



Evidence and Property Management

Section: 2.500
Effective Date: April 7, 2011
Amended: May 11, 2021

2.500 Control of Property and Evidence

- A. The agency's evidence and property management functions include, but are not limited to:
 - 1. Administrative control over the disposition and secure storage of evidence, found property, and recovered property; and
- B. Agency employees having custody of evidence, found property, or recovered property are responsible for those articles when in their custody.
 - 1. Evidence, found property, and recovered property will be safeguarded from loss, misuse, theft, damage, or destruction.
 - 2. Evidence will be handled and maintained to preserve its evidentiary value and maintain its chain of custody.
- C. Agency employees assigned responsibility for stored agency property and/or supplies are required to maintain same in states of operational readiness with respect to care and cleaning, preventive maintenance, repair, workability, and responsiveness.

2.502 Property Officer

- A. The Captain is designated as the agency's Property Officer.
- B. Duties and responsibilities of the Property Officer include, but are not limited to:
 - 1. Ensuring that all evidence, found property, and recovered property is controlled, documented, and secured upon receipt from recovering employees through disposal;
 - 2. Ensuring that agency owned property is distributed, issued, or reissued to authorized users;
 - 3. Ensuring that stored articles of agency property are maintained in states of operational readiness, e.g., care and cleaning, preventative maintenance, repair, workability, and responsiveness.
- C. The Patrol Sergeant serves in *short term* capacity as the alternate Property Officer. Extended absences of the primary Property Officer will result in the Captain appointing a replacement Property Officer.

2.504 Property & Evidence Security

- A. The University of Baltimore Police Department (UBPD) maintains a property room for storage of lost and found property along with other items coming into the custody of UB officers. This "Lost and Found" room is located in the Charles Royal building in 1319 N. Charles Street. It is secured with a key lock.

- B. An “Evidence Room” secured with **Access Control** is specifically designated for the storage of evidence, items of exceptional value, US currency, and sensitive items.
 - 1. The Captain, Lieutenant, and Patrol Sergeants have access to this room to ensure availability during business hours.
- C. During non-business hours and when those with access are unavailable to allow entry into the “Evidence Room”, the three property/evidence lockers, located on the first floor outside of room #102 are to be used for *temporary* storage of evidence and property.
 - 1. In order to access the evidence locker one of the three orange locker keys must be utilized. The orange locker keys are located inside of the Police Communications Center room #102. The locker keys are numbered to coincide with the corresponding evidence lockers. The locker key is placed in the lower of the two locks and turned to unlock the locker door.
 - 2. The evidence/ property is then placed inside along with the required paperwork.
 - 3. The locker is then secured. The corresponding locker key will then be dropped in the circular slot.
 - 4. The Captain, Lieutenant or the Patrol Sergeants will remove the item from the evidence and property lockers and submit the item into the evidence room.
 - 5. The safe in the evidence room is primarily used for securing jewelry, US Currency and other items of exceptional value or sensitive evidence or found property.
- D. The Evidence room is designated as “authorized personnel only” and remains closed and locked at all times, notwithstanding periods when authorized staff are actively engaged in adding, removing, or inventorying stored articles.

2.506 Property & Evidence Receipt & Storage

Directives contained herein prescribe the duties, responsibilities, and actions of agency employees who come into possession of property/evidence.

2.506.02 Submitting Property / Evidence

- A. Excluding described exemptions, all articles of found, recovered, evidentiary, or other property coming into agency custody, except motor vehicles, will be entered into the Report Exec Program, and the items placed in the correct storage area (evidence, lost and found, or property lockers), **prior to the end of shift.**
 - 1. CDS and weapons are to be inventoried into the Baltimore Police Department’s Evidence Control Unit at 601 Fayette Street.
- B. Employees will not store property or evidence in their personal desks or lockers, vehicles, homes, or other places that are not secure or would interrupt the chain of custody.
- C. On receipt of or on finding property (see Appendix A for specifics of items which will be accepted and stored), the recovering/receiving officer will enter articles into Report Exec, a photo of the item will be attached to the Report Exec program, then contact the Captain to place the article/s in the evidence room, CR 113.
- D. In the unlikely event a supervisor with card access is unavailable, the article/s will be secured in the property/evidence lockers. And, an e-mail will be sent to the Captain of the submission and location of the evidence and property.

- E. Officers will, as applicable, have articles checked against NCIC/METERS records prior to submitting articles into the evidence room.
- F. Articles will be secured in secure storage unless:
 - 1. Articles are released to property owners or custodians;
 - 2. Articles are collected as evidence and taken directly to the Baltimore Police Department's Evidence Control Unit (ECU) facilities for processing;
 - 3. Articles are released to other agencies; or
 - 4. The Captain is contacted and grants permission for personnel to store articles in other facilities for space or logistical reasons.
- G. All articles must be labeled or tagged.
- H. Care must be taken to ensure small, fragile articles are handled with care.
- I. Evidentiary articles, with the exception of jewelry, US Currency, and other items of exceptional value or sensitive evidence or found property, are to be stored in the access controlled evidence room.
- J. For articles too large to be deposited in either storage room, contact the shift supervisor/OIC or the Captain for guidance.
- K. At no time are UBPD personnel to accept flowers, plants, or other perishable articles delivered for another on campus.
- L. Foodstuffs, flowers, plants and/or other perishables recovered as evidence will be photographed and returned to owners if available.
 - 1. In the event the owner is unable to receive the perishables or is unknown, the items will be photographed disposed of in an environmentally acceptable manner.

2.506.04 Property Numbers

- A. Property Numbers from Report Exec program issued by a PCO and utilized in conjunction with CC numbers in all reports, property forms are used to track articles taken into custody by the agency.
- B. Property numbers are required for each non-evidentiary item listed in the Report Exec Program.
 - 1. Printouts from Report Exec will be attached to the property.
 - 2. On return to an owner, the Report Exec release form will be signed and dated by the owner.
 - 3. The recovery information is entered into the Report Exec Program to clear the item from the agency's list of "on hand" found/recovered property (See Appendix)

2.506.06 Report Exec Generated Property Receipts

- A. Employees will utilize the agency's Report Exec generated property receipts to list and assist in tracking the status of all property and evidentiary articles taken into agency custody.
- B. These Property Receipt Records are utilized to record information that includes, but is not limited to:
 - 1. Circumstances by which the articles came into agency custody;
 - 2. Complete descriptions of articles, including make, model, and serial number as available;
 - 3. Sources from whom, or locations from where, articles were obtained; and
 - 4. Names, phone number, e-mail address and ID#s of persons collecting the items.

2.506.08 Lost & Found

- A. The agency is responsible for the collection and safekeeping of lost or abandoned property on university property consistent with **University of Maryland School System Policy for Lost of Abandoned Currency or Tangible Personal Property on University Premises**.
 - 1. With the exceptions described herein, agency employees will accept for safekeeping only those lost and found articles that would be capable of being appraised at an actual or approximate real value by a reasonable and prudent person.
- B. Lost and found articles will be processed and entered into the Report Exec Program and property stored in the property room.
 - 1. Eligible property will be stored for ready access in the lost and found storage room. Items are categorized and like items are stored together in marked bins on shelves.
- C. The Captain, Lieutenant, and Patrol Sergeants have access to the lost and found room. Each has keys and will not loan them to other persons, even if those persons are otherwise authorized access to the lost and found closet.
- D. Employees receiving lost and found property inquiries will ensure the Report Exec Program is checked to assist in determining if the agency is in possession of the property in question.
 - 1. Lost and found articles listed in the Report Exec Program located in the lost and found storage room can be released only when:
 - a. Personnel authorized to access the room are available; or
 - b. Appointments are made with property owners and the PCO is able to assist by locating the item.
 - 2. Report Exec Property Receipts for lost and found items released to rightful owners will be completed.
 - 3. The employees releasing lost and found property to **rightful** owners will immediately update the Report Exec Program to reflect the change in the status of the property.

2.506.10 Owner / Custodian Notification

- A. Any agency employees receiving property will make reasonable attempts to notify or locate owners/custodians of lost and found or recovered property held by the agency.
- B Security Ambassadors (SA) taking custody of lost and found or recovered property for which owner/custodian information is available are to attempt to contact or notify owners/custodians prior to the end of their tour of duty.
 - 1. SA's will contact a University Police Officer to retrieve the items not brought to the Communications Center.
- C. PCO's taking custody of lost and found or recovered property for which owner/custodian information is available are to attempt to contact or notify owners/custodians prior to the end of their tour of duty.
 - 1. PCO's will then enter the information into the Report Exec Program, print the Property Receipt form and attach it to the item/s and then store it in the Lost and Found storage room.
 - 2. Certified or registered mail may be utilized to notify owners or custodians. Articles or property may be shipped to owners or custodians.

2.506.12 Requesting Property & Evidence for Court

- A. Officers needing articles held in the safe inside of the evidence room for court or hearing purposes are to request the items from the Lieutenant or Captain, not less than two business days in advance of their need.
- B. Otherwise, the supervisor retrieving articles will ensure officers picking up evidence or property sign the article out.

2.508 Processing Functions at Incident Scenes

- A. Incident scenes requiring processing must be secured as soon as possible after they have been declared safe by initially responding officers.
- B. Employees entering incident scenes will not disturb, touch, or handle physical evidence unless actively involved in incident scene processing or entering scenes because evidence:
 - 1. Must be made safe;
 - 2. May be lost; or
 - 3. May be destroyed prior to processing.
- C. Incident scenes for crimes handled by BPD and their Crime Lab, per MOU, UB police will:
 - 1. Turn over responsibility of the scene to BPD officers and/or detectives who respond.
 - 2. The UB officer will remain at an access point and assist as may be needed.
 - 3. All UB personnel who enter secured incident scenes and take any investigative actions will complete reports or statements detailing their actions.
- D. Evidentiary functions of agency personnel at incident scenes handled by this agency may include, but are not limited to:
 - 1. Protecting scenes to prevent destruction or contamination of evidence;
 - 2. Documenting entry of persons into incident scenes;
 - 3. Contacting the BPD Crime Lab to locate and process evidence (if deemed appropriate);
 - 4. Locating and collecting evidence;
 - 5. Preserving and packaging evidence (as best as possible);
 - 6. Preparing or submitting evidence for analysis;
 - 7. Locating witnesses;
 - 8. Photographing and possibly sketching scenes; and
 - 9. Preparing initial offense reports.
- E. Employees should only collect evidence for which they have been trained.
- F. Crime Scenes which entails the collection of trace, DNA, Body fluids, blood etc. will, per MOU, require the assistance of the BPD Crime Lab.

2.510 Evidentiary Assistance

- A. Officers initially responding to incident scenes have the responsibility for assessing incidents and recommending to supervisory personnel if additional assistance is necessary to process evidence.
- B. Supervisory personnel will determine if additional assistance is needed for processing scenes and ensure notifications and requests are made as soon as possible.

1. Incident scenes will be secured, made safe and not disturbed after additional evidence processing assistance has been requested unless evidence may be lost or destroyed prior to the arrival of requested assistance.
 2. Collision investigation and accident reconstruction falls to the Baltimore Police, in accordance with the current MOU.
- C. The agency investigator arriving at incident scenes under UB jurisdiction will assume command authority of the scene, incident, and agency personnel assigned thereto.
- D. Initially responding officers may investigate and process incidents with supervisory approval so long as such approval is consistent with agency directives.
- E. On arrival of Baltimore Police at felony scenes, UB officers will relinquish the scene but assist as may be needed.
- F. BPD's Mobile Crime Lab will respond and process the crime. Processing can consist of:
1. Recovery of latent fingerprints;
 2. Photograph incident scenes;
 3. Sketch incident scenes; and
 4. Collect and preserve physical evidence.

2.512 Incident Scene Processing

- A. UB Police Officers should avoid touching or contacting articles of evidence with anything that might contaminate or destroy the evidentiary value of the articles.
- B. Perishable evidence should be collected first.
- C. If damage or destruction of evidence by natural or outside sources is not a concern, employees should work through incident scenes collecting evidence in a logical sequence, attempting to avoid disruption of other evidence. Processing requirements will determine the progression of processing tasks, such as photograph, sketch, fingerprint, mark and collect.
- D. UB Police Officers are reasonably expected to collect available evidence for the crimes handled.

2.512.02 Reporting Requirements

- A. Employees processing incident scenes will complete agency incident or continuation reports, as appropriate, giving accurate accounts of events that occurred and the actions taken.
- B. Information to be contained in reports includes, but is not limited to:
1. Case number;
 2. Date and time of arrival at the scene;
 3. Location of the incident;
 4. Name of victims, if known;
 5. Name of suspects, if known;
 6. Actions taken at the scene;
 7. Date and time additional or specialist assistance is requested and received;
 8. Name of investigating officer;
 9. Number of photographs taken;
 10. Listings of physical evidence recovered;

- 11. Disposition of physical and photographic evidence;
 - 12. Crime scene measurement information; and if applicable.
- C. Effective 5/11/21, all Found Property Reports will go through the review process in Report Exec. Sergeants will review first, followed by the Lieutenant and the Captain. This will be part of the procedures for internal controls.

2.514.02 Photographs and Videotaping

- A. Primary officers processing incident scenes are responsible for ensuring incident scenes are photographed when it is believed that such processing will benefit investigations.
 - 1. Other than CCTV cameras, UBPD does not have portable videotaping equipment
- B. Two photographs of articles or areas will be taken when exact sizes comparisons are needed.
 - 1. One photograph will be taken with nothing introduced in the field of vision.
 - 2. One photograph will include a scale placed in the field of vision.
 - 3. Both photographs will be taken utilizing the same equipment, settings, position, and lighting.
- C. If articles to be photographed are fixed objects, the dimensions of those objects should be recorded to provide scales of reference.
- D. Digital Camera media cards used in incident scene processing will be placed in a labeled envelope, marked and recorded as evidence on property receipts, and stored in the evidence safe.
- E. Requests for prints will be submitted to the Baltimore Police Department.
- F. Reporting officers will include details relating to incident scene photography in the incident report. Dates, times, locations, and CC numbers are to be recorded on the back of all photographs. Digital photos will be attached to the corresponding report in Report Exec.

2.514.04 Sketches

- A. Sketches should be made whenever circumstances indicate that readers of case reports would benefit from sketch information and detail.
- B. Employees processing incident scenes will take measurements, make rough sketches, and include sufficient additional information in the event a scale drawing would be needed for court presentation.
- C. Rough sketches have evidentiary value and will be included in case records.
- D. Some basic elements that should be included in sketches include, but are not limited to:
 - 1. Dimensions;
 - 2. Relation of scenes to other buildings, geographical features, or roads;
 - 3. Addresses, floors, or room numbers as appropriate;
 - 4. Locations of significant features of the scene, including victims;
 - 5. Dates and times of preparation;
 - 6. Names of persons preparing sketches;
 - 7. Direction of north;
 - 8. Location of articles of physical evidence recovered; and
 - 9. Notations if drawn to scale or not to scale.

2.514.06 Marking Property & Evidence

- A. Officers taking evidence or property into custody are responsible for sealing, marking, labeling, or tagging articles as they are taken into custody or as soon thereafter as practical in order to initiate and

maintain chain of custody.

1. Property/Evidence tags and/or plastic evidence envelopes are to be used by personnel to label articles of evidence or property as appropriate.
 2. Plastic evidence envelopes are located in the officer's room adjacent to the Communications Center and used for sealing small articles and evidence such as currency, jewelry or other small items of value.
- B. Employees should establish habits of marking similar articles in similar locations. Instruments which may be used for marking physical evidence include, but are not limited to:
1. Permanent markers;
 2. Felt tip pens;
 3. Scribes; or
 4. Where labels are used, ball point pens.
- C. When evidence is marked, marks will be:
1. Distinctive;
 2. As small as practical; and
 3. Made with markers and placed in locations that will not reduce articles' evidentiary value.
- D. Evidentiary articles will not be marked when:
1. They bear serial numbers;
 2. The marking would alter their evidentiary value; or
 3. They are capable of being identified through distinctive markings or other recorded information.

2.514.08 Perishable or Deteriorating Trace Evidence

- A. UB officers do not collect perishable or deteriorating trace evidence. Felony crimes where these types of evidence are collected will be handled by the Baltimore Police Department and their Crime Lab, per current MOU.

2.514.10 Latent Fingerprints

- A. The Baltimore Police Department and/or their Crime Lab will handle evidence collection for felony crimes per current MOU.

2.516 Controlled Dangerous Substances (CDS)

- A. The Baltimore Police Department uses the Laboratory Information Management System (LIMS) at ECU which streamlines the process of CDS submission, analysis, and report distribution. This ensures the analysis of drug submission and distribution of the reports are completed in less than 24 hours from the time of arrest.
1. The LIMS eliminates paper drug analysis reports and chain of custodies by creating an electronic version. This process will begin with the submission of CDS evidence. Officers no longer complete paper versions of the 442 Form or Purchase Slips. All information is to be entered into the LIMS.
 2. Officers no longer receive a paper copy of test results or the chain of custody in the mail. The results of the analysis and the chain of custody will be exported as an electronic file to Lotus Notes of which a copy can be obtained by written request to the Crime Lab. The State's Attorney Office will receive their reports through the Lotus notes computer network.

- a. The result report are accessible within minutes of the analysis being completed.
 - b. Officers will need the property # and is their responsibility to request the needed reports.
 3. When submitting CDS, officers will follow existing protocols; Do not complete a 442 Form; and all CDS submissions are made at Evidence Control. **No CDS is to be submitted into any District CDS mailboxes.**
 4. At ECU officers take completed 56 Forms and the prepackaged evidence to the counter. The ECU personnel will enter the submission into the ECU computer system and provide a property number. They will also return the Officer's copy of the 56 Form. This copy will be used to enter your submission into LIMS. When finished at the ECU counter, drop the evidence into the appropriated ECU mailbox.
 5. Officers proceed to the LIMS stations located near the elevators. These PC's should be up and running and ready for you to use. (If they are off or if needed to re-boot them, the Microsoft Networking Passwords are provided on the label affixed to the top of the monitor.) **The person who signs the 56 Form and submits the evidence in ECU must be the same person who submits the case on the LIMS.**
 6. **Also it is imperative to use care when making multiple submissions**, ensuring the correct CC# and Property # are with the correct item/s. ACE and the LIMS must match.
- B. Whenever suspected CDS comes into the possession of the UBPD, under any circumstances, the following procedures shall be adhered to:
1. Transport the CDS immediately from place of seizure to the Evidence Control Unit of the Baltimore Police Department (be guided by BPD submission requirements – chain of custody or laboratory forms, etc.)
Exceptions:
 - a. If involved in an event when in route to the ECS requiring immediate police action or if involved in an accident, immediately notify the shift supervisor/OIC and complete a "95" report outlining the circumstances of the incident. Submit CDS as soon as practical.
 - b. Booking is not considered an event requiring immediate police action
 2. Process evidence (not CDS simply found on street) for latent prints as follows:
 - a. all felony and constructive possession
 - b. seizures involving heroin, cocaine and PCP that are packaged;
 - c. any other significant case beyond those mentioned above.
Exceptions:
 - i. small vials, packets or capsules where the surface areas are too small for fingerprints to be read;
 - ii. instances where the fingerprint surface may be contaminated, or is otherwise unsuitable for recovering fingerprints;
 - iii. indicate on the proper report the reason for the exception.
 3. If CBIF personnel discover suspected CDS incident to searching the officer's prisoner:
 - a. whenever possible, the arresting officer will respond to the booking facility and seize the contraband directly from the prisoner.
 - b. if necessary, the CBIF personnel will seize the CDS, notify the arresting officer to take possession of same.
 - c. submit evidence in accordance with this policy.

- d. CBIF personnel must then become part of the chain of custody.**
4. Complete all required reports/forms and submit to your supervisor prior to the end of your shift.

2.516.02 CDS For Court

- A. Presentation of CDS evidence in court is usually accomplished by photographs taken at ECU during submission. If photographs are not received when the court summons arrives, officer are to contact ECU and the ASA handling the case.
- B. CDS may be removed from ECU only for the following reasons:
 1. Court or Grand Jury;
 2. Further analysis as requested by the State's Attorney's Office;
 3. Disposal purposes in accordance with BPD policies and procedures.
- C. To remove CDS Officers MUST present the following to ECU:
 1. Court or Grand Jury summons or request letter from an ASA;
 2. UBPD identification card;
 3. Authorization for Removal of Evidence letter signed by the Captain;
 4. Ensure the evidence package is sealed. If the seal is broken, immediately notify the ECU supervisor.
- D. Complete a "95" report and submit to the shift supervisor, outlining the circumstances surrounding the broken seal.

2.518 Control of CDS in Court & Return to the Evidence Control Unit

- A. Control – is defined as having personal custody or being able to observe the evidence at ALL times.
- B. Under agreement with the District Court for Baltimore City, Circuit Court for Baltimore City, and the Baltimore City State's Attorney's Office, do not release control of the CDS evidence nor leave CDS evidence in court overnight.
- C. Remind the proper authority of these agreements when directed to release control of CDS.
 1. If you are sequestered while the evidence is before the court, you would be releasing control of the evidence.
- D. Should the Court or ASA insist the officer release control of the CDS:
 1. Request and complete a Property Received as Evidence Form (available from the court);
 2. State exactly what evidence was released on the form and chain of custody form; and
 - c. Have both forms signed by the party requesting custody. Then release control as ordered.
- E. In court, request that seals not be broken when CDS is handed to an officer of the court, unless such action is clearly in the interest of the case.
- F. Ensure the retrieval of all contents, if the evidence seal has been broken.
- G. If seals were broken, complete a "95" and submit to your supervisor outlining the circumstances surrounding the broken seal.
- H. Return all CDS evidence to ECU immediately upon completing court duty. In the event the case is being heard in a *Federal* Court or the presiding Judge in the District or Circuit Court refuses to abide by the aforementioned agreement, the officer shall upon leaving court, immediately proceed to ECU with the signed "Property Received as Evidence" form previously mentioned above.
- I. Complete a "95" outlining circumstances of non-compliance by judge or prosecutor.

2.520 Requesting & Obtaining Laboratory Analysis

- A. Submitting evidence and requesting laboratory analysis is normally the responsibility of the officer or investigator who actually processed incident scenes and took custody of the evidence.
- B. Requests for forensic laboratory analyses must be approved by agency supervisory or administrative ranked personnel.
 - 1. Requests may be approved either verbally, in writing, or via email.
- C. In those cases where there may be more than one employee processing scenes, one officer will take custody of all evidence collected and be responsible for submitting it for analysis.
- D. All evidentiary articles needing to be analyzed will be submitted for analyses as soon as possible.
- E. Officers are to follow Baltimore Police Department directions when submitting evidence for analysis/comparison.
 - 1. The FBI **Handbook of Forensic Science** is excellent reference for submitting evidence.

2.522 Negative Laboratory Report

- A. Upon notification that the laboratory analysis for items submitted is negative:
 - 1. Confer with the Assistant State's Attorney assigned to the case; and
 - 2. Prepare a follow-up supplement of this conference for the case folder.

2.524 Currency & Coins

- A. When money comes into the possession of an officer, the officer shall *immediately* call for a supervisor. The supervisor will respond to the scene and act as an inventory witness. If a supervisor is the seizing officer, call for another officer to witness the inventory.
- B. The officer shall then conduct an inventory of the money in the presence of the person from whom the money was seized/recovered.
- C. Prior to the end of the shift, report all money seized/recovered, (except personal property of arrestees) on the appropriate field report to include, amount, denomination, quantity, serialnumber using the exact format shown below. Additionally, this report should include ALL circumstances surrounding the incident.
- D. If there are too many bills to individually record the serial numbers; the bills will be photographed ensuring the serial numbers are in plain view. Photographs shall become a part of the report.
- E. Submit the money in accordance with Annex "A" of this order.
- F. Coins will be listed according to value and amount in the Report Exec Program. Old or rare coins and their mint dates, if readable by ordinary methods, will be listed individually in the program.
- G. Monies from different persons will not be co-mingled in single envelopes or containers.

U.S CURRENCY AND COIN SEIZED / ACQUIRED			
<u>Amount</u>	<u>Denomination</u>	<u>Quantity</u>	<u>Serial Number</u>
\$200.00	100's	2	#, #
10.00	10's	1	#
.75	Quarters	3	
.20	dimes	2	
\$210.95 – Total Amount			

NOTE: U.S. currency that is used as an immediate container or for directly administering CDS (i.e. CDS wrapped in the currency or currency used as a snorting tube) shall be submitted as CDS evidence in accordance with established procedures. A complete report shall be submitted outlining such a circumstance. The decision, as to whether or not monies found pursuant to an arrest are to be treated as evidence or as the arrestee's personal property, rests with the seizing officer.

2.524.02 Removing Money and Returning Money from the UBPD Property Room

A. Money may only be removed from the property room for the purposes of court, return to rightful owner, or disposal purposes.

2.524.04 Removing Money for Court

- A. Officer shall notify the Lieutenant or Captain and provide the following:
1. Form 95 signed by the officer indicating the purpose of the removal
 2. Court summons; and
 3. Copy of original offense report (inventory) – to be retained by Captain until money is returned by requesting officer.
 4. The Lieutenant or Captain shall enter evidence room and release money to requesting officer in accordance with Annex "A" of this order.
- B. The Officer shall check the envelope containing the money to ensure that it has not been opened or tampered with. If there are indications that the envelope has been tampered with, do not accept the envelope and *immediately* notify a command official of the discrepancy.
- C. Upon returning the money, the Lieutenant or Captain shall inventory the money in the presence of the returning officer and place in new envelope, reseal it, and return the money to evidence room in accordance with Annex "A" of this directive.
- D. If the amount returned and the amount indicated on the above mentioned copy of the original offense report do not agree, the Captain will *immediately* review the discrepancy.

2.524.06 Removing Money to Return to Owner or For Disposal

- A. If the money is being removed, disposed of or returned to owner, an appropriate report shall be completed outlining all circumstances of the incident. The owner will sign for a receipt upon receipt of the money (receipt form is generated in the Report Exec database). The disposal of money shall be in compliance with all state and local laws, rules, regulations and USM policies and procedures.

2.526 Hazardous Substances

- A. Evidentiary articles which are potentially toxic, explosive, or highly volatile, e.g., artillery shells, pipe bombs, chemicals utilized in the manufacture of CDS, etc., will be photographed where they are found, if possible.
1. The Baltimore Police Department's bomb unit will be contacted for explosives;
 2. The Baltimore City Fire Department will be contacted for assistance with hazardous substances.
- B. Hazardous substances that do not establish probative values will not be submitted for analyses.

2.528 Stolen Autos

- A. Stolen vehicles containing probative evidence will be processed as all other crime scenes, in keeping with the existing MOU with the Baltimore Police Department.

2.530 Computer Equipment

- A. Computer equipment will be seized and processed consistent with the US DOJ Federal Guidelines for Searching and Seizing Computers or as synopsised in Searching and Seizing Computers, FBI Washington Field Office by the Computer Analysis Response Team.
- B. Officers anticipating seizing computers or related equipment as evidence will attempt to ensure they have on-scene computer forensic assistance via the Baltimore Police Department.

2.532 Firearms

- A. In keeping with the MOU between the University Of Baltimore Police Department and the Baltimore Police Department, all serious felonies shall be handled by the latter. As a result, any firearm coming into the possession of the UBPD, as a result of a serious felony, shall be immediately turned over to a member of the BPD; noting the BPD officer's name and sequence number.
- B. If a firearm comes into the possession of the UBPD, other than the circumstances listed in "A" above, the below listed procedures shall be followed.
1. Unload all seized/recovered firearms PRIOR to transport AND prior to entering UB or BPD buildings.
 2. Use extreme caution when handling firearms;
 3. Treat all firearms as if they are loaded;
 4. Immediately transport the weapon to the Evidence Control Unit of the Baltimore Police Department (be guided by BPD submission requirements);
 5. If unfamiliar with any firearm, request assistance from the Emergency Services Unit via the BPD Communications Section (410-396-2284);

6. Ensure an NCIC and other applicable database checks are conducted on the weapon;
7. Submit appropriate UBPD reports indicating the circumstances surrounding the recovery, submission, and results of database checks to your supervisor PRIOR to the end of your shift; and
8. The return of a firearm to ANYONE will be contingent upon existing local, state, and federal laws AND only upon the written direction of the Captain.

2.534 Handling of Jewelry, Negotiable Instruments or Other Items of Value

A. Submission of such items shall be in accordance with Annex "A" of this order.

1. Use good judgment to determine the value of said property.
2. Complete the appropriate report indicating a complete and accurate inventory and description of all items, including the ticket number placed on the property.
3. A photographic inventory will be completed.

2.536 Handling of Certain Lost & Found Property – Non-Evidentiary

A. Submission of such items shall be in accordance with Annex "A" of this directive. Do not place the following items in the property room

1. Property that is junk or trash with no legitimate value.
2. Give-a-ways and/or promotional mugs, glasses, water bottles, Frisbees and the like.
3. Torn, dirty, old, or "odorous" clothing or shoes.
4. Perishables, flowers or plants.
5. Open containers of liquids (alcohol, soda, etc.)
6. Hazardous materials
7. Needles (shall only be placed in a "sharps" container and under NO circumstances placed in the property room. When "sharps" container is full, the container will be taken to University of Maryland Midtown Campus Hospital and handled according to the hospital's protocols.
8. Personal property of arrestee
9. Firearms
10. CDS

2.538 Inventory of Property Coming into the Custody of the UBPD

A. The University of Baltimore Police Department will inventory all property coming into its custody, in order to protect an owner's property, to ensure against claims of lost, stolen, or vandalized property, and to guard members of this department and the campus community from danger. Officers shall:

1. Conduct and inventory of all monies and other properties of value coming into your custody. This includes:
 - a. The contents of motor vehicles legally in the custody of the department, in preparation for towing due to arrest of driver or abandon vehicle;
 - b. The personal property of individuals in your lawful custody;
 - c. The personal property of any person which has been abandoned by the person, for known or unknown reasons, and there exists no other person to take legal custody of the property.

2. Open and inventory the contents of all closed containers (e.g. suitcases, briefcases, backpacks, boxes, etc.) coming into your lawful custody when you are unable to ascertain its contents by examining the container's exterior. If container is locked and no articulable exigent circumstance exists, the container will not be opened and contents will not be inventoried.
3. Itemize all inventoried property on the appropriate field report and forward for review and signature to your supervisor.
4. After completing the inventory and necessary processing, promptly transport the property for safe storage in accordance with established procedure.

CAUTION – SPECIAL CARE NEEDS TO BE TAKEN WHEN EXAMINING ANY CONTAINERS.

When coming upon what could be considered a suspicious package, follow the procedures as established in the Emergency Operations Plan.

NOTE - An inventory is not conducted for the purpose of searching for contraband or evidence but to protect an owner's property while it is in the custody of the police, to ensure against claims of lost, stolen, or vandalized property, and to guard the police from danger.

2.540 Property / Evidence Room

- A. The Captain serves as the Property Officer, responsible for overseeing the storage and security of all property held by the Department.
- B. The Lieutenant or Patrol Sergeant can serve as an alternate Property Officer during short periods when the Captain would be unavailable.
- C. The Property Officer may delegate responsibility for certain property procedures; however he/she will retain overall accountability.
- D. The department's property room is for the exclusive purpose of storing evidence and held property. It shall not be used for the storage of departmental equipment.
 1. The property room shall fall under the venue of the Captain.
 2. The Captain shall conduct semi-annual inspections of the Property Room. **Any missing property shall be immediately reported to the Captain in the form of a detailed report.**
 3. The Captain is responsible for an annual property disposal project. Members shall ensure that all attempts to identify and/or locate the rightful owner have been exhausted and that no person has made a claim on any item prior to the disposal project. Property to be disposed of must have been stored in the property room for no less than one (1) year and thirty (30) days.
 4. An individual finding abandoned or lost currency or property has a priority claim which must be exercised within thirty days after the one year holding period expires; the University of Baltimore Police Department shall notify the individual that the holding period has expired and that the individual's claim must be exercised within thirty days.
 5. Unclaimed tangible personal property may be disposed of after one year and thirty days. Lost currency and proceeds derived from the disposal of the property, after deducting

any costs incurred, shall be deposited in the General Fund of the State to the account of the University of Baltimore.

6. Any serviceable unclaimed property, not sold at auction, will be donated to any campus library, campus club, or organization or any recognized charity approved by the Captain. The appropriate documentation will be submitted.
7. Any unserviceable or discarded (junk) property will be rendered unrecoverable and disposed of in the normal manner for trash pick-up. The appropriate documentation will be submitted.
8. Due to conflict of interest issues, UBPD personnel are prohibited from claiming any money or valuables. However, serviceable or unserviceable property, not claimed by the library, campus club or organization, a UBPD Officer may submit a claim, in writing, to the Captain. The Captain will decide the disposition on a case-by-case basis.

2.542 Claiming / Returning of Property or Valuable

- A. Anyone claiming to be the owner of found property or valuables the officer shall:
 1. Require proper **photo** identification to ascertain that the person is who they claim to be.
 2. If the property is the type where the owner's name or ID number is not plainly written or inscribed on same, the officer will have the person describe the property in detail, **prior to actually seeing the property**, to insure this is not a fraudulent claim. The description needs to be in sufficient detail to satisfy the officer that the claimant is in fact the owner of the property.
 3. The UPO / PCO will then turnover the property and have the owner sign and date the receipt form generated by the Report Exec database. An e-mail address and cell phone should also be obtained.
 4. The UPO / UPO shall then submit the form to the Captain.
 5. If there is any dispute as to the ownership of the property, the officer will not turn over the property and will further advise the "owner" to make an appointment with the Captain. The Captain will assist in establishing ownership of the property. This will be done to protect everyone's rights, and property.
- B. All property which has been received as evidence in connection with any investigation or which, for any other reason, comes into the custody of the Department, will be processed and stored and disposed of in accordance with established procedures
- C. An employee shall not convert to his/her own use, tamper with, damage intentionally or through negligence, destroy, or in any other way misappropriate any evidence or any other property held in the possession of the Department.

2.544 Transferring Custody

- A. Officers will record each time custody of physical evidence takes place.
- B. BPD Evidence Control Unit requires their forms be used when submitting evidence in order to record prior custody information that includes, but is not limited to:
 1. Name of the officer last having custody of the evidence;
 2. Date and time of submission or mailing and method used for transmission;
 3. Date and time of receipt in the laboratory; and

4. Name and signature of the person in the laboratory receiving the evidence.

2.546 Property & Evidence Inspections

2.546.02 New Property Officer Inventory

- A. Documented inventories of property, evidence, equipment, and records thereof under control of the Property Officer will be conducted whenever a new Property Officer is designated.
- B. At least 50% of all property and 100% of all evidence will be subject to inventory.
- C. Inventories will be conducted by the new and outgoing Property Officers and another employee designated by the Captain.
- D. All discrepancies will be recorded in inventory reports and investigated prior to the assumption of property accountability by the new property custodian.

2.546.04 Annual Audits

- A. Documented audits of property, evidence, and equipment under control of the Property Officer will be conducted annually to determine if related property and evidence directives are being followed.
- B. UBPD will draw a representative sample of property and evidence that is sufficiently large to establish confidence that proper procedures and systems are being followed. If the agency has 100 or fewer items in custody, then the status of all items should be reviewed. If the agency has 101 or more items in custody, then a sample of 100 items should be reviewed.
- C. Audits will be conducted by an employee designated by the Captain who is not routinely or directly connected with control of property.

2.546.06 Semi-annual Inspections

- A. Documented inspections of the property and evidence rooms will be conducted semi-annually by the Captain.
- B. Inspections will randomly examine property, evidence, and records thereof under control of the Property Officer.
- C. The Property Custodian will contact BPD to obtain the status of any items held on UBPD's behalf. The status of these items will be included in the annual audit.

2.546.08 Unannounced Inspections

- A. Unannounced inspections of the evidence and property rooms will be conducted and documented as directed by the Captain annually.
- B. Inspections will randomly examine property, evidence, and records thereof under control of the Property Officer

2.546.10 Reports

- A. Reports will be submitted to Captain.
- B. Inspection reports will be retained in the Office of the Captain for at least three years.

2.548 Disposal of Property & Evidence

- A. All articles of evidence and recovered or seized property held by the agency will be disposed of by the Property Officer in accordance with applicable laws and university policies.
- B. Articles will not be disposed of until all legal or administrative procedures and requirements have been met.
- C. Property and evidence will be disposed of following the fulfillment of all legal or administrative procedures and regulatory requirements.
- D. Employees originally taking custody of articles are responsible for promptly informing the Property Officer of changes in the disposal status of articles.
- E. When authorized by Assistant States Attorney (ASA) personnel, officers may photograph articles of evidence and release the articles to lawful owners or custodians.
 - 1. Photographs will be labeled with the date, time, and CC number. Digital photos will be attached to the corresponding police report in Report Exec.
 - 2. Agency reports will contain the names of ASA personnel authorizing evidence release.

2.548.02 Disposal of Firearms

- A. Seizure and forfeiture of handguns will be responsibility of the Baltimore Police Department and consistent with CR 5-621, CR 4-303(Assault Pistol), and CR 4-402 (Machine Gun).

2.548.04 Disposal of Weapons

- A. Non-firearms weapons will be returned to their owners or custodians, when legally permissible.
- B. Non-firearms weapons that are not returned to owners or custodians will be destroyed.
- C. The agency does not retain any weapons (or explosives) for investigative or training purposes

2.548.06 Disposal of Alcohol Products

- A. The contents of containers holding alcohol products will be disposed of in an environmentally approved manor in the presence of a witness.
- B. Bottles and cans will be discarded or destroyed.
- C. Kegs or other returnable containers will be returned or donated to alcohol beverage distributors.

2.548.08 Disposal of CDS

- A. CDS articles submitted to the Baltimore Police Department will be disposed of consistent with CR 5-309 by burning. Paraphernalia by crushing or incineration.
- B. The agency does not retain any CDS for investigative or training purpose.

2.548.10 Disposal of Driver's Licenses, Plates & Registrations

- A. Driver's licenses, license plates, vehicle registration cards, etc., will be promptly returned to appropriate custodians or motor vehicle agencies following fulfillment of all legal or administrative procedures and requirements.

2.548.12 Disposition of Found Articles or Property

- A. The agency will make reasonable attempts to notify owners or custodians of articles.
- B. Found articles or properties that remain unclaimed are retained by the agency for a period of **one year from date of receipt**.
 - 1. Found articles or property may be claimed by finders within 30 days after the one year anniversary of the property being received by the agency, provided that owners or legal custodians have not reclaimed the articles or property.
 - 2. Found articles or property will not be released to finders if:
 - a. Items are weapons of any type;
 - b. Items are contraband; or
 - c. Items were found by persons acting in law enforcement capacities.
- C. Found articles or property not claimed by owners, custodians, or finders will be disposed of:
 - 1. With proper documentation, by transferring it, including by donation, to other institutions or major components within the University System, nonprofit organizations, the State, or local governments;
 - 2. By dismantling it for recovery of parts; or
 - 3. By destroying it if it has no other value.
- D. Proceeds from the disposal of lost or abandoned property will be submitted to the Budget Office for deposit into the University's general fund.