use.

"We were able to train every police officer in 15 minutes on how to collect the DNA samples, so it's a simple process," he said. "It's actually allowing us to have an impact on crime in our community." He noted that in times of tightening budgets, putting money toward technology to help fewer officers do more work is necessary.

*Cont'd on Next Page*

Cont'd. from Previous Page

## NEW DNA ADVANCES - cont'd.

### Get Ready for Rapid DNA

Rapid DNA analysis is a technology that promises to fundamentally change the way investigations are conducted by enabling law enforcement personnel to quickly and definitively identify suspects while they are still in custody. The technology has the potential to help create safer communities through its many applications, from policing to homeland security and defense. With the introduction of the first commercial Rapid DNA systems in 2012, a new standard will emerge in the usage of DNA profiles as an actionable biometric.

### About the Author

*Dr. Dennis Harris is Chief Scientific Officer and Co-Founder of IntegenX Inc. He has extensive background in DNA sequencing and laboratory automation systems, and has spent the majority of his career developing and implementing business strategies for life-science companies to maximize their research and development efforts and to enhance their ability to bring innovation to customers. Dr. Harris earned his B.Sc. Hons. in Biochemistry and Ph.D. from the University of Sussex, England. He has authored 17 papers.*

### References

- Asplen, C. and McVey, W., "Taking Control: Less Taxpayer Funding, But More DNA Testing," Forensic Magazine. Posted April 10, 2012, <http://www.forensicmag.com/article/taking-control-less-taxpayer-funding-more-dna-testing>
- Blackledge, J., Swiger, R., Muldoon, D., "Intelligence-Led Policing Using DNA," FBI National Academy Associate, May/June 2012.
- "Chicago's Study on Preventable Crimes," from DNAResource.com
- Home Office Forensic Science & Pathology Unit, DNA Expansion Programme 2000-2005: Reporting Achievement, 2005.
- "Maryland Study on Preventable Crimes," Sources: Maryland Criminal Justice Information System, Baltimore County Police Department, Maryland State Police. <http://dnasaves.org/files/MarylandDNAarrestestudy.pdf>
- National Institute of Justice, "DNA in 'Minor' Crimes Yields Major Benefits in Public Safety," In Short: Toward Criminal Justice Solutions, November 2004, NCJ 207203.
- Office of the Inspector General, U.S. Department of Justice. "The No Suspect Casework DNA Backlog Reduction Program." November 2004.
- Roman, J., Reid, S., et al, The DNA Field Experiment: Cost-Effectiveness Analysis of the Use of DNA in the Investigation of High-Volume Crimes, April 2008.

**Fresher Tape Sticks Better.**

**Under UV, our labels will now visibly measure freshness.**

*(With the other guys, you'll never know.)*

**LYNN PEAVEY COMPANY**  
800-255-6499

\*Go to [lynnpeavey.com/uvseal](http://lynnpeavey.com/uvseal) for a report on critical shelf-life issues.

IAPEET7/13

## FBI EAGER TO EMBRACE MOBILE 'RAPID DNA' TESTING

### New Breed of Biometrics Equipment Already in Use with Government Intelligence in Secretive Agencies

Network World reports on September 18, 2010 that it's been the FBI's dream for years -- to do near-instant DNA analysis using mobile equipment in the field -- and now "Rapid DNA" gear is finally here.

The idea is that you simply drop into the system a cotton swab with a person's saliva, for example, and the "Rapid DNA" machine spits out the type of DNA data that's needed to pin down identity. Now that such equipment exists, the FBI is pushing to get it into the hands of law enforcement agencies as soon as possible.

Another company, NetBio, is also believed to have delivered its Rapid DNA-type equipment to the FBI, Jovanovich says, and the National Institute of Standards and Technology (NIST) is expected to play an important role in helping certify systems and processes for how these boxes will be used by the FBI and local police stations to collect DNA data on suspects.

Jovanovich notes that the networked IntegenX RapidHIT box, which is based on a hardened version of Windows and measures about 27-by-24-by-16 inches, costs about \$245,000. RapidHIT boxes are already in use with intelligence agencies, says Jovanovich, who adds he's not at liberty to say which ones or what they're doing with them.

The FBI, which is believed to have upwards of 10 million DNA records on individuals already stored in databases, anticipates a significant expansion of DNA collection by means of Rapid DNA equipment.

The FBI has been known for pioneering a massive collection of fingerprint images and an online matching system that can be accessed remotely to help local law enforcement, as well as the Department of Defense and other law-enforcement agencies, nail down the identities of criminals and terrorists. Today, Dr. Alice Isenberg, chief of the biometrics analysis section at the FBI laboratory, explained in her presentation how the FBI hopes to expand the national DNA database used to investigate crime for DNA matches online as well.

At some point in the future, the Rapid DNA devices will be "in booking stations at police stations all over the country," she says. By using a cotton swab to get a DNA sample from suspects and process it through Rapid DNA machines, that DNA information will be transmitted to the FBI database. At least that's the vision, she says. There is already a "DNA offender database" that holds about 800,000 DNA sample records, with the 1 millionth sample expected this year.

The FBI's senior scientist, Dr. Thomas Callaghan, will be discussing on Wednesday how the FBI plans to integrate Rapid DNA devices into its forensics investigations process. But Isenberg also says the FBI wants to expand how it uses DNA information

(it collects two basic types today, nuclear and mitochondrial, needed to identify the identity of an individual) in order to provide greater help to the intelligence community.

For instance, the FBI could provide information about genetic traits and ancestry if that were needed, but Isenberg acknowledges that privacy issues still have to be addressed. The FBI also plans to widen some of the technical analysis it does of DNA samples to identify slightly more detail related to DNA loci to eliminate any remote possibility of two individuals showing a match when a comparison is made.

The arrival of Rapid DNA devices raises lots of questions. For instance, will these devices be sold to anyone who wants one? "We're not selling them to terrorist states," says Jovanovich. But the company does intend to sell them to friendly nations and police stations, and possibly private sector companies. It's not inconceivable that a revolutionary technology like the Rapid DNA machines could lead to an individual's DNA data being used as a basis for biometric authentication in some way. Jovanovich recalls that Microsoft once filed a patent a few years ago to do something like that. And in the future, the speed of Rapid DNA is going to get down to under the 90 minutes where it's at today, he adds. The U.S. appears to be leading in developing Rapid DNA, with no other countries known at this time to be doing it.



.....  
*Last issue we talked about Rapid DNA (R-DNA) that has become commercially and scientifically viable. While biometrics has made leaps and bounds in advances, the legal community has yet to catch up with the science.*

*The FBI has carefully controlled the use of its CODIS database, giving individual states a good reason to maintain and control their own individual databases of local offenders. The case of the Grim Sleeper serial killer is a good example of using familial DNA as an investigative tool that might not fit Federal guidelines, but is permitted within state's laws.*

*The advance of R-DNA is now at that stage where a legal challenge is needed to clearly define that this technology does not fall into the "junk science" category of other forensic tools that have recently come into question. – Ed.*



# Active Control of Evidence

21st Century Evidence Technology

## Maximize Your Productivity

## Reduce Your Costs

**WiFi Inventory Control**  
with windows-based tablets and  
Bluetooth Barcode scanners



**Electronic Disposition**  
available from your smart-phone  
or any Internet device



**Officer Drop-off**  
quick and easy touch-screen  
evidence data entry  
for officers on the run



**Digital Signature**  
fortifies the Chain of Custody  
for an iron-clad receipt



 Software Techniques Inc.  
Hardy, VA 24101  
(540) 721-1000

[www.evidencecontrol.com](http://www.evidencecontrol.com)

# INTERNATIONAL ASSOCIATION FOR PROPERTY AND EVIDENCE, INC.



Spacesaver®

**Storage. For Good.**



Spacesaver® the trusted name in evidence storage systems has designed secure storage solutions to meet the needs of any department's evidence handling processes. Whether you require lockers for your temporary storage of evidence or need the long-term storage solution of our high-density mobile systems. Spacesaver evidence storage solutions can store the most unique objects we know you have, from now to forever.



At Spacesaver, our public safety storage solutions cover the gamut of the industry that shares a common goal: to protect and serve. Learn more about our department solutions at [www.storageforgood.com](http://www.storageforgood.com)



[www.spacesaver.com](http://www.spacesaver.com) | 800.492.3434



Storage Solved®

# HOT OFF THE PRESS

## Court: Police Can Take DNA Swabs from Arrestees

AP reports on June 3, 2013 in a Landmark decision that a sharply divided Supreme Court said police may routinely take DNA from people they arrest, equating a DNA cheek swab to other common jailhouse procedures like fingerprinting.

“Taking and analyzing a cheek swab of the arrestee DNA is, like fingerprinting and photographing, a legitimate police booking procedure that is reasonable under the Fourth Amendment,” Justice Anthony Kennedy wrote for the court’s five-justice majority.

Twenty-eight states and the federal government now take DNA swabs after arrests. But a Maryland court was one of the first to say that it was illegal for that state to take Alonzo King’s DNA without approval from a judge, saying King had “a sufficiently weighty and reasonable expectation of privacy against warrantless, suspicionless searches” under the Fourth Amendment.

But the high court’s decision reverses that ruling and reinstates King’s rape conviction, which came after police took his DNA during an unrelated arrest. Kennedy wrote the decision, and was joined by Chief Justice John Roberts and Justices Samuel Alito, Clarence Thomas and Stephen Breyer. Scalia was joined in his dissent by Justices Ruth Bader Ginsburg, Sonia Sotomayor and Elena Kagan.

Maryland’s DNA collection law only allows police to take DNA from those arrested for serious crimes like murder, rape, assault, burglary and other crimes of violence. In his ruling, Kennedy did not say whether the court’s decision limits DNA only to those crimes, but he did note that other states’ DNA collection laws differ from Maryland’s.

Scalia saw that as a flaw. “If you believe that a DNA search will identify someone arrested for bank robbery, you must believe that it will identify someone arrested for running a red light,” he said.

Getting DNA swabs from criminals is common. All 50 states and the federal government take cheek swabs from convicted criminals to check against federal and state databanks, with

the court’s blessing. The fight at the Supreme Court was over whether that DNA collection could come before conviction and without a judge issuing a warrant.

According to court documents, the FBI’s Combined DNA Index System or CODIS — a coordinated system of federal, state and local databases of DNA profiles — already contains more than 10 million criminal profiles and 1.1 million profiles of those arrested.

Kennedy called collecting DNA useful for police in identifying individuals. “The use of DNA for identification is no different than matching an arrestee’s face to a wanted poster of a previously unidentified suspect; or matching tattoos to known gang symbols to reveal a criminal affiliation; or matching the arrestee’s fingerprints to those recovered from a crime scene,” Kennedy said. “DNA is another metric of identification used to connect the arrestee with his or her public persona, as reflected in records of his or her actions that are available to police.”

In the case before the court, a 53-year-old woman was raped and robbed but no one was arrested. Almost six years later, Alonzo King was arrested and charged with felony second-degree assault. Taking advantage of the Maryland law that allowed warrantless DNA tests following some felony arrests, police took a cheek swab of King’s DNA, which matched a sample from the 2003 Salisbury rape. King was convicted of rape and sentenced to life in prison.

King eventually pleaded guilty to a lesser charge of misdemeanor assault from his arrest, a crime for which Maryland cannot take warrantless DNA samples. The state courts said it violated King’s rights for the state to take his DNA based on an arrest alone. The state Court of Appeals said King had “a sufficiently weighty and reasonable expectation of privacy against warrantless, suspicionless searches.” But the high court’s decision reinstates King’s conviction.

Maryland stopped collecting DNA after that decision, but Roberts allowed police to keep collecting DNA samples pending the high court’s review. The case is *Maryland v. King*, 12-207.

## DESTROYING EVIDENCE?

### Exclusive Details on D.A.R.E. Deputy Who Resigned After Evidence Went Missing

The Fayette Advocate in Washington Courthouse, OH reports on April 4th, 2013 that new details are available about a Fayette County Sheriff's Deputy who resigned after evidence went missing and after the deputy admitted to misplacing money.

Corporal Dennis Cotner handed his resignation letter into Fayette County Sheriff Vernon P. Stanforth on Friday after Cotner was asked to retrieve evidence from the property room at the Fayette County Sheriff's office.

*"That's when we became aware that two pieces of jewelry were missing," said Stanforth.*

*Cotner - who held the rank of corporal and was the county's D.A.R.E. officer - admitted to Stanforth that he destroyed a watch and bracelet that was being held for a criminal case. "He kept saying he destroyed the pieces after he could not locate the owners. That's not our protocol; it's in violation," Stanforth said.*

The evidence in question was related to a home invasion investigation and was being housed in the property room as part of the ongoing investigation.

To maintain the integrity of the property room, Stanforth immediately changed the locks and passcodes to the property room when learning of the violation, he said.

"Also on Friday, it was brought to our attention that D.A.R.E. Bass Tournament registration fees were coming in for a spring fundraiser," he said. "We found a couple of registrations that had been turned in that didn't have the (cash) registration fee with them."

Stanforth said that after he questioned Cotner regarding the missing money, he phoned Stanforth and told him that he had located the money and requested that the Sheriff make a trip to his house to pick up the \$270. All the money was accounted for but was not promptly turned in, according to Stanforth.

Stanforth said that the investigation has been handed over to Fayette County Prosecutor Jess Weade to determine if criminal charges will be filed. "I don't know if there are charges to be filed," Weade told Fayette Advocate. Weade has requested another county prosecutor investigate the case due to it being a county employee in question.

*This article reports that the missing watch and bracelet was evidence in a home invasion robbery. The terminated Deputy admits to destroying the evidence, but the question that needs to be asked is, why? Was the evidence actually destroyed, or was it stolen and given or sold to another party?*

*If the evidence was indeed destroyed to prevent prosecution, then there may be a link between a defendant and the Sheriff's department that needs to be investigated.*

*Theft from law enforcement evidence rooms happens all too often, regardless of an individual's motivation. If this case actually involves the destruction of evidence to prevent prosecution, it could involve more persons and be part of more organized criminal activity that merits much closer attention. Having evidence destroyed in an active case can shake the foundation of our legal system.*

*The Sheriff's evidence handling protocols should also be reviewed. How many persons actually have access to the evidence room? Smaller agencies often have part-time evidence custodians, but the number of persons who actually have access should be limited, to narrow the list of possible suspects to investigate when evidence is unaccounted for. - Ed.*



Sarasota Police Department Crime Lab,  
Sarasota, Florida

#### National Experts in Planning, Funding, & Designing Law Enforcement Facilities

- Funding Strategies
- Grant Writing
- Spatial Needs Analysis
- Site Planning
- Master Planning
- Facility Hardening
- Architectural Design
- Construction Administration

 Architects Design Group  
www.adgusa.org • 407.647.1706

# IN THE NEWS



## DNA Evidence Inadmissible in Rape Cases Women's Rights and DNA Evidence vis-à-vis Islamic Law

Alec Hill, a freelance journalist, reports on May/30/2013 that the Counsel of Islamic Ideology (CII), a judicial body that interprets how Islamic law should be applied in Pakistan, has ruled that human DNA samples cannot be used as primary evidence in rape cases, the Times of India reported Wednesday.

DNA may be used as secondary evidence, but Islamic law requiring four witnesses must be the primary source of evidence, the court ruled.

Before the ruling, presenting DNA samples as primary evidence was standard police practice, the Express Tribune of Pakistan reported.

Any secondary evidence is only considered to be circumstantial by the courts, which somewhat contradicts the scientific, factual nature of DNA samples.

Many members of the council were of the opinion that existing Islamic law already provides more than adequate guidelines on how rape cases should be investigated and prosecuted, according to Pakistan Today.

The counsel met over the course of two days under the

leadership of one Maulana Mohammad Khan Sherani, and also delivered rulings on cloning and blasphemy laws.

*This publication generally avoids reporting on foreign laws due to their unpredictable nature, as evidenced by this article. There is a small, yet vocal movement to implement Sharia law into our own legal system, as has been done in some family courts in states with large Islamic populations. The danger of this precedent can clearly be seen by how women's rights can be eroded by implementing Muslim values into our domestic laws. Finding four Muslim male witnesses to testify to a gang-rape might be difficult, especially if it was punishment for alleged infidelity. The ideological dismissal and subordination of scientific fact is very disturbing at best, and very dangerous to our civil rights, as defined in our U.S. Constitution. How this decision could affect divorce, division of assets, and custody cases remains to be seen. -Ed.*



## INSANE Evidence Packaging?

To view more insanity,  
go to [LPinsanity.com](http://LPinsanity.com).

For proper handling/packaging procedures,  
go to [LynnPeavey.com](http://LynnPeavey.com).



Toll-free 800-255-6499 Fax 913-495-6787  
[www.lynnpeavey.com](http://www.lynnpeavey.com)

IAPEIN7/13

# IN THE NEWS



## CSFPD Audits Sexual Assault Kits After I-Team Investigation

KGO-TV in San Francisco reports on May 13, 2013 that San Francisco is one of a handful of cities that mandates all sexual assault kits collected as evidence must be tested, but an exclusive I-Team investigation shows there are still untested kits from years ago just sitting on the shelves.

When Heather Marlowe was assaulted in May 2010, the ordinance had not yet passed. "I think something really bad happened to me today. I think that I was drugged. I think that I was raped," Marlowe told her friend as she could barely stand. Marlowe had attended the 2010 Bay to Breakers. It was her first time at the race. She says while there someone drugged her drink. Hours later she woke up in a strange house with a man telling her to leave.

"I was in complete shock and trauma and had no idea what was going on," Marlowe explains. She went to San Francisco General Hospital and got a four-hour long sexual assault examination. "It's not pretty. It's not. It's very invasive after having a huge trauma happen to you," she says of the examination.

Marlowe remembers a San Francisco Police detective saying her sexual assault kit would be tested soon. Months turned into years and her kit remained untested. At one point, SFPD informed the case was not a priority. The SFPD declined to speak about this case, citing confidentiality. The department's handling of sexual assault kits has changed in recent years.

"Every kit that we get at the crime lab is tested," according to San Francisco Police Captain Dan Perea. The San Francisco Board of Supervisors passed an ordinance in December 2010, mandating the SFPD test every sexual assault kit. The ordinance set up a goal for the kits to be tested within two weeks. We found the SFPD did not go back to test kits collected before the ordinance. In fact, 196 untested kits from 2009 and 2010 are in SFPD's property room. After our investigation, all 196 cases are being reviewed. SFPD is also conducting a full audit of its property room to see how many untested sexual assault kits are there from before 2009.

Agencies we spoke with say sexual assault kits are not tested when the suspect is known and consent is not an issue, they believe no biological evidence has been collected or if the victim does not want to move forward with a case. "When we are able to identify sex offenders, we prevent other victims," says Alameda County District Attorney Nancy O'Malley. She is working on getting her county's 2,000 untested sexual assault kits to a lab for testing. But it's not cheap -- it costs \$800 to \$1,200 to test a single sexual assault kit.

Back in San Francisco Marlowe wrote a one-woman show about her assault. She says an audience member pressured the SFPD to finally test her kit two and a half years after her rape. She believes without pressure, her kit would be still sitting in the SFPD's property room, and can't

believe there are so many untested kits in the Bay Area.

"There's part of me that glazes over, you know, it's just so hard to hear," Marlowe says. No one has been arrested in Marlowe's case and SFPD has not given us a timeframe for when it will complete its property room audit. Advocates and survivors tell us all sexual assault kits should be tested. It could help convict the attacker and possibly link him to other crimes and at the very least, it sends the message to the victim that police are taking the crime seriously.

"It makes no sense not to take that amazing tool that's been developed in the criminal justice arena and look at it to see if we can solve some sexual assault crimes," Alameda County D.A. O'Malley says.

Terry Harman oversees the Santa Clara County District Attorney's Sexual Assault Unit. She says DNA testing is not always necessary in solving the crime, for example, if a suspect confesses. "There's other evidence of a crime that at the time of issuing, the SART kit is not a necessary component," Harman says. The agencies told us they always test sexual assault kits when the suspect is unknown or the suspect is known and denies sexual contact.

They do not test the kits if the suspect is known and consent is not an issue, they believe no biological evidence was collected during the exam, or if the victim doesn't want to move forward with the case. Not testing kits like is "almost like re-victimizing the victims," according Natasha Alexenko, a sexual assault survivor and advocate. She believes all kits need to be tested, even when the suspect is known. She says not testing might leave a criminal on the streets. "We have the tools to tie them to other crimes and we're not using it. I mean what a failure of justice," Alexenko says.

.....  
*One of the most important responsibilities of the media is to provide public oversight over how government works. The media has power to provide "sunshine" into practices that would not necessarily be approved if the public had the general knowledge of what was being done. In this case, the SFPD has a mandate to collect evidence, but does not test all evidence kits in an attempt to save money. They correctly note that a sexual assault kit is not necessary in all cases to obtain a prosecution in a criminal case. But in doing so, the investigator and prosecutor are ignoring the potential benefit of identifying a serial rapist through a comparison with the CODIS database.*

*It is incumbent upon the department to know exactly which sexual assault kits have been forensically examined for DNA, and which have not. How would your evidence room respond to a Freedom of Information Act order for this information? How many untested kits does your agency have on the shelves? -Ed*



## 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](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](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

## EVIDENCE CONTROL SYSTEMS

*"Keeping Your Department Out of the Headlines"*



Evidence Control Systems, Inc. has been providing property and evidence management consulting services **since 1984** in both the United States and Canada. The staff members of ECS have over 120 years of law enforcement experience combined.

**You can depend on our staff for expert services in the following areas:**

### Property Room Audits or Assessments

- Policy Analyses
- Design Services
- Space Evaluation
- Inventory Analyses
- Staffing
- Workload Issues

[www.evidencecontrolsystems.com](http://www.evidencecontrolsystems.com) **818-846-2963**

**JOSEPH T. LATTA, CPES**

President and Owner

Evidence Control Systems, Inc.



# The Quest for Identification

Call **TODAY** for a **FREE** 145 Page Catalog  
for All Your Property and Evidence Needs

**800-657-SPEX**

THE FULL FINGERPRINT SOLUTION

- Evidence Packaging
- Evidence Seals & Labels
- Photographic Scales
- "Scene" Tools & Equipment
- Fingerprinting Equipment
- Latent Fingerprint Supplies & Kits
- Chemical Processing & Development
- Alternate Light Sources
- Forensic Light Sources
- RUVIS
- Fingerprint & Palmprint Imaging
- AFIS • APIS • Livescan
- Blood Detection & Enhancement
- Glue (Cyanoacrylate) Fuming Methods
- Magnifiers
- Personal Protection & Safety Supplies
- Presumptive Drug Tests
- Impression Evidence
- Security & Surveillance



FAX: 913-764-4021 • [www.spexforensics.com](http://www.spexforensics.com)

## ERIN, OR EVIDENCE ROOM INFORMATION NETWORK FROM ERIN TECHNOLOGY, FEATURES:

**Browser-based:**  
Trouble-free solution to log, track, retrieve and transfer crime scene evidence or other property while maintaining chain of custody through bar-coding or RFID.

**Software:**  
Using the newest technology available.

**Capability:**  
To take evidence-gathering to the crime scene itself.

**Full mobile support:**  
On smart-phones, IPADS, tablets, etc.

**Use of ERIN on our secure hosted environment:**  
Or on a server at your site, with access anywhere.



TOLL FREE: **855-558-ERIN (3746)**  
48 Parkview Drive, Bronxville, NY 10708 • Fax: 855-558-3746  
[www.erintechnology.com](http://www.erintechnology.com)

## CONNECTING YOUR DEPARTMENT TO THE TECHNOLOGY RESOURCES YOU NEED:

Over 150 satisfied customers.

The benefits of a current technology platform equate to higher reliability, better supportability, and lower cost.

The newest technology also brings you the fastest and simplest searching for any data required.

Full data conversion from your existing property management system, and complete integration with RMS (Record Management Systems).

Documents, images or video may be stored, and associated with an item, people, or case.

Custom fields and data entry to meet your needs.

No limit on number of users with our unlimited user license.

# IN THE NEWS



## Marin Drug Squad Tightens Evidence Handling Policies After Audit

The Marin Independent Journal

April 19, 2013

The Marin Independent Journal reports that the County's drug squad has tightened its evidence handling policies in the aftermath of allegations that a former detective used cocaine he obtained from his work.

The drug unit, formally known as the Marin County Major Crimes Task Force, made the changes in response to an independent evidence audit it ordered last year. The task force implemented all but one of the recommendations by the auditors.

"A lot of them needed to be done," said Sheriff's Lt. Don Wick, commander of the task force. "I feel confident that now it is secure. ... We knew there were gaps in our system." Wick presented the policy updates to the task force oversight committee during its quarterly meeting Monday. The committee consists of eight local officials and two residents.

The audit itself did not implicate the former detective, Jehan J.J. Amdjadi, in any wrongdoing. Although he tested positive for cocaine use, authorities have not proved that he obtained drugs through his job, and he has not been charged.

The audit began in November, a few months after an internal investigation into Amdjadi, a Novato police detective who was assigned to the task force for three years. Authorities ordered the internal investigation after learning that Amdjadi's wife told a friend that she and her husband used cocaine that he got from work, according to court testimony. Amdjadi later tested positive for cocaine and left his job. When Amdjadi and his wife were subpoenaed to testify about their alleged cocaine use, he asserted the Fifth Amendment against self-incrimination, and she asserted spousal confidentiality privilege.

The task force hired the auditors to track evidence seized by the task force from July 2009 through September 2012. The time frame roughly coincides with the time Amdjadi worked for the drug unit.

The audit was conducted by Bob Cooke and Fred Doran, retired investigators for the state Department of Justice. They tracked the "seizure, handling, storage and disposition" of about 5,440 pieces of evidence in 533 task force cases. The auditors said they found no indication that drug evidence was "compromised" and no signs of "gross impropriety" in the handling of guns, money or other evidence. The audit said the drug unit's evidence handling was generally consistent with common law enforcement practices.

But the audit found instances of sloppy recordkeeping, weight discrepancies and incomplete documentation. In one case, an investigator reported booking more than a pound of marijuana into evidence, but there was no record of it being received by evidence technicians, no record of a destruction order for it, and no record that it had been destroyed.

The audit also concluded that evidence destruction was being conducted too infrequently. In one instance, Amdjadi and an evidence custodian, Christine Wheeler, drove drugs to the Covanta Energy Corp. facility for incineration. The quantity of was so large that Wheeler took loads of narcotics from the vehicle to the incinerator while Amdjadi remained at the vehicle to watch the drugs.

Doran, addressing the oversight committee when the audit was completed, said the audit found nothing egregious, just "a little bit of complacency." Additionally, he attributed many of the lapses to the drug unit's lack of a designated evidence custodian during the early period covered by the audit. The work was considered an "ancillary duty" for a task force sergeant and a clerk.

The audit recommended numerous improvements, including training the staff to meet minimum criteria for evidence reporting; installing extra security for off-site evidence storage; destroying evidence every year rather than sporadically; and more thorough documentation by the evidence custodian at each stage in the chain of custody.

Wick, the task force commander, told the oversight committee Monday that all of the recommendations have been implemented except for one. Although the auditors suggested having computer access in the evidence room at the sheriff's department, the room lacks connectivity, Wick said. However, the issue is moot because the sheriff's office is moving from the Civic Center to a new public safety headquarters next year.

*The last issue of the Evidence Log emphasized the need for strong internal controls to ensure evidence integrity. The audit mentioned above was performed only after the former detective was suspected of stealing narcotics, but they could not prove the loss due to poor documentation and lack of witnesses verifying the drug destruction.*

*According to the article, the audit mentioned several deficiencies that were corrected and that there was no indication that drug evidence was compromised. This does not mean drug evidence was not stolen, only that they could not find any evidence of it. Although it is too difficult to reach conclusions based solely on news reports, I would like to see their policies modified to prohibit any one person from being alone with drugs during any phase of the destruction process. Secondly, I would also like to see that each drug item is listed on a destruction list and witnessed being sealed into a destruction box prior to leaving the station for the burn facility. The third area of importance in this example is that two persons appear to be insufficient security for a self-decried "large" quantity of drugs. There was mention of a period of time when only one person was present with the drugs being destroyed. Some states have a security requirement for armed escorts to accompany personnel on a drug disposal detail; such an escort could have provided the verification needed to unfound any allegations of theft at the disposal site. — Ed.*



## Property & Evidence Management Course for Law Enforcement Agencies - Year 2013

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 (NIJ / NIST)**
  - **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

### UP-COMING PROPERTY & EVIDENCE CLASSES 2013

- Moline, IL - August 7 & 8
- S. San Francisco, CA - August 13 & 14
- Riverside, MO - August 27 & 28
- Albuquerque, NM - September 9 & 10
- Warren, OH - September 23 & 24
- Harrisburg, PA - September 26 & 27
- Minneapolis, MN - October 1 & 2
- Sandy, UT - October 16 & 17
- Harrisburg, PA - October 26 & 27
- Lawrenceville, GA - October 29 & 30
- Portland, OR - November 5 & 6
- Harvey, LA - November 19 & 20
- Burbank, CA - December 3 & 4
- Fort Collins, CO - December 9 & 10

### 2014

*Already on the calendar for next year:  
Las Vegas, NV • Miami, FL • Overland Park, KS  
Plainfield, IN • Nashville, TN • Allison Park, PA  
Ocean City, DE • Columbia, SC and more!*

**Check web-site for most current up-dates.**

#### 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*  
903 North San Fernando Blvd. Suite #4  
Burbank, California 91504-4327

#### TUITION RATES

- \$ 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
- \*(includes IAPE 1 year membership & Evidence Log)*

TOTAL ENCLOSED ..... \$ \_\_\_\_\_

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

Credit Card Type:      

Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

INTERNATIONAL ASSOCIATION FOR PROPERTY AND EVIDENCE, INC.



**IAPE PROPERTY AND EVIDENCE ROOM  
ACCREDITATION PROGRAM®**

**What is the IAPE Property and Evidence Room Accreditation Program®, and why should I consider it for our agency?**

The IAPE Property and Evidence Room Accreditation Program® is a review of a law enforcement agency's property and evidence systems by recognized experts in the field of property room management. The professional assessment of the agency's property room's standards, documentation, procedures and actions as they relate to recognized IAPE Standards® and the industry's best practices provides the agency with a quality report of their property room management.

Designing, operating and maintaining the operation of the property and evidence function in the criminal justice system is more critical than ever for profession law enforcement agencies to pursue. Being recognized as meeting the most stringent and best practices in this ever evolving technological area means your agency takes public safety seriously to meet the challenges of evidence management in criminal prosecution, evidence preservation and disposition and general property handling. Many law enforcement and prosecution professionals see evidence handling as a key component for professional police agencies, and recognize that defense teams are looking more than ever at the processes used in criminal prosecution.

**Is it difficult to achieve IAPE Property and Evidence Room Accreditation®?**

Meeting the standards required for IAPE Property and Evidence Room Accreditation® requires the following:

1. At least one person from your agency attends and successfully completes one of the IAPE Property and Evidence Room Management Training® classes in person or on-line within the last three years
2. Your agency applies the IAPE Standards® and best practices of property room management as taught in the IAPE training
3. Your agency successfully completes the IAPE Property and Evidence Room Accreditation Program®, and your agency is certified by IAPE

as meeting the IAPE Standards® for property room management.

Upon achieving accreditation, your agency is required to maintain the accreditation standards and provide annual documentation of your compliance with the IAPE Standards® to continue your 3-year IAPE Accreditation Certification®. You will be given a document to complete each year for this purpose.

**What does our agency have to do to become accredited through IAPE?**

Your agency needs to contact IAPE and request an IAPE Accreditation Application® and information explaining the program. Your agency will be sent an electronic copy of the IAPE Accreditation Pre-Assessment®, the IAPE Property and Evidence Standards® and other information regarding the program. Your agency needs to complete the IAPE Accreditation Pre-Assessment® and return it to your assigned IAPE Accreditation Team Leader® for his/her initial review. If it appears your agency is ready for review, your on-site visit will be arranged. The IAPE Accreditation Team Leader will complete his/her IAPE Property and Evidence Room Accreditation Report® with his/her observations.

Upon reviewing the IAPE Property and Evidence Room Accreditation Report® with the IAPE Property and Evidence Room Accreditation Subcommittee®, a determination will be made for awarding IAPE Property and Evidence Room Accreditation®. The decision on your agency's IAPE Property and Evidence Room Accreditation® will be sent to your Agency Accreditation Manager®.

**Is IAPE Property and Evidence Room Accreditation® expensive?**

The cost of IAPE Property and Evidence Room Accreditation® begins as low as \$4,000.00 plus reasonable travel expenses for one person. Please contact IAPE Property and Evidence Room Accreditation Program Manager® Steve Campbell at [scampbell@iape.org](mailto:scampbell@iape.org), or at (425) 985-7338, for more information.



**EVIDENCE LOG SEEKS SUBMISSIONS**

We are always for suggestions of articles to publish in future issues of the Evidence Log. If you have an item you would like us to consider, or other commentary / correspondence, please submit to: [www.iape.org](http://www.iape.org)



# Keeping your crime scene secure throughout the chain of custody



Spacesaver® is the leader in chain of custody evidence storage solutions. The ControLoc line of secured evidence lockers allows departments to control and review access to each individual locker location in real time. With full network capability, ControLoc® Technology from Spacesaver®, will allow authorized personnel to track and document which officers and evidence technicians access the system, which evidence lockers they entered, and the date and time of every transaction. This can be done on-site or from another building. Access to the individual evidence locker areas is gained through an access card and a numeric control pad providing the highest level of security.

Watch our evidence lockers with ControLoc® Technology by Spacesaver® at [www.YourStrongestLink.com](http://www.YourStrongestLink.com)



**FEATURES:**

- Full network compatibility or non-networked configurations.
- Unattended access (no keys required).
- Electro-mechanical locks accessed using PIN, card or both.
- Trace/track door on transitions.
- Multi-point locking systems on all doors.



Storage Solved®

[www.spacesaver.com](http://www.spacesaver.com) | 800.492.3434

## 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?*

## Why?

*Why was this item checked out? Why is it here? Why is it being disposed?*



# Know. Now.

When it comes to tracking evidence, the movement, storage and possession history of items is crucial. You need to know exactly where your evidence is located, where it's been, who's had it, when and for what reason. Tracker Products software automates the entire evidence management process, making it easier and faster than ever before to produce the answers.

# Advanced evidence tracking software designed to give you complete control

What do the The United States Armed forces, police departments from Maine to California, law firms, forensic labs and more have in common? They all use Tracker Products software to manage the collection, storage and chain-of-custody history of every piece of evidence in their possession. The job is complex. With Tracker Products, the solution is simple.



## Browser-based architecture

Tracker Products software is designed to run on the internet browser of your choosing. There's no need to download or install additional software.



## Chain-of-custody tracking

The system records and stores a detailed history of every item in your possession. Know where it is, where it's been, who's had it, when and why.



## Completely customizable

Create custom fields to collect and organize the information that matters to you. Assign permissions to allow certain users the ability to perform specific tasks.



## Mobile and wireless tracking

Perform system audits, check-ins, check-outs, status updates, dispositions and more from anywhere with a handheld PDA scanner and signature capture device.



## Affordable pricing

Whether your agency is large or small, we have a pricing package designed to fit your budget, and we don't require the purchase of desktop licenses.

**WATCH  
A FREE  
ONLINE  
DEMO**



There's no better way to learn about the Tracker Products evidence tracking system and what it could do for you. Visit us online at [trackerproducts.com](http://trackerproducts.com) to sign up today. You'll be glad you did.



Toll Free: (866) 438-6565    On the web: [www.trackerproducts.com](http://www.trackerproducts.com)    Email: [sales@trackerproducts.com](mailto:sales@trackerproducts.com)

# AT YOUR FINGERTIPS

## QueTel

*Tracking what matters*

### ■ Evidence TraQ From QueTel

Modular software to fit your budget

Nearly 300 agencies installed with 3,000 to a million records

Core software supports CALEA certification

Rapid single screen data entry for quick

Effortless point and click searches to drill down into data

Print list of searched items as a quick report

Purge tools to facilitate disposition

Cradle to grave audit trail for better security

Personal preferences to individualize for each user

Full barcode use and mobile scanners to check out/back, move, inventory, and dispose

Optional modules save more time and eliminate paper

Built-in management report writer that non-technical persons learn in minutes

Web browsers (full or partial) for remote user data entry, search, and requests

Email for rejections, overdue returns, officer release approvals

Electronic disposition and court orders

System status screen (dash board) for managers

Custom reports and functions

Let us tailor a solution to fit your needs and budget

Tima for Art Design

800-354-6777

[sales@quetel.com](mailto:sales@quetel.com)

[www.quetel.com](http://www.quetel.com)

# Making Sense of DNA Backlogs, 2010

## Myths vs. Reality

By: Mark Nelson, NIJ Special Report, US DOJ 2/2011  
Senior Program Manager/ Physical Scientist

*DNA backlog reduction (forensic DNA and convicted offender/ arrestee), crime lab management*

### DEFINITIONS OF BACKLOGS

There is no industry-wide agreement about what constitutes a backlog; NIJ defines a backlogged case as one that has not been tested 30 days after submission to the crime lab. Many crime labs, however, consider a case backlogged if the final report has not been provided to the agency submitting the case. Which definition one uses naturally effects the count of cases backlogged. In addition to the definition, identifying the type of backlog is also important. This report reviews the two types of DNA backlogs found in crime labs: those of forensic evidence (also called backlog of DNA cases) and the backlog of DNA samples taken from convicted offenders and/or arrestees pursuant to state statutes. This report also reviews untested forensic DNA evidence in storage in law enforcement agencies.

Nailing down exact numbers of backlogged cases is complicated by the dynamic nature of the business. Backlogs are not static. In many laboratories, new DNA submissions come in at a rate faster than case reports go out. This means that the backlog of cases pending analysis will increase. This does not mean that older cases will not be tested. Laboratories generally require more serious cases to be worked first, and the oldest cases in a backlog to be addressed before newer ones.

### WHY DEMAND IS INCREASING

Demand for DNA testing is rising primarily because of increased awareness of the potential for DNA evidence to help solve cases. The demand is coming from two primary sources: (1) the increased amount of DNA evidence collected in criminal cases and (2) the expanded effort to collect DNA samples from convicted felons and arrested persons.

All states and the federal government have laws that require collecting DNA from convicted offenders. The federal government also requires DNA collection from arrestees, and there is a growing trend among states to pass legislation to collect DNA samples from arrestees.

### USING FEDERAL FUNDS TO REDUCE BACKLOGS

Federal funds have been used to purchase automated workstations and high-throughput instruments, hire new personnel and validate more efficient procedures. Without this funding, the backlog picture would be much worse.

NIJ has several programs to help laboratories address their workload. Some address overall DNA backlog reduction; others are specifically for testing samples from convicted offenders and arrestees. Some funds are used by labs for in-house processing of cases. Other funds are used by labs to outsource the work. NIJ also funds basic research and development to enhance testing processes. Until labs can meet the rising demand for DNA services and until their capacity to process samples is greater than the demand, backlogs will continue to exist and increase

in proportion to the demand for services.

We have all seen the headlines: thousands of rape kits in law enforcement agencies are untested; crime labs that have substantial backlogs of DNA cases waiting to be analyzed. Delays in submitting evidence to a forensic laboratory as well as delays in analyzing the evidence result in delays in justice. In worst-case situations, delays can result in additional victimization by serial offenders or in the incarceration of individuals who have not committed the crime they are accused of or charged with.

Policymakers ask why DNA backlogs persist even after the federal government has provided hundreds of millions of dollars to eliminate the backlog. This is a fair question; to answer it requires understanding both what a backlog is and how backlogs can be reduced. This report addresses that question and the answers to it.

### WHAT IS - AND IS NOT - A BACKLOGGED CASE?

There is no industry-wide definition of a backlog. Some labs consider a case backlogged if the DNA has not been analyzed in 90 days. Others consider a case backlogged when the DNA has not been analyzed and the final report has not been sent to the agency that originally submitted the DNA. The National Institute of Justice (NIJ) defines a backlogged case as one that has not been tested 30 days after it was submitted to the laboratory.

Crime laboratories have two kinds of DNA backlogs, and each has its own particular issues:

1. Casework backlogs. This type of backlog consists of forensic evidence collected from crime scenes, victims and suspects in criminal cases and submitted to a laboratory.

Processing this type of evidence is time-consuming because the evidence must be screened to determine if, and what kind of, biological materials are present before DNA testing can even begin. Some of these samples can be degraded or fragmented and can contain DNA from multiple suspects and victims.

2. Convicted offender and arrestee sample backlogs. By 2009, the federal government and all 50 states had passed bills requiring collection of DNA from offenders convicted of certain crimes. In addition, the federal government and many states had also passed legislation to allow collection from people who are arrested for certain crimes.

The processing of convicted offender and arrestee samples involves the DNA testing of the samples and the subsequent review and upload of the resulting DNA profiles into the national DNA database, called CODIS (Combined DNA Index System), which is operated by the FBI. Delays in processing convicted offender and arrestee samples may occur at several stages along the way: the analysis, the review or the uploading into CODIS.

*Reprinted with permission.*



## Certified Property & Evidence Specialist

### Requirements

There are 5 criteria that must be met in order to become a Certified Property & Evidence Specialist (CPES):

1. Applicant must have attended and completed the IAPE two-day "Property & Evidence Management Course", or completed the web-based video course.
2. Applicant must have served in Property function for:
  - a. One year as a full time assignment, or
  - b. A total of 2,080 hours (one year equivalent) as a part time assignmentNOTE: The applicant's Police chief, Sheriff, CEO or his/her designee must sign the application
3. Submit application and testing fee.
4. Achieve a satisfactory grade on the CPES online test.
5. Be a current dues paid member of IAPE and must remain a member during the period of certification.

### Procedures - Here are the steps to apply:

1. Complete the CPES Application.
2. Ask your Chief, Sheriff, or CEO to sign the application verifying your experience in the Property function.
3. Send the completed application along with your payment (personal check or U.S. Postal Service Money Order) payable to "IAPE" in the amount of \$175.00. A credit card can be used for payment. Mail the form to the address on the application.

**CPES Online Test** Once your application and testing fee have been received, and your job experience verified, you will be sent an e-mail that will give you your login information and the time frame for your Online Certification Test. You will need a computer that has access to the Internet for sixty (60) minutes. You will be immediately notified of the outcome of your test once you complete it. Should you be unsuccessful in your first attempt, you will be given one more opportunity to take another version of the test, included in your initial fee. After successful completion of your test you will be mailed your official IAPE Certified Property and Evidence Specialist certificate within several weeks.

---

## Corporate Certified Property & Evidence Specialist

### Requirements - There are 5 criteria that must be met in order to become a Corporate Certified Property & Evidence Specialist (CCPES):

1. Applicant must have attended and completed the IAPE two-day "Property & Evidence Management Course", or completed the web-based video course.
2. Applicant must have served in Property function for:
  - a. One year as a full time assignment, or
  - b. A total of 2,080 hours (one year equivalent) as a part time assignmentNOTE: The applicant's CEO or his/her designee must sign the application
3. Submit application and testing fee.
4. Achieve a satisfactory grade on the CCPES online test.
5. Be a current dues paid member of IAPE and must remain a member during the period of certification.

### Procedures - Here are the steps to apply:

1. Complete the CCPES Application.
2. Ask your CEO to sign the application verifying your experience in the Property function.
3. Send the completed application along with your payment (personal check or U.S. Postal Service Money Order) payable to "IAPE" in the amount of \$225.00. A credit card can be used for payment. Mail the form to the address on the application.

**CCPES Online Test** Once your application and testing fee have been received, and your job experience verified, you will be sent an e-mail that will give you your login information and the time frame for your Online Certification Test. You will need a computer that has access to the Internet for sixty (60) minutes. You will be immediately notified of the outcome of your test once you complete it. Should you be unsuccessful in your first attempt, you will be given one more opportunity to take another version of the test, included in your initial fee. After successful completion of your test you will be mailed your official IAPE Corporate Certified Property and Evidence Specialist certificate within several weeks.

---

### Questions:

Questions about payment and billing: 1-800-449-4273 Ext. 3

Questions about testing & certification: 1-800-449-4273 Ext. 4 or 631-628-2823



International Association for Property and Evidence, Inc.  
**CERTIFICATION APPLICATION**

**Type of Certification requested**

- Certified Property and Evidence Specialist (CPES) (For Law Enforcement)
- Corporate Certified Property and Evidence Specialist (CCPES) (For Private Industry)

<b>Employer</b>	_____ <input type="checkbox"/> Police <input type="checkbox"/> Sheriff <input type="checkbox"/> Other
<b>Mailing Address</b>	_____ City/Town: _____ State/Province: _____ Zip: _____
<b>Business Telephone</b>	(_____) _____
<b>e-Mail Address</b>	_____ (Required for Online Test)
<b>Attendance at IAPE Property &amp; Evidence Mgmt. Class (or Online Video)</b>	Attended Class: Month _____ Year _____ City _____ OR Completed Video Class: Month _____ Year _____
<b>Current Dues Paid Member of IAPE</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No If not a current dues paid member call 1-800-449-4273 to reapply for membership)
<b>Certification of Property Custodian Experience</b>	<b>Application WILL NOT be processed without a signature below</b> As the Chief/Sheriff/CEO, or his/her designee, I certify that the applicant has served as a Property Custodian for this department for either one year full time or, as a part time assignment, has completed 2080 hours (the full time equivalent of one year full time) in that function Signed: _____ Date: _____ Title: _____ Telephone Number: (_____) _____
<b>Application &amp; Testing Fee</b>  <b>CPES Fee: \$175 (U.S.)</b>  <b>CCPES Fee: \$225 (U.S.)</b>	<input type="checkbox"/> Enclosed is a check or money order made payable to IAPE <input type="checkbox"/> Credit Card (MASTER, VISA, AMEX, DISCOVER)  Card # _____ Exp: Mo/Yr: ____/____ SCV/CCV: _____ (3 or 4 digit security code) I authorize IAPE to charge my credit card account the amount of \$ _____ in payment of certification fee.  Signed: _____ Date: _____ eMail Address for payment receipt: (required) _____
<b>Mail Completed Application and Payment to</b>	International Association for Property and Evidence, Inc. 903 N. San Fernando Boulevard, Suite #4 Burbank, California 91504
<b>How to prepare for the online Certification test</b>	To prepare for the fifty (50) question online exam, study the IAPE Professional Standards that can be found on the Association Website <a href="http://www.iape.org/certStandards.html">www.iape.org/certStandards.html</a>
<b>Questions</b>	For payment and billing questions: 1-800-449-4273 Ext 3 For questions about certification & testing: 1-800-449-4273 Ext 4





## 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.*

Comment:

We just converted to a new computer system in February. Before the new system we had the officers weigh their drugs when they were completely packaged and write the weight on the property invoice. We would then verify the weight and reject it if incorrect. Now that we are paperless, we have stopped this practice. The reason for this is that if the officer weighs the drugs and then enters it, the system prints a barcode out after it is saved which will alter the weight of the drug package. Do you know how other agencies with barcoding systems are handling this?

Jodi Mai  
Yuma, AZ

*Dear Jodi:*

*Weighing drugs is a topic that should be of significant interest to all concerned. Many agencies don't weigh drugs at all, and those who do may not be that accurate or consistent. In 2007, a judge in Kansas declared a mistrial and admonished the police agency for having a "cavalier attitude" towards narcotics evidence when they used a digital scale that had not been calibrated. I'm sure the agency did not anticipate having this kind of reaction from the bench.*

*We have previously consulted with Dr. Demitra Garvin, the forensic lab assistant director for the Richland County Sheriff's Department in South Carolina, to determine what her recommendations are. Her opinion was that all drugs should be weighed with the term "approximate added" to all weights, regardless if they are gross or net, because there are many variables that can affect a digital weight. The lab personnel are then able to explain what could cause a variation. The change into a drier environment alone can cause the weight to diminish, and a label, like you have suggested can cause it to weigh slightly more.*

*Furthermore, the officer who weighed the sample is open to cross-examination when the sample weighs less in the lab than it did when it was initially weighed. The best course of action according to Dr. Garvin is to let the local forensic lab do the official weighing, and let them explain the variables. What most forensic labs look for is consistency from the agency, that all samples are weighed in the same manner – of course, you should always check with how your local forensic lab wants the sample submitted. Your local crime lab and prosecutor should be the final word on how they want it done.*

### **The IAPE Professional Standards reads:**

The protocols for weighing drugs should be carefully worded by the law enforcement agency to avoid unnecessary conflict with the forensic lab standards. For example, all weighing of drugs should be consistently performed approximate net (without packaging), or approximate gross (with packaging), along with a description of the type of scale used and when it was last calibrated. Many departments are specifying that officers use approximate weights for evidence booking, and use the crime lab analysis report for charging purposes.

*I hope this explanation and suggestion helps you with your dilemma. The support from your administration in writing a policy that specifies the procedure for personnel weighing drugs to consistently follow is strongly recommended. – Ed.*

*Continued on Page 56*

**NOW SHOWING!**

*The IAPE proudly presents its latest Video Production*

90 Minutes

**SECURITY  
OF THE  
PROPERTY ROOM**

[www.iape.org](http://www.iape.org)

*A new training module produced by*  
**THE INTERNATIONAL ASSOCIATION FOR PROPERTY & EVIDENCE, INC.**

# DRUG TERMINATOR

PORTABLE INCINERATOR FOR CONFISCATED DRUGS



Over 300 in use around the world including:

- Bella Vista Sheriff's Dept
- Colorado State Patrol
- Fort Bragg Police
- Fort Worth Police
- Hawaii Police
- Joliet Police
- Key West Police
- Miami-Dade Police
- Reno Police
- North Las Vegas Police
- United States Army
- Utah Highway Patrol



[www.drugterminator.com](http://www.drugterminator.com)

**ELASTEC**  
AmericanMarine

Phone: 618-382-2525  
Email: [elastec@elastec.com](mailto:elastec@elastec.com)  
1309 West Main, Carmi, IL 62821

EL 6/13

**AVAILABLE NOW!**  
Up-Dated & Expanded Version

AVAILABLE AS:

- C.D.
- On-Line
- E-Reader

- DNA Storage Issues
- Organizational Placement
- Policies and Procedures
- Automation / Bar Coding
- Disposal Procedures
- Management & Staffing
- Property for Safekeeping
- Found Property

# Property and Evidence

# By The Book

- Audits
- Training
- Inventories
- Digital Media
- Documentation
- Safety Procedures
- Auction Procedures
- Disposal Procedures
- Security Considerations
- Liabilities / Case Studies
- Bio-Hazards / Disposals
- Handling: Currency, Drugs & Firearms
- Layout Schemes and Storage Methods
- Disposition & Purging
- Auction Procedures
- Diversion of Evidence
- Disposal Procedures
- Packaging Standards
- Policies and Procedures

2<sup>nd</sup> Edition

by Lt. Joseph T. Latta (Ret.)  
and Chief Gordon A. Bowers (Ret.)

- 2<sup>nd</sup> Edition -  
**Over 350 pages**

40%  
LARGER



The **most comprehensive** book ever written about managing the Property and Evidence function has been **completely rewritten** for 2011. Contains everything you expect from the IAPE re: **definitions, concepts, forms, case studies, policy elements**, and more...

Go to: [www.iape.org](http://www.iape.org) and provide us with your name & e-mail address to receive links for on-line ordering.

# PROPERTY & EVIDENCE BY THE BOOK

## 2nd Edition



The latest version of the popular "Property and Evidence By The Book" - the most comprehensive book ever written about the management of the Property and Evidence function - is now available. Co-authored by Joseph Latta, Executive Director of the IAPE and Gordon Bowers, IAPE Board Member, the revised volume contains over 350 pages of definitions, explanations, concepts, case studies, elements and more! A "must read" for managers, supervisors and all property room personnel.

Also available as a companion to the book, are the most frequently requested forms used in the Evidence Room. They are offered on CD and come in 2 convenient formats - as fill-in PDFs as well as editable WORD documents.

### ORDER FORM We accept Checks, Credit Cards & Money Orders

Fill out this form & Fax or Mail to address below:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: (     ) \_\_\_\_\_

FAX: (     ) \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax completed form with payment to: 818.846.4543

**PLEASE SELECT ONE:**

Credit Card Type:

Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Cardholder's Signature: \_\_\_\_\_

**OR**

Mail completed form with payment to:

Int'l Association for Property & Evidence, Inc.  
 Attn: Training Division  
 903 No. San Fernando Blvd., Suite #4  
 Burbank, California 91504-4327

**MEMBER PRICING**

Printed Book . . . . .	\$39.95 x ( )	\$ _____
Book on CD . . . . .	\$25.95 x ( )	\$ _____
Forms (on CD) . . . . .	\$15.95 x ( )	\$ _____

**Member - Bundle**

Printed Book + Forms	\$49.95 x ( )	\$ _____
CD Book + Forms	\$35.95 x ( )	\$ _____

**NON-MEMBER PRICING**

Printed Book . . . . .	\$45.95 x ( )	\$ _____
Book on CD . . . . .	\$29.95 x ( )	\$ _____
Forms (on CD) . . . . .	\$19.95 x ( )	\$ _____

**Non-Member - Bundle**

Printed Book + Forms	\$58.95 x ( )	\$ _____
CD Book + Forms	\$39.95 x ( )	\$ _____

**IAPE MEMBERSHIP** \$50.00 annually \$ \_\_\_\_\_  
 (includes *The Evidence Log* magazine)

**POSTAGE U.S. / Canada**

Book ONLY	\$ 6.95 / \$12.95	x ( )	\$ _____
CD ONLY	\$ 6.95 / \$12.95	x ( )	\$ _____
Bundle	\$13.90 / \$17.95	x ( )	\$ _____

**TOTAL \$ \_\_\_\_\_**

Order On-Line at: [www.iape.org](http://www.iape.org)

**INTERNATIONAL ASSOCIATION FOR PROPERTY AND EVIDENCE, INC.**

**INTERNATIONAL ASSOCIATION FOR PROPERTY AND EVIDENCE, Inc.**



**IAPE Scholarship Application**

International Association for Property and Evidence  
903 North San Fernando Blvd, Suite 4  
Burbank, California 91504-4327  
Tel 800-449-4273 Fax 818-846-4543 www.IAPE.org

Name of Agency: \_\_\_\_\_

Address Agency: \_\_\_\_\_  
Street City State / Zip

Number of sworn employees \_\_\_\_\_ Number of property officers \_\_\_\_\_  
Number of sworn employees \_\_\_\_\_ Sworn \_\_\_\_\_ Civilian \_\_\_\_\_  
Total budget last FY \$ \_\_\_\_\_ Training Allocation last FY \$ \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Title / Rank \_\_\_\_\_  
Please print legibly.  
(First) (Middle) (Last)

Signature of Applicant: \_\_\_\_\_

Membership application fee waived requested?  Yes  No

Tuition waiver to which IAPE Property and Evidence Class is being requested?

Location: \_\_\_\_\_ Date: \_\_\_\_\_  
City State

Has a prior tuition waiver request been made?  Yes  No If so, when? Date \_\_\_\_\_

CPES application fee waived?  Yes  No

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 continue on reverse if necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of agency head or designee \_\_\_\_\_

Printed name & title \_\_\_\_\_ Telephone ( ) \_\_\_\_\_

**IAPE TO PROVIDE SCHOLARSHIPS TO NEEDY EVIDENCE PROFESSIONALS**

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.

# HOW TO MOVE A LARGE EVIDENCE ROOM

## *A Conversation with Tucson's Nancy McKay-Hills*

*Evidence Superintendent, Tucson Police Department Evidence, Property & Identification Center*



**Joe Latta:** *Can you give us some perspective on how big the Tucson Police Department is and the size of the agency's evidence facility?*

**Nancy McKay-Hills:** The Tucson Police Department (TPD) is an agency of approximately 1000 police officers and 300 civilian employees. TPD houses nearly 800,000 items of evidence. Our old facility was approximately 16,000 square feet and was located on the third floor of the Headquarter's Building. Our current evidence warehouse is almost 80,000 square feet and has sixteen-foot high high-density shelving units and pallet racking.

**Joe:** *What was storage like in your old facility?*

**Nancy:** Evidence was overflowing and stored at several offsite locations. Frozen items were stored over 45 minutes away from the main facility, in rented freezer space. In addition, we had over 27 mobile units held at our police academy.

**Joe:** *How did you begin the monumental task of moving all that evidence?*

**Nancy:** Planning for the move began nearly one year before the actual start date. There was a plan "A", a plan "B", a plan "C", and I am sure we had both a plan "D" and "E". In the end, it was funding and staffing levels that guided the project.

**Joe:** *What do you mean?*

**Nancy:** Ultimately you want the tightest chain of custody possible. But in our case we had a short time frame to work with and minimal staffing and overtime available. This is a typical scenario for most agencies. Let's just say, zapping one item with the scanner out of the building, and then scanning the same item to its new location takes approximately 30 seconds to complete. Multiply this times 1,000,000 items. It would take approximately 500,000 minutes to electronically document the move. Or more clearly, it would take 52 people over one month to complete the task. It soon became obvious this was not going to happen and we had to move on to plan B.

**Joe:** *Do tell. What was plan "B"?*

**Nancy:** Plan "B", which in the end was the plan utilized, required we reduce the number of times we handled a piece of evidence and rely on our property

management system. Instead of physically scanning each item, we ran individual box location reports, which listed descriptions of the items contained inside each box. Each box report was saved electronically as a PDF for later reference. Soon after the report was saved, the corresponding box was sealed and loaded on a pallet. Every pallet had a property control form attached, which listed the boxes held. As pallets were loaded onto the truck the outgoing time was recorded on the control form. The same held true when the pallets were received and unloaded. In addition, we kept a truck manifest listing the pallet numbers held on each truck, along with the name of the transporting evidence technician and the driver. If something were to happen in transport with the load, we would have records of what was on board.

Incoming pallets were signed in at the new building and placed on a temporary location, until staffing could assign each item a permanent location. Approximately 500 pallets were moved and lined the aisles of the new facility.

**Joe:** *Can you give any advice on how an agency should prepare for an upcoming move?*

**Nancy:** I actually have five pieces of advice. #1 Know the number of items you are working with and how long it will take to handle each item. #2 Know your timeline, #3 Get Organized in Advance, # 4 Be flexible, and #5 Take your time unpacking, but make it a priority.

**Joe:** *Can you explain what you mean by know your timeline?*

**Nancy:** My staff knows I like working with numbers. I spent time counting the number of boxes in the building, timing employees as they sealed each box, determined the maximum number of boxes we could hold on a pallet, and looked at how long the elevator would take to reach the first floor, since it was our only exit from the warehouse. I multiplied the number of boxes and labor, against the number of bodies I could dedicate to the project. Thru formulas, I calculated we could move 600 boxes of evidence per day, while keeping half the staff available for customer service and regular business. Eventually, I concluded it would take us thirty days to move out of Headquarters.

*Cont'd. on Next Page*

*Cont'd. from Previous Page*

## HOW TO MOVE A LARGE EVIDENCE ROOM - cont'd.

**Nancy:** (cont'd). Establishing a timeline helped to determine resources. Overtime was necessary to continue customer service. Movers were used to help with heavy lifting, palletizing boxes and driving the moving vans. The movers were paired with Evidence Technicians and escorted at all times. SWAT helped escort trucks filled with guns, drugs and money. It was important to everyone involved that we complete the physical move quickly, so we did not spend time looking for evidence at two buildings, delay the courts or run out of overtime funds designated for unpacking.



**Joe:** *The planning involved with moving is a huge part of the process. How did you keep track of it all?*

**Nancy:** My estimated timeline was the foundation for all other preparation. I used GANT charts to map each task and when the task should be accomplished. A GANT chart is a visual chart that highlights when tasks are started and completed.

For example, a blue line from May 8th- May 12th demonstrated I should confirm the movers. A red line stretched from May 12th until June, blocking a period of time for background checks on the movers. I had a hundred colorful lines stretching through out the entire year of the move.

The GANT charts included advance preparation, the move, unpacking, breaking down of furniture and surrendering of the old building to administrative resources. The charts kept us focused on the project and on schedule.

**Joe:** *What efforts were dedicated to purging of evidence in advance?*

**Nancy:** We did not have extra time to purge, outside our normal routine. So instead, evidence technicians prepared for the move by conquering and dividing the property into two categories. Green-labeled boxes were cases under 5 years old, and Homicides or Sexual Assaults. These cases were going directly to the shelves. The red-labeled boxes were cases that required review, in hopes of purging. Red and green boxes were shipped separately, so we were not moving or storing evidence that could be destroyed.

A couple months before moving we sent a daily team of three or four to work the new building. This team labeled shelving, loaded over 100,000 storage boxes onto the shelves, set up computers, and stocked supplies. Staff members tested out alarms and cooling units, allowing us to find hidden problems we could correct before evidence was moved. It was during this time, that we moved in the less critical evidence stored in the 27 mini-mobile units.

**Joe:** *You mentioned earlier to be Flexible. What obstacles did you run into during the move?*

**Nancy:** All best laid plans require last minute adjustments. Very quickly we discovered the master plan required tweaking, depending on the situation or type of evidence moved. The mobile units housed large items, such as refrigerators, engines and furniture. The units were housed away from electrical lines and our automated tracking system. Large items were tracked individually using a palm pilot and were immediately checked into



a permanent storage location. This phase of the project took over two weeks to accomplish.

*Continued on Next Page*

Cont'd. from Previous Page

## HOW TO MOVE A LARGE EVIDENCE ROOM - cont'd.



**Nancy:** (cont'd). Our final plan required each box be inventoried, before it was placed on permanent location. This gave us one last “check and balance” to ensure we had everything accounted for. When our inventory program went offline for three weeks, we had to manually check everything by hand. We carefully weighed the option of eliminating this step, but the staff agreed it was crucial to ensure we had a clean slate.

Firearms were tracked by date range and loaded into walled pallets for transport. They immediately were locked in the firearm vault and a person was pulled from the “move team” to check them into their new location, because the loaded pallets would not fit in the assigned area. When we reached the marijuana bales, we again reverted back to the palm pilot and assigned each individual bale to a walled pallet. Walled pallets were shrink wrapped for security when transporting and moved directly into a vault upon arrival. Lastly, a refrigerator truck was rented for the frozen items and remained on site until everything was checked into the new frig.

Resources determined the method of tracking. If we only had SWAT for a weekend, then we went with the method that best completed the project within the time frame. If vaults were full, or floor space was no longer available for another pallet, staffing was shifted to unpacking. We kept a supervisor at each facility and lines of communication were handled by phone, to ensure each load made its destination and supplies were readily available.

**Joe:** WOW. In the end how long did it take your staff to complete the entire move and have all 800,000 piece of evidence shelved?

**Nancy:** The main goal was to get everyone and every thing into one facility. The longer the move took, the

more manpower it would take to locate items and provide quality service to the investigators, courts, crime lab and public. The physical move took less than 30 days.

Green-labeled boxes were checked in immediately, since they were likely active cases. Remaining red-labeled boxes sat on pallets until we could review the cases. Customer Service was provided an Excel file that listed each red box location and pallet location, if property from old cases had to be accessed. The unpacking phase of the project extended over 1-year.

**Joe:** So looking back, how successful do you feel the project was?

**Nancy:** I am very proud of my staff and how they approached such a challenging situation. It was a highly successful, though at times, a highly frustrating transition as I assigned projects that changed their routines to fit the urgency of the moment. Today, we have a 100% bar-coded facility with room to grow. Our turn over of property exceeds 86%, because we can generate electronic requests for release, electronic notifications, and electronic destruction files. But more importantly, it is because I have an amazing staff that works hard and takes enormous pride and dedication towards protecting the evidence.



*Evidence Superintendent Nancy McKay-Hills has worked for the Tucson Police Department's (TPD) Forensic Division for eighteen years, and currently oversees the department's evidence warehouse facility. In 1993, Nancy joined TPD as a Crime Scene Specialist (CSS) and obtained her Certification with the International Association of Identification as a CSS. During her time as a Crime Scene Specialist, she completed such courses as the FBI Basic Fingerprint Classification School, FBI Advanced Latent Print School, and the International Association of Bloodstain Pattern Analysts Conference. Nancy holds a Bachelor's of Arts Degree in Speech Communication and Mass Media, from the College of the Ozarks in Branson, Missouri. In 2003, Nancy later received her Master's Degree from Northern Arizona University in Educational Leadership.*



*With our containers  
Evidence is...*

- *Stored*
- *Organized*
- *Retrieved*

**\*\* Efficiently \*\***



**CP**  
PRODUCTS

What's the cost of lost evidence?  
Get organized... We can help!!

Trays, Hopper Bins, Totes and more...  
Customized to Maximize valuable space

(714) 630-3850

[www.CpProducts.net](http://www.CpProducts.net)

A California Certified small business



**Air Science™**

Air Science has a range of cabinets designed specifically for forensic applications. Whether you need to protect the operator or the evidence we have a range of cabinets to suit your needs.



**Fingerprint Workstation**



**Ductless Fume Hood**



**Forensic Evidence Drying Cabinet**



**CA Fuming Chamber**



**Swab Dryer**



Visit us on-line at  
[www.AIRSCIENCE.com](http://www.AIRSCIENCE.com)

**Air Science USA**  
Toll Free/800-306-0656  
Fax/239-489-0922



## SAY IT AIN'T SO, JOE

### Missing Evidence May Prevent Post Conviction Appeal

The Austin Chronicle reports on February 15, 2013 that missing evidence may prevent a post conviction appeal from proving a person innocent - or guilty. For more than a decade, lawyers for death row inmate Hank Skinner fought prosecutors, in Gray County and the attorney general's office, for the right to DNA-test certain items of evidence. Skinner was convicted and sentenced to die for the 1993 murder of his girlfriend Twila Busby and her two grown sons in the home they shared in the Panhandle town of Pampa.

The crime scene was bloody: Busby was bludgeoned, her sons repeatedly stabbed, and while some DNA tests have been performed, there was plenty of evidence that hadn't been tested, including a sweat- and blood-stained windbreaker. The jacket is crucial, attorney Rob Owen has argued; found next to Busby's body, the tan snap-front jacket resembled one regularly worn by Busby's now-deceased uncle Robert Donnell, who the defense claims was obsessed with Busby and may have been her real killer. In short, testing the jacket might help prove Skinner's innocence - or confirm his guilt.

On June 1, 2012, the state finally dropped its opposition to the testing. Just two weeks later, Owen was again frustrated when the AG's Office informed him that the windbreaker was missing. "According to the state, every other piece of evidence in this case has been preserved," he said at the time. "It is difficult to understand how the state has managed to maintain custody of items as small as fingernail clippings, while apparently losing something as large as a man's windbreaker."

No one seems to know when or how the jacket went missing. The Pampa Police Department, which investigated the murders, originally held all of the evidence related to the case. When the time came for Skinner to be tried, the evidence was handed over to Gray County. Some time after Skinner was tried, the jacket simply disappeared - and no one knows where it went, said Gary Noblett, a 41-year veteran of the Pampa PD and custodian of its evidence and property storage. Over the years, he said, a number of law enforcement types have called looking for it - including officials with the AG's Office. "As far as I know of, no one's ever been able to find that thing," he said. Skinner remains on death row as DNA testing on other items of evidence continues.

Skinner's case is not unusual. Unfortunately, missing evidence is "way more common than you'd think," says evidence expert John Vasquez. Vasquez worked in property and evidence management for 25 years, first for the military and then for the Fort Worth and Wichita Falls PDs, before starting his own evidence-control consulting business. More often

than not, the evidence hasn't actually been removed from a law enforcement storage facility - though scandals involving stolen evidence are unnervingly common, as officials with the Houston PD can readily affirm. Instead, says Vasquez, missing evidence is generally misplaced evidence - logged into one area of a storage facility and then moved without anyone noting the new location, or overlooked when a department's evidence-tracking system is upgraded.

That is, perhaps, the good news, though having something and not knowing where it is, or not being able to find it, is hardly less damaging than discovering that an item has been stolen or destroyed outright.

Indeed, an investigation by the Chronicle into the state of criminal evidence storage and retention in Texas reflects that while state laws firmly mandate the preservation and maintenance of evidence that may contain biological material, there is little consistency in how these laws are actually carried out, including wide disparities in how evidence is packaged and maintained. Legislation enacted in 2011 in Texas extended by decades the length of time that items of evidence that may contain DNA must be stored, and directed a group of stakeholders to come up with guidelines and best practices for the handling and storage of that evidence. However, many law enforcement officials see the legislation as merely a good first step, and moreover, an unfunded mandate.



*It is ironic that all too often evidence which could be tested in an attempt to prove your innocence is declared "lost" once it is approved for testing, and can look suspicious for the department holding said evidence. The Innocence Project has actually tested evidence that has resulted in 307 persons to date being released from custody. The defendant above might have been number 308. Law enforcement has a moral and legal duty to protect evidence and needs to be much more reliable about making old evidence available for post conviction appeals. -Ed.*

# IN THE NEWS



## Victims' Groups Furious After Backlogged Rape Kits Damaged

FOX 32 in Chicago has uncovered new information on May 17, 2013 about the rape kits discovered last February, gathering dust in a police station in south suburban Robbins. Those kits should have been turned over to the state police crime lab for DNA evidence, but never were. Now, it appears police allowed some of those kits to become water damaged, which means it's unlikely those sexual assault cases will ever be prosecuted.

Law enforcement officials and victim's rights groups are furious and frustrated after valuable DNA evidence has gone to waste. Cook County Sheriff Tom Dart had hoped for a better outcome when his officers made a stunning discovery last February inside the Robbins Police Dept.: 54 sexual assault evidence collection kits stashed haphazardly in a storage locker. They contained DNA evidence from assaults going back 15 years, but for some unknown reason had never been sent to the state police crime lab for processing. This week, it got worse. A letter from the crime lab reporting that the first six kits tested are unusable because of "water damage and potential contamination" that apparently occurred while they were in police custody.

"I think that's outrageous," says Sharmili Majmudar, the Executive Director of Rape Victims Advocates. "That is not the way valuable evidence would or should be treated. With sexual violence, the body is the scene of the crime." Which means sexual assault victims must undergo a painful and invasive four hour process to collect the evidence that goes

into the rape kits, often just hours after they were traumatized by the assault.

In 2010, Illinois became the first state to pass a law mandating that police submit virtually all rape kits to the crime lab for testing, including kits that had been sitting in evidence lockers for years because police had doubts about getting a conviction or victims refused to cooperate.

A spokesperson for Illinois Attorney General Lisa Madigan says they recognize the limitations of the law, and are considering legislation to provide more accountability and transparency when rape kits point to a potential suspect.

*The Village of Robbins, Illinois, has been beleaguered by public scandals involving the Chief of Police and discovery of 54 sexual assault kits that had not been sent to the crime lab for DNA analysis. Once the Cook County Sheriff entered the picture and attempted to resolve the issue by analyzing them, he received letters saying that the samples had been contaminated by water and were no longer usable. Victims' groups are now aware of the mishandling and are furious.*

*As one can imagine, there will be fallout from this level of nonfeasance causing the community to lose whatever level of public support they may have had. Once the public trust is eroded, it can take decades to be rebuilt, if at all. IAPE recommends that all agencies audit their evidence rooms for untested sexual assault cases and immediately find a manner to get them tested and the result followed-up upon. -Ed.*

## A Special Thanks... from IAPE



In May of 2013 IAPE made its first journey to Manitoba, Canada to present our two-day Property and Evidence Training class for the

Winnipeg Police Service. One very unique aspect of this session was that Chief Devon Clunis had previously attended IAPE training in Minneapolis and he opened the class with his perspective on the importance of property and evidence.

Canada was very well-represented as the class had attendees from almost every province in the country, including the Royal Canadian Mounted Police, Manitoba Justice Regional Courts and Canadian Military units.

We appreciate the great response, and would also like to thank our host, Sergeant Chris Puhach, who was responsible for the great trip to our neighbors to the North!



# IN THE NEWS



## Rape Kits Still Going Untested for DNA in Tennessee

WREG in Memphis reports on May 17, 2013 that DNA is an important piece of evidence, but only if it's used. In 2010, WREG investigators uncovered a troubling story of more than 1,000 rape kits, some years old, gathering dust in evidence lockers. They were never tested for DNA.

At that time, the Tennessee Bureau of Investigation said it was vital to test those kits for DNA. "If they don't send them in then we can't test them," said forensic scientist Donna Nelson. "We can't generate a DNA profile. We can't put it in the database and it can't be searched against all the samples in the database as well as all the samples that are in other states' databases."

After our report, Memphis police shipped them to the TBI, and they called it "Project Memphis." "We actually took all the rape kits submitted to us and spread them out across the state to different labs," said Kristin Helm, public information officer for the TBI. "It was just easier for us and our personnel to absorb that extra work."

But here's where the story takes a twist. Of the more than 1,500 rape kits shipped to the TBI, only 11 were processed fully to get the DNA profile. The rest were only tested for serology, which tells investigators whether they are likely to find DNA on the sample. "So that info is submitted back to the law enforcement agency or the DA's office, Helm said. "Then the DA has to submit a request to us to have the full DNA profile extracted on any particular piece of evidence."

So the TBI makes prosecutors jump through an extra hoop. "I don't mind going the hoops because this is a case I already know about and I've never declined to sign one," said Jennifer Nichols, Shelby County Asst. Dist. Atty, chief prosecutor for the Special Victims Unit. "What I want done

is the testing. We want the testing. We want to make the cases where we can."

While everybody says they want the testing, nobody is making it happen. TBI says it needs more from the DA's office; the DA's office says it needs more from police officers who say they're following the guidelines the TBI requires. Bottom line, there's a lot of finger pointing.

Other states handle it differently. "We process those cases essentially when they come through the door," said Brad Jenkins, with the Virginia Department of Forensic Science. When they get a rape kit, they process it fully, and kits that produce a DNA profile are immediately uploaded to the DNA database, which already contains DNA profiles of 350,000 people.

"There are literally hundreds of crimes that are solved that way," he said. "That is one of the powerful reasons why to use a database is that you can solve these crimes that do not have suspects."

*Here is yet another example of a DNA test that perhaps could have been performed in a more timely manner, and subsequent attempts to correct the situation resulted in a stalemate. Telling a rape victim that there is no money for DNA testing is a very dangerous proposition, as ANY expenditure that is not truly a higher priority will reverberate throughout the community.*

*Victims' groups will soon discover the faux-pas, and they will seek redress through whatever means are available. Both the City of Memphis and the Tennessee Bureau of Investigation can share the negative press on this one. - Ed.*



## SAY IT AIN'T SO, JOE

### Yuma Money Theft from Evidence Storage

The Yuma Sun reports on May 16, 2013 that a former Yuma police officer remains behind bars, charged for allegedly stealing nearly \$11,000 in cash from evidence storage to support an addiction to prescription drugs.

Yuma Police Chief Jerry Geier said that Officer Michael Presco was officially terminated from the Yuma Police Dept. on Thursday. Presco was arrested Monday on suspicion of one count of theft for allegedly taking money which was evidence from a case he was handling. According to Yuma police, an investigation into the missing evidence began after another employee following up on the case discovered money and evidence missing.

The investigation revealed Presco checked out evidence from storage on February 23, 2009 for a supposed court proceeding, but never returned it. Presco had seized nearly \$11,000 in cash, drug paraphernalia and some clothing during an investigation he was involved in late 2008, which he placed into evidence.

Police then contacted Presco, who admitted he had the evidence but had not returned it yet. Police were sent

to his home to retrieve everything, only to be given bags of evidence, but no money. Presco later confessed to spending the money to support his drug habit. Presco is alleged to be addicted to the prescription drug Oxycontin.

During a news conference announcing the officer's arrest, Geier say the department will review its evidence procedure and every case Presco was involved with. This system of signing out evidence based on trust and an officer's integrity is used throughout the country by many law enforcement agencies. Unfortunately, it also leaves many doors open for a dishonest employee to abuse the system.

*It may be safe to say that the department is lacking certain internal controls that would insure that evidence, such as guns, drugs and money are monitored more closely.*

*Internal controls may include having to show a subpoena for the court day, a supervisors approval or the case agent approval to sign out and or a receipt signed by the court that it was in their possession as an exhibit.*



# IN THE NEWS



## Practice of Post-Arrest DNA Testing Has Already Played Role in Local Legal History

The Chicago Tribune reports on June 3, 2013 that taking suspects' DNA upon arrest in serious crimes, is a practice that has already made a mark on local legal history.

Jerry Hobbs had been sitting in Lake County Jail for almost five years awaiting trial for the slayings of his daughter and her friend when a man was arrested on unrelated felony charges in Virginia, a pioneer of testing suspects upon arrest rather than waiting for a conviction.

A DNA sample was taken from another man, Jorge Torrez, and it went into a national database, authorities said. It matched the sample from the scene of the Lake County double slaying, according to court records, and Hobbs was soon freed. Torrez, 24, awaits trial in the killings.

The case suggests the value of DNA testing upon arrest, said Rob Warden, executive director of Northwestern University's Center on Wrongful Convictions. Warden acknowledged privacy concerns but compared taking DNA to collecting fingerprints, a fixture of police work.

"It's in our interest to be able to track down criminals who have raped and murdered people," Warden said. "I really see no argument for not doing it."

The DNA test unraveled a case built upon a confession and undercut by conflicting forensic evidence.

Police immediately suspected Hobbs after he found his 8-year-old daughter, Laura, and her 9-year-old friend Krystal Tobias stabbed to death in a Zion park in May 2005. Hobbs, then a recent transplant from Texas with a long criminal record, denied killing the girls for most of an interrogation that involved several officers and stretched across about 24 hours, police testified.

Late in his questioning, Hobbs said, "I did it. Just write it down. Start this thing and send me to the judge,"

according to court records.

The charges against Hobbs were called into question after defense lawyers learned in 2007 that semen found inside his daughter's body didn't match his genetic fingerprint. But prosecutors argued that wasn't significant because the evidence could have come from her playing in a place where couples had sex.

Hobbs was freed in August 2010, a few months after Torrez — a friend of Krystal's brother and a former Zion resident who lived near the murder scene — was arrested outside Washington in a series of attacks on women, including an abduction and rape.

Torrez is serving five life sentences for those attacks. Along with the Zion double slaying, he is also charged with killing a 20-year-old Navy petty officer in the Washington area in 2009. Prosecutors have said they plan to seek the death penalty if he's convicted of that crime.

Lake County State's Attorney Mike Nerheim, who was not in office when Hobbs was freed and Torrez charged, said the case shows how prompt DNA testing can improve the justice system.

"This is an example of how exculpatory evidence can be found right away," he said.

*This example shows the benefit that comes from having the DNA sample of arrestees entered into the database. Those who are arrested are often the people who commit other crimes, and in this case it freed a man who made a false confession. Of interest is the prosecution's argument that DNA from semen found inside the 8 year old's body could have come from a casual source. — Ed.*

# ... AND MORE NEWS

## Governor Signs Law Banning Destruction of Forfeited Guns

Breitbart reports on May 1st, 2013 that Arizona Governor Jan Brewer's office said she received, "2,000 letters, emails, and phone calls" about the bill, of which only 25 opposed to its passage. While this bill is chiefly aimed toward cities and counties that hold gun buybacks, the NRA pointed out that this bill allows "seized or forfeited guns to retain value." And it ensures "that taxpayer dollars are not utilized to pursue a political agenda of destroying firearms."

This law was making its way through the AZ legislature when Gabby Giffords' husband Mark Kelly was telling everyone he was going to buy an AR-15 and then turn it over to the police. Had the gun store allowed him to buy that AR--which they didn't--and had he waited till now to

turn it in, it would have then been sold to a home owner who needed a good gun for home defense or to a hunter or a target shooter. It would not have been destroyed.

*On one side of this issue are gun control advocates who want all firearms turned in to be destroyed because they believe that those persons thought turned-in firearms were being removed from the public use. The other side is the taxpayer, who funds the buybacks and want fiscal responsibility. These people have no problem letting a firearms dealer sell to someone who has a clean background. This bill seems to settle the issue in Arizona. — E*



**“ We’re trying to save money. Do more with less.  
Property Room has helped tremendously.  
We heard about them from a nearby Department. ”**  
— Police Sgt., Property & Evidence

## **BETTER AUCTION RESULTS... LESS HASSLE**

**Seized • Stolen • Surplus • Found • Recovered**

### **Auction Solutions by PropertyRoom.com**

- ✓ **Eliminate clutter**
- ✓ **Reduce storage & handling costs**
- ✓ **Increase proceeds**
- ✓ **Employ chain-of-custody practices**

**Founded by Cops. Run by Cops.**

**We haul-away your headaches and send you back money**



Contact: Sales@PropertyRoom.com and get your department on board today

# POLICIES & PROCEDURES

## State of Connecticut Adopts Regulations for Drug Drop Boxes

*The Record Journal reports on March 14, 2013 that the State of Connecticut has adopted regulations for drug drop-boxes in an effort to reduce the mishandling of drugs that are submitted by its citizens for safe disposal. Although the regulations are specific to the State of Connecticut, most of the requirements may also be adopted by any agency as good public policy. The regulations are posted on the Department of Consumer Protection website, are as follows:*

### PROCEDURES:

**#1** Seeking Authorization to install a pharmaceutical collection drop box, The Chief of Police, or his Department Delegate, will perform the following:

- Contact the Department of Consumer Protection for an application to receive a registration. The registration is fee exempt and renewed on a yearly basis. This registration will be used for verification, compliance and verification for the Drug Enforcement Administration. Failure to obtain said registration will result in non-compliance
- A copy of the signed DEA authorization must be forwarded to the Department of Consumer Protection along with the completed application.

**#2** Purchase and installation of the pharmaceutical collection drop box.

- Police Department will obtain an approved steel one-way hopper door type collection box to be secured in its lobby into which citizens may deposit medications. Under no circumstances will the drop box be located outside of the Police Dept. lobby.
- The collection box shall be clearly marked for this purpose with instructions for proper use.
- Collection box shall be double locked and securely fastened in place to prohibit removal of box or retrieval of medications from within box by unauthorized persons.
- Citizens may place their unused medications/drugs into the collection box anonymously. Markers will be provided to encourage depositors to obliterate personally identifying information.
- Opened containers of liquid will not be accepted unless they are completely sealed.
- Syringes shall not be placed into the drop box. Signage will instruct depositors of alternative methods of disposal.
- No medications or other waste shall be permitted to be left outside of the drop box.

**#3** Collection & monitoring of medication disposals.

- The evidence clerk or designated officer will hold one of two keys to the collection box.
- The other key will be held by another designated full time certified police officer.
- No evidence clerk or officer shall have individual access to the contents of the collection box.
- Staff may monitor the collection of the drop box contents. This allows the ability to survey the kinds of medications that are being disposed of. This information can be used for evaluation and decisions regarding this pilot program.
- A case number will be assigned to the collection box as per department policy. The evidence clerk or designated officer will have to provide a total weight collected annually. This allows for tracking of data to monitor the programs benefits.
- The deposited drugs will be collected on a frequency deemed necessary based on usage. The viewports on the collection box should be checked weekly, unless an especially large deposit is observed.
- The individual retrieving the box or bucket shall wear protective gloves. The box or bucket shall be closed with a lid and sealed with evidence tape. A numbered tag shall be applied.
- The chain of custody shall be documented from retrieval through destruction. Access to the box shall be logged, including date, time, case number, tag number, and individuals involved.

**#4** Storage and disposal of the collected medications.

- Evidence clerk or designated officer will package the deposited drugs, document a general description of contents, provide a weight of contents, and place into evidence as abandoned property pending destruction through witnessed incineration. Material located in the drop box should not be handled nor is individual product identification required.
- Evidence clerk or designated officer shall ensure destruction of collected medications by witnessed incineration at intervals not to exceed six months.

**#5** Annual Registration renewal with Connecticut Department of Consumer Protection. A registration will be obtained from the Department of Consumer Protection, Drug Control Division web site. This registration is non-fee and will be renewed yearly. A new registration number will be issued with each renewal. On a yearly basis during the registration renewal process, the accumulated yearly weight will be submitted to the Drug Control Division, Department of Consumer Protection.

MICROCON®

# AIRBORNE Protection

For evidence and property rooms



## MICROCON CD™ Ceiling Mounted Air Purification System

The Microcon CD™ is a ceiling mounted high efficiency air filtration system specifically designed for the removal of both airborne pollutants and gas phase contaminants. The potential for exposure to biological health hazards including bacteria, viruses, mold, mildew, dust and gaseous odors related to the storage and handling of evidence during criminal investigations has been established. The Microcon CD™ will help you create a safer and healthier indoor environment. Dimensions (H) 23.6" (W) 47.6" (D) 18.5"



## MICROCON EL™ Negative Pressure Evidence Locker

The new Microcon EL™ provides containment of contaminants through negative pressurization to curtail off-gassing fumes, particulates, odors and other airborne pollutants and VOC's associated with evidence storage. Utilizing activated carbon and HEPA filtered air to prevent the escape and migration of airborne contaminants into the working environment. Dimension (H) 80" (W) 36" (D) 28"

**BIOLOGICAL**  
*Controls*

[www.biologicalcontrols.com](http://www.biologicalcontrols.com) ■ Made in USA ■

749 Hope Road, Suite A, Eatontown, NJ 07724 Toll Free: 800.224.9768 Tel: 732.389.8922 Fax: 732.389.8821

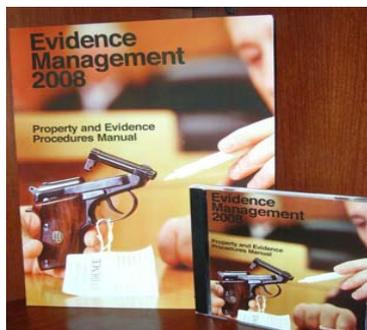
Copyright © 2007 Biological Controls Microcon is a registered trademark of Biological Controls

## Evidence Management for Law Enforcement

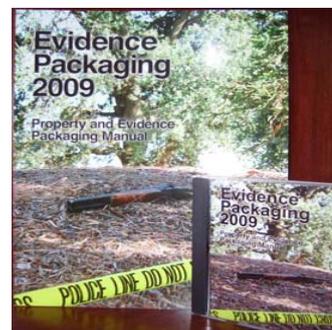
[www.evidencemanagementle.com](http://www.evidencemanagementle.com)



Use this book/CD's template to create a Property and Evidence Unit Procedures Manual and a Packaging Manual. These manuals will provide the clear direction necessary for your Agency to achieve consistency in packaging of evidence and help organize your Property Room.



Property and Evidence Unit  
Procedure Manual



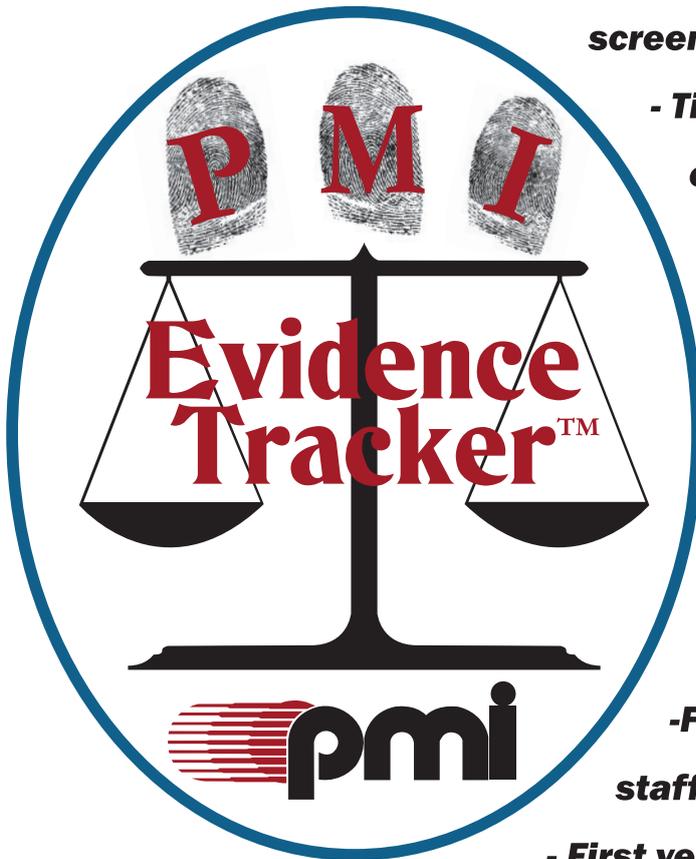
Packaging Manual

Order on-line at [www.evidencemanagementle.com](http://www.evidencemanagementle.com)

# Maintaining the Chain of Custody has never been so easy!

**One System. One Price. Total Success!**

---



- **"Cop Friendly"** customizable single screen to enter evidence

- **Time/date stamp** for chain of custody

- **Unlimited** network users

- **Server, stand alone, peer-to-peer** installation

- **Unrestricted** Reports & automated inventory

- **Consistent with CALEA & IAPE** standards

- **Friendly & knowledgeable support staff**

- **First year of support FREE**

**Packages starting at \$3850**

**www.evtracker.com**

Visit our site to request a **FREE** demo

**Progressive Microtechnology, Inc.**

Toll: 800-325-7636 | Direct: (904)797-1050 | Fax: (904)797-6100



# 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](http://www.iape.org)

Arizona Association for Property and Evidence  
[www.azape.org](http://www.azape.org)

Arkansas Association for Property and Evidence  
[www.arproperty.org](http://www.arproperty.org)

California Association for Property & Evidence  
[www.cape-inc.us](http://www.cape-inc.us)

Colorado Association of Property & Evidence Technicians  
[www.capet.com](http://www.capet.com)

Property & Evidence Association of Florida  
[www.peaf.net](http://www.peaf.net)

Illinois Association of Property and Evidence Managers  
[www.iapem.org](http://www.iapem.org)

Nebraska Association of Property & Evidence  
[www.ne-nape.com](http://www.ne-nape.com)

North Carolina Association of Property & Evidence  
[www.ncape.net](http://www.ncape.net)

Texas Association of Property,  
 Evidence & Identification Technicians  
[www.tapeit.net](http://www.tapeit.net)

### Colorado Association of Property & Evidence Technicians FALL CONFERENCE

*When:* September 11 - 13, 2013  
*Where:* The Village  
 Breckenridge, Colorado

*For more more info. and details, visit:*  
[www.capet.com](http://www.capet.com)

### Texas Association of Property, Evidence & Identification Technicians ANNUAL CONFERENCE

*When:* October 22 - 25, 2013  
*Where:* Omni Southpark  
 Austin, Texas

*For more more info. and details, visit:*  
[www.tapeit.net](http://www.tapeit.net)

### California Association for Property & Evidence 25th ANNUAL CONFERENCE

*When:* April 14 - 18, 2014  
*Where:* Newport Beach Marriott  
 Newport Beach, California

*For more more info. and details, visit:*  
[www.cape-inc.us](http://www.cape-inc.us)

*Please go to: [www.iape.org](http://www.iape.org) for the most current schedule of up-coming IAPE classes.*



## CONGRATULATIONS!



to all of our recently designated  
Certified Property & Evidence Specialists

*(since last issue)*

Barrientos, Carmela	El Monte Police Department	California
David , Carolle	Minnesota Bureau of Criminal Apprehension	Minnesota
Logan-Moody, Charlnitta	Minnesota Bureau of Criminal Apprehension	Minnesota
Garvin, Demi	Richland County Sheriff's Dept.	South Carolina
Sibayan, Rod	Portland Police Bureau	Oregon
Cutler, Douglas	Portland Police Bureau	Oregon
Morris, Nikki	Portland Police Bureau	Oregon
Hagar, Brandon	Winston-Salem Police Department	North Carolina
Collins, Randy	Bibb County Sheriff's Office	Georgia
Ballweber, Rochelle	Beaverton Police Department	Oregon
Tobin, Robert	Chatham-Kent Police Service	Ontario, Canada
Eagen, Katie	Chatham-Kent Police Service	Ontario, Canada
Cyr, Penny	Pinellas County Sheriff's Office	Florida
Rollins, Karen	Vanderbilt University Police Department	Tennessee
Van Deven, Peggy	City of St. Peters Police Department	Missouri
Lund, Cynthia	St. John Police Force	New Brunswick, CN
Miatke, Brandi	Hopkins Police Department	Minnesota
Hansen, Lisa	Santa Rosa Police Department	California
Walter, Stephanie	Santa Rosa Police Department	California
Schlarb, Scott	Pinal County Sheriff's Office	Arizona
Arcomone, Lori	Jupiter Police Department	Florida
Navarro, Jorge	San Rafael Police Department	California
Bourgeois, Chantele	Jefferson Parish Sheriff's Office	Louisiana
Kowalewski, Amanda	Clear Creek County Sheriff's Office	Colorado
Thomas, Kelby	Monroe County Sheriff	Florida
Daugherty, Kenneth	Campbell County Sheriff	Tennessee
Steinbeiser, Richard	CCPES - Merck & Co.	Pennsylvania
Finger, Cheryl	Department of Forensic Science	Virginia
Roche, Gerald	Glendale Police Department	Arizona
Harney, Theresa	Salt River Police Department	Arizona
Matthews, Amanda	Virginia Department of Forensic Science	Virginia
Okon, David	Mount Prospect Police Department	Illinois
Phillips, Susie	Kalispell Police Department	Montana
Hampton, Emma	Forensic Medical	Tennessee
Susman, Emily	U.S. Dept of State	New York
Pacheco, Gretchen	University of Oregon Police Dept.	Oregon
Evangelista, Mel	Fremont Police Department	California
Pitfield, Chad	Jefferson Parish Sheriff's Office	Louisiana
Lyons, Tiffany	Winston-Salem Police Department	North Carolina
Keenan, Jacqueline	Department of State	California
Boggio, Kelly	Bristol Police Department	Connecticut
Slagle, Amanda	Idaho County Sheriff's Office	Idaho
Kunerth, Rachel	Palm Bay Police Department	Florida
Daniels, Sandra	Tallahassee Police Department	Florida
Tussing, Terry	Gordonsville Police Department	Virginia

## SORRY 'BOUT That Chief!

### Owners Paid After New Hartford Police Destroy Stolen Property Held in Evidence

The Utica Dispatch reports on February 21, 2013 that the New Hartford police have taken steps to better keep track of evidence after several items of stolen property were mistakenly destroyed instead of being returned to their owners, officials said.

The New Hartford Town Board recently agreed to pay a total of more than \$500 to four people whose electronic devices were disposed of last September by a New Hartford police investigator after the related criminal case had been resolved in court.

Because the investigator failed to realize that the items' owners were identified in the case file, he smashed several GPS devices and an iPod with a hammer in accordance with department policy, police Chief Michael Inserra explained. The mistakes were later discovered when one of upset owners alerted the department and the Town Board that he wanted to be reimbursed for the loss.

Inserra acknowledged this week that a regretful mistake had been and said that additional safeguards have since been put in place to prevent such an oversight from reoccurring. "I have addressed it as upfront and as honestly as it could be addressed, because evidence is a touchy subject and to have a mistake happen in the evidence room is never a good thing," Inserra said. "Internally, there was an investigation to determine how and why it happened, and we have instituted even more policies to assure that it won't happen again."

Among the current precautions: Labeling each item in the evidence room with an electronic identifying tag and requiring the officer to first review each file to determine if the items' owners have been identified.

The devices were among more than 25 items found in a backpack after a suspect, Charles Kulick, was arrested in June 2011 while trying to sell the items at the Pawn King on Commercial Drive. Because the items' owners were never identified, they were set to be destroyed once the court case had ended, Inserra said.

Although Inserra was upset enough by the mistake, a disappointed Town Councilman Don Backman also expressed his frustration at a recent board meeting that taxpayers had to pay the bill for this error.

"People are human and mistakes are made, but don't do this again," warned Backman, of the First Ward. "If there

are changes that need to be done to handle that evidence then let's implement those changes now. I don't want this to happen again, and I'm sure the chief doesn't either."

But Backman also was shocked to hear that such unclaimed evidence is simply destroyed, instead of being sold on eBay to cash in on their value. "To throw out an iPod, does that make sense?" Backman said, noting that items have been auctioned off in the past. "I would hope in the future there will be no destruction of unclaimed evidence, and I'd hope they bring it to the board and ask: What should we do?"

Inserra explained that dozens of unclaimed items had been sold on eBay previously because they were sitting around for years in connection to a major stolen property fencing operation from 1995. But on a much smaller scale, Inserra said it takes too much time and effort to try and sell them, he said.

"It's such a labor-intensive process that when you only have a handful of items, it's not really worth it," Inserra said.

## OOPS!

*Yes, we do occasionally make errors when returning or sending items for auction. No, there is no insurance that it won't happen again as long as we rely on someone's judgment to approve and authorize the destruction or sale of property they believe is abandoned or the owner cannot be located. The payment just reflects the cost of doing business. The agency should be concerned that new policies are being put into place that may handcuff the evidence custodian in trying to dispose or release items that are no longer needed. Prior experience has shown that being overly cautious my result in keeping items too long and create the need for more storage space.*

*The Town Councilman should be suggesting that they send out their items for auction rather than try to sell them themselves on Ebay. The man-hours lost does not justify trying to sell the items without a third party, even paying a commission. The Chief said it right when he is quoted as saying that it takes too much time and effort to try and sell them. - Ed.*



## EVIDENCE LOG SHOW & TELL

Although the above story illustrates an unfortunate incident, it also provides a lesson for others in our profession.

If you have anything enlightening to share, or even amusing, please submit for publication consideration to:

[www.iape.org](http://www.iape.org)

Cont'd from Page 34

## WE GET MAIL... cont'd.



### NIBIN

RE: Steve Campbell's article about testing guns.

Phoenix PD has a regional NIBIN center used by at least 12 other agencies in the Phoenix area. We hold monthly shoots to obtain casings for analysis. Each agency has a staff person trained as a ATF Firearm's technician and they are responsible for input and correlation. This system works very well while keeping the costs at a minimum.

John Pacini  
Gilbert, AZ

John:

*Thanks for the outstanding information. This is the type of regional self-help that IAPE encourages. Agencies need to band together for to keep costs minimal, yet utilize all available technology whenever possible. This should be used as a model to place more data into the database so that everyone benefits. – Ed.*



QUESTIONS • SUBMISSIONS • CLASS REGISTRATION • ADVERTISING

Get in touch with us for more information about the IAPE and what we have to offer.

INTERNATIONAL ASSOCIATION FOR PROPERTY AND EVIDENCE, INC.

www.iape.org • 1.800.449.4273

---

---

## ALPHABETICAL ADVERTISER INDEX

---

---

Ace Software Techniques, Inc.	15	Peter Mangone, Inc. (Tag-It)	8
Air Science	42	Porter Lee (BEAST)	Inside Back Cover
Architects Design Group	18	PMI Progressive Microtechnology Inc.	52
Biological Controls	21	Property & Evidence by The Book!	36
CP Products	42	Property Bureau (PropertyRoom.com)	49
Elastec "Drug Terminator"	35	QueTel	30
ECS (Evidence Control Systems)	21	Spacesaver	Outside Back Cover
ERIN Technology	22	Spacesaver	16
Evidence Mgmt. for Law Enforcement	51	Spacesaver	27
EvidenceOnQ	Inside Front Cover	Spex Forensics	22
IAPE New Training Video	35	Tiffin Metal Products	5
Lynn Peavey Company	13	Tracker Products	28 - 29
Lynn Peavey Company	19	Tufloc	10
Mystaire / Misonix	6	WireCrafters	4
PERCS Index, Inc.	9		

# Unleash The Power Of The BEAST

The most powerful Evidence Management  
System on the market today



## Chain - Of—Custody

The BEAST Evidence Management System chain of custody is designed to capture a complete log of possession from collection in the field to ultimate disposition of the evidence. Utilizing RF ID, Standard Barcodes, Wi-Fi, integration with Laboratory LIMS systems, CAD/RMS, and Court Systems, the BEAST records and tracks the movement evidence and its location at all times.

## Audit Log

The validity of the data provided by the BEAST is the ultimate concern of any agency. With any computer-based system data entry mistakes will occur. By utilizing user-based security and embedded audit tracking, the BEAST can control who is allowed to modify previously saved data and track exactly what that user changed. Every modification is time-stamped and recorded with the user's name, PC they utilized, and both the original value and the new value as recorded.

## Digital Documents

Agencies are always looking to reduce the filing and warehousing of paper records, but in law enforcement some level of paper is required. The issue is making those paper records easily accessible and convenient for those looking for them. With the BEAST system, digital images from scanners and cameras can be linked and annotated to the specific digital record they represent. This could be at the case level, the individual or the exhibit level. Digital media files such as .DOC, .XLS, .PDF, .MP3, and .WAV can also be linked to these records.

## Integration

The BEAST system has been designed to integrate with many other systems utilized in law enforcement. The following are samples of the types of interfaces currently in use by the BEAST: CAD/RMS, LIMS, DNA Robotics, GC/MS, Mugshot, CODIS, Auto Pound, Court Management and in-house systems. Our application designers can customize an interface for you as well.

## Call Today for a Demonstration

[www.porterlee.com](http://www.porterlee.com)

Unleash the BEAST

1 - (847) - 985 - 2060

**PORTER LEE**

**Corporation**



## ActivRAC™ Mobilized Storage System

### WHAT YOU CALL AISLES, WE CALL WASTED SPACE.

Property and evidence piling up on you? Mobilize and organize your property and evidence storage with ActivRAC™ mobilized storage system by Spacesaver® that moves your existing or new shelving side-to-side, eliminating aisles and maximizing your square footage. It's the easiest way to add capacity without expanding, no matter the size or budget of the department.

To learn more, visit [www.StackYourEvidence.com](http://www.StackYourEvidence.com)

[www.StackYourEvidence.com](http://www.StackYourEvidence.com) | 800.492.3434 | [www.spacesaver.com](http://www.spacesaver.com)