

# Evidence and Recovered Property

**Index Code:** 1202

**Effective Date:** 05/15/03 (Revised 11/22/2023)

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## **I. Purpose**

The purpose of this directive is to establish formal procedures governing the management of evidence and other property by all employees of the Office of the Sheriff.

## **II. Policy**

It is the policy of the Office of the Sheriff to safeguard and make proper disposition of all evidence and property which comes into the care and custody of the agency.

## **III. Definitions**

### **A. Evidence**

For purposes of this directive, evidence is anything that may be used during a criminal prosecution to establish a case and prove facts or elements of a crime before a court of law.

### **B. Found Property**

For purposes of this directive, found property is any property found which comes into the custody of an employee which:

1. Has an apparent value to the owner;
2. Is in substantially operable, functioning condition;
3. Is of no evidentiary value whatsoever, and;
4. Whose rightful owner may or may not be known to the finder or the agency.

### **C. Recovered Property**

For purposes of this directive, recovered property is defined as any property turned in, seized, or otherwise coming into the custody of the Office of the Sheriff, which will not be utilized as evidence and is available for immediate release to the rightful owner if known.

### **D. Property for Disposal**

For purposes of this directive, property for disposal is defined as any property submitted for destruction or legal disposal, including firearms, ammunition, knives and other weapons, as well as controlled dangerous substances and other contraband having no evidentiary value. Property for destruction/disposal may have been seized from a citizen by a deputy or released by a citizen to the Sheriff's Office for disposal purposes.

## **E. Exculpatory Evidence**

Exculpatory evidence is any evidence that could suggest a suspect's innocence.

## **IV. General Provisions**

All employees will properly process and secure property which has come into their possession. The proper handling and security of property received will comply with current law and established policy and procedures. Property which comes under the care of an employee which is subject to the evidence/property function as outlined in this directive and is not to be released to the rightful owner by the end of the employee's work shift, will be turned into the Property Room by the conclusion of the shift.

The accountability, control, and safe storage of evidence and found/recovered property are the responsibility of the Evidence Manager. Only authorized personnel may have access to the area used by the Office of the Sheriff to store evidence and other property. In the event that the Evidence Manager is not in attendance, the Evidence Room will be closed. The Evidence Room is secured and alarmed and can only be accessed by the Evidence Manager and the Commander of the Support Services Division.

## **V. Reporting Requirements**

A. Any item of property taken into custody by any member of the Office of the Sheriff must be documented with a Fieldcase Report. The report will describe how the property came into the agency's possession, a detailed description of the property, and vital information available regarding the owner and/or finder to include names, addresses and telephone numbers. There are **three** authorized exceptions to this requirement:

- 1) Employees who receive ammunition for destructive purposes and that has no evidentiary value are permitted to obtain an incident number and document all necessary information into a call for service/incident record through the agency electronic reporting system.
- 2) Employees who receive unwanted medications for destruction will follow the