Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# **JUNE ROLL CALL TRAINING**

**High Risk Critical Task / Property and Evidence**

Law enforcement agencies should provide for the reasonable safekeeping of all property that comes into the possession of the agency. With respect to evidentiary items, the agency should maintain a proper chain of custody and secure such items in a manner that will ensure that the evidence is available to be admitted at trial.

Best practices are to only seize items under the following conditions:

1. Officer has probable cause to believe that an item is contraband. Contraband is an item that by the very nature of the item is illegal to possess (e.g., illegal narcotics, child pornography).
2. Officer has probable cause to believe, at the moment of seizure, that the item to be seized is stolen.
3. Officer has probable cause, at the moment of seizure, to believe that the item is evidence of a crime.
4. Note-Under the Community Care Taking Exception-Items that would be dangerous to the public if left unattended may be removed from the vehicle for safekeeping- THIS EXCEPTION ONLY APPLIES TO VEHICLES

Consider appointing an evidence control custodian to be accountable for evidence procedures.

**Scenario:** An officer has been notified that their appearance in court on a drug case is necessary. The prosecutor has informed the officer that their presence and the narcotic evidence will be necessary for several consecutive days.

**Question:** Based on best practices with respect to the drug evidence, the officer must follow what procedure in handling the drug evidence?

* 1. Lock the drugs in the prosecutor’s office at the end of the day as they will be needed for court the following morning.
  2. Secure the drugs in the trunk of the detective’s take home vehicle.
  3. Return the evidence to the property room and secure it, every day as required.

**Answer**: C (However, follow the particular of your office policy.)

* When evidence is returned from court it will typically be returned to the custody of the evidence officer who shall initial a log indicating the return of the drugs. The evidence officer will ordinarily then return the narcotics to the drug locker accompanied by the key-holder designated by the sheriff. If the evidence officer is unavailable, the officer returning from court will usually place the narcotics in the designated secure area/locker for overnight storage. A supervisor or second officer should witness this placement. In such cases the evidence officer will retrieve the narcotics from the designated secure area/locker the next day and complete its return to the drug locker as outlined above.
* In cases where items of evidence are needed for court on several occasions but are not held by the court, officers should ordinarily follow the above outlined procedure and sign the evidence out each day. In no case, should drugs be stored in any other manner than outlined in office policy when held in the custody of the sheriff’s office.