

**Narcotics Audit Solutions**

# **REPORT # 2016 - 0004**

Braintree Police Department

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## SCOPE AND PURPOSE

1. On Thursday July 28, 2016 I, Bruce P. Gordon, began an audit of the Braintree Police Department's narcotics evidence room, seized money, firearms, and property evidence. This audit was initiated by Chief Russell W. Jenkins. Evidence officers, Officer Ronald Solimini, evidence officer Kenneth J. Bregoli, and IT civilian Jack DeGregorio were assigned by Chief Jenkins to assist me with this audit. Officers Solimini and Bregoli have been the evidence officers since the first week of June 2016. The Braintree Police Department is currently using the Pamet computer system. Prior to these officers, Officer Susan Zopatti was the evidence officer.
2. The narcotics evidence room and property room are located on the first level of the building. This room is in the same hallway as the administrative offices. The narcotics evidence room consists of a locked door to a room that contains metal shelves that are along the left wall and in the back of this room. Access to this room requires the code to a combination lock on the door. Also located within this room are the lockers for ammunition and firearms storage. These items are on shelves on the wall to the right. An officer must have a coded key fob to enter the first door located in the hallway. This door opens into the property room. The property room consists of shelves on the left and right walls. To access the evidence room a key fob is waved across an electronic entry pad. Entries are recorded electronically. Once inside the property room you then enter a locked door at the rear of the room to enter the narcotics evidence locker. The property evidence room is also monitored by two video cameras. Then narcotics evidence room is monitored by one video camera. The evidence locker is also alarmed with an audio alarm. The temporary evidence lockers are located within the property room and are a pass through system from an adjacent room. The evidence officers, Officer Solimini and Officer Bregoli have the only access to the evidence locker. Officers Solimini and Bregoli agreed to the following procedure for this audit.
  - The evidence officers would bring out the evidence to a table in the conference room.
  - Each individual manila envelope containing narcotics evidence would be opened and examined.
  - The evidence in each manila envelope would be examined for the integrity of the heat-sealed package, a comparison of the drugs with the lab analysis sheet, and an assessment of the lab number, and the Braintree PR number or property number. After being examined the evidence would be placed back into the manila envelope and stamped "NAS Examined" with the appropriate date. The examined evidence was kept separated until the entire contents of each bin or box were examined.

- Jack DeGregorio printed out computer generated pages for each year. These computer printouts started with the year 1999 and ended with the year 2016.
- The year 1999 consisted of *two hundred and one (201) entries* printed on fifty-four (54) pages. This printout started with property number 1999-0120 and ended with property number 1999-3541.
- *Twenty-three (23) pieces of evidence were examined. One hundred and seventy-eight (178) were unaccounted for.* A list of the unaccounted pieces of evidence will be provided to the evidence officers. This list will be researched to determine their status. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2000 consisted of *two hundred and twenty-nine (229) entries* printed on sixty-five (65) pages. This printout started with property number 2000-0112 and ended with property number 2000-4467.
- *Seventeen (17) pieces of evidence were examined. Two hundred and twelve (212) were unaccounted for.* A list of the unaccounted pieces of evidence will be provided to the evidence officers. This list will be researched to determine their status. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2001 consisted of *two hundred and fifty-four (254) entries* printed on sixty-four (64) pages. This printout started with property number 2001-0105 and ended with property number 2001-4316.
- *Twenty-two (22) pieces of evidence were examined. Two hundred and thirty-two (232) were unaccounted for.* A list of the unaccounted pieces of evidence will be provided to the evidence officers. This list will be researched to determine their status. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.



- The year 2002 consisted of *two hundred and eighty-two (282) entries* printed on seventy-five (75) pages. This printout started with property number 2002-0112 and ended with property number 20002-3761.
- ***Eighteen (18) pieces of evidence were examined. Two hundred and sixty-four (264) were unaccounted for.*** A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2003 consisted of *two hundred and twenty-three (223) entries* printed on sixty-two (62) pages. This printout started with property number 2003-0143 and ended with property number 2003-3653.
- ***Twenty-two (22) pieces of evidence were examined. Two hundred and one (201) were unaccounted for.*** A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2004 consisted of *two hundred and seventy-six (276) entries* printed on sixty-six (66) pages. This printout started with property number 2004-0110 and ended with property number 2004-3723.
- ***Thirty-four (34) pieces of evidence were examined. Two hundred and forty-two (242) were unaccounted for.*** A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2005 consisted of *two hundred and seventy-seven (277) entries* printed on one hundred and one (101) pages. This printout started with property number 2005-0119 and ended with property number 2005-4052.
- ***Ninety-seven (97) pieces of evidence were examined. One hundred and eighty (180) were unaccounted for.*** A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009

and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.

- The year **2006** consisted of *five hundred and twenty (520) entries* printed on one hundred and twenty-four (124) pages. This printout started with property number 2006-0020 and ended with property number 2006-4729.
- ***One hundred and twenty (120) pieces of evidence were examined. Four hundred (400) were unaccounted for.*** A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year **2007** consisted of *six hundred and eighty-three (683) entries* printed on two hundred and eighty-one (281) pages. This printout started with property number 2007-0027 and ended with property number 2007-4765.
- ***One hundred and seventy-eight (178) pieces of evidence were examined. Five hundred and five (505) were unaccounted for.*** A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year **2008** consisted of *five hundred and seventy-five (575) entries* printed on one hundred and forty-eight pages. This printout started with property number 2008-0003 and ended with property number 2008-4772.
- ***One hundred and ninety seven (197) pieces of evidence were examined. Three hundred and seventy-eight (378) were unaccounted for.*** A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.

- The year 2009 consisted of *two hundred and twenty-seven (227) entries* printed on eighty-(80) pages. This printout started with property number 2009-0050 and ended with property number 2009-4327.
- *Ninety-two (92) pieces of evidence were examined. One hundred and thirty-five (135) were unaccounted for.* A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2010 consisted of *five hundred and eight (508) entries* printed on one hundred and eight (108) pages. This printout started with property number 2010-0022 and ended with property number 2010-4719.
- *One hundred and sixty-one (161) pieces of evidence were examined. Three hundred and forty-seven (347) were unaccounted for.* A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2011 consisted of *four hundred and fifteen (415) entries* printed on one hundred and ninety-five (195) pages. This printout started with property number 2011-0001 and ended with property number 2011-4236.
- *Two hundred and forty (240) pieces of evidence were examined. One hundred and seventy-five (175) were unaccounted for.* A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However, they were not purged from the computer at that time and remain on the printout as active.
- The year 2012 consisted of *four hundred and twenty nine (429) entries* printed on four hundred and sixty (460) pages. This printout started with property number 2012-0061 and ended with property number 2012-4349
- *One hundred and fifty-four (154) pieces of evidence were examined. Two hundred and seventy-five (275) were unaccounted for.* A list of the unaccounted pieces of evidence will be provided to the evidence officers. It is the belief of the evidence officers that many of these items were destroyed during the 2009 and the 2012 destruction process. However,

they were not purged from the computer at that time and remain on the printout as active.

- The year 2013 consisted of *five hundred and seventy-five (575) entries* printed on one hundred and fourteen (114) pages. This printout started with property number 2013-0006 and ended with property number 2013-4645.
- *Two hundred and fourteen (214) pieces of evidence were examined. Three hundred and sixty (360) pieces of evidence were not in the evidence locker. Sixty-one (61) of these items were described on the printout as, "Out to Lab". Seventy-four (74) of these items were described on the printout as, "Disposed-Case Closed". However, the "Destruction?" code was labeled "No". There are no records indicating that these items were ever destroyed. The evidence officers were not aware of any destruction after the 2012 destruction. A list of these pieces of evidence will be provided to the evidence officers. Therefore, the three hundred and sixty (360) pieces of evidence should be listed as MISSING.*
- The year 2014 consisted of *five hundred and fifty-three (553) entries* printed on one hundred and five (105) pages. This printout started with property number 2014-0028 and ended with property number 2014-4713.
- *Two hundred and eight (208) pieces of evidence were examined. Three hundred and forty-five (345) pieces of evidence were not in the evidence locker. Fifty (50) of these items were described on the printout as, "Out to Lab". Sixteen (16) of these items were described on the printout as, "Disposed-Case Closed". However, the "Destruction?" code was labeled "No". There are no records indicating that these items were ever destroyed. The evidence officers were not aware of any destruction after the 2012 destruction. Twenty-five (25) pieces of evidence were described on the printout as, "Out to Investigation". A list of these pieces of evidence will be provided to the evidence officers. Until these pieces of evidence can be accounted for they should be listed as MISSING.*
- The year 2015 consisted of *four hundred and sixty-two (462) entries* printed on eighty-seven (87) pages. This printout started with property number 2015-0012 and ended with property number 2015-4261.
- *One hundred and eighty-two (182) pieces of evidence were examined. Two hundred and eighty (280) were not in the evidence locker. Sixty-two (62) of these items were described on the printout as, "Out to Lab".*

Six (6) of these items were described on the printout as, "Disposed-Case Closed". However, the "Destruction?" code was labeled "No". There are no records indicating that these items were ever destroyed. The evidence officers were not aware of any destruction after the 2012 destruction.

Two (2) pieces of evidence were described on the printout as, "Out to Investigation". A list of these pieces of evidence will be provided to the evidence officers. Until these pieces of evidence can be accounted for they should be listed as MISSING.

- The year 2016 consisted of *five hundred and fourteen (514) entries* printed on ninety-five (95) pages. This printout started with property number 2016-0008 and ended with property number 2016-2808.
- *One hundred and ninety-eight pieces of evidence were examined. Three hundred and sixteen (316) were not in the evidence locker. Seventy-six (76) of these items were described on the printout as, "Out to Lab".* Five (5) of these items were described on the printout as, "Disposed-Case Closed". However, the "Destruction?" code was labeled "No". There are no records indicating that these items were ever destroyed. The evidence officers were not aware of any destruction after the 2012 destruction. Two (2) pieces of evidence were described on the printout as, "Out to Court". One (1) piece of evidence was described on the printout as, "Returned to Owner". A list of these pieces of evidence will be provided to the evidence officers. Until these pieces of evidence can be accounted for they should be listed as MISSING.
- The following list of Property Numbers, Incident Numbers, and Lab Numbers were found to be compromised. For present purposes, compromised is defined as: heat sealed lab bags were torn open or cut; evidence was missing; evidence was replaced with other narcotics or manila storage envelopes were completely empty. All evidence bags found to be compromised were photographed and secured in Deputy Foster's office.
  - #1.
  - Property # 2014-0994, 2014-0990, 2014-0983
  - Lab # 14-09107
  - Description: Heat Sealed Lab bag opened
  - Evidence: Four (4) knotted small bags inside, small amount of green vegetable matter.

- #2.
- Property # 2014-0724
- Lab # 14-3572
- Description: Braintree PD evidence bag opened with a one dollar bill inside.
- Evidence: No narcotics in evidence bag.
- Defendant: [REDACTED]
- Note: Several days after the drug audit Officer Solomini advised me that he had found the missing drugs, 0.2 grams of Cocaine.

- #3.
- Property # 2014-4622
- Description: Brown bag with one (1) prescription bottle
- Evidence: ½ blue pill, supposed to be 30 mg percocet
- Defendant: [REDACTED]

- #4.
- Property # 2014-1713
- Lab # 14-13907
- Description: Heat Sealed Lab bag missing. Four (4) knotted plastic bags loose in envelope.
- Evidence: White powder in plastic bag-Cocaine-0.97 grams-Missing
- Defendants: [REDACTED]

- #5.
- Property # 2014-1739, 2014-1738
- Lab# 14-13910
- Description: Heat Sealed Lab bag cut open
- Evidence: Orange pills, prescription bottle inside. One knotted plastic bag white powder- 3.01 grams of Cocaine-Missing
- Defendant: [REDACTED]

- #6.
  - Property # 2012-3674
  - Lab # 15590 and Lab# 15-01107
  - Description: Marijuana put in Braintree PD evidence bag. Heat Sealed Lab bag opened.
  - Evidence: Twelve (12) bags of Cocaine missing.
  - Defendant: [REDACTED]
  
- #7.
  - Property 2012-3286, 2012-3285
  - Lab # 12-15419
  - Description: Bag marked 1.4 opened. Thirteen (13) plastic bags of Cocaine and seven (7) bags of Heroin.
  - Evidence: 6.19 grams of Cocaine missing
  - Defendant: [REDACTED]
  
- #8.
  - Property # 2015-2834, 2015-2835, 2015-2836
  - Lab# 15-23224
  - Description: Manila envelope empty. No Lab certificate
  - Evidence: Twenty (20) bags of Cocaine missing, 26.8 grams and 3.1 grams.
  - Defendant: [REDACTED]
  
- #9.
  - Property # 2013-1045
  - Lab # 13-11083
  - Description: Heat Sealed Lab bag missing. Not Tested.
  - Evidence: There is supposed to be two (2) plastic bags of white powder. Only one (1) bag in envelope. One bag missing.
  - Defendant: [REDACTED]



○ #10.

- Property # 2000-4299, 20004298
- Lab # 70950, 70951
- Description: Manila envelope empty.
- Evidence: Missing pills-Lorazepam.
- Defendant: [REDACTED]

○ #11.

- Property # 2008-2390
- Lab# 07496
- Description: Manila envelope empty.
- Evidence: One (1) plastic bag of Cocaine missing.
- Defendant: [REDACTED]

○ #12.

- Property # 2006-0449, 2006-0444, 2006-0445
- Lab# 806067, 806068, 806069, 806070
- Description: Lab# 806069 and 806070 are OK.
- Evidence: Lab# 806067 -0.51 grams Cocaine missing,  
806068- 0.50 grams Cocaine missing
- Defendants: [REDACTED]

○ #13.

- Property # 2003-2734, 2003-2724, 2003-2727
- Lab # 662611, 662612, 662613, 662614, 662615
- Description: Lab# 662611-\$1 bill with white powder, Lab# 662612-Eight (8) bags of white powder, Lab# 662613-Two plastic bags of white powder, Lab# 662614-Eight small bags of Cocaine, Lab# 662615- Two large bags of Cocaine.
- Evidence: Lab# 662612-No Controlled Substance, Lab# 662613-No Controlled Substance, Lab # 662614-Cocaine-Missing, 662615-Cocaine-Missing
- Defendants: [REDACTED]



- #14.
- Property # 2010-3922, 2010-3923
- Lab# 12-129882, Lab # B10-12644, B10-12612
- Description: Heat Sealed Lab bag sliced opened. Lab certificates present.
- Evidence: Item 1: Three of six bags tested. Tested powder weighed 223.04 grams-Cocaine, Untested powder weighed 55.12 grams. Item 2: Three of the 29 bags were tested. The tested powder weighed 0.75 grams-Cocaine. The weight of the remaining 19 bags untested weighed 25.39 grams.
- Defendants: [REDACTED]

- #15.
- Property # 2013-0881
- Lab# 13-06934
- Description: Heat Sealed Lab bag opened.
- Evidence: One plastic bag of white powder, 15.20 grams of Cocaine-Missing
- Defendant: [REDACTED]

- #16.
- Property # 2013-4543, 2013-4544, 2013-4545
- Lab# 14-01219
- Description: Heat Sealed Lab bag opened.
- Evidence: Property # 4543-12 grams of Cocaine missing
- Defendant: [REDACTED]

- #17.
- Property # 2012-0890
- Lab# 12-133343, Lab# B12-04078
- Description: Heat Sealed Lab bag ripped open.
- Evidence: No information

- Defendant: [REDACTED]
- #18.
  - Property # 2014-3610, 2014-3611, 2014-3612, 2014-3613, 2014-3614
  - Lab # 15-01107
  - Description: Heat Sealed Lab bag sliced open.
  - Evidence: Evidence bag contained Marijuana, Oxycodone, and Heroin.
  - Defendant: [REDACTED]
- #19.
  - Property # 2014-0035, 2014-0036, 2014-0037, 2014-0038
  - Lab# 14-01213
  - Description: Heat Sealed Lab bag missing. Plastic bags loose in manila envelope. One plastic bag with brown powder-Heroin, two plastic bags white power-Cocaine-Missing, four plastic bags green vegetable matter-Marijuana
  - Defendants: [REDACTED]
- #20.
  - Property # 2014-1341
  - Description: Twelve 912) small zip lock baggies of green vegetable matter. One empty glass jar.
  - Evidence: Marijuana missing.
  - Defendants: [REDACTED]
- #21.
  - Property # 2014-4026, 2014-4027
  - Lab # 15-00424
  - Description: Heat Sealed Lab bag sliced open.
  - Evidence: Two plastic bags with brown powder-Heroin, Sixteen plastic bags with brown powder-Heroin, Nine plastic bags with chunky white powder-Cocaine.
  - Defendant: [REDACTED]

- #22.
  - Property # 2015-2836
  - Lab # 15-23224
  - Description: one (1) plastic bag of white powder, nineteen plastic bags of white powder
  - Evidence: One (1) plastic bag of white powder-Cocaine-2.78 grams Cocaine-Missing, Four (4) knotted bags of white powder-Cocaine-Tested powder-11.23 grams, Seven of the fifteen bags were tested-Cocaine 4.76 grams-Missing The untested eight bags weighed 7.37 grams.
  - Defendants: [REDACTED]
- #23.
  - Property # 2013-1045
  - Lab # 13-11083
  - Description: Heat Sealed Lab bag missing. Two (2) bags of white powder,
  - Evidence: Not tested. Only one (1) plastic bag of white powder in envelope.
  - Defendant: [REDACTED]
- #24.
  - Property # 2012-1174
  - Lab # B12-50588, B12-50589, Lab# 12-141103
  - Description: Heat Sealed Bag sliced open.
  - Evidence: One (1) pill inside, missing a \$10 bill.
  - Defendant: [REDACTED]
- #25.
  - Property # 2014-1738, 2014-1739
  - Lab# 14-13910
  - Description: One (1) plastic bag of white powder, forty-two (42) orange capsules. Heat Sealed Lab bag opened

- Evidence: White powder-Cocaine-Missing.
- Defendant: [REDACTED]
- #26.
- Property # 2013-4401
- Lab# 13-28723
- Description: Heat Sealed Lab bag missing. Three (3) plastic bags of white powder
- Evidence: Lab receipt only, no lab certificate, no narcotics.  
Three plastic bags of Cocaine missing.
- Defendant: [REDACTED]
- #27.
- Property # 2012-3285, 2012-3286
- Lab# 12-15419
- Description: Thirteen (13) plastic bags of white powder, Seven (7) knotted bags of brown powder.
- Evidence: White powder (three of the thirteen bags were tested) –Cocaine-1.40 grams, Ten bags not tested, weight of 6.19 grams, both missing, tan power-Heroin
- Defendant: [REDACTED]
- #28.
- Property # 2012-1802, 2012-1803
- Lab# B12-08644, B12-08645, Lab# 12-131965-2
- Description: Two (2) plastic bags of white powder, one sealed and one opened. No certificate.
- Evidence: Two plastic bags with white powder missing.
- Defendant: [REDACTED]
- #29.
- Property # 2010-3880, 2010-3887
- Lab# 12-129882
- Description: Seventy-two (72) bags of white powder
- Evidence: Cocaine-54 grams-Missing
- Defendant: [REDACTED]

- #30.
- Property # 2014-0724
- Lab# 14-07400
- Description: One (1) plastic bag of rock like white substance. Evidence bag with \$1 bill, no narcotics
- Evidence: No certificate
  
- #31.
- Property # 2014-00295
- Unknown Lab #
- Description: Manila envelope empty.
- Evidence: **Three (3) Suboxone strips-Missing**
- Defendant: [REDACTED]
  
- #32.
- Property # 2013-0367
- Lab # 13-1541
- Description: Heat Sealed Lab bag sliced open. Black grinder inside, no white powder.
- Evidence: **One (1) plastic bag of Cocaine –Missing**
- Defendant: [REDACTED]
  
- #33.
- Property # 2013-0962, 2013-0963, 2013-0964, 2013-0965
- Lab # 06932
- Description: Heat Sealed Lab bag sliced open. Numerous plastic bags inside larger bag.
- Evidence: Unable to determine without certificates
- Defendant: [REDACTED]

- #34.
- 2012-1498, 2012-1500, 2012-1524
- Lab # B12-50741 thru and including B12-50751
- Description: Numerous pills and white powder. Heat Sealed Lab bag sliced open.
- Evidence: Unable to determine without certificates.
- Defendant: [REDACTED]
  
- #35.
- Property # 2013-1828
- Lab # 13-4866
- Description: Drugs, quantity 5, 4, 498 Oxycodone
- Evidence: Unable to determine without certificates.
- Defendant: [REDACTED]
  
- #36.
- Property # 2015-2081
- Lab # 15-11071
- Description: Manila envelope empty. Writing on the front of the envelope indicates a controlled buy on 6/19/15, CB#1, Cocaine
- Evidence: Cocaine missing.
  
- #37.
- Property # 2011-2430
- Lab # B11-09581
- Description: Evidence bag sliced open. Marijuana and \$450.00 in U.S. currency.
- Evidence: \$450.00 in U.S. currency Missing
- Defendant: [REDACTED]

- #38.
- Property # 2013-2893
- Lab# 13-06946
- Description: Large Heat Sealed Lab bag sliced open. Numerous heat sealed smaller bags inside sliced open.
- Evidence: Department Case # 2013-2893-Unable to determine without certificates

3. On August 4, 2016 we began to audit the seized monies. Evidence officer Kenneth J. Bregoli and I agreed to the following procedure for examining the seized monies. The Braintree Police Department evidence bags are used to store seized monies. These evidence bags are kept in a filing cabinet located in the narcotics evidence locker. The evidence is being stored alphabetically. Each group of evidence bags were from several different years. The entire group of seized monies was put in a plastic bin and brought to the conference room for examination. We agreed that we would only count monies that were not in a sealed evidence bag. It was discovered that the majority of evidence bags had been cut open at the very bottom allowing access to the U.S. currency. All of these evidence bags required us to hand count the contents.

- ❖ The year 1999 consisted of *twelve (12) entries printed on three (3) pages*. This printout started with Property # 1990-0572 and ended with Property # 1990-2817.
- ❖ *None of these entries were found in the bin of seized monies.*
- ❖ One of these entries, Property # 1990-1093 was a personal check in the amount of \$315.00.
- ❖ **The other eleven (11) entries came to a total of \$9,171.50.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
- ❖ The year 2000 consisted of *twenty-five (25) entries printed on five (5) pages*. This printout started with Property # 2000-0382 and ended with Property # 2000-4297.
- ❖ *Two (2) of these items were examined. Twenty-three (23) were unaccounted for.*
- ❖ Property # 2000-0535 was 49 tarot card flyers.
- ❖ Property # 2000-0573, Property # 2000-0973, is counterfeit money.
- ❖ **The remaining twenty (20) entries came to a total of \$7,125.61.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.

- ❖ The year **2001** consisted of *sixteen (16) entries printed on four (4) pages*. This printout started with Property # 2001-0203 and ended with Property # 2001-4369.
- ❖ ***One (1) of these items was examined. Nineteen (19) were unaccounted for.***
- ❖ Property # 2001-1269, Property # 2001-2012, is counterfeit money.
- ❖ **The remaining seventeen (17) entries came to a total of \$82,074.96**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
  
- ❖ The year **2002** consisted of *twenty-two (22) entries printed on five (5) pages*.
- ❖ This printout started with Property # 2002-0338 and ended with Property # 2002-3709.
- ❖ ***Three of these items were examined. Nineteen (19) were unaccounted for.***
- ❖ Property # 2002-1840, Property # 2002-1100, Property # 2002-2662, Property # 2002-2666, Property # 2002-2822 Property # 2002-3560 is counterfeit money.
- ❖ **The remaining thirteen (13)) entries came to a total of \$47,196.91.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
  
- ❖ The year **2003** consisted of *twenty-three (23) entries printed on five (5) pages*. This printout started with Property # 2003-0717 and ended with Property # 2003-3477.
- ❖ ***None of these entries were found in the bin of seized monies.***
- ❖ Property # 2003-1483, Property # 2003-1531, Property # 2003-1574, Property # 2003-1649, Property # 2003-2033, Property # 2003-2034, Property # 2003-3122, Property # 2003-3145, and Property # 3477 are counterfeit money.
- ❖ **The remaining thirteen (13) entries came to a total of \$5,022.74.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
  
- ❖ The year **2004** consisted of *twenty-four (24) entries printed on five (5) pages*. This printout started with Property # 2004-0199 and ended with Property #2004-3551.
- ❖ **One (1) of these items was examined. Twenty three (23) were unaccounted for.**
- ❖ Property # 2004-0199, Property # 2004-0706, Property # 2004-0810, and Property # 2004-2456 are counterfeit money.
- ❖ **The remaining eighteen (18) entries came to a total of \$5,488.00.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.



- ❖ The year **2005** consisted of *twenty-nine (29) entries* printed on six (6) pages. This printout started with Property # 2005-0178 and ended with Property # 2005-3958.
- ❖ *Five (5) of these items were examined. Twenty-four (24) were unaccounted for.*
- ❖ Property # 2005-3573 is counterfeit money.
- ❖ **The remaining twenty-three (23) entries came to a total of \$15,464.00.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
  
- ❖ The year **2006** consisted of *forty-five (45) entries* printed on eight (8) pages. This printout started with Property # 2006-0380 and ended with Property # 2006-4730.
- ❖ *Three (3) of these items were examined. Forty-two (42) were unaccounted for.*
- ❖ Property # 2006-0380, Property # 2006-2390, Property # 2006-3116, Property # 2006-3124, and Property # 2006-4363 are counterfeit money.
- ❖ **The remaining thirty-nine (38) entries came to a total of \$16,633.89.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing
  
- ❖ The year **2007** consisted of *sixty (60) entries* printed on eleven (11) pages. This printout started with Property # 2007-0066 and ended with Property # 2007-4585.
- ❖ *Six (6) of these items were examined. Twenty-one (21) were DA/Braintree PD forfeitures. Thirty-one (31) were unaccounted for.*
- ❖ Property # 2007-1074 and Property #2007-1407 are counterfeit.
- ❖ **The remaining thirty-one (31) entries came to a total of \$15,286.70.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
  
- ❖ The year **2008** consisted of *forty-nine entries (49) entries* printed on ten (10) pages. This printout started with property # 2008-0017 and ended with Property #4738.
- ❖ *Thirteen (13) of these items were examined. Six (6) were DA/Braintree PD forfeitures. Twenty-eight (28) were unaccounted for.*
- ❖ Property # 2008-2625 and Property # 2008-3983 are counterfeit money.
- ❖ **The remaining twenty-eight (28) entries came to a total of \$16,342.00.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.

- ❖ The year 2009 consisted of *fifty (50) entries* printed on nine (9) pages. This printout started with Property # 2009-0168 and ended with Property # 2009-4325.
- ❖ *Eight (8) of these items were examined. Forty-two (42) were unaccounted for.*
- ❖ Property # 2009-0186, Property # 2009-1248, Property # 2009-1914, Property #2009-3395, Property # 2009-3482, Property # 2009-3483, Property # 2009-3484, Property # 2009-3487, Property # 2009-3489, Property # 2009-3490, Property # 2009-3631, Property # 2009-4319, and Property # 2009-4325 are counterfeit money.
- ❖ **The remaining twenty-one (21) entries came to a total of \$10,325.79.00.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
  
- ❖ The year 2010 consisted of *fifty-three (53) entries* printed on nine (9) pages. This printout started with Property # 2010-0012 and ended with Property # 2010-4696.
- ❖ *Twelve (12) of these items were examined. Forty-one (41) were unaccounted for.*
- ❖ Property # 2010-0171 is a negotiable check.
- ❖ Property #2010-0012, Property # 2010-4208, Property # 2010-4209, and Property #2010-4696 are counterfeit money.
- ❖ **The remaining thirty-six (36) entries came to a total of \$11,983.00 plus an undetermined amount in a compromised envelope, Property # 2010-3889.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing
  
- ❖ The year 2011 consisted of *forty-(40) entries* printed on seven (7) pages. This printout started with Property # 2011-0039 and ended with Property # 4265.
- ❖ *Ten of these items were examined. Thirty are unaccounted for.*
- ❖ Property # 2011-2664, Property # 2011-3329, Property # 2011-3842, and Property # 2011-4265 are counterfeit money.
- ❖ **The remaining twenty-six (26) entries came to a total of \$36,981.00**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
  
- ❖ The year 2012 consisted of *seventy-four entries* printed on fourteen (14) pages. This printout started with Property # 2012-0045 and ended with Property # 4354.
- ❖ *Seventeen (17) of these items were examined. Property # 2012-0915 is a check. Property # 2012-2018 is Dominican Republic currency. Four (4) of these items were deposited in the bank. Fifty-one (51) were unaccounted for.*
- ❖ Property # 2012-0214, Property # 2012-2773, Property 3 2012-3785, Property # 2012-4300, and Property # 2012-4310 are counterfeit money.
- ❖ **The remaining fifty (50) entries came to a total of \$51,984.55.**

- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
- ❖ The year 2013 consisted of *eighty-one (81) entries* printed on fifteen (15) pages. This printout started with Property # 2013-0136 and ended with Property # 2012-4665.
- ❖ *Thirty-six (36) of these items were examined. Property # 2013-0500 is "Out to Court". Forty-four (44) were unaccounted for.*
- ❖ Property # 2013-0670, Property # 2013-2775, Property # 2013-3367, Property # 2013-2776, and Property # 2013-3432 are counterfeit money.
- ❖ **The remaining thirty-eight (38) entries came to a total of \$54,887.00.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing
- ❖ The year 2014 consisted of *sixty-two (62) entries* printed on eleven (11) pages. This printout started with Property # 2014-0062 and ended with Property # 2014-4668.
- ❖ *Forty-one (41) of these items were examined. Twenty-one (21) are unaccounted for.*
- ❖ Property # 2014-0142, Property # 2014-0967, Property # 2014-1454, Property # 2014-1775,, Property # 2014-1784, Property # 2014-2081, and Property # 2014-2144 are counterfeit money.
- ❖ **The remaining fourteen (14) entries came to a total of \$11,876.24.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.
- ❖ The year 2015 consisted of *forty-eight (48) entries* printed on eight (8) pages. This printout started with Property # 2015-0209 and ended with Property # 2015-4207.
- ❖ *Twenty-seven (27) of these items were examined. Twenty-one (21) were unaccounted for.*
- ❖ Property # 2015-0209, Property # 2015-0695, Property # 2015-0725, 2015-1978, Property # 2015-4205, Property # 2015-4206, and Property # 2015-4207 are counterfeit money.
- ❖ **The remaining fourteen (14) entries came to a total of \$7,410.08.**
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.

- ❖ The year 2016 consisted of *fifty-eight (58) entries* printed on thirteen (13) pages. This printout started with Property # 2016-0061 and ended with Property # 2016-2767.
- ❖ *Forty-one (41) of these items were examined. One was a DA/BPD forfeiture. Seventeen (16) were unaccounted for.*
- ❖ Property # 2016-0903, Property # 2016-1146 and Property # 2016-2402 are counterfeit money.
- ❖ The remaining thirteen (13) entries came to a total of \$2,734.54.
- ❖ This money has not been accounted for. These seizures will have to be reconciled with Mr. Paul McSorley to ascertain if they were deposited or are missing.

4. The following list of Property Numbers or Incident Numbers were found to be compromised. For present purposes, compromised is defined as: heat sealed Braintree Police Department evidence bags were torn open or cut, evidence, U.S. currency, was partially or completely missing. All evidence bags found to be compromised were photographed and secured in Deputy Foster's office.

- #1.
  - Property # 2015-0818
  - Description: \$1,408.00 seized currency. This money was counted by Officer Solimini on June 21, 2016. It was found to be a total of \$1,118.00.
  - Evidence: This count indicates that \$390.00 is Missing.
  - Defendant: [REDACTED]
- #2.
  - Braintree PD Case # 9701840
  - Description: \$360.00 written on the outside of the BPD evidence bag. The bag was torn open in the back and there was no money inside, just a wallet and personal papers.
  - Evidence: \$360.00 is Missing.
  - Defendant: [REDACTED]
- #3.
  - Property # 2010-3893
  - Description: \$300.00 written on the outside of the BPD evidence bag. The bag was torn open in the back and was empty.
  - Evidence: \$300.00 is Missing.
  - Defendant: [REDACTED]

- #4.
- Property # 2010-3881
- Description: \$20,518 written on the outside of the BPD evidence bag. The bag was torn open in the back and there was no money inside.
- Evidence: Research of the case revealed that the money had been ordered forfeited and it was then split between the Norfolk DA's office and the Braintree Police Department.
- Defendant: [REDACTED]
- #5.
- Property # 2010-3889
- Description: BPD evidence bag ripped open. Bag empty.
- Evidence: \$73.00 is Missing.
- #6.
- Property # 2015-;1286, Property # 2015-1273
- Description: BPD evidence bag for Property # 2015-1286 not compromised, contained \$45.00. BPD evidence bag for Property # 2015-1273 torn open. The money inside was supposed to be a total of \$3,961.00. Officer Bregoli counted the contents of the bag and counted a total of \$1,961.00.
- Evidence: \$2,000.00 is Missing.
- #7.
- Property # 2013-3197
- Description: \$164.00 and \$82.00 inside a wallet. \$164 found inside BPD evidence bag.
- Evidence: \$82.00 and wallet Missing.
- #8.
- Property # 2011-0476
- Description: BPD evidence bag torn open. Amount seized \$1,057.00
- Evidence: \$1,057.00 is Missing.
- Defendant: [REDACTED]

- #9.
- Property # 2010-3909
- Description: BPD evidence bag containing \$99.00.
- Evidence: Bag torn open, no cash inside. \$99.00 is Missing.
- #10.
- Property # 2010-3911
- Description: BPD evidence bag containing \$480.00.
- Evidence: Bag torn open, no cash inside. \$480.00 is Missing.

5. On August 5, 2016 Officer Bregoli and I began the audit of the firearms. This audit was conducted inside the narcotics evidence locker. The firearms, handguns, and ammunition are stored in this location at the rear of the room on several metal shelves. The rifles are stored on shelves on the left side of this room. Some of the rifles were stored in cardboard boxes that are made for rifle storage. Officer Bregoli agreed that he would read me the property numbers on the firearms and I would then check them off on the computer printout list. The following is a list of firearms that were examined during the audit.

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on the computer printout</u>
2000	2000-0625	Firearm
	2000-0626	Beretta Automatic
	2000-0627	.22 Cal Automatic
	2000-1270	.380 Semi-Auto
2001	2001-2588	Strom Ruger Handgun
2004	2004-1363	1 Sig Sauer 9MM
2005	2005-0252	NCO11410
	2005-0694	.357 Revolver by Colt
	2005-0698	Smith & Wesson .38 Cal Model 36
	2005-3168	1 Remington .22 Cal Rifle
	2005-3539	Mod 19-8 F11
	2005-3774	.38 Cal Silver Handgun

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on the computer printout</u>
2006	2006-0586	9MM Luger Model 09
	2006-1115	Pistol Auto/Semi
	2006-2342	Firearm
2007	2007-0369	9MM Smith & Wesson
	2007-3018	Firearm
	2007-3084	Firearm-Semi Auto Pistol
	2007-4108	Bersa Lusber 84 .32 Cal w/ammo & Clip
2008	2008-4495	.22 Cal Springfield Rifle
	2008-4710	Mossberg 12 GA Model 535
	2008-2040	Firearm
	2008-3923	Firearm-Glock 19
	2008-4494	9 MM Luger
2009	2009-1106	Charter Arms .38 Cal Special
	2009-1108	Firearm-Braztech Intl .357
	2009-3133	Firearm
	2009-3154	Glock Model22 .40 Cal Semi- Automatic Pistol
2010	2010-1380	Pistol Auto/Semi
	2010-1387	Rifle Semi-Automatic
	2010-3632	Hi-Point Stainless Upper
	2010-3633	Lorcin Semi-Automatic .38 Cal in Box
	2010-4070	Beretta .380 Cal Automatic
	2010-4071	Raven Arms Pistol
	2010-4072	Smith & Wesson
	2010-4076	Marlin Glenfield Rifle
	2010-4077	Sears Ted Williams Rifle
	2010-4201	Firearm-Remington Model 511
	2010-1154	Shotgun
	2010-1255	Firearm
	2010-4202	Firearm Interarms Model 22
	2010-4203	Firearm-Winchester Model 1890
	2010-4204	Firearm-Andrew Fyrberg & Sons Shotgun

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on the computer printout</u>
2011	2011-0158	Firearm-Smith & Wesson Airweight Hammerless
	2011-2132	Firearm-Pistol
	2011-2156	Firearm
	2011-2159	Firearm
	2011-2161	Firearm
	2011-2162	Firearm
	2011-2258	Firearm
	2011-2658	Firearm-H & K Pistol
	2011-2659	Firearm S&W Pistol
	2011-2660	Firearm S& W Pistol
	2011-4237	Browning .308 Cal Rifle
2012	2012-0012	Firearm Semi-Automatic Pistol
	2012-0441	Colt .25 Cal Automatic Pistol
	2012-1115	Firearm-Beretta .22 Cal
	2012-1737	Pistol Auto/Semi
	2012-2055	Ruger .357 Cal Magnum
2012	2012-2073	Firearm
	2012-2879	Shotgun
	2012-2961	Rifle
	2012-3269	Para .45 Cal
	2012-3847	Firearm
2013	2013-0073	Shotgun
	2013-0308	Firearm
	2013-0607	Firearm
	2013-1020	Firearm .38 Cal
	2013-1196	Shotgun
	2013-1197	Firearm
	2013-1553	Rifle
	2013-2194	Firearm
	2013-2195	Firearm
	2013-2308	Firearm
	2013-3217	Excam Derringer
	2013-3256	Firearm
	2013-3386	Firearm
	2013-4552	Revolver



<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on the computer printout</u>
2014	2014-3037	Firearm
	2014-3038	Firearm
	2014-3039	Firearm
	2014-3040	Firearm
	2014-3446	Titan .25 Cal Handgun
	2014-3031	Firearm
	2014-3032	Firearm
	2014-3033	Firearm
	2014-3034	Firearm
	2014-3035	Firearm
	2014-3036	Firearm
	2014-2782	Rifle-Ruger .22 Cal
	2014-2783	Rifle-Remington 870 12 GA
	2014-2784	Rifle-Remington 870
	2014-2840	Firearm
	2014-2923	Rifle
	2014-3029	Rifle
	2014-2776	Walther PPK/S 22
2014	2014-2777	Walther PP
	2014-2778	Walther PPK/S 9MM
	2014-2779	Rifle-Tauru410
	2014-2780	Rifle-Smith & Wesson 22
	2014-2781	Mossberg 270 Rifle
	2014-2770	Walther PPK/S
	2014-2771	Smith & Wesson SW 911
	2014-2772	Seecamp 32
	2014-2773	Jennings J-22
	2014-2774	Jennings J-22
	2014-2775	AMT 380
	2014-2764	Sig Sauer P938-22
	2014-2765	Ruger SR9
	2014-2766	Rock Island Armory 45
	2014-2767	Walther PPK
	2014-2768	Walther PPK/S
	2014-2769	Ruger SR 40

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on the computer printout</u>
	2014-2758	Beretta 22
	2014-2759	Taurus 22
	2014-2760	Walther PPK/S
	2014-2761	Ruger LCR 22
	2014-2762	Sig Sauer P238
	2014-2763	Ruger SR1911
	2014-2752	Beretta Tomcat 32 MM
	2014-2753	Smith & Wesson Governor
	2014-2754	Ruger LCR 38
	2014-2755	Walther
	2014-2756	Walther P 38
	2014-2757	Walther P 38
	2014-1385	Firearm
	2014-1386	Firearm w/ 1 mag
	2014-2154	Old Wooden Rifle
	2014-2155	Old Wooden Shotgun
	2014-0435	Firearm
	2014-0879	.22 Cal Pistol
	2014-1384	Handgun with 3 Mags
	2014-3950	Firearm
	2014-3998	Rifle
	2014-4000	Firearm
	2014-0881	Ruger 9MM
	2014-4004	Shotgun
<b>2015</b>	2015-0024	Shotgun
	2015-0481	Ruger .40 Cal
	2015-0524	Firearm
	2015-0526	Firearm
	2015-0780	Sig Sauer
	2015-0781	Glock
	2015-0787	Ruger .380
	2015-0797	Rifle
	2015-0798	Stevens Browning Shotgun
	2015-1001	Kel Tec KSG
	2015-1004	Palmetto Armory AR Lower

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on the computer printout</u>
2015	2015-1005	Glock 19
	2015-1006	Glock 33
	2015-1009	Glock 32
	2015-1011	MPA 30T
	2015-1016	AR 15
	2015-1017	Glock 42
	2015-1018	Glock 19C
	2015	AR 15
	2015-1021	Glock 26
	2015-1022	AR 15
	2015-1024	Glock 21
	2015-1025	Glock 29
	2015-1026	Ruger LC 9
	2015-1028	Walther P22
	2015-1033	Mossberg 500
	2015-1574	44 Magnum
	2015-2084	Ruger Handgun with Mag and 5 Rounds
	2015-2085	Ruger 22 Long Barrel Pistol with 2 Mags
	2015-2086	.22 Long Rifle with Scope
	2015-2087	20 GA with 3 rounds
	2015-2088	410 Bore
	2015-2089	12 GA
	2015-2122	Savage Shotgun
	2015-2205	Firearm
	2015-2206	Firearm
	2015-2207	Firearm
	2015-2322	Firearm
	2015-2323	Firearm
	2015-2713	Firearm
	2015-2713	Firearm
	2015-3534	Firearm
	2015-3464	Sig Mosquito .22lr
	2015-0525	Firearm
	2015-0657	Firearm
	2015-0658	Firearm
	2015-1029	Ruger 10-22
	2015-1030	Savage 93R 17

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on the computer printout</u>
	2015-1039	Walther PPK .380 Cal
	2015-1141	Smith & Wesson M&P
	2015-1725	Firearm
	2015-3347	Firearm
	2015-3536	Firearm
	2015-3537	Firearm
	2015-3538	Firearm
	20015-4240	Firearm
	2015-4241	Firearm
	2015-2132	Firearm
2016	2016-2544	Firearm found in Property Room
	2016-2545	Firearm found in Property Room
	2016-2546	Firearm found in Property Room
	2016-2548	Firearm found in Property Room
	2016-2548	Firearm found in Property Room
	2016-2549	Firearm found in Property Room
	2016-2550	Firearm found in Property Room
	2016-2594	Firearm found in Property Room
	2016-2416	Firearm
	2016-2417	Firearm
2016	2016-2418	Firearm
	2016-2420	Firearm
	2016-2513	Firearm
	2016-1118	Firearm
	2016-1119	Firearm
	2016-1380	Firearm
	2016-1764	Firearm
	2016-2046	Firearm
	2016-2224	Firearm
	2016-2890	20 GA Remington Shotgun
	2016-2891	Long Gun Mike West
	2016-2886	Long Gun #1 Flemmi
	2016-2887	Long Gun #2 Flemmi
	2016-2888	Long Gun #3 Flemmi
	2016-2889	Long Gun #4 Flemmi
	2016-2852	.38 Cal Colt

2016-2853	.38 Cal Smith & Wesson
2016-2855	Shotgun 12 GA Winchester
2016-2856	Ithaca 12 GA
2016-2547	Firearm
2016-2586	Firearm
2016-2419	Firearm

**Firearm Inventory Braintree Police Department**

**Unaccounted for Firearms as of 8/10/16**

<b><u>Year</u></b>	<b><u>BPD Property #</u></b>	<b><u>Description as it appears on the computer printout</u></b>
1990	1990-1112	12 GA Shotgun
	1990-1282	Handgun
	1990-2369	. 380 Cal Automatic
	1990-2612	2 Handguns
	1990-2814	9MM Handgun
	1990-3149	Rifle
	1990-3150	Rifle
	1990-3377	9MM Semi-Automatic Rifle
2000	2000-0536	12 GA Shotgun
	2000-0760	Handgun
	2000-0762	Handgun
	2000-4360	Rifle
2001	2001-0303	Black/Semi Auto

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on computer printout</u>
	2001-1248	Handgun
	2001-1375	270 Cal Rifle
	2001-2007	Glock
	2001-3359	.22 Cal
	2001-3795	Automatic with Clip Loaded
2002	2002-0677	Rifle Turned in by Domestic
	2002-0823	.45 Cal Found at Met Yac Club
2003	2003-3309	.22 Cal Rifle
	2003-3505	1 25 Auto
2004	2004-0286	1 Maverick 12 GA MV73283B
	2004-2005	Winchester Model 94 Rifle
	2004-3726	.357 Revolver Handgun
2005	2005-0323	Very Old, Small Revolver
	2005-0987	J.P. Saur and Sohn
	2005-1647	1 Mossberg 22/1 Remington 12GA
	2005-2127	Luger
	2005-3431	1 32 Cal 5 Shot Snubnose

<u>Year</u>	<u>BPD Property #</u>	<u>Description as it appears on computer printout</u>
	2005-4054	Remington Long Barrel .22
2006	2006-1129	Rifle
	2006-1130	Rifle
	2006-1237	Firearm
	2006-2680	Firearm
	2006-3193	Firearm
	2006-3298	Firearm
2007	2007-2711	Firearm
	2007-2712	Firearm
2008	2008-1067	Firearm
	2008-1249	Firearm
2009	2009-0476	Firearm
	2009-0883	Firearm
	2009-2677	Firearm
	2009-3763	Rifle

<u>Year</u>	<u>BPD Property#</u>	<u>Description as it appears on computer printout</u>
2010	2010-1752	Rifle
	2010-2775	Ruger 10/22 .22 Cal Rifle with Case
	2010-2806	Pistol Auto/Semi
2011	2011-0052	Firearm
	2011-0053	Firearm
	2011-1377	Firearm
2012	2012-2960	Shotgun
2013	2013-0904	Rifle
2014	2014-3999	Rifle
	2014-4001	Firearm
	2014-4002	Firearm
	2014-4081	Firearm
2015	2015-1039	Walther PK .380 Cal
	2015-1725	Firearm
	2015-3447	Firearm



A total of sixty (60) firearms are unaccounted for as of August 10, 2016.

**\*\* Note:** On June 10, 2016 a firearm was recovered from the home of Officer Susan Zopatti. This firearm was listed in the computer as having been returned to its owner, Daniel Shaw. This did not occur. Mr. Mark Zopatti turned this weapon over to Deputy Foster. This firearm was listed in the computer as Property # 2012-3483. It is described as a Model 23 .40 Caliber Glock. Mr. Zopatti also turned over a .25Cal Beretta handgun to Deputy Foster. This firearm was still logged into the gun locker. The owner was listed as Michael Flemmi.

6. On August 8, 2016 Evidence officers Solimini, Bregoli, and I began the audit of property items. A computer printout by year was provided by Jack DeGregorio. It should be noted that this printout also contained entries for cash, videos, sexual assaults, counterfeit monies, vehicles, and bicycles. Apparently the Pamet system is not capable of separating these categories. The cash had been previously audited. The trailer contained hundreds of CDs, DVD, Cassettes, and surveillance tapes in bins. Many of these did not have property numbers on them. The trailer also had a large number of sexual assault kits. These kits had lab numbers only on them. This prevented us from inventorying them. Each kit had to be researched by the date of the incident. The printouts also had numerous entries indicating that these items were not located in the evidence locker but "out". The out category listed out to lab, returned to owner, out for another reason, out to DA's office, out disposed of, out for investigation and out to other police departments. Those entries will have to be researched at a later date to determine their current status. For purposes of this report the aforementioned categories were not considered unaccounted for.

- ❖ The year **1999** consisted of *three hundred and forty-six entries (346)* printed on forty-seven (47) pages. This printout started with Property # 1990-0177 and ended with Property # 1999-3463.
- ❖ *Fourteen (14) of these items were examined. Fourteen (14) were videos. Nineteen (19) were cash. Twenty-three (23) were logged out. Two (2) were bicycles.*
- ❖ The remaining two hundred and sixty-five (265) were unaccounted for.
  
- ❖ The year **2000** consisted of *four hundred and ninety-seven (497) entries* printed on one hundred and thirty-six (136) pages. This printout started with Property # 2000-0113 and ended with Property # 2000-4366.
- ❖ *Twenty-three (23) of these items were examined. Thirty-six (36) were videos. Twenty-one (21) were cash. Ten (10) were sexual assault kits. Four (4) were counterfeit monies.*
- ❖ The remaining three hundred and ninety-seven (397) were unaccounted for.

- ❖ The year 2001 consisted of *three hundred and four (304) entries* printed on fifty-four (54) pages. This printout started with Property # 2001-0137 and ended with Property # 2001-4312.
- ❖ *Thirty-eight (38) of these items were examined. Twenty-nine (29) were videos. Sixteen (16) were cash. One (1) was a sexual assault kit. Three were counterfeit monies. Six (6) were logged out. One (1) was a vehicle.*
- ❖ The remaining two hundred and ten (210) were unaccounted for.
  
- ❖ The year 2002 consists of *two hundred and eighty-two (282) entries* printed on fifty-eight (58) pages. This printout started with Property # 2002-0274 and ended with Property # 2002-3736.
- ❖ *Fifty (50) of these items were examined. Twenty-three were videos. Twenty-one (21) were cash. Forty-six (46) were logged out. Seven (7) were counterfeit monies. Four (4) were sexual assault kits.*
- ❖ One hundred and sixty-seven (167) were unaccounted for.
  
- ❖ The year 2003 consisted of *three hundred and ninety-nine (399) entries* printed on eighty-one (81) pages. This printout started with Property # 2003-0112 and ended with Property # 2003-3619.
- ❖ *Thirty-two (32) of these items were examined. Twenty-five (25) were videos. One hundred and nineteen (119) were logged out. Ten (10) were counterfeit monies. Five (5) were sexual assault kits.*
- ❖ The remaining two hundred and thirty-two (232) were unaccounted for.
  
- ❖ The year 2004 consists of *three hundred and twenty-seven (327) entries* printed on forty-four (44) pages. This printout started with Property # 2004-0124 and ended with Property # 2004-3602.
- ❖ *Thirteen (13) were examined. Twenty-nine (29) were videos. Twenty-three (23) were cash. Eight (8) were counterfeit monies. Four (4) were sexual assault kits. One (1) was a firearm.*
- ❖ Two hundred and two (202) were unaccounted for.
  
- ❖ The year 2005 consists of *four hundred and one (401) entries* printed on seventy-seven (77) pages. This printout started with Property # 2005-0122 and ended with Property # 2005-3974.
- ❖ *Eighty-three (83) of these items were examined. Twenty-five (25) videos. Fifty (50) were logged out. Twenty-four (24) were cash. Five (5) were counterfeit monies. Three (3) were sexual assault kits. Six (6) were bicycles.*
- ❖ Two hundred and five (205) were unaccounted for.

- ❖ The year 2006 consists of *three hundred and thirty-three (333) entries* printed on sixty-five (65) pages. This printout started with Property # 2006-0009 and ended with Property # 2006-4154.
- ❖ *One hundred and ten (110) of these items were examined. Twenty-one (21) were videos. Sixty-five (65) were logged out. Fourteen (14) were cash. Twelve (12) were ammunition.*
- ❖ The remaining one hundred and twelve (112) were unaccounted for.
- ❖ The year 2007 consists of *three hundred and three (303) entries* printed on sixty-eight (68) pages. This printout started with Property # 2007-0064 and ended with Property # 4715.
- ❖ *One hundred and eighty-seven (187) of these items were examined. Thirteen (13) were videos. Thirteen (13) were cash. Thirty-three (33) were logged out. One (1) was a sexual assault kit. One (1) was counterfeit money.*
- ❖ The remaining seventy-five (75) were unaccounted for.
- ❖ The year 2008 consists of *two hundred and twenty-three (223) entries* printed on forty-three (43) pages. This printout started with Property # 2008-0002 and ended with Property # 2008-4545.
- ❖ *One hundred and twenty-five (125) of these items were examined. Sixteen (16) were videos. Thirteen (13) were cash. Two (2) were counterfeit monies. Eighteen (18) were logged out. Thirteen (13) were sexual assault kits. Three (3) were firearms.*
- ❖ The remaining thirty-three (33) were unaccounted for.
- ❖ The year 2009 consists of *two hundred and forty-four (244) entries* printed on forty (40) pages. This printout started with Property # 2009-0052 and ended with Property # 2009-4325.
- ❖ *One hundred and forty-six (146) of these items were examined. Twenty-one (21) were videos. Fourteen (14) were cash. Fifteen (15) were logged out. Six (6) were firearms.*
- ❖ The remaining forty-two (42) were unaccounted for.

- ❖ The year 2010 consists of *four hundred and twenty-nine (429) entries* printed on eighty-nine (89) pages. This printout started with Property # 2010-00212 and ended with Property # 2010-4388.
- ❖ *Two hundred and seventy-four (274) of these items were examined. Fourteen (14) were videos. Thirty-eight (38) were cash. Thirty-four (34) were logged out. One (1) was counterfeit money.*
- ❖ The remaining sixty-nine (69) were unaccounted for.
  
- ❖ The year 2011 consists of *five hundred and seven (507)) entries* printed on one hundred (100) pages. This printout started with Property # 2011-0029 and ended with Property # 2011-4279.
- ❖ *Three hundred and thirty-six (336)) of these items were examined. Twenty-five were videos. Seventeen (17) were cash. Fifty-seven (57) were logged out. Two (2) were counterfeit monies.*
- ❖ The remaining Seventy (70) were unaccounted for.
  
- ❖ The year 2012 consists of *eight hundred and thirteen (813) entries* printed on one hundred and sixty-seven (167)) pages. This printout started with Property # 2012-0045 and ended with Property # 2012-4320.  
*Four hundred and seventy-four (474)) of these items were examined. Forty-four (44) were videos. One hundred and forty-nine (149) were logged out. Thirty-six (36) were cash. Four (4) were firearms. Two (2) were counterfeit monies.*
- ❖ The remaining one hundred (100) were unaccounted for.
  
- ❖ The year 2013 consists of *nine hundred and seventy-three (973) entries* printed on two hundred and four (204) pages. This printout started with Property # 2013-0002 and ended with Property # 2013-4610.
- ❖ *Seven hundred and seven (707) of these items were examined. Sixty (60) were videos. Seventy (70) were logged out. Twenty-nine (29) were cash. Two (2) were counterfeit monies. Four (4) were firearms. Two (2) were sexual assault kits.*
- ❖ The remaining ninety-nine (99) were unaccounted for.
  
- ❖ The year 2014 consists of *nine hundred and seventy-one (971) entries* printed on one hundred and seventy-nine (179) pages. This printout started with Property # 2014-0006 and ended with Property # 2014-4605.
- ❖ *Seven hundred and fifty-seven (757) of these items were examined. Twenty-two 922) were videos. Seventy-nine (79) were logged out. Twenty-nine (29) were cash. Three (3) were counterfeit monies. Two (2) were firearms.*
- ❖ The remaining seventy-nine (79) were unaccounted for.

- ❖ The year 2015 consists of eight hundred and ninety-one (891) entries printed on one hundred and sixty-two (162) pages. This printout started with Property # 2015-0003 and ended with Property # 2015-4260.
- ❖ *Seven hundred and thirty-seven (737) of these items were examined. Seventeen (17) were videos. Forty-eight (48) were logged out. Sixteen (16) were cash. Twenty-three (23) were firearms. Two (2) were sexual assault kits.*
- ❖ The remaining forty-six (46) were unaccounted for.
- ❖ The year 2016 consists of seven hundred and seventy-six (776) entries printed on one hundred and forty-seven (147)) pages. This printout started with Property # 2016-0018 and ended with Property # 2016-2430.
- ❖ *Six hundred and sixty-nine (669) of these items were examined. Sixteen (16) were videos. Seventy-three (73) were logged out. Nine (9) were cash. One (1) was counterfeit money.*
- ❖ The remaining eighteen (18) were unaccounted for.

7. The following list of Property Numbers or Incident Numbers were found to be compromised. For present purposes, compromised is defined as: heat sealed Braintree Police Department evidence bags were torn open or cut, evidence, U.S. currency, property, was partially or completely missing. All evidence bags found to be compromised were photographed and secured in Deputy Foster's office

- 1.
  - Property # 2001-0259
  - Description: BPD evidence bag with 9.5 grams of Marijuana.
  - Evidence: Bag torn open no drugs inside.
  - Defendant: [REDACTED]
- 2.
  - Property # 2011-0523
  - Description: BPD evidence bag containing two cell phones, one black, one pink. Also containing \$152.00 in U.S. Currency.
  - Evidence: Bag torn open, cell phones inside, no cash.

- 3.
  - Property # 2012-3144
  - Description: Kodak camera.
  - Evidence: Bag torn open, bag empty, no camera inside.
- 4.
  - Property # 2011-0523
  - Description: \$152.00 in cash, 2.70 grams of Cocaine, and 2.1 grams of Heroin.
  - Evidence: Bag torn open, hole in back, 2 cell phones inside of bag with some photographs. There were no drugs or cash inside the envelope.
- 5.
  - Property # 2012-3140, Property # 2012-3141, Property # 2012-3741
  - Description: BPD evidence bag. These items are all part of the Viola, Terresa case. Property # 2012-3140-Empty black and purple wallet. Property # 2012-3141-Cardboard boxes with assorted jewelry. Property # 2012-3741-Remaining items from silver wallet.
  - Evidence: Bag torn open in back, unknown what is missing.
- 6.
  - Property # 2009-1528
  - Description: BPD evidence bag containing \$470.00.
  - Evidence: Bag torn open, no cash inside.
  - Defendant: [REDACTED]
- 7.
  - Property # 2012-2309, Property # 2012-2311
  - Description: BPD evidence bag containing 2 gold necklaces with diamond hearts, 1 pair of loose earrings, 3 pairs of "Juicy Couture" earrings, 1 "Juicy Couture" key chain.
  - Evidence: The "Juicy Couture" key chain is missing.
  - Defendant: [REDACTED]

- 8.
- Property #2013-1058
- Description: BPD evidence bag containing \$192.00.
- Evidence: Bag torn open, no cash inside.

## INITIAL FINDINGS:

### Narcotics Evidence

1. A total of one thousand nine hundred and seventy-nine (1,979) pieces of narcotics evidence was examined during this audit.
2. A total of four thousand seven hundred and nine (4,709) pieces of narcotics evidence is missing.
3. A total of thirty-eight (38) pieces of narcotics evidence was found to be compromised.
4. There were numerous pieces of narcotics evidence that was not properly logged into the computer system. Some of these items were listed as being at the lab, because they were not logged back in when they were picked up.
5. Another issue was the designation of "destroyed", "closed", or "disposed" for pieces of narcotics evidence. These items were found during the audit. The proper computer entry should be "held for destruction".
6. The evidence officers should schedule a date for destruction for narcotics as soon as possible. It is estimated that almost half of the narcotics being stored are eligible for destruction.
7. The narcotics evidence is currently being stored haphazardly. It should be stored chronologically by year and the Braintree Police Department's property number.
8. The lab receipts do not have a corresponding property number to enable the evidence officer to quickly cross reference the evidence.
9. While conducting the property audit there was narcotics evidence found with the property.
10. Drug paraphernalia was also listed under the property category. Although this paraphernalia should be separated from the actual drugs, it should be listed in the drug category with its own property number.
11. A list of all narcotics evidence that is missing will be provided to the evidence officers with this report.



## Property Evidence

1. A total of four thousand seven hundred and thirty-seven (4,737) pieces of property evidence was examined during this audit. There are two thousand four hundred and ninety (2,490) pieces of property evidence missing.

Some of this missing property is expected to be found in the sealed lab boxes from sexual assault cases when the research for corresponding property numbers is complete. A small number of these missing items are listed as alcohol or are described as drug paraphernalia, such as marijuana grinders, spoons with residue, etc.

2. There were numerous entries for counterfeit monies. These entries belong under the seized monies category. They should be sent to the Secret Service which keeps them and properly logged out to that agency.

3. There were several property cases that were not properly entered in the Pamet system. These items were returned to their owners, auctioned off, or destroyed. There were also numerous property cases that were examined but were not on the storage location list.

4. The shelves in the evidence room provide a more than adequate area for storage of property evidence. There is no excuse for property evidence being left on the floor. Large or bulky items should be stored in the shed in the back parking lot. Currently there is no rhyme or reason to where evidence is stored within the aisles.

5. The boxes/bags containing property items are not properly marked. They give no indication of what is inside of them.

6. The sexual assault kits and sealed evidence boxes and bags are currently located in the outside trailer. All sexual assault kits should be kept inside the property evidence room in a separate area on the shelves. The clothing associated with these cases can remain in the trailer.

7. There are numerous property items that appear on the computer printout that do not appear to evidentiary. It appears that there is a "grab everything" attitude when it comes to seizing property items.

8. The evidence officers should not be responsible for written forms or statements regarding defendants. Miranda Warning, statements of confessions, and other paper evidence should be submitted to the Lieutenant in charge of prosecuting cases. If the need arises to store these items they should be stored in the records office or the arresting officer should keep them with his/her case folder. There were hundreds of these written documents being stored in the evidence locker.

9. As with the narcotics, seized monies, and firearms, there are major issues with the proper entry of evidence into the computer system. This will be further discussed under the recommendations section of this report.

10. There were a total of eight property cases that were compromised.



10. A list of all property evidence that is missing will be provided to the evidence officers with this report.

### Seized Monies

1. The seized monies are currently being stored in a locked filing cabinet within the evidence locker.
2. There is not a cross reference with the Braintree Police Department's property number and the forfeited money forms. When the check to the District Attorney's Office or to the Law Enforcement Fund is made out it does not include the property number. When a return of funds is made to a defendant the property number does not appear on the form.
3. Counterfeit monies should be sent to the Secret Service. These entries should show them being moved to an outside agency. These items are not going to be returned and should be removed from Pamet so that they do not appear on printouts.
4. There are numerous entries made into Pamet regarding money seized that do not indicate the amount. Some of these entries describe the seizure as, "US Currency", "Loose Change", "Cash", etc. These entries require a search of the Pamet system to determine how much cash was seized.
5. All checks written for seized funds that are forfeited or returned should be made out by the financial evidence officer.
6. There were two hundred and twenty-six (226) items of seized cash examined during this audit. There are four hundred and forty (440) items of seized cash *missing. There were nine items found to be compromised. This does not include compromised items containing U.S. currency found during the property audit and the narcotics audit.*
7. The total amount of seized cash missing from these four hundred and forty (440) items is \$407,988.51.
8. A list will be provided to the evidence officers of all seized monies listed as missing.

### Firearms

1. There were two hundred and twenty-one (221) firearms examined during this audit.
2. There were sixty (60) firearms *missing.*
3. There is either a serious record keeping error regarding firearms or a need to immediately look into this matter.
4. A list will be provided to the evidence officers of all firearms on the computer printout that are missing.

## Recommendations

### Narcotics Evidence:

- All narcotic evidence should be stored in a plastic storage bag with a zip-lock top. This bag should be 6ml plastic and measure 11" by 12". The analysis sheet should be placed facing out in the front of this bag. The heat-sealed evidence bag (s) from the lab should be visible from the opposite side. Any item too large to fit in this storage bag should have the bag attached to the item with the proper paperwork contained within. A label should be attached to the front of the storage envelope with the Property number, the defendant's name, date of seizure, and the arresting/investigating officer's name and identification number.
- All narcotic evidence should be stored in a drawer within a cabinet file.
- The shelves in the narcotics evidence locker should be removed from the bottom up to the fifth shelf. This would allow for three to four five drawer filing cabinets to be installed in their place. These filing cabinets should be sufficient to store all of the narcotics evidence being held. Any large or bulky evidence should be stored above the filing cabinets on the remaining shelves.
- All narcotic evidence should be stored chronologically. The property evidence numbers which indicate a year and an individual number for that piece of evidence should be used for this purpose. It should not matter whether a piece of evidence has a property number that corresponds with the year of the offense. The Pamet entry should include the exact location of each piece of evidence, e.g. File cabinet A, drawer 3.
- A written memo from the Chief, followed by a "roll call" announcement should be given to every officer reminding them of the proper way to assign a property number to narcotics evidence and the importance of providing detailed and accurate information.
- At no time should any evidence be stored in the evidence locker if it is not properly entered in the record system. Evidence that is submitted that is not properly labeled, contains insufficient information, or does not have the proper identification number and category assigned to it, should be rejected. The submitting officer should be made to correctly fill out the information and re-submit the evidence.
- At no time should any officer or civilian be allowed to enter the evidence locker to retrieve narcotics evidence.

- The computerized record system should also have levels of security regarding entering data. A supervisor should be designated who has the authority to change information once it has been entered. No other officer should have this authority. This will prevent the unauthorized changing of information to conceal mistakes or to improperly reconcile records
- The assigned evidence officer should be directed to check the temporary evidence locker on a daily basis, weekends excepted, to check for submitted evidence and to immediately enter this evidence into the record system. All evidence secured in the temporary lockers should be entered in the Pamet system to that location. The entries should include a brief description of the evidence, i.e. "1 small baggy containing white powder", "14 blue oval pills", etc., the defendant's name, the arresting officer's name and ID#, the date of the seizure, and the time the evidence was placed into the temporary locker. The evidence officer should make an entry when he takes this evidence out to place it into the evidence locker. This entry should include his name, ID#, the date and time, and where it is going, i.e. "Out to evidence locker, or out to lab for analysis".
- Time should be allotted for the evidence officer to access the evidence locker on a weekly basis to maintain the integrity of the locker.
- The evidence officer should transport all narcotics evidence awaiting analysis to the State Police Lab once per month.
- The Chief should require that the evidence officer submit a quarterly inventory. This inventory should document the examination of **all** narcotics evidence in the locker. It should also provide a detailed list of all active cases, cases being held for destruction, and cases at the lab for analysis.
- An unscheduled semi-annual inspection by the Chief should be conducted of the evidence locker. Accountability and security procedures should be the primary focus of this inspection.
- An annual audit by an outside agency should be conducted to insure that all policy and procedures are being followed. This will also provide a check and balance to ascertain if any evidence has been compromised, is unaccounted for, or does not correspond with the current records.
- The evidence officer should be required to obtain an order of destruction from the court of jurisdiction whenever possible. On December 10, 2015 I spoke with Detective Captain Paul L'Italien. Detective Captain L'Italien was in charge of the Destruction Unit for Massachusetts State Police. He informed me that the current director of the State Police Lab, Ms. Sullivan, has ordered that all destructions must be signed by a clerk or judge. Apparently there is a grey area in the statute that pertains to drugs

that have not been analyzed, that previously allowed a Chief of Police to authorize their destruction. The director has erred on the side of caution with her interpretation and thus they now require a court order. The Chiefs of Police Association should lobby the legislature to amend this chapter and section to allow the Chief of Police the authority to order non-analyzed drugs destroyed.

- All narcotics evidence should be examined by the evidence officer prior to it going to court and upon its return.
- The evidence officer should be assigned to an administrative shift, Monday through Friday. This will provide the proper access to evidence if it is needed for court, etc.
- The shelves in the evidence room should be labeled numerically or alphabetically. These cases should be stored chronologically by property number and year. The Pamet system should indicate what aisle and what shelf each item is stored on. This will allow the evidence officer to be able to immediately retrieve evidence.
- An immediate inquiry should be conducted by the evidence officer to retrieve any evidence that is being held by the District Court. The evidence officer should also pick up all analyzed evidence being held by the State Police Chemical Lab.
- The only categories for storage of narcotics evidence should be: Narcotics Evidence Locker, Held for Destruction, Out to Lab, and Temporary Locker. All other categories currently in the Pamet system should be purged immediately.
- Narcotics evidence should never be stored with property.
- The evidence officers need to focus on accurate entries in the Pamet system. It is extremely important to log evidence in and out to the proper storage areas. The continuity of evidence is always a challengeable issue by a defense attorney.
- A form should be written that requires the signature of the judge or clerk whenever narcotics evidence is ordered open by the court. This form should accompany all narcotics evidence to court. If the judge or clerk refuses to sign the form it should be so noted on the signature line. This form would include the defendant's name, the date of trial, the Braintree PD property number and or the State Police Lab number.
- A form should be written that requires the signature of the ADA when he/she is holding narcotics evidence for trial and it cannot be returned to the evidence locker that day. The information on this form should be the same as the aforementioned form for the judge or clerk.

- The missing/unaccounted narcotics evidence prior to the year 2013 should be reconciled. *This must be a priority.* This evidence was not present during the audit and probably will never be found elsewhere. A brief note should be entered in the computer, such as, "Not found during 2016 audit, believed destroyed in 2009 or 2012 destruction." This evidence must then be purged from the system. It should not show up on a printout of narcotics evidence in the future.
- Missing/unaccounted narcotics evidence from the year 2013 to the present needs to be thoroughly researched. If after a diligent search this evidence is not accounted for it should be purged from the computer also. Its absence should be attributed to the previous evidence officer, Officer Susan Zopatti. This evidence should not appear on any future narcotics evidence printout.
- A narcotic destruction with the State Police should be scheduled as soon as possible. It is estimated that one half to two-thirds of the current narcotics inventory may be eligible for destruction.
- A Policy and Procedure for the seizing, handling, recording, and storage of narcotics evidence should be written. Every officer of the Braintree Police Department should receive a copy and acknowledge that they have received and understand this policy and procedure.

### Property

- The property evidence should be stored on shelves within the evidence locker. Each of these shelves should be labeled alphabetically or numerically. All property evidence should be stored chronologically by year and the Braintree Police Department's property number.
- All of the sexual assault evidence should be stored in the same area of the evidence locker. The Pament system should contain a category, "Sexual Assaults" as a property location. These cases should also be stored chronologically by the property number.
- All boxes/bins used to hold property evidence should be numbered. The outside of each box/bin should have the property number(s) written out of the items contained within the box. This can be done with a computer printout taped to the cover, or by individual property labels attached to the sides of the box/bin.
- At the conclusion of this audit and after the evidence officers have checked each box/bin for items that can be disposed of, the box/bin should be sealed with the Braintree PD red evidence tape. The evidence officer should initial and date across the tape. It is a rare occasion when the

evidence office must take property evidence out of the box/bin for court. If the evidence tape is not broken, there would be no need to open the box/bin during a future inventory or audit.

- All paper bags used to hold property evidence should have the property number(s) written out of the items contained within the bag.
- All boxes, bags, and kits sealed by the State Police Lab should never be opened except for trial. These containers should have the property numbers written out of the items contained within.
- All written documents such as Miranda warnings or statements should be placed in the court prosecutor's office. These types of documents **should not be stored in the evidence locker**. If storage is necessary they should be kept in the records section or with the arresting officer's case folder.
- A short training session should be conducted to advise officers what should or should not be taken as evidence. The rule of thumb is: "If you are not going to hold it up in court as evidence it should not be taken as evidence."
- Marijuana related drug paraphernalia now being stored in property boxes should be destroyed.
- All firearms, including BB guns and pellet guns, should be stored in the Gun Locker. They should not be stored with property evidence.
- The only storage category should be the Property Room and the outside trailer. All other locations for storage of property should be immediately purged from Pamet. If necessary a sub category for alcoholic beverages could be created.
- There should also be a sub category for sexual assault evidence. This evidence is currently being stored in the trailer. Victims of a sexual assault may find this fact offensive. This evidence should be stored inside the property room. The clothing associated with these cases can remain in the trailer.

#### **Seized Monies:**

- All U.S. currency that is seized by an officer of the Braintree Police Department must be counted by a supervisor prior to being submitted in a secure evidence bag. The supervisor will, along with the investigating officer, initial this evidence bag indicating that the count of the money is correct.



- A written memo should be sent to every officer of the Braintree Police Department reminding them to strictly adhere to the Policy and Procedures regarding the seizure of U.S. currency. This memo should be re-enforced by mentioning the memo at roll calls.
- One of the evidence officers should be designated as the financial evidence officer, or Mr. Paul McSorley should be designated as such.
- The financial evidence officer should refuse to accept any seized monies that are not properly packaged, labeled and verified according to the Policy and Procedure.
- A cashless accounting and record system should be installed forthwith. All monies seized should be deposited in an established checking account with a bank. The deposit should be made by the financial evidence officer within 72 hours of when he/she receives the seized monies. An accounting system such as "Quicken" should be used to record these transactions.
- Whenever monies are ordered by the court to be returned to a defendant or victim, the return should be in the form of a check. The check should indicate the subject's name and the case number/property number. The check should only be issued in person upon presentation of positive identification. A copy of this identification should be made and placed into the folder. A copy of the court order should be made and become part of the case file.
- Upon notice of court ordered forfeiture by the District Attorney's Office a check should be made out for half the amount to the District Attorney's Office. Another check should be made out to Braintree Police Department or the account name where the Department holds forfeited funds.
- Reports of *lost or stolen monies should not* be part of the seized monies account or recorded entries.
- The Department should consider setting a minimum amount of one hundred dollars (\$100.00) for seized monies from defendants. The seizure of small amounts of money requires the same amount of paperwork, record entries, and accountability as larger sums.
- Monies seized that have an *evidentiary value should not* be part of the seized monies account or records. This would include "buy money" used for undercover purchases, stolen money, and money from crime scenes that has bodily fluids on it.
- A file cabinet located within the evidence locker should be established to contain printed records that pertain to seized monies. These records should be classified as "Open" or "Closed". These folders should be filed alphabetically. Each folder should contain a copy of the arrest report, the

deposit slip indicating when the seized money was deposited in the bank, and any other paperwork that pertains to the seizure. Once a file is closed by forfeiture or court ordered return of the monies, the complete file should be put in the close drawer. The folder should contain a copy of the court order of forfeiture or the court order of return to the defendant. A copy of the check made out to the District Attorney's Officer and the Department should be kept in this file. If the money is ordered returned to the defendant, a copy of the check should be kept with the folder.

- All evidence should be returned to owners by the financial evidence officer. Arresting officers or case officers *should not* be making these returns.
- A quarterly inventory and accounting of all seized funds should be made by the financial evidence officer to the Chief. This report should indicate the amount of money seized, the amount of money forfeited, and the amount of money returned to defendants during this quarter.
- An audit by an outside agency should be conducted once a year.
- A temporary locker should be used for the temporary deposit of seized funds. A pre-numbered ledger should contain entries of these deposits. These entries should include the defendant's name, date of birth, and the investigating officer's signature.
- The financial evidence officer should keep a pre-numbered bound ledger of all deposits into his/her safe. These entries should include the date of deposit, the date of seizure, the defendant's name, the investigating officer's name, and the location of the money prior to its deposit into the safe.
- The Norfolk District Attorney's Officer should be asked to provide a quarterly report of all seized monies to the Braintree Police Department's financial evidence officer. They should also be asked to inform this officer whenever money is returned to a defendant by order of the court. This will allow the financial evidence officer to balance his/her books. A list of ten (10) or fifteen (15) money forfeiture cases should be sent to the District Attorney's Office every few months. The evidence officer should request that an ADA have these cases, especially the older ones, adjudicated.



## Firearms

- An immediate investigation/research should be conducted to ascertain the status of the missing firearms.
- Any firearms that can be stored with a private company, such as American Firearms Company, The Vault, or New England Ballistics should be stored there. This will reduce the inventory of the Gun Locker and also provide an accountable and secure site for their storage.
- All ammunition, magazines, and speed loaders should be stored in the Gun Locker..
- The Pamet system should have only one storage location for firearms. That location should be the Gun Locker. All other locations should be purged from the system immediately.
- The firearm entries are being put in with very little information. Some of these entries are: Firearm, Rifle, Handgun, and Pistol. They do not include the make, model, or serial number. They also do not always identify the firearm as either a long gun (rifle) or a handgun.
- If possible the Pamet system should be designed so that it will not accept an entry without the proper drop downs being utilized. It should also deny entries that do not sufficiently describe the items being submitted.
- Every firearm entry into the system should require a serial number, make and model, and type of weapon, i.e. handgun or rifle.

## Overall Assessment

- Officers Solimini and Bregoli are highly motivated to improve the organization of the evidence rooms.
- Neither of these officers ever received any type of formal training regarding the storing, labeling, or handling of evidence.
- An investigation/research into the status of missing/unaccounted for narcotics evidence from the year 2013 to the present should be conducted immediately.
- The missing firearms are of great concern. It is hard to understand how so many of these firearms are missing and there is no suggestions as to how this occurred.
- The missing monies need to be researched and a status determined. All records of seized monies transactions should be kept together and be readily available for inspection or research. The check writing for adjudicated seized monies should be done by the financial evidence officer. It is my understanding that those checks are currently being town

by a clerk at the town hall. Civilians not employed by the police department should not be part of this procedure.

- While the evidence officers are motivated they should be given time now to re-organize the evidence rooms. Time should also be given to research cases that can be destroyed and to prepare for a narcotic destruction.
- The “cashless” system for seized monies should be initiated immediately. Only the financial evidence officer should be returning money to defendants and writing checks for the District Attorney’s Office and the Braintree Police Department Fund.
- I cannot emphasize enough how important it is to immediately reconcile the computer records with the actual narcotics evidence being stored in the evidence locker. I have suggested several ways this may be done. This will require a decision by the Chief and the evidence officers to acknowledge the present situation for what it is. There are hundreds of pieces of narcotics evidence prior to the year 2013 that are missing or unaccounted for. It is reasonable in my opinion to believe that many if not all of these items were destroyed during the 2009 or 2012 destruction. The records from these destructions do not have property numbers on them. Therefore, it is not possible to cross reference them with the missing items. It would take hundreds of man hours to research these. These items should be purged from the system with a notation entered that explains this action. The second phase of this reckoning should be the research and status of all missing/unaccounted for narcotics evidence from the year 2013 to the present. Any narcotics evidence that is not located should also be purged from the system. Once again, a brief explanation that explains this action should be entered.
- The property, seized monies, and firearms records need the same scrutiny as the narcotics evidence. Any items not accounted for need to be reconciled and purged from the system.
- It is also very obvious from this audit that there are serious problems with the way officers are entering evidence into the computer system. There are five “drop downs” one of which must be clicked on. These five drop downs are: Drugs, Weapons, Blood, Other, and Alcohol. If the entering officer does not click on one of these drop downs the item will not be categorized and then will not appear on a computer printout. During the audit there were approximately three thousand one hundred and sixty-two (3,162) entries that were not on the computer printouts. These items had to be looked up by property number and then entered into a category so that they would appear on a printout in the future. If Pamet cannot be adjusted so that the drop down list must be clicked on for the item to be

entered, then this will require training for all officers. If the item is not entered properly the computer printout will not indicate an accurate number of evidence items being stored in the evidence lockers.

- The entries for firearms must include a serial number, make and model, and a description, such as, rifle, shotgun, handgun, and semi-automatic.
- The seized money entries must include the amount of U.S. currency seized.
- The drug paraphernalia should be kept separate from the drugs but should be entered in the drug category, not the property category.
- Clothing that is seized as part of a sexual assault investigation should be identified as such in the computer.
- The "drop down" list should exclude blood, weapons, other, and the alcohol category. The new list should be: Drugs, Cash, Firearms, and Property. Any item that does not qualify as a firearm (capable of firing a projectile) should be entered as a weapon in the property category.
- There were a number of evidence items logged out with the explanation, "Out for other reason". This entry should not be used. Evidence logged out needs to identify to whom the evidence is going to and to what location.
- There were also a number of evidence items whose last entry stated, "Disposed-Case Closed." This entry says to me that the item has been destroyed. In actuality we found these items during the audit. This entry should not be used in the future.
- The new evidence officers, Officer Solimini and Officer Bregoli should be able to start at "ground zero". That requires that only items that were examined during this audit or were accounted for (out to lab, etc.) should appear on the computer printout. This will require the purging of the Pamet system to accomplish this.
- I believe if the recommendations found in this report are carried out they will result in a very improved evidence system. I would anticipate that any future audits/inventories would be completed in about one third of the time needed for this audit.