

Evidence Collection and Chain of Custody

321.1 PURPOSE AND SCOPE

The collection, preservation and chain of custody of evidence by an officer may be a crucial factor in determining the outcome of a case. This policy also provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and identifies those persons authorized to remove and/or destroy property.

- (a) Upon collecting evidence relating to a violation of probation (e.g., gang paraphernalia, gang clothing, gang indicia, knife, marijuana paraphernalia, and any other routine contraband) or a new law violation, the officer shall complete a receipt for property and a chain of custody form and provide a copy to the probationer or persons residing in the home.
- (b) Only property related to a violation of probation may be seized. Officers shall not seize property to hold a violation of probation in abeyance.

321.2 EVIDENCE COLLECTION AND STORAGE

The officer shall place the evidence in an evidence bag and relinquish it as soon as possible to a designated evidence collection staff member. If a staff member is not available to receive the seized property, the officer shall place the property in a short-term evidence locker and notify the designated staff member of the location and number of the locker, along with a description of the seized property. The designated staff member shall retrieve the seized property as soon as practicable and indicate on the chain of custody form that he or she received the evidence and placed it in a designated long-term evidence room.

The original chain of custody form shall be placed and maintained in the evidence room. Copies of the chain of custody form shall be distributed as follows:

- (a) A copy to the probationer or residents of the home upon the seizure of property. If no responsible party is present at the time of the seizure, a copy shall be left in a conspicuous place inside the residence.
- (b) A copy attached to the evidence bag.
- (c) A copy to the probation case file.

The original chain of custody form shall be completed and updated by all parties upon relinquishing and accepting the evidence.

321.2.1 DISPOSITION OF EVIDENCE

The designated staff member responsible for security of the evidence room shall keep a log of all collected evidence stored in the evidence room under his or her control as well as the outcome of each case. The evidence shall be destroyed or otherwise disposed of pursuant to Court order. The Chief Probation Officer may authorize the retention of the evidence for training purposes. Any seized contraband shall not be otherwise possessed and/or displayed.