

**MARIN COUNTY SHERIFF'S DEPARTMENT
INVESTIGATIONS DIVISION POLICY AND PROCEDURES MANUAL**

**CHAPTER 3 – PROPERTY
INV-03-07
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**DATE
May 3, 1988
REV: 4/15/02**

PROPERTY SUBMITTAL TO EVIDENCE/PROPERTY ROOM PROCEDURE

POLICY

Evidence or property coming into the custody of the Marin County Sheriff's Office will be handled in accordance with acceptable evidence collection and storage procedures and instructions set forth in this procedure.

PROCEDURE

Property Record/Receipt

A Property Record Form SO #3230-20 with a detailed description of each item to be booked, including serial number and other distinctive markings, completed in the manner required by Marin County Sheriff's Department Administrative Procedural Order 88-C, Completing Property Record Form SO #3230-20, shall accompany all submitted property.

A report number is required when property is submitted as evidence, found or for safekeeping. The owner of property must be known before the safekeeping status is used. Report numbers shall be recorded on Property Record forms prior to placing property into a property locker or the mail drop slot or the of the Evident/Property Room door. Without the report number, the property will not be acceptable for submittal to the Evidence/Property Section.

The report number issued at the outset of a case shall be used as the master report number for all property seized or held throughout the case investigation and/or adjudication and submitted to the Evidence/Property Section for storage.

Property seized as recovered stolen property shall be submitted with the report number for the investigation of the recovered stolen property, as well as a cross reference to the case originally reporting the property as stolen. This requirement is necessary on property stolen outside Sheriff's jurisdiction and recovered within Sheriff's jurisdiction.

All contraband property, which will not be used as evidence and where ownership cannot be proven, will be submitted to the Evidence/Property Section for destruction. Contraband property will not be disposed of, or destroyed except by Evidence/Property Section Personnel, unless prior authorization to do so has been received from a sheriff's deputy with the rank of lieutenant or higher. Contraband property destroyed by personnel other than Evidence/Property Section personnel shall be reported and submitted to Records by the destroying officer on a Sheriff's Crime/Incident Report form listing the circumstances and authority for destroying the property.

Property Submittal Packaging

Proper marking of submittal packaging; i.e., bags, envelopes, etc., is required. Packaging shall clearly and accurately reflect which items from the Property Record Form are enclosed; a property tag will be used for this purpose.

Property tags are either -

- White: all property except found, safekeeping, and homicide evidence.
- Yellow: All found and safekeeping property.
- Red: All homicide evidence.

Property tags shall indicate: Date, case number, name of suspect, victim, owner, or finder; investigating officer; remarks; i.e. property description or other informational data; item number must correspond to the item number shown on the Property Record Form.

If numerous items of property are being packaged and tagged, it is requested that each officer assigned to evidence collection use his or her initials; i.e., John Doe = J. D., as a prefix to each numbered item listed on his/her Property Record Form and Property Tag - Example: Item No. J. D. 1 - .38 cartridge located beneath victim's left lower leg.

Items too large for packaging shall have a property tag fixed to the item.

Packaging and submitting money: All money must be identified by numerical denomination, i.e., \$1, \$2, \$5, \$10, \$20, etc., currency and \$.01, \$.05, \$.10, \$.25, etc., coin, and placed in a Marin County Sheriff's Department Currency Envelope (ID 87-2.) The envelope must be properly filled in and submitted to the Evidence/Property Section.

Packaging and submitting guns: Guns must be unloaded and individually tagged with a completed Property Tag. Include the item number(s) from the Property Record Form on the tag. Handguns shall be unloaded and are to be submitted in MCSO handgun evidence box. Long guns should be placed in appropriate and separate evidence containers if processing is requested, otherwise tag weapon and place in evidence storage locker. The container shall indicate:

- Contents is a gun
- Gun is unloaded
- Name and department identification number of the officer verifying the gun is unloaded.
- Sheriff's report number
- Item number as shown on the Property Record
- Date and time of receiving the gun
- Property Tag completed and affixed to the bag or container

Packaging and submitting narcotics, drugs, and paraphernalia: All narcotics or drugs submitted must be enclosed in or accompanied by a pre-printed, filled out, State of California, Office of the Attorney General, Bureau of Forensic Services, Controlled Substances Evidence Envelope [#BFS-17 (Rev. 5/86)] and Controlled Substances Evidence Report Form [#BFS-18 (Rev. 9/80).] If items are too large to be placed in an envelope, a box or bag may be used with the completed envelope and Report Form attached. In all cases the envelope and Report Form must be properly completed. (See Administrative Instruction 88-F, completing State of California, Department of Justice, Bureau of Forensic Services, Controlled Substances Evidence Report [Form #BFS-18 (Rev.9/80)] and Controlled Substances Evidence Envelope [#BFS-17 (Rev. 5/86).) The item numbers listed on the envelope and Evidence Report Form will correspond with the item numbers listed on the Property Record. Narcotics and drug paraphernalia is not to be submitted in a narcotics envelope. These items will be packaged in containers appropriate to safety standards and strong enough to withstand weight of heavy items. Syringes with needles, needles and syringes will be packaged, labeled and submitted in clear plastic tubes with metal screw caps provided by the Evidence/Property Section. Marijuana will be submitted for analysis to the State of California, Office of the Attorney General, Bureau of Forensic Services, Santa Rosa Crime Laboratory, Los Guillicos, only when requested for by the District Attorney's Office. DOJ Controlled Substances Evidence Report and envelope will be completed and used to submit suspected marijuana evidence for analysis.

Special Instructions

Any substance that is perishable, easily damaged or dangerous shall have written in red the word "caution" across the face of the property tag for the item.

Perishable items requiring refrigeration will be submitted to the Evidence/Property Section in accordance with Investigations policy and procedure INV-03-06.

Vehicles: Definition - any motor driven or other vehicle subject to registration; i.e., car, truck, motorcycle, trailer, etc. Complete a California Highway Patrol #180 Form for impound purposes, arrange for towing, write a crime incident report. Note: Securing evidence is of the utmost importance, be sure the vehicle will not be tampered with while in impound. Advise Investigations Division. The vehicle will impounded at the County Public Works secured lot (near County Garage) unless concern for weather or other factors damaging possible evidence and then vehicle should be placed in the Sheriff's Sallyport.

Boats: Contact tug company or towing company and complete Crime/Incident Report making sure a detailed property sheet and vessel description are included.

Note: securing evidence is of the utmost importance, be sure the vessel will not be tampered with while in impound. Advise Investigations Division.

Tape Recordings: Include the date, time of recording, names of the person(s) being recorded, a synopsis of the conversation on the Crime/Incident Report, name of victim, name of defendant (if known,) crime type by code number, and item number matching the item number on the Property Record Form. Tape recordings released, as evidence will be directed to the Investigations Division for erasure and re-use.

Flammables: Gasoline, kerosene, white gas, paint thinner, alcohol, etc., will not be submitted to the Evidence/Property Room lockers, with the exception of the standard two ounce sample needed in arson investigations. Flammables should be photographed, sample taken, and turned over to the owner at the crime scene if possible, holding only the container as evidence. If large quantities of flammables need to be disposed of because of hazardous conditions and the Watch Commander has approved, an authorized chemical disposal company shall be utilized.

Chemicals: Never submit chemicals for storage to the Evidence/Property Room. Small quantities of chemicals, i.e., one to two ounces will be stored off site, but larger amounts will be removed by utilizing an authorized chemical services company after samples have been removed by investigating officers. Note: Chemicals, especially those used in clandestine drug laboratories, are harmful or fatal if inhaled or physically contacted. Properly trained personnel must investigate and remove evidence from crime scenes involving chemicals.

Explosives: Never submit or store explosives, except ammunition, to or in the Evidence/Property Room. These items will be stored off site at the direction of the Department's Watch Commander.

Property Believed to be Infectious: Property that is possibly a health hazard will never be submitted as evidence to the Evidence/Property Room. Deputies dealing with such property will immediately contact the County Public Health Department for instructions. Monday through Friday, from 0800 to 1700 hours, contact Health Administration at 499-6879. Weekends, holidays, and 1700 to 0800 hours, weekdays, contact the on-call public health doctor through County Communication Center via radio communications or preferably, by telephone at 499-7322.

Property Lockers and Property "Mail Drop" Slot

All property booked under the same case number should be placed in one locker. There are exceptions:

- **Special Processing:** Property requiring special processing, i.e., latent fingerprint locating, fiber trace analysis, body fluid locating, etc., must be packaged to insure that the evidence is not damaged or destroyed and it must be clearly marked "Laboratory Work Required - Special Handling and Storage." The Property Record Form must clearly indicate which item is to be analyzed and the purpose of the analysis, i.e., fingerprint locating, etc.
- **"Mail-Drop" Slot:** The Evidence/Property Room has a "Mail-Drop" slot in its entry door. This slot is to be used for small items of evidence able to pass through the opening.

- **Over-sized Property:** Property too large to fit in an evidence locker will be delivered personally during normal business hours to the Evidence/Property Custodian or in the Custodian's absence the Alternate Evidence/Property Custodian. After normal business hours, i.e., 1700-0800 hours weekends and holidays, the evidence will be placed in the hallway of the storeroom in the Sheriff's Sallyport. The Watch Commander has a key to the doors. If the property is of significant value and should be stored in a secured Evidence/Property Room the Patrol Supervisor is authorized to contact the Evidence/Property Custodian, or in the Custodian's absence, the Alternate Evidence/Property Custodian to make arrangements for storage in the Evidence/Property Room.

RELATED STANDARDS

INV-03-03
INV-03-06

AFFECTED DIVISIONS

Investigations
Patrol

DATE OF REVISIONS

5/3/88 Administrative Order 88-2
4/15/02 Replaced Administrative Order 88-2

By Order Of:

DANIEL PAYNE, CAPTAIN
BUREAU OF FIELD SERVICES