


<b>HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL</b>		
<b>Issue Date</b> June 2023	<b>Review Date</b> June 2024	<b>Directive Number</b> <b>3.5.2</b>
<b>Accreditation Index:</b> 3.5.2, 3.6.1, 3.6.2, 3.6.3, 3.6.4, 3.6.6, 4.14.1		<b>Rescinds:</b> Directive 3.5.2 of January 2023
<b>Section:</b> Three – Staff Support Responsibilities		<b>Chapter:</b> Five – Evidence Handling
<b>Chief of Police:</b> <i>John F. Viola</i>		

**SUBJECT: EVIDENCE CONTROL**

**I. PURPOSE**

The purpose of this directive is to establish guidelines for maintaining the integrity of the evidentiary chain of custody.

**II. POLICY**

It shall be the policy of this Department to ensure that evidence and property in its custody can be properly secured, stored, readily retrieved and that any changes in its custody have been properly and fully documented. Evidence and Property records are maintained in the department’s evidence management system, the Beast Program.  
(PLEAC 3.6.1 h, 3.6.2)

**III. DEFINITIONS**

**Chain of Evidence** - The continuity of the custody of physical evidence (from time of original collection to final disposal) which may be introduced in a judicial proceeding.

**Physical Evidence** – Any substance or material found or recovered in connection with a criminal investigation.

**Property** – Any substance or material gathered, received or discovered in connection with departmental job performance or responsibilities.

**Evidence Management System** – Currently the Beast Program by Porter Lee

**Evidence Custodian** – Department member accountable for the control and maintenance of all evidence accepted by or stored in the evidence room. This person shall be appointed by the Chief of Police or his designee.

**Assistant Evidence Custodian** – Department member assigned to assist the evidence custodian with daily operations of the evidence room. This person shall be appointed by the Chief of Police or his designee.

**Audit** – Selected individual records adequate to ensure policy compliance.

**Inspection** – Review of the physical condition and records of the evidence and property storage areas.

**Inventory** – Review of reasonable, representative groups of records to ensure policy compliance.

#### **IV. STORAGE FACILITIES**

- A. Evidence Room – secured storage area for evidence or property to be stored, with access limited to assigned evidence custodians.
- B. Temporary (Pass Through) Evidence Lockers – numbered lockers for the immediate, but temporary, placement of evidence or property to be processed into the Evidence Room.  
(PLEAC 3.6.3)
- C. Refrigerated Evidence Storage – a refrigerator secured in the evidence room for the placement of evidence or property requiring refrigeration.  
(PLEAC 3.6.3)
- D. Storage Garage – a locked garage provided for the placement of evidence or property which is too large (such as found bicycles) or unfeasible (such as hazardous materials) to be placed in the evidence room.  
(PLEAC 3.6.3)
- E. Temporary Storage Oversized Property / Evidence – A secure room available for temporary storage of evidence or recovered property that is too large to fit into a temporary evidence locker.  
(PLEAC 3.6.3)
- F. Temporary Property Lockers (Short Term) – Lockers for the temporary placement of found or recovered property.
- G. Police Impound – a bonded privately owned storage facility, approved by the Township for the storage of vehicles impounded at the direction of the Department.  
(PLEAC 3.6.2; 3.6.3)

## **V. EVIDENCE OR PROPERTY ACQUISITION PROCEDURES**

- A. Members acquiring any evidence or property shall prepare an incident report. This report shall include circumstances as to how the evidence or property was obtained, where it was obtained from, description of the evidence or property and where the evidence or property was placed at headquarters.  
**(PLEAC 3.5.2 a; 3.6.1 c)**
- B. Complete an Evidence and Property Chain of Custody Form to include the following information:
1. The name of the person possessing the evidence collected for processing and storage
  2. The date and time of every transaction / transfer
  3. The name of the person receiving the evidence
  4. The reason for the transaction / transfer
  5. The location and status of all evidence/property
  6. The name and location of any laboratory and / or agency where the evidence was transferred; and
  7. The type of examinations requested or the reason for the transfer of evidence.
- C. Officers shall package and secure evidence in appropriate evidence packaging materials and label with required information, as outlined in the Evidence and Property Requirements for Packaging and Sealing Manual (03/2020 Edition).  
**(PLEAC 3.5.2 a, d, e, f; 3.6.1 d)**
- D. Before the end of the tour of duty, Officers shall place evidence or property in the proper storage location as outlined in Paragraph IV of this Directive. Officers shall complete an Evidence and Property Chain of Custody Form. This shall be done as soon as practical.  
**(PLEAC 3.6.1 a, b)**
- E. If evidence or property is essential to an investigation and must be turned over to another member of this Department, the person receiving the evidence or property shall sign the Evidence and Property Chain of Custody Form to acknowledge receipt of the property or evidence, also indicating the time and date on the form.  
**(PLEAC 3.5.2 b, c, 3.6.1 a, b)**
- F. An Evidence and Property Chain of Custody Form shall be prepared whenever any property or evidence is acquired from a citizen. Note-

While serving a search warrant, a copy of the search warrant inventory sheet shall serve as the Evidence and Property Chain of Custody form.  
(PLEAC 3.6.1 c, g)

- G. Motorized vehicles, such as, cars, trucks, motorcycles, mopeds, go-karts, mini-bikes, or any other gasoline driven vehicles shall be towed to the police impound facility. Exception – Vehicles requiring processing for criminal evidence may be towed to police headquarters and placed in the sally port. Upon completion of the processing, the vehicle shall be towed to the police impound facility.
  
- H. Incidents with exceptional circumstances, such as evidence or property with extreme value or of a highly sensitive nature, the Duty Commander may order the items placed into the Evidence Room by an Evidence Custodian.
  - 1. Evidence with extreme value, such as, large sums of money or highly valuable jewelry shall be placed immediately into the safe in the Evidence Room by an Evidence Custodian.
  - 2. Firearms and drugs shall be secured in separate areas within the Evidence Room.
  - 3. All perishable evidence, such as, blood or bodily fluids shall be placed immediately into the evidence refrigerator.
  - 4. No hazardous chemicals or explosives of any kind shall be stored as evidence in the police department. In the event any such item of evidence is necessary to be retained as evidence, arrangements for storage of these items shall be made with the District Attorney's Office of Delaware County and/or the Delaware County Criminal Investigations Division.  
(PLEAC 3.6.1 e)
  
- I. Procedures for recovered lost or stolen bicycles or oversized items which are too large to fit in an evidence locker.
  - 1. Officers recovering lost or stolen bicycles or oversized items shall follow all applicable evidence handling procedures outlined in this directive.
  - 2. These bicycles shall be secured in the temporary storage room for oversized property and evidence.
    - a. If an Evidence Custodian is available, the officer processing this bicycle or oversized item shall notify the Evidence Custodian of this recovered bicycle and request it be placed into the locked area of the Storage Garage.

- b. The Evidence Custodian shall process and enter these bicycles or oversized items into evidence or property in the same manner as all other evidence/property.
  - 3. Reports of lost or stolen bicycles shall be forward to the Evidence Custodian.
    - a. It shall be the responsibility of the Evidence Custodian to make all attempts to return these recovered bicycles to their owners.
    - b. It shall be the responsibility of the Evidence Custodian to conduct a bicycle auction when the inventory of recovered lost bicycles makes it necessary to conduct this auction to permit storage of future recovered bicycles.
    - c. Upon completion of the auction the evidence management system shall be updated by the evidence custodian to reflect the disposition of the bicycles.
- J. Sexual Assault Kits shall be collected and processed as required by the Sexual Assault Testing and Collection Act (SATEC) 35 P.S. ss 10172.1 – 10172.4, Act 29 of 2019.
  - 1. Haverford Township Police Department shall take possession of Sexual Assault Kits within 72 hours of being notified of its existence.
  - 2. For those cases in which the victim or a victim advocate acting at the victim's direction has provided written notice of consent to the forensic testing, the Haverford Township Police Department shall submit evidence awaiting testing to an approved laboratory within 15 days.
  - 3. For those cases in which the victim has not provided consent to testing, the evidence must be preserved and stored for a period of no less than the statute of limitations, unless consent is provided before that period.
  - 4. The SAK shall be stored in compliance with policy developed as per the Act.
  - 5. Reports must be filed as per requirements of the Pennsylvania State Police.

**(PLEAC 4.14.1)**
- K. Procedures for the placement of Temporary Found Property
  - 1. Officers recovering found property shall follow all applicable evidence handling procedures outlined in this directive.

2. Officers shall make a reasonable effort to identify the owner of any found property by checking available databases and attempt notification by conventional means.
3. Found Property whose owners have been identified and are notified and stated they would respond to claim their property in a short period of time shall be placed in the temporary found property - short term locker.
  - a. Any found property not retrieved by the owner in a reasonable amount of time shall be removed and placed in the evidence room by an evidence custodian for safekeeping.
4. Found Property whose owners cannot be immediately identified or notified are to be placed in the temporary evidence (pass through) lockers.

## **VII. DUTIES OF THE EVIDENCE CUSTODIAN AND COMMANDER OF DETECTIVE DIVISION**

- A. Only authorized personnel have access to areas used by the agency for storage of in custody or evidentiary property. Access to both the Storage Garage and Temporary Oversized Property and Evidence Storage Room requires use of a supervisor key and is recorded by camera. Access to the evidence room requires use of access card. Any personnel other than authorized personnel requiring access to these areas shall be accompanied by an evidence custodian and a log shall be completed.  
(PLEAC 3.6.4)
- B. Ensure that an inspection (as defined in paragraph III of this Directive) is conducted at least annually. This inspection shall be conducted by the Evidence Custodian and supervised by the Commanding Officer of the Detective Division.
  1. The Evidence Custodian shall prepare a report to the Commanding Officer of the Detective Division outlining the findings of this inspection and the actions taken to insure policy compliance.
  2. A copy of this report shall be forwarded to the Chief of Police and the Commanding Officer of the Detective Division, and the Accreditation Manager. A copy of this report shall be placed in the applicable standard file for proof of compliance for Accreditation purposes.  
(PLEAC 3.6.6 a)
- C. In the event that an Evidence Custodian is reassigned and a new Evidence Custody is designated, an inventory (as defined in paragraph III of this Directive) shall be conducted. This inventory shall be conducted jointly by the New Evidence Custodian and the Commanding Officer of the

Detective Division. When applicable the outgoing Evidence Custodian may be involved in this inventory. Participation by the outgoing Evidence Custodian shall be at the discretion of the Detective Division Commander.

1. The Commanding Officer of the Detective Division shall complete a report outlining the findings of this inventory and the actions taken to insure policy compliance.
  2. A copy of this report shall be forwarded to the Chief of Police and the Commanding Officer of the Detective Division, and the Accreditation Manager. A copy of this report shall be placed in the applicable standard file for proof of compliance for Accreditation purposes.  
**(PLEAC 3.6.6 b)**
- D. A complete inventory of all items and records must be conducted where there is reason to believe that evidence has been tampered with, or if the Evidence Custodian has been removed for any irregularities.
1. This inventory shall be conducted by the Commanding Officer of the Detective Division and the Evidence Custodian. In the event the Evidence Custodian is under investigation for irregularities, the Chief of Police shall designate a member to assist the Detective Division Commander in this inventory.
  2. A report of the findings of this inventory shall be completed by the Commanding Officer of the Detective Division. This report shall be forwarded to the Chief of Police and a copy of the report forwarded to the Commanding Officer of the Detective Division.  
**(PLEAC 3.6.6 c)**
- E. An annual audit (as defined in paragraph III of this Directive) shall be conducted by a supervisor or commander not routinely or directly connected with the control of evidence or property control. The Evidence Custodian shall assist with this audit.
1. This supervisor or the commander shall complete and forward to the Chief of Police a copy of this audit outlining the finding of the audit.  
**(PLEAC 3.6.6 d)**
- F. The Evidence Room, as well as all evidence and property storage facilities shall be subject to unannounced inspections by the Chief of Police, or his/her designee.  
**(PLEAC 3.6.6 e)**
- G. Evidence or property shall only be removed from the Evidence Room by the Evidence Custodian or Assistant Evidence Custodian making proper

notation in the active file. Items shall be stored in such a manner as to permit all evidence and property to be easily located and inventoried.

- H. The Evidence Custodian shall make an effort to ascertain ownership of all evidence or property, if possible. Notification to owner may be by conventional means.  
**(PLEAC 3.6.1 f)**
- J. At the discretion of the Chief of Police or the Commanding Officer of the Detective Division, there may be more than one member assigned the duties of an Evidence Custodian or Assistant Evidence Custodian.

## **VIII. DISPOSITION OF EVIDENCE OR PROPERTY**

- A. All evidence or property to be returned to the owner shall require the completion of Evidence and Property Chain of Custody Form. Follow procedures outlined in Directive 3.5.3 for the completion of the Form. The appropriate portion of the Evidence and Property Chain of Custody Form shall be completed.
- B. When evidence or property is not to be released or ownership cannot be established, the disposal of such shall be as set forth by law. Items of no evidentiary or economic value will be held for 10 days. If no ownership is determined in that time, the item shall be destroyed. The Evidence Custodian shall complete the appropriate entry in the evidence management system final disposition file.
- C. When evidence or property is destroyed, the Evidence Custodian shall update the evidence management system and attach a supplement to the Alert Report in the Records Management System indicating destruction / disposal of the property.  
**(PLEAC 3.6.1 g)**

**BY ORDER OF THE CHIEF OF POLICE**