

	KENOSHA POLICE DEPARTMENT			
	POLICY AND PROCEDURE			
	84.1 Property and Evidence Control			
Effective Date:	3/1/1978	Revision Date:	9/20/2018	
Action:	O-166		Number of pages:	3

I. PURPOSE

The purpose of this policy is to establish guidelines for the securing and storage of property and/or evidence that have been taken into the possession of the Kenosha Police Department.

II. POLICY

It is the policy of the Kenosha Police Department to ensure that all property and/or evidence in its custody is properly secured and stored, readily retrievable, and that any changes in its custody are documented.

This will include any motor vehicle taken into the possession of the Kenosha Police Department.

Found property will be stored in a secure manner and every effort will be made to identify the legal owner and to return their property to them.

The Joint Services Property/Evidence Department is responsible for the protection and storage of all evidence that has been collected and must do so in a manner that will ensure that the chain of custody has not been broken.

III. PROCEDURE

- A. Any officer who seizes evidence or collects found property will turn that property over to the Joint Services Property Evidence Department in a timely manner.
- B. Employees shall not manufacture, conceal, falsify, destroy, remove, tamper with, withhold, or convert to their use or the use of another, any property or evidence.
- C. Each officer will properly handle, mark and package all evidence and transport the evidence to the property room, or other authorized secure location, as soon as practical.
- D. No officer shall handle any evidence collected by another officer unless they are expressly requested or directed to do so.
- E. Evidence of a hazardous nature will be appropriately packaged and stored in accordance with established practices and state and federal law. Such substances include but are not limited to items that may have been exposed to biohazards, hazardous chemicals, waste products, explosives or combustible products. When appropriate, the person impounding this type of property will contact the Identification Technician to arrange for proper storage and control.
- F. Officers will not enter the property storage rooms unless they are authorized to do so.
- G. The following procedure will be adhered when placing any property into the control of the Joint Services Property Evidence Department:

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1. Obtain a case number.
2. Log onto LERMS and select property room and then property quick entry.
3. Properly package evidence and print barcode label for evidence to be placed on package. (If the barcode label or packaging is not properly completed, a request for completion will be routed to the submitting officer's Shift Commander requiring the proper information.)
4. The property receipt is printed, signed by the officer, and placed in the bin on the evidence room door.
5. Complete an Investigation Report detailing how the evidence or property was obtained and what the disposition of that property/evidence was.
6. Unless otherwise directed by on duty ID personnel:
 - a. Secure the properly tagged evidence in an evidence locker.
 - b. If property seized is too large for the lockers, a Shift Commander may open the Identification Technician's office and the evidence and property card may be placed in this office.
 - c. Items such as gasoline, flammable liquids, engines containing gas and oil, etc. should be stored at the Pepsi building until they can be properly stored in Evidence Room.

H. Vehicles

1. Vehicles seized as evidence will be secured in a location appropriate to the evidentiary needs of the investigation. This may include a secure evidence bay at the Pepsi building or secured storage facility, Jensen's.
2. Inventory Searches of Impounded Vehicles
 - a. An inventory of a vehicle shall be done if the automobile is legally impounded. All closed containers found with the vehicle shall be opened for the purposes of the inventory. A vehicle inventory is designed to protect motor vehicles and their contents while in police custody, to protect the Department against claim of lost, stolen or damaged property and to protect department personnel and the public against injury or damaged property due to any potential danger from hazardous materials or substances that may be in the vehicle.

NOTE: Depending upon the circumstances of the investigation it may be appropriate to obtain a warrant prior to the search of a vehicle.
3. The following procedure will be adhered to when placing a vehicle into the control of the Joint Services Property Evidence Department:
 - a. Secure the vehicle in the appropriate facility.
 - b. Obtain a case number.
 - c. Log into LERMS. Search for a preexisting jacket, if no jacket exists create a global entry. **NOTE: When entering firearms into evidence you also have to do a search on LERMS to see if a jacket already exists for this firearm.**
 - d. Select property room and then quick entry.
 - e. Complete barcode for evidence, print label. Print receipt and place barcode label on receipt. After signing receipt place receipt in the bin on the evidence room door.

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- f. Complete an Investigation Report detailing how the evidence or property was obtained and what the disposition of that property/evidence was.
- I. If the property/evidence is checked out for Court, inspection or for transmittal to the Crime Lab:
 1. The on-duty Identification Technician in room 1314 will require the receiving officer's digital signature. If being used for court officer needs to have their subpoena.
- J. When property is returned:
 1. If the evidence remains in the officers' custody the officer can return the evidence directly to the Identification Technician and digitally sign the evidence back in.
 2. If the evidence is left in someone else's possession a chain of custody sticker label should be placed on the evidence package and completed by all who have had custody of the evidence.
 3. If no Identification Technician is present to return the evidence to place a chain of custody label on the evidence. Sign the label and place the properly packaged evidence in an evidence locker. No additional forms need to be completed.
- K. If the property is order disposed of by the court:
 1. The Identification Technician will note the disposition on the property card and dispose of the evidence according to the order.
 2. If the evidence is pre New World the Identification Technician will forward the buff card to Records Bureau.
 3. The buff card and the white copy will be filed with original complaint.
 4. A copy of the court order will be forwarded to Records Bureau.
 5. If the evidence is New World era the Identification Technician would enter the paperwork, nothing will go to records.
- L. If property or evidence is returned to the lawful owner: (Proof of ownership may be required.)
 1. A detective supervisor may approve the release of evidence. The initial request will come from the detective assigned to the case to the detective supervisor. A disposal form will need to be completed. An Identification Technician will have the owner digitally sign the receipt for chain of custody release.
 2. The Inspector or his designee will handle the disposition of evidence, found property that has been held for more than 30 days. The Inspector or his designee will choose one of the three categories on the disposal form, released, retained, or destroyed.
- M. Disposal of Property or Evidence
 1. When no longer needed for evidentiary purposes all evidence will be disposed of in accordance with Wisconsin State Statutes.
 2. Abandoned property for which no owner can be identified will be disposed of in accordance with Wisconsin State Statutes and City of Kenosha Municipal Ordinances.