

Geneva Police Department GENERAL ORDERS		PROPERTY AND EVIDENCE MANAGEMENT	
<input type="checkbox"/> new: <input checked="" type="checkbox"/> rescinds: Policy & Procedure 7.1-5 <input type="checkbox"/> amends:		cross-reference: G.O. 510 Accreditation/Recognition standards: NYS L.E.A.P.: 7.1; 7.3; 51.4; 51.5	
effective date: 10.29.04	issue/amend/review date: 10.29.04 / 10.24.13 / 1.29.14 2.13.15 / 1.3.17 / 10.12.20		

I. PURPOSE	<p>The purpose of this General Order is to establish and describe policies and procedures for the receipt, processing, storage, safekeeping, and disposition of all property and evidence that comes under the control of the Department. Procedures for securing the personal property of prisoners arrested and detained by Department personnel are found in <i>G.O. 510 Prisoner Booking and Detention Procedures</i>.</p>
II. DEFINITIONS	<p>A. <u>Property</u>: Any physical item that comes under the control of the Department. Property will be categorized as follows:</p> <ol style="list-style-type: none"> 1. Physical evidence; 2. Personal property; 3. Found property; or 4. Items held for safekeeping. <p>B. <u>Intake Lockers</u>: Designated lockers located in the Police Hallway of the Public Safety Building (PSB) that are used for the temporary storage of property until removed into the Evidence Room by the Property Supervisor or Property Aide.</p> <p>C. <u>Intake Refrigerator</u>: A secure refrigerator located in the Police Hallway Typing Nook Area that is used for the temporary storage of property to be refrigerated until moved to the secure refrigerator in the Evidence Room by the Property Supervisor or Property Aide.</p> <p>D. <u>Processing Room</u>: A secure room for the processing and temporary storage of evidence.</p> <p>E. <u>Evidence Room</u>: A designated room within the PSB for the secure storage of property.</p> <p>F. <u>Property Room</u>: The designated secure room in the Police Garage at the rear of the PSB, which is used for the long-term storage of property.</p> <p>G. <u>Police Garage</u>: The designated portion of the garage at the easternmost rear of the PSB which is used for long-term storage of large items of property, (e.g., bicycles, appliances, cars).</p> <p>H. <u>Beast Evidence Management System</u>: Computer Evidence Management System.</p>
III. PROCEDURE	<p>A. It is the policy of the Geneva Police Department to receive, process, store, safeguard, and dispose of property in accordance with existing laws, and regulations, and to maintain complete and accurate records of all such property.</p> <p>B. Departmental or personal use of property that comes under control of the Department is prohibited.</p>

**IV. AUTHORIZED
USE OF PROPERTY
AREAS**

- A.** The only authorized areas to secure or store property are the Intake Lockers, Intake Refrigerator, Processing Room, Evidence Room, Storage Room, and Police Garage. Each area will be used as follows:
1. **Intake Lockers:** Lockers that are used for the temporary secure storage of property pending its submission to the Property Supervisor. All Department personnel will have access to the Property Lockers. These lockers will have a locking mechanism and upon the placement of property within, the locker will be secured. Once secured, the Property Supervisor and Property Aide(s) will be the only personnel allowed access.
 2. **Intake Refrigerator:** A secure refrigerator that is used for the temporary storage of evidence pending its submission to the Property Supervisor. All Department personnel will have access to the Intake Refrigerator. This refrigerator will have an unlocked padlock and upon the placement of property within, the refrigerator will be secured. Once secured, the Property Supervisor and Property Aide(s) will be the only personnel allowed access.
 3. **Processing Room:** A room maintained by a Department Supervisor to securely store evidence that must be processed or examined. Evidence may be kept in the Processing Room only pending processing or examination. Once processed or examined, the property must be promptly placed into the Evidence Room. The Processing Room can also be used for the temporary storage of property too large for the intake lockers until moved to the Evidence Room by the Property Supervisor or Property Aide. Detective Bureau personnel, Evidence Technicians, and Supervisors will have regular access to the Processing Room.
 4. **Evidence Room:** A room used for the storage of property. Access is limited to the Property Supervisor and Property Aide(s).
 5. **Property Room:** A large storage room located inside of the Police Garage that is used for long term storage of property. Access is limited to the Property Supervisor and Property Aide(s).
 6. **Police Garage:** A large area located in the easternmost section of the Police Garage that is used for the storage of property too large for the Evidence or Property Rooms. Access is limited to the Property Supervisor and Property Aide(s).

**V. PERSONNEL
RESPONSIBILITIES**

A. Property Supervisor

1. The Property Supervisor shall be responsible for the security and control of all property accepted by the Department or stored in authorized facilities and also for the forwarding of evidence to crime labs and receipt of evidence returned to the Department from crime labs. The Lieutenant/Detective Bureau (LT/DB) will serve as Property Supervisor.

B. Property Aide

1. Personnel designated as Property Aide(s) shall, under the direction of the Property Supervisor, serve as property custodians and be responsible for all property accepted by or stored in the Department's facilities. The Property Aide will attend and successfully complete a DCJS approved Property/Evidence Room Management Course within 1 year of being assigned to said position.
2. The Property Aide(s) shall be responsible for the operation of the Intake Lockers and property storage to include:
 - a. Receiving property;
 - b. Recording the receipt, transfer, disposition, and destruction of such property; and
 - c. Storing, maintaining and safeguarding property;

V. PERSONNEL RESPONSIBILITIES (CONT.)

3. The Property Aide(s) will also be responsible for the security and integrity of facilities in which property is stored to include:
 - a. Intake Lockers;
 - b. Intake Refrigerator;
 - c. Processing Room;
 - d. Property Room;
 - e. Police Garage;
 - f. Evidence Room; and
 - g. Safes.

C. Drug Enforcement Unit (DEU) Supervisor

1. Ensure that DEU personnel adhere to proper procedures in handling controlled substances and other evidence or property.

D. Duty Supervisor

1. Ensure that personnel adhere to proper procedures in handling property.
2. Notify the Chief of Police and LT/DB of any apparent breach of security or other unusual event relating to property, evidence, or a property area.

E. All Personnel

1. All personnel are responsible to safeguard all property that comes into their possession and to handle property in accordance with legal requirements and Departmental policies and procedures.
2. All personnel are responsible to report any of the following immediately to an on-duty Supervisor:
 - a. Entry by unauthorized persons into any property area or secure area, (e.g., locker, safe, etc.) within a property area;
 - b. Forcible entry into a property area or secure area, (e.g., locker, safe, etc.) within a property area;
 - c. Property that has been stolen, removed by unauthorized persons, or tampered with;
 - d. Any apparent breach of security or other unusual event related to property or a property area; or
 - e. Property that has been improperly stored or secured.

VI. SECURITY OF PROPERTY AREAS

A. Access Logs

1. Access Logs will be maintained for each of the property areas designated below. **ALL** persons entering any of these designated areas will sign **IN** and **OUT** of the respective areas they enter and exit.
 - a. Processing Room;
 - b. Evidence Room;
 - c. Property Room;
 - d. Police Garage;
 - e. Drug Locker;
 - f. Valuables Safe; and
 - g. Refrigerator.

**VI. SECURITY OF
PROPERTY AREAS
(CONT.)**

Note: The Department will install and maintain a computerized system to control access to some of the property areas. This system will allow users to gain entrance to these areas by use of a “swipe card” which will unlock the door and document the entrance on a computerized log. Where this system is installed, all personnel entering the location must “swipe in”, or complete the hardcopy “Access Log.”

2. When an Access Log is completely filled out, it will be forwarded to the Property Supervisor who will maintain files for all Access Logs.
 3. The Property Supervisor will review completed Access Logs to ensure compliance with established access procedures is maintained. Any problems will be documented in a report and forwarded to the Chief of Police.
- B.** Property Areas shall be kept locked at all times, except when occupied by authorized personnel.
- C.** The Chief of Police is authorized to enter areas where property is secured. Other personnel authorized to enter areas where property is secured are as follows:
1. Intake Lockers and Refrigerator
 - a. All Department personnel having a need to secure property will have access. Once the property is secured in a locker or refrigerator, only the Property Supervisor/Aide(s) will have access. *See §IX (C)(2) and (D)(1).*
 2. Processing Room
 - a. Supervisors;
 - b. Detective Bureau personnel; and
 - c. Evidence Technicians.
 3. Evidence Room
 - a. Property Supervisor; and
 - b. Property Aide(s).
 4. Property Room
 - a. Property Supervisor; and
 - b. Property Aide(s).
 5. Police Garage (easternmost section)
 - a. Property Supervisor; and
 - b. Property Aide(s).
- D.** Department personnel having legitimate business may enter the Evidence and Property Rooms and easternmost section of the Police Garage (e.g., supervisor conducting inspections, Evidence Technician or Detective processing evidence), and only when accompanied by personnel so authorized to enter or other Department personnel as designated by the Chief of Police.
- E.** Other persons having legitimate business (e.g., maintenance, etc.) may enter a Property Storage Area only when accompanied by personnel so authorized to enter or other Department personnel as designated by the Chief of Police.
- F.** Personnel who are authorized to enter the Processing, Evidence and Property Rooms and the easternmost section of the Police Garage will not:
1. Permit unauthorized persons into the area without the appropriate escort.
 2. Provide unauthorized persons with keys/swipe cards to those areas.

VII. REPORTING PROCEDURES

- A.** Personnel will generate a Control Report Number (CR#) and complete an Incident Report for each and every instance property comes under their control and is to be entered into the PD Manager Computer System as soon as possible.
- B.** Personnel will complete an Incident Report outlining the circumstances surrounding how the property came into the Department's possession, how it was obtained, along with any other pertinent information regarding the property. Each piece of property will be described in the report with as much detail as possible.
- C.** Personnel will complete any required reports (Incident Report to include property, packaging and storage of property, etc.), as soon as possible and before the end of the Officer's tour-of-duty. If due to injury, illness, or some other compelling circumstance, an Officer cannot complete the required paperwork and secure the property, the duty Supervisor will be responsible to ensure that the paperwork is completed and paperwork properly secured.
- D.** Personnel shall, if time permits, attempt to contact the owner of found property or other property which may be returned to the owner. If the owner cannot be contacted, Records Bureau personnel will attempt to contact the owner by telephone if possible, or if not, send the owner a letter advising them to claim the property.
- E.** Anytime property is returned to an owner, personnel will ensure that a GPD Receipt and Liability Release Form (GPD#10) is completed and filed. These forms will be forwarded to the LT/DB, who will maintain a file.
- F.** Valueless property turned into an Officer or dispatcher such as glasses, keys, wallet (no license, identification cards, money, or credit cards) or any property with little or no value, will not be entered into the Property System. This property will be classified as "Lost and Found" and will be placed in the "Lost and Found" Property file cabinet in Communications. A CR # will be assigned to this property with all pertinent information included (*See G.O. 425 Field Reporting and Management*) and a hard copy attached to the property when placed in the cabinet.
 - 1. If a wallet, purse, or similar property is found that contains identification and can be expeditiously returned to the owner-with proper identification, a CR# will be assigned with all pertinent information included. In such a case, the property will be secured in the locked "Found Property" file cabinet in Communications with a hard copy of the CR# attached until that time it is returned to the owner. Upon release of the property the procedures as set forth above in *§VII (E)* shall be followed. If the owner cannot be contacted, this property **will** be placed into the Property System. The key to the locked cabinet will be secured in the safe in Communications.

VIII. PROPERTY LABEL PROCEDURE

A. When Officers take custody of property during the course of their official business, the following procedures will be strictly adhered to:

1. Officers must prepare an **EVIDENCE** label for all property that comes into possession of the Department. The Beast Evidence Management System will be the primary evidence labelling system. In the event that the program is down, blank Evidence Labels are maintained on the shelf above in the Property Processing Area and also in the Processing Room. Officers will ensure that Evidence Labels are filled out as completely as possible, with all applicable information, to include:
 - a. Control Report Number (CR No.);
 - b. Item number associated with that CR, (e.g., 1 of 3, 2 of 3, etc.);
 - c. Type of offense;
 - d. Description of property (including make, model number and serial number, if any);
 - e. Suspect or arrestee's name, when applicable;
 - f. Victim's name, when applicable;
 - g. Owner's name (if different from above);
 - h. Date and time the property was recovered;
 - i. Location where the property was recovered;
 - j. Name of individual recovering property;
 - k. Chain-of-possession information. This information must begin with the receiving officer and **updated** each and every time the custody of the property is transferred and/or the property is disposed/destroyed.

B. Information that is **NOT APPLICABLE** will be marked "N/A" on the Evidence Label.

IX. PROPERTY PREPARATION FOR SUBMISSION INTO THE PROPERTY SYSTEM

A. All property coming under control of the Department must be entered into the Department's PD Manager Records Management System prior to submission to the Property Supervisor or Property Aide or submission to an outside laboratory or other agency for examination and testing.

B. Temporary Storage of Property

1. All property must be temporarily secured in either the Intake Lockers or Processing Room. Exceptionally large items will be placed in the easternmost portion of the Police Garage by the Property Supervisor or Property Aide.

C. Intake Lockers

1. Intake Lockers are used for the temporary storage of property until submission to the Property Supervisor or Property Aide.
2. The Intake Lockers have a mechanism that is left in an open position. Once property is placed into the locker, the mechanism is manually secured. Officers should ensure they have totally finished processing the item before securing it in the locker. The Property Supervisor and Property Aide(s) will be the only personnel to manually open the locks from inside the property room. The Intake Lockers will be cleared by the Property Supervisor or a Property Aide on a daily basis if feasible, or at a minimum every two days.
 - a. If all the Intake Lockers are filled, personnel will notify the duty Supervisor. The duty Supervisor will contact the Property Supervisor or Property Aide to respond and clear the Intake Lockers.

IX. PROPERTY PREPARATION FOR SUBMISSION INTO THE PROPERTY SYSTEM (CONT.)

- b. A Mailbox style intake locker is also available and will be kept in a locked condition. Said mail slot should be used for any evidence including drugs, or envelopes containing evidence that will fit through the opening.
 - c. If evidence of a sensitive nature, (e.g., drugs, high value, etc.) needs to be secured and is too large for an Intake Locker, personnel will notify the duty Supervisor. The duty Supervisor will contact the Property Supervisor or a Property Aide to respond and secure the evidence.
 - d. If property or evidence of a non-sensitive nature is too large for an Intake Locker, the property should be placed into temporary storage in the Processing Room. Should this be the case, personnel will sign in on the Access Log to the Processing Room. Once secured in the Processing Room, the Property Supervisor or Property Aide will remove the property or evidence the next business day and place into either the Evidence or Property Room.
3. Property must be properly packaged and marked before submission to the Property Supervisor/Aide. Property that is not properly packaged or marked will be left secured in temporary storage and a memo submitted to the Officer's immediate Supervisor outlining the deficiencies and the actions needed to correct those deficiencies.
- a. Once the deficiencies have been corrected, the property will be re-submitted to the Property Supervisor/Aide.

D. Refrigerated Property

- 1. There is a secure Intake Refrigerator located in the Police hallway typing nook. The refrigerator has a padlock on it which is left in an open position. Once property is placed into the refrigerator, the padlock is secured. Officers should ensure they have totally finished processing the item before securing it in the refrigerator. The Property Supervisor and Property Aide(s) hold the only key to open the lock.
 - a. In the event the Intake Refrigerator is secured, personnel will notify the duty Supervisor. The duty Supervisor will contact the Property Supervisor or Property Aide to respond and secure the evidence or property.

E. Large-Size Property

- 1. Large items of property (e.g., furniture, appliances, etc.) will be secured in the easternmost section of the Police Garage by the Property Supervisor or Property Aide.

X. GENERAL PACKAGING GUIDELINES

A. General Guidelines

- 1. Packaging is based upon the item, it's size, composition, and future processing needs. The appropriate size package should fit the property. **The more compact the package, the better use we can make use of our storage facilities.**
- 2. All items of property collected by personnel, regardless of size or composition, must be properly secured before the end of their tour-of-duty. If, due to illness, injury, or other compelling reason the Officer receiving the property is unable to secure the property, it is the responsibility of the duty Supervisor to ensure that this is done.

**X. GENERAL
PACKING
GUIDELINES
(CONT.)**

3. Supplies for packaging, marking, and labeling are located in the Communications Room and in the Processing Room. Questions concerning the proper packaging of a specific type of property should be directed to the Property Supervisor, Supervisor, or a Department Evidence Technician.

4. Personnel will use either a clear plastic evidence bag or manila evidence envelope with clear window to secure evidence. Items too large to package (e.g., bicycles, appliances, furniture, etc.), will have an evidence label affixed to them. On any large piece of evidence, Officers will place their initials and date directly on the piece of evidence in a non-conspicuous location.

Note: If a large piece of evidence will need processing (e.g., prints), Officers will not place their initials directly on the evidence and will follow those procedures as set forth below.

5. Packaging of items of evidence in a plastic bag will be sealed by means of approved evidence tape. Staples **WILL NOT** be used to seal any package.

6. The Officer sealing the package will place his or her initials with permanent black marker (e.g., Sharpie ®) so they are partially on the package and partially on the evidence tape.

7. Anytime a package must be reopened after having been sealed, the package will be neatly cut open at the bottom and then resealed with Department-issued evidence tape that is located in the Processing Room. The person who opened the package will reseal the package and initial the seal.

8. To make the disposition of property more efficient, items must be packaged separately if they will be disposed of in different manners. For example, the items must be separated if they will be returned to different owners, if some items belong to a victim and other a suspect, or if some items will be destroyed and others returned to the owner.

9. If evidence requires processing, (e.g., fingerprinting, etc.) the exterior package will have a paper label attached to it stating, “**NEEDS TO BE PROCESSED**” along with the details of what needs to be done with the evidence. An entry will also be made in the Incident Report.

B. Narcotics and Dangerous Drugs

1. Officers submitting narcotics and dangerous drugs into evidence shall:

- a. Count all pills, capsules, bags, or individual items, if practical.
- b. Weigh the items, if practical, to determine the approximate weight. When necessary to support a criminal charge, the exact weight will be determined by a crime lab.
- c. If practicable, photograph the narcotics/drugs.
- d. Field-test the narcotics/drugs using the appropriate test kit.
- e. Package different types of narcotics/drugs or drugs/narcotics from different sources separately to prevent cross contamination.

**X. GENERAL
PACKING
GUIDELINES
(CONT.)**

C. Firearms

1. **All firearms will be unloaded and rendered safe (i.e., incapable of firing), prior to being secured** in the Firearms Locker located in the Processing Room. If the Officer is unable to render the firearm safe, he/she will request the assistance of Department Armorer or other assigned personnel.

Note: If for any reason the firearm cannot be rendered safe and is submitted with unspent rounds, it will be secured in the Firearms Locker and clearly labeled in red letters. "HOT".

2. When a firearm is secured as evidence, the Officer should note and document whether it is loaded and the number of rounds. For revolver type weapons, the Officer should note the number of rounds (both spent and unspent) in the cylinder and the brand and caliber of each round in the cylinder. For semi-automatic and automatic firearms, the Officer should note and document whether there is a round in the chamber and magazine and the brand and caliber of the round.

Note: If a non-evidence technician secures the firearm as evidence, the securing Officer will do only what is necessary to render the firearm safe and the Evidence Technician will process the weapon as necessary.

3. **LIVE AMMUNITION** will be packaged separately from all firearms and clearly labeled as such.
4. When a firearm is secured for safekeeping, only the firearm will be taken. Ammunition, leather goods, scopes and other accessories not attached to the weapon, etc., will not be taken.

D. Bodily Fluids

1. Whenever possible, blood, urine, semen samples or other bodily fluids should be collected by an Evidence Technician and packaged and submitted in accordance with current Department operating procedures.
2. Property which may present a Bio-Hazard (e.g., blood, items with tissue samples, semen, urine, etc.), including items removed from or that may have been in a body cavity, shall be prominently marked with a Bio-Hazard warning label, both on the container holding the item and on the outside of the Intake Locker in which it is secured with a magnetic Bio-Hazard warning label.

Note: Any item requiring drying time to prevent alteration or damage, or pending laboratory examination shall be clearly labeled and secured in the Processing Room and air dried at room temperature.

E. Perishable Items

1. If Perishable items (e.g., meats, frozen foods, etc.), need to be secured, they will be placed in an appropriately sized plastic evidence bag and turned over to the Property Supervisor or Property Aide to be secured in the refrigerator in the Processing Room. In the event that are no Property personnel available, the property will be secured in the Intake Refrigerator.
2. Any perishable item shall be returned after the forty-eight hour (48-hour) holding period as required by § 450.10, sub. 4(a) of the New York State Penal Law. In the event that immediate release of perishable items is desired or necessary, the Ontario County District Attorney's Office shall be contacted and the procedures as set forth in § 450.10 sub. 4(b) of the New York State Penal Law will be followed. In any immediate release of such property, the Officer will fully photograph all items to be released.

**X. GENERAL
PACKING
GUIDELINES
(CONT.)**

F. Bicycles

1. Recovered bicycles that are not of evidentiary value shall be secured in the temporary bicycle storage area located in the westernmost section of the Police Garage. There will be a cables secured to the wall with padlocks that are left in an open position. Once the bike has been cabled to the wall, the padlock will be secured. The Property Supervisor and Property-Aide(s) hold the only keys to open the padlocks. The bicycles will be removed by the Property Supervisor or Property Aid on a daily basis if feasible or at a minimum every two days.
2. Bicycles that are taken as evidence will be properly logged as such and secured in the Processing Room until secured in the Property Room by the Property Supervisor/Aide.

G. Explosives, Munitions, and Highly Combustible Materials

1. Common fireworks are a fire hazard and should be stored away from heat or other sources of ignition. Officers should use particular care when packaging these items due to the hazards they present (e.g., detonation from friction due to being forced into an evidence locker). If the amount or size of fireworks is too large for the Intake Lockers, they will be temporarily placed in the Processing Room.
2. The Geneva Police Department has neither the facilities nor trained personnel to handle explosives. GPD personnel will not handle such items. In the event GPD personnel must deal with explosives or potential explosives, Departmental procedures regarding bomb threats and explosives will be followed.

H. Sharp Items

1. Sharp items (e.g., hypodermic needles, broken glass, knives etc.) will be secured in a "Sharps" cylinder. The item will be secured in such a manner as to permit reasonable handling of the item without due risk.
 - a. Any item which may present a Bio-Hazard (hypodermic needle, knives, etc.), will be prominently marked with a Bio-Hazard warning label.

I. Currency

1. Any currency being submitted will be counted by two Officers prior to submission. If feasible, the money should be counted in the presence of the subject from whom it was taken. If the amount of currency exceeds five hundred dollars (\$500.00), the count will be verified by a Supervisor.

J. Perishable and Voluminous Shoplifting Property

1. Any property from a shoplifting incident that is perishable, (e.g., frozen foods, meats, vegetables, etc.) or voluminous in nature, (e.g., stereos, televisions, etc), will be secured at the establishment from which it was taken. A photograph will be taken of this type of property and filed with the case. If an Officer must turn in any of the aforementioned property, a Supervisor will be contacted and advised and a memo left for the Property Supervisor for the reason of such seizure of property.

XI. PROPERTY STORAGE

- A.** Special storage shall be provided for exceptional, valuable, or sensitive items of property that require extra security measures, and will be kept in separate locked compartments in the Evidence Room. Such items shall include:
 - 1. Money - Valuables Safe.
 - 2. Precious metals/Jewelry – Valuables Safe.
 - 3. Weapons - Weapons Locker.
 - 4. Narcotics and Dangerous Drugs - Secure Metal Cabinet.
 - 5. Perishable Items - (e.g., blood or urine samples and other evidentiary items, meats, frozen foods, etc.) shall be secured in the proper refrigerator/freezer.

- B.** Property Supervisor/Aides will as soon as possible after property has been placed into the Intake Lockers or Processing Room, remove the property and transfer it to secure storage in the Evidence Room or Property Room.
 - 1. Whenever property is transferred from the Intake Lockers to secure storage, the chain of custody **must** be documented in the PD Manager Evidence Records System.

- C.** The Beast Evidence Management System will be used by the Property Supervisor/Aide(s) to provide a record of the status of all found, (except valueless property *See §VII*), recovered, or evidentiary property held by the Department, to include:
 - 1. Location of the property;
 - 2. Date the property was received or released; and
 - 3. Character, type, and amount of property on hand.

- D.** Whenever an item of property is transferred from Evidence or Property Storage, the chain-of-custody **must** be documented in the Beast Evidence Management System to reflect all subsequent changes of possession. Whenever property is transferred, the chain-of-custody entries will be documented each time the property is transferred.

- E.** Whenever property is transferred to the custody of any Court, other law enforcement agency, laboratory, or the District Attorney’s Office, the Records Bureau or other assigned personnel will generate a receipt that will be signed by the receiving entity documenting the transfer and receipt of the property. The receipt shall include but not be limited to:
 - 1. The date and time of transfer;
 - 2. The person’s identity who receives the evidence;
 - 3. The reason for transfer;
 - 4. The name and location of where the property was transferred; and
 - 5. Any examinations performed (if applicable).

- F.** The signed receipt will be placed into the respective Case File.

- G.** When an Officer needs evidence for court or other associated hearings, he/she shall immediately upon receiving notification of such, advise the Property Supervisor in writing of the need for such evidence to ensure that the evidence is ready for removal.
 - 1. If upon conclusion of court or other associated hearing, the evidence is returned to the Officer for placement back into the property system and neither the Property Supervisor or Aide is on duty, the property will be placed into an Intake Locker and a memo forwarded to the Property Supervisor advising of same.

XII. INSPECTIONS

A. Processing Room

1. The Property Supervisor or other Department Supervisor designated by the Property Supervisor will inspect the Processing Room at least on a monthly basis.
2. The inspection will include the following:
 - a. Check to see that the room is maintained in a clean and orderly fashion.
 - b. Ensure compliance with Departmental orders and directives.
 - c. Ensure that evidence that has been temporarily secured due to its size or nature is being promptly removed and secured in the Evidence/Storage Room.
 - d. Ensure that evidence being processed is being promptly removed upon completion and moved to the Evidence/Storage Room.
 - e. Ensure that there are sufficient supplies readily available for the processing of any property.
3. The Supervisor conducting the inspection will document same on an Inspection Log that will be kept in the Processing Room. The Log will include the date and time of the inspection, and by whom, and that no problems were noted.
4. In the event the inspection reveals any problems or conditions that require attention, a report to document the condition found will be forwarded to the Chief of Police and Property Supervisor. The Property Supervisor will verify the condition and ensure that corrective measures are taken to rectify the condition and forward a report to the Chief of Police documenting that the condition has been corrected.

B. Inspection of the Evidence Room, Property Room and Police Garage.

1. The Property Supervisor, or his/her designee, shall conduct a semi-annual inspection of the Evidence Room, Property Room and Police Garage.
2. The inspection will include the following:
 - a. Check that the room is maintained in a clean and orderly fashion.
 - b. Ensure that Department Orders and directives are being adhered to.
 - c. Ensure that property is being protected from damage or deterioration.
 - d. Ensure that accountability procedures are being maintained.
 - e. Ensure that property with no evidentiary value is being disposed of properly.
3. The person conducting the inspection will document same on an Inspection Log that will be kept in the Room(s) which will include the date and time of the inspection, and by whom, and that no problems were noted.
4. In the event the inspection reveals any problems or conditions that require attention, a report documenting the condition will be forwarded to the Chief of Police and Property Supervisor. The Property Supervisor will verify the condition and ensure that corrective measures are taken to rectify the condition and forward a report to the Chief of Police documenting that the condition has been corrected.
5. If it appears that the Evidence or Storage Rooms have been entered by unauthorized persons, that secure areas, (e.g., safe, lockers, etc.) have been forcibly entered or entered by unauthorized persons, or that property has been stolen, removed by unauthorized persons or tampered with, the procedures as set forth below in **§XIII** will be followed.

**XII. INSPECTIONS
(CONT.)**

C. Staff Inspections

1. A Department Supervisor not routinely or directly connected with the property control function, as designated by the Chief of Police, will conduct a semi-annual inventory and audit of all Property Areas, consisting of:
 - a. (1) audit of 5% or 50 items, whichever is less
 - b. (1) inventory 10% or 100 items, whichever is less
2. These inspections will follow the procedures and be documented as set forth above. The Supervisor conducting the inspection will submit a report of the inspection to the Property Supervisor and the Chief of Police.
3. The Chief of Police shall conduct or direct unannounced inspections of all Property Areas to be conducted to ensure that accountability and security procedures are being followed. Such unannounced inspections will follow the procedures and be documented as set forth above.

D. Whenever the Property Supervisor is replaced, the newly designated Property Supervisor and personnel designated by the Chief of Police shall conduct a joint inventory of Department held property. Such inventory will be documented and filed in the office of the Chief of Police. This inventory will be completed to ensure that:

1. Records are correct and properly annotated;
2. The integrity of the system is sound; and
3. Accountability for the property is maintained.

**XIII. UNUSUAL
EVENTS**

A. All personnel are required to immediately report to a duty Supervisor the following situations occurring in any area where Department property is secured:

1. Any hazardous, unsafe, or other condition requiring attention, (e.g., light bulbs out, leaks, etc.);
 - a. If a condition requires immediate attention, (e.g., serious leak, power outage, etc.), the duty Supervisor will immediately contact the City of Geneva's Building and Parks Supervisor and request assistance.
2. A property room has been entered by unauthorized persons or has been tampered with;
3. A secure area within the Evidence Room (e.g., safe, locker, etc.) has been forcibly entered or entered by unauthorized persons; or
4. Any property has been stolen, removed by unauthorized persons, or tampered with.

B. In the event any of the aforementioned conditions are discovered, the following procedures will be followed:

1. The location will be secured and processed as a crime scene.
2. The duty Supervisor will notify the Chief of Police and Department Lieutenants.
3. A full investigation will be conducted into the circumstances. The Chief of Police will designate the LT/DB or other supervisory officer responsibility to conduct the investigation and assign such other personnel as necessary to assist. The matter will be documented in a report in accordance with standard procedures.

XIV. DISPOSITION OF PROPERTY

- A.** All property unless otherwise directed, shall be legally disposed of or destroyed within six (6) months of notification by the District Attorney’s Office that the legal requirements for holding such property have been satisfied.

- B.** The Property Supervisor or his/her designee, shall be responsible for the final disposition of all property held by the Department.
 - 1. Evidentiary property shall be disposed of in accordance with the provisions of Section 450.10 of the New York State Penal Law. Such property shall not be disposed of until a written release is obtained from the Ontario County District Attorney’s Office. The Department’s Court Liaison Officer will furnish to the Property Supervisor, on a weekly basis, the results of Court activity that would result in the disposal of property.

- C.** Recovered and found property shall whenever possible be returned to the rightful owner in accordance with Section 7-B of the New York State Personal Property Law. If an owner cannot be found, and the property has been transferred to the Department by a private citizen, the property shall be held in accordance with the following time schedule:
 - 1. Value less than \$100.00.....3 months
 - 2. Value \$100.00 to \$499.99.....6 months
 - 3. Value \$500.00 to 4999.99.....12 months
 - 4. Value \$5000.00 or more.....36 months

- D.** The Chief of Police or personnel assigned by the Chief of Police, shall send written notice to the owner, if known, or the finder, in accordance with Section 7-B of the New York State Personal Property Law, three (3) months prior to the expiration of the holding period. If the owner does not claim the property, or the finder does not indicate a desire to claim the property within three (3) months and ten (10) days after the expiration of the holding period, the property may be sold at public auction, and the proceeds deposited in the City of Geneva General Fund. If the property is in such condition that it is not salable, it may be destroyed. If property is unclaimed and could be used by the Department, property should be entered into the Department’s inventory which shall include a description, (brand, model, serial number) and the name of the person from whom the property was received.

- E.** Personnel returning, releasing, or disposing of any property under the control of the Department shall complete the appropriate documents detailing the final disposition of the property.

- F.** Property not returned to the owner/finder will be disposed of in the following manner:
 - 1. Drugs/Narcotics will be burned at a designated facility or disposed of in another safe manner depending on the type of substance involved under the supervision of the Property Supervisor/Aide or other Officer as assigned.
 - 2. Counterfeit or forged documents will be shredded.
 - 3. Guns will either be melted or sawed into at least three pieces in the presence of two (2) witnesses.
 - 4. Ammunition will be turned over to a Department Armorer for disposal.

**XIV. DISPOSITION
OF PROPERTY
(CONT.)**

5. Bio-Hazard materials will be turned over to a representative of Geneva General Hospital for proper disposal.
 6. Useable clothing or similar property will be transferred to the Department of Social Services.
- G.** The Property Supervisor will submit a report to the Chief of Police when any drugs/narcotics or guns are destroyed, when money is transferred to the City Comptroller or items are auctioned.

Approved By

MICHAEL J. PASSALACQUA
CHIEF OF POLICE